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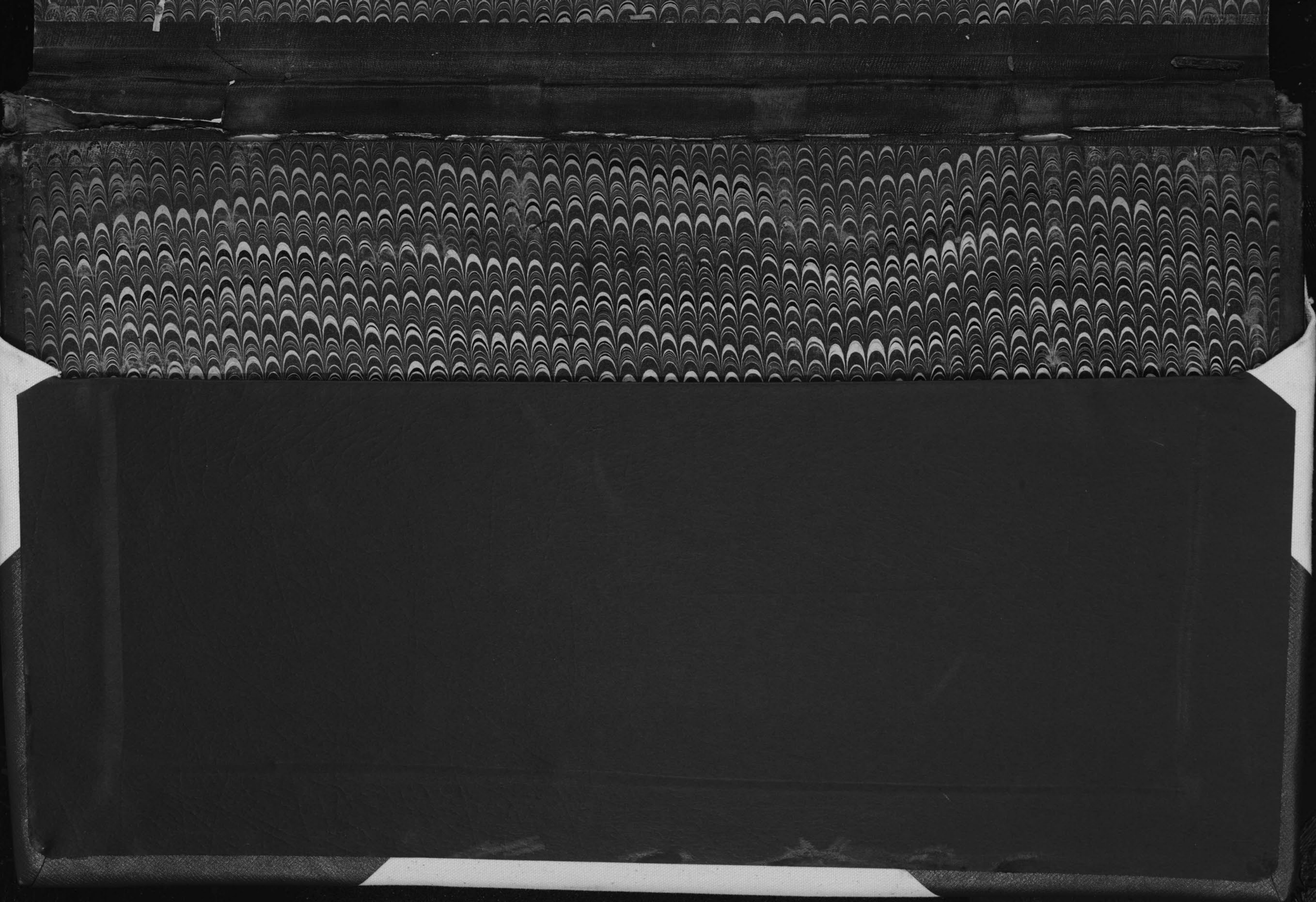

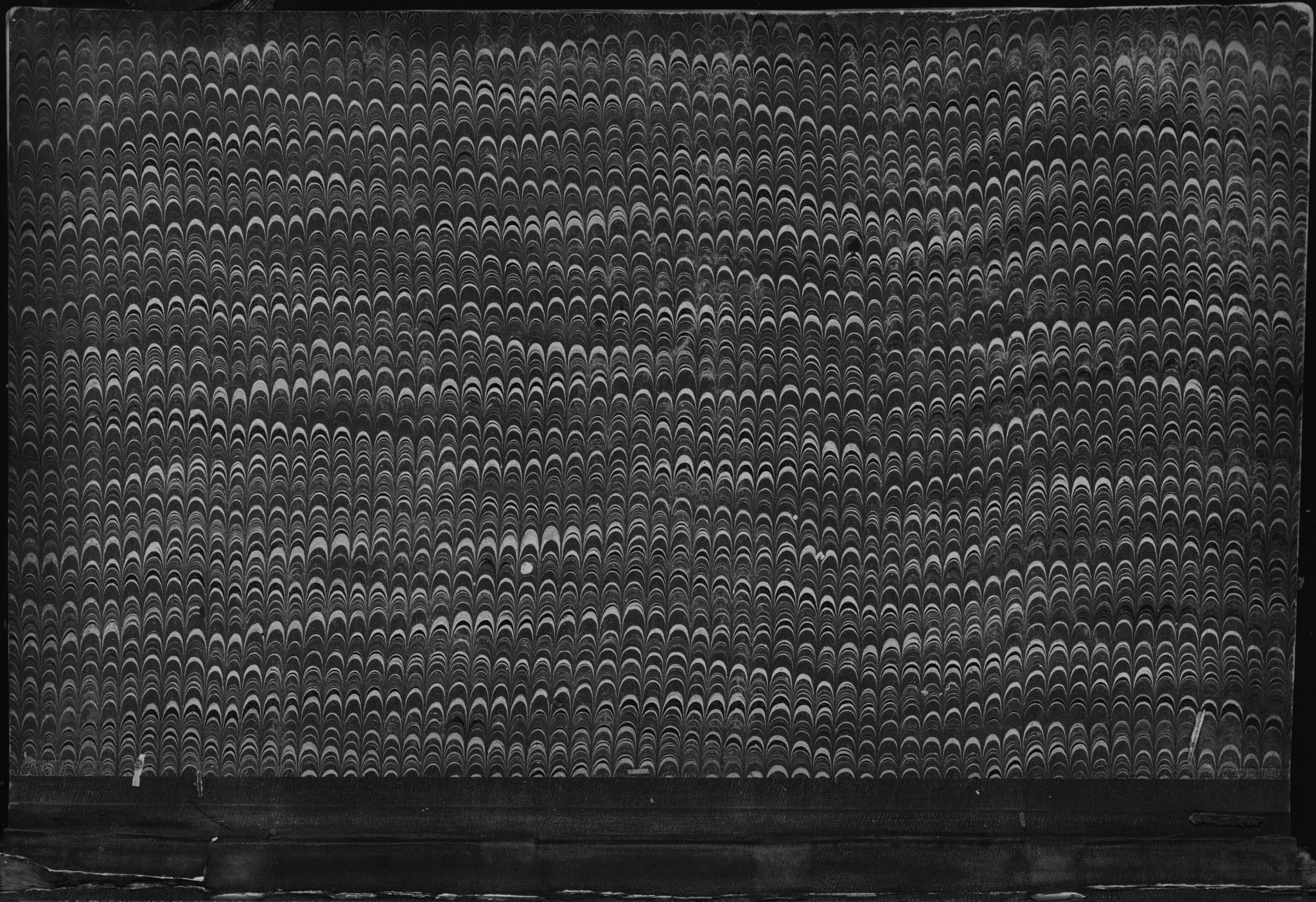

2603

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2753

Saturday. March 2", A.D. 1878.

This morning court met pursuant to adjournment — the same officers being present as on yesterday

2603 W. H. Grubbs
vs.
J. D. McNeal

This day this cause came on to be heard upon the motion of the plaintiff for leave to file reply in thirty days from rising of this court; and the Court being fully advised in the premises do grant such leave and this cause continued.

2754 John O'Ferrall & Co
vs.
J. Hammond et als

This day this cause came on to be heard upon motion by plaintiff for leave to reply to defendants answer in thirty days from rising of this term of Court. On consideration whereof the Court do grant such leave and the cause continued

2733 William B. Thompson
vs.
James Hoover

This day this cause came on to be heard upon motion of the plaintiff to strike from the answer of defendant was argued by counsel and submitted to the court. Thereupon the court being fully advised in the premises do sustain said motion.

2753 William H. Brengartner
vs
Wesley P. F. Smith et al

On Motion to the Court by Robinson & Piper counsel for petitioner and upon producing the proceedings of the Sheriff and also the report and proceedings of the Commissioners Heretofore appointed and the same being Examined It is considered that said proceedings and report be and the same are hereby approved and confirmed, and that said parties hold in severality the shares set off and assigned to each respectively by the said Commissioners. And it is further ordered that the costs and expenses of this Suit including an attorney fee to Robinson & Piper of $ 37.25 to be paid within ten days from this date by the parties in the following proportions to-wit the plaintiff William H. Brengartner

Saturday. February March 2d 1878

$37.44 and the defendant Wesley P. F. Smith $34.10/100 and in default thereof that Execution issue therefor

2400 Cassius McAllister
vs.
John McAllister

It appearing to the court that the Real Estate ordered to be sold in this case has been twice advertised, offered for sale and still remains unsold for want of bidders Now on motion of the said plaintiff the appraisement heretofore made is set aside and a new one ordered

2809 James Fullington et al
vs.
S. B. Robinson et al

This day came the plaintiffs by W. C. Lawrence Attorney, and thereupon came A. J. Carpenter one of the attorneys of Record of this Court, who, by virtue of a warrant of Attorney duly executed and now produced in open court and duly proved, waived the issuing and service of process, and entered appearance of said defendants herein, and by virtue of the same warrant of attorney, confesses that there is due from said defendants, to said plaintiffs as is alleged in said plaintiffs petition, the sum of $226 12/100. It is therefore considered that said plaintiffs do recover of said defendants the said sum of $226 12/100 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of eight per cent per annum. And by virtue of said warrant of Attorney, all errors are released, and all right of appeal, and all right to file a petition in error are waived

2655 Wiley Evans
vs.
Sidney M. Rodgers et al

And now comes the said Wiley Evans by A. J. Carpenter, his attorney, and the said defendants still failing to answer or demur to said petition; it is considered that the said plaintiff is entitled to an account of the money due him in the premises, and the court after hearing the evidence do find that there is due to the plaintiff on the note and Mortgage in said petition described, the sum of Eighteen and 50/100 Dollars ($18.50) with 8% interest thereon from the first day of this term (Feb. 4th, 1878.) And the court doth further find that said mortgage was executed by said Sidney M. Rodgers and Mary Rodgers, his wife prior to the execution of the deed by Sidney M. Rodgers to Henry J. King and that Mary Rodgers did not join in said deed to H. J. King, and that whatever rights Henry J. King may have in and to said premises by virtue of his said deed from Sidney M. Rodgers are subsequent and postponed to the rights of the plaintiff and the said Mary Rodgers herein. And it is further ordered and adjudged that in case said defendant, Sidney M. Rodgers fails for

2808.

2677

Saturday March 2nd A.D. 1878.

for three days from the close of this term of Court to pay to the said plaintiff the said sum of fifteen and 50/100 Dollars ($15.50) together with the interest thereon at the rate of 8% from Feb. 4th 1878 so as aforesaid found due with costs of suit, an order issue to the Sheriff of Union County, O, commanding him to cause the said lands and tenements in said petition described to be appraised, advertised and sold according to law, and apply the proceeds in satisfaction of the said sum so found due with costs of suit, and that he bring the balance of the proceeds of said sale into Court subject to the further order of this Court in the premises.

2808. Bank of Northwestern
vs.
James Carter

This day came on this cause to be heard on the motion of the defendant to set aside the judgment rendered in this cause; and thereupon the plaintiff asked leave to file its answer to said motion. Thereupon the Court being fully advised in the premises do overrule said motion of the defendant & thereupon find no necessity for such answer, and overrule said motion of the plaintiff. To which ruling and judgment of the Court (refusing to set aside said judgment and dismiss said action) the defendant excepts.

2677 Albert Clark
vs.
Mary A. Roberts et al

This day came the parties by their attorneys and thereupon this cause coming on to be heard was submitted to the Court upon the pleadings of the parties and the evidence and was argued by the Counsel. On consideration whereof, the Court being fully advised in the premises do find for the plaintiff on the issues joined and that the defendants executed to the plaintiff the two notes as set forth in the petition; that one of said notes was past due when the petition was filed; that the other is not yet due — The Court find there is due to the plaintiff as principal and interest upon the note due, the sum of $488.77/100. The Court do further find that to secure the payment of said notes the defendants executed and delivered to the plaintiff their mortgage as in the petition described — That said Mortgage was recorded as in the petition alleged, and is the first and best lien upon said premises. It is therefore considered and adjudged that unless said defendants shall within one day from the entry of this decree pay or cause to be paid the sum so as aforesaid found to be due and costs, the defendants' equity of redemption be foreclosed and said premises shall be sold and an order of sale issue to the Sheriff of Union County, directing him to sell said premises as upon execution and bring the proceeds into Court for further order: And as to the note not due this cause is continued. To all of which rulings and judgment of the Court in that behalf the defendant excepts.

Saturday, March 2nd A.D. 1878.

2808 The Peoples Bank
vs
David Watson et al

This day came the plaintiff by A.J. Carpenter its Attorney, and thereupon came L. Piperone of the attorneys of record of this court, who, by virtue of a warrant of Attorney duly executed, and now produced in open court and duly proven, waives the issuing and service of process, and enters appearance of said defendant herein, and by virtue of the same warrant of Attorney confesses that there is due from said defendant, David Watson as principal, and M. Lawrence as surety, to said plaintiff as is alleged in said plaintiffs petition, the sum of $406 22/100. It is therefore considered that said plaintiff do recover of said David Watson as principal and M. Lawrence as surety, defendants, the said sum of $406 22/100 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8% per annum. And by virtue of said warrant of Attorney, all errors are released, and all right of appeal and all right to file a petition in error are waived

2676

2658.

2575 James Groo
vs
Griffith Thomas et al

This cause came on to be heard on the return of the sheriff of the order of sale, issued herein, with his report and proceedings and sale of lands and tenements under said order, And the court having carefully examined the said proceedings, being satisfied that the said sale has in all respects been in conformity to law, finds the same to be legal and does therefore approve and confirm the same. It is further ordered that the sheriff make to the purchaser Griffith Thomas a deed for the lands and tenements so sold, and a writ of possession is awarded to put the said purchaser in possession of said premises The Court orders distribution of the proceeds of said sale as follows: That the sheriff pay first to the treasurer of this county the taxes and penalty due upon the property so sold, to wit; the sum of $: to the Clerk of this Court the costs of this proceeding taxed to, $: to the plaintiff the Amount of the judgment and finding herein made with interest to this date, to wit; the sum of $: to the defendants the balance of said purchase money.

2598 J.K. McIntire & Co.
vs
Selina Draper

It appearing to the court that the Sheriff heretofore appointed receiver in this case has fully accounted for all moneys in his hands and the said parties interested have mutually agreed upon questions of distribution, and the same has been made and all costs in this behalf have been paid It is ordered that said receiver be and he is discharged and having fully accounted is released from said trust and this cause is dismissed without prejudice, and costs paid.

Saturday, March 2nd, A.D. 1878.

2676 John K. Brown vs. Wm M. Brown et al.

This day on motion to the court by M. Lawrence - Attorney for the plaintiff, and upon producing the proceedings of the Sheriff, and the report and proceedings of the Commissioners herein before appointed, and the same being examined: It is ordered by the court that said proceedings and report be, and the same are hereby approved and confirmed; and thereupon neither of the parties electing to take said estate at the valuation thereof, as returned by said Commissioners. And it is ordered by the court that said lands and tenements be advertised and sold by the Sheriff of Union County according to the statute in such cases made and provided.

2658. Millcreek Christian Union Church &c vs. Emanuel Jarvis et al.

This day this cause came on to be heard by the court upon the pleadings and testimony. Whereupon the court being fully advised in the premises, do find that the house and grounds mentioned in the plaintiff's petition, were by the people of that vicinity interested therein placed under a "board of trustees", "to have the general supervision and control of said house and premises and to regulate the different appointments and see they should not clash"; That said "Board of Trustees" were to be for all time chosen, two from the members of the "Christian Church," the only church then organized in that community — and the third member of the "Board" from those outside the "Christian Church." That said "Board" was authorized to and it did, by authority of said parties interested, put the house into the possession of the said "Christian Church" to use one fourth of the time, and as much more as it might choose, provided it did not interfere with other appointments previously made: That it was a part of said original arangement, that subject to said rights of the "Christian Church" the said Board of Trustees" should open the house to the use of other Religious denominations, when requested and proper arangements should be made, with said Trustees as to the care of the house, and to be so arranged as that the appointments, should not interfere one with the other; The Court find that the present "Board of Trustees" bring all members of the "Christian Church", violates one of the requirements of said arrangement, and that one of them should resign, and John Turner, the last Trustee elected outside the said Church be reinstated until the next election of a Trustee to fill his place.

1st; The court therefore enjoins all persons from interfering with the use of said house except upon the permission of said "Board of Trustees": 2nd; The Court enjoins upon said "Board of Trustees" that they adopt general rules for the use of said house in accordance with said original plan, of those who erected said house,

Saturday March 2nd A.D. 1878

and which rules shall be written and recorded as part of the record of the proceedings of said Trustee, to govern all who may use said House under their authority And the Court orders each party to pay its own witnesses and one half the residue of the costs. No record.

Thereupon J.C. Bump, who is soon to remove from the County resigned his office and John Turner assumed his place as Trustee, on said Board"; and by the approval of the Court the following rules were adopted and made part of this decree, viz;

1st The people of that vicinity interested, shall on the second Saturday of April next, meet at said church at One o'clock P.M. and elect one Trustee to fill the place of John Turner whose term then expires, to hold his office for three years and until the people shall elect his successor; and they shall at the end of each three years thereafter, or a vacancy occurring, elect such Trustee and fill such vacancy: And the "Christian Church" aforesaid shall fill the vacancies that may occur in the stead of George Keckley and M.L. Thompson and their successors forever, each holding three years and until his successor shall be elected.

2nd That subject to the rights of the "Christian Church", as decreed by the Court in this case, the "Board of Trustes" will grant the use of said House, for the balance of the time to which said "Christian Church" has not exclusive right, to all denominations, the "Christian Church" included "on equal terms, viz: They shall first apply to the Trustees for the privilege, and obtain a key to the House, agree upon the time to use the House and arrange for the Care and cleaning and use of the House, and lights &c., so as to avoid confusion between different setts, and who shall be responsible for such time as may be assigned to them, but each may have its own Sexton if he complies with the rules as to care &c.

3rd The Sabbath School heretofore using said House, shall continue as in the past, but must not interfere with the regular hour of preaching, of any denomination. 4th, Until otherwise ordered leave is given to the "Church of Disciples" to call House the Saturday ahead on the 4th Sabbath, and that week of each month for preaching.

5th The "Board of Trustes" will decide all complaints as to the Care and Use of the House and Lamps &c, but shall make no discriminations as to the manner of care, Use and cleaning the House and Lamps, but the rules shall apply to all alike. 6th No change shall be made without one months previous notice and the principles of the decree of the Court shall not be violated. 7th All changes of these rules shall be recorded fully in the Book containing Record of the proceedings of said "Board" and shall not go into effect until so recorded.

Thereupon court adjourned to meet again Monday morning March 4th at 9 o'clock A.M.

2638

Monday March 4th A.D. 1878.

This morning court met pursuant to adjournment - the same officers being present as on Saturday, March 2nd.

Isaac Gearheart
vs.
Joshua S Gill

This day upon motion of the plaintiff in the above case it appearing to the court that the premises described in the plaintiff's petition have been heretofore twice offered for sale, the court orders the reappraisement of the said premises as asked for in said motion.

Samuel Neal
vs.
Hamilton Blue et al

This day came on this cause to set aside the verdict rendered in this cause and grant a new trial Whereupon the court being fully advised in the premises do overrule said motion It is therefore considered ordered and adjudged by the court that the defendants go hence without a day and recover of the plaintiff their costs herein expended, taxed to $ Thereupon the plaintiff excepted to said order and judgment of the court and asked that the judge sign and seal his bill of exceptions to be prepared and signed and sealed by the judge within thirty days, according to law, for which purpose the journals of the court are kept open for that time.

2638

Adam Wolford
vs.
Moses Wolford

On motion to the court by the plaintiff and upon producing the return of the sheriff and the report of the commissioners heretofore appointed herein and the same having been carefully examined by the court and the court being fully advised in the premises, and finding that part and portions of said premises have upon the written request of Adam and Moses Wolford been set off to them jointly - and the part and portions of John and Calvin and Abraham Wolford have upon their like written request and with the full consent of all parties been set off to them jointly, and that dower has been assigned and the part and portions set off to the remaining heirs are in no wise injured or prejudiced by the above division; and the court being fully satisfied that the partition so made by the said sheriff and commissioners is for the best interest of all parties, and that the rights of the minor children, defendants are fully protected and all others have consented thereto. It is ordered that the order of this court for partition be so amended as to be in conformity to the report of the said sheriff and commissioners; And that the report and proceedings of the said sheriff and commissioners be and the same is hereby approved and confirmed. It is therefore ordered and decreed that the

Monday March 4th A.D. 1878.

said Elizabeth Wolford have and possess the lands as assigned to her as and for her reasonable dower in the said premises. And that the other said parties hold the part and portions set off to them respectively and in the manner stated in said report. And it is further ordered that Sarah J. Wolford hold as her reasonable dower the part so set off and assigned to her and that said Clemmia Wolford hold as her reasonable dower the part and portion set off to her. And it is further ordered that the cost of this action including a Counsel Fee of Eighty five dollars to J.L. Cameron, Attorney for services herein taxed, be paid by the said parties in proportion to their respective interest in said estate (not including dower estate) to wit: Adam, Moses, John, Abraham and Caloid Wolford, each one seventh part thereof; Leroy, Alice, May, Christina, Clement and Anna, each one twenty first part thereof. And in default of such payment for ten days the Court award execution therefor.

2774. Michael Brake
vs.
Sarah E. Sudduth et al.

2682

Now comes the plaintiff herein and the defendant being in default for answer and demurrer, the Court find that the defendants, Sarah E. Sudduth and R.B. Sudduth executed and delivered to the plaintiff, Michael Brake, the mortgage deed in this petition described and on the premises therein described, that said mortgage was duly recorded in Book Page of the Records of Mortgages of Union County and is the first and best lien on the premises described in the petition. The Court further find that the condition of defeasance in said mortgage has been broken, and that said plaintiff is thereby entitled to have the defendants equity of redemption foreclosed. It is therefore considered and decreed that unless the said defendants shall forthwith upon the entry of this decree, pay or cause to be paid, to the Clerk of this Court the costs in this case, and to said plaintiff the sum of $385.38/100 with interest from the first day of April, 1877. according to the terms of said mortgage deed, the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of Union County, directing him to sell said premises as upon execution and bring the proceeds into Court for further order.

2359 Orlando Wells
vs.
Robert Gibson

This day came the parties by their attorneys and thereupon came a jury to wit: James M. Hopkins, Stephen Shirk, Wilson Bales, J. H. Shirk, John Walker, William Foster, T.M. Brannon, J. Parrs, Williams Haines, Robert McCrory, David Agg, Salem Pierce, who being duly empanelled and sworn the truth to speak on the cause joined between the parties, and thereupon by consent of parties a juror is withdrawn and the case withdrawn from the jury. And thereupon further came the parties and upon their oral consent,

Monday March 4th A.D. 1878.

Was given in open Court It is ordered that this action together with three other cases now pending in this Court between the same parties to wit: No 2364 Orlando Wells vs. Robert Gibson and No 2439, and No 2445 Tothe having same Plaintiff and defendant as No 2364. be referred to R.L. Woodburn Esq. to hear and determine the same including all questions, both of fact and of Law, involved in the issues in said cases; That the testimony be taken but once for all the cases, and that it be all fully reported touching all the issues But that a separate report of the conclusions of fact and of law be made in each case by said referee: That the taking of said testimony may be commenced at any time in five days notice given by the Referee, to the parties; and either party has the right to demand of the referee, to give said notice at any time; And that said referee report said testimony together with his determinations to this court by the first day of the next term thereof to which time this cause stands continued.

✓ 2682 Yearsley, Assignee &c vs P. Manchester et al's

This cause coming on for hearing was submitted to the court upon the petition, answer and cross petition of the defendant W.H.H. Titus, and the other defendant, P. Manchester still failing to answer or demur; and the evidence, and was submitted to the Court. On consideration whereof the Court find the allegations in the plaintiff's petition to be true as to the note sued on in this case, and that plaintiff is bona fide the owner thereof; and Court further find that the defendant is entitled to credit for the payments claimed in the answer of W.H.H. Titus, And that the said defendants, W.H.H. Titus and P. Manchester are indebted to the plaintiff for balance on said notes in the sum of Five Hundred Forty Three and 96/100 Dollars It is therefore considered by the Court, that the plaintiff recover of the said defendants, W.H.H. Titus and P. Manchester the said sum of Five Hundred Forty Three 96/100 Dollars and his costs herein expended taxed at $. The court further find that in order to secure the prompt payment of said notes, the defendants W.H.H. Titus and Eliza his wife and P. Manchester and R.M. Manchester his wife executed and delivered to one John Yearsley their certain Mortgage as in the petition described, on the same premises therein described. That said Mortgage was duly recorded in Book No Page of the Records of Mortgages of Union County and the first and best lien on said premises.

And the Court further find that the plaintiff is now and was at the commencement of this action bona fide, the owner of said mortgage as she has in her petition alleged. It is therefore considered and adjudged that unless said defendants shall within ten days from the entry of this decree, pay or cause to be paid to the clerk of this court, the costs in this case and to the Sheriff the sum of $ 343.96 the amount so found due to her, as aforesaid with interest from the 4th day of July 1878, according to the terms of said mortgage and the defendants Equity of redemption be foreclosed and said premises shall be sold and an order of Sale shall issue therefor, to the Sheriff of Union County,

Monday, March 4th, A.D. 1878.

directing him to sell said premises as upon execution and bring the proceeds into court for further order And as between said defendants the Court finds that at the time said Mortgage was created W.H.H. Titus was the sole and individual owner of said Lot No (7) seven, in Newton, and that P. Manchester was the sole and separate owner of said ten acres described in the mortgage It is therefore ordered by the court that the said Lot in Newton No 7 be first exhausted for the sum of $180.96 with interest; and that ~~the~~ paid ten acres be first exhausted for the sum of $443.00 and its interest

2553 John E Lotspeich
vs
Ross Scott et als

2745 Eliza J. Tucker
vs.
Ross Scott et al's

} Order of Consolidation and Reappraisement

This day on motion to the court, leave was granted to Eliza J. Tucker to withdraw her answer and cross-petition in the case of John E Lotspeich vs Ross Scott et al's and it was on further motion ordered by the court that the case of Eliza J Tucker vs. Ross Scott et als. be consolidated with the said case of John E. Lotspeich vs. Ross Scott et als. And it appearing to the court that the real estate heretofore ordered to be sold in this case has been twice advertised and offered for sale, and still remains unsold for want of bidders Now, on motion of the attorneys for Plaintiff in case, No 2553 – the appraisement heretofore made, is hereby set aside, and a new one ordered and cause as consolidated be continued under former order of sale

2745 Eliza J. Tucker
vs.
Ross Scott et al's

} Consoledated with John E Lotspeich vs. Ross Scott et al's — No 2553.

2644 John G. Mitchell
vs.
Jacob Schurch et al's

} This cause is continued with leave to the plaintiff, and to the defendant, J. C. Williams to reply to the answer and Cross-petition of Adam Schneider within twenty days from the rising of the court.

2717

2736

Monday, March 4th A.D. 1878

2717 James Pullington et alⁿ
vs.
E. C. McMullen et alⁿ

This day this cause came on to be heard the defendants all being in default for answer or demurrer - and neither party requiring a Jury, the cause was submitted to the court by the plaintiffs upon the petition, exhibits and testimony; On consideration whereof the court finds the allegations of the petition to be true, and that there was due, on the first day of this term, to the plaintiffs, on the promissory note in their petition set forth, from the defendant E. C. McMullen, the sum of Seven Hundred and Sixty Seven 37/100 Dollars ($767.37); which sum the court finds is a lien on the lands in the petition described, by virtue of the mortgage therein mentioned - and that the condition contained in said mortgage has been broken. It is therefore considered ordered and adjudged by the court, that the plaintiff recover of the defendant, E. C. McMullen, said sum of $767.37, so found due with interest from the 4th day February, 1878, at the rate of Seven per cent per annum, and also their costs herein expended taxed to $; And it is further considered, ordered and adjudged and decreed, by the court, that if the defendants fail for five days from the close of this term of court, to pay to said plaintiff, said sum of Seven Hundred and Sixty Seven and 37/100 Dollars, with interest thereon at the rate of Seven per cent per annum from the 4th day of February, 1878, and costs of suit, that an order of Sale issue to the Sheriff of Union County, for the time being, commanding him to proceed to appraise, advertise and sell the lands and tenements in the petition described as upon judgments at law, free from all rights of homestead, or inchoate rights of dower of any of the defendants; and for report of sale this cause is continued.

Melissa Martindill
vs
William Martindill

This day this cause came on to be heard on application of defendant for leave to withdraw his motion heretofore filed to set aside allowance of alimony pending suit heretofore made in this case. Leave granted and motion withdrawn. Thereupon the court ordered the order heretofore made allowing plaintiff pending the suit to be set aside and this case dismissed which is accordingly done.

2736 Mary M. Johnson
vs.
Wm H. Johnson

And now came the said plaintiff, Mary M. Johnson and thereupon this cause came on to be heard upon the petition and testimony and was argued by counsel, On consideration whereof the court does find that due notice of the filing and pending of this petition was given to the said defendant, according to law; and the court does further find that said defendant had another wife

Monday, March 4th A.D. 1878.

living at the time of his said marriage with the plaintiff.
It is therefore adjudged and decreed that the marriage relation heretofore existing between this plaintiff and the defendant, be and the same is hereby set aside and wholly annulled declared to be fraudulent and void; and the said parties wholly released from the obligations of the same: and it is further ordered that the plaintiff have the custody and control of their said child.

V
1833 George B. Hamilton
vs.
Andrew S. Mowery

This day on motion and it appearing to the court that this cause had been heretofore continued as to notes set forth in, and copies of which were attached to the petition and that two of said notes have fallen due since the former judgment and order of sale was entered in this cause. This cause was again submitted to the court as to the notes marked "C" and "D," respectively, and the mortgage given to secure the same. On consideration whereof the court finds that there is due from the defendant, Andrew S. Mowery, to the plaintiff on said two notes, at this date the sum of $ 254.13 which sum the court finds to be a lien on the lands and tenements in the petition described, by virtue of the mortgage in the petition mentioned.
It is therefore considered, ordered, adjudged and decreed by the court that if the defendant, Andrew S. Mowery, shall fail for five days from this date to pay to the plaintiff said sum of $ 254.13 and also his further costs herein taxed to $ Then and in that case an order of sale issue to the Sheriff of Union County for the time being commanding him to proceed to appraise, advertise and sell the lands and tenements in the petition described as upon judgments at law, and for report of sale and as to note not yet due this cause is continued

† 2706 Reuben Freshwater
vs.
John McAllister et al

2683

And now comes the said Reuben Freshwater by J. L. Cameron his attorney and moves the court here for the appointment of a receiver in this action. Because the property in action is in the hands of the said John McAllister and the said John McAllister is insolvent and irresponsible for the same.
Because the said property ought to be applied to the payment of the plaintiffs said judgment and the said John McAllister refuses to to allow the same to be used

2662

/ 2706 Reuben Freshwater
vs.
John McAllister et al.

And now come the said parties by their attorneys and thereupon the motion of the said Reuben Freshwater for the appointment of a receiver came on to be heard On consideration whereof it is found that there is danger of

said property being lost and that the plaintiff is entitled to have the same applied to the payment in the petition mentioned. It is therefore ordered that Dyer Reed be and he is hereby appointed Receiver in this action upon his giving an undertaking to the Clerk of this Court in the sum of Two Hundred Dollars conditioned that he shall faithfully discharge his duties as such reciver in this action and obey the ordrs of the court therein And thereupon came the said Dyer Reed and entered into an undertaking as aforesaid with Sol Butz his surety to the acceptance of the Clerk of this Court, and was sworn faithfully to perform his duties as such reciver, and it is further ordered that the said Dyer Reed do proceed forthwith to take possession of such property as such reciver and safely keep the same under the orders of this court in this action to be made and the said John McAllister and all other persons having any of said property in their possession or under their control, are hereby required and commanded to deliver the same to the said Dyer Reed as such Receiver on his demand under the penalty of the law for a contempt in refusal to do the same

Isaac Gearhart
vs
Joshua S Gill et al

This day this cause came on to be heard on motion to set aside the appraisement heretofore made of the Lands sought to be sold by the order of herto fore obtained, and order new appraisement and the court being fully advised in the premises does find that the lands have been twice offered for sale under the said appraisement and not sold for want of bidders. It is therefore considered ordered and adjudged by the court herein that the appraisement heretofore made be set aside and the land be again appraised

2683 L. A. Stricklin
vs
A. E. Myers

This case is dismissed at the cost of the defendant It is therefore considered that the plaintiff recover of the defendant his costs herein expended No record

2662 George W. Goakum
vs
Stephen Warner et al

Now comes the plaintiff herein by his attorney and the defendants being in default for answer or demurr. the Court find that there is due to the plaintiff from the defendants Stephen Warner and Elija Warner his wife on the two promissory Notes Set forth in the petition with interest to the 1st day of this term the sum of $228.05
We court further find that in order to secure the payment of said Notes the defendants Stephen Warner and Elija Warner his wife executed and delivered to said George W. Goakum the plaintiff

Monday March 4th A.D. 1878

their certain Mortgage in the petition described and on the premises therein described That Said Mortgage was duly recorded in Book Page of the record of mortgages of Union County and was the first- and best-lien on the premises described in the petition described- It is therefore considered and adjudged that Unless the defendants Stephen Warner and Elijah Warner his Wife Shall forthwith from the Entry of this decree pay or cause to be paid to the Clerk of this court the costs of this case, and to the plaintiff herein, the Sum found due as aforesaid with interest from Feb 4th 1878 according to the terms of Said Mortgage and the defendants equity of redemption be foreclosed and Said premises Shall be Sold and an order of Sale Shall issue to the Sheriff of Union County directing him to Sell Said premises as upon Execution and bring the proceeds into Court for further order-

2302 James T. Mahaffey }
vs
J. M. Dunn }

This day came the parties by their attorneys and neither party requiring a jury the Same was waived and this cause by the consent of Said parties Submitted to the court upon the pleadings and Evidence and was argued by Counsel- On consideration whereof the Court do find that at the Commencement of this action and ever Since the right of property and right of possession of Said personal property was and is in the plaintiff and the Same was unlawfully detained as in the petition alleged, and the court do assess the damages of the Said plaintiff by reason of Said unlawful detention at five cents, It is therefore considered ordered and adjudged by the court that the plaintiff recover of the Said defendant the Said Sum of Five cents his damages So as aforesaid Ascertained together with his costs taxed to $ -

316 State of Ohio Vs. Jas. Jole Catharine Timmons Continued 2213

317 State of Ohio Vs. Wm Grover & Catharine Timmons Continued

328 State of Ohio Vs. George Holland Continued

329 State of Ohio Vs. String 2742

335- State of Ohio Vs. P Schlagle Continued 2435

339 State of Ohio Vs A. Poling Continued

350 State of Ohio Vs H. Singer Continued

351 State of Ohio vs H. Singer Continued

353 State of Ohio Vs. Susan Adams Continued

354 State of Ohio Vs. Susan Adams Continued

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355	State of Ohio Vs. Elijah Mitchel, et al	Continued
356	State of Ohio Vs. Elejah Mitchel et als	Continued
358	State of Ohio Vs. William Richter	Continued
359	State of Ohio Vs Wm Richter	Continued
360	State of Ohio Vs. Wm Richter	Continued
361	State of Ohio Vs. Susan Adams	Continued
362	State of Ohio Vs. Susan Adams	Continued
363	State of Ohio Vs. A[illegible] Bronson	Continued
365	State of Ohio Vs. U.S. Alden	Continued
367	State of Ohio Vs. Alex. Snodgrass	Continued for arrest
368	State of Ohio Vs. Alex. Snodgrass	Continued for arrest
379	State of Ohio Vs. Horace Andrews.	Continued
391	State of Ohio Vs Richter	Continued
392	State of Ohio Vs. Wm Richter	Continued

✓ 2413 George Smith vs Melvin W. Low — This cause being this day called for trial and the plaintiff failing to appear in person or by attorney, the action is hereby dismissed at plaintiff's cost without prejudice.

✓ 2742 J. B. Whelpley Vs. Baron S. Turner, Settled & cost Paid

✓ 2435 W. W. Woods vs R. D. Farley — This day came the parties and settled this cause at the costs of the plaintiff. It is therefore considered and adjudged by the court that the defendant recover of the plaintiff his costs herein Expended taxed to $ —

Monday March 4th A. D. 1878.

Rogers, Deck & Lewis
vs
D. W. McCracken

This day this cause came on to be heard on motion of plaintiff for and order to sell the property heretofore set off to defendant as a homestead and it appearing to the court that defendant has for several quarters failed to pay rent on said premises as required by law it is hereby ordered by the court that the Sheriff of said County proceed to sell said property in accordance with the Statute in such cases made and provided.

2076

Mary J. Baker et al
vs
Richard White et al

In Partition

This day this cause came on to be heard upon the motion to set aside Sale heretofore made in this case and on consideration thereof and good cause shown it is ordered that said Sale be and the same is hereby set aside,

2314

Francis Keane
vs
Thomas Keane

This cause being this day called for trial, and the plaintiff failing to appear in person or by attorney. the action is hereby dismissed

2467

M. M. Shipley
vs
J. H. Banks et al.

Divorce

Now comes the plaintiff, and dismisses this action at his own cost, It is therefore considered ordered & adjudged by the court that the defendants recover their cost herein taxed to $ and Execution is awarded therefor

2523

Wm C. Ellsworth
vs
Mary E. Ellsworth

Divorce

This cause being this day called for trial and plaintiff failing to appear in person or by attorney, the action is hereby dismissed at plaintiffs cost, without prejudice. It is therefore considered ordered and adjudged by the Court that the defendant recover of the plaintiff his Cost herein taxed to $ —

2663

A. M. Weaver & Co
vs
W. P. Hazen & Co

This cause being this day called for trial, and the plaintiff failing to appear in person or by attorney, the Action is hereby dismissed at plaintiffs cost. It is therefore considered ordered and adjudged by the Court that the defendant to recover of the plaintiff their costs herein taxed to $—

✓ 2442

✓ 2169

✓ 2684

X 2304

Monday March 4th A.D. 1878.

✓ Edna J. Eyer
2442 vs
William Okarra Et. al

This cause being this day called for trial and the plaintiff failing to appear in person or by attorney, the action is hereby dismissed at plaintiffs cost. It is therefor Considered ordered and adjudged by the Court that the defendants recover of the plaintiff their Cost herein taxed to $

✓ Harriet D. Davis
2169 vs
William M. Okarra Et. al

This cause being this day called for trial and the plaintiff failing to appear in person or by attorney the action is hereby dismissed at plaintiffs cost. It is therefore Considered ordered & adjudged by the court that the defendants recover of the plaintiff their cost herein taxed to $. -

✓ Jacob Enoch
2684 vs
Michael Shaliff Et. al

This day came the parties and settled this cause as to all matters except questions of board for Conrad W Ell and Margaretta Ell and their work. And Judgment by Consent of parties is to be Entered in favor of the plaintiff against said defendants for the Sum of Forty three & 70/100 Dollars

It is therefore Considered and adjudged that the plaintiff recover of the defendants the Sum of $43.70 & costs. "No record," And the defendant being about to resign his trust as guardian and having no other account to settle in regard thereto it is agreed that the above Judgment and whatever he may obtain against William Ell and Margaretta Ell Shall be paid to him in his own right and not as guardian -

X Ezrick & Son
2304 vs
D. W. McCracken

This day this cause came on to be heard on Motion of the plaintiffs to set aside the appraisement heretofore made and the Court being fully advised in the premises. it is ordered and adjudged by the Court that Said appraisement be set aside and new appraisement is hereby ordered,

✓ Commissioners of Madison Co. Ct.
vs
Jeptha Taylor

By agreement of parties the appeal in this case is dismissed. The Plaintiffs to pay the costs in the Common Pleas Court Costs paid

Monday March 4th A.D. 1878

No 2697 — Johnson, Lindsley & Co vs D. Carter & Co

This day this cause came on to be heard upon the petition of the plaintiffs and the defendants, Still failing to answer or demur thereto and the Court being fully advised in the premises, It is therefore ordered and adjudged by the Court that the plaintiffs recover of the Defendants the Sum of $265.57 and his Costs herein Expended taxed to $ —

No 2698 — Bryan, Johnson & Co vs D. Carter & Co

This day this Cause came on to be heard upon the petition of the Plaintiffs, and the defendants Still failing to answer or demur thereto and the Court being fully advised in the premises. It is therefore ordered and adjudged by the Court that the Plaintiffs recover of the defendants the Sum of $213.34 and his costs herein Expended. Judgment to bear 8% interest.

2877 — Layne L. Epps vs Calvin Stiner et. als — "In Vacation"

And Now comes the said Plaintiff and thereupon the said Motion of the said plaintiff for the appointment of a Receiver in this action for the reason of file, Come on to be heard before the Hon John L. Porter one of the Judges of said Court upon the original petition and the said Motion and affidavits; on consideration whereof it is found that the said property in said Motion Mentioned is in danger of being Lost; the said Grain Thrasher & horse Power Machine for Threshing and cleaning Wheat. and accounts for Threshing grain as Stated in the originde petition. It is therefore ordered that Lawrence Crary be and he is hereby appointed Receiver in this action on his giving an undertaking to William M. Winget, Clerk in the Sum of $600.00 conditioned that the said Lawrence Crary shall faithfully discharge his duties as such Receiver in this action and obey the orders of the Court therein. And thereupon came the said Lawrence Crary and entered into an undertaking as aforesaid with John L. Epps and James Williams as his Sureties to the acceptance of the Court. And Thereupon the Lawrence was duly Sworn faithfully to perform his duties as such Receiver. And it is further ordered that the said Lawrence Crary do procure forthwith to take possession of such property as such Receiver and Safely keep the Same under the orders of this Court in this action to be made. and the said Calvin Stiner and all other persons having any of said property in their possession or under their control are hereby required and commanded to deliver the Same to the said Lawrence Crary as such Receiver on his demand under the penalty of the Law for a Contempt in Refusing So to deliver the Same. Done this 13th day of April A.D. 1878

John L. Porter Judge, 3rd Judicial Dist.

No. 2846 /

No 2821 /

No. 2776 /

Monday April 29th A.D. 1878

This day the Court of Common Pleas for the County of Union and State of Ohio met at the Court House in said County at Eight & 1/2 oclock A.M. in pursuance of Law — Present this Hon or John L. Porter Presiding Judge — J. J. Miller Sheriff R. L. Woodburn Prosecuting Attorney and W. M. Winget Clerk

The Jurors of the Grand Jury being called came to wit, J. M. Roney H. L. Long John Trimble Joseph O'Hara William Staley Wm Bonnette Levi Rose by George Gibson. John Hohensack A. J. Ferguson. Henry Knotts Emanuel Jarvis and Adam Phillips and because the residue of said Jurors of the Grand Jury do not appear others from among the bystanders are by the Sheriff of said County at the command of the Court Elected a new to wit John Price and William M. Robinson good and lawful men whose names are annexed to the pannel according to the form of the Statute in case made & provided.

The Court appointed the said Emanuel Jarvis Foreman and the said Jurors being duly empannelled Sworn and charged retired to their Room attended by a Sworn Constable

X
No. 2846 / Daniel Anderson vs Henry Taylor } This day the plaintiff came by his Attorney and asked leave to amend his petition heretofore filed in this case Leave Granted to amend within thirty days from the rising of this Court

√
No 2821 / The Remington Sewing Machine Company Plaintiff vs D. L. Joseph Defendant } This day came the plaintiff by its Attorneys and the defendants failed to answer or demur to the petition of said plaintiff it is considered by the Court that the plaintiff recover of the defendant the sum of $308 00/100 with 10 per cent interest from the 29th day of April A.D. 1878 together with its costs herein expended. Taxed to #

√
No. 2776 / Steinburger & Hensel vs H. Singer } Now comes the plaintiff herein and the defendant being in default for answer or Demurrer the Court find that there is due to Plaintiffs from the Defendant H. Singer on the promissory note set forth in the petition with interest to the first day of this Term the sum of $312 24 dollars

The Court further find that in order to secure the payment of said note the defendant H. Singer executed and delivered to said Steinberger & Hensel the plaintiffs his certain Mortgage described in the petition and on the premises therein described that said Mortgage was duly Recorded in Book 13 page 98 of the of the Record of Mortgages of Union and is the first and best lien on the premises described in the petition — It is therefore considered and adjudged that unless the defendant H. Singer within 10 days from the

Monday April 29th 1878

Entry of this decree pay or cause to be paid to the Clerk of this court the costs of this case and to the plaintiff herein the sum &c found due as aforesaid with interest from the first day of this term April 29. 1878 according to the terms of said Mortgage deed the defendants equity of redemption be foreclosed and said premises shall be sold and an Order of Sale shall issue therefor to the Sheriff of Union County directing him to Sell said premises as upon Executions and bring the proceeds into court for further Order

no. 2166 / Smith Geddings & Co. vs James Richcreek et al — Now comes J. W. Cummings by his Attorneys and Suggests to the Court the death of Robert Smith One of the parties plaintiff herein and and the action proceeds

no. 2814 /

no. 2839 / Samuel Miller vs Isaac Maddox et als — Now comes J. W. Cummings by his Attorneys and Suggests the death of Robert Smith one of the parties defendants herein has died since the commencement of this action and that he the said J. W. Cummings has been duly appointed and qualified as the Administrator of the Estate of the said Robert Smith deceased and by leave of the Court enters his appearance in this case

no. 2150 /

This day came Austin Cary. N. W. Hill. George Brooks G. E. Thompson and David Ward and acknowledged each to owe and stand indebted to the State of Ohio in the sum of fifty dollars each to be levied of their good & Chattels Lands & tenements if default be made in the Conditition following which is that they each be and appear before the Court of Common Pleas of Union County on the 13th day of May 1878 to give evidence in a cause in said Court pending wherein the State of Ohio is plaintiff & Defendant and not depart the Court without leave then this recognisance shall be void Otherwise to remain in full force

no 2343 /

† Caroline Cline vs Charles C. Cline — This day this case came on for hearing and the plaintiff being in default for petition asked and obtained leave of the Court to file Petition instanter which was accordingly done and this case Continued.

1139 / Kelton Bancroft & Co vs E Hammond et als — Appraisement Set aside & New appraisement ordered and Continued

1825 /

1844 /

Monday April 29. 1878

/ J. & G. Butler
No. 2814 / vs
A. J. Wilcox & Charles Wilcox

And come the said J & G. Butler and the said A J. Wilcox and Charles Wilcox having failed to answer or demur to the petition of the said J & G. Butler it is considered that the said J & G. Butler ought to recover the said sum of $190.07 so demanded in plaintiffs petition together with the sum of $4 &c which the court finds due as the interest thereon as prayed for in said petition it is therefore considered that the said J & G. Butler recover against the said A. J. Wilcox and Charles Wilcox the said sum of $194 93 with 8% int thereon from the first day of this Term together with their costs in and about their suit in this behalf expended taxed to $

/ J. A. Wright
No. 2150 / vs
/ Sarah E. White

This day came the parties and thereupon the defendant Sarah E. White offered to confess judgment on the note set forth in plaintiffs petition for the amount of $230 00 and costs including costs taxed against plaintiff at the last term of this court which offer being accepted by the plaintiff the said Sarah E. White hereby confesses Judgement for said Sum of $230 00 & costs including cost taxed against plaintiff at the last term of this court and wishes judgment rendered against her therefor - in full satisfaction of all claims against her

It is therfor considered ordered and adjudged by the court her that the said J. A. Wright do recover against the said Sarah E. White the said Sum of $230 00 the debt so as aforesaid confessed and also his costs herein expended and the costs assessed against him the plaintiff at the last term of this court all taxed to $

/ Harmony Eastmead
No 2343 / vs
/ Clay Kezartee

This day came on this cause to be heard on the Motion for New trial filed at the last term of this court & it appearing that the Judgement was entered up at the last term of this court by an oversight it is therfore by consent of parties agreed that said judgement be set aside and the court being fully advised in the premises upon argument of counsel of the parties it is Ordered that said Motion for New trial be overuled - And this cause came on to be heard by the court on the Motion to Enter Judgement on said Verdict Whereupon the court being fully advised in the premises it is Considered Ordered and adjudged by the court that Plaintiff recover of the defendant said sum of Forty Five Hundred dollars and her costs herein expended taxed to $ to which Ruling of the court and said Judgement the Defendant Excepts

X
1825 / Daniel Johnson vs H. M. Haines — Cont'd under former Order

X
1844 / Frank Reed Byrd vs P & St Louis R.R. Co. — Cont'd by agreement

Monday April 29th 1878

No. 2652 | James W. Robinson vs John M. Schnell et al } This day came the parties & Submitted this Cause to the Court on motion to confirm the Sale herein Whereupon the Court being fully advised in the premises do confirm said Sale and Order the Sheriff of this County to execute and deliver to said purchaser Martha Winget a deed in fee Simple for the lands in said petition described And the Court further Order that out of the proceeds of said Sale the Sheriff first pay the costs of this proceedings taxed to $ and Second the taxes due & unpaid at the date of said Sale And third the Amount of the original decree and interest and the balance he pay the plaintiff upon the two notes of One hundred & Sixty five dollars each not due when said decree was taken but described in said petition.

No 2640 | Charles Overdurf vs Mary S. Reed et Robert Dickinson } On Motion of the said plaintiff by A. J. Carpenter his attorney and on producing the return of the Sheriff of this County of a Sale of Real Estate made by him on the 6th day of April A.D. 1878 to Charles Overdurf (the plaintiff) in an Order of Sale issued in this case & dated February 13th A.D. 1878 and the Court on examination of said proceedings being Satisfied that said Sale has been made in all respects in conformity to Law. It is Ordered that said Sale & proceedings be and the same are hereby confirmed and the said Sheriff is Ordered to make to said purchaser a deed for the lands & tenements so Sold And it is further Ordered that a writ issue to said Sheriff commanding him by virtue of this Order and said writ to put said purchaser in possession of said premises. And the Court coming now to the distribution of the proceeds of said Sale Order said Sheriff to pay 1st The costs in this action taxed to $
2° The taxes due on said premises taxed to $
3° The plaintiffs claim amounting to $1061 35
4th To the said Robert Dickinson the holder of the last note described in plaintiffs petition the residue if any to apply on his said claim.

No. 2720 ✓

No. 2666 ✓

✓ | Margaret Finley vs Margaret E. Finley et al } This day came the plaintiff and dismissed this her cause without prejudice - No Record Whereupon it is Considered Ordered and adjudged by the Court that the Defendants recover of the Plaintiff their costs herein expended taxed to $

No. 2704 ✓ | James Green vs Cornelius Fish } This day came on this cause to be heard on motion for security ofor costs & to make petition more Specific and certain Whereupon the Court Sustain both of said Motions & the plaintiff is required to amend his petition as required by said Motion within thirty days from the rising of the Court & leave given to Defendant to answer twenty days thereafter & the plaintiff is required to give security for costs within 40 days from the rising of this Court and this cause is continued

No 2668 ✓

No. 1998 ✓

No. 2476 ✓

X 1998	Cs. C. Doney vs Gilman G. Goff	Continued
X 2476	Matilda Sturdy vs Justus J. Miller	Continued

And thereupon Court adjourned until tomorrow Morning at half past Eight oclock

John L. Porter Judge

Tuesday April 30th 1878 This morning the Court met at 8½ oclock A M pursuant to adjournment the same officrs present as on yesterday

✓ No. 2720	James S. Winters vs Louisa Hubbard et al	This day this cause came on for hearing upon motion of the said Louisa Hubbard and J. M. Hubbard to set aside procedings heretofore had relative to

a Sale of Land of defendants in above case and was argued by Counsel & Submitted to the Court Whereupon the Court being fully advised in the premises do Sustain said Motion and Set aside and Vacate all procedings procedings herstofore had relative to the Sale of premises of defendants upon Execution issued upon Transcript in cases Entitled J. H. Wall Administrator of Albert Smith dec'd Vs J. M. Hubbard et al and M. A. Henry Vs J. M. Hubbard et al at the costs of plaintiff James S. Winters. It is thereupon Ordered & adjudged by the said plaintiff James S. Winters pay the costs in this action taxed to ___

✓ No. 2666	Delmore Snodgrass vs D. W. Ayers	This day this cause came on to be heard upon the Motion of defendant to dismiss for want of prosecution and was argued

by Counsel on Consideration whereof the Court do overrule said Motion and thereupon the defendant asked and had leave to file Answer by the 8th of May

✓ No 2668	Francis R Talley Admr &c vs Lucy J. Brown et als	Answer & Cross petition of Martha A. Sanborn dismissed

Without prejudice

Tuesday April 30th 1878

No 2668

Frederick Talley Admr &c
vs
Lucy J. Brown etals

This day came the Plaintiff by his attorney and this cause came on to be further heard upon the Report of the Special Master Commissioner & was argued by Counsel On Consideration whereof the Court do find the proceedings of said Master and the Sale by him made of the Lands & tenements in the Petition mentioned and described to be in all respects in due form of Law. It is therefore Ordered Adjudged & decreed that the proceedings and Sale of said Master be in all things affirmed and that the Master execute and deliver to said purchaser a Deed of the Lands and tenements aforesaid in fee Simple pursuant to the Statute in such case made and provided and that Out of the procuds of said Sale the said Master pay 1st the costs of this ~~proceeding~~ Suit 2d Taxes and the balance of the purchas money remaining in his hand he pay to plaintiff on his claim and here in said Set forth And it is further Ordered that the defendants who may be in possession who has come in under them or either of them pending this Suit deliver up possession thereof to said purchaser on demand and production of said Masters deed;

This day came Nelson P. Thompson David H. Woodburn
Norman Coil & Samuel Horsley and Open Court acknowledged themselves Each to owe and Stand indebted unto the State of Ohio in the penal Sum of fifty each to be ~~levied~~ of our goods & Chattels Lands and tenements if default be made in the condition following which is that they be and appear before the Court of Common Pleas of said County of Union on the 13th day of may A.D 1878 at 8 oclock A M of said day and not depart the Court without leave then this Obligation Shall be void Otherwise to remain in full force

No 2400

Cassius McAllister
vs
John McAllister etal

This day came the parties and settled the plaintiffs claim and paid the costs. And as to all other matters this cause is dismissed without prejudice - No Record.

608

James Swan
vs
Henry Williams

Continued

670

Lewis Green
vs
W. M. Robinson

Continued

2354

Orlando Wells
vs
Robert Gibson

Contd

No 2832

No 2720

Tuesday April 30th 1878

No. 2832

Nancy Easterday etal Pltff
vs
George N. Snyder et al Defts

This day came the plaintiffs by their Attorneys and the said John A. M. Snyder & John Taylor defendants still being in default for demur or answer to the petition this cause was submitted to the Court upon the petition of the said plaintiffs, the Answer and Cross petition of of said George N. Snyder together with the Exhibits and testimony and was argued by counsel. On consideration whereof and the Court being fully advised in the premises do find the Statements and allegations made in said petition are true. And that all the purchase money for said premises in the petition described was paid by the said George N. Snyder and no part whatever by the said Dsnyder and that before and at the time of Executing the deed to these plaintiffs as alleged in the petition the said George George N Snyder had the full and perfect equitable title to said premises and the equitable right to defend the same in the manner in the petition Stated and that having the Equitable title as aforesaid the said George N. Snyder by and with the consent of the said John A. M. Snyder delivered said premises in the manner in the petition Stated and that the plaintiffs took possession of the portion assigned to them as in the petition Stated and that the plaintiffs have made lasting and valuable improvements upon their said premises by & with the Knowledge and consent of said John A. M. Snyder and that the said plaintiff Nancy Easterday has now the perfect Equitable right and title to said premises as claimed by her in the said petition and that She is in possession thereof and entitled to have her said title quited and put at rest.

It is therefore Ordered adjudged and decreed by the Court that the plaintiffs said title be quieted and put at rest and that She have and enjoy the free use enjoyment thereof in fee Simple with ~~full and~~ free use enjoyment thereof in fee Simple with full and free power of disposition and that the said John A. M. Snyder and John Taylor and all persons claiming through or under them be and they are hereby forever and perpetually enjoined from ever disturbing or interfering with the plaintiffs or any one claiming through or under them in their peaceable enjoyment and disposition of the said premises and

It further Ordered that defendant, John A. M. Snyder pay the costs hereof in ten days and in default thereof that Execution issue therefor as upon Judgements at Law

No. 2720

James S. Winters
vs
Louisa Hubbard

Tuesday April 30th 1878

X
No. 2355

Anthony Keiger et al
vs
Mary J. Turner

This day came the parties by their Attorneys and this cause came on to be heard and thereupon came a Jury to wit. George Beecher John Hinkle Robert Hill. Charles Lyons. Milo Kimball. A.D. Doolittle Henry Kaler Gregory Harvey regular jurors M. Thompson & H.C. Hamilton William Woodburn & Thos Wharton tales jurors who being duly empannelled and sworn to well and truly try the issue found between the parties in this cause and a true verdict render according to the evidence unless withdrawn by consent of parties or discharged by the court and after hearing the testimony arguments of counsel and charge of the court the said Jurors upon their said oaths aforesaid returned their verdict in writing in the words and figures following to wit.

We the Jury in this case being duly impaneled and Sworn do find and say that we find for the defendant

H. C. Hamilton Foreman

Motion for a new trial by Plff.

No. 2730

X
No. 2813

√
No. 2398

Union Building & L. Association
vs
J. M. Kennedy & other

This cause came on for hearing on the petition the answer of the defendant J. M. Kennedy and Reply of the plaintiff and the evidence and was argued by counsel and submitted to the court on consideration whereof the court find that the defendant has failed to pay to the plaintiff the weekly installments of dues and interest as in the petition set forth and that there is due to the plaintiff as dues to the date of this decree the sum of $152 00 and as interest the sum of $75 99/100.

The court further find that there is due to said plaintiff from said defendants as and by way of fines for the nonpayment of said dues as in the petition alleged the sum of $30 40/100 making in all for dues interest and fines the sum of two hundred fifty Eight.

The court further find that in order to secure the regular payment of said dues and other installments as well as those hereafter to become due, the said J. M. Kennedy and Alma Kennedy his wife executed and delivered to this Plaintiff their certain Mortage in the petition described & on the premises therein described that said Mortgage was on 14th day of April 1873 duly recorded in Book 10 - page 33 and that the same is a lien on the premises described in the petition

It is therefore considered by the court that unless the said defendants shall within ten days from the Entry hereof pay or cause to be paid to the plaintiff the said sum of $258 30/100 so found due and to the clerk of this court the costs taxed herein to $ 2.47 the defendants equity of redemption be foreclosed and said premises be sold and an Order of sale shall issue therefor to the Sheriff of said County of Union directing him to sell said premises as upon Execution and bring the proceeds into court for further Order

2480

2434

J. D. Davis
vs
Elijah Listen

Settled - Each party to pay his own cost. Other costs to be divided equally. Judgment Accordingly

2419

Tuesday April 30th A. D. 1878

No. 2730 / Mathew Van Warmer vs Stricklin & Donohoe — This day this cause came on to be heard upon the motion of the defendants requiring plaintiff to give Security for costs - leave granted to put in security for costs in 30 days from the rising of the Court and leave granted to defendants to plead in thirty days thereafter

No. 2813 / Thomas Biddle vs Eunice Biddle George Biddle & others — And now comes the said Thomas Biddle by Cameron & Benton his Attorneys and thereupon this cause came on to be heard upon the petition and evidence. On consideration whereof the Court finds that said Eunice Biddle is the duly qualified Guardian of Jennie Biddle & Ellis Biddle and that said Charles A. Collins is the qualified Guardian of Emma Collins and the Court do furth find that all said parties have entered their appearance herein and consented to the partition as prayed for in the petition the said Guardians acting for and on behalf of their said Wards and that due notice of the filing and pendency hereof has been given to all said defendants for more than forty days prior to this date. And the Court do further find that said Anna Hill has conveyed her interest in said premises to the plaintiff and that said Thomas Biddle is the owner in fee simple of the 1/3 part of the said premises and the Court do further find that said George Biddle Emma Collins Ellie Biddle and Jennie Biddle are tenants in Common with the said Thomas Biddle in said premises in the following proportions to wit. That the said George Biddle is seized in fee Simple of the 1/6 part thereof the said Emma Collins Ellie Biddle and Jennie Biddle are each seized of one fifth part thereof and that the said Emma Biddle is entitled to Dower in said premises

It is therefor ordered that a writ of Partition issue to the Sheriff of said County of Union commanding him that by the oaths Boyd Richey & John McMillen and A. S. Mowry one full equal third part of said premises in said petition described be set off and assigned to the said Emma Biddle as he dower estate and that by the like oaths of the said Boyd Richey John McMillen and A. S. Mowry partition be made of said lands subject to said dower Estate in the following proportions to wit to the said Thomas Biddle 1/3 part To the said George Biddle 1/6 part - To the said Emma Collins 1/6 part To the said Ellis Biddle 1/6 part. To the said James Biddle 1/6 part.

And it is further ordered by the Court that the Sheriff return his proceedings in the premises forwith

2480 / Union Central Life Insurance Company vs W. C. Dynes — Continued at Defendants costs. It is therefor considered by the Court that the Plff recover of the defendant the costs of this term of Court

2419 / Samuel Myers vs Edward Thompson — Continued

Tuesday April 30th 1878

2483	Mary H. Robertson vs Elias Robertson	Continued with leave to defendant to file Answer in thirty days from Rising of Court
2493	John W Barnes vs Wiley Berkley et al	Contd
2500	Jas Ken Mubran vs D Whiting et al	Continued
2501	L. Webster vs P.R. Kerr	Continued
2505	Hale Ferguson vs George Holland et al	Contd,
2506	W.H. Grubbs vs W.S. Chandler et als	Contd,
2511	N.L. Phillips vs A.B. Butler	Contd
2516	W.A. West vs Jas Carter et als	Contd
2517	Geo. F. Morse vs S.M. Morse et als	Contd
2521	D.N. Edgar vs N.B. Hill et al	Contd
2528	Ellen Harris vs George Holland	Contd
2534	Geo. F Morse et als vs Alex Thompson et al	Contd for Service
2554	Julia A Fawn vs Margaret McElderry	To left off the Docket at Plff Costs It is therefore considered by the Court that the go hence without day & recover of the Plaintiff his cost herein taxed to $
2564	Huldah Schoby vs John Robinson	Leave to Plaintiff to file Petition and leave to Defendant to Answer in 30 days thereafter & Contd. And Answer filed
2570	Saml M. Dougherty Ex. vs A.J. Sterling et als	Contd.
2573	Orlando Wells vs Leonard Geer et al	Settled at Plaintiffs costs. It is therefore Ordered by the Court that the defendant go hence without day and recover of the plaintiff his costs herein taxed to $
2577	O.M. Scott vs L.C. Peacock et als	Contd, under former Order
2584	A.C. Davis vs J. Archer et als	Contd,
2589	Thos Armstrong vs Jas Jannes et al	Contd

And thereupon Court Adjourned until tomorrow morning at half past Eight Oclock

John C. Porter Judge

No 2915

No. 2916

Wednesday May 1st 1878

This Morning the Court of Common Pleas for the County of Union. Hon. Thomas Beer Presiding Judge J.J. Miller Sheriff R.L. Woodburn Prosecuting attorney and W.M. Winget Clerk met at 9 oclock A.M. pursuant to adjournment

No 2915

Nathan Peters
vs
J.L. Lenox
M.W. Hill
J.W. Hodges

This day came the Plaintiff by J.F. McNeal his Attorney and thereupon came J.W. Robinson one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered appearance of said Defendant herein and by virtue of the Same Warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition the Sum of $4186.66 It is therefore Considered that said Plaintiff do recover of Dndants the said Sum of $4186.66 so as aforesaid Confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

No. 2916

E. Greenfield & Son
vs
John F Lust
John Lust

This day came the Plaintiff J.F. McNeal his Attorney and thereupon came J.W. Robinson one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open Court and duly proven. Waived the issuing and Service of process and entered appearance of said defendants herein and by virtue of the Same Warrant of Attorney confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition the Sum of $112.80 It is therefore Considered that said Plaintiff do recover of said Defendants the said Sum of $112.80 so as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said Warrant of Attorney all errors are released and all right of Appeal and all right to file a petition in error are waived

David Phelps
vs
J. D. Henson

Settled and Costs paid. No. Record

Norman Bail. Samuel Hensley

This day came William Spain and John Cranston and in open Court acknowledged themselves each to owe and stand indebted to the State of Ohio in the penal Sum of fifty dollars each to be levied of their goods and chattels lands & tenements if default be made in the condition following which is that they each be & appear before the Court of Common Pleas on the 13th day of may 1878 & not depart the Court without leave then this recognizance shall be void otherwise to remain in full force

Wednesday May 1st 1878

V 1	The Peoples Bank vs L Garwood	Settled & Costs paid No Record

Report of G. Jury

This day the Grand Jury appeared at the bar of the Court and presented their two Several Bills of Indictment against Cornelius Mulvaine for assault and Battery endorsed "A True Bill" Emanuel Jarvis Foreman Also their Bill of Indictment against Patrick Slatterly for Assault and Battery Endorsed a "True Bill" Emanuel Jarvis Foreman 1 Also their other Two Several Bills of Indictment against Uriah S. Alden & Charles Speers for Selling Intoxicating Liquor to a Minor each Severally endorsed "A True Bills Emanuel Jarvis Foreman Also their other Bill of Indictment against Uriah S. Alden and Charles Speers for Selling Intoxicating Liquors to be drank on on the premises endorse "A True Bill Emanuel Jarvis Foreman Also their other Bill of Indictment against John Cuddyhie for Retailing Liquors endorsed "A True Bill Emanuel Jarvis Foreman Also their other Bill of Indictment against John Cuddyhie Christopher Eichmeyer & H. Newmaster for Retailing Liquor Endorsed "A True Bill Emanuel Jarvis Foreman Also their Other Bill of Indictment against John Cuddyhie Christopher Eichmeyer & Henry Newmaster for Selling to persons Intoxicated Endorsed A True Bill Emanuel Jarvis Foreman Also their Bill of Indictment against Alan Bowsen and Scott Bowsen for Selling Intoxicating Liquors to a Minor Endorsed A True Bill Emanuel Jarvis Foreman Also their Other Bill of Indictment against Frederick Reif & Frank Gibson for Retailing Liquors Endrsd A True Bill Emanuel Jarvis Foreman Also their other Bill of Indictment against John Barbee for Selling Intoxicating Liquor to a Minor Endorsed "A True Bill Emanuel Jarvis Foreman And Also their Jail Report which reads as follows to wit The Grand Jury of the April Term 1878 of the Court of Common Pleas of Union County State of Ohio in Conformity of the Statute in Such case made and provided have visited the Jail of said County and report the same in a good & healthy Condition Except a Lock on the door of one of Cells is broken & useless Also a bar of one of the windows broke out & Should be repaired Also recomend that pipes be put on the tops of the privies up through the roof of the building Emanuel Jarvis Foreman And the Grand Jury Having no further business before them were discharged by the Court

1977 /	J. J. Morton vs Mary Ann Beard	Settled as per agreement on file Costs paid No Record

No. 2143 /

No. 2079 /

2596 /

2603 /

Wednesday May 1st A.D. 1878

X
No. 2143 / A. V. Morse Plff
vs
Mary A. Hammond et al Defts

New parties Plaintiff Substituted.
On Motion and by leave of the Court first had and received Plaintiff by their counsel Wm Leave to Substitute and make as parties Plaintiff the following parties plaintiff they being the Devisees under the Will of A. V. Morse deceased to wit. Rebecca Morse Alfred V. Kennedy. Swayne Kennedy. John Kennedy. William Kennedy and the said Swayne Kennedy John Kennedy & William Kennedy being Minors H. J. King entered his appearance as their next friend And their appearance in this action. And this action is Ordered to proceed under the title of Rebecca Morse et als. Vs Mary A. Hammond et als

√
No. 2079 / J. D. Henson
vs
James Carter

This day came the said J. D. Henson plaintiff in person and the said James Carter by Andrew Stevenson his Atty, and a Jury being waived by the parties this cause was submitted to the Court upon the pleadings and the Evidence and was argued by Counsel And the Court being fully advised in the premises do find that the said James Carter is justly indebted to the said J. D. Henson upon the account set forth in petition in the sum of $139.00.
It is therefore considered Ordered and adjudged by the Court that the said J. D. Henson recover of the said James Carter the said Sum of $139.00 so as aforesaid found due from said James Carter to the said J. D. Henson and also his costs in about his his suit in this behalf expended taxed to $

√
2596 / Geo. W. Macklin
vs
John McAllister et al

Settled and costs paid

W. H. Grubbs
2603 / vs
J. S. McNeal

Continued at defendants costs of the term.

/ J. J. Gabriel et al vs E. G. Piper Com

Cont'd by Agreement

And thereupon Court adjourned until tomorrow Morning at half past Eight Oclock

Thomas Bee Judge

Thursday May 2d 1878 This Morning the Court Met pursuant to Adjournment the Same Officers pusent As on Yesterday

No. 2918 | J. I Callender Plff
vs
Samuel Everett &
J. C. Phillips Defts

This day came the Plaintiff by M. C. Gowey his Attorney and thereupon came A. J. Carpenter one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered appearance of said defendants herein and by virtue of the Same Warrant of Attorney confess that there is due from Said Defendants to Said Plaintiff as is alleged in Said Plaintiffs petition the Sum of $150 12 It is therefore considered that Said Plaintiff do recover of Said defendants the Said Sum of $150 12/100 as aforesaid confessed to be due together with Costs of Suit herein to be taxed. And by virtue of Said Warrant of Attorney all errors are Released and all right of Appeal and all right to file a petition in Error are waived Judgement to bear Eight per cent interest from date.

J. 10 P. 527

No. 2699 | Jacob Dean
vs
John L. Rogers et als

Confirmation of Sale

This day on motion of the Plaintiff and on producing the return of the Shff of a Sale made under a former Order of this and the Court having carefully examined the proceeding of the Said Sheriff and being Satisfied that the Same have been in all respects in conformity to law and the Orders of this Court

It is Ordered that the Said proceedings and Sale be and the Same are hereby approved and confirmed,

And it is further Ordered that the Said Sheriff make and execute a deed to the purchaser Jacob Dean for the lands so by by him Sold in fee Simple free from the inchoate right of Dower of Margaret J. Rogers wife of the defendant John L. Rogers.

And it is further Ordered that the defendants who may be in possession of Said premises or any person who has come in under them or either of them pending this suit deliver up the possession thereof to Said purchaser on demand and production of this Said Sheriffs deed and on refusal or failure to So deliver possession it is ordered that a writ of possession be issued to the Sheriff of Union County commanding him to put the purchaser in possession of Said premises So Sold

And on motion for distribution of the proceeds arising from Said Sale it is Ordered that the Sheriff pay the costs of this proceeding amounting to $26.23 and that the residue of Said purchase money amounting to $240.77 be applied upon the Judgement heretofore rendered in favor of the Plaintiff in this action

No. 2676 |

No. 2057 |

No 2082 |

Thursday May 2d 1878

No. 2676

John K. Brown
vs
Wm M. Brown et als

Journal Entry Confirming Sale in Partition.

On Motion of the Plaintiff and on producing the return of the Sheriff of his proceedings and Sale made under the former Order of this Court and the Court being Satisfied on examination that the Same have been had in all respects according to law the Said proceedings & Sale are hereby Approved and confirmed and Said Sheriff is Ordered by deed duly executed to convey said premises to John K. Brown & Wm M. Brown the purchasers in fee Simple. And it is further Ordered that the Sheriff out of the procuds of the Said Sale - Pay 1st to the Clerk of this Court the costs in this action including a counsel fee of $31 00/100 to M. L. Lawrence for his Services herein taxed to $54.85-

2d And of the Residue of the proceeds of the Sale in his hands he pay to Mrs Sarah M. Metz the Sum of $16.27 and to Lucy E. Brown Anna Brown Ernest Brown Delia Brown Stanton Brown and Mabel Brown the Sum of $2,71 each making to the Said Lucy E. Brown et als heirs of E. W. Brown the Sum of $16.27 together and that of the Securities for deferred payments he take the one ninth thereof payable to Said Sarah M. Metz Amounting to $51.85 - And the one ninth thereof payable to Said Lucy E. Brown Anna Brown Ernest Brown Delia Brown Stanton Brown and Isabel Brown amounting $51.85 together and that the Said Wm M. Brown and John K. Brown retain the other Seven ninths of the purchase money arising from Said Sale.

No 2057

O. W. Wells & Co
vs
Orlando Wells

This day this cause came on for trial the defendant being present with his witnesses and the plaintiff failing to appear in person or by Attorney, is hereby dismissed by the Court at plaintiffs costs for want of prosecution.

It is therefore considered Ordered and adjudged by the Court that the defendant go hence without day and recover of the plaintiff his costs herein expended taxed to $ ~~At Record~~

No 2082

Bank of North Lewisburg Plff
vs
James Williams Stephen Williams & Jacob Leonard Defts

Court of Common Pleas Union County
Entry

This cause coming on for hearing and a Jury being waived was Submitted to the Court upon the pleadings and evidence, in consideration whereof the Court find for the plaintiff upon the issues joined as against the defendants James Williams and Jacob Leonard and that the Said defendants James Williams & Jacob Leonard are indebted to the plaintiff in the Sum of $201 00/100 Two hundred and One 00/100 dollars.

And as against the defendants Stephen Williams the Court find that the plaintiff has no cause of action upon the petition herein.

It is therefore considered that the Said plaintiff recover of the Said James Williams and Jacob Leonard defendants the Said

Thursday May 2d 1878

Sum of $201.66 with interest at 8 per cent & costs herein taxed etc $

And that the said defendant Stephen Williams go hence without day and recover of the plaintiff his costs herein expended.

Addenda. And it being made to appear to the Court that the defendant Jacob Leonard is liable as Guarantor for his co defendant James Williams It is hereby certified that James Williams is principal debtor & Jacob Leonard Guarantor in the above gridgement

no. 2917

Farmers Bank Union Co
vs
Charles Hoover etal

By
This day came the plaintiff by their Attorney & thereupon came John M. Broderick one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open court and duly proven waived the issuing and Service of process and entered appearance of said Defendants herein and by virtue of the same warrant of Attorney Confesses that there is due from said Defendants to said Plaintiffs petition the sum of $104.23. It is therefore considered that said plaintiff do recover of said Defendants the said Sum of $104.23 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum.
And by virtue of said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in Error are waived

no. 1928

Matilda Sturdy
vs
John C. Price

This day came the parties by their Attorneys and this cause came on to be heard and thereupon came a Jury to wit George Belcher John Barnes John Henkle Robert Hill Charles Lyons. D. M. Robinson Milo Kimball & D. Doolittle Henry Kaler Gregory Hawley Regular Jurors & H. C. Hamilton & J. D. Herd Talis Jurors who being duly empannelled and sworn to well & truly try the issues joined between the parties and a true verdict render according to evidence unless withdrawn by consent of parties or discharged by the Court after hearing the testimony. Arguments of Counsel & Charge of the Court the Jury aforesaid returned their verdict in writing as follows to wit:

Matilda Sturdy
vs
John C. Price

No. 1928. Verdict.
We the Jury find that at the commencement of this action the plaintiff had the right of possession in and to the following of the goods and chattels in the fiction described to wit. One Roan Mare 7 years old One Bay Mare 5 yeas 4 head of Cows. 5 head of Two year old Steers One two year old heifer, four head of one year old cattle 4 head of last Springs Calves - 30 head Sheep 18 head of pigs 2 Breeding Sows. 800 Bushels corn in Crib - 250 Shocks corn & fodder 1 Stack of hay - 8 or 10 tons of hay in Barn. 1 Spring Wagon
And that the defendant unlawfully detained the same and we do assess their damages therefor at $0.05 Five cents.
And we do find that at the commencement of this action the defendant had the right of possession in the balance of said goods and chattels & we assess his damages therefor at $25.00 (twenty five dollars) H. C. Hamilton Foreman

no. 2706

no. 1928

2146

Thursday May 2d 1878

No. 2706 | Reuben Freshwater vs John McCallister etals } On motion leave granted to S. Little to file answer instanter (Order of Court) and Answer filed

No. 1928 | Matilda Sturdy vs John L. Price } This day this cause came on to be further heard and the Court upon consideration thereof do find and say that upon the Verdict herein before rendered in this case the plaintiff recover of the said defendant her damages as assessed by the Jury at five and her costs taxed at $ and that the defendant recover of the said plaintiff his damages taxed at $25- and his costs herein expended taxed at $ and if said damages so assessed are not paid in five days Execution issue therefor

2146 | D. M. Ayers vs E. T. Popplerton } This day came the parties and thereupon the motion of the said defendant to Strike the Reply of the plaintiff from the files for reasons in the said Motion stated and was argued by Counsel & submitted to the Court on consideration whereof and the Court being fully advised in the premises do Overrule said Motion.

And thereupon the Court adjourned until tomorrow morning at 8 o'clock A. M.

Thomas Reed Judge

Friday May 3d 1878

This Morning the Court of Common Pleas for the County of Union met at 8½ o'clock pursuant to Adjournment. The Same officers present as on yesterday

No. 2093 | Mary A Thurman vs Jonathan Hammond et al } On Motion of the defendants leave is given to the defendants to file an Answer to the petition in this case in 20 days and leave is granted to the plaintiff to file a Reply to Such Answer in 30 days after the filing of the Same

No. 2092 | Robert G. Dun vs Jonathan Hammond et als } On Motion of the defendants leave is given to the defendants to file Answer to the petition in this in 20 days and leave is given to the plaintiff to file a Reply to Such Answer in 30 days after the filing of the Same

No. 2491 | Ralph Hunt vs Hughey Yout } This day came the parties by their Attorneys and this cause was by agreement Continued

No 1815 | Joseph Walters vs John Orahood } And now came the said John Orahood by his Attys and the said Joseph Walters failing to appear it is Ordered that said action be and the same is hereby dismissed without prejudice. It is therefor considered that said defendant recover of the said plaintiff his costs in this behalf expended taxed to $

No. 2102 | P. R. Kerr Assignee Plff vs J. C. Sisle Deft } This day came the parties by their attorney and this cause is Continued by agreement at the costs of the defendant

No. 2158 | Solomon McJohnson Plff vs John Orahood Deft } This day this cause came on to be heard upon the Motion of the defendant to require the plaintiff to put in Security for costs in this case on consideration whereof the Court being fully advised in the premises do Order the plaintiff to secure the costs ~~and this cause continued~~ within thirty days from the rising of the Court and default there of this cause stands dismissed at plaintiffs costs

2027 | 2028 | 2029 | 2084 | No 2920

Friday May 3d 1878

X 2027	Union Building and Loan Association vs Plff / S. A. Cherry et als Defts	Continued under former Order
X 2028	Union B. & L Association vs Dennis Wood et als	Continued under former Order
X 2029	Union B. & L Association vs A. S. Mowry	Continued under former Order
✓ 2084	Lucy Ann Stanton vs Amon Stanton	Petition for Divorce

This day came the said parties by their Attorneys and thereupon this cause came on to be heard upon the petition of the plaintiff Answer of Defendant and testimony and was argued by Counsel on Consideration whereof the Court do find that the said parties were married as in said petition averred and that the said Defendant was guilty of habitual Drunkenness for more than three years next before the filing the petition in this case as averred therein

It is therefore Ordered adjudged and decreed that the Marriage Relation heretofore existing between the said parties be and the same is hereby set aside and annulled and the said parties wholly released from the Obligation of the same

And it is further Ordered that the plaintiff do have the Custody Control and Guardian ship of the Child of said parties Lucy Ann Stanton

And it is further Ordered Adjudged and decreed that the defendant pay to the Plaintiff for reasonable Alimony the Sum of Two Hundred and twenty five dollars immediately upon the entry of this decree

It is further Ordered ~~that the petitioner be and she hereby is restored to her former name of Lucy A Lucas~~ and that the defendant at the same time further pay the Costs of this Suit and that in default of such payment on either of them Execution issue therefor

No 2920	Everett Whitney vs O. M. Scott et als	Cognovit

This day came the Plaintiff by A. J. Carpenter his Attorney and thereupon came A. H. Kellogg one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered appearance of said defendants herein and by virtue of the same warrant of Attorney confess that there is due from said defendants to said Plaintiff as is alleged in said Plaintiffs petition the Sum of $575.83 It is therefore considered that said Plaintiff do recover of said defendants the said Sum of $575.83 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum And by virtue of said warrant

Saturday May 4th 1878

This Morning the Court met pursuant to adjournment
The Same officers prsent as on yesterday

No 2146 | D. W. Ayers vs E. F. Poppleton | This day came the parties & thereupon the Motion of the Said defendant to Strike the Reply of the Plaintiff from the files for reasons in the Said Motion Stated and was argued by Counsel and Submitted to the Court On consideration whereof and the Court being fully advised in the premises do Overrule said Motion.

No 1139 | Kelton Bancroft & Co vs E. Hammond et als | On Motion it appearing to the Court that the property has been advertised and offered twice and not Sold for want of bidders it is Ordered that the appraisement be Set aside and a new appraisement be made And Cause Continued under former Order

No 2090 | Bank of North Lewisburg vs Orlando Wells & others defts | This day came on this cause to be heard on the motion of Plaintiff for decree to Set aside the conveyance by Orlando Wells to W. W. Woods so far as it affects the liens of the plaintiff for which a decree & Order of Sale was entered in this cause heretofore Whereupon Oral testimony was introduced and the Court being fully advised in the premises do find that Said conveyance was made to Said Woods Simply as a Security for Such Sums as Said Wells then Owed Said Woods and Such Sums as he might become indebted to Said Woods,
It is therefore Considered and Ordered that Said conveyance be Set aside and Modified So as to operate Simply as a Security for Said Woods & not as a conveyance of the land to him and as to the liens and amounts of claims of Said Woods and others this cause is Continued with leave to Said Woods to Answer within thirty days from the rising of the Court Setting up his liens and claims against Said Wells. And leave is granted to O. Wells to Reply to the Answer of Reed Jones & Co within the Same thirty days and leave is given to Levi Hill Solomon Cook and Laurence Barlow to file Answer in the time - And it appearing that the real Estate in Said petition discribed has been three times offered for Sale & returned not Sold for want of bidders it is Ordered by the Court that the Appraisement made heretofore be Set aside and a new appraisement made and this Cause Continued under former Order -
The defendant Orlando Wells then and there Objected to the introduction of testimony and he now excepts to the decision of the Court Allowing testimony to be introduced - And he also excepts to the Rulings Orders and decisions of the Court Now entered.

2143

No. 2920

No 1783

2474

Saturday May 4th 1878

2143 | Rebecca Morse et als vs Mary E Hammond et as } This day this cause came on to be heard & by agreement of parties a Jury was waived and the cause submitted to the Court on the Pleadings and evidence And the Court being fully advised in the premises finds that the title to and right of possession of the lands & tenements in the petition described are in the defendants and that the elm tree mentioned in the petition is the North west corner of the lands owned by the defendants It is therefore considered Ordered adjudged and decreed by the Court that the defendants have and hold the lands in their possession up to said elm tree with appurtenances and that the defendants recover of the plaintiffs their costs herein expended taxed to $

No. 2920 | Everett Whitney vs C. M. Scott et als } Cognovit This day came the Plaintiff by A. J. Carpenter his Attorney and thereupon came A. H. Kollepath one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in Open Court ~~who by virtue~~ and duly praying the issuing and Service of process and entered appearance of said Defendant herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiffs petition the Sum of $575.00 It is therefore considered that said Plaintiff do recover of said Defendant the said Sum of $575.00 so as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorney all errors are released and all right of Appeal and right to file a petition in error are waived

No 1783 | Harvey M Haines vs Walter A. Shaffer } This day came on this cause on the Motion for leave to file Amended Petition Whereupon leave is given to the plaintiff to filed amended petition by the first of July next & Cause is Continued.

2474 | John Blair vs John Jolliff et als } This day came the parties by their Attorneys and this cause came on to be heard and thereupon came a Jury to wit George Bucker John Barnes John Hinkle Robert Hill Charles Lyons Milo Kimball A.D. Doolittle Gregory Hawley regular Jurors & J.D. Radabaugh George Long and William Jenkins tales Jurors. who being duly empannelled & Sworn to well & truly try the issues Joined between the parties and a true verdict render according to evidence unless withdrawn by the parties & discharged by the Court. And after the testimony Arguments of Counsel & charge of the Court the Jury aforesaid returned their verdict in writing as follows to wit

"We the Jury in the case of Blair vs Creamer after due deliberation and careful investigation of the testimony find we cannot agree

J.D. Radabaugh Foreman

And thereupon the Jury were discharged by the Court and the cause continued

Saturday May 4th 1878

2157 James Sweeney et al vs The Board of Co. Comrs, et als — This day Came on this cause to be the Court and on Motion of the Plaintiff & by consent of parties this cause is Submitted to M. C. Lawrence as Master Commissioner to take the testimony and Report on the facts upon the issues Joined between the parties and also upon the question of whether plaintiffs have been unequally assessed as compared with others assessed for the making of said improvement and what part of said improvement has been made prior to the filing of the plaintiffs petition and who were entitle to be counted for and against said improvement within the boundaries of the said road and which of them had Subscribed said petition where said improvement was Ordered by the board and all other facts involved in the case

And by agreement of parties the report of said Commissioner with his findings on the law and evidence are to be acted upon by Judge Bear and his decision and decree entered of this term the same as if the case was now heard and the decree entered now and all rights of appeal and to be saved and entered of this term of court the same as in term time

(2621) A. L. Bellus vs Saml Hutchinson — Contd

(2622) John McClam vs R. L. Cox — Contd at defts. costs — Plff to give additional Security in 40 days from R. C.

(2623) Maria Stickels vs John Stickels et al — Contd

2635 Rodney Gabriel vs E. G. Piper Admr &c — To be left off the Docket

2641 Benjamin Wood vs Wm Nightlinger et als — Contd.

2642 George Walker vs Jesse Larose, Thos M. Snodgrass — Continued with leave to all parties to all parties in said case to amend & reform their pleadings in 30 days from Rising of Court.

And thereupon Court adjourned until Monday morning May 6th 1878 at half past Eight Oclock

2414

2549

2881

2485

2721

Monday May 6th 1878

This morning the Court met pursuant to Adjournment The Hon. John L. Porter Presiding Judge J.J. Miller Sheriff R.L. Woodburn Prosecuting Attorney and W.H. Wright Clerk

X
No 2414 | O.S. Myers vs Alvin Bellus | This cause is continued by consent of parties with leave to defendant Alvin Bellus to plead to the 2d amended answer of the plaintiffs in 40 days from the rising of the Court.

✓
2549 | R.M. Bault Plff. vs J.S. Dillon Deft | Settled and costs paid

✓
2881 | J.M. Kennedy vs John McDonald et als | Settled and cost paid

X 2485 | Isaiah Clark vs H.C. Hamilton | This day came the parties by their Attorneys and this cause came on to be heard and thereupon came a Jury to wit Geoge Bucher John Barnes John Hinkle Robert Hill C.W. Lyons A.D. Doolittle Henry Hale, Gregory Hawley Regular Jurors and Daniel Anderson Ralph S. Bennett Samuel Gamble & J.C. Rodgers tales Jurors who being duly empannelled and Sworn to well and truly try the issue Joined between the parties and a true verdict render according to the evidence unless withdrawn by consent of the parties or discharged by the Court— After hearing the testimony the arguments of Counsel and charge of the Court— The Jury afores returned their verdict in writing as follows to wit. "Isaiah Clark et als vs H.C. Hamilton
"We the Jury in this case being duly empannelled and Sworn do find and "Say We find for the defendant A.D. Doolittle Foreman

X
2721 | Amy Belle Jolliff vs Isaac Wallace | Bastardy. — February Term 1878
This day came on this cause to be heard but the defendant came not and thereupon on the day of February 1878 this day on which the same was set for trial the defendant by Order of the Court was three times called by the Sheriff at the door of the Court House to come into Court as by his recognizance he was bound to do and answer to the charge ~~record~~ herein made against him by plaintiff but said defendant came not but made default And then the Security Andrew J. Richardson was also in like manner called to bring in the body of said Isaac Wallace as he was by his recognizance to do but said Andrew J. Richardson also made default whereupon the Court then Ordered said Recognisance duly forfeited and on Motion respited the same until the next term of this Court. Which Order of forfeiture ~~by forfeiture~~ by mistake was not entered of record at said term and the same is ordered to be entered now as of said February term & the said forfeiture is again respited until the next term of this Court to which time this cause is Continued

Monday May 6th 1878

2816	Myron Gabriel vs Eli G. Piper Admr &c	Continued by agreement - Leave to Defts to file Answer in 30 days from rising of Court	
2817	John J. Gabriel vs Eli G. Piper Admr &c	Continued by agreement with leave to Defts. to file Answer in 30 days from Rising of Court	No. 2579
2823	Thomas Moffitt vs Elias Robertson	Leave to Defts to file Answer 30 days from Rising of Court and Cause Continued.	
2824	Adam Blue Admr vs Shannon Bailey et als	Leave to file Answer instanter - and filed and Contd,	No 2647
2829	J. N. Flemming vs Thos B. Benton	Continued by Consent.	No. 2648
2834	Asbery Elliott vs Mary E. Elliott	Divorce a v Continued	No 2818
2837	Samuel Turner vs Mary Turner et als	Answer withdrawn Deft has Leave to file anew Answer in 60 days from Rising of Court & Contd	
2838	J. N. Flemming vs Nettie Flemming	Divorce Continued	
	W.S. Phelps vs Geo. E. Shipley	Contd, with Leave to file Amended Petition 30 days from Rising of Court	
2847	A. H. Cook vs Sarah E. White	Leave to Amend Answer in 30 days & Contd	
2849	David Tuto vs Elizabeth Hudson	Settled at Plaintiffs costs. It is therefore considered by that the Defendant recover of the Plaintiff his costs herein to be taxed to $	

And thereupon Court adjourned until tomorrow morning at half past Eight Oclock

Tuesday May 7. 1878

This Morning the Court Met pursuant to adjournment the Same officers present as on Yesterday

No 2579 | Zachariah McIlroy Plff vs Sarah E. Sudduth et als Defts } This day this cause came on to be heard upon the Motion of the plaintiff to the Court for leave to file an Amended petition in this case On consideration whereof the Court being fully advised in the premises grant Such leave and Amended petition accordingly filed instanter

No 2647 | Effie E. Shipley vs M. M. Shipley and

No. 2648 | Effie E. Shipley vs M. M. Shipley } On Motion by the Consent of the said parties to cases No 2647 & 2648 the two said cases are hereby Consolidated and Continued under No 2647 and 2648 and the plaintiff being a nonresident of this County is Ordered to give Security for costs in thirty days from the close of this term of Court

No 2818 | Maria Donley et al vs James B. Palen et als } And now came the said Maria Donley and Leroy Donley by Robinson & Piper their Attorneys and thereupon this case came on to be heard upon the petition of Plaintiff and the answer of Annis S. Carpenter claiming Dower in the premises.

On consideration whereof the Court do find that the plaintiff Maria Donley has a legal right to and Seized in fee Simple of one fifth part of the said premises and the Court do further find that the James B. Palen David T. Palen. Mary E. White and William M. Palen are tenants in common of Said premises with the said Maria Donley in the following proportions to wit The said James B. Palen is Seized of one fifth (1/5) part thereof. the said David T. Palen of one fifth (1/5) part thereof the said Mary E White of One fifth 1/5 part thereof and the said William M. Palen of one fifth part thereof And that the said Annis S. Carpenter is entitled to Dower therein

It is therefore Ordered that a writ of Partition issue to the Sheriff of said County of Union Commanding him that by the oaths of Adam Phillips Samuel McAllister and F. J. Sager one full equal third part of said premises in said petition described be Set off and assigned to the said Annis S Carpenter as her Dower estate and that by the like oaths of the said Adam Phillips Samuel McAllister and F. J. Sager partition be made of said lands Subject to the said Dower estate in the following proportions to wit. To the said Maria Donley one equal one fifth part, to the said James B. Palen one equal one fifth part to the said Mary E White one equal one fifth part To the said William M Palen One equal one fifth part

And it is further Ordered that the Sheriff return his proceedings in the premises forthwith

Tuesday May 7th 1878

2818 | Mary M. Carr vs Wm C. Carr } Court of Common Pleas Union Co. Ohio. This cause came on for hearing & was submitted to the Court upon the pleadings and evidence on consideration whereof the Court find that plaintiff at the time of filing her petition had been a resident of the State of Ohio for one year next preceding the same and was at that time a bona fide resident of this State of Ohio County of Union and that the parties hereto were married as in said petition set forth. The Court further finds from the evidence adduced that the defendant has been guilty of gross neglect of duty and that by reason thereof the Plaintiff is entitled to a divorce as prayed for. It is therefore ordered & adjudged by the Court that the marriage contract heretofore existing between the said Mary M. Carr and William C. Carr be and the same hereby is dissolved And it is further ordered that the custody care and control of the said Children of the parties hereto be until further Order Confided exclusively to the said Mary M. Carr but is ordered by the Court that the said William C. Carr have the privilege of visiting said children at reasonable times. - It is further considered by the Court that the said Plaintiff recover from said defendant her cost herein expended

2646 | James Megahey vs Richard Davis et als } Defts have leave to file Answer - and Answer filed & Contd

2653 | E. Wells vs J.P. Miller } Settled at Plaintiffs Costs. It is therefor considered by the Court the Defendant recover of the Plaintiffs his costs herein taxed

~~W W Woods vs J. P. Miller~~

2653 | Wiley Evans vs S. M. Rogers et als } Continued under former Order

2650 | Rinehart Ballard & Co vs L. E. Smith } Contd

2665 | Richmond Nat'l BK vs E. D. Judd } Contd under former Order

2673 | Horace Watts vs Jas Gunn } Contd with leave to file proper petition.

2674 | Robt Gibson vs E. Wells } Contd.

And thereupon Court adjourned until tomorrow morning at half past Eight Oclock

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Wednesday May 8. A.D. 1878

This Morning the Court met pursuant to adjournment the Same officers present as on yesterday

No. 2862 | George Wilber Plff } Court of Common Pleas Union County Ohio
against } Entry
George Sinclair & B.H. Williams Defts. } This day came the plaintiff by his Attorney and the defendants still failing to Answer or demur to the petition of Plaintiff the Court find the allegations therein Stated to be true and that Said plaintiff ought to recover of Said defendants the Sum of $143.99 with interest from april 29th 1878

It is therefore considered by the Court that the plaintiff do recover of the defendants the Said Sum of $143.99 with interest from 29th day of April A.D. 1878 together with his costs herein expended taxed to $

No. 2603 | William H. Grubbs } Union Com Pleas Entry
vs } This day came the parties to this Suit and
J. J. McNeal } thereupon this cause came on for hearing upon the Motion & Showing of the defendant for a continuance whereupon the Court being fully advised in the premises do Sustain Said motion and thereupon the Said case was continued to the next term at the costs of the defendant for this term - with leave to defendant to amend Answer in 20 days from rising of Court and leave to plaintiff to Reply in 40 days from rising of Court.

2680 | C. M. Morrow vs J.D. Davis } Contd under former order

2682 | Sarah Yearsley assign vs P. Manchester } Contd. under former Order

2685 | J.S. Gill vs Lorenzo Sabine } Contd under former Order

2686 | J.W. Grindell vs Saml Welshimer Jr } Contd under former Order

2689 | George Armstrong vs A. Hedges } Contd under former Order

2688 | George Armstrong vs H.G. Smith } Contd. under former Order

2690 | George Armstrong vs A Baty Etals } Contd. under former Order

2691 | Howe Sewing M. Co. vs Alex Gandy et al } Contd. under former Order

2692 | Howe Sewing M. Co. vs Jesse Redman Etals } Contd. under former Order

2693 | Howe Sewing M. Co vs H.G. Smith } Contd under former Order

Wednesday May 8th 1878

2694	Howe Sewing M Co vs O. H. Daniels	Death of Deft Suggested. Leave to make further parties and continued
2695	Howe Sewing Machine Co vs Chas Baldwin et als	Contd under former Order
2696	Howe Sewing M. Co vs A.W. Franklin	Contd under former Order
2708	O.H. Reed Gran vs R.F. Lee et als	Contd
2620	F.W. Taylor vs Z.C. Pooler	Contd. at Plffs Costs of this Term
2722	W.H. Baxter vs Orrin Webster et als	Settled at Plaintiffs costs. It is therefore considered by the Court that the defendant recover of the Plaintiff his costs herein taxed to ff
2737	E.B. Bunn vs J.S. Gill et al	Contd
2738	W.J. Woods vs A. Holmes	Contd
2743	W.W. Woods vs Thos Hedges	Contd under former Order
2754	John O'Farrell & Co vs J. Hammond	Contd. by Consent
2755	Richmond Nat'l BK vs W.L. Decker	Contd. under former Order of Sale
2757	Richwood A.B. & S.A. vs J.M. Zuckerman	Contd for Service
2758	Richwood A.B. & S.A. vs J.M. Zuckerman et als	Contd. under former Order
2641	J.H. Riney vs W. Goldsbury	Settled & costs paid.
2743	James E. Moffitt vs John Harriman	Ordered that Plaintiff secure costs in 40 days from rising of Court - Or in default this case Stands dismissed.
2764	Marysville B. & Loan Association vs Jacob Snell et als	Contd under former Order
2768	William Mills vs J.E. McCormick et al	Settled and costs paid

No. 2863

No. 2864

No. 2905

Thursday May 9th A.D. 1878

This morning the Court met pursuant to adjournment the same officers present as on yesterday

X
No. 2863

Isaac H. Graham &
Lucius Stevenson as Executors
of John P Graham deceased
vs
James Mannassmith &
Mary A. Mannassmith

Entry

And now comes the said plaintiff by A. J. Carpenter their Attorney and the said Defendant Still failing to demur or Answer to said petition it is considered that the said plaintiffs as the Executors of the said John P. Graham dec'd are entitled to an account of the money due them as such executors in the premises and the Court after hearing the evidence do find that there is due to the said plaintiffs as such executors on the notes and Mortgage in said petition described the Sum of $163.65 with interest from April 29th 1878.

It is therefore considered by the said Court him that the said plaintiffs as such Executors recover of the said defendants the Sum of $163.65 the Sum so found due with interest from April 29th 1878 as aforesaid and also his costs taxed to $

And it is further Ordered and adjudged that in case the said defendant failed for five days from this date to pay to the said plaintiffs as such executors aforesaid the said Sum of $163.65 with interest from Apr. 29th 1878 as aforesaid found due with costs of Suit an Order issue to the Sheriff of said County commanding him to cause the said lands and tenements in said petition described to be appraised advertised and Sold according to law and Apply the proceeds of said Sale in Satisfaction of the said Sum so found due with costs of Suit, and that he bring the residue of the proceeds of said Sale into Court Subject to the further order of this Court the premises

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No. 2864

James Leiper
vs
Charles L. Amrine &
Andrew Amrine

And comes the said James Leiper and the said Charles L. Amrine & Andrew Amrine having failed to demur or Answer to the petition of the said James Leiper it is considered Ought to recover the said Sum of $200 30 demanded in his petition together with the Sum of $1.28 which the Court finds due as the interest thereon as prayed for in said petition.

It is therefore considered that the said James Leiper recover against the said Charles L. Amrine and Adrew Amrine the Sum of $201.28 with interest at 8% from the 29th day of April 1878 together with his costs in and about his Suit in this behalf expended taxed to $

√
No. 2905

Lytle & Co.
vs
J. W Southard et als

Settled and costs paid

Thursday May 9. 1878

Farmers Bank of Union Co. vs L. C. Wentz et als } This day came the parties by their attorneys and this cause came on to be heard and thereupon came a jury to wit. John Barnes. John Hinkle Daniel Anderson D. M. Robinson Samuel Gamble A. D. Doolittle Henry Kahler, Gregory Hawley Regular Jurors and R. S. Bennett Joseph Powers. W. S. Smith and Y. C. Chesney Tales Jurors who being duly empannelled and Sworn to well & truly try the issue Joined between the parties and a true verdict render according to evidence unless withdrawn by consent of the parties or discharged by the Court after hearing the testimony Arguments of Counsel & charge of the Court Jury aforesaid returned their verdict in writing as follows to wit "Farmers Bank of Union County Vs L. C. Wentz et als
"We the Jury in this case being duly impanelled and Sworn do find and "that in this case we find for the Defendant. A. D. Doolittle Foreman

It is therefore considered by the Court that the Defendant go hence without day and recover of the plaintiff his costs

Thereupon the Plaintiff gave notice of a motion for New Trial

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No. Eva L. Chesney vs J. J. Miller } Jury Trial

This day came the plaintiff by his attorney and this cause came on to heard and thereupon came a jury to wit. John Barnes John Hinkle Robert Hill D. M. Robinson Daniel Anderson Samuel Gamble Henry Kahler Gregory Hawley Regular Jurors and ~~Joseph~~ Donahoe J. D. Herd W. H. H. Titus are Y. W. Kezartee tales Jurors who being duly empanelled and Sworn to well and truly try the issues Joined between the parties in this cause and a true verdict render according to the evidence unless withdrawn by consent of parties or discharged by the Court and after hearing the testimony arguments of Counsel and charge of the Court the said Jurors upon their said oaths aforesaid returned their Verdict in writing in the words and figures following to wit;
"Eva L. Chesney vs J. J. Miller
"We the Jury in this Case being duly impanelled and Sworn do find & "say that we find for the plaintiff and assess her damages for the "detention of the property at one cent Henry Kahler Foreman

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No. 2639 Jacob Painter vs Ira Donahoe } This cause is continued on motion and showing of the plaintiff and at his costs

It is therefore Considered and adjudged by the Court the defendant cover of the plaintiff his costs of this term taxed to $

Thursday May 9th A.D. 1878

No 2922	Farmers Bank of Ionia Co vs T.E. Powell T.W. Powell & W.P. Reid	Entry. Cognovit This day came the plaintiff by John M. Broderick its Attorney and thereupon Andrew Stevenson one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing & service of process and entered appearance of said defendants herein and by virtue of the same warrant of Attorney confesses that there is due from said defendants to said plaintiff as is alleged in said plaintiffs petition the sum of $ 905 4/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest from april 29th 1878 to be computed at the rate of Eight per cent per annum And by Warrant of Attorney all Errors are released and all right of Appeal and all right to file a petition in error is waived
2649	Philemon Tossey vs Aaron Tossey et als	This day the Court appoint M.C. Lawrence Guardian ad Litem of Solon Tossey an Insane Defendant and thereupon the said M.C. Lawrence guardian ad Litem for Solon Tossey filed his answer as such
No. 2649	Philemon Tossey vs Aaron Tossey et als	This day came on this case to be heard on the pleadings and testimony Whereupon the Court being fully advised in the premises do find for the plaintiff and that the allegations of the petition are true. It is therefore considered Ordered and decreed by the Court that the defendants execute & deliver to the plaintiff a good and sufficient deed in fee simple for the land in said petition described within ten days and in default thereof that this decree shall operate as a full and complete Conveyance for said land and the possession of the plaintiff in said land shall be quieted against all claims of the defendants. Plaintiff to pay the costs except the one fourth which are to be paid by Solon Tossey or by Administrator of said Aaron Tossey to be deducted from the share of Solon Tossey in said estate, Executions to issue for costs as upon judgments at law
2772	Henry C Goff vs J.J. Miller Shff	Continued by consent
2803	Thomas Moffitt vs John W. Grindell et als	Continued

Thursday May 9th 1878

No. 2637 | Eva L. Chesney vs Julius J. Miller } Now came the plaintiff herein by her Attorney and the defendant being in default for Answer and demurr the Court find upon the petition and evidence that at the commencement of this action the plaintiff had the right of possession in the property described in the petition and that the plaintiff is entitled to recover her damages by reason of the premises from the said defendant.

And on Motion of said plaintiff it is ordered that a Jury be impaneled that upon their enquiry her damages may be assessed

No. 2637 | Eva L Chesney vs Julius J. Miller } And now this cause came on to be heard upon the petition and evidence on the inquiry of damages for the plaintiff as heretofore ordered by the Court and thereupon came the following named persons as Jurors to wit. John Barnes. John Hinkle Robert Hill D. M. Robinson. Daniel Anderson Samuel Gamble Henry Hales Gregory Hawley Regular Jurors - Joseph Donahoe J. D. Hord W. H. H. Titus and J. W. Rezarter tales Jurors who being duly empaneled and Sworn according to law do upon their oaths Say we find for the plaintiff and assess her damages for the detention of the property at one cent

It is therfore Considered Ordred and adjudged by the Court that the said Plaintiff recover of the said defendant One cent her damages so as aforesaid assessed together with her costs herein expended taxed to $

No 2619 | Robert Fergason vs Ray G. Morse } This day came the parties and dismiss this cause at the costs of the Plaintiff

It is therfore Considered Ordred and adjudged by the Court that the Dfendant recover of the Plaintiff his costs herein expended.

2852 | Catharine Driscoll vs Wm Driscoll } Contd.

2853 | Farmers Bk. vs W.G. Moffitt } Settled and costs paid

2855 | Shannon Bailey vs S. Bennet et al } Contd

2856 | J. C. Elliott vs C. R. Southwick } Contd

No. 2342 |

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2902 |

Thursday May 9th 1878

No. 2342 | Isaiah Cartmell vs Clay Kozartee } Jury Trial

This day came the parties by their Attorneys and this cause came on to be heard and thereupon a Jury to wit, John Barnes. John Hinkle Robert Hill Daniel Anderson J.C. Rodgers. A.D. Doolittle. Henry Kaler Gregory Harvey regular Jurors & Jarad Clement W.H.H. Titus J.C. Cline and Harrison Turner tales Jurors. who being duly impanelled and Sworn to well and truly try the issue joined between the parties and a true verdict render according to evidence unless withdrawn by consent of parties or discharged by the Court. After having the testimony arguments of Counsel and Charge of the Court the Jury aforesaid returned their verdict in writing as follows to wit

"Isaiah Cartmell Plaintiff vs Clay Kozartee Defendant

"We the Jury in this case. being duly impaneled and Sworn do find and Say "that we do find for the plaintiff in the Sum of Two thousand dollars damages

J. C. Cline Foreman

It is therefore considered Ordered and adjudged by the Court that the said Plaintiff recover of the said defendant Two thousand dollars his damages So as aforesaid assessed together with his costs herein expended taxed to $-

2812 | P. G. Wynegar vs H. J. Berry } Leave to Plaintiff to file Petition in 30 days from Rising of Court and Continued

2857 | W. H. Baxter vs T. W. Chesney } Contd

2866 | D. Holycross vs G. N. Reed et al } Contd for Service

2867 | Farmers BK vs J. L. Porter et al } Contd -

2876 | Thos M. Snodgrass Byrne vs Geo. Walker } Contd

2877 | L. S. Epps vs Calvin Stiner } Contd for Service

✓ 2879 | John Wiley vs W. H. Priest } Settled & costs paid

✓ 2878 | Same vs Noah Priest } Settled & costs paid

✓ 2880 | C. W. Spain vs Job Spain et als } Settled & costs paid

✓ 2881 | J. M. Kennedy vs J McDonald } Settled & costs paid

✓ 2890 | J. V. Nash vs A. L. Smith Jr } Same

2892 | E. G. Piper Admr vs W. C. Wood } Contd.

2901 | Chas D. Merritt vs Geo. Temple } Contd

2902 | J. P. Bailey vs L. A. Dockum } Contd

Friday May 10th 1878

This Morning the Court Met pursuant to Adjournment present the same officers as on Yesterday:

No. 2830 | A. S. Chapman et al vs Justinia D. Ruhlen et al } This day Came on this Cause to be heard on the Motion of Henry Ruhlen to quash the Summons Sent to the Counties of Allen & Hardin and the Court being fully advised in the premises do overrule said Motion to which said Henry Ruhlen by his Attorny Excepts

X
No. 2830 | A. S. Chapman et als vs Justinia D. Ruhlen et als } This day came on this cause to be heard on the Motion of Henry Ruhlen to Strike out Whereupon the Court being fully advised in the premises do Sustain said Motion as to the first part Sought to be Stricken from said petition & And do Overrule said motion as to the Second part of said Motion, and Sustain said Motion to the third part of the same except the Court Overrules So much of said Motion relating to the 3d Claime of the same as reads as follows viz "The defendants Still hold possession of said 227 acre farm and threaten to cut and Sell the Walnut and other Valuable timber on the same and to plough up & cultivate in the pasture & Meadow fields which would cause great damage to said farm and irreparably injure the plaintiffs to which rulings & So far Sustain said Motion the plaintiffs Excepts And So far as they Overrule said Motion the defendant Excepts

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No. 2900 | W. M. Spicer Mattie Spicer and Julia Spicer Plffs vs L. W. Smith H. E. Knox Defts } Entry This day this Cause Came on to be heard upon the Motion of Defendants to vacate the provisional injunction heretofore Allowed herein and the Court being fully advised in the premises on Consideration thereof grant the same and the said injunction is hereby vacated and dissolved for want of proper verification to the petition at the Costs of Plaintiff

It is therefore Considered Ordered and Adjudged by the Court that the Plaintiffs pay the Costs of the injunction heretofore Allowed herein taxed to $

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No 2669 | Michael Tonguet vs Jesse Taylor } Settled and ~~Costs paid~~ Costs of Court paid Transcript withdrawn

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No. 2599 | Joseph C. Rogers vs The C. C. C. & I. R. Ry Co } Settled and costs paid.

No. 2923 |

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2661 |

Friday May 10th 1878

No. 2923 | Plainbity Bank vs Jacob Durban & Christian Durban } Cognovit

This day came the Plaintiff by A. J. Carpenter his Attorney and thereupon came J. W. Robinson one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process & entered appearance of said defendants herein and by virtue of the same Warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition the sum of $1582.35 It is therefore considered that said Plaintiff do recover of said defendants the said sum of $1582.35 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum And by virtue of said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in Error are waived

X | Robinson & Robinson vs O. S. Myers & others } This day came plaintiffs and the defendants came not and made default herein & Thereupon this cause was submitted to the Court and the being fully advised in the premises do find for the plaintiffs and that the allegations of said Plaintiffs petition are true and that there is due them from the defendants by reason of the premises Fifty three dollars and that the same is a Mortgage lien upon the premises described in plaintiffs petition and that said premises ought to be sold to pay said sum of money so found due

It is therefore considered Ordered & Adjudged and decreed by the Court that an Order of Sale issue to the Sheriff of said County who is a Special Master Commissioner for that purpose commanding him to Sell said property for the purpose of paying said claims of Fifty three dollars & his costs herein expended taxed to $ and that he report his proceedings herein to this for which purpose this cause is continued

f | Margaret Lush vs Jacob Lush } This day came on this cause to be heard on the motion of defendant to require the

2661 | Plaintiff to Separately State & number her causes of action whereupon the Court being fully advised in the premises do Sustain said Motion. Whereupon the plaintiff dismissed without prejudice all save claims & rights of action mentioned in said petition except that relating to the Mortgage described in said petition upon which She asks a decree & Order of Sale

f | James Gary vs Jacob Kramer et als } This day came on this cause on Motion for Preliminary injunction Whereupon the Court being fully advised in the premises do grant the injunction as prayed for until further order of the Court upon Plaintiff giving Bond in the Sum of two hundred dollars according to law with Security Satisfactory to the Clerk

Friday May 10th 1878

Lucinda Hall
vs
R L Woodburn Admr &c

This day came the parties to this action by their Attorneys & thereupon this cause came on to be heard upon defendants demurr to plaintiffs amended petition & thereupon after argument by Counsel the Court being fully advised in the premises do find for said defendant & Sustain said demurr and find that said Amended petition does not State facts sufficient to costitute a cause of action

Thereupon said plaintiff asked leave to Amend his amended petition and the Court granted until Wednesday of the 3d week of the present Term of this Court for plaintiff to Amend as aforesaid

Thereupon Court adjourned to Meet tommorrow Morning at 9 Oclock

John S. Potter Judge

No. 2925

No. 2720

No. 2926

Saturday May 11th 1878

This morning the Court met pursuant to adjournment the Same officers present as on yesterday.

No. 2925

Farmers Bank of Union Co
vs
Thomas Moffitt
Thomas Davis & P. Allyn

Cognovit.

This day came the Plaintiff by D. W. Cayce its Attorney and thereupon came Andrew Stevenson one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered appearance of Said defendant herein and by virtue of the Same Warrant of Attorney confesses that there is due from Said defendant to Said Plaintiff as is alleged in Said Plaintiffs petition the Sum of $578.00.

It is therefore considered that Said Plaintiff do recover of Said Defendant the Said Sum of $578.00 So as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to computed at the rate of 8 per centum per annum. And by virtue of Said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived.

No 2720

James S. Winters
vs
Louisa Hubbard et al

This day this cause came on to be heard upon motion of defendants to dismiss & was argued by Counsel and Submitted and the Court being fully advised in the premises Sustained Said Motion and this action is dismissed at the costs of plaintiff. Without prejudice. It is therefore considered Ordered and Adjudged by the Court that this plaintiff pay the costs of this action taxed to $

No. 2926

Union County Bank
vs
H. H. Pringle
W. H. Lenox

Cognovit.

This day came the Plaintiff by P. B. Kerr this Attorney and thereupon came L. Piper one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in Open Court and proven waived the issuing and Service of process and entered appearance of Said Defendants herein and by virtue of the Same Warrant of Attorney confesses that there is due from Said Defendant to Said Plaintiff as is alleged in Said Plaintiff Petition the Sum of $630.35 It is therefore considered that Said Plaintiff do recover of Said Defendant the Said Sum of $630.35 So as aforesaid confessed be due together with costs herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of Said Warrant of Attorney All Errors are released and all of Appeal and all right to file a petition in Error are waived

Saturday May 11th 1878

No 425 | The State of Ohio vs John Barbee } Indictment for Selling Intoxicating Liquor to a Minor

This day came the Prosecuting Attorney on behalf the State of Ohio and the Defendant being in Court in Custody of the Sheriff and arraigned on said Indictment for Plea Says he is guilty in manner as he stands charged in said Indictment. And thereupon after hearing the testimony & being fully advised in the premiss it is Ordered and Adjudged by the Court that the said defendant pay a fine of $15.00 and the costs of this prosecution and that he stands committed until said fine and costs are paid

No. 415 | The State of Ohio vs Cornelius Mulvaine } Indictment for Assault & Battery

Now comes the Prosecuting Attorney on behalf of the State of Ohio and Defendant being in Court in custody of the Shff and arraigned & the Indictment being read to him was asked how of the premises he would acquit himself for Plea Says he is guilty in manner and form as he stands Charged in said indictment. And thereupon upon after hearing the testimony and being fully advised in the premises it is Ordered and adjudged by the Court that the said defendant pay a fine of One dollar and the costs of this prosecution.

No 414 | The State of Ohio vs Cornelius Mulvaine } Indictment for Assault and Battery Nolle Prosequi is entered herein by Order of Court at the request of the Prosecuting Attorney

And thereupon Court adjourned until Monday morning May 14th 1878 at 1/2 past 8 o'clock

John L. Porter Judge

No 413 |

No. 2304 |

No. 2886 |

Monday May 13th 1878

This Morning the Court met pursuant to adjournment the Same Officers present as on Saturday

/ The State of Ohio }
No 413 / vs } Indictment for Assault & Battery
Patrick Slatterly } This day came the Prosecuting Attorney on behalf the State of Ohio and the Defendant being in Court in the Custody of the Sheriff and on being Arraigned on Said Indictment for Plea Says he is guilty in manner and form as he Stands in Said Indictment
And thereupon after hearing the testimony and being fully advised in the premises it is Ordered and adjudged by the Court that the defendant pay a fine of $15.00 and the costs of this prosecution. and Stand committed until said fine and costs are paid

/ E. Zwick & Son } Ex Rdo 2502
No. 2304 / vs } This day came the plaintiff by their Attorney & and
G. W. McCracken } made the Court to Confirm the Sale made by the Sheriff under former order of this Court of the premises described in Plaintiffs Petition to wit Lot No. 213 in the Town of Richwood Union County O. and upon the return of the Sheriff in Said Sale being produced in Court and the Court being fully advised in the premises do find that Sale was in all things regular and according to law
It is therefore ordered and adjudged by the Court that Said Sale be and the Same is hereby confirmed and the Sheriff is hereby Ordered to make to the purchaser a deed for Said premises upon the payment of the Price therefor
And it is further Order that out of the Said purchase money the Sheriff pay first the costs of this Suit taxed to $ Second pay the taxes on Said premises $34.00 — third pay the Richwood Union Building & Loan association the dues interest and fines accrued up to May 6 1878 being the sum of $78.50 & balance be applied upon the Judgement in favor of E. Zwick & Son the Plaintiff in this case

Ralph S. Bonnett } Court of Common Pleas - Union Co. O. Entry
No. 2886 / vs } This day this cause came on for hearing
William Huston } upon the Petition of Plaintiff and the Deft. being in default for Answer or demurrer and neither party requiring a Jury this cause was Submitted to the Court by the Plaintiff. Upon consideration whereof the Court after being fully advised the premises finds that there was due the Plaintiff from the defendant on the Note and Mortgage Set forth in Plaintiffs petition the Sum of $35 05/100 with interest from the 15th day of September 1877.
The Court further find that said Sum of $35 05/100 is the first lien upon said premises in said petition described.
It is therefor considered Ordered Adjudged and decreed by the Court that if said defendant fail for three days from the Entry of this decree to pay or cause to be paid to the Clerk of this Court the costs in this case and to the said Plaintiff the Sum of $35.05 with interest from the 15th day of Sept. 1877 that an Order issue to the Sheriff Union County Ohio Commanding him to proceed to cause the lands & tenements in the petition described to be appraised Advertised & Sold as upon Judgments

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at Law and to bring the proceeds into Court for further Order

No 2870 | A. V. Kennedy et al Exr &c vs Alexander Snodgrass } Entry This day this cause came on to hear upon the petition exhibits & testimony & the defendant being in default for Answer It is therefore Considered Ordered and Adjudged that the plaintiff as such Executors of the Estate of A. V. Morse deceased recover of the Defendant Alexander Snodgrass the Sum of $119— And his costs herein taxed at $

2861 | R. L. Woodburn vs Jacob Elliott } This day came Said Plaintiff & the defendant came not but made default herein & thereupon this cause came on to be heard upon the pleadings & evidence & was submitted to the Court & the Court being fully advised in the premises do find for the plaintiff & that the allegation of Plaintiff petition are true and there is due the plaintiff from the Defendant Jacob Elliott by reason of the premises the Sum of Twelve Hundred dollars and that said plaintiff ought to recover of the said Jacob Elliott the said Sum of twelve hundred dollars,

It is therefore Considered Ordered & Adjudged that the plaintiff recover of the said Jacob Elliott the said Sum of Twelve hundred dollars with interest on $800 at 8 per cent and with interest on $400 at 6 per cent and his costs herein expended taxed at $

And the Court do further find that the defendant Philip Snider has a valid existing tax lien upon the described premises in plaintiffs petition for the Sum of twenty Six 61/100 dollars ($26 61)

It is therefore ordered adjudged and decreed that the said defendant Philip Snid recover of the said defendant Samuel Elliott the said Sum of Twenty Six 61/100 dollars & his costs herein expended taxed to $

And the Court do further find that the said Twelve Hundred dollars & found due as aforesaid to said plaintiff from said defendants is a Mortgage lien on the said premises described in plaintiffs petition and the same is now due and the conditions of said Mortgage are broken and the same is become absolute & said premises ought to be Sold to pay said Sum of Twelve Hundred dollars and interes thereon as aforesaid together with the said Sum of twenty Six 61/100 dollars found due said Snider as aforesaid. It is therupon considered Ordered adjudged and decreed by the Court that unless the said defendants Jacob Elliott Samuel Elliott Elizabeth Elliott shall within ten days from the rising of this Court pay or cause to paid to the Clerk of Court the costs in this case and the said Sum of $26 61 to the said Philip Snider with thereon & to the said plaintiff the said Sum of Twelve hundred dollars with interest on $800 at 8 per cent & on $400 at 6 per cent according to the terms of said Mortgage and the defendants equity of redemption be foreclosed and said premises shall be sold and Order of Sale shall issue therefor to the Sheriff of Union County

2661

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Ohio who is herby appointed a Special Master Commissioner for that purpose directing him to Sell Said premises according to law as upon Execution and bring the proceeds into Court for further Order

And it having been made to appear to Said Court that Said property is insufficient to pay plaintiff Claims.

It is further Ordered and decreed that the Said Sheriff be made a receiver in this case take charge at once of Said premises described in Plaintiffs petition to rent the Same & Collect rents & to Report his proceedings herein to the next term of this Court

2661 Margaret B. Lush vs Jacob Lush } Leave granted to Plaintiff to file an amended petition and petition filed

It being deemed Necessary, the Court this day Ordered the Sheriff to call together a new Grand Jury by Summoning from among the bystanders or neighboring citizens fifteen good and lawful men having the qualificans of grand Jurors

Whereupon the following named persons were called and appeared in answer thereto to wit. Joseph Powers. Moses Thompson Jared Clement Alf Scott. G. L. Sellers. Solomon Butz. Robert Graham. L Demorest Geo Rickley W. M. Robinson. Daniel Longbrake. William Smith W.H. Robb J.D. Rodabaugh and Geo McVay. And the Court appointed W. M. Robinson foreman of the Said grand Jury and he with his fellows Jurors took the Oaths in manner and form as prescribed by Law and the Said Jury being instructed by the Court in relation to their duties were conducted to their room Attended by the Sheriff

This day appeared at the bar of this Court the grand Jury heretofore impannelled and Sworn in and for the body of the County aforesaid to wit and presented their certain bill of Indictment William Hudgel Isaiah Kizer and Benjamin Dougherty for Burglary indorsed " A True Bill W M. Robinson Foreman of the Grand Jury. And the Grand Jury having no further business before them were discharged by the Court

The State of Ohio vs U.S. Alden & Charles Spurs } Indictment for Selling Intoxicating Liquors to a Minor

Now comes the Prosecuting attorney on behalf of the State of Ohio and the defendants being in person & by Attorney before the Court, and being arraigned on Said Indictment for Plea Say they are guilty in manner & form as they Stand charged in Said Indictment. And thereupon came the following jury to wit, George Beecher John Barnes. John Hinkle. Daniel Anderson J.C. Rogers. A.D. Doolittle Henry Gregory Hawley. R.S. Bonnett Regular Jurors Ralph Moffitt W.S. Winters & John Mattox Tales. And thereupon after hearing the testimony adduced by the parties the Argument of Counsel & Charge of the Court after deliberation thereon the following Verdict, We the jury in this case being duly empanelled & Sworn do find & Say that the defendants are not guilty R S Bonnett Foreman. It is therefore Ordered by the Court that the defendants go hence without day

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The State of Ohio } Indictment for Retailing Liquors to be drank
vs } on the premises.
John Cuddyhie } Now comes the Prosecuting Attorney on behalf of the State of Ohio. And the Defendant being in person and by Counsel before the Court and the said Defendant being Arraigned on said Indictment for Plea Says he is not guilty in manner & form as he stands charged in said Indictment. and thereupon came the following jury to wit George Beecher John Barnes John Hinkle Daniel Anderson J. C. Rogers A. D. Doolittle Henry Kaler Gregory Hawley R. S. Bonnett regular Jurors and James Williams John Madder & Jared Clement Tales Jurors. And thereupon after hearing the Testimony adduced by the parties. the Arguments of Counsel and charge of the Court, and after deliberation thereon returned their Verdict in writing as follows to wit. "We the Jury empannelled and Sworn to well and truly try and true deliverance make between the State of Ohio and the prisoner at the bar John Cuddyhie do find the defendant not guilty as he stands charged in said Indictment James Williamson Foreman
It is therefore Considered by the Court that the Defendant go hence without day

Farmers Bank of Amsterdam } Entry
vs } This cause coming on for hearing was
Hiram Reed et al } Submitted to the Court upon the petition of the plaintiff the Defendants being in default for Demurrer or Answer the Court find that the allegation of the petition are confessed by them to be true and there due to plaintiffs from the defendant from the defendant Hiram Reed on the promissory notes Set forth in said petition with interest to the first day of this Term the sum $333.21/100 and on the Second note Set forth in said petition with interest to the first day of Term the sum of $59 67. The Court further find that in Order to Secure the payment of said notes the defendants Hiram Reed and Sarah Reed his wife executed and delivered to I. F. Gates their certain Mortgage as in the petition described and on the premises therein described that said Mortgage was duly recorded on the Record of Mortgages of Union County on the 29th day of October 1875 and is the first and best lien on the premises described in the petition
That the plaintiffs for a valuable Consideration purchased said notes before the same became due together with the Mortgage Securing the same and they the legal holders and Owners of the same.
It is therefore considered Ordered and adjudged that unless the defendants Hiram Reed Shall within 5 day of the rising of the Court pay or cause to be paid to the Clerk of this Court the costs of this case and the Sums so found due as aforesaid with interest from the 29th day of April A.D. 1878 according to the terms of said Mortgage and the defendants Equity of redemption be foreclosed and said premises Shall be Sold and an Order of Sale Shall issue therefor to the Sheriff of Union County directing him to Sell said premises as upon Execution and bring the proceeds into Court for further Order

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Cyrus Starnes
vs
Mt. Carmel Lodge No. 303 F & A.M. } Court of Common Pleas Union County O

Now comes the Plaintiff herein and the defendant being in default for answer or demurer. the Court finds that the allegations of the petition are confessed by them to be true and that the defendant, Mt. Carmel Lodge No 303 of F & A.M. of Richwood O. are indebted to the plaintiff in the sum of $420.84 with interest at Eight % on $332.75 from the 10th day of April 1878. It is therefore considered and adjudged by the Court that said Plaintiff recover of said sum of $420.84 together with it interest aforesaid and his costs herein expended taxed at $.

316 State of Ohio vs Jas Jolet & Catharine Timmons Contd

317 State of Ohio vs Grow & Timmons Continued

318 State of Ohio vs Wm Grow & Catharine Timmons Continued

328 State of Ohio vs George Holland Left off the Docket By order of Court

329 State of Ohio vs Lewis String Contd

335 State of Ohio vs Paul Schlagel Contd for Sentence

350 State of Ohio vs Harmon Singer Contd for Sentence

351 State of Ohio vs Harmon Singer Contd, for Sentence

358 State of Ohio vs Wm Richter Contd, for Sentence

359 State of Ohio vs Wm Richter Same

360 State of Ohio vs Wm Richter Same

361 State of Ohio vs Uriah S. Alden Nolle Prosequi Entered

362 State of Ohio vs Uriah S. Alden Nolle Prosequi "

363 State of Ohio vs Alf Bronson Nolle Prosequi "

364 State of Ohio vs Alf Bronson Nolle Prosequi "

365 State of Ohio Vs Uriah S. Alden Nolle Prosequi "

369 State of Ohio vs Alex. Snodgrass Contd

370 State of Ohio vs Alex Snodgrass Contd,

371 State of Ohio vs Alex Snodgrass Contd,

372 State of Ohio vs Alex Snodgrass Contd

373 State of Ohio vs Alex Snodgrass Continued

And thereupon Court adjourned until tomorrow morning at half past Eight Oclock

John L. Porter Judge

Tuesday May 14. 1878

This morning the Court met pursuant to adjournment present the same officers as on yesterday.

2928 | Angelina Elberson vs Ann Boittin } Cognovit.

This day came the Plaintiff by J.T. McNeal Attorney and thereupon came J. L. Cameron one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered appearance of Said defendant herein and by virtue of the same warrant of Attorney confesses that there is due from the defendant to Said Plaintiff as is alleged in Said plaintiffs petition the Sum of $170 52. It is therefore considered that the Plaintiff do recover of Said defendant the Said ~~Plaintiff~~ Sum of $170 52 So as aforesaid confessed to be due together with Costs of Suit herein to be taxed and with interest to be computed at at the rate of 8% per annum and by virtue of Said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in Error are waived

No 2897 | Bunstine & Boyer vs L. G. Pooler & Z. C. Pooler } Entry

And now comes the Bunstine & Boyer and the Said L. G. Pooler & Z. C. Pooler having having failed to answer or demur to the petition of the Said Bunstine & Boyer it is considered that the Said Bunstine & Boyer ought to recover the Said Sum of $178 68 So demanded in their petition together with the Sum of $1 12 which the Court finds due April 29th 1878 as the interest thereon as prayed for in Said petition it is therefore considered that the Said Bunstine & Boyer recover against the Said L. G. Pooler and Z. C. Pooler the Said Sum of $179 80 with interest from the first day of this term together with their cost in and about their Suit in this behalf expended taxed to $

3598 3574 | The State of Ohio vs Susan Adams } Indictment for Selling Intoxicating Liquors to Minor

And now comes the Prosecuting Attorney on behalf of the State of Ohio and presented to the Court the Recognizance of Said Defendant taken at the February Term 1878 of this Court in the Sum of $100 00 Thereupon the Said defendant being three times Solemnly called to come into Court and Answer to Said Indictment as She was bound to do - And failing So to do the Court Order that the Said Recognizance be and the Same hereby is forfeited - And Said forfeiture respited to the next Term of this Court

381 | State of Ohio vs Benja Wood Contd. for arrest

368 | 367 | 355 | 375 | 379 | 380 |

Tusday May 14. 1878

368 | The State of Ohio } Retailing Liquors
vs }
Alexander Snodgrass } Personally appeared in open Court Alexander Snodgrass and Thomas Davis and each acknowledged to owe and stand indebted to the State of Ohio in the penal sum of Two hundred dollars to be levied of their good & chattels lands and tenements if default be made in the condition following which is that the said Alexander Snodgrass shall be and appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof to answer unto an Indictment for Selling Intoxicating Liquors in said Court pending against him and not depart the Court without leave then this Recognisance shall be void otherwise to remain in full force

367 | The State of Ohio } Indictment for Intoxicating Liquor to a Minor
vs }
Alexander Snodgrass } Personally appeared in open Court Alexander Snodgrass & Thomas Davis and each acknowledged themselves to owe and stand indebted to the State of Ohio in the penal Sum of Two hundred dollars to be levied of their goods & Chattels lands & tenements if default be made in the following which that the said Alexander Snodgrass shall be and appear before the Court of Common Pleas for said County of Union at nine O'clock A M. On the first day of the next term to answer unto an Indictment against him pending in said Court Selling Intoxicating Liquors to a Minor and not depart the Court without leave leave then this Recognisance shall be void otherwise to remain in full force

355 | The State of Ohio } Selling intoxicating Liquor to a Minor
vs }
Elijah Mitchell }
Alexander Snodgrass } Personally appeared in Open Court Elijah Mitchell
T A. Holycross } Alexander Snodgrass & T. A. Holycross and each acknowledged to owe and stand indebted to the State of Ohio in the penal Sum of Two hundred dollars to be levied of their goods & Chattels lands & tenements if default be made in the condition following which is that the said Elijah Mitchell Alexander Snodgrass & T A. Holycross each be and appear before the Court of Comm on Pleas of said County of Union at nine O'clock A. M. on the first day of the next term thereof to answer to an Indictment against them in said Court pending for Selling intoxicating Liquors to a Minor and not depart the Court without leave then this Recognisance shall be void otherwise to be and remain in full force.

375 | State of Ohio vs L. B. Dennis — Contd for Sentence

379 | State of Ohio vs Horace Andrews — Contd for Sentence

380 | State of Ohio vs Benj^a Wood — Contd for Arrest

Tuesday May 14th 1878

No 339 | The State of Ohio vs Adaline Poling } Indictment for Concealing Stolen Goods & property

Now comes the prosecuting Attorney on behalf of the State of Ohio and the defendant being in person and by Counsel before the Court

And thereupon came a jury to wit. George Bucher John Barnes. John Hinkle Daniel Anderson J. C. Rogers A. D. Doolittle. Henry Kaler Gregory Hawley R. S Bonnett D. M. Robinson regular & Jared Clement tales Jury

And thereupon after hearing the testimony arguments of Counsel and Charged of the Court and after deliberation thereon returned their Verdict in writing as follows to wit. "We the jury in this case find the Defendant Adaline Poling is Guilty in manner and form as She Stands Charged in Said Indictment Stolen an concealed and we Assess the value of the goods at $8.00 A. D. Doolittle Foreman

And thereupon it is Ordered and adjudged by the Court that the said Adaline Poling make her fine unto the State of Ohio in the sum of fifteen dollars and that She pay the costs of this Prosecution and that She Stands Committed until the fine and costs are paid

No. 2624 | 2664

No. 2725 | W. H. Hoar Plaintiff vs H. McFadden Deft } Journal Entry

This day this cause came on to be heard and both parties waived a jury and the Same was Submitted to the Court On consideration whereof the Court does find the right of possession of the goods & chattels in the petition Mention to be in the plaintiff

It is therefore considered Ordered and adjudged by the Court that the plaintiff recovers of the defendant the possession of the goods & chattels in the petition mentioned and that he also recover his damages in the Sum of 5 cents and also his costs herein expended taxed to $

No 2724 | Jacob Bramblet et al vs H. McFadden } Journal Entry.

This day this cause came on to be heard and both parties waived a jury and the Same was Submitted to the Court on consideration whereof do find the right of property & the right of possession of the goods and Chattels in the petition mentioned to be in the plaintiffs

It is Therefore considered Ordered and adjudged by the Court that the plaintiffs recover of the defendant the possession of the goods & Chattels in the petition mentioned And that they also recover their damages in the Sum of five cents and also their costs taxed to $.

2723

Mcarysville B. & L. Association vs O. B. Chace et al } Settled and costs paid

Tuesday May 14th 1878

No. 2624 / Nancy Dillon et als vs Michael Judy et als } This day came the parties and Submitted this cause to the Court upon the pleadings & Evidence Whereupon the Court being fully advised in the premises do find that Jesse Judy at the time he executed the deed mentioned in said petition to the defendants Michael W. Judy & Amaziah Judy was of Sound and disposing mind Capable of transacting that business and that no undue influence is proved to have been exerted upon him to cause the execution of said deed & therefore the Court find for the defendants upon the issues joined & that there is no equity in the plaintiffs claims

It is therefor Considered Ordered and Adjudged by the Court that the plaintiffs petition be dismissed and defendants recover of the plaintiffs their costs herein taxed to $

Notice of intention to appeal by Plaintiff and the appeal Bond fixed for by the Court at two hundred dollars

/ 2644 / George W. YoKum vs Joel A. Bird et als } On motion of the plaintiff and on his producing the return of the Sheriff of the Sale made under the former Order of this Court and the Court on careful examination of the proceedings of the said Sheriff being Satisfied that the Same have been had in all respects in Conformity to Law and the Orders of this Court. It is Ordered that the said proceedings and Sale be and they are hereby approved and confirmed And it is further Ordered that the said Sheriff convey to the purchaser Mathew Lingrel by deed in fee Simple the lands and tenements So sold. And a writ of possession is awarded to put said purchaser in possession of said premises.

And the Court coming now to distribute the proceeds of said Sale amounting to fifty Seven dollars it is ordered that the Sheriff out of the money in his hands pay 1st The costs of this action taxed at $

2d To the plaintiff George W. YoKum the amount remaining of the proceeds of the said Sale to apply on the Amount heretofore found due to him. And the said payment having Exhausted the proceeds of said Sale no further Order is made herein

/ 2723 / Dennis & Johnson et als vs J. S. McNeal } At this time came the plaintiffs by their Attorney and on leave of the Court had dismiss this action without prejudice And no record of the Same to be entered And the Court Order that the plaintiffs pay the costs herein taxed at $ & Ordered that Execution therefor if not paid in twenty days

Tuesday May 14th 1878

391 The State of Ohio vs Wm Richter Contd for Sentence
392 The State of Ohio vs Wm Richter Contd for Sentence
396 The State of Ohio vs Benja Lock Continued
410 The State of Ohio vs Geo Holland Contd for arrest
411 The State of Ohio vs Addison Elliott & Abraham Orr Contd.
412 The State of Ohio vs Joseph Holland Contd for Arrest

417 The State of Ohio vs Allen & Spiers Pleads not guilty & bond by Order of Court
418 The State of Ohio vs Allen & Spiers Plea not guilty & bond by order of Court
420 The State of Ohio vs Eichenauer Buddy & Newmaster Contd by Order of Court
421 The State of Ohio vs Buddy Eichenauer & Newmaster Contd by Order of Court
423 Same vs Allen & Scott Bronson Continued by Order of Court
424 Same vs Fred'k Reif & Frank Gibronson Contd.

426 The State of Oh vs Nudgel and Other Continued

√ 708 Reuben Weize vs James Megahey } Dismissed by agreement each party to pay his own costs. It is therefore considered ordered & adjudged by the Court that if either the Plaintiff or Defendant fail for ten days to pay his share of the costs herein that execution issue therefor

And thereupon Court Adjourned until tomorrow morning at half Eight Oclock.

Wednesday May 15th 1878 this morning the Court met pursuant to adjournment the same officers present as on Yesterday

703 S.R. Harbert vs J.H. & Henry Neal } Appearance of Abba Neal entered & Continued
1216 T. C. Bowen vs J. C. Miller et als } Contd.
1262 Jas Jasper Exr &c vs Adam Blue } Contd.
1875 F.W. Marriott Exr &c vs Joshua Marriott et als Contd.
2003 Thos Peacock vs Jefferson Ford } Contd under former Order
2108 C.W. Wells vs John Elliott } Contd.
2145 Marion Kent vs Eliza Sharp } Contd
2149 Saml Little vs H.C. Hoskins } Contd by agreement
2153 P.R. Kerr vs J.H. Vaughan et als } Contd
2336 J Kaufman vs Stakes & Son } Settled & costs paid

√ 2522
√ 2749
√ 2860

Wednesday May 15th 1878

Y
2822/ F. J. Sager
vs
John B. Jolly et al

This day came on this cause to be heard by the Court and thereupon the Court having heard the parties do find the allegations of the petition to be true and that the Defendants who are the discendants of the said James R. Russel dec'd have no interest in said premises in said petition discribed but the same discended to Uriah Jolly nancy Laymaster John Jolly and Martha H. Jolly in equal parts.

It is therefore Ordered and decreed by the Court that the title of the said Uriah Jolly Nancy Laymaster John B. Jolley & Mariah H. Jolly and their assigns as stated in said petition be quieted as against said Claimants under the said James R. Russel dec'd & further it is ordered by the Court that partition of said premises be made as prayed for & the Sheriff of this County is Ordered by the oaths of J. B. Whelpley. Danius Burton & W. M. Cartmell he make said partition assigning to Plff one fourth of said premises to John B. Jolley one fourth to W. H. Robinson one fourth and to Martha H. Jolley one fourth & report their proceedings at this term of this Court

✓
2749/ Newton Case
vs
Abraham Dever et als

This day came the parties and declared themselves ready for trial upon the issues in the case. And the Court being fully advised in the premises do find that the proceedings stand in said case the plaintiff is entitled to Judgement as prayed for in his petition — It is therefore considered and adjudged by the Court that the plaintiff recover of said defendants the ~~Court~~ Sum of $16.60 and the costs herein taxed at $

✓
2860 Farmers Bank of Union Co
vs
Daniel McPeck Jennie McPeck & Oned McPeck

Entry
Now comes the plaintiff herein and this cause was submitted to the Court upon its petition the defendants being in default for demurr or Answer to the petition of the plaintiff, the Court find the allegations in the petition to be true and that there is due to the plaintiff from the defendants Daniel McPeck and Oned McPeck on the promissory note set forth in plaintiffs petition with interest from the first day of this term (April 29th 1878) the Sum of $670.44 that said note was over due when suit was commenced and that the plaintiff purchased the said note & the mortgage Securing the Same as alleged in the petition for a valuable consideration before the same became due and is now the legal holder & owner thereof

The Court further find that in order to Secure the payment of of said note the defendants Daniel McPeck Oned McPeck and Jennie McPeck executed and delivered to James Guy their mortgage as in the petition described and on the premises therein described and that said mortgage was duly recorded in volume 11 page 559 of the records of Mortgages of Union County Ohio and is the first & best lien on the premises described in the petition

It is therefore considered and adjudged that unless the defendants Daniel McPeck and Oned McPeck within 5 days from the Entering of this decree pay or Or cause to be paid to the Clerk of this Court the costs of this cause and to the plaintiff the Sum so found due as aforesaid with interest from the first day of the term as aforesaid. That the defendants Equity of redemption be foreclosed & said premises Shall be Sold and an Order of Sale Shall issue therefor to the Sheriff

Wednesday May 15th 1878

of Union County Ohio directing him to Sell as upon Execution and bring the proceds into Court for thier Order

no. 2858 | Farmers Bank of Unionville vs Thomas J. McAdow et als } Entry Now came the plaintiff herein and this cause was Submitted to the Court upon its petition and the Answer & cross petition of Parker J. Wyeth - the other defendants Thomas J. McAdow, Maretta McAdow Finley D. Davis Elijah Lister and Hanick Lister being in default for demurer or Answer to the petition of the plaintiff the Court find the allegations in the petition to be true and that there is due to the plaintiff from the defendant Thomas J. McAdow On the first promissory note Set forth in the plaintiffs petition with interest from the first day of this term the Sum of $498.83 and on the Second note Set forth in plaintiffs petition with interest from the first day of this term the Sum of $546.00 that Said notes were Over due when Suit was commenced and that two other notes Set forth in Said petition are not yet due and the plaintiff purchased all of Said notes & Mortgage Securing the Same for a valuable Consideration before the same became due and is now the legal holder and owner of the Same - the Court further find that in Order to Secure the payment of Said Notes the defendant Thomas J. McAdow and Maretta McAdow his wife executed and delivered to Said F. D. Davis their certain Mortgage as in the petition described and on the ~~petition~~ premises therein described and that Said Mortgage was duly recorded in Book 10 page 385 of the Record of Mortgages of Union County and is the first and best lien on the premises described in the petition. And that Parker J. Wyeth by his virtue of his tax lien and Mortgage holds the Second lien thereon It is therefore Considered and adjudged ~~by~~ that unless the defendant Thomas J. McAdow Shall within five days from the Entry of this decree pay or cause to be paid to the Clerk of this Court the costs of this case and to the plaintiff herein the Sum So found due as aforesaid with interest from the 29th day of April 1878 as aforesaid the defendants equity of redemption be foreclosed and Said premises Shall be Sold and an Order of Sale Shall issue therefor to the Sheriff of Union County Ohio directing him to Sell Said premises as upon Execution and bring the proceeds into Court for further Order.

no. 2713 | E. G. Piper Admr &c vs Henry Psior et als } This day came the parties and this Cause coming on for hearing and a jury being waived was Submitted to the Court upon the pleadings and evidence on Consideration whereof the Court finds on the issues joined for the defendants It is therefore considered by the Court that the defendants do recover their costs herein expended taxed to $

X | J Melching vs Adam Shenwood } Leave to plaintiff to file Amended Petition instanter - filed & Continued

X 2869 |

✓ 2675 |

X 2773 |

✓ 2553 |

X 2854 |

X 2835 |

X 2265 |

Wednesday May 15th 1878

X 2869 | Ann E. Erb vs Leonard Geer } On Motion, the Court this day gave the plaintiff leave to amend verification to her petition and file Same Instanter. And the defendants have to Answer in thirty days from the rising of this Court and cause Continued

✓ 2675 | James T. McCarty vs Joseph S Rogers } Settled and Costs paid

X 2773 | John E. Yost &c vs Dr Mitchell &Co } This day this cause came on for hearing on the defendants Motion to require Plaintiffs to make their petition more definite and certain Thereupon by consent of parties the Said motion is by the Court Sustained and upon motion of Plaintiff, leave is granted Plaintiffs to filed Amended Petition instanter & Petition filed and upon motion Defendant, leave is granted defendants to Answer in 40 days from the rising of this Court and cause Continued

✓ 2553 | John L Olspeich vs Ross Scott Elizabeth J. Tuckw Bank of Richwood & Richwood Building & Loving Association } Union Common Pleas. Entry Confirmation of Sale. On Motion of the plaintiff and on his producing the Return of the Sheriff of the Sale made under the former Order of this Court and the Court on careful examination of the proceedings of the Said Sheriff being Satisfied that the same have been had in all respects in Conformity to law and the Order of this Court. It is Ordered that the Said proceedings and Sale be and the Same are hereby Approved & Confirmed And a writ of possession is awarded to put Said purchaser in possession of Said premises. And the Court coming now to distribute the proceeds of Said Sale amounting to $234.00 it is ordered that the Sheriff out of the money in his hands pay first the costs of this action taxed to $ Second all the taxes and Third to the plaintiff John E Olspeich the amount heretofore found due him with interest Court the Sum of $221.27

X 2854 | Farmers Bank of Union County Plff vs Anna Hill & Levi Hill Defts } This day this cause came on for hearing upon the demurer of the defendants Anna Hill to the petition of plaintiff on consideration whereof the Court do Sustain Said demurer with leave to plaintiff to Amend Said petition instanter

X 2835 | J. H. Emerson Plff vs Philip Doe Defts } This day this cause was continued by Agreement

X 2265 | John A Phillips vs J. N. Sterling } Costs

Wednesday May 15th 1878

2841 | George Harriott vs John Clark } This day this cause came on for hearing and a Jury being waived was submitted to the Court upon the pleadings and evidence and by agreement of the parties the Court find that the defendant John Clark is indebted to the Plaintiff in the sum of One hundred and five dollars & Eighty four Cents It is therefore considered by the Court that the said Plaintiff recover from the said defendant the said sum of $105 84 and his costs herein expended taxed at $ It is further Ordered by the Court that the defendant Richard Clark answer as garnishee in case No. 2841 of this Court and his disclosure are not Satisfactory. And the Court further find upon all the evidence that this defendant Richard Clark as Garnishee had in his hands at the Service of the Order of Attachment & notice upon him certain money as Garnishee belonging to the said defendant in attachment for which he is liable to this plaintiff to wit an amount sufficient to Satisfy said Judgment and costs. And it further appearing that this plaintiff has obtained a judgment against the said John Clark in said Case no 2841 of this Court for the sum of $105 84 and costs which remains due & unsatisfied. It is therefore considered by the Court that the said plaintiff recover from the said Richard Clark as Garnishee the said of One hundred and five 84/100 Dollars so found to be in his possession together with his costs herein expended and that said amount be credited to Satisfy the Judgement and costs aforesaid against the said John Clark

2875

2295 | Baker Sturgeon vs J. C. Elliott } Settled at Plaintiffs costs. It is therefor considered by the Court that the defendant go hence with day and recover the plaintiff his costs

2762

2318 | Hariet Rice vs M. P. Rice } Contd,

2342 | A. D. Elliott vs James Carter } Contd,

2388 | Jas. Fullington vs Rus Miller } Continued under former Order

2401 | Wm Duckworth vs Anderson } Continued

2411 | Henry Moore vs Chas W. Huffman } Contd

2412 | D. L. Triplett vs Norton Scott } Settled & costs paid

2414 | O. S. Myers vs Alvin Bellue } Continued

And thereupon Court adjourned until tomorrow morning at half past eight oclock

John L. Porter Judge

Thursday May 16th 1878

This Morning the Court met pursuant to adjournment the same officers present as on yesterday.

Isaac Gearhart
vs
Joshua S Gill &
Elizabeth A C. Gill

On motion of the plaintiff and on his producing the return of the Sheriff of the Sale made under the former Order of this Court and the Court on carefull examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law and the Orders of this Court It is Ordered that the said proceedings and Sale be and they are hereby approved and confirmed - and it is further Ordered that the said Sheriff convey to the purchaser William Burgner by deed in fee simple the lands and tenements so Sold and a writ of possession is awarded to put the purchaser in possession of said premises.

And the Court coming on to his distributes the proceeds of said Sale amounting to $154.00 It is Ordered that the Sheriff out of the money in his hands pay first the costs of this action taxed $ Second to the plaintiff the residue of said $ $154.00 and the cause is continued

2875

George C. Ketchum et als
vs
George Beecher

Entry

This day this cause was continued on application of defendants and at defendants costs with leave to defendants to answer within thirty days of the rising of the Court. It is therupon Considered Ordered and Adjudged by the Court that defendants pay the costs of this action made at at the present term.

2762

A. L. Williams
vs
John Epps

Entry

This day this cause comes to be heard upon the Motion of the defendants to Plaintiff's petition and the Court being fully in the advised in the premises do Sustain said motion as to Security for costs Also to Strike out all that part of the petition from the 6th line of said Petition to the 16 line of said Petition inclusive. Also to Strike all that part of the Account out Barred by the Statute of limitation. the remainder of said Motions Overruled Leave given Plaintiff to Secure costs within 30 days from the rising of the Court & Leave to file amended petition within the same time leave to defendants to plead within 30 days thereafter & Cause Continued

Lizzie Drake
vs
The C. C. C. & I Ry Co

This day this cause came on to be heard upon the Motion of defendant and thereupon the plaintiff will have to amend by the first day of July A.D. 1878 and Defendant has leave to plead in 30 days thereafter And this cause Continued

W. W. Woods
vs
Justus J. Miller

Settled at Plffs costs. It is therupon Considered by the Court that the Deft go hence without day & recover of the Plff his costs

Thursday May 16th 1878

2733 | W. W. Woods vs Joseph Robinson et als } Note and Mortge.

The Court find that Since the Judgement herein the Second one of the notes Setforth in the petition has became due and is unpaid and that there is due to the plaintiff thereon with interest to the 29th dery of April 1878 the Sum of $370 50 which the Court finds the plaintiff is entitled to receive out of the proceeds of the Sale of said land by virtue of its lien on said property.

It is therefore Ordered that the Sheriff out of the said proceeds pay to the plaintiff the amount herein and in the former decree found due and owing to the plaintiff.

1 | Luther Wright vs George Sinclair } Dismis at Plaintiffs Costs

It is therefore Considered Ordered & adjudged by the Court the Defendant go hence without day and recover of the Plaintiff his costs herein taxed to $

1 | Elisha Wells vs Justus Jr Miller } Settled at Plaintiffs Costs - It is therefore considered by the Court that the Defendants go hence without day and recove of the Plaintiff his costs herein taxed to $

2810 | Jonas Figley vs Margaret Mc. Elderry } This day came the plaintiff and dismissed this cause without prejudice. Thereupon it is Considered Ordered and adjudged by the Court that the Defendant recover of the plaintiff her costs herein expended - No Record

No. 2463 | Margaret Mc. Elderry vs Jonas Figley } By agreement of parties, the judgement rendered in case No 2463 for $103 as an offset is opened up and said cause is set for trial as if said judgement had not been rendered Leave is granted the plaintiff to Reply to said defendants Answer setting up said $103 off-set within 30 days and Cause Continued.

2569 | Margaret Mc Elderry vs Jonas Figley } By agreement the judgement rendered in this case is set aside & leave granted Defendant to answer petition in 30 days & cause Continued

2733 | W. B. Thompson vs James Hoover } This cause is continued with leave to Plaintiff to file Amended petition in thirty days

2662 |

Thursday May 16. 1878

A.B. Robinson Plff
vs
Edward Brewster etals

Now came the plaintiff by his Attorney and his petition thereupon coming on to be heard And R. L. Woodburn was appointed Guardian ad Litem of the Minor defendants who appeared and filed his Answer & thereupon this cause came on to be heard upon pleadings & evidence and the Court being fully advised in the premises do find the allegations of the petition to be true and that partition should be made as prayed for and that the said Plaintiff A.B. Robinson is seized & has a legal right to the undivided four fifths part of the estate described in plaintiffs petition and is entitled to have partition made of said premises.
And defendants are tenants in common with the said plaintiff in the said premises in the following proportions - the said Edward Brewster is seized of & has a legal right to the undivided one twentieth part thereof. The said Cyrus Brewster to the one twentieth part thereof
And the said Henry Brewster to the one twentieth part thereof
And the said Ella Brewster to the one twentieth part thereof
And no reason appearing why partition should not be made,
It is therefore Ordered adjudged and decreed by the Court that partition of said Estate be made and that an Order issue to the Sheriff of the said County of Union & State of Ohio Commanding him that by the Oaths of Darius Burton James B. Whitley & G. L. Sellers three Judicious & disinterested freeholders of the vicinity who are not of kin to either party who are hereby appointed Commissioners for that purpose he cause to be set off & divided to said plaintiff & to each of the said defendants the part & proportion of said Estate to which they are herein before severally found entitled,
And it is Ordered that if in the opinion that if in the opinion of the said Commissioners said premises cannot be divided by metes & bounds without injury to the value thereof they appraise the same
And of his proceedings herein the said Sheriff is Ordered to make due return at this term of this Court

2662

Marysville B. & L. Association
vs
Hays Speakman & Ella Speakman

Now this day this cause came on for hearing and the defendants being in default for Answer or demurer the Court find that the defendants have failed to pay to the plaintiff the weekly installments of dues & interest as in the petition set forth and that there is due to said plaintiff as dues to the date of this decree the sum of thirty Eight dollars and as interest the sum of Sixty One and 6/100 dollars. The Court further find that is due to said plaintiff from said defendant as and by way of fines for the nonpayment of said dues as in the petition alleged the sum of twenty Six & 80/100 dollars making in all for dues interest and fines the sum of $186.41
The Court further find that in Order to secure the regular payment of said dues and other installments as well as those hereafter to become due the said Hays Speakman and Ella Speakman his wife executed and delivered to this plaintiff their certain Mortgage in the petition described and on the premises therein described that said was on the day of 187 duly recorded in book page of the records of

Thursday May 16th 1878

Mortgage of Union County and that the Same is the first lien on the premises in the petition It is therefore Considered by the Court. That unless the Said defendant Shall within three days from the Entry hereof pay or cause to be paid to the Said plaintiff the the Said Sum of $186.41 So found due and to the Clerk of this Court the costs taxed herein at $ the defendants Equity of redemption be foreclosed and Said and Said premises Shall be Sold and an Order of Sale Shall issue therefor to the Sheriff of Union County directing him to Sell Said premises as upon Execution and bring the proceeds into Court for further Order

2883 Marysville Building & Loan Association vs Clarinda Alexander et al } This day came the plaintiff herein and the defendants being in default for answer & demurer the Court finds that the Defendants have failed to pay to the plaintiff the weekly installments of dues and the interest as in the petition Set forth and that there is due to the date of this decree the Sum of $37.50 & on interest $32.25

The Court further find that there is due to Said plaintiff from Said defendants as and by the way of fines for the non payment of Said dues as in the petition alleged the Sum of $15.00 making in all for dues interest and fines the Sum of Eighty four & 75/100 Dollars 2818

The Court further find that in order to Secure the regular payment of Said due and other installments as well as those hereafter to become due the Said Clarinda Alexander & J. Smith Alexander her husband Executed and delivered to this plaintiff their certain Mortgage in the petition described ~~that Said~~ and on the premises therein described that Said Mortgage was on the day of 187 duly recorded in Book page of the records of Mortgages of Union County and that the Same is the first lien on the premises described in the petition It is therefore considered by the Court that unless the Said defendants Shall within three days from the Entry hereof pay or cause to ~~be~~ paid to the Said plaintiff the Said Sum of $84.75 So found due and to the Clerk of this Court the costs taxed herein at $ the defendants equity of redemption be foreclosed and Said premises Shall be Sold and an an Order of Sale Shall issue therefor to the Sheriff of Union County directing him to Sell Said premises as upon Execution and bring the proceeds into Court for further Order

2896 Conrad & Shepper vs James Denman } Court of Common Pleas Union County Ohio Entry Now come the plaintiff herein and the defendant being in default for Answer and demurer this Cause was Submitted to the Court a Jury being waived the Court do find that the allegations of the petition are confessed to be true and find that Said defendants were indebted to Said plaintiffs in the Sum of $110.00 with interest at eight per cent from the 27th day of January 1877 and that $60.00 has been paid Since Suit was commenced to wit on the 27th day of April 1878 leaving balance $61.00 with interest at 8 per cent from the 27th day of April 1878 yet due & unpaid

It is therefore Considered Ordered and Adjudged by the Court

Thursday May 16th 1878

that the said plaintiffs recover from the said defendants the Sum of Sixty one dollars with Eight per cent interest from april 27th 1878 and their costs herein expended taxed at $

The State of Ohio
vs
William Hudgel
Isaiah Rozott &
Benjamin Dougherty

Indictment for Burglary.
This day the Defts. William Hudgel and Isaiah Rozott being arraigned and the Indictment having been read to them was asked how of the premises they would acquit themselves for say they are not guilty -
And it appearing to the Court that the defendant are without Counsel and are unable to employ Counsel thereupon the Court assign J. L. Cameron as their Counsel in this case

W. B. Thompson
vs
James Hoover

This day came the plaintiff by his attorneys, and asked & obtained leave of the Court to file an amended petition in thirty days from the rising of this Court. And cause continued

Maria A. Donnelly et al
vs
James B. Palen et als
2818

In Partition.
On motion of the Court by Robinson and Piper Counsel for petitioner and upon producing the proceedings of the Sheriff and the report and proceedings of the Commissioners herein before appointed and the Same being examined.
It is Ordered that Said proceedings and report be and the Same are hereby approved and confirmed and thereupon neither of the parties electing to take Said Estate at the valuation thereof as returned by Said Commissioners on motion of the petitioner
It is Ordered that Said Estate be Sold at public Auction by the Sheriff of Said County of Union according to the Statute in such made and provided. And Cause Continued

Thereupon Court adjourned to meet tomorrow morning at 8 Oclock

John L. Porter Judge

Friday May 17th 1878

This morning the Court met pursuant to adjournment the same officers present as on yesterday

2830 / C.S. Chapman et als vs Justina D Ruhlen et als } This day came on this cause to be heard on the demurrer to the petition whereupon the Court being fully advised on the premises do Overrule said demurrer to which ruling of the Court defendants Excepts

2836 / X Mary Long vs Samuel Long et al } On Motion of the Plaintiff by her Attorney Cameron & Benton and good cause being Shown it is hereby Ordred That She be allowed the Sum of Forty dollars for the Support for the Support and maintainance of herself and two Children during the continuance of this action and for the expense of conducting this action. It is therefor ordered that Samuel Long pay to the said plaintiff or her Attorneys Cameron & Benton the Sum of Forty dollars immediately on the Services of this Order and the Servic is made a lien upon funds in the hands of L.Y. Telkner and in default of such payment for 10 days Execution is allowed to issue therefor and it is further Ordered that said L.Y. Telkner pay said Sum out of any funds in his hands belonging to said Samuel Long

2833 / X

X 2857 / Alice Turner vs Samuel R. Fisher } This cause is continued for want of time to try it With leave to plaintiff to reply in Forty days from the rising of the Court

X 2513 / Catharine Baldwin vs Hannah Blue et als } Continued by agreement

2166 / Smith Geddings & Co vs James Richcraft & other } This cause coming on to be heard upon to confirm the final Report of and to discharge the Receiver herein it is Ordered on Motion of the said Receiver that he be allowed and paid the Sum of Fifty ($50 00) Dollars out of the money in his hands in full for his Services herein And the Court finding said report correct and that said Receiver has fully obeyed the Orders of this Court to him issued and has duly paid over all moneys coming into his hands as such Receiver

It is therefor Ordered that all acts and things done by him as well as his said Report be and they are hereby approved and confirmed and the said David S Burr is discharged from his duties liabilities and responsibilities as such Receiver & his undertaking therefor is Vacated and cancelled

Friday May 17th 1878

2848 / Thomas Schofield vs Amanda Schofield } Entry

Now came the Plaintiff herein and the defendant being in default for Answer & demurrer the Court find from the evidence that the Plaintiff at the time of filing his petition had been a resident of the State of Ohio for one year next preceding the same and was at the time a bona fide resident of this County of Union and that the parties hereto were Married as in said petition set forth - The Court further find upon the evidence adduced that the defendant has been guilty of gross neglect of duty and wilful absence and that by reason thereof the plaintiff is entitled to a divorce as prayed for - It is therefore ordered and adjudged by the Court that the Marriage contract heretofore existing between the said Thomas Schofield and Amanda Schofield be and the same hereby is dissolved and both parties are released from the obligation of the same

It is further ordered by the Court that the Plaintiff pay the costs of this Prosecution

X

2833 / Aaron B. Robinson vs Edward Brewster et als } In Partition

On motion to the Court by Plaintiff in this action and upon producing the return of the Sheriff and the Report of the said Commissioners heretofore appointed and the same having been examined by the Court here & found in all respects correct & in conformity to Law it is hereby Ordered that the said proceedings & report be and the same is hereby approved & confirmed And thereupon came the said Aaron B. Robinson and elected to take the following portion of said premises at the said valuation to wit The 6¼ acres of land in Survey No 3351 also the said East half of In Lot No 5 also all of said Lot No 131 Also all of said Lot No 142 also all of said Lots No 186-187 & 193 also all of said Lot No 245 in Samuel C. Lees Addition. Also all of said ⅓ of Lot No. 21 & said 3 feet off the South side of Lot No. 16 also all of said Lot No 33 all in said Village of Marysville

And it appearing to the said A, B. Robinson has paid & secured to be paid to the said Edward Brewster Cyrus Brewster Henry Brewster & Ella Brewster their respective Shares of said Valuation to wit one third part and the rest secured in one & two years with interest It is that the said premises be adjudged to the said A B. Robinson And the said Sheriff is Ordered to execute a deed in fee Simple to the said A, B. Robinson for the premises aforesaid conveying the full interest of defendants in said premises

And it is further Ordered that the costs of this action be paid by the said parties in the following proportion to wit. the said A B Robinson the four fifths part and the said Edward Brewster Cyrus Brewster Henry Brewster & Ella Brewster each the one twentieth part thereof And in default thereof that Execution Issue therefor

And Continued as to the balance of said Real Estate

Friday May 17th 1878

2815

Robert Graham
vs
Lewis Potee &
J. W. McIlroy

This day came the said parties by their attorneys and also came a Jury to wit George Bucher John Barnes John Hinkle Daniel Anderson Samuel Gamble I.C. Rogers A.D. Doolittle Henry Kaler R.S. Bonnett Gregory Hawley regular Jurors John Maddox & Hayes Speakman tales Jurors who were duly empaneled and Sworn according to law and the said Jury having heard the testimony, the arguments of Counsel and charge of the Court retired to their room to deliberate

And now come the said Jury into open Court with their verdict in writing Signed by their foreman and say "We the Jury in "the Jury in this case being duly impaneled and Sworn do find "and say we find for the plaintiff in the Sum of Eighty Seven "Dollars A.D. Doolittle Foreman"

It is therefore considered Ordered and adjudged by the Court that the plaintiff Robert Graham do recover of the defendants' Lewis Potee and J.W. McIlroy the Sum of Eighty Seven dollars So found due as aforesaid

The State of Ohio
vs
William Hudgel
Isaiah Kezott
Benjamin Daugherty

Indictment for Burglary
This case is Continued for want of time to try the Same

No 2838

No 2824

Martha Jane White
vs
Isaac White

This day this cause came on for hearing was Submitted to the Court upon the pleadings and evidence, On Consideration Whereof the Court find that the plaintiff at the time of filing her petition ~~at the time~~ had been a resident of the State of Ohio for one year next preceding the Same and was at that time a bona fide resident of this County of Union and that the parties hereto were married as in said petition Set forth and the Court further find upon the evidence adduced that the defendant has been guilty of gross neglect of duty neglect of duty toward her the plaintiff and that by reason thereof the plaintiff is entitled to a divorce as prayed for

It is therefore Ordered and adjudged by the Court that the Marriage contract heretofore existing between the said Martha Jane White and Isaac White be and the same is dissolved and both parties are released from the obligations of the same It is further Ordered that the custody care and Education and Control of the said Child of the parties hereto be until further Order confided to the said Martha Jane White with the privilege of the said Isaac White seeing said Child once a month

It is further ordered that the petitioner be and she hereby is restored to her Maiden name of Martha Jane Wallace.

It is further considered by the Court that the said Martha Jane White recover from the said Isaac White her costs herein expended taxed to $

In Vacation.

Reuben Freshwater Plaintiff } In Union County
vs } Court of Common Pleas.
John Mc Allister and } In Vacation.
Samuel Little Defendants } And now come the said parties by their attorneys

And thereupon this Cause came on to be heard before the Hon John L. Porter Judge of this Court and thereupon came on to be heard the motion of the said Reuben Freshwater for an Order to Dyer Reed to proceed to Sell and convert into Money the property in his possession as such receiver in this for reasons in said Motion Stated and was argued by Counsel.

On consideration whereof it is found that said property is expensive to keep and depreciating in Value by reason thereof and that it will be better for all parties to have the Same converted into money.

It is therfore Ordered by the Court that said Dyer Reed Receiver do proceed to Sell said property first giving ten days notice by posting notices in three public places in the said Town of Marysville in said County. Said Sale to be at the Livery Stable of the said Reed in said Town and that the said Receiver Report his proceedings to this Court at the next Term thereof.

Done at the office of the Clerk of said Court in the Court House in Marysville in said County this 16 day of March 1878

May 18th 1878

No 2838 John M. Flemming }
vs }
Nettie Flemming }

This cause on for hearing was submitted to the court upon the pleadings and evidence on consideration whereof the court find that the plaintiff at the time of filing his petition had been a resident of the State of Ohio for one year next preceding the same and was at that time a bona fide resident of this County of Union and that the parties hereto were married as in said petition Set forth. The Court further find upon the evidence adduced that the defendant has been guilty of gross neglect of duty and that by reason thereof the plaintiff is entitled to a divorce as prayed for.

It is therefore ordered and adjudged by the court that the Marriage contract heretofore existing between the said John M. Flemming and Nettie Flemming be and the same hereby is dissolved and both parties are released from the obligation of the same. It is further ordered that the custody, care education and control of the said Child of the parties hereto be until further order confided to the said John M. Flemming Exclusively. And the said Nettie Flemming is hereby enjoined from interfering in any manner with said child. and from visiting said child until further order of Court.

It is further ordered by the court that the said John M. Flemming plaintiff pay the costs of this proceeding. and Execution is awarded.

Saturday May 18th 1878

No. 2656

Thomas. Hall
vs
R. L. Woodburn Admr &c

This day came on this Cause to be heard on the motion of the defendant to Strike from the file the amendment filed May 15th 1878 to the amended petition which motion is sustained by the Court

And the cause came on further to be heard on the motion to require the plaintiff to State his cause of action more Specifically as Stated in said motion and so Order to which rulings & Orders Plaintiff Excepts And leave is ~~given~~ to plaintiff to file Amended petition in thirty days at plaintiffs costs for said Amendment

2812

Peter G. Wynegar
vs
Hugh Berry

This day this cause came on to be heard and the plaintiff being in default for petition - Asked and Obtained leave to file petition within 40 days from the rising of this term of Court and leave to the defendants to plead within 20 days thereafter

No 2774

Michael Brake
vs
Sarah R. Sudduth &
B. R. Sudduth

This day H. C. McPherson J. B. McLaughlin Duncan Dow and J Duncan McLaughlin on Motion - are made parties defendants herein with leave to answer instanter and this entering their appearance file Answer accordingly.

2854

Farmers Bank of Union Co
vs
Anna Hill and Levi Hill

This day this cause on for hearing was submitted to the Court upon the pleadings and evidence. On consideration whereof the Court find that the defendants Anna Hill & Levi Hill Executed and delivered to one Elisha Wells the Mortgage Deed in the petition described and on the premises therein described was duly assigned and transfered by said Elisha Wells to the plaintiff The Farmers Bank of Union ~~County~~ County that said Mortgage was duly recorded in Book 12 page 123 of the Records of Mortgages of Union County and is the first and best lien on the premises described in the petition.

The Court further find that the Conditions of defeasance in said Mortgage has been broken and that said plaintiff is thereby entitled to have the defendants equity of redemption foreclosed.

It is therefore considered and decreed that unless the said defendants shall within ten days from this decree pay or cause to be paid to the Clerk of this Court the costs in this case and the said plaintiff the Sum of Six hundred Sixty five and 82/100 dollars Eight per cent interest from the 29th day of April A.D. 1878 according to the terms of said Mortgage deed the defendants equity of redemption be foreclosed and said premises shall be Sold and an Order of Sale Shall issue therefor to the Sheriff of Union County directing him to Sell said premises as upon Execution and bring the proceeds into Court for further Order

Saturday May 18. 1878

Lucinda Hall
vs
R. L. Woodburn Admrx

This cause being heard on the demurrer to the amended petition the Court does on consideration Sustain the Same to which Ruling the plaintiff then & there Excepted.
Plaintiff is allowed to amend petition in 30 days from the rising of this Court

A. L. Chapman et al
2830 vs
Justinia D. Ruhlin et al

Continued with leave to defendant to answer in thirty days

James Woodburn
2125 vs
W. M. Robinson et al

This cause being heard on the Motion to require the plaintiff to make his petition more definite and certain the Court on consideration grant said Motion and allow thirty days for the making of said amendment and leave to defendants to plead and ~~thereafter~~ forty days thereafter and case Continued

Farmers Bank of Union Co. Plff
vs
L. C. Wentz Defts

This day this cause came on to be heard upon the motion of the plaintiff for a new trial and was Submitted to the Court upon the Motion and affidavit of Joseph Newlove - and the Court do Sustain said Motion - and grant the plaintiff a new trial herein - And it is further Ordered that the plaintiff pay all costs to this day in the above case.
And it is therefore Ordered and Adjudged that the defendant recover of the Plaintiff all costs herein expended taxed to $ and cause Continued

Michael Brake
2774 vs
Sarah E. Sudduth et als

This day this cause is consolidated with Case No 2579
The plaintiffs Motion to confirm Sale is overruled.
The Motion of H. C. Dickinson and others to Set aside said Sale is granted and the Sale Set aside and the motion to open up former decree herein is Overruled and leave is granted to said defendants H. C. Dickinson J. D. McLaughlin Duncan Dow and J. Duncan McLaughlin to file amended Answer within 30 days after term and this cause is continued

Weed & Co
2750 vs
Woods & Dolbear

This day came the parties and Submitted this cause to the Court - Whereupon the Court find for the defendants on the issues joined between the parties. And thereupon the Court Consider Order and Adjudge that the defendants go hence without day and recover of the Plffs their costs herein expended taxed to $
Thereupon plaintiff moved the Court to Set aside said Judgement and grant a new trial for reason on file which Motion the Court overrule to which ruling the plaintiff Excepts & asked the Court to Sign & Seal their bill of Exceptions & by agreement of parties leave is given to plaintiff to prepare his bill within thirty days to be Signed & Sealed & filed & made a part of the record as of term time and the Court Order it so here to be So done

Saturday May 18. 1878

2845 | Isaac Webb vs Lewis Logan & David Logan } Now come the plaintiff herein and the defendants being in default for Answer and Demurer the Court find that the allegations of the petition are confessed by them to be true and find that the defendants are indebted to the plaintiff Isaac Webb in the Sum of Three Hundred and Six & 6/10 Dollars It is therupon considered by the Court that said plaintiff recover from the said defendants Lewis Logan & David Logan said Sum of Three Hundred and Six & 6/10 dollars and his costs herein Expended taxed at $

2582 | The State of Ohio ats Sarah Burbour & Henry J King Defts } Court of Com. Pleas Union O, Now came the petitioner herein by its Attorney and Thereupon its petition came on to be heard the said defendant Henry J. King being before the Court and in default for Answer to the petition of said plaintiff- the Court find the allegations of the petition are confessed by said defendant to be true and the Court further find that has been an Error inadvertantly made in the Recognisance attached said petition Marked A and as alleged in said petition. And thereupon no good reason appearing why an Order correcting said Error should not be made the same is hereby allowed and the Recognizance is corrected as prayed for in said petition to wit (February 12th 1877 personally appeared in Vacation before P. B. Cole Judge of the Court of Common Pleas within and for said County of Union Taken And acknowledged in Vacation On the day and year first above written before P. B. Cole Judge of the Court of Common Pleas within and for said County of Union " which the Court find to have been the true and Manifest intention of the parties. And the Court further find that there is due and remaining unpaid from the said defendant Henry J. King the Sum of $300 Cts with interest from the 12th day of November A.D. 1877 It is therefore considered by the Court that the said plaintiff recover of the said defendant upon the petition as Reformed the said Sum of Three hundred & nine Dollars ($309 Cts and costs herein expended taxed to $

2144 | D. W. Ayers vs E. T. Popplelton } This day came the parties by their Attys and waive a Jury and by consent & agreement request the Court to to allow Judgment to be entered against the defendant in favor of the plaintiff for the Sum of Seventy five dollars & costs, It is therefore considered ordered and adjudged the said Plaintiff recover of the said defendant the said Sum of Seventy five dollars so agreed Consented and requested to be entered togeth his costs herein expended taxed to $

2763 | James C. Moffitt vs John Harriman } This day this cause came on to be heard on Motion to require the plaintiff to Secure the Cost Whereupon the court do order the plaintiff to Secure the cost in 20 days from the rising of this court & in default thereof this cause Stand dismissed at cost of Plaintiff. It is therefore considered that the Plaintiff pay the cost in this Case taxed at $ - & Execution is awarded

2485 | 2691 | 2889 | 2895 | 2908 |

Saturday May 18th 1878

2485 | Isaiah Clark etals vs H. C. Hamilton } This day this cause came on to be heard on the Motion on motion of Plaintiff for new trial which Motion was overruled by the Court thereupon plaintiff Excepted - leave was thereupon to file exceptions within 30 day from rising of Court, And thereupon it is considered ordered and adjudged by the Court that the Defendant go hence without day and recover of the plaintiff his costs taxed $

2891 | Joseph H. Richey vs Amaziah Judy } Now comes the plaintiff by his Attorney and the defendant being in default for answer and demurer the Court finds the allegations of the petition are confessed by him to be true and that he is indebted to the plaintiff in the Sum of one hundred ten & 40/100 It is therefore considered by the Court that the said Plaintiff recover from the said defendant the said Sum of One hundred ten & 40/100 dollars with interest at 8 per per annum from the first day of this term of Court and his costs herein expended in this behalf taxed to/

2889 | Joseph H. Richey vs Edmund Turner } And now comes the plaintiff by his Atty and the Defendant being in default for and Answer and Demurr the Court finds that the allegations in the plaintiffs petition are confessed by him to be true and that he is indebted to the plaintiff in the Sum of twelve hundred and thirty nine & 79/100 dollars ($1239 79) It is therefore considered by the Court that the said plaintiff recover from the said defendant the said Sum of Twelve Hundred thirty nine & 79/100 with interest at Eight per cent per cent per annum from the first day of this term of this Court and his costs in this behalf expended taxed to $

2895 | James McConnell Usq one of the Philadelphia A. Works vs David Walsin } This day came the plaintiff by his Attorney and the Defendant being in default for Answer or demurer the Court find that the allegations of the petition are confessed by him to be true and that he indebted to the plaintiff in the Sum of One hundred fifty five Dollars 15/100 ($155 15/100) It is therefore considered by the Court that the said Plaintiff recover from the defendant the said Sum of One hundred fifty five & 15/100 Dollars with interest from the first day of this term and his costs herein expended taxed to $

2908 | Hiram Garrington vs C. C. Sharp } Case Continued with leave to Plaintiff to file Petition in 30 days from the rising of this Term of this Court and leave to Defendant to Answer in 40 days thereafter

Saturday May 18th 1878

Incorporated Village of Marysville in the County of Union Ohio Plff
vs
Mary Coe Samuel A. Cherry, Jane A. Cherry his wife Abraham Morey Abbey B. Morey his wife Maria Partridge and R. L. Partridge her husband

Application for Appropriation of land

This day it Appearing to the Court that the defendants have all duly waived Service of the Notice required by the Statute five days previous to this date and have entered their appearance in this proceeding according to law

On motion to the Court it is Ordered by the Court that the time for the inquiry into and assessment of compensation by Injury asked be and the Same is hereby fixed for this day of which Order fixing the time the defendants were Notified

And thereupon this came on to be heard upon the applicatiors for an inquiry into and assessment of compensation by a Jury of the value of the property sought to be taken in this proceeding as well as damages resulting to the remaining lands of the defendants and the said defendants being default and no one objecting to the application of said Village.

Thereupon came Jury to wit. A. S. Chapman Samuel Gamble Henry Walker George Beecher R. S. Bennette M. Thompson Jo. N. Hinkle Joseph C. Rogers Gregory Hawley A. D. Doolittle Daniel Anderson John W. Barnes who being empaneled and Sworn according to the Statute in such case made and provided and On application of the Said Village of Marysville the Court issued an Order to the Sheriff of the County to conduct the Jurors aforesaid to view the said premises in the application mentioned in the presence of A. S. Mowry on the part of said Village & James B. Whelpley on the part of said defendants who were appointed by the Court that purpose

And the said Jury having the said premises aforesaid in charge of the Sheriff and in presence of said A. S. Mowry and J. B. Whelpley and having heard the evidence were charged by the Court and returned their verdict in writing signed by each of said Jurors which verdict is in the following words to wit

We the Jury in this case being empaneled and Sworn do find and Say that the amount of compensation which is due to Mary Coe by reason of the appropriation of two feet in width off the east side of In Lot No 162 now owned by her irrespective of benefits is $25. And that No damage will accrue to the remaining portion of said property by reason of such appropriation

That the amount of compensation which is due to Samuel A. Cherry & Jane A. Cherry by reason of the appropriation of all of In Lot No 161 belonging to them and apart of Out Lot No. 44. containing about ten Square poles belonging to them irrespective of benefits is $200. And that damage will accrue to the remaining portion of their property by reason of such appropriation in the Sum of twenty five dollars. That the amount of compensation which is due to Abram Morey and Abbey B. Morey by reason of the Appropriation of a part of Out Lot No 43 belonging to said Abbey B. Morey and Abram Morey containing about 4 8 Square poles irrespective of benefits is Two hundred dollars and that no damages will accrue to the remaining portion of their property by reason of Such Appropriation in the of twenty five dollars.

That the amount of compensation which is due to Maria Partridge and Reuben L. Partridge by reason of the appropriation of about 54 Square poles of land in Survey No. 3354 belonging to the said Maria Partridge & Reuben L. Partridge irrespective of benefits is Two hundred

2806
X 2579
X 2774

and thirty dollars ($230) and that no damage will accrue to the remaining portion of the propertys by reason of such appropriation

A. S Chapman	R S Bennett	Gregory Hawley
Samuel Gamble	M Thompson	A D. Doolittle
Henry Kahler	Jo N. Hinkle	Daniel Anderson
George Buckius	Joseph C. Rogers	John W Barnes

It is therefore considered ordered and adjudged by the court that the applicant the Incorporated Village of Marysville Ohio pay to the owners of the lands so appropriated the compensation and damages so as aforesaid found due to them respectively by the jury to wit To Mary Coe the owner of a strip of ground two feet in width of the east side of In Lot No 162 in Marysville the Sum of $25 Cts

To Samuel A. Cherry and Jane A. Cherry the owners of all of In Lot No 161 and part of Out Lot No. 44 containing about ten Square poles in Marysville the Sum of $225 Cts

To Abram Mercy and Abbey B. Mercy the owners of a part of out Lot No 43 containing about 48 Square poles in Marysville the Sum of $225 Cts

To Maria Partridge & Reuben L. Partridge the owners of about 54 Square poles of land in Survey No 3354 in Marysville the Sum of $230 Cts

It is further Ordered by the court that said payments to be made to the Several owners as above stated as follows One half to each on or before the 10th day of March 1879 and the residue to each on or before the 10th day of September 1879 and that upon such payments being made to the owners respectively or upon said Sums being secured to said Several owners to their Satisfaction it Shall be lawful for said Incorporated Village to enter upon and take possession of the premises So appropriated for the purposes for which the Same were appropriated

And it is further Ordered that the Said Village of Marysville pay the Costs of this proceeding taxed to $

2806 | L. Taylor vs John McDonald } This day this cause was dismissed at the costs of Plaintiffs.

It is thereupon considered and adjudged by the Court that the defendant go hence without day and recover of the Plaintiff his costs herein expended taxed to $

X 2579 | Zachariah McIlroy vs Sarah Sudduth } This day cause came on to be heard On Motion to consolidate the above

X 2774 | Michael Brake vs Sarah Sudduth } cases Nos 2579 & 2774 On consideration whereof And the Court being fully advised in the premises It is Ordered that the above cases be and the Same are hereby Consolidated

Saturday May 18th 1878

2871 | A. V. Kennedy vs Alexander Snodgrass } This day this cause came on to be heard upon the demurrer of plaintiff and Briefs of Plaintiff and defendant and the Court thereupon refused to hear the same on briefs leave was thereupon obtained by the plaintiff to withdraw his demurrer and Briefs and said leave was granted and thereupon this cause was continued.

2831 | Israel Wolam vs John Riley et als } Now this day this cause came on for hearing and by leave of the Court the defendants have leave to answer within thirty days from the rising of this Court and this cause is continued

2873 | Alonzo Chesley vs D. W. Litzenburg et als Settled & Costs paid

2904 | David Leitzenberry vs Nathaniel Chesley } This day the parties met and by agreement the defendant paid plaintiff $11.80cts as per receipt on Petition and cause continued as to remainder.

2810 | Jonas Figley vs Margaret McElderry } This day this cause was dismissed at cost of the plaintiff. It is therefore considered by the Court that the defendant go hence without day and recover from the Jonas Figley her costs herein expended.

2946 | H. G. Wells vs The Incorporated Village of Marysville. } This day came the parties by their attorneys and thereupon came on this cause to be heard upon the Motion of the Village of Marysville to dissolve the injunction heretofore allowed in said case and the Court being fully advised in the premises do order and adjudge & decree that said injunction heretofore allowed in this case is hereby dissolved. Thereupon the plaintiff came and dismissed this cause at his cost. Whereupon it is therefore considered ordered and adjudged that this cause be dismissed and that the plaintiff defendant recover of the plaintiff its costs herein taxed &

2931 |

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Monday May 20th 1878

This morning the Court met pursuant to adjournment The Same officers present as on Yesterday.

2931 | Henry Harrington vs Charles Barth } Entry Cognovit

This day came the plaintiff by Robinson & Piper Attorneys and thereupon came J. M. Broderick One of the attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered appearance of said defendant herein and by virtue of the Same Warrant of Attorney confesses that there is due from said defendant to said plaintiff as is alleged in said plaintiffs petition the Sum of $102.00 It is therefore considered that said plaintiff do recover of the defendant the said Sum of $102.00 So as aforesaid confessed to be due together with costs of suit herein to be taxed, And with interest to be computed at the rate of Eight per centum per annum. And by virtue of said Warrant of attorney all errors are released and all right of appeal and all right to file a petition in error are waived

2850 | Jesse Davis vs Samuel J. Bennett } Motion to make petition more definite & certain

This day came on this cause to be heard upon the Motion of Defendant to make the petition more definite and certain Whereupon on consideration the Court do Sustain said Motion - And the Plff not desiring to amend. It is Ordered that the ~~D~~ Deft have 40 days from the rising of this term of the Court to plead and the plaintiff 20 days thereafter to Reply And this cause is Continued

2609 | Geo. B. Hamilton vs Wm H. Davis et als } This day this cause came on to be heard upon the petition of the plaintiff. And the Defendants still failing to answer or demur to said petition and the Court being fully advised in the premises do find there is due the plaintiff from the defendant the Sum of $611.00 It is therefore Ordered and Adjudged by the Court that the plaintiff recover of the defendants said Sum of $611.00 and that the same is a lien upon the Chattels described in Plaintiffs petition and in case the defendants fail for five days to pay said Judgment and costs - it is Ordered by the Court that said property be sold by the Sheriff and that the proceeds thereof be applied to the payment of this Judgment

2355 | Anthony Kiger vs Mary J. Turner } This day came on this cause to be heard on the Motion for New trial Whereupon the Court being fully advised do Sustain said Motion & grant the New trial on the condition that plaintiffs will pay or Secure to be paid all the costs made in this case to date by next term & if said costs are so paid or Secured as above stated this cause is Ordered to be Set down for trial at the next term of Court And in that event the Plffs being Non-residents are required to give Security for future costs

Monday May 20th 1878

2940 | The Peoples Bank vs O. C. Chase et al } Cognovit. Entry
This day the plaintiff by A. L. Carpenter Attorney & thereupon came L. B. Benton one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered appearance of said defendant herein and by virtue of the same Warrant of Attorney confesses that there is due from said defendants to said plaintiff as is alleged in said plaintiffs petition the Sum of $138.90.
It is therefore considered that said plaintiff do recover of said Defendants the said Sum of $138.90 so as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8% per centum per annum. And by virtue of the said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in Error are waived

2835 | J. A. Rankin Trustee &c vs H. Yarrington et als } Cognovit Entry
This day came the Plaintiff by his Attorney & thereupon came R. L. Woodburn one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produce in open Court and duly proven waived the issuing and Service of process and entered appearance of said defendants herein and by virtue of the same Warrant of Attorney confesses that there is due from said defendants to said Plaintiff as is alleged in said plaintiffs petition the Sum of $169.70 It is therefore considered that said Plaintiff do recover of said defendants said Sum of $169.70 so as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of the said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

2716 | Oliver Lockwood J. W. Lockwood and Erastus Lockwood vs French Lockwood & Angeline Lockwood } Now come the parties herein by their Attorneys and thereupon this cause came on to be heard on the pleadings and evidence and was Submitted to the Court.
On consideration Whereof the Court do find on the issues joined for the plaintiffs and that they are entitled to relief as prayed for
It is therefore adjudged and decreed by the Court that the Injunction heretofore granted in this action by the Probate Court of this County be and the same hereby is made perpetual.
It is further considered by the Court that the parties plaintiff pay their own costs taxed to $ And the parties defendants pay their own costs taxed to $ And that if default be made in payment by either party that an Execution issue against the parties so in default.

2939
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Monday May 20th 1878

2939 | Peoples Bank vs D. L. Joseph et als } Cognovit Entry. This day came the plaintiff A. J. Carpenter its Attorney and thereupon came J. B. Cole one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in Open Court and duly proven waived the issuing and Service of process and entered appearance of said defendants herein and by virtue of the same Warrant of Attorney confesses that there is due from said defendants to said Plaintiff as is alleged in said Plaintiffs petition the Sum of $1515cc It is therefore considered that the said Plaintiff do recover of said defendant the said Sum of $1515cc. So as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8% per centum per annum. And by virtue of said Warrant of Attorney all errors are released and all right of Appeal and all right to file a petition in Error are Waived.

2938 | The Peoples Bank vs J. J. Anderson et als S. Walker & L. A. Hedges } Entry — Cognovit. This day came the plaintiff by A. J. Carpenter Attorney and thereupon came J. B. Cole one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered appearance of said Defendants herein and by virtue of the same warrant of Attorney confesses that there is from said defendants to said Plaintiffs as is alleged in said Plaintiffs petition the Sum of $309cc It is therefor considered that said Plaintiff as receiver of said defendants the said sum of $309cc so as aforesaid confessed to be due together with Costs of Suit herein to be taxed and with interest to be computed at the rate 8 per centum per annum. And by virtue of said warrant of Attorney all errors are released and all right of Appeal and all right to file a petition in error are waived.

2937 | James Fullington et als vs Charles Amsinn and Andrew Amsinn } Entry Cognovit This day came the Plaintiffs by M. G. Laurence their Attorney and thereupon came R. L. Woodburn one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in Open Court and duly proven waived the issuing and Service of process and entered the appearance of said defendants herein and by virtue of the same Warrant of Attorney confesses that there is due from said defendants to said Plaintiffs as is alleged in said Plaintiffs Petition the Sum of $203.47. It is therefore considered that said Plaintiffs do recover of said defendants the said Sum of $203.47 so as aforsaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

Monday May 20th 1878

2936

Jas Fullington Charles Phillis & W. W. Woods Partner in business under the firm name of Fullington Phillis & Woods
vs
G. W. Merritt & D. A. Merritt and Winget Harraman

Cognovit

This day came the Plaintiffs by their Attorney and thereupon came R. L. Woodburn one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed & now produced in Open Court and duly proven waived the issuing and Service of process and entered the appearance of said defendants herein and by virtue of the Same Warrant of Attorney Confesses that there is due from said defendants to said plaintiffs as is alleged in said Plaintiffs petition the Sum of $358.25 It is therefore considered that said plaintiffs do recover of said defendants the said Sum of $358.25 so as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of Eight per centum per annum. And by virtue of the of the said Warrant of Attorney all errors are released and all right of Appeal and all right to a petition in error are waived

2934

Fullington Phillis & Woods Plffs
vs
W. H. H. Titus Deft

Cognovit Entry

This day came the Plaintiffs by J. M. Robinson their Attorney & thereupon came J. M. Broderick one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed & now produced in Open Court and duly proven waived the issuing and Service of process and entered appearance of said defendant herein and by virtue of the same Warrant of Attorney confesses that there is due from said defendant to said Plaintiffs as is alleged in said Plaintiffs Petition the Sum of $309 35/100 It is therefore considered that the said Plaintiffs do recover of said Defendant the said Sum of $309 35/100 so as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of Eight per centum per annum And by virtue of said Warrant of Attorney all errors are released and all right of appeal & all right to file a petition in Error are waived

2933

Benjamin May et als
vs
H. H. Pringle & W. H. Linox

Cognovit Entry

This day came the Plaintiffs by R. L. Woodburn their Attorney and thereupon came Jno M Broderick one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in Open Court and duly proven waived the issuing and Service of process and entered appearance of said defendants herein and by virtue of the same Warrant of Attorney confesses that there is due from said defendant to said Plaintiff as is alleged in said plaintiffs petition the Sum of $103.07 It is therefore considered that said plaintiff recover of said defendant the said Sum of $103.07 so as aforesaid confessed to be due together with his costs to be taxed & with interest to be computed at the rate of 8. per centum per annum And by virtue of said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

2932

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Monday May 20th 1878

2932 | Farmers Bank of Union County vs L. M. Bebe & T. D. Davis | Cognovit Entry

This day came the Plaintiff By J. M. Broderick their Attorney and thereupon Came P. R. Kerr One of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered appearance of said defendants herein and by virtue of the Same Warrant of Attorney confesses that there is due from said defendants to said Plaintiff as is alleged in said Plaintiffs petition the Sum of $101 44/100 It is therefore considered that said Plaintiff do recover of said Defendant the said Sum of $101 44/100 So as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at 8 per cent per annum. And by virtue of said Warrant of Attorney all errors are released and all right of Appeal and all right to file a petition in Error are waived

2099 | A. E. W. Field vs Vatchel Collier | Entry

This day this cause came on for hearing upon the Exceptions filed by the defendant to the Report of the Referee and was Argued by Counsel & Submitted to the Court. Whereupon the Court being fully advised in the premises overruled the Exceptions and upon motion of Plaintiff the Report of the Referee is Approved and confirmed.

It is therefore Considered Ordered and Adjudged by the Court that the said A. E. W. Field do recover of the said Vatchel Collier the Sum of $54 15/100 So as aforesaid found by the Referee to have been due on the 19th day of August A. D. 1876 together with the Sum of $5 68 which the Court finds due as the interest thereon — in all $59 83/100

It is further Ordered and adjudged ~~that~~ that the costs in this action taxed to $ including a fee of $30.00 to M. C. Lawrence Referee be paid by the Plaintiffs and defendant in equal proportions one half by Plaintiff and one half by defendant.

2898 | Eli G. Piper Admr. of the Estate of William Gabriel decd Plff vs George Reckley et als Defts | Cond now comes the said Eli G. Piper & the said George Reckley & Michael Davis having failed to demur or Answer to the petition of the said Eli G. Piper it is Considered that the said Eli G. Piper as said Administrator ought to recover the said Sum of Four Hundred and Twenty Seven 69/100 Dollars ($427 69/100) So demanded in his petition together with the Sum of $13 04 which the Court finds due as the interest thereon to the first day of this term of this Court as prayed for in said Petition. It is therefore considered that the said Eli G. Piper as said Administrator recover against the said George Reckley & Michael Davis the said Sum of $440 73/100 together with his costs in and about his ~~expenses~~ Suit in this behalf expended taxed to $

Monday May 20th 1878

2843 Hiram Riley vs F. M. Dicks et ux Defts — This day came on this cause to be heard on the demurer to the cross petition of Butler & Co in this case Whereupon the Court being fully advised on the premises do sustain said demurer and thereupon leave is granted to said Butler & Co to file their Amended Cross petition which is done

Whereupon said cause came on to be heard by the Court and the Court being fully advised in the premises do find for the plaintiffs that there is due to him on the notes in plaintiffs petition described the sum of two hundred & fifty two $\frac{51}{100}$ with interest on $200 from January 1. 1876 and on $52.51 from Dec 3' 1876 making a total now due of two hundred & Eighty four & $\frac{97}{100}$ dollars

It is therefore considered Ordered & decreed by the Court that the said defendants pay to the plaintiff said sum of Two hundred & Eighty four & $\frac{97}{100}$ dollars within ten days from the rising of this Court or in default thereof an Order of Sale issue to the Sheriff of this County Commanding to appraise advertise and sell said premises according to law & report his proceedings herein. the same to be sold free of all incumbrances of any Kind.

And as to all other matters relating to rights of the parties on other matters relating to the distribution of the proceeds of said Sale and as to all notes not due this cause is continued.

2874 John Powers Plff vs Hannah Smith & Edward Smith Defts — May Term 1878 Judgt & Order of Sale Journal Entry

This day this cause came on to be heard the defendants being in default and neither party requiring a Jury this cause was submitted to the Court upon the petition evidence and exhibits - On consideration the Court finds that the condition of the Mortgage mentioned in the petition has become broken and there was due on the first day of this term from the defendants to Hannah Smith & Edward Smith to the Plaintiff on the promissory note in the petition set forth the sum of ($110.15) one hundred and ten dollars & fifteen cents which sum the ~~parties~~ finds to be a lien on the lands in the petition mentioned by virtue of the Mortgage therein set forth and to bear interest at eight per cent per annum

It is therefore considered Ordered and Adjudged by the Court that the plaintiff recover of the defendants Hannah Smith and Edward Smith said sum of $110.15 so found due with interest from April 29th 1878 and also his costs of suit herein expended taxed to $ And it is further Ordered Adjudged and decreed by the Court that if the defendants fail for five days from this date to pay to the Plaintiff said sum of $110.15 with interest from April 29th 1878 at eight per cent per annum and costs of Suit - An Order issue to the Sheriff of Union County for the time being commanding him to proceed to Appraise advertise and the lands and tenements in the petition mentioned as upon Judgments at Law and bring the proceeds arising from such Sale into Court subject to its further Order And Cause Continued.

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Monday May 20th 1878

Edward Stubblefield Margaret Solomon & George Solomon
John Stubblefield, Jane & Wm E. Fair. Samene Stubblefield
Albertine nee Jacob Scott. Fennoce Hall & Robert Hall
Joseph Kring, Richard King. George R. King, Rebecca
nee John D. Stone. Jane & Thomas N. Henson Mary Catlet
Nannie W. Booth and David Melford

No 2727

against

Leonard Damm, John H. Sterling James L. Fish
William McElroy and Cornelius E. Fish

This day came the parties and submitted this cause to the Court and waived a trial by jury and thereupon the Court being fully advised in the premises do find for the plaintiffs on the issues joined between them. and therefore it is considered ordered and adjudged by the Court that the plaintiffs recover of the said Leonard Damm the four thousand seven hundred and sixteen. ten thousandth part of the 224 2/10 acres in said petition described as in said Damms possession. Also that these plaintiffs recover from said John H. Sterling the same proportion of the said 124 1/10 acres in his possession as set forth in said petition. Also that the Plaintiffs recover of said Wm McElroy the same proportion of the 25 acres in said petition described as in his possession. Also that that plaintiffs recover of Cornelius E. Fish the same proportion of the 45 acres in said petition described as in his possession. Also that plaintiffs recover of said James L. Fish the same proportion of the 30 acres in said petition described as in his possession. And it is further considered, ordered, and adjudged by the Court that plaintiffs recover of Each of said defendants the sum of One cent damages by them sustained by reason of the premises together with one fifth of their cost to Each Expended in this Case taxed to, & And thereupon the said Leonard Damm John H. Sterling, James L. Fish. Wm McElroy and Cornelius E. Fish applied for the allowance to them Each the benefit of the occupying Claimants Law for pay for improvements made upon said premises. And thereupon the Court being fully informed in the premises do allow said Motion and the said defendants are hereby allowed the benefits of said occupying claimants Law by which a jury is to be called to make appraisement according to law of the value of improvements made on Each of said Lots and the value of the land without improvements & the value of the rents as required Law & for that purpose this cause is continued.

2878 John Wiley vs W. H. Priest et al. Settled & Cost Paid.

2878 John Wiley vs Noah Priest et al Settled & Cost Paid.

2817 John J. Gabriel vs Eli G. Piper adm — This Cause is Continued with Leave to defendant to answer in thirty days from rising of the Court.

2816 Myron Gabriel vs Eli G. Piper adm — This cause Continued with Leave to defendants to answer in thirty days from rising of the Court.

Monday May 20th 1878

2903 William H. Robinson
vs
Alvin S. Bellus et. al

And Now comes the said William H. Robinson by Robinson and Piper his attorneys and the said defendants still failing to answer or demur to said petition. it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the and the court after hearing the testimony do find that there is due to the said plaintiff on the note and mortgage in said petition described the sum of Seven hundred four and 40/100 Dollars with interest from the first day of this term of Court at Eight per cent.

It is therefore considered by the said court that the said plaintiff recover of the said defendant A S. Bellus the said sum of Seven hundred four and 40/100 Dollars so as aforesaid found due and also his cost taxed to $ - And it is further ordered adjudged and decreed that in case the said defendants A S. Bellus fails for ten days from this date to pay to plaintiff the said sum of Seven Hundred four & 40/100 Dollars so as aforesaid found due with interest from the first day of this term of court and the costs of suit an order issue to the Sheriff of said County of Union Commanding him to cause the said lands and tenements in said petition described to be appraised, advertised and sold according to law and apply the proceeds of said sale in satisfaction of said sum so found due with costs of suit.

2137 James Sweeney Et. al
vs
The Board of County Commissioners & Others

This day came on this cause to be heard by the court on motion of the plaintiff and by consent of the parties this cause is submitted to M. C. Lawrence as Master Commissioner to take the testimony and report on the facts upon the issues joined between the parties, and also upon the question of whether plaintiffs have been unequally assessed as compared with others assessed for the making of said improvements and what part of said improvent had been made prior to the filing of the plaintiffs petition and who were entitled to be counted for and against said improvement within the boundaries of the said road and which of them had subscribed said petition when said improvement was ordered by the board and all other facts involved in the case.

And by agreement of parties the report of said commissioner, with his findings on the law and evidence are to be acted upon by Judge Beer and his decision and decree entered of this term the same as if the case now heard and the decree entered now and all right of appeal and to be saved and entered of this term of court the same as in term time

No 2622

2351

2644

Monday May 20th 1878

No2622 — John McLaurn vs Philip Lo. Coe

This day this Cause Came on to be heard upon the Motion of defendant to Continue the Same. and upon the affidavit of the defendant in Support of said Motion the Court does grant said Continuance.

And it further appearing to the ~~Court~~ Court that the Security for Costs heretofore given is a nonresident of the County of Union, it is ordered by the Court that the plaintiff give additional Security for costs within forty days from the rising of the Court.

2331 — W. C. Lawrence Trustee for the heirs of Lieutenant Edward Smith Deceased vs Henry Barth, Et. al

This day this Cause came on for hearing, and it appearing to the court that Christina Barth one of the defendants had died it was by consent of parties ordered by the Court that this cause proceed against the defendant Henry Barth alone. and thereupon this cause came on to be heard upon its Merits against the said Henry Barth as sole defendant and was Submitted to the court (Neither party requiring a jury) upon the petition answer reply Exhibits and testimony. On consideration whereof the Court do find the Equities of the case, with the plaintiff, and that there was due to him as such Trustee on the first Day of this Term on the Note and Mortgage Set forth and refered to in the petition the Sum of ($4633.13) Four Thousand Six Hundred and Thirty five & 13/100 dollars, Which Sum the court finds to be a lien on the Lands in the petition described by virtue of the Mortgage therein refered to and to bear interest from April 29th 1878 at the rate of Eight per cent per annum.

It is therefore Considered ordered, adjudged and decreed by the Court that the defendant within ten days from this date pay to said plaintiff as such Trustee the said Sum of $4633.13 with with interest thereon from April 29th 1878 at the rate of Eight per cent per annum. and also the Costs of this Suit taxed to $ and in defendant thereof. that an order issue to the Sheriff of this County for the time being commanding him to proceed to appraise advertise and Sell the Lands and tenements in the petition and Mortgage described as upon Judgments at Law, and report his proceedings in the premises to the next term of this Court. to which time this cause is continued. The defendant Henry Barth gave notice of his intention to appeal and the Court fixed the Bond at $300.00

2644 — John C. Mitchel vs Jacob Schurch Elizabeth Schurch John R. Williams and Adam Schneider

This Cause Came on for hearing, the defendants Jacob Schurch and Elizabeth Schurch being in default. and neither party requiring a jury, it was Submitted to the Court upon the

Monday May 20th 1878

of the plaintiff. the Separate answers and cross petitions of the defendants John R. Williams and Adam Schneider and the reply of John R. Williams to the answer and cross petition of said Adam Schneider and the evidence

On consideration Whereof the finds that the lien of the defendant Adam Schneider upon the lands in the plaintiffs petition described is a prior and better lien than that of either the plaintiff or defendant John R. Williams.

On further consideration the Court finds that the condition of defeasance in the Mortgage set forth in the petition of the plaintiff John C. Mitchel has been broken and that the said plaintiff is hereby entitled to have the equity of redemption of the defendants Elizabeth Schneck and Jacob Schneck foreclosed. And the Court further finds that there was due April 29th 1878 from the defendants Elizabeth Schneck and Jacob Schneck to the plaintiff on the notes set forth in the petition the sum of one thousand and Eleven dollars and Thirty nine cents ($1011.39) which sum the Court finds is a lien on the lands in the petition described by virtue of the Mortgage therein set forth and refered to.

It is therefore considered ordered and adjudged by the Court that the plaintiff recover of the defendants Elizabeth Schneck and Jacob Schneck the said sum of One Thousand Eleven & 39/100 dollars with interest from April 29th 1878 and also his costs herein expended taxed to $

And the Court further finds that there was due on the 29th day of April 1878 from the defendants Elizabeth Schneck and Jacob Schneck to the defendant John R. Williams on the notes mentioned in the first and second causes of action in his cross petition the sum of Three Hundred and Three dollars and twenty cents ($30320) and and that there was due from said defendants to said John R. Williams as interest on the notes set forth in the 3d 4th & 5th causes of action in said Williams cross petition on said 29th day of April 1878 The Sum of Fifty Three dollars and Eighty cents ($53.80) Which sums amount to Three Hundred and fifty Seven dollars ($357.00) and are a lien on the premises in the pleintiffs petition described by virtue of the Mortgage in said petition refered to.

It is therefore considered, ordered, adjudged and decreed that if the defendants Elizabeth Schneck and Jacob Schneck shall fail for five days from this date to pay to the said John C. Mitchel the sum of $1011.39 so found due him with interest from April 29th 1878 and his costs. Or if said defendants shall fail to pay the said John R. Williams for a like time the said sum of $357.00 and interest from April 29th 1878 so found due him. then. and on failure to pay either of said parties the sums severally so found due, an order of Sale issue to the Sheriff of this county for the time being commanding him to proceed to appraise, advertise and sell the lands and tenements in the petition mentioned as upon Judgments at Law and that he bring the proceeds arising from such Sale into Court Subject to its order. And as to all matters not herein disposed of this Cause is continued. The plaintiff John C. Mitchel and the defendants John R. Williams Severally gave notice of their intention to appeal, and the Court fixed the appeal bond for Each at the Sum of $200.00

2813

2909

Monday May 20th 1878

2813 Thomas Biddle
vs
Eunice Biddle } In Partition

This day this cause came on to be heard upon the return of the Sheriff and the report of the commissioners heretofore appointed herein and upon and upon motion to confirm the same, and the same having been examined by the court here and found in all respects to be in conformity to law and the former orders of this court; the said proceedings and report are thereby approved and confirmed and it appearing to the court that dower has been assigned to the said Eunice Biddle, it is ordered that she have and possess the lands so assigned to her as and for her reasonable dower in said premises and all the said parties being before the court, the said guardians acting for and on behalf of their said Wards by request and consent of the said ~~Parties~~ parties no further division of said parts so assigned as dower is to be made at this time but Each of said heirs of said Henry Biddle are to hold their interest and remainder in said dower lot without division at this time, And it appearing to the court that said George and Thomas Biddle have elected to the remainder of said premises to-wit the One hundred and nine (109) Acres in said report described and the valuation (to-wit the valuation subject to said Leasehold Estate which said parties all agree and the court finds to be just and true valuation) And it further appearing that said George and Thomas Biddle settled with and paid Each of the other heirs the said defendants herein their respective parts and portions of the same, the said Real Estate to-wit the 109 so taken and paid for is hereby adjudged to the said George and Thomas Biddle and the Sheriff is ordered to convey the same to them according to law in fee Simple.

And it is ordered that the cost of this action, including a Counsel fee of $75.00 to Cameron & Benton for their services herein taxed at $ be paid by said parties in Equal Parts.

2909 D. C. Fay
vs
Robert B. Smith
Andrew Smith &
Joseph H. Smith } This case coming on for hearing and a Jury being waived was submitted to the Court upon the pleadings and evidence on consideration whereof the Court find that the defendants are indebted to the plaintiff in the Sum of One hundred and Eighteen & 75/100 dollars being the amount that is not disputed by the defendants Answer,

It is therefore considered by the Court that the said Plaintiff recover from the said defendants the said Sum of One hundred & Eighteen & 75/100 Dollars and his costs herein expended taxed at $ and that this case be continued as to the question in dispute that is the article claimed by defendant of 39 40/100 of date July 15. 1872 and the construction of the Contract as to interest. And leave is granted to plaintiff to Replay putting said Credit in issue within days from the rising of the Court

Monday May 20th 1878-

2661 Margaritta B. Lusch } Foreclosure P 5-9
vs
Jacob Lusch }

This day came on this cause to be heard on petition, answer, & reply and testimony whereupon the Court being fully advised in the premises do find there was due on said mortgage as interest July 1st 1877 the sum of two hundred and thirten dollars- That the defendant, had a claim for balance on board after deducting his claim for work &c the sum of $22.40 which plaintiff had agreed should be applied on said interest and that the defendant paid for Shoes and bonnett $3.50 which should also be applied as payment on interest. Which sums together with the $43.70 not Controverted being deducted leaves $146.90 still unpaid to which interest to the 20th day of May 1878 being added the Court finds the balance due and unpaid on said Mortgage this 20th of May 1878 to be $154.24-

It is therefore ordered and adjudged by the Court that the defendant pay to plaintiff said sum found due to her as aforesaid amounting to $154.24 within 20 days with interest and costs, And in default thereof that an order of Sale issue to the Sheriff of this County Commanding him to appraise advertise and Sell the premises described in said petition as Mortgaged to plaintiff by defendant to Satisfy said debt interest & costs. And as to the interest coming due and the principal of said note and Mortgage this Cause is continued. Notice of appeal by the defendant and bond fixed by the Court at $300.00

2666 Delmore Snodgrass } 2682
vs
D. W. Ayers }

This day this Cause came on to be heard and the defendant being in default for answer or demurrer and the Court being fully advised in the premises it is ordered and adjudged that the plaintiff recover the sum of $45.43 with his costs taxed at $ 1139 1732 1783 1825 1844 1998 2027 2028 2040 2042 2043

Thereupon Court adjourned without day and all Causes not otherwise disposed of are continued-

John L. Porter Judge

Monday September 9th A.D. 1878.

At a court of Common Pleas, begun and held at the Court house within in the Town of Marysville, within and for the County of Union and State of Ohio on the 9th day of September A.D. 1878.
Present- Honorable John L. Porter Judge, R.L. Woodburn Prosecuting Attorney W.M. Wright, Clerk, and J.J. Miller Sheriff

The Jurors of the Grand Jury being called some of them came to-wit: J.D. Herd, Jas. G. Miller, M.M. Silvey, David Conklin, J.C. Evans, A.G. Brooks, E.S. Clark- James Amerine, Geo. Lyons John Schisler, Jonathan Clemmer, S.G. Gilleriest and Levi Hayes and because the residue of said Jurors of that Jury do not appear others from among the bystanders are by the Sheriff of said County, at the command of the court, Elected anew to-wit: Joseph Coe and Jarred Clemmens; good and lawful men, whose Names are annexed to the panel according to the form of the Statute in such case made and provided. The Court appoint the said A.G. Brooks Foreman and the said Jurors being duly empannelled, Sworn and Charged, retired to their Room, to deliberate; attended by a Sworn Constable.

Dr 3005	Richwood Union Building and Loan Association vs T. M. Dicks et al	Settled & Cost Paid
2682	Sarah Yeasley vs P. Manchester et al	Continued under former order of Sale and to be left off of Docket-
1137	Kelton Bancroft & Co vs E. Hammond et al	Continued-
1732	Harrison & Dills. vs Stewart-Robinson et. al's-	Continued-
1783	Harvey M Haines vs Walter Hooper-	Continued-
1825	Daniel Johnson vs Harvey M. Haines-	Continued-
1844	Frank Reid by his friend vs The Pittsburg & St. L. R.R. Co.	Continued
1998	A.G. Dorey vs Tillman & Goff.	Continued
2027	Union Building & Loan Association vs S.A. Cherry et al-	Continued
2028	Union Building & Loan Association vs Dennis D. Wood et al.	Continued
2040	Bank of North Lewisburgh vs Orlando Wells et al-	Continued-
2042	R. G. Dun vs Jos. Hammond et al	Continued
2043	Mary A Fleeman vs Jos. Hammond et al-	Continued

Supreme Court of the State of Ohio-
The State of Ohio. City of Columbus. December Term. A.D. 1877.

David Watson
vs
Anna E. Erb et al
} Error to the District Court of Union County.

This cause came on to be heard upon the transcript of the Record of the district-court of Union county and was argued by counsel. On consideration whereof, it is ordered and adjudged by this court, that the judgment of the said District-Court be and the same is hereby affirmed.

It is further considered that the defendants in error recover of the plaintiff in error their costs herein expended to be taxed.

Ordered, That a Special Mandate be sent to the Court of Common Pleas of Union county, to carry this judgment into Execution.

Ordered, That a copy of this Entry be certified to the Clerk of the District-Court of Union County, "for Entry."

Seal

I, Richard J. Fanning Clerk of the Supreme Court of Ohio. do hereby certify that the foregoing Entry is truly taken and correctly copied from the journal of said Court. Witness. My hand and the Seal of said Court this 3d day of July A.D. 1878. Richard J. Fanning. Clerk

State of Ohio. City of Columbus, Supreme Court of Ohio.

To The Honorable Court of Common Pleas. within and for the County of Union Ohio. Greeting;

We do hereby command you. that you proceed without delay, to carry the within and foregoing judgment of our Supreme Court of Ohio, in the case of David Watson vs Anna E. Erb et al into Execution, the petition in error herein and heretofore granted, to the Contrary notwithstanding. Witness. Richard J. Fanning Clerk of our said Supreme Court of Ohio. at Columbus. this 3d day of July 1878.

Clerks Cost - $2.10 P'd by pltff in error
Clerks cost - $3.00 P. by Fanning Clerk
Printing Record $17.00 " Pltff in Error,

Richard J. Fanning. Clerk

2076-

Sarah C. Burnside } Court Com. Pleas. State of Ohio Union Co ss.
vs. } No 2991.
X Louis C. Burnside } In Vacation

This 9th day of August 1878 pursuant to notice the parties appeared before the Hon J. L. Porter Judge of the court of common pleas of said county of Union and the motion of the said plaintiff for alimony pending suit came on to be heard. On consideration whereof the court order and decree the defendant to pay the plaintiff the sum of $30. in ten days as alimony. It is therefore considered and adjudged by the court that the plaintiff recover of the defendant the sum of Thirty dollars and if not paid in 10 days then that execution issue therefore.

May 20th 1878

X
2076- Mary J. Baker et al } Ex R P 2408
vs.
Richard White et als }

This day came on this cause to be heard upon Motion to set aside former order of partition granted by this court in this case. and it appearing to the court that said premises in the petition described had been appraised by the Commissioners in said order named without reference to the claim of reversionary interest of the said Rosberry heirs in said premises. It is therefore ordered by the court. that said order of partition heretofore granted in this case. be and the same is hereby set aside, and it is further ordered that a new order of partition issue to the Sheriff of said County of Union commanding him that by the oaths of Andrew S. Worrey. Thomas M. Brannon and Norton Scott partition be made said premises in same proportions as in said former order of partition directed and it is further ordered by the court that said premises be surveyed so as to show the portion of said premises claimed and in possession of Mrs. Sarah Green (and in which said portion of said premises the said Roseberry heirs claim some interest) And the portion also of the premises claimed by said Richard White, And it is further ordered by the court that the said parts be separately appraised. the said Sarah Green's portion to be appraised subject to said claim of said Roseberry heirs. And it is further ordered that the Sheriff make his return of his proceedings in the premises to the next term of this court. to which time this cause is continued. To all which rulings decisions and orders. of the court. M. C. Lawrence as attorney for the heirs of said Kerghtlawyer then and there excepted.

John L Porter Judge

Rh02337

Monday September 9th A. D. 1878.

The State of Ohio }
Union County SS }

This Separate Session of the Court of Commun pleas of the 3d Jnoricial district of the State of Ohio Within and for the County of Unio for the Term of September in the year A D 1878 held in the Court house in the Town of Marysville and State aforesaid was begun on the 9th day of September A. D. 1878. Officers present- Honorable John L. Porter Judge of the Court, Justus J. Miller Sheriff R. R. Woodburn Prosecuting Attorney, and W. M. Winget- Clerk, The Jurors of the Grand Jury being called some of them came to wit; J. D. Herd, James C. Miller, David Conklin, J. C. Evans, A. G. Brooks, E. S. Clark. James Cameron, George Lyons, John Schisler, Jonathan Cremeny, M. M. Selvey, S. C. Gilchrist and Levi Hager. and because the residue of said Jurors of that Jury do not appear others from among the Bystanders are by the Sheriff of said County at the command of the court Elected Anew to-wit; Joseph Coe and Jarred Clemmens good and lawful men whose names are added to the panel according to the Statute in such case made and provided- The Court appointed A. G. Brooks Foreman and the said Jurors being duly Empannelled Sworn & Charged retired to their Room to deliberate attended by a Sworn Constable

No 2337

Abner E Elliott Et al }
vs }
James Carter }

Now came the plaintiff herein by his attorney Also came the following named persons as Jurors, to-wit; Andrew Brown, George Long, George Holloway, D. C. Lane, C. L. Sellers, A. G. Neal, Edward Wilber, regular Jurors and W. H. H. Titus, J. McElroy, Goram Bird, L. M. Fairbanks and Wm Smith Talis Jurors who were duly impannelled and Sworn according to law. Who after hearing the evidence, argument of Counsel and Charge of the Court- retired to their room in charge of the Sheriff. And now come said Jury into open Court- with their verdict in writing Signed by their Foreman and Say; "We the Jury in this case, being duly impannelled and Sworn do find and say that- We find for the plaintiff in the Sum of $ 89.00- And we find for defendant in the Sum of $. And we find bal in favor of Plaintiff $ 89.00 C. L. Sellers Foreman,

Therefore it is Considered that- the said Abner D. Elliott and John Elliott recover from the said James Carter the said Sum of Eighty Nine dollars aforesaid and it is further ordered that- each party pay the Costs Made by them respectively-

Monday September 9th 1878

The State of Ohio }
vs }
Thomas Forder }

This day came into open Court Philip Bender O. D. Northrup and Rachel ~~Reidle~~ Reidel. and severally acknowledged themselves to owe and stand indebted to the State of Ohio in the sum of Fifty dollars Each to be levied of their goods & chattles Lands & Tenements if default be made in the conditions following to wit- That they severally appear before the Court of Common pleas of said County of Union on the 9th day of October 1878 to give Evidence in a cause therein pending Wherein The State of Ohio is Plaintiff and and the said ~~Samuel Jones~~ Thomas Forder is defendant- and not depart without leave of the Court- then as to such of said persons as perform this Condition this Recognizance to be void otherwise to be and remain in full force-

608 John Swan }
vs } Continued
Henry Williams }

Hannah Peacock }
2003 vs } Continued under former order of reference
Jefferson Ford }

O. W. Wells & Co }
2108 vs } Ex J No 2327 - March 27-1883
John Elliott }

Dismissed at Plaintiffs cost. It is therefore considered ordered, and adjudged that the defendant recover of the Plaintiff his cost herein taxed at $

P. P. Kerr }
2153 vs } Settled & cost paid, No Record
J. H. Vaughn et. al }

2483 Mary E. Robertson vs Elias Robertson. Continued

2493 John W. Barnes vs Wiley Berkley et. al. Continued

2521 D. N. Edgar vs N. B. Hill et. al- Continued for Service

2534 Leo F. Morse vs Alex Thompson Continued for Service

2577 O. M. Scott. vs Lewis Peacock- Continued

2591 Union Building & Loan Association vs H. Speakman et al- Contd.

2610 John J. Gabriel et-al vs E. G. Piper Admr Contd

2655 Wiley Evans vs Sidney Boyer. Appraisement. Del and & New Appraisement ordered

2660

2880

2655

2589

2673

Monday- September 9th A.D. 1878-

2660 Reichart-Ballard & Co vs Lyman E. Smith et al" Continued

A.S. Chapman &
L. E. Chapman
vs
2880 J. D. Rahlen et. al

The defendants ask & obtain leave to file answer instanter and the same is filed and leave given to plaintiff to reply by Wednesday of this week-

Wiley Evans
vs
2655 Sidney Rogers et al

It appearing to the Court that the real estate ordered to be sold on an order of Sale heretofore taken herein has been twice advertised and offered for Sale and still remains unsold for want of bidders, Now on Motion of plaintiff by his attorney the appraisement heretofore made is hereby set aside and a new one ordered-

J. W. Grinnell &
vs
2684 Semuel Weltheimer et al

It appearing to the Court that the real estate ordered to be sold on an order of Sale heretofore taken herein has been twice advertised and offered for Sale and still remains unsold for want of bidders Now on Motion of plaintiff by his attorney the appraisement heretofore made is hereby set aside and a new one ordered,

Thomas Armstrong
vs
2589 James Tanner et al

Now comes the plaintiff by his attorney and dismisses this action at his own cost- without prejudice, It is therefore considered, ordered and adjudged that the defendant recover of the plaintiff his cost herein taxed at $

Horace Watts
vs
2673 James Green

This day this cause came of for hearing upon the Motion and demurrer of defendant to the amended petition of plaintiff and was argued by counsel and submitted to the Court Whereupon the Court being fully advised in the premises does overrule said Motion and demurr- To all of which rulings and decisions of the Court defendant Excepts-

Monday September 9th A.D. 1878.

2846 Daniel Anderson vs Henry Taylor

This day this cause came on to be heard upon the Motion of the defendant to make the petition of plaintiff More definite and Certain and was argued by counsel and the Court being fully advised in the premises do sustain said Motion. Whereupon the pltff asked and obtained leave to amend his petition by Saturday Sept 14th 1878

2694 Howe Sewing Machine Co vs Oth Daniels et al

This day this cause came on to be heard upon the petition of the plaintiff and cross petition of the defendant George Armstrong and answer of the defendant J.W. McCracken and the Court being fully advised in the premises find that there is due the plaintiff as he has alleged in his petition the sum of $37.95 and that there is due the defendant George Armstrong as he has alleged in his cross petition the sum of $37.95 and that said indebtedness are liens by reason of the Mortgage described in the petition upon the premises described in said petition. Wherefore it is ordered and decreed by the Court that said premises be sold as upon Execution and the proceeds thereof be brought into Court for distribution—

2688 George Armstrong vs H. C. Smith et al

This day this cause came on to be heard upon the petition of the plaintiff and the defendants H. C. Smith and C. M. Smith having by waiver upon said petition entered their appearance herein and still failing to answer or demur to said petition, and the Court being fully advised in the premises find there is due the plaintiff as he has alleged in his petition from the defendant H. C. Smith the sum of $52.00 and that the same is a lien upon the premises described in the petition Wherefore, It is ordered and decreed by the Court that said premises be sold as upon Execution and that the proceeds of the same be brought into Court for distribution.

2690 George Armstrong vs A. Baty et al

This day this cause came on to be heard on the petition of the plaintiff and the answer of the defendant W.H. Conbright and the Court being fully advised in the premises, find there is due the plaintiff as alleged in his petition upon his said note and Mortgage and that the same is a lien upon the premises described in said Petition the sum of $46.80. Wherefore it is ordered and decreed by the Court that said premises be sold as upon Execution and that the proceeds thereof be brought into Court for distribution.

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Monday September 9th A.D. 1878

2102	P. H. Kerr vs J. C. Sidle -	Continued
2476	Matilda Steady vs J. J. Miller -	Continued
2477	John Blair vs John Jolliff -	Continued
2491	Ralph Hunt vs. Heughey Foust -	Continued
6086	John Swan vs Henry Williams -	Continued
1216	J. C. Bowen admr vs J. C. Miller et al	Dismissed for want of prosecution at cost of Plaintiff It is therefore considered that the Defendants recover of the Plaintiff their Cost herein & Execution taxed at $
1262	James Taylor Exec vs Adam Blue.	Continued
1875	F. W. Marriott Exec vs Joshua Marriott et al.	Continued
2076	Mary J. Baker et al vs Richard White et al	Continued
2145	Marion Kent vs Elija Sharp.	Continued
2260	F. Melching vs Adam Sherwood	Continued
2265	John A. Phillips vs J. H. Sterling -	Continued
2357	Orlando Wells vs Robert Gibson	Continued
2364	Orlando Wells vs Robert Gibson.	Continued, With Leave to either or both parties to file Exceptions within 10 days from the rising of Court - and to be filed as of the term & Exceptions continued this order to all cases tried by the Referee -
2419	Leonard Myers vs Edward Thompson et als.	Continued by consent of parties
2439	Orlando Wells vs Robert Gibson -	Continued -
2445	Orlando Wells vs Robert Gibson	Continued -
2495	Margaret McElderry vs Jonas Figley -	Continued
	Orlando Wells vs Robert Gibson	Continued
2511	Hubert L. Phillips vs A. B. Butler -	Continued
2516	W. A. West vs James Carter et al	Continued
2570	Saml W. Daugherty vs A. J. Sterling -	Continued
2423	Maria Stickels vs John Stickels -	Continued

John L Porter Judge

Tuesday, September 10th A.D. 1878

This Morning Court met at 8½ Oclock pursuant to adjournment. The same officers being present as on Yesterday.

The State of Ohio }
vs }
Melvill Longrell }

This day came into open Court - Sallie Southard, W. M. Haines, & Zachariah Haines and severally acknowledge themselves to owe and stand indebted to the State of Ohio in the Sum of Fifty dollars each to be levied of their Goods & Chattles, Lands and tenements if default be made in the conditions following to-wit; That they severally appear before the Court of Common pleas of Union County on the 9th day of October A.D. 1878, to give Evidence in a cause therein pending Wherein the State of Ohio is Plaintiff and Melvill Longrel is defendant and not depart without Leave of the Court; Then as to such of said persons as perform these Conditions this recognizance to be void, otherwise to be and remain in full force in Law.

The State of Ohio }
vs }
Charles W. Cordery }

This day came into open Court - Henry Wheeler, John Lyon Howard Lyon & John M. Sunder and severally acknowledged themselves to owe and stand indebted to the State of Ohio in the Sum of Fifty dollars each to be levied of their Goods and Chattles, Lands & tenements if default be made in the condition following to-wit: that the severally appear before the Court of Common pleas of Union County on the 9th day of October A.D. 1878 to give Evidence in a cause therein pending. Wherein the State of Ohio is Plaintiff and Charles Cordery is defendant. and not depart without the leave of the court then as to such of said persons as perform these conditions this recognizance to be void, otherwise to be and remain in full force in Law.

The State of Ohio }
vs }
J. M. Darling }

This day came into open court, Peter Hoile, Alexander Johnson, Wm Smith Jr, Albert Crawford, Alexander Howland and J. W. Redding, and severally acknowledged themselves to owe and stand indebted to the State of Ohio in the Sum of Fifty dollars each to be levied of their Goods and Chattles, Lands & tenements if default be made in the conditions following to wit; that the severally appear before the Court of Common pleas of Union County on the 9th day of October A.D. 1878, to give Evidence in a cause therein pending, Wherein the State of Ohio is Plaintiff and J. M. Darling is defendant - and not depart - without the leave of the Court, - then as to such of said persons as perform these conditions this recognizance to be void, otherwise to be and

remain in full force in Law—

The State of Ohio
vs
William T. Shotts and
Mary Shotts,

This day came into open court A. F. Thompson D. F. Farrington R Nelson Vanhyming, Charles Argo Frank James. ~~Sallie Southard Wm Haines & Zacheriah Haines~~ And severally acknowledged themselves to owe and stand indebted to the State of Ohio in the sum of Fifty dollars each to be levied of their Goods & Chattles, Lands and tenements if default be made in the conditions following To-wit; That they severally appear before the court of Common Pleas of Union County on the 2nd day of October A.D. 1878 to give evidence in the cause therein pending Wherein the State of Ohio is Plaintiff and William T Shotts and Mary Shotts are defendants and not depart without leave of the court; then as to such of said persons as perform these conditions this recognizance to be void, otherwise to be and remain in full force in law.

2501

L. Webster
vs.
P.R. Kerr

This day this cause came on to be heard on the answer of the Defendant & the plaintiff failing to file a petition or otherwise prosecute his action and the court being fully advised in the premises find the allegations in the answer of the defendant true Wherefore it is ordered and adjudged by the court that the defendant go hence without day and that the plaintiff L. Webster pay the costs in this action made in this court and also before the Justice of the Peace and in default thereof. Then execution issue therefor.

No 2149

Samuel Little
vs
H. C. Hopkins

Now came the parties herein by their attorneys; also came the following named persons as jurors, to-wit; 1 Andrew Brown, 2 George Long, 3 George Holloway, 4 D. C. Lane, 5 G. L. Sellers, 6 A. S. Neal, 7 Harmon Patrick, 8 S. Bowdrie, 9 Stephen Cranston, 10 J. McHoy, 11 R. E. Eames, 12 W. H. H. Titus. who were duly impannelled and sworn according to Law. And the said jury having heard the testimony adduced in part, and said cause was continued until tomorrow Morning at 8½ oclock.

Thereupon Court adjourned to Meet tomorrow Morning at 8½ Oclock

John L Porter Judge

Wednesday, September 11th A.D. 1878.

2513 Catherine Baldwin et. al
vs
Manoah Blue et. al

This day the plaintiffs by their attorneys came and dismissed this Case, Without prejudice. It is therefore Considered ordered and adjudged by the court that this cause be dismissed without prejudice to a new action and that the plaintiffs pay the costs herein taxed at $ within twenty days and in default thereof that Execution issue therefore as upon judgments at law,

3091 The Huber Manufacturing Company
vs
Adam Blue, Michael Blue and Winget Harriman
} On Cognovit

This day came the plaintiff by J. F. McNeal attorney, and thereupon came J. B. Benton one of the attorneys of record of this court; who, by virtue of a warrant of attorney duly executed, and now produced in open Court and duly proven, waived the issuing and Service of process, and entered appearance of said defendant herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendant to said Plaintiff as is alleged in said plaintiffs petition, the sum of $302.17. It is therefore Considered that said plaintiff do recover of said Defendant the said Sum of $302.17 So as aforesaid confessed to be due, together with costs of Suit herein, to be taxed, and with interest to be computed at the rate of 8 per Centum per annum. And by virtue of said warrant of attorney, all Errors are released, and all right of appeal, and all right to file a Petition in Error are waived.

2149 Samuel Little
vs
A. C. Hoskins

This day again Came the said parties, by their attorneys and also Came the Jury heretofore impannoled and Sworn, and the trial proceeded. And thereupon, after hearing the Evidence, argument and Charge of the Court, the Jury retired to their room in charge of the Sheriff for deliberation. And now come said Jury into open Court with their verdict in writing, Signed by their foreman, and Say: We, the Jury in this Case, being duly impannelled and Sworn do find and Say that We find for the plaintiff in the Sum of $112.21 and We find for defendant in the Sum of $84.37 and We find Balance in favor of plaintiff $27.84 W. H. Files, Foreman,

2641 Benjamine Woods vs Wm Feigtellinger et als - Continued by Court

2644 John G. Mitchel vs Jacob Schenck et. al - Continued

2662 Geo W. Joachim vs Stephen Warner et. al - Continued

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Wednesday, September 11th A.D. 1878—

The State of Ohio
vs

This day came into open court- John Owen. John Bayse and Damen Covey and severally acknowledged themselves to owe and stand indebted to the State of Ohio- in the sum of Fifty dollars each to be levied of their goods and chattles Lands and tenements if default be made in the condetions following To-wit; That the severally appear before the court of Common Pleas of the County of Union on the 9th day of October 1878 to give Evidence in a cause therein pending Wherein the State of Ohio is Plaintiff and

defendants and not depart without leave of the court. Then as to such of said persons as per form these condetions this recognizance to be void otherwise to be and remain in full force in law—

2414 O. S. Myers
vs
Alvin Bellus et al

Now came the parties herein, by their attorneys; also came the following named persons as jurors to-wit; E. Wilber, William Smith Levi Taylor, A. A. Woodworth, J. S. Alexander, W. H. Goff. D. C. Winget. John Gibson, W. M. Robinson, Robert Robinson, Alexander Davis and Thomas Wharton, who were duly impannelled and sworn according. To law And the said jury having heard the testimony addduced in part. said cause was continued until to-morrow morning at 8½ oclock.

2674 Robert Gibson vs Elisha Wells et al. Continued

2680 Charles W. Morrow vs F. D. Davis. Continued under former order

2704 James Green vs Cornelius Fish Continued by consent—

2708 A. H. Reed Guardian vs R. F. Lee et al Continued

2715 Ruben Freshwater vs Abraham Freshwater et al Continued

2726 Fritch, Nipgen & Co vs William Heisthinger - Continued

2726

2728 Moses Thompson vs Ranson Peacock. Continued

2754 John O'Farrell & Co vs Jos. Hammond et al Continued

2757 Richwood N B & L A. vs John M. Teeters et al- Continued

2762 A. L. Williams vs John Epps - Contd at deft cost—

2803 Thomas Moffitt vs John W. Swindell et al Continued

2816 Myron Gabriel vs E. L. Piper adms Continued

John L Porter Judge

Thursday. September 12th A.D. 1878

This morning court met at 8½ oclock pursuant to adjournment the same officers being present as on yesterday.-

2414 O.S. Myers vs Alvin Bellus et. al

This day again came the said parties, by their attorneys and also came the jury heretofore impannelled and sworn, and the trial proceeded. And the said jury having heard the remaining testimony, the argument and charge of the Court, retired to their room in charge of the Sheriff for deliberation. And now come said jury into open court with their verdict in writing, signed by their foreman, and say; "We the jury in this case, being duly impannelled and sworn do find and say that we find for the defendant. Signed. W. M. Robinson. Foreman.

2730 Mathew Van Wormer vs. Streckfus & Co

This day this cause came on for hearing upon the Motion of the defendants asking the plaintiff to be required to secure the costs and it is ordered and adjudged that if the said plaintiff do not secure costs within 30 days from the rising of this court then the cause to be dismissed and this cause continued

2998. Harden R. Picket by his next friend vs. John J. Stewart 4 others

On motion of the said plaintiff and it appearing to the court that the said defendant Isabel Picket is a minor over fourteen years of age and has neglected in person to apply for the appointment of a guardian for the suit for more than thirty days after the return of the summons and it further appearing that Hola Picket and Alley Picket are Minors under 14 years of age and have no regular guardian It is therefore ordered that John M. Brodrick be and he is hereby appointed guardian for the suit for the said Isabel Picket, Hola Picket and Alley Picket and thereupon came the said John M. Brodrick and accepted said appointment and filed his answer herein on behalf of said Minors.

2693 Lucinda Hall. vs. R. L. Woodburn, admr &c.

Leave is granted to plaintiff to file her amended petition and it appearing that plaintiff has filed her amended petition Sep. 7th 1878 Leave is granted to file said amended petition as if it had been filed in rule & thereupon defendant filed his demurrer to said amended petition

2666.

2993

2998

Thursday, September 12th A.D. 1878

2656. Thomas Hall
vs
R.L. Woodburn admr &c

Leave is granted to defendant to plead to the amended petition filed June 17 1878. instanter & thereupon the defendant filed his demurrer to said amended petition

2993 J.B. Linsley
vs
W.T. Jones et al

This day this cause come on to be heard upon the Petition of the plaintiff and the defendants still failing to answer or demurr thereto and the court being fully advised in the premises find there is due from the defendants to the plaintiff upon his note and mortgage as he has alleged in his petition, the sum of $537.43 and that the same is a lien upon the premises described in plaintiffs petition. Wherefore it is ordered and decreed by the court that upon the failure of the defendant to pay said amount so found to be due, with 8% interest in 10 days from this date that an order issue from this court to the Sheriff of Union County commanding him to appraise advertise and sell as upon execution the said premises and pay to plaintiff from the proceeds thereof the amount of $557, with 8% per cent interest from this date.

2998 Hardin B. Picket By his next friend
vs
John J. Stewart et al

And now came the said Hardin B. Picket by Cameron & Benton his attorney and thereupon this case came on to be heard upon the petition of the said plaintiff the answer of the said John J. Stewart together with the answer of the Minors Exhibits and testimony and was argued by counsel on consideration whereof the court do find that the defendants have all been duly notified and the court find that the lands in the petition described was acquired by the said Joseph F. Picket Deceased by purchase and not by devise descent order of gift, and the court do further find that said lands descended to the said Isabel Picket and that said Isabel Picket intermarried with the said Marlen Benton and that she has departed this life leaving a will as stated in the petition that said will has been duly admitted to Probate Record and that said Marlin Benton has departed this life as stated in said petition. The court further find that the defendant John J. Stewart is owner in fee simple and entitled to the undivided Three fourths of said premises and that said Rhoda J. Picket has departed this life intestate leaving as her only heirs and legal representatives her brothers to-wit; the Plaintiff Howard R. Pickett the defendants John R. Pickett, James F. Pickett, Alley Pickett, Sarah E. Doll, Harriett Kent, Isabel Pickett, Hola Pickett and that each of the heirs of the said Rhoda Pickett above named are seizer in fee simple of the undivided one thirty second part of premises and that said parties are tenements in common in said premises with the petitioner. It is therefore ordered that a writ of partition issue to the Sheriff of said County of Union commanding him that by the oaths of

Thursday September 12th A.D. 1878

of Andrew J. Mowry, S.W.H. Dunbarr and J.B. Dorrance Partition be Made of Said Lands in the following proportions to wit; to the Said John J. Stewart- three fourths (3/4) part-thereof to the Said Harlen B. Pickett one thirty Second (1/32) part-thereof-To the Said John R. Pickett James F. Pickett, Alley Pickett, Sarah E Doll-Harriett Ecent- Izabel Pickett and Nola Pickett Each one thirty Second 1/32 part thereof. And it is further ordered that the Sheriff return his proceedings in the premises forthwith-

3010

Samuel S. Nonnemaker
vs
Mary Nonnemaker et. al

In Partition

And Now comes the plaintiff by his attorneys and Moves the Court for the Appointment of a guardian for the Said for Martha Stephens, Charles Curry, and Lula Curry of the age of Fourteen Years and who have neglected for More than twenty days from return of Summons Served upon them to apply for Guardian ad litam and John Stephens, Winnie Stephens and Ada Curry under the age of Fourteen Years and have been duly and Legaly Served with Summons herein. And thereupon the Court Appoints M. C. Lawrence guardian for the Suit for Said Minor defendants and Now comes the Said M. C. Lawrence and in open Court accepts Said appointment-

2902

Report of Grand Jury

3010

Samuel S. Nonnemaker
vs
Mary Nonnemaker et. al

And Now came the Said Samuel S. Nonnemaker by Robinson and Piper his Attorneys and thereupon this Case Came on to be heard upon the petition and evidence and was argued by Counsel; on consideration Whereof the Court do find that the defendants have been duly Notified of the pendency of this action by the Service of Summons and that the Said Samuel S. Nonnemaker has a legal right to and is Seized in fee Simple of One undivided Sixth part of Said premises and the Court do further find that the Said Lucinda Atkinson, Charles Curry, Lula Curry, Ada Curry, Martha Stephens, John Stephens, Winnie Stephens, Nancy Nonnemaker and Martha Nonnemaker are tenants in Common in Said premises with Said Samuel S. Nonnemaker in the following proportions to-wit; Lucinda Atkinson, One undivided Equal Sixth part thereof the Said Charles Curry one undivided Equal, Eighteenth part thereof the Said Lula Curry, Ada Curry, Martha Stephens, John Stephens and Winnie Stephens, One undivided Equal Eighteenth part thereof Each. The Said Nancy Nonnemaker and Martha Nonnemaker One undivided Equal Sixth part Each and that the Said Mary Nonnemaker is Entitled to dower therein- It is therefore ordered that a writ of partition issue to the Sheriff of Said County of Union Commanding him that by the oaths of Alfred McCampbell Andrew Gill and

Thursday, September 12th A.D. 1878.

partition be made of said lands Subject to dower estate in the following proportions to-wit: to the said plaintiff Samuel S. Nonnemaker one Sixth part - To Lucinda Atkinson One Sixth part. to Nancy Nonnemaker One Sixth part; Martha Nonnemaker one Sixth part - To the said Charles Curry, Lulu Curry, ada Curry, Martha Stephens, John Stephens and Minnie Stephens, one Eighteenth part each and it is further ordered that the Sheriff return his proceedings in the premises forthwith -

2402 John P. Bailey }
vs
L. A. Dockum } This day this Cause came on for hearing upon the Motion of Plaintiff for leave to file petition which is was granted and petition filed Thereupon the defendant asked and obtained leave to file answer in thirty days after the rising of this Court - And Cause Continued -

Report of Grand Jury This day appeared at the bar at the bar of this Court the grand jury heretofore empannelled and Sworn in, and for the body of the County aforesaid, and presented their certain bill of indictment against James M. Darling for assault with intent to Wound - also their Certain other bill of indictment against Melvin Longpre, Alexander Cahill, David Robinson and Sylvester Thornton, for disturbing a meeting - Also their certain other bill of indictment against Edward Bries for Petit Larceny - also their certain other Bill of indictment against Herman Forcier, for assault with intent to kill, also their certain bill of indictment against Patrick Sheridan for Assault and Battery - Also their certain other Bill of Indictment against B. Burhum for Horse Stealing - Also their certain other bill of indictment against Wm Watts and Mary Watts for horse Stealing - also their certain other bill of indictment against Johnson Randall for Cruelty to animals. Also their certain other Bill of indictment - Lambert Coldice, and Michael Foreir for Assault and Battery - also their certain other Bill of indictment against Robert Taylor and George Donohue for Selling intoxicating liquors to a Minor, also their certain other Bill of indictment against Robert Taylor for furnishing intoxicating liquors to a Minor - Also their certain other bill of indictment against Lambert Coldice & Coldice for Selling Intoxicating liquors to a Minor - also their certain other bill of indictment against Lambert Coldice for Selling intoxicating liquors to a Minor - also their 2 certain other bills of indictment against Michael Foreir Selling intoxicating liquors to a Minor - also their certain other bill of indictment against Michael Foreir for furnishing intoxicating liquors to a Minor - Also their certain other bill of indictment against John Sunderman for Selling intoxicating liquors to a Minor - Also their certain other bill of Indictment against John Sunderman for Selling intoxicating liquors to a person in the habit of getting intoxicated, Also their certain other bill of indictment against Frederick Reif, for Selling intoxicating liquors to a Minor - Also their certain other bill of indictment against Jacob Lauch for Selling intoxicating liquors to a person in

Thursday, September 12th A.D. 1878

the habit of getting intoxicated. Each indorsed a true Bill. A. G. Brooks Foreman of Grand Jury.

Jail Report — To the Judge of the Court of Common Pleas Union County,

We the Grand Jury having visited the Jail of Union County, do beg leave to submit the following report.,

1st - That the Roof is very much out of repair so much so that it is caking through nearly every department of the Jail, at this time and that the building is very much damaged by the neglect of repairing said defective roof - would recommend immediate attention to the same -

2d. We recommend that the pipes extending from the privies and Water Closets called the Ventilating pipes Should extend through the roof instead of to the Second floor - We think the Second floor of the Jail is unhealthy and unfit to use without this change

3d That a new Lock be furnished to one of the inside Cell doors and that all the door hinges of the inside cell doors be riveted -

4th We find that the inside Iron Bars across windows on both sides of the Jail are very much out of repair and unsafe -

5th We find at the present that from the defective roof that water is standing in nearly all the cells on the first floors and that the same are unhealthy and unfit to use.

6th We find that Sheriff J. J. Miller is taking good care of the Sanitary department of the jail So far as it is possible for one to do with the condition of the jail, and that the discipline and treatment of the prisoners are good, Respectifully Submitted

A. G. Brooks
Foreman of Grand Jury

And their being no further business for the Said Jury, they were discharged Finally -

2817 John J. Gabriel vs Eli G. Piper Admr } Continued.

2822 F. J. Sager vs John B. Jolly et. al. Continued.

Thomas Moffitt vs Eleazer Robertson et. al. Continued With leave to defendant to answer in 30 days from the rising of Court -

Thereupon Court adjourned to meet tommorrow Morning at half past Eight o'clock.

John L. Potter Judge

2659

3042

Friday. September 13th A.D. 1878,

2831 Farmers Bank
vs
Anna Hill et al

This day this cause came on to be heard on the motion of the defendants to set aside the appraisement heretofore made in this action and was presented to the court upon affidavits in support thereof. Upon Consideration whereof the court do sustain said Motion and order a new appraisement thereof and that the Sheriff is ordered to return the order of Sale upon which said appraisement was made, without Sale.

Also at the same time and upon motion of the plaintiff Elisha Wells is made a party defendant hereto and required to file answer herein setting up his interest in the lands and tenements sought to be foreclosed.

And it is further ordered that in all future orders of Sale that may issue herein the lands and tenements claimed by said Elisha Wells in the premises ought to be sold. To wit one acre and 12¼ poles thereof shall be exhausted until the remainder is exhausted and if the remainder be exhausted, without fully satisfying the claim of plaintiff herein then and in that case it is decreed, ordered & adjudged that the lands and tenements Excluded and claimed by said defendants Elisha Wells, shall be appraised and sold and the proceeds or so much thereof as may be necessary be applied in payment of plaintiffs Mortgage. And it is further ordered that a new order of sale issue to the Sheriff to appraise, advertise and sell said Lands in accordance with the foregoing order and bring the proceeds into Court for further order.

2659 Caroline Cline
vs
Charles Cline } In Attachment

On suggestion of the plaintiff herein that the Transcript of the record of the proceedings of the justice sent up to this Court in this case is imperfect and defective it is on motion of said plaintiff Ordered that the said J.P. McDowell Justice of the peace do forthwith certify up to this Court a complete and perfect transcript of the record and proceedings aforesaid.

3042 Reid, Worrell & Gill
vs
Daniel Beardsley

This day came the plaintiff in person and thereupon came A.T. Carpenter one of the attorneys of record of this Court who by virtue of a warrant of attorney duly executed and now produced in open court and duly proven, waived the issuing & service of process and entered appearance of said defendants herein, and by virtue of the same warrant of attorney, confesses that there is due from said defendant to said Plaintiff as is alleged in said plaintiffs petition the Sum of $352.25-71 is therefore considered that said plaintiff do recover of said defendant the said Sum of $352.25 So as aforesaid confessed to be due, together with cost of Suit herein, to be taxed and with interest to be computed at the rate of Six per centum per annum. And by virtue of said warrant

Freeay
~~Saturday~~ September 13th 1878

of attorney all errors are released, and all right of appeal, and all right to file a petition in error are waived.

2988 Lester Clark
vs
John Epps et al

This day this cause came on to be heard and was submitted to the court upon the pleadings and evidence; On consideration whereof the court find that the defendant John Epps executed and delivered to the plaintiff Lester Clark the Mortgage deed in the petition discribed and on the premises therein described; that said Mortgage was duly recorded in Book 11 Page 601 of the Records of Mortgages of Linn County and is a lien on the premises described in the petition, the court further find that there is due and remaining unpaid upon said indebtedness the sum of $531 00 with 6% interest from the 9th day of September 1878; that the condition of defeasance in said Mortgage has been broken, and that the said plaintiff is thereby entitled to have the defendants Equity of Redemption foreclosed.

It is therefore considered and decreed that the Sheriff of this County do proceed to cause the said lands and tenments in the said petition described to be appraised, advertised and sold according to law and that the said ~~plaintiff~~ Sheriff report his proceedings to this court for further orders.

2994

2647 Effie E. Shipley
2648 vs
Consolidated W. M. Shipley

Consolidated & reassigned for trial Thursday of the 3d week of this term.

3003

2844 Phelps & Sons
vs
George Shipley et al

This cause is reassigned for Thursday of the 2d week of this term for trial

2869

2737 E. B. Beem
vs
Joshua S. Gill et al
A. C. Gill

And now comes the said E. B. Beem by his attorney and the said defendants still failing to demurr or answer to said petition it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the court after hearing the evidence do find that there is due to the said plaintiff on the note and in said petition described the sum of $1108 80 with interest at 8% from the first day of this term of court (February 4th 1878

2964

It appearing to the court that the real Estate in the petition described, offered for sale on an order of sale herein has been twice advertised and offered for sale and still remains unsold for want

of bidders. On motion of the plaintiff the appraisement heretofore made is hereby set aside and a new one ordered.

2994 P. E. Barnes vs Martha E. Miller & Olive F. Miller

And now comes the said P. E. Barnes by his attorney and the said defendant still failing to answer or demur to said petition, It is considered that the said plaintiff is entitled to an account of the Money due him in the premises and the court after hearing the evidence do find there is due to the said Plaintiff on the Note and Mortgage in said petition described the sum of $127 3/4. It is therefore considered by the Court here that the said plaintiff recover of the said defendant the said sum of $127 3/4 the sum so found due as aforesaid and also his costs taxed to $

And it is further ordered and adjudged that in case the said defendant fails for five days from the close of this term of court to to pay to the said plaintiff the said sum of $127 3/4 so as aforesaid found due with costs of suit: an order issue to the Sheriff of said County of Union, commanding him to cause the said lands and tenements in said petition described to be appraised, advertised and sold according to law and apply the proceeds of said sale in satisfaction of the said sum so found due with costs of suit.

3003 A. Humphreys vs C. M. Beck

This Day came the parties and thereupon came on this cause to be heard upon the demurrer to the petition of the plaintiff and the Court being fully advised in the premises do sustain said Demurrer and thereupon the Plaintiff asked and obtained leave to amend his petition herein instanter which is done accordingly.

2869 Ann E. Erb vs Leonard Esser

Now comes the plaintiff herein and the defendant being in default for answer or demurrer. The court find that the defendant is indebted to the plaintiff in the sum of $104 85. It is therefore considered by the court that the said plaintiff recover from the said defendant the said sum of $104 85 and his cost herein expended taxed to $

2964 Thomas Jones vs James McCrory et al

This day came on this to be heard upon the motion of Defendant to strike the petition from the files on the grounds of the same being out of rule and the Court being advised in the premises do sustain said Motion and thereupon the plaintiff asked and obtained leave to file petition instanter which is done and cause continued by consent of parties

Friday, September 13th A.D. 1878

3040 C. L. Sellers vs Joseph C. Rogers } Precipe on Capias

This day came the plaintiff by his attorney and thereupon came A. H. Leighter one of the attorneys of record of this Court who by virtue of a warrant of Attorney duly executed, and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said defendant herein, and by virtue of the same warrant of attorney, confessed that there is due from said defendant to said plaintiff as is alleged in said plaintiffs petition the sum of $117.66 It is therefore considered that the said Plaintiff do recover of said defendant the said sum of $117.66 so as aforesaid confessed to be due together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said Warrant of Attorney, all errors are released, and all right of appeal, and all right to file a petition in Error are waived.

2456 S. H. Lee vs William H Davis et. al } And now comes the said S. H. Lee by H. T. Carpenter his Attorney and the said defendants still failing to answer or demur to said petition It is considered that the said plaintiff is entitled to an account of the Money due him in the premises and the Court after hearing the Evidence do find there is due to the plaintiff on the note and Mortgage in said petition described the sum of $718.68 with interest at 8% from the first day of this term of Court. It is therefore considered & ordered by the Court here that said plaintiff recover of said defendants the said sum of $718.68 the sum so found due with 8% interest from the 9th day of ~~September~~ September 1878 and also his costs taxed to $ - And it is further ordered and adjudged that in case the said defendants fail for three days from this 13th day of ~~September~~ September A.D. 1878 to pay to the said plaintiff the said sum of $718.68 with the interest from the first day of this term so as aforesaid found due with costs of suit: an order issue to the Sheriff of said County Commanding him to cause said Lands and tenements in said petition described to be appraised, advertised and sold as necessary to law and apply the proceeds of said sale in satisfaction of the said sum so found due with costs of suit -

2899 O. M. Scott vs George Walker et. al - Settled & Cost paid

Thereupon Court adjourned to meet on Tommorrow morning at half past 8 o'clock

John L. Porter Judge

2448 2639 2626 2665 2673 2893

Saturday September 14th A. D. 1878-

This morning Court met at half past 8 o'clock pursuant to adjournment the same officers being present as on yesterday

2448 Obak. Burkham vs Charles Watts

This day this cause came on to be heard upon motion of defendant to require plaintiff to give security for costs in this action and upon motion of defendant to require plaintiff to make petition more definite and certain and was argued by counsel and submitted to the court. Whereupon the court being fully advised in the premises does sustain both of said motions Whereupon plaintiff asked and obtained leave to amend petition by Saturday Sept 21st 1878. and it is further ordered that plaintiff give security for costs by Saturday Sept 21st 1878.

2639 Jacob Painter vs Dra Dornhurst Jacob Leonard

This day this case came on for trial and was settled by the parties defendants consenting to allow plaintiff to take judgment against them for the sum of $173.40 together with costs of suit- Except fees of plaintiffs witnesses and depositions.

It is therefore considered ordered and adjudged by the court that plaintiff do recover against defendants said sum of $173.40 so confessed to be due together with his costs herein taxed to $

2626 Farmers Bank Union Co vs L. C. Wenty et. al

The jury to whom this case was submitted at this term being unable to agree upon a verdict is this day discharged by the court and the cause is continued.

2465 Margret Finley vs J. J. Finley Admr &c

Leave is given to the defendant to withdraw demurrer to the petition and file his answer by Monday of the 2d week of Court,

2673 Horace Watts vs James Green — Settled & Cost Paid-

2893 David Shaver vs- W. C. Bennett et. al — Settled & Cost paid-

Thereupon the Court adjourned to meet Monday Morning next at 9 Oclock-

John L. Porter Judge

Monday, September 16th A. D. 1878

2661 Margaret B. Lush vs Jacob Lush

This day came on this cause to be further heard upon the Motion of the plaintiff for decree and order of Sale for the interest accruing on the Mortgage since the original decree was Entered Thereupon the Court being fully advised in the premises finds the allegations of this petition and the motion are true & the Sum of Two hundred and Thirteen dollars became due as interest on said Mortgage July 19th/1878. since the last term of this Court and the interest to this date on said $213.00 Two dollars to this date making $215.00 now due as said interest It is therefore considered ordered and decreed by the Court that unless said defendant pay said Sum of $215.00 with interest and costs in addition to the decree rendered at the last term of this Court within ten days that an order issue to the Sheriff commanding him to appraise, advertise & Sell said premises in said petition described and the proceeds be brought into Court for the purpose of distributing the same and for such Sale to become due this cause is continued—

2970

No 2970

2505 Hale Ferguson vs George Holland et al

Now comes the plaintiff and dismisses this at his own cost without prejudice. It is therefore considered by the Court that the plaintiff pay the cost herein taxed at $ and in default thereof for three days that Execution issue therefor,

2738 W. J. Woods admr &c vs A. Holmes

Now comes the plaintiff by his attorney and and dismisses this case at plaintiffs cost. It is therefore considered that the plaintiff pay the cost herein taxed at $ 7.30 and in default thereof, that Execution is awardsed therefor—

2628 Ellen Harris vs George Holland

Now comes the plaintiff and dismisses this case without prejudice at her costs—

2664 David Hockaday vs Geo A. Reed et al

Settled & cost Paid

Monday September 16th A.D. 1878

2970 Mathew Johnson
vs
Sarah Johnson et. al

On Motion of the said plaintiff Mathew Johnson and it appearing to the court that Cynthia Green, Carlton Green, Lafayette Green, Mary Green and Wilson Stout, Eliza Stout & William Stout are Minors and that they have neglected until this date to apply of the appointment of a guardian it is ordered that Andrew Stevenson be and he is hereby appointed guardian for this suit for the said Minors, and thereupon came the said Andrew Stevenson Guardian for the suit and accepts said appointment and filed his answer.

No 2970 Mathew Johnson
vs
Sarah Johnson et als } In Partition

This cause coming to be heard upon the petition of the said plaintiff the answer of the guardian ad litum and the pleadings in the case together with the Exhibits and testimony and was argued by Counsel on consideration whereof and the Court being fully advised in the premises do find that due and legal notice of the filing and pendancy of the petition in this case has been given to the defendant as required by law, and the Court do further find that all the facts stated in the said petition are true that said petitioner has purchased and is the owner of the several interests claimed in his petition that he has paid for the same and that the respective deeds ought to show that fact to be in accordance with the truth and that the plaintiffs title in that regard should be quieted.

The Court further find that the said Sarah Johnson is entitled to have her dower assigned to her in said premises subject to the plaintiffs rights.

The Court do further find that said plaintiff is seized in fee simple of the undivided fifty one fifty sixths (51/56) part of the said premises and that the said Isabel Farrow, Mary J. Powell and Elizabeth Rollins and each seized in fee simple of the undivided One Fifty sixth 1/56 part thereof. That said Alfred Stout is entitled to an estate by courtesy in the 1/56 part thereof. and said Robert B. Green is Entitled to an estate by courtesy in 1/56 part thereof and that all said interests are subject to the dower of said Sarah Johnson. And the court do further find that said Clark Green, Mary Green, Lafayette Green, Carleton Green and Cynthia Green are Each Entitled to 1/280 part thereof subject to the said Dower and Courtesy And that said Alfred Stout is entitled to Courtesy in the 1/56 part thereof subject to the said Dower. And that Mary Stout Sarah Stout, William Stout, Eliza Stout and Wilson Stout have each an Estate in fee simple the 1/280 part of said premises subject to the Dower aforesaid and the Courtesy of the said Alfred Stout. And no reason appearing why partition should not be made. It is therefore ordered adjudged and decreed that the said Sarah X Johnson be endowed of one full Equal third part

Monday September 16th A.D. 1878

of said premises and that subject thereto, partition of said estate be made and that an order issue to the Sheriff of the said County of Union Commanding him that by the oaths of James Heard, David Dosack and Three judicious and disinterested free holders of the vicinity who are hereby appointed Commissioners for that purpose to set off and assign such dower to the said Sarah Johnson according to law, and that by the like oaths of the said Commissioners he cause to be set off and divided to said plaintiff and to each of the said defendants the parts and portions of the said estate to which they are herinbefore severally found entitled. And it further ordered that if in the opinion of the said Commissioners said premises cannot be divided by metes and bounds without injury to the value whereof they appraise the same both subject to and, also free from Dower, and of his proceeding herein the said Sheriff in ordered to make due return without unnecessary delay. And as to other matters this cause is passed. 2955 2766

2721 Amy Bell Jolliff }
vs } Bastardy
Isaac Wallace }

This day this cause came on to be heard upon the Motion to make absolute the forfeiture of the recognizance of Isaac Wallace and Andrew J. Richardson heretofore in this case forfeited and respited by the order of this court and the Court being fully advised in the premises do sustain said Motion and the said forfeiture of said recognizance hereinbefore entered and respited is by the Court rendered absolute, and it appearing that the defendant Isaac Wallace has left the country it is ordered by consent of the plaintiff that this cause be left off the docket without prejudice at the plaintiffs costs which she is ordered to pay in ten days and in default thereof that Executions issue therefor as upon judgments at Law. but this cause to be reinstated when defendant shall be found. 2937 2995

3002 Richwood N. B & S. Co
vs
Abraham Heraps et al } Settled & Cost Paid no Record.

Thereupon Court adjourned to meet tommorow morning at 8½ Oclock.

John L. Potter Judge

Tuesday, September 17th A. D. 1878

This Morning Court met at 8½ Oclock pursuant to adjournment the same officers being present as on yesterday-

2953 Leonard Dann vs John A. Philips et. al

This day came on this cause to be heard on demurrer to petition and the Court overruled said demurrer and on application of defendants leave is granted to answer by Saturday this week-

2766 Marysville Building & Loan association vs Jacob Snell et. al

This cause came on for hearing on the Motion to Set aside the appraisement of the real Estate ordered to be Sold in this action, and on consideration thereof and for cause Shown- It appearing to the Court that the real Estate ordered to be Sold herein has been twice advertised offered for Sale and still remains unsold for want of bidders Now on Motion of Plaintiff the appraisement heretofore made is hereby Set aside and a new one ordered-

2936 Asberry Gardner vs William Robinson et. al

This day this cause came on to be heard on the demurrer to Plaintiffs Petition and the Court being fully advised in the premises, do Sustain Said Demurrer. Whereupon plaintiff asked and obtained leave to amend his Petition by Saturday Sep 21st 1878-

2995 John T. Lenox vs Susan Adams

This day this cause came to be heard upon the Motion of the plaintiff to withdraw his petition heretofore filed in this case and the Court being fully advised in the premises do Sustain said Motion and grant leave as prayed for- To which the defendant Excepts and. This cause coming on further to be heard on Motion of the plaintiff for Judgment to be entered against the defendant for the amount of the Judgment in the Court below To-wit $61.50 with costs and interest and the Court being fully advised in the premises, and it appearing to the Court, that said defendant failed to perfect his appeal in this action by failing to file an appeal Bond within 30 days last after the rendition of said Judgment by the Justice of the peace and further that said plaintiff has filed in this Court a transcript of said Judgment= It is ordered and adjudged by the Court that the plaintiff recover of the defendant Susan Adams for the Sum of $61.50 with interest from the 11th day of June 1878 and for costs made in this Court and before said Justice and that Execution issue therefor. To all of which rulings

Tuesday. September 17th/1878

and decisions of the court in that behalf the said defendant by her Counsel excepts and asks the court to allow of his exceptions and make the same a part of the record herein which is accordingly done,

3011 Ann E. Erb vs. A. G. Moffitt Et al. Settled & Cost paid

2986 Richwood Union Building & Saving Association vs J. J. Woodruff Et al Settled & Cost paid

2984 Richwood N. B & L. A. vs H. G. Hunt Et al - Settled & Cost Paid -

2976 Richwood N. B & L. A. vs James A. Huggart Et al - Settled & Cost paid -

2989 Bank of Richwood vs John W. Southard Et al - Settled & Cost paid

3007 Richwood Union Building & Saving association vs Thomas H. Moore Et al

Now came the plaintiff herein by its attorneys Cameron & Benton and the defendant being in default for answer or demurrer the court find that the defendants have failed to pay to the plaintiff the weekly installments of dues and the interest as in the petition set forth and that there is due to said plaintiffs as dues to the first day of this term the sum of $33.00 and as interest the sum of $16.78. The court further find that there is due to said plaintiff from said defendants as and by way of fines for the non payment of dues as is alleged in the petition the sum of $6.00 Making in all for dues, interest and fines the sum of $54.78. The court further find that in order to secure the regular payment of said dues and other installments as well as therefore those hereafter to become due the said Thomas H. Moore and Elizabeth Moore his wife executed and delivered to the plaintiff their certain Mortgage in the petition described and on the premises therein described; that said Mortgage was on the 23d day of October 1874 duly recorded in Book 1. B & L. A page 112 of the records of Mortgages of Union County and that the same is the first lien on the premises described in the petition. The court further find that the defendants have failed to pay to the plaintiff the weekly installments of dues and the interest as in the plaintiffs second cause of action set forth in his petition and that there is due to said plaintiff as dues to the first day of this term the sum of $30.00 and as interest the sum of $2.82. The court further find that there is due to said plaintiff from said defendants as and by way of fines for the non payment of dues as in the petition alleged the sum of $1.00 Making in all for dues interest and fines the sum of $8.82. The court further find that in order to secure the regular payments of said dues and other installments as well as those hereafter to become due the said Thomas H. Moore and Elizabeth Moore his wife executed and delivered to this plaintiff their certain Mortgage in the petition described and on the premises therein described. That said Mortgage was on the 22d day of May 1877 duly recor-

2979

Tuesday September 17th A.D. 1878

ded in Book 2 B.L.A. Page 424 of the record of mortgages of union county and that the same is the 2d best lien on the premises described in the petition - The court further finds that the defendant has failed to pay the plaintiff the weekly installments of dues and the interest as in the plaintiffs Third cause of action set forth in plaintiffs petition and that there is due to said plaintiff as dues to the first day of this term the sum of $185.0 and as interest the sum of $10.80 The court further find that there is due to said plaintiff from said defendants as and by way of fines for the nonpayment of dues as in the petition allege the sum of $3.70, making in all for dues Interest and fines the sum of $32.50 and making a total amount of indebtedness of $176.84. The court further finds that in order to secure the regular payment of said dues and other installments as well as those hereafter to become due the said Thomas A. Moore and Elizabeth Moore his wife executed and delivered to this plaintiff their certain Mortgages in the petition described and on the premises therein described that said Mortgage was on the 17th day of January 1877 duly recorded in Book 2. B.L.A. Page 411 of the Record of mortgages of Union County and that the same is the 2d Best - lien on said premises described in the petition -

It is therefore considered by the court that unless the said defendants shall within 10 days from the Entry hereof pay or cause to be paid to the said plaintiffs the said sum of $176.84 so found due and to the Clerk of this court the costs taxed herein at $ the defendants Equity of redemption be foreclosed and said premises shall be sold, and an order of Sale shall issue therefor to the Sheriff of Union County directing him to sell said premises as upon Execution and bring the proceeds into court for further order -

2979 Richwood Union Building & Saving Association
vs
A. H. McFarland et al

This day come the plaintiff herein the defendants being in default for answer and demurrer and the court being fully advised in the premises do find that the defendants have failed to pay the plaintiffs the weekly installments of dues and the interest as in the petition set forth and that there is due to said plaintiff as dues to the date of this decree the sum of $20.00 and as interest the sum of $6.80 - The court further find that there is due to said plaintiff from said defendants as and by way of fines for the nonpayment of said dues as in the petition alleged the sum of $4.00 making in all for dues, interest and fines the sum of $30.80 - The court further find that in order to secure the regular payment of said dues and other installments as well as those hereafter to become due the said A. H. McFarland and D. H. McFarland his wife executed and delivered to this plaintiff their Certain Mortgage in the petition described and on the premises therein described, that said Mortgage was on the 22d day of May 1874 duly recorded in Book No 1 B.L.A. Page 54. of the records of Mortgages of Union County and that the same is the first lien on the premises described in the petition - It is therefore considered

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by the Court-that unless the said defendants shall within 10 days from the entry hereof pay or cause to be paid to the said plaintiff the Sum of $30.80 so found due as aforesaid, and to the Clerk of this Court- the costs taxed herein at $ -Then the defendants Equity of redemption be foreclosed and said premises shall be sold, and an order of Sale shall issue therefor to the Sheriff of Linn County directing him to sell said premises as upon Execution and bring the proceeds into Court for further order

2829 John M. Flemming vs Thomas B. Benton } This day came the plaintiff and dismissed this actin. It is therefore ordered by the court that the plaintiff pay the cost of this action taxed at $ - for which Execution is awarded.

2836 Mary Long vs Samuel Long - Continued-

2837 Samuel Turner vs Mary Turner et. al- Continued.

2839 Samuel Miller vs Isaac Maddox et. al- Continued-

2843 Hiram Riley vs F. M. Dickstadt Continued under former order.

2852 Catherine Driscol vs William Driscol et. al- Continued

2901 Charles D. Merritt vs George Semple. Continued at cost of Defendant; It is therefore ordered that the defendant pay the cost of this term, taxed to $ and Execution is awarded therefor.

2908 Hiram Harrington vs A. C. Sharp } Settled Each Party to pay their own cost- It is therefore considered ordered and adjudged that Each party pay their own cost- and Execution is awarded therefor-

2912, Thomas Bram vs W. C. Barnett, Continued with Leave to defendant to answer in 30 days from rising of this Court-

2914 John T. Lemon vs T. W. Miller Sheriff - Continued

2944 W. G. Wells vs Isabel Marysville - Continued

2951 Harvey Haines vs. W. S. Winters Continued

2957 A. E. Myers et al vs Z. C. Porter Continued

2966 Eliza Hopkins et W. C. Hopkins. Continued

2974 Amanda Salzgiber vs Louis Salzgiber— Continued for Service

John C. Porter Judge

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Wednesday, September 18th A.D. 1878

This Morning the Court met at half past Eight Oclock pursuant to adjournment the same officers being present as on yesterday,

3056 William Milligan et al vs John L. Winters et al } Settled & Cost paid.

3059 Anna E. Erb vs John McPeck et al. Settled & Cost Paid.

2973 Peoples Bank vs J. S. Dillon et al. } This cause being heard on motion of defendants to Strike the Petition from the file on account of not being properly verified and the Court being fully advised in the premises overruled the Same which ruling was excepted to by defendant = and this cause coming on to be further heard on the demurrer to the petition and the Court being fully advised in the premises overruled the Same to which ruling the defendant excepted & on motion the defendants are allowed to answer by Saturday Sep 21st 1878

2812 P. G. Wymegar vs H. J. Berry } This day this cause come on to be heard on motion of the Plaintiff to continue this action until the next term of this Court was argued by counsel and the court being fully advised in the premises Sustained Said Motion and it is further ordered ordered and adjudged by the Court that the plaintiffs pay the costs of this term and execution issue therefor

2236 Jacob Kaufman vs Stokes & Son — Settled & cost paid No Record

2483 Duncan Potts vs Farmers Bank of Union Co. Continued

2485

2447 Cleveland Cooperative Stove Company vs Israel Potter Etal — Continued

3006 Pleasant Valley B & L. A vs John H Scott Etal } Continued with Leave to plaintiff to reply in 30 days from the rising of this Court

3008 York Center Corner Band vs L. M. Beebe } Leave to Plaintiffs to file petition in 30 days from the rising of Court & Leave to def't to answer in 30 days thereafter.

3012 Emma Cartmel vs Benny Woodworth. Continued for Service

3016 Samuel McAllister vs E. Mitchel. Continued at cost of Plaintiff

John L Porter Judge

Thursday, September 19th A.D. 1878.

This Morning Court met at 8½ oclock The same officers being present as on Yesterday,

no 1335 — The State of Ohio vs William Shotts & Mary Shotts — Indictment for horse Stealing

Now comes the Prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto, saith they are each guilty - Thereupon, it is ordered and adjudged by the Court that the said William Shotts and Mary Shotts, be imprisoned and confined in the penitentiary of the State, and kept at hard labor, but; without any Solitary confinement for the period of two years and that they pay the costs of this prosecution, for which execution is awarded. 2706

1431 — The State of Ohio vs Edward Bruce — Indictment for ~~assault~~ & Petit Larceny

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto, saith he is guilty; Thereupon it is ordered and adjudged by the Court that the said Edward Bruce pay a fine of Thirty dollars and the costs of this prosecution for which Execution is awarded and that he be imprisoned in the Jail of Union County for the term of ten days.

2871 — A. V. Freemon, Trial, Exr &c vs Alex Snodgrass et al

This day this cause came on to be heard upon the motion of the plaintiff to require the defendant E. Mitchel & D. Mitchel to make their answer more definite and certain and the Court being fully advised in the premises, Sustains said Motion as to the 2d & 3d grounds of said defense, said defendants not claiming anything on the 1st ground of defense. Thereupon the defendants took leave to amend their answer by noon September 20th 1878. 2706

2835 — J. H. Emmerson vs Philip Coe

Now came the parties herein, by their attorneys also came the following named persons as Jurors to-wit: Andrew Brown, George Long, George Holloway, D. C. Lane, W. H. H. Tites, J. McHarg, William Smith, C. L. Sellers, Levi Taylor, Harmon Patrick, A. A. Woodworth and J. S. Alexander, who were duly impannelled and Sworn according to law. And

Thursday. September, 19th A. D. 1878

Thereupon, after hearing the evidence, argument, and charge of the court, the jury retired to their room in charge of the Sheriff for deliberation, And now come the said jury into open Court with their verdict in writing signed by their Foreman, and say: "We the jury in this case, being duly impannelled and sworn do find and say that we find for the plaintiff and assess his damage at $25cc—G. L. Sellers Foreman, - 21 is therefore considered by the court that the said plaintiff recover from said defendant the said sum of $25cc, and his cost herein expended taxed at $

Ruben Freshwater
vs
2706 John McAllister et al

This day came the parties and thereupon this cause came on to be heard upon the demurrer of the plaintiff to the amended answer and cross petition of Samuel Little and was argued by counsel. On consideration whereof the Court being fully advised in the premises do sustain said demurrer. To which rulings of the Court in sustaining said demurrer the defendant Samuel Little excepted.

Thereupon said defendant John McAllister having withdrawn his answer and being in default and the said Samuel Little desiring to further plead and being in default. This cause came on to be further heard upon the application of the plaintiff to apply the Money reported by the receiver to the payment of the plaintiffs Judgment as set forth in his petition and the Court being fully advised in the premises do order that the proceeds of the Sale of said property and the money reported by the receiver be paid by him to the Clerk And after deducting the costs, and the Expenses of said receiver be applied in payment of the Judgment set forth in the petition and that the same be paid to said plaintiff by the Clerk upon his Executing a receipt for the amount upon the docket when said Judgment is entered. And it is further ordered that the defendants John McAllister and Samuel Little pay the Costs of this suit taxed to $ -

Ruben Freshwater
vs
2706 John McAllister et al

Ex K No 2368

This cause coming on to be heard upon the Motion to confirm the final report of the said receiver that he be allowed and paid the sum of Five dollars out of the Money in his hands in full for his services herein, and the Court finding the said report correct and that the said receiver has fully obeyed the orders of the Court to him issued has duly ~~obeyed~~ paid over all moneys coming into his hands as such receiver. It is therefore ordered that all acts and things done by him as well as his said report, be and they hereby are approved and confirmed and the said Dyer Reed is

Thursday, September 19th A. D. 1878.

from his duties liabilities and responsibilities as such receiver and his undertaking therefor is vacated and cancelled.

No 2981 — William Leasure vs Cicero Hoard } Appeal

This day came the parties and thereupon the motion of the said defendant to strike the transcript from the files came on to be heard and was argued by counsel. On consideration whereof the Court do sustain said motion and order the said transcript to be stricken from the files. Thereupon said defendant filed his transcript herein and moved the court for leave to docket appeal and the Court being fully advised in the premises and finding that said appellant has neglected to perfect his appeal or to file a transcript for more than 30 days after the rendition of the said judgment the Court sustains the motion of the defendant and leave is given him to docket his appeal and thereupon with the consent of the defendant the appeal in this case is dismissed at the costs of the said William Leasure appellant and the court order this cause to be and the same is remanded to the said justice of the peace before whom the case was first to be proceeded on by him as if no appeal had been taken. It is ordered and adjudged by the Court that said William Leasure pay the costs herein & spended taxed to $ —

2981

2974 — William Leasure vs Zeyaia Patrick et al } Appeal

On Motion of the defendant it appearing to this court that the Transcript required by law was not filed in this court within the time required by law and the court being duly advised in the premises do sustain said Motion the transcript is duly Stricken from the files. It is therefore ordered and adjudged that the plaintiff pay the costs herein taxed at $.

2772 — Henry C. Goff vs Justus J. Miller }

This day came the parties by their attorneys and the plaintiff asked and had leave to filed a reply to the answer instanter which reply was then filed and thereupon the parties being at issue upon the petition answer and reply and the said parties and their attorneys being in person before the court waived the calling and impanneling of a jury and by consent of the parties this cause was submitted to the court. And the court after hearing the evidence, Statements and arguments of Counsel do find that at the time this suit was commenced the right of property and right of possession of the personal property mentioned in the petition was in the plaintiff and that he has Ever Since has had the right of possession and right of

2482

Friday. September 20th A.D. 1878.

of property and that the same was wrongfully detained as alleged in said petition and the court with the Consent of the parties do find and assess the damages of the said plaintiff by reason of said unlawful detention at five cents, and upon the further issues joined the Court find for the plaintiff-

It is therefore considered ordered and adjudged by the Court that the plaintiff recover of the said defendant the said sum of five cents and his costs herein taxed to $ By agreement no record to be made-

Thereupon Court adjourned to Met tommorow Morning at half past eight o'clock

John L Porter Judge

Friday September 20th A.D. 1878.

This morning Court Met at half past eight o'Clock the same officers being present as on yesterday.

2481

Richwood Union Building & Saving association
vs
Noak Thompson et. al

Now come the plaintiff herein and the defendant being in default for answer and demurrer the Court find that the defendants have failed to pay to the plaintiffs the weekly installements of dues and the interest as in the petition set forth and that there is due to said plaintiffs as dues to the first day of this term Sep 9th 1878 the sum of $41.50 and as interest the sum of $15.77

The Court further find that there is due to said plaintiff from said defendants as and by of fines for the nonpayment of dues as in the petition alleged the sum of $8.30 Makeing in all for dues, interest and fines the sum of $65.57- The court further find that in order to secure the regular payment of said dues and other installments, as well as those hereafter to become due, the said Noak Thompson, and Cordelia Thompson his wife Executed and delivered to the plaintiff their certain Mortgage in the petition described and on the premises therein described, that said Mortgage was on the 21st day of May 1874 duly recorded in Book 1. B. L. A. Page 47 of the record of Mortgages of Union County, and the same is the first lien on the premises described in the petition-

It is therefore considered by the Court that unless the said defendants shall within 10 days from the Entry hereof pay or cause to be paid to the said plaintiff the said sum of $65.57 found due and to the Clerk of this court the costs herein taxed at $ - then the defendants Equity of redemption be foreclosed and said premises shall be Sold and an order of Sale shall issue therefor to the Sheriff of Union County directing him to sell said premises as upon Execution and bring the proceeds into Court for further order-

2482

Richwood Union Building & Saving Association
vs
Cordelia Thompson et. al

Now came the plaintiff herein,

Friday, September 20th A. D. 1878

and the defendants being in default for answer and demurrer the Court find that the defendants have failed to pay to the plaintiff the weekly installments of dues and the interest as in the petition set forth and that there is due to said plaintiff as dues to the first day of this term of Court the sum of $38.50 and as interest the sum of $13.81. The Court further find that there is due to said plaintiff from said defendants as and by of fines for the non payment of said dues as in the petition alleged the sum of $7.70 making in all for dues, interest and fines the sum of $60.00 — The Court further find that in order to secure the regular payment of said dues and other installments as well as those hereafter to become due the said Cordelia Thompson and Noah Thompson Executed and delivered to this plaintiff their certain Mortgage in the petitions described and on the premises therein described. That said Mortgage was on the 23rd day of May 1874 duly recorded in Book I. B. L. A. Page 65, of the records of Mortgages of Union County and that the same is the first Lien on the premises described in the petition. It is therefore considered by the Court that unless the said defendants shall within 10 days from the entry hereof pay or cause to be paid to the said plaintiff the sum of $60.00 found due and to the clerk of this Court the costs taxed herein at $ — Then the defendants Equity of redemption be foreclosed and said premises shall be sold and an order of Sale shall issue therefor to the Sheriff of Union County directing him to sell said premises as upon Execution and bring the proceeds into Court for further order.

2856 John C. Elliott vs E. R. Southwick et al

Now come the parties herein, by their attorneys; also come the following named persons as jurors, to-wit; Edwin Wilber, W. H. Goff D. C. Winget, John Gibson, William Smith, Thomas Wharton, Andrew Brown George Long, George Hollenway, D. C. Lane, J. McElroy & C. L. Sellers, who were duly impannelled and sworn according to law, And thereupon, after hearing the Evidence, arguments and Charge of the Court, the jury retired to their room in charge of the Sheriff for deliberation. And now come said jury into open court with their verdict in writing, signed by their Foreman, and say; We the jury in this case, being ~~duly~~ duly impannelled and sworn do find and say that we find for the defendant=

C. L. Sellers - Foreman

The Court at the request of the parties directed the jury to answer the following questions and jury therefore answer them as follows To-wit-

1st Was Elizabeth A. Elliott the wife of the plaintiff at the time the alleged deed by John C. Elliott to her was Made? - "Yes."

2d Did E. R. Southwick the defendant have notice of the fact that Elizabeth A. Elliott at the time the deed by John C. Elliott to her was Made was the wife of said John C. Elliott, and did said E. R. Southwick know said fact when he Made his alleged purchase? "No"

3d Did E. R. Southwick know at the time of his alleged purchase that plaintiff was claiming to be the owner of the land in

4th

5th

2857

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Friday. September. 20th A. D. 1878.

controversy, and, that the title of said Elizabeth A. Elliott was disputed by him? No

4th Was there any consideration for the deed from John G. Elliott to Betsey Ann. Elliott? "Yes"

5th Was there a settlement of the title to this land in the case of divorce & alimony referred to in defendants answer - No.

2857 W. H. Baxter vs S. W. Chaney et. al

Now comes the defendants and upon their motion for continuance on cause Shinn was continued at cost of the defendants.

It is therefore considered that the Plaintiff recover of the defendants their cost herein taxed to $

3017 Henry C. Kennedy vs Arthur Walker. Continued

3018 Sarah Snodgrass vs Joseph Coe. Continued

3020 Elizabeth Parthemor vs W. R. Stage. Continued

3023 John Frayman vs John McAllister et. al Continued

3033 Mary E. Ferguson vs W. H. Ferguson Continued

3043 Ross Scott vs C. H. Walker Dec Continued With bar to defendant Answer within 30 days from the rising of Court.

3046 George Bishop vs Peter Wynnegar Continued by agreement.

3047 H. Withoff vs J. E. Cotten Continued

3051 Mary A Martin vs Benjamin F. Martin. Continued

3053 Sims McCann vs L. C. Wirt et al Death of Plaintiff Suggested & Cause Continued.

Thereupon Court adjourned to meet on tomorrow Morning at 8½ Oclock

John L Porter Judge

Saturday. September. 21st A.D. 1878.

This Morning Court met 8½ Oclock the same officers being present as on yesterday;

448 The State of Ohio } Indictment for
vs } Selling intoxicating liquor to a person in the habit of getting intoxicated
Jacob Lusch }

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the Sheriff and arraigned upon said indictment for plea thereto, saith he is "guilty" Thereupon it is ordered and adjudged by the court that the said Jacob Lusch, pay a fine of fifteen dollars, and costs of this prosecution, and Execution is awarded.

2871 A. V. Kennedy Et. al Exrs &c }
vs
Alex Snodgrass. Et. al }

Now came the parties herein, by their attorneys; also came the following named persons as jurors, to wit; Robert Robinson, W. H. H. Sites, Levi Taylor, John Gibson, George Long, D. C. Lane, J. M. McElroy, Wm Smith D. C. Winget, C. L. Sellers, George Holloway, and Edwin Wilber who were duly impannelled and sworn according to law. And thereupon, after hearing the evidence, argument, and charge of the court, the jury retired to their room in charge of the Sheriff for deliberation. And now come said jury into open court with their verdict in writing, signed by their foreman and say; We the jury, in this case being duly impannelled and sworn do find and do find and say that we find for the defendants.

C. L. Sellers, Foreman

2642

2876 Thomas M. Snodgrass by &c }
vs
George Walker Et. al }

Now came the parties herein, by their attorneys: also came the following named persons as jurors, to-wit: Robert Robinson W. H. H. Sites, Levi Taylor, John Gibson, George Long, D. C. Lane, J. McElroy William Smith, D. C. Winget, C. L. Sellers, George Holloway and Edwin Wilber, who were duly impannled and sworn according to law; and thereupon, after hearing the evidence, argument, and charge of the court, the jury retired to their room in charge of the Sheriff for deliberation. And now come said jury into open court with their verdict in writing, signed by their foreman, and say; We the jury in this case, being duly impannled and sworn do find and say that we find for the defendants. C. L. Sellers - Foreman.

It is therefore considered and adjudged, ordered and decreed by the court that the legal title ownership & right of possession of and to said Lot No 6 in the said Village of Wilmington described in Plaintiffs petition is in the said George Walker defendant and it is further considered & adjudged that said defendant recover of the plaintiff his costs herein expended taxed at $ By agreement no record.

2938

Saturday, September 21st A.D. 1878.

2938 Richard W. McCamey
vs
James Mulvaine

This case coming on to be heard upon the Motion of defendants to Strike from the petition the general inducement of good character and innocence of the plaintiff therein pled and also the innuendo in parenthesis in said paragraph (meaning the plaintiff and meaning the defendants) because redundant matter, was ~~Opposed~~ argued by counsel on submitted to the court. Whereupon the court being fully advised in the premises do over rule said Motion to which ruling the defendant Excepted then & there. The plaintiff on Motion of defendant to make the 4th Cause of action more specific and certain being sustained with drew said cause of action,

2642 George Walker
vs
Leroy Loame, & Millie Loame

This day came on this case for hearing upon plaintiffs Petition & the Pleadings and was argued by counsel and in case No 2876 in this Court the jury having returned a verdict in favor of the said George Walker plaintiff in this action upon his legal title and ownership and title to said property described in the petition in this action, and the Court being fully advised in the premises do find that the proceedings in this action are in all respects regular and according to law, that said Mortgage was duly executed and delivered by the defendants to the plaintiff, that the same was duly recorded and is a first lien on the premises described, that the conditions of said Mortgage is broken, and the plaintiff is entitled to have the defendants Equity of redemption foreclosed and that said Millie Loame is not entitled to dower in said premises. It is therefore considered and decreed that unless the defendants Shall within 10 days from the Entry of this decree pay or cause to be paid to the Clerk of this Court the costs of this case and to the plaintiff the sum of $7950 with interest from the 9th day of September 1878, according to the terms of said Mortgage deed the defendants Equity of redemption be foreclosed and said premises Shall Sold and an order of Sale Shall issue therefor to the Sheriff of Union County directing him to Sell said premises as upon Execution and to bring the proceeds into Court for further order.

Thereupon Court adjourned to Meet on Monday September 23d 1878 at 9 Oclock A.M.

John L Porter Judge

Monday. September 28th. A.D. 1878

This Morning Court Met at 9 Oclock pursuant to adjournment. the same officers being present as on Saturday.

2967 Mary M. Newlove et. al vs Nancy Amerine et. al } In Partition

3024

This day came the said plaintiffs by Cameron & Benton their attorneys and produced to the court here the report of the Surveyor of said County of Union of an amicable partition of the Lands and tenements described in the petition in this case made by him pursuant to the request and agreement of all the parties to this action. And thereupon came the said Sarah E. Shaw and Oliver Shaw, Ellsworth Amerine Henry Amerine, Martha E. Bonnett, Lewis Bonnett and Abraham Amerine by his guardian Ellsworth Amerine and Nancy Amerine in their own proper person before the court. the said Ellsworth Amerine acting for himself and on behalf of his said wards Abraham Amerine who together with the plaintiffs consented to approve and fully confirm said report and amicable partition and asked the court here to approve and confirm the same and order the same to be recorded, and the court finding that all the said parties have been duly and legally notified and that they are in their own proper person before the court, and that said Ellsworth Amerine is the duly and legally qualified guardian of the said Abraham Amerine Jr. and the court do further find that no writ of Partition has yet issued in this case that said amicable partition is agreeable to the prayer and facts set forth in said petition. The court being fully advised in the premises do approve and confirm said Amicable partition and order the same to be recorded and that said parties stand seized in fee simple in severalty of the parts and portions set off to Each respectively.

3058

And it is further ordered and adjudged that the costs of this proceeding including an attorney fee of Ninety dollars to Cameron & Benton be paid by said parties in Equal proportions to them respective interest and in default of such payment that Execution issue therefor as upon judgments at Law.

3049

L.L. Conrad & Geo Shepper vs J. C. McElroy & C.F. McElroy } In Attachment

3045

This day came the plaintiffs by their attorney and the defendants being in default for answer or demurrer the case was submitted to the court by the plaintiffs. on consideration whereof the court finds that the allegations of the petition are true and that there was due the plaintiffs from the defendants on the 9th day of Sep A.D. 1878 the sum of ($102.75- as alleged in the said Petition.

2441

It is therefore considered ordered and adjudged by the court that the said Plaintiffs recover of said defendants. J. C. McElroy & C.F. McElroy the said sum of $102.75- with 8% Interest from 9th day of Sep 1878 and also their cost herein expended taxed to $ -

2831

Monday, September 23d A. D. 1878.

3024	James Claypole, Oscar F. Willson & Harriet E. Dale, Partners under firm name of Claypole and Willson vs Richard Davis, J. W. Scott & Wright Harriman	Judgt $408.84 Int from April 9th 1878

This day came the plaintiffs by their attorney and the defendants came not but made default and thereupon this cause came on to be heard and neither party requiring a jury it was submitted to court by the plaintiff. On consideration whereof the court finds the allegations of the petition to be true, and that there was due from the defendants to the plaintiffs on the 9th day of September 1878 the sum of ($408.84) Four Hundred and Eight Dollars and Eighty four cents as alleged in the petition.

It is therefore considered, ordered and adjudged by the court that said plaintiff recover of the said defendants Richard Davis, J. W. Scott & Wright Harriman said sum of $408.84 with interest from September 9th 1878 and also their costs herein expended taxed to $ -

3058	Margret Leach vs Charles Scott & Norton Scott.	

Now come the plaintiff herein and the defendant being in default for answer and demurrer the court that the defendants are indebted to him in the sum of $113.80. It is therefore considered by the court that the said plaintiff recover from the said defendants the said sum of One Hundred and fifteen 80/100 Dollars and his costs herein expended taxed at $

3049	The Farmers Bank of Iowa County vs William Hoover et al	

This day came the plaintiff by its attorney and the defendants came not but made default thereupon this cause was submitted to the court by the plaintiff On consideration whereof the Court finds the allegations of the petition to be true and that there is due the plaintiff from the defendants William Hoover and Adam Hoover as principal and James Hoover as indorser the sum of $160.13 with 8 % interest from this date, It is therefore considered, ordered, and adjudged that the plaintiff Recover of the Defendants William Hoover, and Adam Hoover as principal and James Hoover as indorser the said sum of $160.13 with 8 % Interest on the from this date, together with their cost herein taxed to $ -

2941	D. F. Parsons et al. vs Belle A. Stuelz	Continued by consent
2831	Israel Wollam vs. John Riley et al.	Continued by consent

Monday. September 23d. A. D. 1878.

2924

3038

3030

No 3050 — Farmers Bank of Union County vs John H. Southard & John Penorrood and L. H. Southard

Now came the plaintiff herein, and the defendants being in default for answer and demurrer, the Court find that the allegations of the petition are confessed by them to be true, It is therefore Considered by Court that the said plaintiff recover from the defendants John H. Southard and John Penorrood as principal and L. H. Southard as indorser the sum of $65 cts and their Costs herein Expended Taxed to $

2620 — Frank W. Taylor vs J. C. Poole

This Cause was continued on motion and Showing of defendant and at his cost.

3048 — John S. Fleck & A. J. Chapman Partners as Fleck & Chapman vs Andrew Amerine 2d & John Woodburn

Now come the plaintiff by their attorneys and the defendants being in default for answer and demurrer the Court find that the allegations of the petition are confessed by them to be true and that they are indebted to the plaintiff in the sum of $175 44/100. It is therefore considered by the Court that the said plaintiffs recover from the defendants the said sum of one hundred and Ninety five and 44/100 dollars with 8 per cent until paid and his Costs herein expended taxed to $ -

3022 — A. J. Hartman vs A. B. Beck

And now comes the said A. J. Hartman by A. S. Carpenter his attorney, and the said A. B. Beck having failed to demur or answer to the petition of the said A. J. Hartman it is considered that the said A. J. Hartman ought to recover the said sum of $114 38 so demanded in his petition together with the sum of $5.37 which the Court finds due as the interest thereon as prayed for in said petition computed at 8% -

It is therefore considered that the said A. J. Hartman recover against the said A. B. Beck the said sum of $119 75 with interest thereon at 8% from the first day of this term of Court together with his costs in and about this suit in this behalf expended taxed to $ -

2401 — William Beckworth vs Andrew Anderson — Settled & cost Paid no record

Monday - September 23d A.D. 1878 -

2924 Samuel Dunfee & Ord
vs
The Pittsburgh Columbus & St Louis R.R. Co }

Now came the parties herein, by their attorneys and also came the following named persons as jurors to-wit; J.B. Taylor, D. Adam, Harmon Patrick, W.H.H. Tilus, J.S. Alexander, W.H. Goff, W.M. Robinson, Thomas Wharton, D.W. March, Joseph Coe, L. Demorest; and Thomas Peacock, who were duly impannelled and sworn according to Law,

And thereupon, after hearing the evidence, argument of Counsel, and charge of the Court, the jury retired to their room in charge of the Sheriff for deliberation - And now said jury into open Court with their verdict in writing, Signed by their Foreman and say; We the jury in this case being duly impannelled and sworn do find and say that we find for the plaintiff and assess their damage at Seventy Seven & 40/100 dollars

W. M. Robinson Foreman

W. J. Woods as Administrator
of Edward Norris Decd
3038 vs
S. Carter, S. M. Blake & A. J. Blake as
Partners under the firm Name of S. Carter & Co }

And now comes the said W. J. Woods as administrator of Edward Norris deceased by A. J. Carpenter his attorney and the said S. Carter, S. M. Blake and A. J. Blake having failed to demur or answer to the petition of the said W. J. Woods as Admr. aforesaid, it is considered that the said W. J. Woods as admr aforesaid ought to recover the said sum of $213.76 so demanded in his petition together with sum of $9.26 which the Court finds due as the interest thereon at 8% up to the first day of the present Term of this Court as prayed for in said petition; It is therefore considered that the said W. J. Woods as administrator aforesaid recover against the said S. Carter, S. M. Blake and A. J. Blake the said sum of $223.02 with interest at 8% from the first day of the present Term of this Court together with his costs in and about his suit in this behalf expended taxed to $ -

C. Diemer
3030 vs
J. M. Dunn & Jas A. Henderson }

And now comes the said C. Diemer by A. J. Carpenter his attorney and the said J. M. Dunn & Jas A. Henderson having waived the issuing and service of process and entered their appearance herein on the 17th day of April A.D. 1878. and having failed to demur or answer to the petition of the said C. Diemer it is considered that the said C. Diemer ought to recover the said sum of $124.80 so demanded in his petition together with the sum of $7.76 which the Court find due as the interest thereon as prayed for in said petition; It is therefore considered that the said C. Diemer recover against the said J. M. Dunn and J. A. Henderson the said sum of $139.56 with interest thereon dating from the first day of this term of Court together with his costs in and about his suit in this behalf expended taxed to $ -

Monday. September 23rd A.D. 1878—

3060 Myers, Osborne & Co
vs
J. M. Drum & J. A. Henderson

And now comes the said Myers, Osborne & Co by A. T. Carpenter his attorney and the said J. M. Drum and Jas A. Henderson having failed to answer or demurrer to the petition of the said Myers, Osborn & Co, it is considered that the said Myers, Osborne & Co ought to recover the said sum of $157.24 so demanded in this petition together with the sum of $6.52 which the Court finds due as the interest thereon as prayed for in said petition; It is therefore considered that the said Myers, Osborn & Co recover against the said J. M. Drum and Jas A. Henderson the said sum of $163.70 with the interest thereon from the first day of the present term of this Court together with their costs in and about their suit in this behalf expended taxed to $ —

2609

446 The State of Ohio
vs
John Sunderman

Indictment for selling intoxicating liquor to a person in the habit of getting intoxicated.

2953

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment for plea thereto saith he is guilty, thereupon it is ordered and adjudged by the Court that the said John Sunderman, pay a fine of Twenty five dollars, and the costs of this ~~Prosecution~~ and Execution is awarded—

2892 Eli G. Piper Admr
vs
William G. Wood

This day ~~this~~ came the parties by their attorneys and this cause came on to be heard and a jury being waived, was submitted to the court upon the pleadings and Evidence on consideration whereof the court find on the issue joined that the defendant paid the said sum of $200.00 as claimed in his answer and that said defendant is entitled to said credit of said $200. upon the causes of action set forth in the plaintiffs petition, and the Court further find that defendant is entitled to a credit by account against said Estate of $24cts as claimed in his answer. And the court further find that said defendant is indebted to the plaintiff as said Administrator in the sum of $99.82. It is therefore considered by the Court that the said plaintiff recover from said defendant the said sum of $99.82 and his costs herein expended taxed to $

2957

2833

Thereupon Court adjourned to meet ~~tomorrow~~ tomorrow morning at 8½ Oclock.

John L. Potter Judge

Tuesday September 24th A.D. 1878

This morning Court met pursuant to adjournment the same officers being present as on Yesterday -

2609 M. M. Shipley vs George E. Shipley & J. B. Miller

This day came the plaintiff and by leave of the Court dismissed this cause without prejudice - Thereupon it is considered, ordered and adjudged by the Court that this cause be dismissed without prejudice and at the plaintiffs costs which plaintiff is ordered to pay within twenty days and in default thereof that Execution issue therefor - No Record -

2953 David Holycross vs G. H. & Hester A. Reed

This day this cause came on to be heard upon demurer of defendant Hester A. Reed to the reply of plaintiff filed herein and was argued by Counsel and submitted to the Court. Thereupon upon suggestion of the Court the defendant Hester A. Reed took leave to withdraw her demurer, and thereupon plaintiff asked and obtained leave to withdraw his reply, and further asked and obtained leave to file an amended petition within thirty days from the rising of this Court - and this Cause is continued -

2957 Asbery Gardner vs Wm Robinson et al

This day this cause came on for hearing upon the Motion of the plaintiff for a continuance of this cause for reasons shown by affidavit of plaintiff and the Court being fully advised in the premises do sustain said Motion and this Cause was continued to the next term of this Court and the defendants have leave to amend their answer in 30 days from the rising of Court, and it is ordered and adjudged by the Court that plaintiff pay the cost of this term.

2833 A. B. Robinson vs Edward Brewster et al — Partition

This day came said parties and on Motion to the Court by said Plaintiff and upon producing the return of the Sheriff and the report of said Commissioners heretofore appointed and the same having been examined by the Court here and found in all respects correct and in conformity to law approved and it is hereby confirmed and thereupon came the said A. B. Robinson and elected to take the said premises at the said valuation and it appearing to the court that the said A. B. Robinson has paid

Tuesday. September 24th A.D. 1878

and Secured to be paid to the Edward Brewster, Cyrus Brewster, Ella Brewster and Henry Brewster, their respective Shares of the said valuation. It is ordered that the said premises be adjudged to the said A.B. Robinson and the Sheriff is ordered to execute a deed in fee Simple to the said A.B. Robinson for the premises aforesaid conveying the full interest of defendants in said premises. And it is further ordered that the costs of this action be paid by the said parties in the following proportions, to-wit; the said A.B. Robinson 4/6 parts and the said Edward Brewster, Henry Brewster, Cyrus Brewster and Ella Brewster Each one twentieth (1/20) part thereof.

2463 Margaret McElderry }
vs }
Jonas Figley }

On motion of the plaintiff the Clerk is ordered to enter on the Court Docket this cause it being improperly left off the docket to which ruling of the court defendant by his Attorney Cole & Sons excepts. 2471

2569 Margaret McElderry }
vs }
Jonas Figley }

On Motion of the plaintiff the clerk is ordered to Enter this cause on the court docket it being improperly left off the docket to which ruling of the court defendant by his attorneys Cole & Sons excepts. 3044

2861 R.L. Woodburn Admr &c }
vs }
Jacob Elliott et al }

And now came the said plaintiff by his attorney and submitted his motion to Confirm the report and Sale of J.J. Miller Master Commissioner as aforesaid heretofore made in this action under a former order of this court and the report being in all respects regular and according to Law it is hereby ordered that the said report and all the matters and things therein Contained do Stand ratified and confirmed.

And it appearing from said report that said Master Commissioner had sold the premises described therein A.B. Robinson it is hereby ordered by the court that said Sale be ratified and confirmed and that the said J.J. Miller as Master Commissioner of said court make and execute to said A.B. Robinson a deed in fee simple of the said premises. And that he pay the proceeds of said Sale first payment of the costs herein Expended taxed to $. Second, to Philip Snider $27.21 in payment of his tax claim against said premises -- "Third" to Plaintiff the balance of the proceeds of said Sale. And it is further ordered by the court that the defendants Surrender to said purchaser the possession of said premises upon the execution of said deed without delay and in default thereof that said Sheriff deliver such possession to him. 2961

Thereupon Court adjourned to meet tommorow morning at 8½ Oclock.

John L. Porter Judge

Wednesday. September 25th A.D. 1878

This morning Court met at 8½ oclock pursuant to adjournment the same officers being present as on yesterday-

2971 James Carr vs Jacob Crainer } This day came the parties and thereupon came a jury which being duly Empannelled and sworn the defendants asked and obtained leave to file an amended answer to this petition and the said amended answer materially changing the issues and the plaintiff showing that he is taken by surprise by the change and that he cannot safely go to trial on the said new issue the court order the withdrawal of a juror and the discharge of the jury in the case and the cause continued at the cost of the defendant- It is therefore considered and adjudged by the court that the plaintiff recover of the defendants the costs of this term of the court-

3044 Citizens National Bank vs Jacob H. Barber, J. E. Taylor and A. Marquardt } This day came the plaintiff by L. Geiger its attorney, and thereupon came A. J. Carpenter one of the attorneys of record of this Court, who, by virtue of a warrant of attorney duly executed, and now produced in open Court and duly proven, waived the issueing and service of process, and entered appearance of said defendants herein and by virtue of the same warrant of attorney, confesses that there is due from said defendant to said plaintiff as is alleged in said plaintiffs petition, the sum of $ 506.44 and that said note bears interest at 8% by contract in writing- It is therefore considered that said plaintiff do recover of said defendant the said sum of $ 506.44 do as aforesaid confessed to be due, together with costs of suit herein, to be taxed- And by virtue of said warrant of attorney, all Errors are released, and all right of appeal, and all right to file a petition in error are waived, and that said judgment bears 8%-

2961 C. H. Clark vs Samuel Buffington } Now came the parties herein, by their attorneys; also came the following-named persons as jurors, to-wit; D. C. Lane, George Long, J. E. Harriman, William Smith- C. L. Sellers, John Gibson- J. S. Alexander, Harmon Patrick- W. H. H. Tiffin- R. E. Games- Robert Robinson and Thomas Wharton- who were duly impannelled and sworn according to law, and thereupon, after hearing the Evidence, argument and Charge of the Court the jury retired to their room in charge of the Sheriff for deliberation- And now come said jury into open court with their verdict in writing Signed by their foreman, and say: "We, the jury in this case, being duly impannelled and sworn do find and say that we find for the plaintiff and assess his damage at $ 2950 W. H. H. Tiffin Foreman

Thereupon court adjourned to meet on tomorrow morning at 8½ oclock-

John L. Porter Judge

Thursday. September 28th A.D. 1848-

This Morning Court Met at 8½ oclock pursuant to adjournment
The same officers being present as on yesterday;

2963 Michael Shalif vs Peter Wynnegar

This day came the parties and were at issue and declared themselves ready for trial and thereupon came a jury of the county all good and lawful men To-Wit; Andrew Brown- J. McKoy- W. H. Goff. D. C. Winget- W. M. Robinson- J. R. Taylor- D. W. March- Joseph Coe- L. B. Derrorest- Thomas Peacock. regular jurors and C. M. Robinson and Joseph Powers Tales jurors- Who were duly empannelled and Sworn according to Law: And Thereupon after hearing the Evidence, argument and Charge of the Court the jury retired to their room in Charge of a Sworn officer for deliberation. And now come said jury into open Court- with their verdict in writing signed by their foreman and Say: We the jury in this Case, being duly impannelled and Sworn do find and Say that- We find ~~and Say~~ for the plaintiff and assess his damage at- $22,25. W. M Robinson- Foreman-

It is thereupon considered and adjudged by the Court- that the plaintiff recover of the defendant the said Sum of $22.25 and his Costs Expended herein taxed at- $ for all of which Execution is awarded- Motion for New trial-

3046

3032 Hooge, Williamson & Brown A Copartnership firm vs W. M. Haines, Et. al

This day came the plaintiffs by West, Walker & West- their attorneys, and thereupon the defendants with the Exception of H. Bowen. still failing to answer or demurr are adjudged to be in default and this cause being submitted to the Court and the Court being fully advised in the premises. upon consideration thereof find there is due from said defendants in default- to said Plaintiffs as is alleged in the said Petition the Sum of One Hundred & Seven & 25/100 dollars. It is considered that the Plaintiffs do recover of the said defendants in default the Sum of $107.25 so as aforesaid found due together with their costs in this behalf layed at $ - And as to the answer of the defendant the said H. Bowen. the Plaintiffs have to reply in 30 days from the rising of Court—

No 26478

3095- Hullington, Phellis and Woods vs P. Schlegle

This day came the Plaintiffs by Robinson and Piper attorneys and thereupon came John M. Brodrick one of the attorneys of record of this Court, who. by virtue of a warrant of attorney duly Executed, and now produced in open Court and duly proven, waived the issuing and Service of process, and entered appearance of said defendants herein

Thursday. September 26th. A.D-1878

and by virtue of the same warrant of attorney, confesses that there is due from said to said Plaintiff as is alleged in said plaintiffs petition, the sum of $141960. It is therefore considered that said plaintiff do recover of said defendant the said sum of $141960 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of Eight per centum per annum. And by virtue of said warrant of attorney, all errors are released, and all right of appeal, and all right to file a petition in error are waived.

J.J. Miller — Court of Common Pleas Union County Ohio.

Now comes J. J. Miller Sheriff of Union County Ohio, and submits to the Court his account as authorized by law for fees in criminal cases. Where the State fails to convict or where the defendant proves insolvent, and in other cases not specially provided for by law. Upon consideration whereof the Court finds the said account duly certified to by the Sheriff and Prosecuting Attorney, and that there is due said Sheriff on said account, the sum of Forty Nine and 1/100 dollars for the year 1877 and the sum of Two Hundred & Eighty 40/100 dollars for the year 1878 up to September 16th being a total sum of $329.41 which is hereby approved and ordered paid.

3046 — Elenor Loding vs W.H. Davis & R.D. Self

This day come the plaintiff by P.B. Beer her attorney and thereupon came L. Piper one of the attorneys of record of this Court, who, by virtue of a warrant of attorney duly executed, and now produced in open Court, and duly sworn, waived the issuing and service of process, and entered appearance of said defendants herein and by virtue of the same warrant of attorney confesses that there is due from said defendant to said plaintiff as is alleged in said plaintiffs petition, the sum of $330.60. It is therefore considered that said Plaintiff do recover of said defendants the said sum of $330.60 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said Warrant of Attorney, all errors are released, and all right of appeal, and all right to file a petition in error are waived.

Nos 2647 & 2648 — Effie E. Shipley vs M. M. Shipley

Now came the parties herein, by their attorneys; also came the following named persons as jurors, to-wit: George Long, D. C. Leane J. E. Harriman W. H. H. Titus D. W. March, C. L. Keller, A. A. Woodworth, R. E. Lane Harmon Patrick, J. D. Alexander, John Gibson and J. B. Taylor, who were duly impannelled and sworn according to law; and thereupon, after hearing the Evidence, argument, and Charge of the Court, the jury retired to their room in charge of the Sheriff for deliberation. And now come said jury into open Court with their verdict in writing, signed by their foreman, and say: "We the jury in this case being duly impannelled & sworn do find and say that we find for the plaintiff

Thursday, September 26th A.D. 1878-

and assess her damages at $340.00 W.H.H. Titus-Foreman-

2487 Richwood Union Building and Saving Association vs Lewis A. Hodges et.al } Settled and Cost paid

2480 Mimm Central Life Insurance Company- vs William C. Dines }

This day this cause came on to be heard upon the petition of plaintiff, the answer of the defendant the reply of the plaintiff to said answer, and neither party requiring a jury this cause was submitted to the court upon the pleadings, Evidence and exhibits- And consideration whereof the Court does find for the plaintiff and assess its damages by reason of the premises at the sum of $184.05 One Hundred Eighty four 5/100 dollars. that being the amount due upon the note in the petition set forth on the 1st day of this Term (Sep 9th 1878) and the Court further finds that said note bears interest at the rate of 8%.

It is therefore considered ordered, adjudged by the Court that the plaintiff recover of the defendant William C. Dines said sum of One Hundred Eighty four 5/100 Dollars. So found due, with interest thereon from September 9th 1878. at Eight per cent per annum-

3061 Richwood B & L. A. vs Hylas Sabine et ux Continued-

3064 James Leeper et.al vs C.J. Barker et ux Continued-

3065- George W. Freeman vs Henry Willis et-al Continued-

3068 Christian Eichemeyer vs Jones Endersbey - Continued

3070 Samuel Weltheimer vs L. H. Southard- Continued

3071 Laura Zorne vs Mary May Continued

3075- Johnson Jewell vs Samuel Bonnell et al- Continued

3077 William C. Beatty vs J.W. Crawford- Continued

Thereupon Court adjourned to meet tomorrow morning at 8½ Oclock-

Jno L. Porter Judge

No 442

441

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Friday. September. 27th A. D. 1878-

This Morning court met at half past Eight o'clock the same officers being present as on yesterday-

No 442 The State of Ohio vs Michael Keim } Indictment for Selling Intoxicating liquor to a Minor-

Now comes the Prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment for Plea thereto saith he is "not guilty" and put to himself upon the country, and the prosecuting attorney doth the like. Thereupon came the following-named persons as jurors, to-wit: Andrew Brown. J. McElroy- William Smith. Wm Goff. D. C. Winget. W. M. Robinson Robert Robinson. Thomas Wharton- J. E. Harriman- L. Demorest, and Harmon Patrick- who were duly impannelled and Sworn according to law. And thereupon, after hearing the evidence, argument and Charge of the Court, the Jury retired to their room in charge of the Sheriff for deliberation. And now come said Jury into open Court with their Verdict in writing, Signed by their Foreman, and say: We the Jury Empannelled and Sworn to well and truly try, and true deliverance make between the State of Ohio and the prisoner at the bar Michael Keim do find the defendant Guilty as Charged in the Indictment- W. M. Robinson. Foreman,

It is therefore Considered by the Court that the defendant pay a Fine of Five dollars and the Cost of Suit- taxed to $ -

441 The State of Ohio vs Leonard Coldice } Indictment for ~~Committing~~ Selling Intoxicating liquor to a Minor-

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in Custody of the Sheriff and arraigned upon said indictment for plea thereto saith he is "not guilty" and puts himself upon the country, and the Prosecuting attorney doth the like. Thereupon came a jury: to-wit: W. H. H. Titus. G. L. Sellers. A. A. Woodworth. B. E. Eames. J. S. Alexander. John Gibson. J. B. Taylor. D. W. March. E. L. Price. John Mitchel. William Haines and Peter Hill. who were duly impannelled and Sworn according to law- who after hearing the Evidence, Argument and Charge of the Court, retired to their room in charge of the Sheriff for deliberation- and Come said jury into open Court with their Verdict in Writing Signed by their Foreman and say: "We the Jury" in this case Empannelled and Sworn to Well and truly try, and true deliverance Make between the State of Ohio and the prisoner at the bar. Leonhert Coldice do find the defendant not guilty of the charge alleged against him- J. B. Taylor. Foreman-

316 State of Ohio vs Catherine Simmons et al- Left off of Docket-

317 State of Ohio vs Wm Brown & Catherine Simmons et al. Left off of Docket-
318 State of Ohio vs Wm Brown & Catherine Simmons- Left off of Docket-

329 State of Ohio vs Lewis Shirey. Left off-

Friday. September 27th A.D. 1878~

335	The State of Ohio. vs Paul Schlegel	Continued for Sentence
350	State of Ohio vs Harmon Singer -	Continued for Sentence.
351	State of Ohio vs Harmon Singer -	Continued for Sentence.
354	State of Ohio vs Susan Adams -	Left-off of Docket.
353	State of Ohio vs Susan Adams -	Left-off of Docket.
355	State of Ohio vs Elijah Mitchel et al -	Left off of Docket.
356	State of Ohio vs Elijah Mitchel et al -	Left off -
358	State of Ohio vs William Richter -	Left off Continued for Sentence
359	State of Ohio vs William Richter -	Continued for Sentence
360		
361	State of Ohio vs William Richter -	Continued for Sentence
373	State of Ohio vs Alex Snodgrass -	Left off.
375	State of Ohio vs Lo. B. Dennis -	Left off -
379	State of Ohio vs Horace Andrews.	Cont'd for Sentence
391	State of Ohio vs William Richter -	Cont'd for Sentence
392	State of Ohio vs William Richter -	Cont'd for Sentence
396	State of Ohio vs Benjamine Locke -	Left off
410	State of Ohio vs George Holland.	Left-off
411	State of Ohio vs. Addison Elliott et al -	Left off -
412	State of Ohio vs Joseph Holland -	Left-off
417	State of Ohio vs N. S. Aldem et al -	Left-off
418	State of Ohio vs N. S. Aldem et al	Left-off
420	State of Ohio vs John Broadby et al	Left off -
421	State of Ohio vs John Broadby et al	Left-off -
423	State of Ohio vs Ab Brown et al	Left-off
423		

424

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3052

2871

Friday, September 27th AD. 1878

4124 The State of Ohio vs Frederick Reifstal - Left off -

4126 The State of Ohio vs William Hoedgel et al Continued by Consent -

3052 Farmers Bank of Union County vs Robert Gamble & Susan Gamble

Now comes the plaintiff herein and this Cause was Submitted to the Court upon its petition the defendants Robert Gamble and Susan Gamble being in default for demurrer or answer to the petition of the plaintiff the Court find the allegations in the petition to be true - and that there is due to the plaintiff from the defendants Robert Gamble on the promissory note Set forth in the plaintiffs petition, with interest thereon from the first day of this Term the Sum of 313^{00} that Said Note was over due when Suit was brought -

The Court further find that the Said Robert Gamble & Susan Gamble in order to Secure the payment of Said Note Executed and delivered to the Said Farmers Bank of Union County their Mortgage as in Said petition described and on the premises therein described; and that Said Mortgage was duly recorded in Book 13 Page 423-21 is therefore considered and adjudged that unless the defendant Robert Gamble within ten days from the entry of this decree pay or cause to be paid to the Clerk of this Court the costs of this Case and to the plaintiff herein the Sum found due as aforesaid with interest from the 9th day of Sep 1878 as aforesaid the the defendants Equity of redemption be foreclosed and Said premises Shall be Sold; and an order of Sale Shall issue therefor to the Sheriff of Union County Ohio directing him to Sell Said premises as upon Execution and bring the proceeds into court for further order -

Thereupon Court adjourned to meet on tommorow Morning at 8½ o'clock

Asa L. Porter Judge

2871 A. V Kennedy et al admrs &c vs Alexander Snodgrass et al

This day this Cause came on to be heard upon the Motion of the plaintiffs for a new Trial and was argued by Counsel and the court being fully advised in the premises do Overrule Said Motion thereupon Said plaintiffs Except to Said ruling of the Court It is therefore considered and adjudged by the Court that the plaintiffs recover of the defendant Alexander Snodgrass Six hundred & ninety two & 50/100 Dollars debt and Costs herein taxed at $

Saturday, September 28th AD. 1878. 8½ oclock A M.

Court met pursuant to adjournment. The same officers being present as on yesterday-

2263 & 2564 Margaret McElderry vs Jonas Figley

These causes are continued with leave to plaintiff to file supplemental petition in No 2564 in twenty days from the rising of the court and for defendants to plead in twenty days from that date-

3062 Eli b. Piper admr &c vs Hylas Sabine — Money only

And now comes the plaintiff by his attorney and the said Hylas Sabin having failed to demur or answer to the petition of the said Eli b. Piper as said administrator it is considered that the said Eli b. Piper as said administrator ought to recover the said sum of $430.81 so demanded in his petition together with the sum of $98.73 which the court finds due as the interest thereon of the first day of this term at 6% per cent as prayed for in said petition- It is therefore considered that the said Eli b. Piper recover against the said Hylas Sabine the said sum of $529.54 with interest from the 1st day of this term of this court together with his costs in and about this suit in this behalf expended taxed to $

2858 Farmers Bank of Union County vs Thomas J. McAdow, Martha McAdow, Finley D. Davis, Elijah J. Lister and Parker J. Wythe — P 68 — Confirmation of Sale

On Motion of the plaintiff and on his producing the return of the Sheriff of the Sale made under the former order of this court and the court on careful examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law and this

It is ordered that the said proceedings and Sale be and the same are hereby confirmed- And it is further ordered that the said Sheriff make and deliver to Joseph Newlove a deed in trust for himself J. M. Southard Thomas Martin, Levi Longbrake and Edward Weller- and a writ of possession is awarded to said Sheriff to put said purchaser in possession of said premises and the court coming now to distribute the proceeds of said Sale amounting to $1334.00 It is ordered that the Sheriff out of the Money in his hand pay first the costs of this action taxed to $ Second to Parker J. Wythe $58.10 the court finds due him by virtue of his tax lien and third to Farmers Bank of Union County the sum heretofore found due-

3019

3063

2584

Saturday. September 28th A. D. 1878

3019 Henry Crider et al vs John Cramer et al } Settled & Cost Paid

3063 Robinson & Robinson vs Bonanza Green et al } Settled and Cost Paid

The State of Ohio vs J. M. Darling } Indictment - for Cutting with intent to Wound

This day the defendant - was arraigned in open court - and the indictment - being read to him for plea thereto Saith he is not - Guilty - Whereupon the cause came on to be heard on the motion for a continuance to the next - term of this court - upon the affidavit - of the said defendant - and A. J. Richardson and was argued by Counsel - And the Court - being fully advised in the premises do continue cause, and fix the amount of Bond for the defendants appearance at the next - term of said Court - at $200.00 which was accordingly given with Stephen Kirk as Surety and Cause Continued -

2584 A. E. Davis vs J. Archer et al }

Now comes the plaintiff, and dismisses this action at his own cost - without - prejudice - It is therefore considered by the court that the defendant Recover of the plaintiff his Cost - herein taxed at - $ -

Thereupon Court adjourned to meet on Monday Morning September 30th A. D. 1878 at Nine o'clock -

John L Porter Judge

Monday. September 30th A.D. 1878-

This Morning Court Met at Nine o clock pursuant to adjournment

2646 James McCahey vs Richard Davis et. al } Upon Motion of J.W. Tracey by his attorney leave was asked and obtained to make him a party defendant in the above case and leave granted him to plead herein instanter-

430 The State of Ohio vs Melvin Longwell, Alex Cahill David Robinson and Sylvester Thornton } Indictment for disturbing a Meeting

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendants being brought into Court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto say they are not guilty, and put themselves upon the country and the prosecuting attorney doth the like. Thereupon came a jury to wit; Andrew Brown, J. M. McElroy, W.H. Goff, Robert Robinson Thomas Wharton, L. Depuy, Harmon Patrick, A. Cartmell, A.P. Robinson, M. L. Frantz and R. B. Thompson who were duly sworn and impannelled according to law. Who after hearing the Evidence argument, and Charge of the Court retired to their room for deliberation in charge of the Sheriff. And now come said jury into open Court with their Verdict in writing Signed by their Foreman, and say We the jury impannelled and sworn to well and truly try, and a true deliverance make between the State of Ohio and the prisoners at the Bar do find the defendants not guilty as Charged, Robt Robinson Foreman Thereupon the Court ordered the prisoners to be discharged-

2603

3069

2462 Harriet E. Green vs William Green }

And. Now came the said Harriet E. Green by A.J. Carpenter her attorney and thereupon this cause coming on for hearing upon the petition and testimony and was argued by Counsel, on Consideration whereof the court do find that the said defendant has been guilty of adultery as alleged in the plaintiffs petition. It is therefore adjudged and decreed that the marriage relation heretofore existing between the said parties be and the same is hereby set aside and wholly annulled and and the said parties wholly released from the obligations of the same and it is further ordered that the said Complainant be restored to her Maiden name of Harriet E Stewart-

3066 Abel M. Leary vs J.W. Cummings et. al } This day this cause came on to be heard upon the Motion of the defendants to quash Summons. On Consideration Whereof and the court being fully advised in the premises do sustain said Motion, and continue said cause for Service-

Monday, September 30th A.D. 1878

David Londenback }
against } Foreclosure
3097 Samuel Gladden }

This Cause came on to be heard upon the petition and answer of the defendant and the intervention of a jury being waived the said cause was submitted to the Court, on consideration whereof the Court finds that there is due and owing from said defendant Samuel Gladden to the plaintiff the sum of twelve hundred and forty two dollars and three cents as the plaintiff hath in his petition alleged. It is also found by the Court that on the notes counted on by the plaintiff the defendant contracted to pay interest at the rate of Eight per centum per annum until paid and the costs herein taxed to $ and in default thereof for 10 days. It is further ordered that an order issue to the Sheriff of Union County Ohio commanding him to cause the lands and tenements in the said petition described to be appraised advertised and sold according to law and that he apply the proceeds thereof or so much thereof as may be necessary to the payment of such judgment & costs and that he bring the residue of such proceeds into Court to abide its further order and Continued—

William H. Grubbs }
2603 vs }
J. D. McMeare }

This day came the parties by their attorneys and this cause came on to be heard upon the motion of the defendant to continue this cause. on consideration whereof and the Court being fully advised in the premises do order that this cause be continued at the cost of the defendant.

Isaac N. Paris admr }
3069 vs }
Jason D. Morse, S. M. Morse }
and L. F. Morse }

This day this case came on to be paid upon the petition and Exhibits and the defendants being in default for answer or demurrer and the Court being fully advise in the premises find a judgment in favor of the Plaintiff in the sum of $1172.00. It is therefore considered ordered and adjudged that the plaintiff as administrator of the estate of Robert Paris deceased recover of the said Jason D. Morse, S. M. Morse and L. F. Morse said sum of $1172.00 debt and costs herein taxed at $

John L. Porter Judge

Friday. October 1st A-D- 1878-

This morning court- met- 8½ Oclock

2924 Samuel Dimpee et-al vs Pittsburgh. Cincinnati & St Louis R R Co

This day came on this cause to be heard on this cause to be heard on the motion of defendant for a new trial Whereupon the court- being fully convined in the premises do sustain said Motion and grant a new trial at the cost- of the term

Therefore it- is considered ordered and adjudged by the court- that the plaintiffs recover of the defendant- the costs of this term of court- taxed to $ and this cause is continued-

2875- George C. Fortcham Francis M. Bennett Mary E. Dunbar - Frederick A. Fortcham Florence A. Fortcham William W. Fortcham and Caroline C Bunsen vs George Beecher - Samuel R. Berger Rebecca Berger

This day came the said George C. Fortcham et-al plaintiffs and the said George Beecher and Samuel R Berger and Rebecca Berger came and thereupon neither party desiring a jury this cause was submitted to the court- upon the issues joined between the parties upon the pleadings Evidence and Exhibits and was argued by counsel - Whereupon it- is considered by the court- that- said George C. Fortcham et-al do recover of the said George Beecher Samuel R. Berger and Rebecca Berger his wife the one undivided One Ninth (1/9) part- of the premises described in the plaintiffs petition and also their said damages together with their costs herein expended taxed at- $

And on this day George Beecher- Samuel R Berger and Rebecca Berger his wife by counsel made application to the court- for the valuation of improvements and assessment- of damages under the Statute for the relief of occupying Claimants and the court- having considered the same are of the opinion that- they are entitled to damages under said occupying Claimants Law from the 8th day of April A-D- 1862- It- is therefore ordered that further proceedings may be had in the premises agreeably to the provisions of the Statute

2830 A S & C S. Chapman vs Justina Dorethea Buhlen et-al

This day came on this cause to be heard by the court- Whereupon the court being fully advised in the premises do find for the plaintiffs on the issues joined and that- they are entitled to a specific performance as prayed for in their petition of the said written Contract- It- is therefore considered ordered

Friday. October 1st 1878

and decreed by the Court that the said defendants specifically perform the said contract by accepting the deeds of the said plaintiffs tendered to them for the land in said petition alleged to have been bought by said George Buhler of plaintiffs & also accept the sum of Twenty Six Hundred & thirty dollars brought into Court by plaintiffs and found due as alleged by plaintiffs in said petition and accept the note not yet due and convey to said plaintiffs by their deed in fee simple with covenants of warranty by said estate of said George Buhler dec'd the said Peck farm mentioned in said petition within ten days and in default of such conveyance by the said defendants this decree shall operate as such conveyance. Conveying said lands to said plaintiffs in fee simple with said covenants of warranty. And the Court further order and decree that defendants pay the cost of this proceeding in ten days and in default thereof execution issue therefor as upon judgments at Law. Thereupon the defendants gave notice of their intention to appeal this cause to the District Court and the Court fix the amount of the appeal Bond at $200.00

James Fullington Et al
vs
William Richter, Elizabeth Richter
and Paul Siegel

Now comes the plaintiffs herein and the defendants being in default for answer and demurrer the Court find that the allegations of the petition are confessed by them to be true, and that there is due from William Richter defendant to the plaintiffs upon the promissory note set forth in the petition with interest at 8% per annum to the first day of this term the sum of $6769.16. It is therefore considered by the Court that the said plaintiffs recover from the said defendant William Richter the said sum of $6769.16.

The Court further find that in order to secure the payment of said note the defendants William Richter & Elizabeth Richter his wife executed and delivered to the said John O Connor mentioned in the petition, their certain mortgage as in the petition described and on the premises therein described. That said mortgage was duly recorded in Book Page of the records of Mortgages of said Union County and is the first and best lien on the premises described in the petition.

The Court further find that said Note & Mortgage were assigned by said O'Connor to Timothy Lahey and by him to plaintiffs as alleged in the petition. It is therefore considered and adjudged that unless the defendant William Richter shall within five days from the entry of this decree pay or cause to be paid to the Clerk of this Court the costs of this case and to the plaintiff herein the sum so found due as aforesaid with interest at 8% from the 9th day of September A. D. 1878 according to the terms of said Mortgage deed the defendants Equity of redemption be foreclosed and said premises shall be sold. and an order of Sale issue therefor to the Sheriff of Union County directing him to sell said premises as upon Execution and bring the proceeds into Court for further order.

Tuesday October 1st A. D. 1878.

2460 Rogers, Harper and Engle vs D. W. McCracken and Margaret McCracken his wife & others

This cause coming on to be heard, and it appearing to the satisfaction of the court that due and legal service of Summons has been had upon the defendants Isaac W. McCracken and Margaret McCracken, and a Jury being waived and the cause submitted to the court upon the proofs and allegations by plaintiffs submitted, it is considered by the court that the plaintiffs ought to recover the sum due by reason of the premises, and the court finds that there is due from the defendant Isaac W McCracken to the plaintiffs upon the promissory note in plaintiffs petition sued upon the sum of One hundred and Ninety four and 9/100 dollars and the further sum of thirty five dollars and Eighty five cents formal due as interest. It is therefore considered, ordered & adjudged that the plaintiffs do have and recover of and from the defendant Isaac W McCracken the sum of Two hundred and thirty ~~five~~ dollars and seventy nine cents ($230.79) so found due as aforesaid together with his costs in this behalf expended taxed at $ and the said judgment bears interest at the rate of 8% per annum. 3072

It is further found that the Mortgage deed in plaintiffs petition described has become absolute and it is ordered and adjudged that said Mortgage deed be foreclosed and that in case said defendant fails for ten days from the close of this term of the Court to pay said plaintiffs the said sum of $230.79 so found due as aforesaid together with costs of this action, that an order issue to the Sheriff of Union County commanding him to cause the said lands and tenements in said petition described to wit; Lot Numbered six hundred & thirty seven (637) in O. Beems addition to the Town of Richwood County of Union State of Ohio to be appraised advertised & sold according to law, and that the proceeds arising from said sale be brought into Court, to await the determination of the priority of liens by the court and its order of distribution and this cause is continued for sale of Mortgaged premises and further service. 3029 3029

Appointment of Examiners Commenced

L. Piper and C. M. Fenton are hereby appointed to investigate and Examine according to law in connection with the prosecuting attorney the detailed report of the financial transactions of the County Commissioner of Union County during the year next preceding the date of said report and said Committe shall file said financial statement and the report of their examination when completed, with the auditor of said County as the law requires

703 S. R. Harbert vs Henry Neal et al } Dismissed at defendants cost by agreement of record. It is therefore considered by the court that the plaintiff recover his costs herein expended taxed at $ -

Tuesday. October 1st A.D. 1878-

3072 W. W. Woods vs W. C. Barnett et al

This day came on this cause to be heard on the cross petition of J. W. Robinson and the Court do find there is due said J. W. Robinson on the Mortgage executed by George Holland to S. L. Reed on the land in said cross petition described the sum of One hundred and Nine 4 76/100 dollars which Mortgage was recorded May 18th 1876. Vol 12 page 388 and is a lien from that date and better than all liens of a subsequent date, that said sum bears Eight per cent interest= It is therefore considered, ordered and decreed that said defendants pay said sum with 8 per cent from Sept 18, 1878 and Costs within 10 days from the rising of the Court and in default thereof that an order of Sale issue to the Sheriff commanding him to appraise, advertise and sell according to law the land in said cross petition described and the proceeds bring into Court for distribution-

3029 Thomas Stillings et al vs Wm. C. Dynes et al

On Motion to the Court L. L. Longbrake is appointed guardian ad litem for the Infants Ella, Charlotte, Nancy and Wm Dynes and appeared open Court and accepted said Appointment=

3029 Thomas Stillings & Cornelia Stillings his Wife vs William C. Dynes, Polly A. Powers, Edward Powers, Eliza Hornbeck, A. Hornbeck, Elizabeth Lee, Jarett C. Lee Ella Dynes, Charlotte Dynes, Nancy Dynes & William Dynes Infant Children under 14 years of age of W. C. Dynes & Margaret M. Dynes his wife

Now Comes the said plaintiffs and the said Minor defendants by their attorney ad litem and thereupon this cause comes to be heard upon the petition and amendments thereto of the plaintiffs the answers of the said Minor Defendants Ella, Charlotte Dynes, William Dynes & Nancy Dynes by their guardian ad litem L. L. Longbrake and the evidence- On consideration whereof the Court find, that all of said defendants have had legal notice of the pendancy and demand of the said petition and that they, except said Minor defendants are in default for answer or demurre and that the said petition is thereby confessed by them the said defendants in default- to be true- The Court further find that the said plaintiff Cornelia Stillings is seized of and has a legal right to the undivided One fifth part of the Estate described in the petition and is entitled to have partition made of said premises-

That the defendants William C. Dynes, Polly A. Powers, Eliza Hornbeck and Elizabeth Lee, are tenants in common with the said plaintiff in the said premises in the following pro-

Thusday October 1st A.D. 1878-

portion to-wit; That the said William C. Dymes is seized of and has a legal right to the undivided one fifth part thereof and the said Polly A. Powers to the undivided one fifth part thereof, the said Eliza Hornbeck the one undivided one fifth part thereof and the said Elizabeth Lee the one undivided one fifth part thereof-

And no reason appearing why partition should not be made It is therefore adjudged and decreed that partition of said Estate be made, and that an order issue to the Sheriff of said County of Linn commanding him that by the oaths of A.C. Monroy, C. Houston, and Wesley Garrard, three judicious and disinterested free holders of the vicinity who are not of kin to either party and who are hereby appointed Commissioners for that purpose he cause to be set off and divided to the said Plaintiff Cornelia Stillings, and to Each of the said defendants the part and proportion of said Estate to which they are thereinbefore severally found entitled- And it is ordered that if in the opinion of said Commissioners said premises cannot be divided by metes and bounds without injury to the value thereof they appraise the same and make due return thereof according to law forthwith- And of his proceedings herein the said Sheriff is ordered to make due return forthwith-

3067

2733- W. W. Woods vs Joseph Robinson et al

Now comes the plaintiff and dismisses this action at his own cost. It is therefore considered by the Court that the ~~plaintiff~~ defendant Joseph Robinson recover of the Plaintiff W. W. Woods his cost herein & penned taxed to. $ -

2958 Richard W. McCanner vs James Mulvain

Continued on Service of defendant - and at his cost. And now on this day this cause coming on to be heard and it appearing to the Court that the Defendant has been duly served with process herein more than ten days before the first day of this term of this Court and he has failed to appear and answer herein and the Plaintiff has filed his petition herein and the Defendant is in default for appearance and answer herein and the Plaintiff has moved the Court for judgment against the Defendant by default and the Court being fully advised in the premises finds that the Plaintiff is entitled to the relief prayed for in his petition and it is therefore ordered and adjudged by the Court that the Defendant pay the cost of this term taxed to $ and that execution is awarded against him therefor.

Thereupon Court took a recess until Saturday October 5th 1878 at nine o'clock A. M.

J. Am L. Porter Judge

2959

Saturday, October 5th A.D. 1878 Nine o'clock A.M.

This morning court met the same officers being present as on Thursday -

Ezekiel Brown Executor of the last Will & Testament of David W Farrier deceased Pltff
3067 Against
Robert Farrier Charles W. Farrier, Hester Fisher, Lark D. Fisher Mary Patrick, John Patrick, John Francis Mary A Farrier George M. Perfect Executor of John C. Farrier & Eliza Marriott Defts

This day this cause came on to be heard upon the petition of the plaintiff the answer of Mary Patrick and Robert Farrier, Charles W Farrier Hester Fisher & her Husband Lark D. Fisher and Eliza Marriott defendants and the Exhibits in the Case and was argued by Counsel - On consideration whereof the Court doth find that the Effect of the provision of said last will and testament of said David W Farrier deceased and the intention of said testator was to give the property to his Children and to his said grand Child Eliza Marriott the persons named and to no person Else. And that the said Ellen Farrier & John C Farrier and Jane Francis died before the said testator, and that thereby the bequests & devises in said will to them respectively lapsed, and that nothing passed by said will to them or either of the heirs Executors or administrators, and that the said estate for distribution should be paid by said Executor to the persons named in said will who survived the testator -

It is therefore ordered adjudged and decreed by the Court that the said Ezekiel Brown pay out of the funds in his hands as such Executor as follows -

1st the Expenses of Administration remaining unpaid -

2d the Costs of this Suit. 3d That he pay the residue as follows, and to the following persons, namely, Mary Patrick Robert Farrier, Charles W. Farrier, Hester Fisher, and Eliza Marriott in Equal Shares, Except that Two Hundred Dollars less shall be paid to said Robert Farrier than what will make him Equal with said other persons last above named, and that the said Executor do not pay anything to said Mary A. Farrier, nor to the said George Francis, nor to said George M. Perfect as Executor of the last will of John C. Farrier decd. nor otherwise than as above ordered and it is ordered that the order and decree be certified to the Probate Court of this County. Whereupon Notice of the intention to appeal this case was given by said George Frances by his attorney F. M. Marriott, and thereupon the Court fixed the amount of bond for said appeal at the sum of Two Hundred Dollars ($200.00)

with what has already been paid to them respectively

5th

Michael Blue } Continued at Costs of Plaintiff. It is therefore
2959 vs } considered that the Plaintiff pay the Cost of
Richard White } this term taxed to $ for which Execution is awarded -

Saturday October 5th A. D. 1878

3073 Bank of North Lewisburgh
vs
Marcah Blue

Now comes the said Plaintiff by their attorney and the said defendant having failed to demur or answer to the petition of the said Plaintiff it is considered by the court that the said plaintiff ought to recover the said sum of $206.44 as demanded in their petition together with the sum of $2.66 which the court find due as the interest thereon as prayed for in said petition, It is therefore considered by the court that the said plaintiff recover of the said defendant the said sum of $208.90 and his Cost herein expended taxed at $ —

3035 John A. Cook
vs
Nathan Freeman et al
Amanda Freeman

And now comes the said John A. Cook by A. J. Carpenter his attorney and the said defendants still failing to answer or demur to said petition it is considered that the said plaintiff is entitled to an account of the Money due him in the premises and the court after hearing the Evidence do find that there is due to said plaintiff on the notes and Mortgage in said petition described the sum of $293.37 with interest from 9th day of September 1878.

It is therefore considered by the court here that the said plaintiff recover of the said defendants the said sum of $293.37 with interest from Sep 9th A. D. 1878 the sum so found due as aforesaid and also his costs taxed to $ -

And it is further ordered and adjudged that in case the said defendants fail for three days from the close of this term of the Court to pay to the said plaintiff the said sum of $293.37 with interest as aforesaid) So as aforesaid found due with costs of Suit an order issue to the Sheriff of said county commanding him to cause the lands and tenements in said petition described to be appraised advertised and sold according to law and apply the proceeds of said sale in satisfaction of the said sum so found due with costs of Suit.

3031 Edmund Cranston admx vs David Watson et al — Dismissed at Cost of plaintiff. and Cost Paid

Thereupon Court adjourned to meet on Wednesday October 9th 1878 at 9 oclock A. M

John L. Porter Judge

Wednesday, October 9th A.D. 1878-

The State of Ohio }
vs } Indictment for Horse Stealing
A. Burkum }

434

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being brought into court in custody of the Sheriff and arraigned upon said indictment for plea thereto, Saith he is not guilty and puts himself upon the country, and the prosecuting attorney doth the like, And thereupon this cause came on to be heard upon the motion of the defendant for a continuance, and upon the showing of defendant this cause was continued and the Court ordered the defendant to Enter into a bond in the Sum of Two Hundred dollars, which was done, with W.H.H. Sikes, and J.A. Welch, his Sureties-

George B. Hamilton }
vs }
2930 Mt Carmel Lodge F & A. Masons }

D. S. Stevens Admr &c }
vs }
2950 Mt Carmel Lodge F & A. Masons & others }

This day came the parties to these two causes No 2930 & 2950, and by agreement of the same the said causes are hereby consolidated into one Cause under the name of D.S. Stevens Admr &c vs Mt Carmel Lodge F & A. Masons & others No 2950 and thereupon leave is granted to all of the defendants & said George B. Hamilton to file answers within 20 days from rising of this Court and this cause is continued-

C.W. Marshall. }
vs }
3076 W.H. Davis, Marie Davis }
C.D. Chapman & Philip Snider }

This day this cause Come on for hearing upon the petition of plaintiff and the Separate answer of Philip Snider the other defendants Still failing to answer or demmur to said petition and being in default it is considered that the said plaintiff is entitled to an account of the Money due him in the premises and the Court after hearing the Evidence do find that there is now due to the said plaintiff in the notes and Mortgage in said petition described the Sum of $ 1201 6/100-

It is therefore considered by the Court here that the said plaintiff recover of the said defendants W.H. Davis the said Sum of $1201 6/100 with interest from the first day of the present term of this Court the the Sum so found due as aforesaid and also his costs taxed to $ -

And it is further ordered and adjudged that in case the said defendant fails for three days from the close of this term of Court to pay to the said plaintiff the said Sum of $1201 6/100 with interest from the 9th day of September 1878 so as aforesaid found due with costs of Suit an order issue to the Sheriff of said County Commanding him to cause the said Lands and Tenements in said petition described

Wednesday. October 9th A. D. 1878.

to be appraised, advertised and sold according to Law and bring the proceeds of said Sale into Court - Subject - to the further order of the Court - Herein - And as to the question of distribution and other questions raised by the Separate answer of Philip Snider this Cause is continued -

3101 The Bank of Richwood Plff
vs
J M. Newhouse and M B. Newhouse Defts

This day came the plaintiff by Cameron and Benton Attorneys and thereupon came J. M Broderick one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered Appearance of said defendants herein and by virtue of the Same Warrant of Attorney confesses that there is due from said defendants to said Plaintiff as is alleged in said Plaintiffs petition the Sum of $128.00 It is therefore considered that said Plaintiff do recover of said defendants the said Sum of $128.00 &c as aforesaid confessed to be due together with Costs of Suit herein to be taxed and with interest to be computed at the rate of 8 % per centum per annum And by virtue of said Warrant of Attorney all errors are released and and all right of appeal and all right to file a petition in error are waived

3103.

3098 Bank of Richwood Plff
vs
W. H. H. Titus Deft

This day came the Plaintiff by Cameron & Benton its Attorneys and thereupon came J M Broderick one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in Open Court and duly proven waived the issuing and Service of process and entered appearance of said defendant herein and by virtue of the Same Warrant of Attorney confesses that there is due from said defendant to said Plaintiff as is alleged in said Plaintiffs Petition the Sum of $148.25 It is therefore considered that said Plaintiff do recover of said Defendant the said Sum of $148.25 &c as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said Warrant of Attorney all errors are released and all right of Appeal and all right to file a petition in error are waived

3028

3100 The Bank of Richwood Plff
vs
H H. Pringle. W B Lenox and S. Walker Defts

This day came the plaintiff by Cameron and Benton Attorneys and thereupon came J M Broderick one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered appearance of said defendants herein and by virtue of the same warrant of Attorney confesses that there is due from said defendants to said plaintiff as is alleged in said Plaintiffs petition the Sum of $320.33. It is therefore considered that said Plaintiff do recover of said defendant the said Sum of $320.33 &c as aforesaid confessed to be due

1732

44
38

Wednesday October 9th A. D. 1878.

together with costs of Suit herein to be taxed, and with interest to be computed at the rate of 8 % per centum per Annum. And by virtue of said Warrant of Attorney all errors are released and all right of Appeal and all right to file a petition in error are waived

3103. Eva Emerson Plff vs E. S. Schurtzer & al White & William Bath } This day came the Plaintiff by Cameron and Benton Attorneys and thereupon came J. M. Broderick one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly Executed and now produced in open Court & duly proven waived the issuing and Service of process and entered appearance of defendants herein And by virtue of the same warrant of Attorney confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff petition the Sum of $141 cts It is therefore considered that said Plaintiff do recover of said defendants the said Sum of $141 cts so as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8 % per centum per annum. And by virtue of said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

3028 Morgan Savage Plff vs Samuel Salter Elizabeth Salter Mary M. Pyne & Stephen Pyne } And now comes the said Morgan Savage by A. J. Carpenter his Attorney and the said defendants Suit failing to answer or demur to said petition it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the Court after hearing the evidence do find that there is due to the said plaintiff on the note & Mortgage in said petition described the Sum of $213 15 with interest thereon from the first day of this term of this Court —

It is therefore considered by the Court here that the said plaintiff recover of the said defendants the said Sum of $213 15 with the interest thereon from Sept 9th 1878 the Sum so as aforesaid found due and also his costs taxed to $

And it is further Ordered and Adjudged that in case the said defendants fail for three days from the close of this term of the Court to pay to the said plaintiff the said Sum of $213 15 with the interest thereon so as aforesaid found due with costs of Suit an Order issue to the Sheriff of said County commanding him to cause the said lands and tenements in said petition described to be appraised advertised and sold according to law and apply the proceeds of said Sale in satisfaction of the said Sum so found due with costs of Suit, And that he bring the residue of the proceeds of said Sale into Court Subject to the further Order of the Court in the premises.

1732 Harrison Dills & others vs Leonard Daum et als } This cause is continued with leave to the plaintiffs to file Supplemental Petition within twenty days.

445 State of Ohio vs John Gunderman - Settled & Cost Paid. Left off -

38 State of Ohio vs Benjamine Nova. Left off Docket -

Wednesday October 9th A.D. 1878

3015 Joseph L. Dickelman
vs
James Leiper Anna E. Leiper
E.J. Barker John W. Barker
Wm Stillings & Morris W. Hill

And now comes the said Joseph L. Dickelman by A. J. Carpenter his Attorney and the said defendants still failing to Answer or demur to said petition it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the Court after hearing the evidence do find that there is due to the said plaintiff on the Notes and Mortgage in said petition described the sum of $335 45 with interest thereon from the first day of the present term of this Court,

It is therefore considered by the Court here that the said plaintiff recover of the said defendants the said sum of $335 45 with interest thereon from the 9th day of September A.D. 1878 the sum so found due as aforesaid and also his costs taxed to $

And it is further Ordered and Adjudged that in case the said defendants fail for three days from the close of the term of the Court to pay to the said plaintiff the said sum of $335 45 with the interest thereon from the 9th day of Sept. 1878 so as aforesaid found due with costs of Suit an Order issue to the Sheriff of said County Commanding to cause the said lands and tenements in said petition described to be appraised advertised and sold according to Law and apply the proceeds of said Sale in satisfaction of said sum so found due with costs of Suit. And that he bring the remainder of any of the proceeds of said Sale after the satisfaction of the debts and costs aforesaid into Court to await the further Order of the Court in the premises relative thereto

3102

3105 Union County Bank
vs
S. Carter & Co S. M. Blake
and S. Carter

This day came the plaintiff by P. R. Kerr Attorney and thereupon came S. S. Gardner one of the Attorney of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in Open Court and duly proven waived the issuing and service of process and entered appearance of said defendants herein and by virtue of the same Warrant of Attorney confesses that there is due from said defendants to said plaintiff as is alleged in said Plaintiffs Petition the Sum of $368 25 It is therefore considered that the said Plaintiff do recover of said defendants the said Sum of $368 25 so as aforesaid confessed to be due together with cost of Suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum And by virtue of said Warrant of Attorney all errors are released and all right of Appeal and all right to filed a petition in Error are waived.

2973

2572

367 State of Ohio vs Alex Snodgrass - Left off
368 Same vs Same - Left off
369 Same vs Same - Left off
370 Same vs Same - Left off
371 Same vs Same - Left off
372 Same vs Same - Left off

Wednesday October 9th 1878

3104 Union County Bank vs S. Carter Bro & S. M. Blake — This day came the Plaintiff by R. A. Kerr Attorney and thereupon came S. S. Gardner one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in Open Court and duly proven Waived the Issuing and Service of process and entered appearance of said Defendant herein and by virtue of the same Warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff petition the Sum of $1052.35 It is therefore considered that the said Plaintiff do recover of said Defendant the said Sum of $1052.35 so as aforesaid confessed to be due together with costs of Suit herein to be taxed & with interest to be computed at the rate of 8 per centum per Annum. And by virtue of said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in Error are Waived

3102 The Bank of Richwood vs Washington Davis & John Osahood — This day came the Plaintiff by Cannon & Benton attorneys and thereupon came J. M. Woodnorth One of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in Open Court and duly proven waived the issuing & Service of process and entered appearance of said defendant herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiffs Petition the Sum of $178.64 It is therefore considered that said Plaintiff do recover of said defendants the said Sum of $178.64 so as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

2973 The Peoples Bank vs J. S. Dillon & A. Trout default — Now came the Plaintiff herein and the Answer of A. Trout being with drawn & the defendants being in default for Answer and Demurer the Court finds that the allegations of the Petition are confessed by them to be true and that the defendants are indebted to the said Plaintiff in the Sum of $117.80

It is therefore considered by the Court that the said Plaintiff recover from the said Defendants the Sum of $117.80 and interest from this date at 6 % and herein expended taxed at $—

2572 Lizzie Drake vs The L. L. & I Ry Co. — This day this cause came on to be heard upon Motion of Defendant to Dismiss for want of prosecution & was submitted to the Court, Whereupon the Court after hearing said Motion Sustained the same and the above case is dismissed without prejudice. It is therefore Ordered & adjudged by the Court that the defendant go hence without day & recover of the plaintiff its costs herein expended taxed to $

Thereupon Court adjourned until tomorrow morning at half past 8 o'clock

John L. Porter Judge

Thursday October 10th A.D. 1878

This morning the Court met pursuant to Adjournment the Same Officers present as on yesterday

3106 The Peoples Bank vs J. N. Chapman & R. White and Jonathan Cheney } This day came the Plaintiff by A. J. Carpenter Attorney and thereupon came A. H. Kellpath one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and produced in Open Court and duly proven waived the issuing and Service of process and entered appearance of Said defendants herein and by Vertue of the Same Warrant of Attorney Confesses that there is due from Said Defendants to Said Plaintiff as is alleged in Said Plaintiffs Petition the Sum of $135 81. It is therefore Considered that Said Plaintiff do recover of Said Defendants the Said Sum of $135 81 So as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of Said Warrant of Attorney all errors are released, and all right of Appeal and all right to file a Petition in error are waived.

3108

3121

3107 Peoples Bank vs Christopher Oliphant, Paschal Spain and John W. Barnes } This day came the Plaintiff by A. J. Carpenter Attorney and thereupon came A. H. Kellpath one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in Open Court & duly proven waived the issuing and Service of process and entered appearance of Said Defendants herein and by virtue of the Same Warrant of Attorney confesses that there is due from Said Defendant to Said Plaintiff as is alleged in Said Plaintiffs Petition the Sum of $156 41 It is therefore considered that Said Plaintiff do recover of Said Defendants the Said Sum of $156 41 So as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said Warrant of Attorney all errors are released and all right of appeal and all right to file petition in error are waived

3119

3109 Peoples Bank vs A. Walters } This day came the Plaintiff by A. J. Carpenter Attorney and thereupon came A. H. Kellpath one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered Appearance of Said defendant herein and by virtue of the Same Warrant of Attorney confesses that there is due from Said defendant to Said Plaintiff as is alleged in Said Plaintiffs Petition the Sum of $122 54. It is therefore considered that Said Plaintiff do recover of Said Defendants the Said Sum of $122 54 So as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to computed at the rate of 8 per centum per annum. And by virtue of Said Warrant of Attorney all errors are released and all right of Appeal and all right to file a petition in Error are waived

Thursday October 10th A.D. 1878

3108 The Peoples Bank vs R. H. White Enos A. Bell and Henry Evans — This day came the Plaintiff by A. L. Carpenter Attorney and thereupon came A. H. Kellpath one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing & Service of process and entered appearance of said Defendants herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs Petition the sum of $314.00 It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $314.00 so as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the Rate of 8 per centum per annum And by virtue of said Warrant of Attorney all errors are released and all right of Appeal and all right to file a petition in error are waived

3121 The Peoples Bank vs Thomas Moffitt & David Davis — This day came the Plaintiff by A. L. Carpenter Attorney and thereupon came D. W. Ayers One of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered appearance of said Defendants herein and by virtue of the same Warrant of Attorney confessed that there is due from said Defendants to said said Plaintiff as is alleged in said Plaintiffs Petition the sum of $378.13. It is therefor considered that said Plaintiff do recover of said Defendants the said Sum of $378.13 so as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate 8 per centum per annum And by virtue of said warrant of Attorney All errors are released and all right of appeal and all right to file a petition in error are waived

3119 The Farmers Bank of Union County vs W. H. Miller Jos. Chamberlain and D. Kenfield — This day came the Plaintiff by its Attorney & thereupon came T. B Benton One of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered appearance of said Defendants herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff petition the Sum of $291 0/100.

It is therefore Considered that said Plaintiff do recover of said Defendants the said Sum of $291 0/100 So as aforesaid confessed to be due together with costs of Suit herein to be taxed. and with interest to be computed at the rate of Eight per centum payable annually. And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived.

Thursday October 10th A.D. 1878

3118

Farmers Bank of Union County
vs
D. A. Merritt & Wright Harriman

This day came the Plaintiff by its Attorney & thereupon came T. B. Benton one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Servica of process and entered apearance of said defendants herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition the sum of $157 56/100. It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $157 56/100 so as aforesaid confessed to be due together with costs of suit to be taxed herein and with interest to be computed at the rate of 8 per centum payable annually. And by virtue of said warrant of Attorney all errors are released and all right of Appeal and all right to file a petition in error are waived

3115

3117

Farmers Bank of Union Co.
vs
A. J. Richardson

This day came the Plaintiff by its Attorney and thereupon came T. B. Benton one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in Open Court and duly proven waived the issuing and Service of process and entered appearance of said Defendant herein and by virtue of the same Warrant of Attorney confesses that there is due from said defendant to said Plaintiff as is alleged in said Plaintiffs Petition the sum of $104 65/100.

It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $104 65/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum payable annually. And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived.

3116

3114

Farmers Bank of Union County
vs
Amaziah Judy & M. W. Judy

This day came the Plaintiff by its Attorney & thereupon came T. B. Benton one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered appearance of said Defendants herein and by virtue of same warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition the sum of $130 85/100 - It is therefore considered that said Plaintiff do recover of said Defendants said sum of $130 85/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed & with interest to be computed at the rate of 8 per centum per annum payable annually. And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

3113

Thursday October 10th A.D. 1878

3115

Farmers Bank of Union Co. Plff
vs
J. S. Dillon & James Herd Defts

This day came the Plaintiff by its Attorney & thereupon came Y. B. Benton one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in Open Court and duly proven waived the issuing & Service of process and entered appearance of said Defendants herein and by virtue of the same warrant of Attorney confesses that there is due from said defendants to said Plaintiff as is alleged in said Plaintiffs Petition the sum of $191 61/100 It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $191 61/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of eight per centum per annum payable annually. And by virtue of said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in Error are waived

3116

Farmers Bank of Union Co. Plff
vs
F. W. Brown Henry Myers And W. W. Hutchinson Defts

This day came the Plaintiff by its Attorney & thereupon came Y. B. Benton one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in Open Court and duly proven waived the issuing and Service of process and entered appearance of said Defendants herein And by virtue of the same warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs Petition the Sum of $ 150 77/100. It is therefore considered that said Plaintiff do recover of said Defendants the said Sum of $150 77/100 so as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum payable annually. And by virtue of the said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived.

3113

Farmers Bank of Union County
vs
Thomas Baldwin & Wright Harraman

This day came the Plaintiff by D. W. Ayers Attorney and thereupon came M. L. Lawrence one of the Attorneys of Record of this Court of this Court who by virtue of a warrant of Attorney duly executed and now produced in Open Court and duly proven waived the issuing and service of process and entered appearance of said Defendants herein And by virtue of the same Warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition the Sum of $101 66/100. It is therefore considered that said Plaintiff do recover of said Defendants the said Sum of $101 66 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorney all errors are released and all right of Appeal, and all right to file a petition in error are waived

Thursday October 10th A.D. 1878

3124 Farmers Bank of Union Co
vs
John H. Stewart

This day came the Plaintiff by D.W. Ayres Attorney and thereupon came A.L. Carpenter one of the Attorneys of Record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open court and duly proven waived the issuing and Service of process and entered appearance of said Defendant herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiffs petition the sum of $743 34 It is therefore considered that said Plaintiff do recover of said Defendant the said Sum of $743 34 so as aforsaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

3123

3099

3112 Farmers Bank of Union Co
vs
Jessey Taylor & Winget Harraman

This day came the Plaintiff by D.W. Ayres Attorney and thereupon came T.B. Benton one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open court and duly proven waived the issuing and Service of Process and entered appearance of said Defendant herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition the Sum of $261 42; It is therefor considered that said Plaintiff do recover of said Defendants the said Sum of $261 42 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorney all errors are released and all right of appeal, and all right to file a petition in error are waived

3125

3123 Farmers Bank of Union Co.
vs
James S. Winters, T.H. Southard and Isaac J. Sigler

This day came the Plaintiff by D.W. Ayres Attorney and thereupon came J.M. Broderick one of the Attorneys of Record of this court who by virtue of a warrant of Attorney duly executed and now produced in open court and duly proven waived the issuing & Service of process and entered appearance of said Defendant herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition the Sum of $127 21. It is therefor considered that said Plaintiff do recover of said Defendants the said Sum of $127 21 said as aforesaid confessed to be due together with costs of Suit herein to be taxed and with interest to be computed at the rate of 8 per centum

James Pullington
vs
Charles N. Sinclair et al's

This day on motion to the court and it appearing that Charles N. Sinclair Francis Sinclair and the defendant Ellsworth Stanton whose name now appears to be Ellsworth Stanton are minors the court appointed Andrew Stevenson an Attorney of this court guardian ad litem for said infant defendants and the said Andrew Stevenson appeared accepted said appointment and filed his answer as such guardians ad litem

670

Thursday October 10th 1878

3123 | Farmers Bank of Union County vs William Barth, Joseph Temple & D.R. White | This day came the Plaintiff by D.W. Ayers attorney and thereupon came A.J. Carpenter one of the attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered the appearance of said defendants herein and by virtue of the same warrant of Attorney confesses that there is due from said defendants to said Plaintiff as is alleged in said Plaintiffs Petition the sum of $206 Cts. It is therefore considered that said Plaintiff do recover of said Defendants said sum of $206 Cts so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at 8 per centum And by virtue of said warrant of Attorney all errors are released, and all right of Appeal, and all right to file a petition in error are waived.

3099 | The Bank of Richwood vs H.H. Pringle & W.H. Lenox | This day came the Plaintiff by Lamson & Benton Attorneys and thereupon came J.M. Broderick one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and Service of process and entered the appearance of said Defendants herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition the sum of $126 70 It is therefore considered that said Plaintiff do recover of said Defendants said sum of $126 70 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at 8 per centum per annum. And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

3125 | Plainbity Bank vs William Weaver, George Weaver & John Weaver | This day came the Plaintiff by A.J. Carpenter Attorney and thereupon came Jno M Broderick one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proved waived the issuing and Service of process and entered appearance of said Defendants herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition the sum of $189 00. It is therefore considered that said Plaintiff do recover of said Defendant the said Sum of $189 00 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said Warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

670 | Lewis Green vs W.M. Robinson et al | Dismissed by agreement at defendants cost- No Record. It is therefore considered & adjudged by the Court that plaintiff recover of the defendants his cost herein taxed to $ -

Thursday October 10th A D 1878

2921 John W. Sessions Administrator of Joseph Ohaver deceased Plaintiff vs William Bales & Sarah Bales his wife Defts } Civil Action

And now come the Plaintiff and Suggests to the Court that the Defendant William Bales has since the commencement of action died intestate leaving the following Children and heirs who have the new estate of inheritance in the Lands discribed in the Petition Subject to the Mortgage therein Set forth to wit William W. Bales Walter W. Bales Charles C. Bales Mary Bales married to Oliver Carter Rose G. Bales Married Oliver W. Inskeep Frank Bales Burnham C. Bales Anna Bales & Geroge Bales who is a minor. And the Court being Satisfied thereof it is now on Motion of said Plaintiff Ordered that this action be revived in the Name of the Same Administrator heirs and legal representatives of said decedent and proceed against them unless Sufficient cause be Should be Shown against said revivor within the time allowed by law after Service of this Order upon them

2664

2733 William B. Thompson vs James Hoover } This day came on this cause to be heard on the demurer to the Amended petition of Plaintiff and was Argued whereupon the Court do Overrule said demurer. Whereupon this cause is continued with leave to plaintiff to file an Amended petition in thirty days

2564

2980

434 State of Ohio vs. S. Burkum } Now comes the defendant by his Attorneys and by showing by affidavit filed in this case the same was continued to the next term of this court It is ordered and adjudged that the said S. Burkum do forthwith enter into recognizance in the sum of Two hundred Dollars with good and sufficient security for his appearance at the next term of this court to answer the charge against him and in default thereof that he be committed to the jail of the county

James Fullington vs. Chas W. Sinclair et al } Now came the said plaintiff by his attorney and thereupon this cause came on to be heard upon the petition and evidence and was argued by counsel upon due consideration the court do find that due notice of the pendency of this action for more than forty days have been given prior to the 1st day of October 1878 and the Court do ~~find~~ further find that the said James Fullington has the legal right to and is seized in fee simple of 5/6 part of said 45 acre lot first described in the petition that he also has a legal right to and is seized in fee simple of the 1/2 part of the 50 acre lot described in said petition that he also has a legal estate in and is seized in fee simple of the 1/2 of the other lands described in said petition The court do further find that said Francis Sinclair & Chas W. Sinclair and Ellsworth Stanton are tenants in common with said plaintiff in said 50 acre lot In the following proportions To said Ellsworth Stanton is seized in fee simple of 1/2 part thereof The said Chas W. Sinclair and Francis Sinclair are each seized in fee simple of 1/2 part thereof & court do further find that Francis Sinclair and Chas W. Sinclair are tenants in common with the plaintiff in the other lands in said petition described in the following proportions to wit they are each seized in fee simple of the 1/12 part of the 45 acre lot described in said petition and they are each seized in fee simple of the 1/4 part of the other lands described in said petition It is therefore ordered that a writ of partition issue to the Sheriff of said county of Union commanding him that by the oaths of F. J. Sager Hiram Stokes A. A. Woodworth partition be made of said lands and that he cause to be set off and divided to the said plaintiff and to each of said defendants the part and proportions of the said estate to which they are herein before severally found entitled and it is ordered that if in the opinion of the said commissioners said premises cannot be divided by meles and bounds without injury to the value thereof then that they appraise the same and of his proceedings herein the said *

* Sheriff is ordered to make due return without delay

Friday October 11th A.D. 1878

Court met at 8½ O. Clock Same officers being present as on yesterday

Thos L Carter Judge

2665 Richmond National Bank
vs.
Edward D. Judd et al

This day this cause came on to be heard upon motion of plaintiff to confirm sale heretofore made in this case and it appearing to the court that the purchaser at said sale was one of the appraisers of said premises and being fully advised in the premises overrule said motion and ordered said premises to be again advertised and offered for sale and the cause for that purpose continued

2564 Huldah Schoby
vs.
John Robinson

This day this cause came on to be heard on motion of Defendant to strike from files for want of verification and plaintiff thereupon took leave to amend his petition within 20 days from rising of Court thereupon this cause is continued at costs of Plaintiff

2980 Richmond Union B. & L. A.
vs.
Isaac A. Green et al

Now come the plaintiff herein and the defendants in default of answer or demurrer the court finds that the defendants have failed to pay to the plaintiff the weekly installment of dues and interest as in the petition set forth and that there is due to said plaintiff as dues to the first day of this term Sep 9th 1878 the sum of $29.25/100 and as interest the sum of $9.50/100. The Court further finds that there is due to the said plaintiffs from the said defendants as and by way of fines for nonpayment of said dues as in the petition alledged the sum of $5.85/100 making in all for dues interest and fines the sum of Forty Four & 40/100 Dollars

The Court further find that in order to secure the regular payment of said dues and other installments as well as those hereafter to become due the said Isaac A. Green and Ellen N. Green his wife executed and delivered to this plaintiff their certain mortgage in the petition described and on the premises therein described that said mortgage was on the 30 day of October 1874 duly recorded in Book 1 B. L. A. Page 121 of the records of Mortgages of Union County and that the same is the first lein on the premises described in the petition The Court further find that the defendants has failed to pay on the plaintiffs second cause of action the weekly installment of fines and the interest as in the petitions set fourth and that there is due to said plaintiffs as dues to the first day of this term Sept 9th 1878 the sum of $9.75/100 and as interest the sum of $3.26/100 The court further finds that there is due to said plaintiffs from said defendants as and by

Friday October 11th A.D 1878

way of fines for the nonpayment of said dues as in the petition alledged the sum of $1.95 making in all for dues intrest and fines the sum of $15.00. The Court further find that no order to secure the regular payment of said dues and other instalments as well as those hereafter to become due the said Isaac A. Green and Ellen N. Green his wife executed and delivered to this plaintiff their certain mortgage in the petition described and on the premises therein described that said mortgage was on the 2d day of November 1874 recorded in book 1 B.S.H. page 123 of the records of Mortgages of Union County and that the same is the second lein on the premises described in the petition. The Court further finds that the defendants has failed to pay on the plaintiffs third cause of action the weekly installments of dues and the intrest as in the petition set forth and that there is due by said plaintiff as due to the first day of this term Sept 9th 1878 the sum of $9.75 and as intrest the sum of $4.29. The Court further find that there is due to said plaintiffs from said defendants as and by way of fines for non payment of said dues as in the petition alleged the sum of $1.95 making in all $15 dues intrest and fines the sum of Fifteen 9/100 dollars The court further find that in order to secure the regular payment of said dues and other instalments as well as those hereafter to become due the said Isaac A. Green and Ellen N. Green his wife executed and delivered to this plaintiff their certain mortgage in the petition described and on the premises therein described that said mortgage was on the 2d day of November 1874 recorded in book 1 B.S.H. page 125 of the records of Mortgages of Union County and that the same is the third lein on the premises described in the petition. It is therefore considered by the court that unless the said defendants shall within 10 days from the entry hereof pay or cause to be paid to the said plaintiffs the sum of $15.95 so found due and to the clerk of this court the costs taxed herein at $ — Then the defendants equitty of redemption be forclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of Union County directing him to sell said premises as upon execution and bring the proceeds into court for further order

Cameron & Benton

2900

3034

2646 James McGahey
vs.
Richard Davis et al.

This day this cause came on to be heard upon the pleadings and testimony and thereupon came the said parties by their Attorneys and submitted their cause to the Court and the same was heard upon the testimony and argued by counsel and submitted to the Court and the Court being fully advised in the premises do find and say that the allegations of the petition and reply of said plaintiff are true and that the allegations of said defendants answer are not true and it is considered by the Court here that there is due and

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unpaid from the said defendants to the plaintiff in the contract set forth in his petition herein the sum of $ 649 25/100 It is therefore considered by the Court here that the said plaintiff recover of the said defendants the said sum of $ 649 25/100 + costs herein expended taxed at $ and that if the same is not paid in five days execution issue therefor and it is therefore considered by the Court that out of said sum so found due there be paid to said J. H. Tracy the sum of $ 178 00/100 on his claim set forth in his answer and cross petition herein filed Whereupon defendants gave notice of appeal and bond fixed by the Court at $ 1300.00/100

2900 A.M. Spicer et.al. vs. S.W. Smith et.al. — This day this cause came on to be heard upon the demurer of the defendant S.W. Smith to the plaintiffs petition and was argued by counsel and submitted to the Court and the Court being fully advised in the premises does sustain said demurrer Thereupon plaintiffs asked and obtained leave to amend their petition within thirty days from the rising of the Court

3034 E.C. Callender vs. Christopher Oliphant et.al. — And now comes the said E.S. Callender by his attorney and the said defendants still failing to answer or demur to said petition it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the court after hearing evidence do find that there is due to the said plaintiff on the notes and mortgages in said petition described the sum of $ 200 00/100 with interest thereon from the 15th day of October 1878 of this Court. It is therefore considered by the said Court here that the said plaintiff recover of the said defendant Christopher the said sum of $ 200 00/100 the sum so found due as aforesaid with intrest thereon from the 15 day of October A.D. 1878 and also his costs taxed to

And it is further ordered and adjudged that in case the said defendant fails for three days from the close of this term of Court to pay to the said plaintiff the said sum of $ 200 00/100 with the intrest thereon from 15th of October 1878 so as aforesaid found due with costs of suit an order issue to the sheriff of said County of Union commanding him to cause the said lands and tenments in said petition described to be appraised advertised and sold according to law and apply the proceeds of said sale or so much thereof as may be required in satisfaction of the said sum so found due with costs of suit and that he bring the balance of the proceeds of said sale into Court subject to the further order of the court in the premises And thereupon upon application of James Williams leave is granted to said James Williams to enter their

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appearance and file answers & set up their pleas upon said premises within 30 days from the rising of this court

3042 William Moffitt vs. Sarah J. Minnigh et.al. — It appearing to the court that the defendants Wilber S. Minnigh, Thomas J. Minnigh, Edward C. Minnigh, Charles A. Minnigh Clarence E. Minnigh, Mary E. Minnigh Flora Minnigh are minors and have been duly and legally served with summons herein on motion T. B. Benton is hereby appointed guardian for the suit for said minor defendants And now comes the said T. B. Benton and in open court accepts said appointment

3042 William Moffitt vs. Sarah J. Minnigh et.al. — Now comes the plaintiff herein and this cause was submitted to the court upon his petition all of the above named defendants being in default for demurer or answer to the petition of the plaintiff the court find the allegation of the plaintiffs petition to be true and that there is due to the plaintiff on the note described in plaintiffs petition the sum of $ 209 56/100 and that the said note was over due when suit was brought The Court further find that W. N. Minnigh in his petition and Sarah J. Minnigh to secure the payment of said note executed and delivered to the said William Moffitt their certain mortgage as in the petition described and on the premises therein described and that said mortgage was duly recorded in Book 6 Page 453 It is therefore considered and adjudged that unless the said defendant Sarah J. Minnigh, Wilber S. Minnigh, Thomas J. Minnigh, Edward C. Minnigh, Charles A. Minnigh, Clarance E. Minnigh, Mary E. Minnigh, Flora Minnigh within Ten Days from the rising of the court pay or cause to be paid to the clerk of this court the cost of this case and to the plaintiff herein the sum so as aforesaid found due with interest from the 9th day of September A.D. 1878 as aforesaid the defendants equity of redemption be foreclosed and the said premises shall be sold and an order of sale shall issue therefore to the sheriff of said County of Union Ohio directing him to sell said premises as upon execution and bring the proceeds into Court for further order

3128

3127

2888 Joseph N. Robinson vs. Eli Sowiel et.al. — And now came the said Joseph N. Robinson by A. D. Carpenter his Attorney and the said defendants still failing to demur or answer to said petition it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the Court after hearing the evidence do find that there is now due to the said plaintiff on the notes and mortgage

Friday October 11th A. D. 1878

in said petition described the sum of $202 26/100 with interest thereon from the first day of the present term of this court It is therefore considered by the said Court here that the said plaintiff recover of the said defendant the said sum of $202 26/100 with interest thereon from the 9th day of September 1878 so as aforesaid found due together with his costs taxed to $

And it is further ordered and adjudged that in case the said defendant fails by the 1st day of January A. D. 1879 to pay to the said plaintiff the said sum of $202 26/100 with interest from the 9th day of September 1878 so as aforesaid found due with costs of suit an order issue to the sheriff of said County commanding him to cause the lands and tenements in said petition described to be appraised advertised and sold according to law and apply the proceeds of said sale in satisfaction of the said sum so found due with costs of suit And that he bring the balance of the proceeds of said sale into Court subject to the further order of the Court in the premises

3128 Citizens National Bank of Urbana
vs.
John H. James et al.

This day came the plaintiff by Geiger & Russell its Attorneys and thereupon came J. W. Robinson one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said defendant herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition the sum of $ 1846 00/100 and interest at 8% per annum from this date It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $ 1846 and interest from this date at 8% per annum It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $ 1846 and interest from this date at 8% per annum so as aforesaid confessed to be due together with costs of suit herein to be taxed And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

3127 Citizens National Bank
Urbana
vs.
John H. James Et al

This day came the plaintiff by its attorneys Geiger & Russell and thereupon came J. W. Robinson one of the attorneys of record of this Court who by virtue of a warrant of attorney duly executed and now produced in open court and duly proven waived the issuing & service of process and entered the appearance of said defendants herein and by virtue of the said warrant of attorney

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confessed that there is due from said defendants to said plaintiff as is alleged in said Plaintiffs petition the sum of $ 3270 93/100 and the Court find that said note bears interest at 8% per annum It is therefore considered and adjudged by the Court that the said plaintiffs recover of the said defendants John H. James and Henry P. Niles that the said sum of $ 3270 93/100 and that the same be with interest at 8% from this date so as aforesaid confessed to be due together with costs of suit herein taxed to dollars And by virtue of said warrant of Attorney all errors are released and right of appeal and all rights to file a petition in error are waived

2851

437

3126 Citizens National Bank
vs.
John H. James et.al.

This day came the plaintiff by Kiger & Russell its Attorneys and thereupon came D. W. Robinson one of the attorneys of Record of this Court who by virtue of a warrant of Attorney duley executed and now produced in open Court and duly proven waived the issuing and service of proces and entered appearance of said defendant herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendants to said Plaintiffs as is alleged in said Plaintiffs petition the sum of $ 251 00/100 and intrest at eight per cent per annum from this date It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $ 251 00/100 and intrest from this date at rate of 8% per Annum so as aforesaid confessed to be due together with cost of suit herein to be taxed And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

3000 A. E. Erb & of Chas. Erb dec
vs.
David Watson

Leave to Defendant to plead in 20 days from the rising of this court and for Plaintiff to reply in 20 days thereafter Cause continued

427

2999 A E Erb & of Chas Erb dec
vs.
David Watson et.al.

Leave to plead by defendant in 20 days from the rising of this court and the cause in continued

2355 Anthony Kiger et.al.
vs.
Mary J. Turner

This day came on this cause to be heard upon the motion of the plaintiffs for further time in which to pay or secure the payment of the costs in the case as the condition on which a new trial would be granted when upon by consent of plaintiffs and defendants it is ordered that said plaintiff shall have Forty days from the rising of the court to comply with said

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condition and plaintiff agree to main bill of exceptions if they fail to comply with said conditions of the court at its last term upon which condition the new trial was allowed And this cause is continued for further action

2857 Alice Turner vs. Samuel R. Fisher } Settled and cost Paid

437 State of Ohio vs. Lenhert-Coldrice et.al. } Now came the prosecuting attorney on behalf of the state of Ohio and the defendant with his counsel also come the following named persons as Jurors to wit D.C. Lane, Wm. Smith, G.L. Selleys, D.C. Winget, W.M. Robinson, J.R. Taylor, D.N. March, Thos. Peacock, Andrew Brown, H. Patrick, W.H. Goff, Robert Robinson, Who were duly impannuled and sworn according to law and the said jury having heard the testimony the argument and charge of the court and retired to their room in charge of the sheriff for deliberation and now comes said jury into open court and state that they are unable to agree upon a verdict whereupon they are by the court discharged from further consideration of this case and the case is continued without prejudice to the prosecution of this case And it is further ordered by the court that the said defendants do forthwith enter into a new recognizance in the amount of Fifty Dollars each for their appearance at the next term of this court to answer the charge against them and in default thereof that they be committed to the jail of the county.

427 State of Ohio vs. Jas. M. Darling } Now comes the defendant by his Attorney and upon showing by affidavit filed this case was continued to the next term of this court It is ordered and adjudged that the said J. M. Darling do forth with enter into a recognizance in the sum of Two hundred Dollars with good and sufficient security for his appearance at the next term of this court to answer the charge against him and in default thereof that he be committed to the jail of the county

Thereupon Court adjourned to met tomorrow morning at 8½ O. Clock.

D. Thos Porter Judge

Saturday October 12th 1878

Court met at 8½ O. Clock Same officers being present as on yesterday

2961 C. K. Clark
v.s.
Samuel Buffington

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the motion of the said defendant for a new trial and was agreed by counsel On consideration whereof the Court do orrale said motion and grant judgement upon the verdict heretofore rendered It is therefore considered ordered and adjudged by the Court that the said plaintiff recover of the said defendant the said sum of Twenty Nine 50/100 dollars The sum found due by the jury together with his cost herein expenses taxed to ff

To which ruling of the court in that behalf the defendant excepts

3040 John Carr Plaintiff
v.s.
John Gray, James B. Whelpley
John K. Dodge Commissioner
of Union County Defts

Now come the plaintiff by his attorney and the defendants still failing to answer or demurre the case was submitted to the court on the petition of plaintiff and upon consideration whereof the court do find that the equity of the case is with the plaintiff and that the allegations of the petition are true and that the plaintiff is entitled to the relief prayed for

It is therefore on motion of the plaintiff adjudged and decreed that the injunction heretofore granted in this action be and the same is hereby made perpetual It is further considered that the plaintiff recover from the said defendants his costs herein expended taxed to ff

2648 Effie E. Shipley
v.s.
M. M. Shipley

This day came on this cause to be heard on the motion for new trial whereupon the defendant withdrew his said motion in consideration that the plaintiff agreed to take the Judgement of Phelps & Sons rendered at this term of court against George E. Shipley & J. B. Miller as so much to wit ff 207 00/100 to apply thereon & suspend execution on the ballance until the case of Osborn Satcamp & Co. against Geo E Shipley & J. B. Miller in this court shall be decided

It is therefore considered and adjudged by the Court that the plaintiff recover of the defendant said sum of three hundred and forty Dollars & her costs herein expended taxed to ff

And the said ff 207 00/100 is to be applied as payment to that amount and stay of execution is by said agreement to be postponed as above stated

2844

3120

2149

Saturday October 12th 1878

2844 W. S. Phelps & Son
v.s.
George E. Shipley
J.B. Miller & others

This day came the parties & submitted this cause to the court & waived the trial by jury whereupon the court being fully advised in the premises do find for the plaintiffs on the issues joined & find that the defendants George E. Shipley & J. B. Miller as makers & M. M. Shipley & John Landon as first and second endorsers owe the plaintiffs the sum of two hundred and seven dollars on the note in said petition described It is therefore considered ordered and adjudged by the court that the plaintiffs recover of said defendants George E. Shipley & J. B. Miller as Makers and Shipley & Landon as endorsers said sum of Two hundred & Seven dollars with costs of suit taxed to $ And by agreement of parties this judgement is to be applied as so much payment on the judgement rendered at this term of the court in favor of Effie E. Shipley agains M. M. Shipley for $ 340 cts and said M. M. Shipley agreeing to settle with the plaintiffs for same

3120 Farmers Bank
v.s.
L. H. Southard & others

This day came the Plaintiff by O. N. Ayers Attorney and thereupon came Jno. M. Broderick one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said Defendant herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiffs petition the sum of $ 202 94/100 It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $ 202 94/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8% interest per annum And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

2149 Samuel Little
v.s.
H. C. Hoskins

This cause came on for hearing on the motion of the defendant to set aside the verdict & for a new trial herein And the Court on consideration thereof does overrule the same It is therefore considered by the Court that the said plaintiff recover from the said defendant the said sum of Twenty Seven & 50/100 dollars as heretofore by the verdict of the Jury found due herein with interest from Sept 9 1878 together with his costs herein expended

To which ruling of the court in that behalf the defendant excepted and on application the defendant is allowed 30 days after the rising of the court to prepair his bill of exceptions to be filed as of this term And to said allowance and ruleing making the same the plaintiff then and there excepted

Saturday October 12th 1878

3072 William W. Woods v.s. W. C. Barrett Et.Al

And now came the said Plaintiff William W. Woods by Coles his Attorneys and the said Defendants William C. Barnett still failing to answer or demur to said petition it is considered that the said plaintiff ought to recover the sum of $854.29 demanded in his said petition together with $ 11.38 which the court find due as intrest thereon. It is therefore considered by the Court here that the plaintiff do recover against the said William C. Barrett the said sum of $865.67 the sum found due as aforesaid and also his costs in about his suit in this behalf expended tax to $

The Court further find that in order to secure the payment of said note the defendants W. C. Barnett & M. C. Barnett his wife executed and delivered to the said William W. Woods the plaintiff their certain mortgage in the petition described and on the premises therein described that said mortgage was duly recorded in Book 14 Page 438 of the records of mortgages of Union County

It is therefor considered and adjudged that unless the defendant W. C. Barnett shall within five days from the entry of this decree pay or cause to be paid to the Clerk of this court the costs of this case and to the plaintiff herein the sum so found due as aforesaid with intrest from the 12th day of October 1878 according to the terms of said mortgage and the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefore to the Sheriff of said County directing him to sell said premises as upon executions and bring the proceeds into court for further order

3110

3124

3111 Fullington Phillis & Wood v.s. James Mulvaine Et.al

This day came the Plaintiffs by M. C. Lawrence their Attorney and thereupon came O. W. Ayers one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duley executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said defendants herein and by virtue of the same warrant of Attorney confesses that there is due from said defendants to said plaintiffs as is alleged is said Plaintiffs petition the sum of $ 166.99 It is therefore considered that said plaintiffs do recover of said defendants the said sum of $ 166.99 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with intrest to be computed at the rate of Eight per centum per annum And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

2414

Saturday Oct 12th A.D. 1878

3110 Fillington Phillis & Woods
v.s.
H. Speakman et.al.

This day came the Plaintiffs by W.C. Lawrence their attorney and thereupon came D.S. Ayers one of the Attorneys of record of this Court who by virtue of a Warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said Defendants herein and by virtue of the same warrant of Attorney confesses that there is due from said defendants to said Plaintiffs as is alleged in said Plaintiffs Petition the sum of $102 66/100 It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $102 66/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of Eight per centum per annum And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

3124 The Peoples Bank
v.s.
J.W. Timmons et.al.

This day came the plaintiff by A.T. Carpenter Attorney and thereupon came R.R. Kerr one of the attorneys of record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said Defendant herein and by virtue of the same warrant of Attorney confesses that there is due from said defendant to said Plaintiff as is alleged in said Plaintiffs petition the sum of $102 20/100 It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $102 20/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

2414 D.S. Myers
v.s.
Alvin Bellus

This day this cause came on to be heard upon the motion of the Plaintiff to set aside the verdict in this case and grant a new trial was argued by counsel and the Court being fully advised in the premises do overrule said motion and it ordered that Defendant have Judgement on the verdict for his costs taxed at To all of which rulings of the court the plaintiff excepts

Saturday October 12th A.D. 1878

2927 James Guy
v.s.
Jacob Kramer et.al. } This day came on this cause to be heard by the court whereupon the court found that the said record does not shew any Lawful notice upon the plaintiff and does not shew that said ditch was necessary Thereupon the court consider order and adjudge that said order of proceedings so far as they effect said plaintiff be & they are hereby set aside and the said injunction dissolved and the cause is continued for the purpose of allowing said plaintiff to shew how he is impaired by said proceedings and as to costs and final order this cause is continued to which ruling of the court as to setting aside said order of the trustees of Jerome Township defendants except and as to so much of the order refusing to enter up Judgement for costs and make perpetual said injunction the plaintiff excepts

2622

2972 J. J. Burdge
v.s.
Ax Dandy et.al. } And now comes the said J. J. Burdge by Robinsons & Piper his attorneys and the defendants Alex Dandy and Eliza Dandy and Lessee and still farling to demur or answer it is considered that said plaintiff is entitled to an account of money due him in the premises and the Court after hearing the evidence do find that there is due to the said plaintiff on the note and mortgage in the petition described the sum of One hundred two and 20/100 Dollars with interest at eight per cent per annum from the 12th day of Oct A.D. 1878.

It is considered by the said court here that the said plaintiff recover of the said defendant Alex Dandy the said sum of $ 102 20/100 the sum so found due as aforesaid and also his costs taxed to $

And it is further ordered adjudged and decreed that in case the said defendant Alex Dandy fails for ten days from this date to pay to the said plaintiff the said sum of $ 102 20/100 so as aforesaid found due with costs of suit an order issue to the Sheriff of said County commanding him to cause the said lands and tenements in the petition described to be appraised advertised and sold according to law and bring the proceeds of said sale into court for further orders and as to all matters of priorities of liens and distribution of proceeds and all other matters this cause is continued

2318

3089

3029 Thomas Stillings et.al.
v.s.
William C. Dynes et.als. } Report of commissioners approved and sale ordered

Saturday October 12th 1878

2622 John McClain
v.s.
Phillip Deer

This day came on this cause to be heard on the motion of Plaintiff for continuance whereupon the court hold the showing sufficient & the cause is continued at plaintiffs costs Whereupon it is considered ordered and adjudged by the court that defendant recover of the plaintiff the costs of this term of the court

2856 John C. Elliott
v.s.
E.R. Southwick & others

This day came on this cause to be heard on the motion to set aside the verdict and for a new trial herein by plaintiffs whereupon the court being fully advised in the premises do overrule said motion for new trial And thereupon the cause came on to be heard on motion for judgement on the verdict rendered at this term & it is therefore considered ordered and adjudged by the court that the defendants go hence without day and recover of the plaintiff their costs herein expended taxed to $ To all of which rulenings & judgments of the court the plaintiff excepts And on application is allowed 30 days after the rising of the court to prepare his Bill of exceptions to be filed as of this term

Ex R. No 2467

2318 Harriet Rice
v.s.
W.T. Rice et.als

This day came the parties and submitted this cause to the court upon the motion to confirm the sale in this cause and to distribute the proceeds thereof Whereupon the court being fully advised in the premises do confirm said sale & order the Sheriff to execute to said purchaser a deed in fee simple for said premises and it appearing by the certificate of the Probate Court that it will take all of said proceedings of said sale to pay the debts of said estate, It is considered ordered and adjudged by the Court that the proceedings of the said sale after paying the costs herein made including an attorney fee of five dollars to J. L. Cameron in addition to the usual fee be paid over to the administrator of Harriet Rice dec'd. to be accounted for as such administrator as he shall account for the personal estate of said decedent under the order of said Probate Court of Union County Ohio

3089 Union B.L. & A.
v.s.
Elizabeth Gabriel

Settled and costs paid

Thereupon Court adjourned to meet Monday morning Oct 14th 1878

John L Porter Judge

Monday October 14th A.D. 1878

Court met at 8½ O.clock. Same officers being present as on Saturday

2824 Adam Blue Admr
v.s.
Shannon Bailey et.al. } This day this cause came on to be heard the sheriff having made return of not found as to T.H. Pauck and neither party requiring a jury this cause was submitted to the court upon the petition of the plaintiffs the separate answer of defendant Price the joint answer of Shannon Bailey G.W. Merritt J.M.Blue and D.Ward and the evidence On consideration whereof the Court do find that the defendants named in the petition were all principals upon the note sued on that there was usury contained in said note in the sum of eight dollars and that there was due from the defendants to the plaintiff Adam Blue as Adm'r on the estate of Ellen Blue dec'd on the first day of this term the sum of two hundred & forty and 97/100 Dollars ($240 97/100) It is therefore considered ordered and adjudged by the court that the plaintiff Adam Blue as such Adam' do recover of the defendants Shannon Bailey G.W. Merritt J.W. Blue D.Ward and Levin Price the said sum of $ 240 97/100 as found due with interest thereon from the 9th day of September 1878 together with their costs herein expended taxed to $ 2689

3080 Wingett Harriman
v.s.
Charles Barth et.al. } This day this cause came on to be heard the defendants being in default and neither party requiring a jury this cause was submitted to the court by the plaintiff upon the petition and exibits On consideration whereof the court finds that there was due from the defendants to the plaintiff on the 9th day of September 1878 upon the note set forth in the petition the sum of two hundred & Sixty & 59/100 Dollars It is therefore considered ordered and adjudged by the court that the plaintiff Wingett Harriman recover of the defendants Charles Barth and William Barth the sum $ 260 59/100 with interest from 9th day of September 1878 found due as aforesaid together with his costs herein expended taxed to $

2659 Caroline Cline
v.s.
Charles Cline } This day came the parties by their attorneys and this cause came on to be further heard upon the motion herein before filed to discharge the said attachment Whereupon the plaintiff agreed that in case the further hearing upon said motion should be continued to the next term of this court that said plaintiff would waive all notice of the filing pendency and hearing of said motion in any form whatever Whereupon this cause is continued 3078

3026 Eli S. Piper Adm vs P.B. Cole. Continued

3027 Eli S. Piper Adm vs P.B. Cole. Continued

Monday October 14th A.D. 1878

2721 Amy Bell Jolliff v.s. Isaac Wallace — This day came on this cause to be heard but the defendant came not and thereupon on the day of February 1878 the day on which the same was set for trial the defendant by order of the court was three times called by the sheriff at the door of the Court House to come into court as by his recognizance he was bound to do and answer the charge herein made against him by plaintiff but said defendant came not but made default & then the security Andrew J Richardson was also in like manner called to bring in the body of said Isaac Wallace as he was bound by his recognizance to do but said Andrew J Richardson also made default whereupon the court then ordered said recognizance duly forfeited and on motion respited the same until the next term of this court which order of forfeture by mistake was not entered of record at said term and the same is ordered to be entered now as of said February term & the said forfeture is again respited until the next term of this court to which time this cause is continued

2689 George Armstrong v.s. Abraham Hedges — This day this cause came on to be heard on motion of the Plaintiff and on his producing the return of the sheriff of the sale made under former order of this court and the court being advised in the premises and upon carefull examination of the proceedings of the said sheriff being satisfied that the same have been in all respects in conformity to law and the orders of this court it is ordered that said proceedings and sale be and they are hereby approved and confirmed and it is further ordered that the said sheriff convey to the purchaser John Beatty by deed in fee simple the lands and tenements so sold and a writ of possession is awarded to put said purchaser in possession of said premises And the court coming now to distribute the proceeds of said sale amounting to Sixty Seven dollars it is ordered that the sheriff out of the money in his hands pay 1st the costs in this action taxed at $ 2d To the plaintiff George Armstrong the amt heretofore found due him with intrest to wit $ 113 75/11

3078 Jas. Fullington et. als. v.s. J. L. Bland — And now comes the said Plaintiffs by R. L. Woodburn their attorney and the said defendant still failing to answer or demur to said petition it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the court after hearing the evidence do find that there is due to the said plaintiff on the note and mortgage in said petition described the sum Eight hundred and seventy six Dollars It is therefore considered by the said court here that

Monday October 14th A.D. 1878

the said plaintiff recover of the said defendant the sum of eight hundred and Seventy Six Dollars the sum so found due as aforesaid and also his costs taxed to $ And it is further ordered and adjudged that in case the said defendant fails for ten days from the close of this term of the court to pay to the said plaintiff the said sum of Eight hundred and seventy six so as aforesaid found due with costs of suit an order issue to the sheriff of said county commanding him to cause the said lands and tenements in said petition described to be appraised advertised and sold according to Law and apply the proceeds of said sale in satisfaction of the said sum so found due with costs of suit 2621

3074 Abraham Dever
v.s.
Nancy B. Dever

And now came the said Abraham Dever and the said Nancy B Dever having failed to demur or answer to the petition of the said Abraham Dever it is considered that the said Abraham Dever ought to recover the said sum of Three hundred and Ninety + 80/100 Dollars demanded in his petition together with the the sum of $ 2.70/100 which the court finds due as interest thereon as prayed for in said petition It is therefore considered that the said Abraham Dever recover against the said Nancy B Dever the said sum of $ 393 59/100 being the amount of both debt and interest together with his costs in and about his suit in this behalf expended taxed to $ 2564

3066 Abel M. Lacy
v.s.
J. H. Cummings Adm &c. al.

This day the continuance for service heretofore granted by the county was upon the motion of the Plaintiff opened up and set aside and the above entitled cause upon the motion of Plaintiff dismissed without prejudice at the costs of the Plaintiff. It is therefore ordered and adjudged that the Defendant go hence without day and recover his costs of the Plaintiff taxed at $ 2776

3132 Farmers Bank
v.s.
Jesse Williams et. al.

This day came the Plaintiff by its Attorney and thereupon came T. B. Benton one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open court and duly proven waived the issuing and service of process and entered appearance of said defendants therein and by virtue of the same warrant of Attorney confesses that there is due from said defendants to said plaintiff as is alleged in said plaintiffs petition the sum of $ 102.10/100 It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $ 102.10/100 as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be 3014

Monday October 14th A. D. 1878

computed at the rate of 8 per centum per annum And by virtue of said warrant of attorney all errors are released and all right of appeal and all right to file a petition in error are waived

2621 A. S. Bellus v.s. Samuel Hutchison — This day this case settled as per agreement in full at Defendants costs I thereupon considered and adjudged that the Plaintiff recover said costs herein taxed at $

2564 Huldah Schoby v.s. John Robinson — This day came the parties by their attorneys and this cause came on to be heard and thereupon came a jury to wit— A. Brown, Geo Long, Geo Holloway, O C Lane, O. J. Neal, W. H. H. Titus, J. McElroy, G. L. Sellers, Saml Bourdrie, Stephen Cranston, H. Patrick, R. E Games, who being duly empannelled and sworn to well and truly try the issue joined between the parties in this cause and a verdict render according to the evidence after hearing the testimony arguments of council and charge of the Court the said jurors upon their said oaths returned their verdict in writing in the words and figures following to wit - We the jury in this case being duly impaneled and sworn do find and say that we find for the Plaintiff $ 5-60/100 R. E. Games Foreman It is therefore considered ordered & adjudged by the Court that the Plaintiff, Huldah Schoby recover of the Defendant John Robinson the said sum of Five and 60/100 dollars and her costs herein taxed at $

2776 Stein Berger and Hensel v.s. H. Berger — This day came the parties by their attorneys and this cause came on to be heard upon the motion of the defendant to set aside the sale heretofore made in this case and the court being fully advised in the premises do sustain said motion and set said sale aside And this cause is continued under the former order of sale heretofore made and by leave of the Court the appearence of George M. Wolf and Christian Eickemyer lienholders is entered and they have leave to file answer and cross petition herein in 30 days from the rising of the court

3014 Smith Organ Company v.s. C. H. Robbins et.als. — Settled & Costs Paid

Monday October 14th 1878

3088 Union B. & L. A.
vs.
H. Speakman et als.

Now came the plaintiff herein and the defendants being in default for answer and demurrer the court find that the defendant Hayo Speakman has failed to pay to the plaintiff the weekly installments of dues and intrest as in the petition set forth and that there is due to said plaintiff as dues to the date of this decree the sum of $122 00/100 and as intrest the sum of $48 36/100. The court further find that there is due to said plaintiff from said defendant Hayo Speakman as and by way of fines for non payment of said dues as in the petition alleged the sum of $24 40/100 The Court further find that in order to secure the regular payment of said dues and other instalments as well as those heretofore become due the said Hayo Speakman and Margaret J. Speakman his wife executed and delivered to this plaintiff their certain Mortgage deeds in the petition described and on the premises therein described that said mortgages were recorded one on January 13th 1871 in volumn 8 on page 235 and 236 the other on the 3d of February A.D. 1871 in said volumn 8 on page 274 of Union County records of Mortgages and that the same are a first lein upon said premises 3087

It is therefore considered by the Court that unless the said defendant Hayo Speakman shall within ten days from the entry hereof pay or cause to be paid to the said plaintiff the said sum of $ 194 76/100 so found due and to the clerk of this court the costs taxed herein to $ the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the sheriff of said County of Union directing him to sell said premises as upon execution and bring the proceeds into court for further order and as to all others leins upon said premises and all other matter this cause is continued

3084 Union Building & Loan Ass'n
vs.
Thomas Brown

Now came the plaintiff herein and the defendant being in default for answer and demurrer the court find that the defendant Thomas Brown has failed to pay to the plaintiff the weekly installments of dues and intrest as in the petition set forth and that there is due to said plaintiff as dues to the date of this decree the sum of $ 109 20/100 and as intrest the sum of 53 27/100 The court further find that there is due to said plaintiff from said defendant as and by way of fines for non payment of said dues as in the petition alleged the sum of $ 21 20/100 The Court further find that in order to secure the payment of said dues and other instalments as well as those hereafter to become due the said W. D. Barnett, Missim Barnett Thomas Brown and

Monday October 14th A.D. 1878

Mary E. Brown his wife executed and delivered to this plaintiff their certain mortgages in the petition described and on the premises therein described that said mortgages were recorded one on april 14th A.D. 1870 in Book 7 on page 538 the other on the 31st day of March 1873 in Book 9 on page 628 of Union County record of Mortgages and that the same are a first lien upon said premises It is therefore considered by the court that unless the said defendants Thomas Brown shall within ten days from the entry hereof pay or cause to be paid to the said plaintiff the said sum of $ 184 67/100 so found due and to the clerk of this Court the costs taxed herein to $ the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefore to the sheriff of said County of Union directing him to sell said premises as upon execution and bring the proceeds into court for further order

3087 Union Building & Loan Ass'n v. Elizabeth Ingman

Now came the plaintiff herein and the defendant being in default for answer and demurrer the court find that the defendant Elizabeth Ingman has failed to pay to plaintiff the weekly installments of dues and interest as in the petition set forth and that there is due to said plaintiff as dues to the date of this decree the sum of $ 169 25/100 And as interest the sum of $ 72 75/100 The court further find that there is due to said plaintiff from said defendant Elizabeth Ingman as and by way of fines for non-payment of said dues as in the petition alleged the sum of $ 33. 25/100 The court further find that in order to secure the payment of said dues and other installments as well as those hereafter to become due the said Elizabeth Ingman and her husband O. H. P. Ingman executed and delivered to this plaintiff their certain Mortgage deeds in the petition described and on the premises therein described that said mortgage were recorded one on the 3d day of March A.D. 1870 in Book No 7 on page 494 the other on the 31st day of January A.D. 1871 in Book 8 on page 260 of Union County record of Mortgages and that the same are a first lien upon said premises It is therefor considered by the Court that unless the said defendant Elizabeth Ingman shall within ten days from the entry hereof pay or cause to be paid to the said plaintiff the said sum $ 276 45/100 so found due and to the clerk of this Court the costs taxed herein to $ the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefore to the sheriff of said County of Union directing him to sell said premises as upon execution and bring the procuds into Court for further order

Monday October 14th A.D. 1878

3044 People's Bank
v.s.
Edmund Turner et als

Settled and costs paid

2850 Jesse Davis
v.s.
Samuel J Bennett

Now come the plaintiff and dismisses this action at his costs It is therefore considered that the plaintiff pay the costs of this action taxed to ff and execution is awarded

3055 R. St. Davis et al
v.s.
W. H. Stormes et al.

This cause being heard on the demurrer to the petition the Court on consideration thereof sustains the said demurrer And it is further ordered that the plaintiff have leave to amend his petition on file in this action within Forty days from the rising of the court and the defendant to answer within twenty days thereafter and this cause continued

2691 Howe Sewing Mach Co.
v.s.
Alexander Gandy et.al.

This day this cause came on to be heard and on motion of the plaintiff and upon his producing the return of the sheriff of the sale made under former order of this court and the court upon carefull examination of the proceedings of said sheriff being satisfied that said proceedings have been in all respects in conformity to law and the order of this court It is ordered that said proceedings & Sale be and the same are hereby confirmed and it is further ordered that said sheriff convey to the purchaser John Beatty by deed in fee simple the lands and tenements so sold and a writ of possession is awarded to put the purchaser in possession of said premises And the Court coming now to distribute the proceeds of said sale Amounting to Fifty Seven $^{00}_{100}$ Dollars It is ordered that said sheriff pay out of the money in his hands First the costs in this action taxed at $ Second The Defendant George Armstrong the sum of $46.$^{55}_{11}$ with interest from date of Judgement and the Balance if any to Plaintiff Howe Sewing Mch Co.

2693 Howe Sewing Mch Co
v.s.
F. C. Smith et. al.

This day this cause came on to be heard and on motion of the Plaintiff and upon his producing the return of the Sheriff of the sale made under a former order of this court and the court upon a carefull examination of said proceedings of the sheriff being satisfied that proceedings and sale are in all respects in conformity to law and the order of this court It is ordered that proceedings and sale be and the same are hereby confirmed and it is further ordered that said sheriff convey to the purchaser John Beatty by deed in

Monday October 14th A.D. 1878

for ever the lands and tenements so sold and the court coming now to distribute the proceeds of said sale amounting to $53.00 it is ordered that the Sheriff pay out of the money in his hands 1st the costs in this action taxed at $ 2d to the defendant George Armstrong the sum of $39.30 with interest from date of judgement to Feb 27 1878 3d To the plaintiff Howe Sewing Mch Co. $39.30 with interest from date of judgement or so much thereof as said proceeds will pay after paying said 1st and 2d items as above stated

2904 D. C. Fay
v.s.
Robert B. Smith et.als. This cause came on for hearing on the petition and answer of the defendant and the evidence was submitted to the court on consideration whereof the court find that the defendant is indebted to him in the sum of $14.00 It is therefore considered by the court that the said plaintiff recover from the said defendant the said sum of Four & 00/100 dollars and his costs herein expended taxed at $

2125 James Woodburn
v.s.
Wm. M. Robinson et.als Now comes the plaintiff and by consent of parties leave is granted by the court for Plaintiff to file amended petition in this action on file within forty days.

3057 John H. Ruston
v.s.
S. M. McAlpin et.al. Now comes the plaintiff by his attorney and by leave of the court to file an amended verification to his petition within ten days from the rising of this court also leave to the defendants to withdraw their Motion filed in this cause and this cause continued

3010 Saml S. Nonnemaker
v.s.
Mary Nonnemaker et.als On motion to the court by Robinson and Piper counsel for petitioner and upon introducing the proceedings of the Sheriff and also the report and proceedings of the commissioners herein before appointed and the same being examined It is ordered that said proceedings and report be and the same are hereby approved and confirmed and that the said parties hold in severalty the shares set off and assigned to each respectively by said Commissioners And it is further ordered that the costs and expenses including an attorney fee to Robinson & Piper of $106.50 taxed to $ be paid within thirty days from this date in the following proportions to wit the said Samuel Nonnemaker Lucinda Atkinson Nancy Nonnemaker and Martha Nonemaker one equal sixth part each and the said Chas. E. Lucy Mary

Monday October 14th A.D. 1878

Sulu Curry Addison S. Curry Martha A. Stephens John B. S. Stephens and Winie Stephens one equal eighteenth part each and in default thereof that execution issue therefor

3079 Belle Mullegen et.al. v. s. R.W. Woodson et.als. And now comes the said Belle Mullegan and Robert Mullegen and the said J.J. Anderson J.R. Hatcher and D.A. Bigelow having failed to demur or answer to the petition of the said Belle Mullegen and Robert Mullegan it is considered that the said Belle Mullegen and Robert Mullegen ought to recover the said sum of $90 00/100 so demanded in their petition together with the sum of $10 00/100 which the court finds due as the interest on the 11th day of september 1878 on said $90 00/100 as prayed for in said petition

It is therefore considered that the said Belle Mullegen and Robert Mullegen recover against the said J.J. Anderson J.R. Hatcher and D.A. Bigelow the said sum of $100 00/100 with interest thereon from the 11th day of September A.D. 1878 together with his costs in and about his suit taxed $ And it is further ordered that for the purpose of getting service on the defendant R.W. Woodson this cause is continued

3130 Farmers Bank v. s. James H. Myers et.al. This day came the plaintiff by D.W. Ayers Attorney and thereupon came T.B. Benton one of the Attorneys of Record of this Court who by virtue of a warrant of attorney duly executed and now produced in open court and duly proven waived the issuing and service of process and entered appearance of said Defendant herein and by virtue of the said warrant of Attorney confesses that there is due from said defendant to said plaintiff as is alleged in said Plaintiffs petition the sum of $257 00/100 It is therefore considered that said Plaintiff do recover of said Defendant The said sum of $257 00/100 so aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waiver

3131 Farmers Bank v. s. Samuel Myers et.al. This day came the plaintiff by D.W. Ayers Attorney and thereupon came T.B. Benton one of the attorneys of Record of this Court who by virtue of a warrant of attorney duly proven waived the issuing and service of process and entered appearance of said Defendant herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendant to said Plaintiff as.

Monday October 14th A.D. 1878

is alleged in said Plaintiffs petition the sum of $ 180 00 It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $ 180 00 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with intrest to be computed at the rate of 8 per centum per annum And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

2968 Emeline Ballinger v.s. Caleb E. Ballinger — And now came the said Emeline Ballinger by A.T. Carpenter her Attorney and thereupon this cause came on for hearing upon the petition & testimony and was argued by counsel On consideration whereof the court do find that the said defendants has been guilty of extreem cruelty and gross neglect of duty as is in said petition set forth and averred It is therefore adjudged and decreed that the marrage relation heretofore existing between the the said parties be and the same is hereby set aside and wholly annulled and the said parties wholly released from the obligations of the same And it is further ordered that the said defendants do pay to the said plaintiff for her reasonable allimony the sum of One Hundred and Ten Dollars and further that said defendant pay the costs of this action taxed to $ and in default thereof that execution issue therefor. And it is further ordered that the custody nurture education and care of the said Goram Thomas Ballinger and Talmage Scott Ballinger be and the same is hereby given to the defendant until the further order of the Court herein And it is further ordered that plaintiff shall at all proper times have the free and uninterupted privilege of seeing and visiting said children and that defendant is hereby forever enjoined from interfering with or disturbing the said petitioner in the exercise of her privilege of seeing and visiting said children at all proper times and places

2970 Mathew Johnson v.s. Sarah Johnson et.als. — This day this cause came on for hearing upon the return of the Sheriff and the report of the commissioners heretofore appointed herein and on the motion to confirm the same and it appearing that said estate can not be divided by metes and bounds without manifest injury to the value thereof and that said commissioners have appraised the same both subject to and free from dower — and said widow has elected to take her intrest in money and said commissioners have returned their said appraisement and the court having examined the same and found said return and proceedings in all respects correct and in conformity to law and therefore do approve and confirm the same And therefor neither of said parties electing to

Monday October 14th A.D. 1878

take the said premises at their appraised value on motion of the plaintiff it is ordered that said premises be sold at public auction free from dower and that an order issue therefor to the Sheriff of Union County and that said sheriff return his proceedings to this court at the next term thereof

2875 George C. Ketcham et.als. v.s. George Beecher et.als. This day came on this cause to be heard upon the verdict of the jury upon the writ issued in behalf of the defendants for the benefits of the occupying claimant land and it appearing that said jury appraised the value of the land in the possession of George Beecher exclusive of improvements since April 8.1862 at $2275 and the rents since April 12th 1878 at $100 making a total of $2375 & appraised the value of the land in the possession of said Samuel R. & Rebecca Borger at $864 and the rents since April 12 1878 at $36 making a total of $900 and the court being satisfied that the proceedings under said writ are lawful do confirm the same and the said plaintiffs electing to surrender their claim to said land & take pay for their share of said valuation of said lands & said rents & the court being fully advised in the premises do authorize said plaintiffs to make said election & order & adjudge that upon the execution to the said George Beecher their deed for the one ninth of said lands in his possession he shall pay & secure to be paid to them the one ninth of said $2375 to wit the sum of $263 88/100 as follows one third thereof in hand & the one third in six months & one third in twelve months with six percent intrest from date And it is further ordered and adjudged by the court that upon the execution to the said Samuel R. & Rebecca Borger their deed for the ninth of said lands in their possession they shall pay & secure to be paid to said plaintiffs the one ninth of said $900 to wit one hundred dollars as follows to wit one third in Hand & one third in six months & one third in twelve months with intrest from date at six per cent And said plaintiffs are ordered to pay all the costs under the occupying claimant land & said defendants all the costs up to that point in the case 295

3081 J.S. Norton & Co vs School Dist. No1 - Continued

3011 Elizabeth Jenkins v.s. Ira M. Welch et.als. Settled and costs Paid

W.J. Hinds Admr v.s. L.H. Stephenson et.al. Settled and costs paid 2822

Monday October 14th A.D. 1878

John C. Maxwell
v.s.
W. H. Storms

This cause came on to be heard in the return of the Sheriff of the writ of venditioni exponas issued herein with his report of his proceedings and sale of lands and tenements under said writ And the court having carefully examined the said proceedings being satisfied that the said sale has in all respects been made in conformity to the provisions of the statutes in such cases made and provided finds the same to be legal and does therefore approve and confirm the same It is further ordered that the Sheriff make to the purchaser William Cahill a deed in fee simple for the lands and tenements so sold to wit= Situated in the county of Union State of Ohio and Township of York Beginning at Lynn N. E. Corner to survey No 5290 and standing in the Greenville Treaty line Thence with the original E line of survey No 5290 and the original west line of Survey No 5289 37 poles to three beeches N. W. Corner to J. E. Tobys. land Thence E with said Tobys north line far enough so that a line running north parallel with the west line of said survey No 5289 and extending to the Greenville Treaty line will include ten acres Thence with said Treaty line westward to the beginning containing acres more or less And a writ of possession is awarded to put the said purchaser in possession of said premises And the Court coming now to the distribution of the purchase money in the hands of the Sheriff orders that he pay First to the Treasurer of this county the taxes and penalty due upon the property so sold to wit the sum of $ Second to the Clerk of this Court the costs in of this action taxed at $ Third to the plaintiff John C. Maxwell the amount of the judgment rendered remaining unpaid with interest to this date to wit the sum of $ Fourth to the defendant herein the balance of said purchase money to wit the sum of $

2452 S. L. McCamey
v.s.
James Mulvain

This day came the parties by their attorneys and neither party desireing a jury the same was waived by the parties and this cause submitted to the court upon the pleadings of the parties and the evidence and was argued by counsel

On consideration whereof the Court do find for the plaintiff upon the issues joined and the court do find and assess the amount which the plaintiff ought to recover by reason of the premises at forty five ($45.00) It is therefore considered ordered and adjudged by the court that the said plaintiff recover of the defendant the said sum of Forty five dollars the amount so as aforesaid found and assessed together with his costs in this suit expended taxed to $

2822 F. J. Sayer
Pltff v.s.
John B Jolly et al Deft

Settled and costs Paid P67

Monday October 14th 1878

3004 Alfred F. Tallman v.s. Emily L. Tallman } This cause came on to be heard on the petition answer & evidence and being argued by counsel & the court being fully advised in the premises do find that the Defendant has been absent from the bed & board of the plaintiff for more than three years prior to the fileing of the petition in this case It is therefore ordered and adjudged that the plaintiff have his decree and the marriage between the plaintiff and defendant be and the same is dissolved and made null and void That the Defendant shall be restored to her maiden name of Emily L Goff and that the plaintiff pay the costs of this suit taxed at $

335 The state of Ohio v.s. Saml Schlayer } continued for sentence

350 The State of Ohio v.s. Harman Singer } Continued for Sentence

351 The State of Ohio v.s. Harman Singer } Continued for Sentence

358 The State of Ohio v.s. William Richter } Continued for Sentence

359 The State of Ohio v.s. William Richter } Continued for Sentence

360 The State of Ohio v.s. William Richter } Continued for Sentence

379 The State of Ohio v.s. Horace Andrews } Continued for Sentence

391 The State of Ohio v.s. William Richter } Continued for Sentence

392 The State of Ohio v.s. William Richter } Continued for Sentence

426 The State of Ohio v.s. William Hudgel et. al. } Continued by Consent

427 The State of Ohio v.s. Jas. M. Darling } Entry on Page 181 this Journal

432 The State of Ohio v.s. Thomas Porter } Continued for Arrest

433 The State of Ohio v.s. Patrick Sheridan } Continued for Servic

436 The State of Ohio v.s. John Randall } Continued for Arrest

438 The State of Ohio v.s. Robert Taylor & George Condon } Continued by consent

439 The State of Ohio v.s. Robert Taylor } Continued by Consent

440 The State of Ohio v.s. Denbeck Cobdric & Barbary Coldie } Continued by Consent

443 The State of Ohio v.s. Michael Keirn } Continued by Consent

Monday October 14th A.D. 1878

4446 The State of Ohio v.s. Michael Klein } Continued by Consent

4447 The State of Ohio v.s. Fredrick Reif } Continued

3021 Jacob Painter vs Jonas Cline - Settled & Cost Paid

3001 James Fullington v.s. George W. Sinclair et.als. } This day this cause came on for hearing upon the return of the sheriff and the report of the commissioners heretofore appointed herein and on motion to confirm the same And it appearing to the Court that said estate cannot be divided by metes and bounds without manifest injury to the premises and value thereof and that said commissioners have made and returned their appraisement of the several parts and parcels of said estate to wit in the sum of $6927.00 for the entire premises as follows The tract or parcel containing 45 acres at the sum of $2250.00 that being $50.00 per acre The tract or parcel containing 50 acres at the sum of $2750.00 that being $55.00 per acre The tracts or parcels containing 12 7/8 and 9 1/3 Acres respectively at the sum of $1110.00 that being $50.00 per acre The tract or parcel containing 23 1/3 Acres at the sum of $816.67 that being $35.00 per acre The Court find the said return and proceedings in all respects correct and in conformity to law and do therefore approve and confirm the same in all respects And it appearing to the court that the said James Fullington has elected to take all of the said several tracts and parcels of land at the said appraisement and valuation and there being no order or agreement to the contrary as to payment the same are upon payment of the in hand payment being one third thereof by said Fullington and upon his securing the second and third payments in one and two years from this date with intrest adjudged to him and the sheriff is ordered to convey said premises to him accordingly by deed in fee simple It is further ordered that the sheriff out of the proceeds arising from said sale pay First to the Treasurer of Union County the sum of $52.27 being the taxes and penalty due on said premises Secondly to the clerk of this court the costs of this action including a counsel fee of $89.45 to M. C. Laurence and Cameron & Benton for their services taxed to $138.67 Thirdly and of the residue of the in hand payment he pay to Chas. M. Sinclair and Francis Sinclair the sum of $274.41 each making together the sum of $548.82 to Ellsworth Stanton the sum of $35.05 and that the plaintiff retain the residue in the sum of $532.37 And it is further ordered that the notes and securities for the 2d and 3d payments be made payable as follows To the said Charles M. Sinclair the sum of $299.48 on the 14th day of October 1879 and a like sum to him on the 14th day of October 1880 with intrest on each payment from the 14th of October 1878 To the said Francis Sinclair the said sum of $299.48 October 14th 1879 and a like sum October 14th 1880 with intrest from October 14th 1878 To the said Ellsworth Stanton the sum of $38.20 October 14th 1879 and a like sum Oct 14th 1880 with intrest from Oct 14th 1878

Monday October 14th A. D. 1878

2993 Harden R. Pickett by his friend v. s. John H. Stewart et.als. — On motion to the Court by Cameron and Benton council for said petitioner and upon producing the return of the sheriff and the report of said commissioners heretofore appointed and the same having been examined by the Court

Sure and found in all respects correct and in conformity to law

It is hereby ordered that the said proceedings and report and the same is hereby approved and confirmed and thereupon neither of said parties electing to take the said premises at the said valuation It is ordered that the said premises be sold at public sale by the Sheriff of said County of Union according to law and that he return his doings in the premises to the next term of this Court to which time this action is continued

2990

3025 E. Springer Oliver v. s. John N. Beaver et.als — This day this cause came on to be heard the defendants John N. Beaver. Martha Beaver his wife George B. Hamilton Trustee &c and the Bank of Richmond being in default for plea answer or demurrer and neither party requiring a jury this cause was by the plaintiff submitted to the court upon the petition of the plaintiff the answer and cross-petition of John N. Hamilton defendant the exhibits and testimony On consideration whereof the Court finds the allegations in said petition and answer and cross-petition to be true and that there was due from the defendant John N. Beaver to the plaintiff on her first and second causes of action set forth in her petition on the 9th day of September 1878 (That being the first day of this term) the sum of One Thousand Five Hundred Sixty Seven and 42/100 Dollars ($1567 42/100) which sum the Court finds to be a lien on the lands and tenements in the petition described by virtue of the mortgage referred to in said petition And the Court further finds that said mortgage was given to said Jacob C. Sidle to secure to him his heirs and assigns the deferred payments of purchase money to become due to him upon the said lands and that the note held and owned by John N. Hamilton set forth in his cross-petition is one of those so secured by said mortgage And the Court further finds that said mortgage set forth in plaintiffs petition is the first and best lien on the premises therein described It is therefore considered ordered and adjudged by the Court that the plaintiff E. Springer Oliver recover of the defendant John N. Beaver the sum of One Thousand Five Hundred and Sixty Seven and 42/100 Dollars ($1567 42/100) as found due with interest from September 9th 1878 and also her costs herein expended taxed to $.

2519

The Court further find that the condition of defeasance in said mortgage has been broken and that the plaintiff is thereby entitled to have the equity of redemption foreclosed and the inchoate rights of dower and homestead of Martha Beaver wife of John N. Beaver barred

It is therefore considered ordered and adjudged and decreed by the court that unless the defendants John N. Beaver and Martha Beaver shall within five days from this date pay or cause to be paid into the plaintiff the said sum of $1567 42/100 with interest from September 9th 1878 and the costs in this cause the defendants equity of redemption be foreclosed and said premises sold free from the inchoate rights of dower and homestead

Monday October 14th A. D. 1878

of Martha Beaver and that an order issue to the Sheriff of this county commanding him to appraise advertise and sell the lands and tenements in the petition described as upon execution at law and bring the proceeds arising from such sale into court for its further order For report of sale and as to the note not yet due now owned by John M. Hamilton this cause is continued

2990 George W. Potts et al vs George M. Sanderson et al } Now comes the Plaintiff and dismisses this action at their own cost - without prejudice. It is therefore considered that the Plaintiff pay the cost herein taxed to $ within ten days from the rising of this term of Court. and or in default thereof Execution issue therefore -

2519 George F. Morse vs Strange M. Morse et al } Journal entry confirming Sale in partition and distributing proceeds

This day on Motion of the plaintiff and upon producing the return of the Sheriff of his proceedings and Sale under the former order of this Court, and the Court being fully satisfied on Examination that the Same have been had in all respects according to Law the said proceedings and Sale are hereby approved and confirmed and the said Sheriff is ordered by deed duly executed to convey the Lands and tenements in the petition described to George F. Morse the purchaser in fee simple - It is further ordered that the out of the proceeds of said Sale, pay, 1st to the Clerk of this Court the Costs of this action including a counsel fee of $101.65 to M. G. Lawrence and A. T. Carpenter for their services herein taxed to $205.23 -

2nd That of the residue of the proceeds arising from said Sale be pay to Martha Bland Widow The Sum of $340.26 - To Strange M. Morse the Sum of $192.97 - and to Alfred H. Farmer a like Sum of $192.97 And That said George F. Morse retain the residue of the in hand payment for himself in the Sum of $771.88 it appearing to the Court that since partition was ordered in this case the said George F. Morse has purchased the interest of Jason D. Morse in the premises at Sheriffs Sale which Sale was confirmed and deed executed and made to said George F. Morse - And it was further ordered that the Securities for Deferred payments be made as follows - To the said Martha Bland The Sum of $340.23 - One in One year and a like Sum in two years from the day of Sale (Nov 24th 1877) - To Strange M. Morse the Sum of $227.18. One in One year and a like Sum in two years from the day of Sale. To Alfred H. Farmer the Sum of $227.18. One in One year. and a like Sum in two years from the day of Sale. And that the residue of the deferred payments be retained by the said George F. Morse in the Sum of $1817.44.

John L Porter Judge

Saturday October 26th A.D. 1878

Entry made during vacation

Court of Common Pleas Union County

3137 Orlando Wells Plaintiff
against
Justice J. Miller
The North Lewisburgh Bank
H. B. Claflin
O. N. Wells
Fallington Phillis & Woods
James Carter defendants

On motion of the plaintiff by his attorney and good cause being shown therefor It is ordered that an undertaking being given in the sum of $1000 with sureties to the approval of the clerk an injunction be allowed to issue herein enjoying the said defendants from selling the property described in the petition until the further order of this court

The Clerk will enter the above upon the Journal as my order in the above case John S Porter Judge

3137 Court Common Pleas Union County
Orlando Wells Plaintiff
against
Justice J. Miller
The North Lewisburgh Bank
H. B. Claflin
O. N. Wells
James Carter
Fallington Phillis & Woods defendants

And now comes as well the said Orlando Wells plaintiff as the said defendants The North Lewisburgh Bank and H. B. Claflin and thereupon this cause came on to be heard before the Hon J. S. Porter one of the Judges of said Court upon the original petition for an injunction and the appointment of a receiver It is therefore ordered by consent of said parties that J. B. Whelpley be and is hereby appointed receiver in this action on his giving an undertaking to the acceptance of the clerk of this court in the sum of $3000 conditioned that the said J. B. Whelpley shall faithfully discharge his duties of such receiver in this action and obey the orders of the court therein, And thereupon came the said J. B. Whelpley and entered into an undertaking as aforesaid with J. W. Robinson and N. L. Curry as his sureties to the acceptance of the clerk and thereupon the said J. B. Whelpley was duly sworn faithfully to perform his duties as such receiver And it appearing that property described in the petition is of a perishable nature & the said parties not objecting it is ordered that said receiver Advertise in one of the papers of the County to sell said property in Bulk and sell the same at public auction after ten days notice and report the same to said judge & if he approve and confirm the same such sale shall be binding and said receiver is authorized to make such sale at six months time upon the purchasers giving two good sureties satisfactory to said receiver

The Clerk will enter the above on the Journal as my order in this case John S. Porter Judge

Time Fixed for holding Courts for the year A.D. 1879.

It is ordered, that a term of the Court of Common Pleas be commenced at 8 o'clock, A. M.,

In Allen County on	January 6.	March 31st	September 29th.	1879
In Auglaize County on	January 13th	April 7th	September 8th	1879
In Crawford County on	January 7th	April 21st	September 9th	1879
In Defiance County on	January 13th.	May 12th	September 29th	1879
In Fulton County on	February 10th	June 9th	October 27th	1879
In Hardin County on	January 7th	April 1st	October 7th	1879
In Hancock County on	January 7th	April 21st	September 9th	1879
In Henry County on	January 27th	May 26th	October 15th	1879
In Logan County on	February 25th	May 13th	November 4th	1879
In Marion County on	February 18th	June 9th	October 28th	1879
In Mercer County on	March 17	May 5	December 1st	1879
In Paulding County on	January 7th	May 6th	September 23d	1879
In Putnam County on	February 10th	April 28th	September 8th	1879
In Seneca County on	February 3d	May 12th	October 8th	1879
In Shelby County on	March 3d	May 19th	October 6th	1879
In Union County on	February 3d	April 21st	September 8th	1879
In Vanwert County on	February 17th	April 21st	November 3d	1879
In Williams County on	February 24th	June 18th	November 10th	1879
In Wood County on	February 24th	June 9th	November 4th	1879
In Wyandot County on	January 28	May 19th	October 8th	1879

And that a term of the District Court be commenced at 8 o'clock A.M.-

In Allen County on	April 10th 1879	In Mercer County on	April 1st 1879
In Auglaize County on	March 31st 1879.	In Paulding County on	June 16th 1879
In Crawford County on	July 15th 1879.	In Putnam County on	April 2d 1879
In Defiance County on	June 18th 1879.	In Seneca County on	June 18th 1879
In Fulton County on	June 24 1879.	In Shelby County on	March 28th 1879
In Hardin County on	March 25th 1879	In Union County on	March 11th 1879
In Hancock County on	June 18th 1879	In Vanwert County on	April 7th 1879
In Henry County on	June 21st 1879	In Williams County on	June 25th 1879
In Logan County on	March 18th 1879	In Wood County on	June 28th 1879
In Marion County on	July 15th 1879	In Wyandot County on	July 8th 1879

Then ordered at a meeting of the Judges of the Court of Common Pleas of the 3d Judicial District of the State of Ohio, held for that purpose, at the Court House in the Town of Defiance in the County of Allen in said District. This 28th day of October 1878

James McFerrin
Thomas Beer
John L. Porter
E. M. Phelps
Henry H. Dodge
Selwyn N. Owen
} Judges

To the Clerk of the Court of Common Pleas of Union County, Ohio;
You are hereby directed to have the foregoing order published according to Law.

John L. Porter Judge

October 28th A.D. 1878

3145 Orlando Wells
vs
Osmond W. Wells
Henry G. Partridge
Isaac Brake, John Bihner
and William Brake

Order by Probate Judge allowing Injunction and appointing a Receiver

This day came the said plaintiff and thereupon this cause came on to be heard before the Hon John B. Coats Judge of the Probate Court of said County. The Judge of the Court of Common Pleas being absent, upon the original petition for an injunction & the appointment of a receiver, whereupon the the said Judge being fully advised in the premises and upon due consideration, and good cause shown therefor an injunction is allowed to issue therein Enjoining said defendants as prayed for in said petition until otherwise ordered. And it is further ordered that J. B. Whelpley be and he is hereby appointed a receiver in this action on his giving an undertaking to the acceptance of the Clerk of said common pleas court in the sum of Eight hundred dollars conditioned that the said J. B. Whelpley shall faithfully discharge his duties as such Receiver in this action and obey the orders of the court therein. And Thereupon came the said J. B. Whelpley and entered into an undertaking as aforesaid with W. W. Robb and C. Houston as his sureties to the acceptance of the Clerk of said common Pleas Court. and Thereupon the said J. B. Whelpley was duly sworn faithfully to perform his duties as said Receiver.

John. B. Coats. Probate Judge

No 2685

November 23d A.D. 1878

3146 Orlando Wells
vs
Osmond W. Wells
and others

Court of Common Pleas Term Co. D
Nov 23d 1878.

The Receiver J. B. Whelpley having made Sale of the property mentioned in this cause and ordered to be Sold and having Reported Said Sale and the parties not objecting and the said Sale appearing in all respects regular and in conformity with law the said Sale and proceedings are hereby approved and confirmed by me and this Entry ordered to be Entered on the journal of this Court.

Clerk will enter the above entry on the Journal.

Glen D. Porter. Judge.

E & K No 2682

2834 Asbery Elliott
vs
Mary E. Elliott

Now come the plaintiff herein and the defendant being in default for answer or demurrer, the court finds that the plaintiff at the time of filing his petition had been a resident of the State of Ohio for more than one year next preceding the same and was at that time a bona fide resident of this county of Lenin and that the parties hereto were married as in said petition set forth. The court further find upon the evidence adduced that the defendant has been guilty of gross neglect of duty and that by reason thereof the plaintiff is entitled to a divorce as is prayed for. It is therefore ordered and adjudged by the court that the Marriage Contract heretofore existing between the said Asbery Elliott & Mary E. Elliott be and the same hereby is dissolved and both parties are released from the obligations of the same. And it is further ordered that the custody care and control of the said Children of the parties hereto be, while further ordered, Confided to the said Asbery Elliott exclusively but the said Mary E. Elliott shall have the privilege of visiting the said children at reasonable times.

Monday October 14th A 1878

2855 Shannon Bailey
vs.
Simon Bennett et al. } This day come the said plaintiff and the said defendant Benjamine Bailey in his own proper person before the Court and the said Benjamine Bailey confessed the fact and allegations stated in the plaintiffs petitions to be true The said defendant Simon Bennett and Margaret Bennett still failing to answer or demur to the said petition this cause was submitted to the court upon the pleadings exhibits and testimony and was argued by Counsel On consideration whereof the Court do find that due notice of the filing and pendancy of this petition has been given to said defendants according to law and for more than forty days prior to this term of Court The Court do further find that all the facts stated and allegations made in the said petition are true and that said plaintiff is entitled to the relief by him demanded It is therefore considered ordered and decreed by the Court that the said mortgage be cancelled by said defendant and wholey released within five days from the date of this decree and that in defaut thereof that this decree operate to wholey cancel and release said mortgage and forever quit and put at rest the title of said premises and that said defendant and all persons claiming through or under them or either of them be forever and perpetually enjoined from ever disturbing or interfering with the said plaintiffs or any one claiming said premises through or under him And it is further ordered that said defendants Simon Bennett and Margaret Bennett pay the costs of this proceedings taxed to $

No 2685 Joshua S. Gill. Plaintiff
vs
Lorenzo Sabine. M. Cramer
Diana Kelsey & Richwood
Building and Saving Association
and Eliza A C. Gill Defendants } Decree & order of Sale on Foreclosure. $1098.70 & int. from Sept 9th 1878.

This Day this Cause came on to be heard, the defendants all being present in default for Plea Answer or Demurrer to the answer and cross petition filed by Michael Cramer in this action and it appearing to the Court that the Service of Summons was made upon the said Joshua S. Gill plaintiff and said Eliza A.C. Gill his wife defendant by the Sheriff of Miami County Ohio on the 9th day of February 1878. Which Summons issued upon the filing of said answer and cross petition of said Michael this cause was submitted to the Court by the defendant M. Cramer upon said answer and cross petition Exhibits and evidence neither party requiring a Jury. On consideration Whereof the Court find the allegations in the said answer and cross petition to be true, and that there were Material Errors and Mistakes Made by and between the said M. Cramer and the said Joshua S. Gill and Eliza A. C. Gill his wife as alleged in the said answer and cross petition - It is therefore ordered & decreed that the said Mortgage Deed be, and the same is hereby Corrected so as to conform to the intentions of the parties thereto, That is to say; that said Mortgage be taken and held to have been Made and Executed on the 30th day of March 1872 and to be of that date; and that the description of said Note

Monday October 14th 1878

in the condition Mortgage. be taken and held to be payable to said Michael Cramer or order instead of "or bearer" as in said condition contained.

And on further consideration the Court finds that the condition of defeasance in said Mortgage has been broken and that the said M. Cramer has the right to have the Equity of redemption foreclosed and the inchoate right of Dower and homestead of the said Eliza A. C. Gill barred.

And the Court further finds that there was due from Joshua S. Gill and Eliza A. C. Gill his wife to the said Michael Cramer on the indebtedness set forth in the answer and cross petition of the said Cramer on the 9th day of September 1878 (that being the first day of this term the sum of One Thousand and Ninety Eight and Seventy cents ($1098.70) which sum the Court finds bears interest from that date at Eight per cent per annum.

Dollars

It is therefore considered ordered adjudged and decreed by the Court that unless the Joshua S. Gill and Eliza A. C. Gill his wife shall pay or cause to be paid unto the said M. Cramer within ten days from this date the said sum of $1098.70 with interest at 8% from the 9th day of September 1878 and the costs herein that an order issue to the Sheriff of Union County Ohio for the time being commanding him to proceed to appraise, advertise and sell the lands and tenements in the Mortgage and answer & Cross petition of M Cramer described, as upon Execution at Law free from the inchoate right of Dower or homestead of the said Eliza A. C. Gill and that he bring the proceeds arising from said sale into Court subject to its further order.

And it is further ordered that the said Sheriff have the part of said premises which was conveyed by Joshua S. Gill & Wife to Lorenzo Sabine appraised separate from the residue of the premises described in said M. Cramers Mortgage and that said residue be appraised separately, and offered for sale first by the Sheriff.

Entry & Decree from Supreme Court filed & Entered Dec 31st 1878

Sarah C. Burnside
vs
Lewis C. Burnside

2991

Now came the plaintiff herein and the defendant withdrawing his answer & then being in default for answer & demurrer & Court finds from the evidence that the plaintiff at the time of filing her petition had been a resident of the State of Ohio for more than one year next preceding the same and was at the time a bona-fide resident of this county of Union and that the parties hereto were married as in said petition set forth. The court further finds upon the evidence adduced that the defendant has been guilty of extreme cruelty and that by reason thereof the plaintiff is entitled to a divorce as prayed for. It is therefore ordered and adjudged by the Court that the Marriage contract heretofore existing between the said Sarah C. Burnside & Lewis C. Burnside be and the same is dissolved and both parties released from the obligations of the same. It is further ordered and adjudged that the defendant pay to the plaintiff as her reasonable alimony in money the sum of One Hundred dollars within 30 days from the rising of the court or Execution to issue therefor. also 9 head of Sheep and all the household furniture except One Stove & one bed & bedding.

It further considered by the court that the said Plaintiff recover from the said defendant her costs herein expended.

313H

Amy Bell Wallace, Plff } Com Pleas Court. Union County
vs
Isaac Wallace et al Defts } In Vacation

Porter Judge of said Court. This day came the Parties before the Hon John L Porter Judge of said court and submitted this cause upon the Motion of said Martha J. White (Wallace) and said Albert Wallace to dissolve the injunction heretofore granted in this case so far as the same relates to them and for causes in said Motion Stated, and the Court after hearing the statements and arguments of Counsel and evidence in the case and being fully advised in the premises. Find that an injunction bond ought to be executed to protect the said Albert Wallace and the said Martha J. Wallace and in default thereof that as to them said injunction ought to be dissolved.

It is therefore considered and ordered by the said Judge that said plaintiff execute an injunction bond to the said defendants Martha J. Wallace and Albert Wallace in the sum of Five Hundred dollars with good and sufficient Security to the acceptance of the Clerk of said Court. said bond to be executed approved and filed within ~~ten~~ days from this date, and in default thereof that said injunction stand dissolved and discharged as to the said Martha J. Wallace and Albert Wallace, but that the same shall stand in full force and effect as to said Isaac Wallace and upon the filing of said bond within ten days as aforesaid then that said injunction stand and remain in full force as to all of said parties until the further order of this Court. Done at the Clerks office in Vacation this 7th day of December 1878.

Entry & Mandate from Supreme Court Rec'd & Filed Dec 31st 1878

The State of Ohio } Supreme Court of the State of Ohio. December Term A.D. 1878.
City of Columbus } Error reserved in the district Court of Union County.

Pittsburgh, Cincinnati and St Louis Railway Company }
vs
William B. Moore }

This cause came on to be heard upon the Transcript of the record of the Court of Common Pleas of Union County and was argued by counsel. On consideration whereof, it is ordered and adjudged by this court, that the judgment of the said Court of Common Pleas be and the same is hereby affirmed. It is further considered that the defendant in error recover of the plaintiff in error his costs herein expended to be taxed. Ordered that a special Mandate be sent to the Court of common pleas of Union County, to carry this judgment into execution. Ordered that a copy of this entry be certified to the Clerk of the District Court of Union County "for Entry"

I, Richard J. Fanning Clerk of the Supreme Court of Ohio, do certify that the foregoing entry is truly taken and correctly copied from the journal of said Court. Witness, My hand and the seal of said Court. This 30th day of December A.D. 1878. Richard J. Fanning, Clerk.

State of Ohio, City of Columbus. Supreme Court of Ohio
To the Honorable Court of Common Pleas. Within and for the County of Union Ohio Greeting:

We do hereby command you, that you proceed, Without delay, to carry the within and foregoing Judgment of our Supreme Court of Ohio, in the cause of Pittsburgh, Cincinnati and St Louis Railway Company vs William B. Moore into execution, the Petition in Error herein and heretofore granted to the contrary, notwithstanding.

Witness, Richard J. Fanning Clerk of our said Supreme Court of Ohio at Columbus. This 30th day of December 1878. Richard J. Fanning, Clerk.

3164

Supreme Court of the State of Ohio.

The State of Ohio, }
City of Columbus } December Term, A.D. 1878.

Susan Humphries et al } Error to the District Court
vs } of Union County
Joab Huffman et al }

This Cause came on to be heard upon the Transcript of the record of the District Court of Union County and was argued by Counsel. On consideration whereof, it is ordered and adjudged by this Court, that the Judgment of the said District Court be and the same is hereby reversed, and this Court proceeding to render the judgment that said District Court should have rendered, order and adjudge that the Judgment of the Court of Common Pleas of Union County be and the same is hereby reversed and this Cause is remanded to said Court of Common Pleas for such further proceedings as may be authorized by Law.

It is further Considered that the plaintiff in Error recover of the defendants in Error their costs herein and in the District Court expended to be taxed.

3253

Ordered, That a special mandate be sent to the Court of Common Pleas of Union County, to carry this Judgment into Execution.

Ordered, that a copy of this Entry be certified to the Clerk of the District Court of Union County, "for Entry"

I Richard J. Fanning Clerk of the Supreme Court of Ohio. do hereby Certify that the foregoing Entry is truely taken and correctly copied from the Journal of said Court. Witness, my hand and the Seal of said Court. this 4th day of January A.D. 1879. Richard J. Fanning, Clerk

State of Ohio } Supreme Court of Ohio.
City of Columbus }

To the Honorable Court of Common Pleas, within and for the County of Union Ohio, Greeting;

We do hereby command you, that you proceed, without delay, to carry the within and foregoing Judgment of our Supreme Court of Ohio in the Cause of Susan Humphries et al vs Joab Huffman et al, as into Execution, the petition in error herein and heretofore granted, to the contrary notwithstanding. Witness Richard J. Fanning Clerk of our said Supreme Court of Ohio, at Columbus, this fourth day of January 1879

Clerks Cost - $7.00 Paid by Plff in Error Richard J. Fanning, Clerk
Printing Record $40.00 " "
Received & Filed Jan 18th 1879.
W. M. Wright - Clerk

No 2696

January 18th 1879

3164 Job S. Dillon 2nd James Herd Pltffs
Against
Farmers Bank of Union County Defts
In the Court of Common Pleas of Union Co O

This day came the parties by their attorneys and this cause came on to be heard upon the motion of defendants to vacate and dissolve the injunction heretofore granted by John B Coats Probate Judge and the same being argued by counsel to his honor Judge Porter at Chambers, said motion is sustained, said injunction vacated and dissolved and the petition filed herein dismissed by the Court.

It is therefore considered, ordered and adjudged that the defendant recover ~~their~~ of the Plaintiffs their cost herein expended taxed at $.

3253 Job S Dillon 2nd James Herd
vs
Farmers Bank of Union County
Court of Common Pleas Union County Ohio

This day came on this cause to be heard on motion of the plaintiffs by their attorneys and good cause being shown therefor to his honor Judge Porter at Chambers, It is ordered that on an undertaking being given in the sum of $400. with sureties to the approval of the Clerk an injunction be allowed herein enjoining the said defendants from selling certain personal property of James Herd one of the plaintiffs to-wit- One Black Mare five years old; One Sorrel Mare five years old and one black Gelding three years old. Which property was seized by the Sheriff of Union County under and by virtue of the command of an execution issued by the Clerk of said Court under a judgment under a cognovit or warrant of attorney, entered about the 16th day of October 1878 for the sum of $191 61/100 until the further order of this Court.

~~January 18th 1879~~

October 14th A.D. 1878

No 2696 Howe Sewing Machine Company
vs.
A. W. Franklin et als.

This day this cause came on to be heard and on motion of the Plaintiff, and upon his producing the return of the Sheriff, of the sale made under a former order of this Court, and the Court upon a careful examination of the proceedings of said Sheriff, being satisfied that the said proceedings of the Sheriff have been in all respects in conformity to law and the order of this Court, It is ordered that said proceedings and sale be and the same are hereby confirmed and it is further ordered, by the Court that said Sheriff convey to the purchaser, John Beatty or his assigns by deed in fee simple, the lands and tenements so sold, and the Court coming now to distribute the proceeds of said sale amounting to $87.00 It is ordered that the Sheriff pay, out of the money in his hands 1st The costs in this action taxed at $ 2nd To the defendant George Armstrong $ 37.00 with interest from date of judgment, to wit: February 27th 1878 3rd To the Plaintiff Howe Sewing Machine Company the sum of $ 37.00 with interest from date of judgment, and balance if any to defendant A. W. Franklin-

October 11th 1878

Sep

No 2434- Finley D. Davis vs Elijah Lister et. al } Journal Entry. Jud'gt - $6335.05 - Int - from Sep 9th 1878

This day this cause came on to be heard, and thereupon came the Parties. and neither party requiring a jury this Cause was by the parties submitted to the court upon the plaintiffs petition, answer thereto of the defendants Elijah Lister & Harriett M Lister his wife. plaintiffs reply to said answer the answer of J. M. Dennis and Robinson & Robinson and the reply of plaintiffs to said answers and the evidence - The defendant P. J. Wyeth having asked and obtained leave to withdraw his answer & Cross petition in this case and having dismissed that branch of the case without prejudice to a future action On consideration whereof the court does dismiss the injunction heretofore granted in this Case by the Probate Judge of Darke County. And on further consideration the court finds that there was due from the defendant Elijah Lister to the plaintiff Finley D. Davis on the first day of this Term it being the 9th day of September 1878 on the cause of action Set forth in the petition the Sum of Six hundred Thirty Three & 05/100 Dollars ($ 633.05) and the Court further finds that Mrs Harriet Lister has invested in said Lands the Sum of $ 360.00.

It is therefore considered ordered & adjudged by the court that the plaintiff Finley D. Davis recover of the defendant Elijah Lister the said Sum of Six Hundred Thirty Three & 05/100 Dollars do found due with interest from September 9th 1878 and also his costs herein & expended taxed to $ - To all of which findings and Judgment of the court the Defendant Elijah Lister & Harriett Lister then & there Excepted

3029

The Singer Manufacturing Company Plaintiff vs J. M. Dunn & J. A. Henderson late partners under the firm name of Dunn and Henderson } In Darke Common Pleas

2695

This day this Cause came on to be heard the defendants J. M. Dunn and J. A. Henderson being in default for answer or demurrer and neither party requiring a jury this cause was submitted to the Court on Petition of plaintiff testimony and Exhibits. On consideration Whereof the Court with the consent of the plaintiff finds that there was due from the defendants J. M. Dunn and J. A. Henderson as follows on the first Day of this term to wit: Sep 9th 1878. On the first cause of action in the petition set forth the sum of $163.80. On the second cause of action $56.80 on the third cause of action $113 30. on the fourth cause of action 114.30 all of which sums amount to $448.23. Which sum draws interest at the rate of eight per cent per annum from September 9th 1878. and the court finds that there is due from the defendants to the Plaintiff on its fifth cause of action in the petition at the date of September 9th 1878 the Sum of $3.48 which draws interest from that date at the rate of Six per cent per annum. Which sums taken together amount to $451.71

October 14th 1878

with interest on $448.23 from September 9th 1878 at Eight per cent per annum and interest on $32.18 from September 9th 1878 at 6 per cent per annum -

It is therefore considered ordered and adjudged by the Court that the Plaintiff recover from the defendants J. M. Dunn error J. A. Henderson the said Sum of Four Hundred Fifty one & 7/100 dollars ($451.31) with interest on $448.23 at Eight per cent per annum from September 9th 1878. and interest on $32.18 from Sept 9th 1878 at 6 per cent and also its costs herein expended -

3029 Thomas Stillings and Lauelia Stillings his wife vs Wm C. Dynes et al

~~Return of the Sheriff~~ This cause came on for hearing upon the return of the Sheriff and report of the Commissioners heretofore appointed herein and on the motion to confirm the same, And it appearing that said estate cannot be divided by metes and bounds without manifest injury to the value thereof, and that said Commissioners have made and returned their appraisement of said premises to wit: in the sum of two thousand dollars ($2.000) the Court find said return and proceedings in all respects correct and in conformity to law and do therefore approve and confirm the same. And thereupon neither of said parties electing to take the said premises at their appraised value on motion of the plaintiff it is ordered that said premises be sold at public auction, and that an order issue therefor to the Sheriff of Union County and that said Sheriff return his proceedings to this Court without unnecessary delay

2695 Howe Sewing Machine Company vs. Charles Baldwin et al

This day this cause came on to be heard and on motion of the plaintiff, and upon this producing the return of the Sheriff of the sale made in pursuance to a former order of this Court and the Court upon Careful examination of said proceedings of the Sheriff, being satisfied that the same have been in all respects in conformity to law and the order of this Court, it is ordered that said proceedings and sale be and the same are hereby confirmed, and it is further ordered that said Sheriff convey to the purchaser John B Catty by deed in fee simple, the lands and tenements so sold and a writ of possession is awarded to put said purchaser in possession of the said Premises. And the Court coming now to distribute the proceeds of said sale amounting to sixty four Dollars, it is ordered that said Sheriff out of the money in his hands pay, first the costs in this action taxed at $ Second, To the Defendant George Armstrong $52.00 with interest from date of Judgment to wit: February 27th 1878. Third, To the plaintiff, Howe Sewing Machine Company the sum of $52.00 and interest from date of judgment, or so much thereof as said funds will pay after paying the 1st and second items as above stated.

John L Potter Judge

Monday. February 3d A. D. 1879

The State of Ohio County of Union ss.

This Separate Session of the Court of Common Pleas of the Third Judicial District of the State of Ohio, Within and County of Union for the Term of February in the year of our Lord One thousand Eight hundred and Seventy Nine held at the Court house in the Town of Marysville County and State aforesaid, was begun and the First Monday, the 3d day of February in the year aforesaid.

Present;

Hon John L. Porter.

Judge of the Court

R. L. Woodburn. Justices J. Miller.

Prosecuting Attorney, Sheriff

W. M. Winget.

Clerk

The venire facias for a grand jury heretofore issued and returnable this day at 10 oclock A. M. now duly returned by the Sheriff with his endorsement thereon, as follows, to wit.

The State of Ohio } Sheriffs Office February 1st 1879
Union County S.S. } During the month of January Inst I served this writ on the within named: Thomas Martin, A J. Furguson, Luther Winget William Haines J. J. Sanaft. J. P. Kritline, James Shirk James Eddleman, Alex Ross and John R. Robinson, A L. Smith by delivering to each of them a Summons for grand jurors and by leaving at the Residence of Boyd Richie Luther Liggett S. C. Johnson and Isaac Staley a copy of Summons for Grand Jurors. J. J. Miller Sheriff

And upon calling the same in open court Thomas Martin A. J. Furguson Luther Winget William Haines J. J. Sanaft J. P. Kritline James Shirk James Eddleman Alex Ross John R. Robinson A. L. Smith Boyd Richey S. C. Johnson and Isaac Staley appeared in answer thereto. And the panel being incomplete the Sheriff summoned from among the by standers to complete the same the following named person who appeared in answer thereto. to wit- H. C. Hamilton.

And the panel being full the court appointed H. C. Hamilton foreman of the grand jury and he with his fellow jurors took the oaths in manner and form as prescribed by law. And the said jury being instructed by the Court in relation to their duties. were conducted to their room attended by the Sheriff for deliberation. The following named persons compose the grand jury to wit. 1 H. C. Hamilton foreman of the grand jury 2 Thomas Martin 3 A. J. Furguson 4 Luther Winget 5 William Haines 6 J. Sanaft 7 J. P. Kritline 8 James Shirk 9 James Eadleman

No 3263

No 3264

Monday February 3rd 1879

10 Alex Ross 11 John B. Robinson 12 A L. Smith. 13 Boyd Richie
14 D.C. Johnson 15 Isaac Staley.

No 3265 Cyrus Moore administrator with the will annexed of the estate of Magdalene Moore deceased
V. S.
Hylas Sabins and J. G. Lemox
} Court of Common Pleas of Union County

This day came the plaintiff by S. S. Gardiner his attorney and thereupon came A. T. Carpenter one of the attys of Record of this Court who by virtue of a warrant of atty, duly executed and now produced in open Court, and duly proven waived the issuing and service of process and entered appearance of said defendants herein and by virtue of the same warrant of atty confesses that there is due from said defendants to said Plaintiff (as administrator with the will annexed of the estate of Magdalene Moore deceased) as alleged in said Plaintiffs petition the sum of Nine Hundred and Fifty eight dollars and fourteen cents. It is therefore considered that said Plaintiff do recover of said defendants as said administrator the said sum of Nine Hundred and Fifty eight dollars and Fourteen Cents so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8% per annum and by virtue of said warrant of attorney all errors are released and all right of appeal and all right to file a petition in error are waived

No 3264 Aletia Price
vs
John Price
}

This day came this Cause to be heard upon the motion of the said Aletia Price for a restraining order and injunction as prayed for in the petition and the Court being fully advised in the premises do sustain said motion. It is therefor ordered and adjudged by the Court that said Defendant be injoined and restrained as prayed for in said petition until the further order of this Court.

Monday February 3rd 1879

James Green
V.S.
2704 Cornelius Fish

This day came the parties and consented to a continuance with leave to Defendant file answer & answer is filed — Leave to the plaintiff to Reply within thirty days from the rising of the Court=

Reuben Freshwater
V.S.
2715 Abraham Freshwater et.als. Continued

John P. Farrall & Co
V.S.
2754 Jont Hammond Continued

F. Melching
V.S.
2260 Adam Sherwood

This day came the plaintiff and dismissed this cause without prejudice at Plaintiffs costs — As. record. Therefore it is considered ordered & adjudged by the Court that this cause stand dismissed without prejudice & that Plaintiff pay the costs of this proceeding within twenty days & in default thereof that execution issue therefor=

Mathew Van Hamer
V.S.
2730 L.F. Stricklin et.al

This day came the parties and thereupon on application of the said defendant the Court ordered this case to be dismissed at the cost of the plaintiff for want of compliance by said plaintiff with the former order of this Court as to costs.

It is therefore considered and adjudged by this Court that the said defendants recover of the plaintiff their cost herein expended taxed to $

Cobah Burkham by Stephen Burkham her next friend
V.S.
2948 Charles D. Watt

This day this cause came on to be heard upon the motion of defendant to dismiss this action on account of plaintiffs failure to secure the costs as required by a former order of this Court and was argued by counsel and submitted and the Court being fully advised in the premises sustained said motion and this case is hereby dismissed. It is further ordered and adjudged by this Court that plaintiff pay the costs in this suit taxed to $

2900

3175

608

Monday February 3rd 1879

2900 A. M. Spicer Mattie Spicer and Julia Spicer
vs.
L. H. Smith & A. E. Knox

This day this cause came on to be heard upon motion of defendant L. H. Smith to dismiss this action for want of prosecution and was argued by counsel for defendant and counsel for plaintiffs and submitted and the court being fully advised in the premises sustained said motion. It is therefore considered ordered and adjudged that this cause be and is hereby dismissed. And it is further ordered that plaintiffs pay the costs in the action taxed to $

3175 Silas H. Poling
Chrst vs.
Christopher Oliphant et al

This day this cause came on for hearing and was submitted to the court upon the pleadings and evidence: On consideration whereof the court find that the defendant Christopher Oliphant and Mary Oliphant executed and delivered to one Philip Snider the mortgage deed in the petition described and on the premises therein described; that said mortgage was duly recorded in book 13 page 546 of the Records of Mortgages of Union County and is the first and best lien on the premises described in the petition; that on the 23rd day of November 1875 the said Philip Snider sold assigned and transfered all his right title and interest in and to said mortgage to the plaintiff and that said plaintiff is now the legal owner and holder thereof. The court further find that the conditions of defeasance in said mortgage has been broken, and that said plaintiff is thereby entitled to have the said defendants equity of redemption foreclosed. It is therefore considered and decreed that unless the said defendants shall within ten days from the entry of this decree pay or cause to be paid to the clerk of this court the costs in this case and to said plaintiff the sum of two hundred, sixty and 11/100 dollars with eight per cent interest from the 3rd day of February 1879 according to the terms of said mortgage deed, the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issued therefor to the Sheriff of Union County, directing him to sell said premises as upon execution and bring the proceeds into court for further orders and this cause be continued as to all other questions.

608 John Swanstalls
vs
Mary Williams et als

Continued

Monday Febuary 3rd 1879

3132 John A. Grossenbacher vs. Fredrick Grossenbacher et als } In partition

2569

Now Came the plaintiff herein by his attorney and his petition thereupon coming on to be heard the Court find that all of the defendants have had due legal notice of the pendancy and demand of the said petition and that they are in default for answer and demur and that the said petition is thereby confessed by them to be true Thereupon the Court find that said plaintiff has a legal right to and is Siezed in fee Simple of the lands and tenements in the petition set forth and that all the facts set forth in said petition are true. The Court do find that said defendants Fredrick Grossenbacher Edward Grossenbacher August Grossenbacher Elise Grossenbacher Julius Grossenbacher and Emile Grossenbacher are tenents in Common with said plaintiff on said premises and have each a right to and are Siezed in fee Simple of the undivided one seventh part thereof and that the plaintiff is entitled to partition of said premises.

2656

It is therefore ordered adjudged and decreed that partition of said premises be made and that an order issue to the Sheriff of the said County of Union Commanding him that by the oaths of James A Henderson Christopher Houston & F. J. Sager three judicious and disinterested freeholders of the vicinity who are not akin of either party and who are hereby appointed Comissioners for that purpose he cause to be set off and divided to the said plaintiff and to each of the said defendants the parts and proportions of the said estate to which they are herinbefore severally found entitled. And it is ordered that if in the opinion of said Commissioners the said premises cannot be divided according to the demand of said writ without manifest injury to the value thereof they return that fact to this Court together with a just valuation of said estate.

2593

And of his proceeding herein the said Sheriff is ordered to make due return without unnecessary delay.

2076 Mary J. Baker et als vs. Richard White et als } Continued

2855 Anthony Kiger et als. vs. Mary Turner } Case continued at plaintiffs cost. Judgement for costs of term against plaintiff

1875 J. H. Marriott Exr &c vs Joshua Marriott } Continued

3153

Monday February 3rd 1879

2569 Margaret McElderry
vs.
Jonas Figley

This day came the Defendant and moved the Court to dismiss this cause which motion was overruled by the Court to which ruling and judgement of the Court Defendant excepted Thereupon defendant moved the Court to strike from the files the supplemental petition which is overruled by the Court and to which Defendant excepted & thereupon the defendant moved the Court to strike out certain parts of the supplemental petition which is in part sustained striking out the written agreement of Arbitration — to which ruling of the Court plaintiff excepted & thereupon Defendant filed a general demurrer to the supplemental petition which is overruled by the Court & to which ruling defendant excepte-

Thomas Hall
vs.
2656 R.L. Woodburn admr of
the estate of R L Broom decd

This day came the parties and filed their written agreement of settlement of this cause signed by plaintiff and the administrator and heirs of decedent by which this cause is to be dismissed as settled in full and each party to pay his own costs. Thereupon it is ordered and decreed that this cause be entered settled by the parties and each party to pay his own costs. It is therefore adjudged by the Court that plaintiff pay his costs herein expended in three days and in default thereof that execution issue therefor- to record-and that defendant pay his costs in same time

Lucinda Hall
vs.
2593 R. L. Woodburn admr of
the estate of R L. Broom decd

This day came the parties & filed their written agreement of Settlement of this cause duly signed by Lucinda Hall and Thomas Hall whereby this cause is to be entered settled and each party to pay his own costs- It is therefore considered and adjudged by the Court that this cause stand settled as per said agreement and that each party pay the costs made by him respectively in this cause and if the plaintiff fail for three days to pay her costs that execution issue therefore and that if defendant fail for same that he be liable to attachment.

John L. Southard
vs.
3153 Saml Mulford et als

On Defendants application leave was granted to Defendants to answer amended petition this week

Monday February 3rd 1879

John H. Sessions as administrator of the estate of Joseph Shaver deceased
vs.
William Bales et. al.

Civil action

On Motion of the plaintiff M. C. Lawrence Esq. an attorney of this court, is hereby appointed Guardian ad litum of the infant heirs of the said decedent William Bales deceased (that is to say, of George Bales) who, in open court, accepted said appointment and filed his answer accordingly: And thereupon this cause came on to be heard and the Court, being fully advised in the premises doth now here find that the Conditional order of Renvor heretofore had in this case was duly served, as well upon the said widow of said decedent as upon each and all of his said real and personal Representatives and that notice of said Conditional order and of the pendancy of this action and of object and prayer of said Petition was duly served upon the non resident heirs of the said William Bales by publication in a news paper of general circulation in said County for more than nine (9) Consecutive weeks immediately prior to the 31st day of December A. D. 1878 which said notice and publication are hereby approved and confirmed and no cause being shown against said renver it is hereby ordered that this action Stand revived against the said Real and personal representatives, and that the same shall proceed against them and the widow aforesaid. And thereupon this Case came on to be further heard and the said defendants and each of them failing to answer or demur to said petition are adjudged to be in default. And it is further found by the Court that the allegations of the petition are true, and that there is now due to the Plaintiff as such administrator, of principal and interest on the note and mortgage described in said Petition the Sum of Fifteen hundred and five dollars and eighty four cents. And it is further ordered that unless the said Real and personal Representatives pay said Sum of money with interest thereon at the rate of eight per cent thereon, together with the costs of this action within five days from this date that an order issue to the Sheriff of said County of Union commanding him to appraise advertise and sell the premises described in said petition in pursuance of the Statute in such case made and provided And out of the proceeds of said sale to pay the costs of said action. And then to pay the amount of the above finding to wit $1505-84 to the Plaintiff.

It is further ordered that the said Sum of $1505-84 bear 8 per cent interest until paid.

3008
3055
1825
1844
1998
2092
2102
2494
2491
2999
3000
1262
1249
2145
2419

Monday February 3rd 1879

3008 York Centre Band vs. J.K. Bell — Leave is given to plaintiff to file petition within 30 days from rising of the Court leave to defendant to plead thereto in 30 days thereafter. Leave also granted to plaintiff to file a more complete transcript within same time and cause continued at the cost of the Plaintiff.

3055 R.H. Davis vs W. H. Holmes et als — Consolidated with No 3210 and passed for that case when reached=

1825 Daniel M. Johnson vs. Henry H. Haines — Continued.

1844 Frank Reed by his next friend vs P. C. and St. Louis Ry. Co. Continued

1998 A. C. Doney vs Tillman G. Goff — Continued

2092 R. G. Dun vs. Jont Hammond et. als. Continued

2102 P. R. Kerr Assignee vs. J. O. Sidle Continued

2474 John Blair vs. John Jalliff Continued

2491 Ralph Hunt vs. Hughey Fout Continued

2999 Anna E. Erb ex ex vs David Watson Continued

3000 Anna E. Erb ex ex vs. David Watson Continued

1262 James Taylor Exec vs Adam Bird Continued

1247 Susan Humphreys and others vs Joab Huffman et. als. Cont'd.

2145 Marion Kent vs. Elijah Sharp — Continued

2419 Samuel Myers vs. Edward Thompson et. als. Continued for service.

Thereupon the Court adjourned until half past eight o'clock tomorrow morning

John L Porter Judge

Tuesday February 4th 1879

Court met at 8½ oclock A.M. Same Officers being present as on yesterday.

2908 Richard McCamey vs. James Mulvaine

This day came the parties by their attorneys and thereupon came this cause on to be heard upon the Motion of the said plaintiff to require the said defendant to make his answer more definite and certain as in said motion stated. On Consideration whereof the Court being fully advised in the premises do sustain said motion to which ruling of the the defendant excepts. Thereupon the defendant asked and has leave and consent of the Court to amend his answer by striking out of the same the words. (In manner and form as there stated)= 3194

2659 Caroline Cline vs. Charles C. Cline

This day this cause came on to be heard further upon the motion to discharge the attachment heretofore granted and now submitted to the Court upon the exhibits and testimony and was argued by Counsel and the Court being fully advised in the premises do sustain the said Motion and it is therfore ordered that the attachment in this action be and the same is hereby discharged and it appearing to the Court that jurisdiction of this cause in this Court depends upon said attachment it is further ordered that said cause be and the same is hereby dismissed without prejudice to a new action at the Cost of the Plaintiff= 3214 2677

3266 J. F. Phillips vs K. Sabins and G. W. Canan

This day came the Plaintiff by S. S. Gardiner his attorney and thereupon came A. F. Carpenter one of the attorneys of Record of this court who, by virtue of a warrant of attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process and entered appearance of said Defendant therein, and by virtue of the same warrant of attorney confesses that there is due from said Defendants to said plaintiff as is alleged in said Plaintiffs petition the sum of $543 36/100. It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $543 36/100 so as aforesaid confessed to be due together with costs of suit herein to=

Tuesday February 4th 1879

be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived.

3194 George Mast vs. Ellen Cooperider et al } This day this cause came on to be heard upon motion of Defendants to require Plaintiff to secure costs and was argued by Counsel and submitted and the Court being fully advised in the premises sustained said motion. Thereupon plaintiff asked and obtained leave to give security for costs by Saturday February 8- 1879

3214 Samuel Welsheimer vs. L. H. Southard et. al. } Settled and costs paid

2677 Albert Clark vs. Mary A Robertson et als } R 3-

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the petition of the said Plaintiff and evidence and the said defendants being in default for demur or answer to the petition and it appearing to the court by the written agreement of parties filed with the papers in this cause that no further defense is desired and the Court being fully advised in the premises do find that there is due to the plaintiff from said defendants upon the second note set forth in the petition the sum principal and interest of six hundred and forty five dollars and eighty cents ($645.80) and the court do further find that in the computation of interest on the former note there was error in this; the interest was only computed to the 15th day of December 877 when it should have been computed until the second day of March 878 making an error in the computation of $7.33 which sum of $7.33 the court find still due to the Plaintiff from the said Defendants by reason of the error in computation, making a total sum of which the Court find due to the plaintiff from said Defendants of six Hundred and fifty three dollars and thirteen cents ($653.13) and which sum the Court find is a lien upon the said premises in the petition described. It is therefore considered ordered

Tuesday February 4th 1879

and decreed by the court that the said Plaintiff re-
cover of the said Defendant the said sum of $653.13 this
sum so as aforesaid found due and also costs herein
expended taxed to And it is further ordered
and decreed that unless said defendants pay the
said judgement and costs within thirty days from
this date then that an order issue to the sheriff of
said County Commanding him to appraise advertise
and sell said premises according to law and
apply the proceeds of said sale to pay the said judge-
ment and costs and as upon executions at law

2954

2988 Lester Clark
vs.
John Epps

2569

This day this cause came on for hearing
on motion of the plaintiff to confirm the sale heretofore
made and on his producing the return of the sheriff of the
sale made under a former order of this Court And the Court
on careful examination of the proceedings of the said Sher-
iff being satisfied that the same have been had in all respects
in conformity to law and the order of the court it is ordered
that the said proceedings and sale be and they are hereby
approved and confirmed. And it is further ordered that
the said sheriff convey to the purchaser J.H. Cummings Adm
administrator of the estate of Rob Smith deceased by deed
in fee simple the lands and tenements so sold and
the said purchaser is hereby subrogated to all the rights of the
said lien holders in said premises so far as they may be
paid herein, for the protection of his title; and a writ of
possession is awarded to put said purchaser in posses-
sion of said premises. And the Court coming now to
distribute the proceeds of said sale amounting to $2850.00
it is ordered that the sheriff out of the money in his hands
pay the costs of this action taxed at $

2941

To the defendant Levi Sumpfin the sum heretofore
found due him with interest to wit $327.70 and to the
plaintiff Lester Clark the sum heretofore found due him with
interest to wit $544.46 And thereupon came the Defen-

2355

dants Robinson & Robinson by their attorney A.B. Robinson and ask-
ed and obtained leave of the court to file herein an answer
to the cross-petition of the defendant J.H. Cummings Admin-
istrator of the estate of Robert Smith deceased, And
thereupon came the Defendant John Epps by his attorneys P.
P. Cole and Sons and entered a motion herein to have a home-
stead assigned in the premises sold as above mentioned.
And the sheriff is ordered after paying the said above
sums of money to retain the remainder of the said pro-
ceeds of said sale for final distribution herein.

Tuesday February 4th 1879

2954 A. E. Myers et al vs Jebolius C. Pooler

This day came the parties and thereupon came this cause on to be heard upon the motion of the said defendant to refuse the petition of the said Plaintiff as in said motion stated - On Consideration whereof the Court being fully advised in the premises do overrule said motion - To all of which rulings and decissions of the Court the defendant then and there excepted.

2569 Margaret McElden vs Jonas Figley

Now came the parties herein by their Attorneys; Also came the following named persons as jurors to wit: Luther Liggett, L. G. Webster, J. R. Thornton L. G. Parker J. C. Hull, J. C. Harriman Loy Ford, Israel Floyd, Hes. Wood, Bolivar Hayes J. L. Borger, Regular jurors and J. J Grimmons Talis juror; And the said jury having heard the testimony adduced in part, said cause was Continued until tomorrow morning at 8½ oclock.

2941 S. F. Parsons et al vs Bell a. Stultz

This day came the parties by their attorneys and thereupon came this cause on for hearing upon the motion of the defendant to dismiss this cause for reasons in said motion motion stated and was argued by Counsel.

On Consideration whereof the Court being fully advised in the premises, do sustain said motion and dismiss said case at the costs of the plaintiff; to which ruling of the Court the Plaintiff excepted. It is therefore considered and adjudged by the Court that the said defendant recover of the Plaintiff his costs herein expended taxed &c.

2355 Anthony Kinger vs Mary Turner

This cause is continued by agreement of parties at the cost of the plaintiff, It is therefore considered ordered and adjudged by the Court that the defendant recover of the plaintiff his costs herein expended taxed &c

Thereupon the Court adjourned until half past eight oclock tomorrow Morning.

John L Porter Judge

Wednesday February 5th 1879

Court met at 8½ oclock A. M. The same officers being present as on yesterday

2569 Margaret McElderry vs Jonas Figley

This day again came the said parties by their attorneys and also came the jury heretofore impaneled and sworn: And the said jury having heard the charge of the court retired to their room in charge of the sheriff for deliberation. And now come the said jury into open court with their verdict in writing signed by their foreman and say: We, the jury in this case being duly impaneled and sworn, do find and say that we find there was a settlement as alleged in the supplemental petition and there is due plaintiff on that settlement the sum of $225.00 with interest from August 29th 1878 altogether amounting to the sum of $230 73/100 for which sum we find for plaintiff. D. J. Emmons Foreman

2495 Orlando Wells vs Robert Gibson

This day came the parties by their attorneys and submitted this cause to the court upon the pleadings of the Parties and evidence. And the court being fully advised in the premises do find the law and equity of the case to be with the Defendant and that the allegations made by the defendant in his answer are true and that there was no cause for the granting the injunction in this case and that this case ought to be dismissed at the cost of the said plaintiff.

It is therefore considered ordered and decreed by the court that the injunction heretofore granted in this case be and the same is hereby vacated and held for nought.

And it is further ordered that the defendant recover of the said plaintiff his costs herein expended taxed at,

2620 Frank Taylor vs J. C. Porter

This day came the parties by their attorneys and on motion of the said defendant and it appearing to the court that said plaintiff is a non resident of said county of Union and has neglected to secure costs it is ordered that said plaintiff secure the costs in this case by Thursday February 20" 1879 and in default of such security that this cause stand dismissed at the

3256

2507 & 2603 Consolidated

2483

2493

2511

2570

2610

2623

2641

2708

Wednesday Febmary 5th 1879

cost of the said Plaintiff and it is further ordered and adjudged by the court that the defendant recover of the plaintiff the cost of calling and attendance of witnesses for this day taxed to=

3256 Farmers Bank of Union Co. vs. Andrew Stoggle et al. } Settled and costs paid

2507 & 2603 Consolidated W. H. Grubbs vs. J. J McNeal }

Now came the parties herein by their attorneys. Also came the following named persons as jurors to wit: 1 L. G. Webber 2 J. R Thomton 3 L. G. Baker 4 Benjamin 5 J. E. Henle 6 J. E. Harriman 7 Lony Ford 8 Israel Fogle 9 H. S. Wood 10 Bolivar Hayes 11 J. L. Borger regular jurors and J Van Pearce Talis juror. And the said jury having heard the testimony adduced, said cause was continued until tomorrow morning at eight and one half oclock=

2483 Mary N. Robertson vs Elias Robertson } Continued by consent

2493 John W. Barnes vs Wiley Berkley et al. } Continued

2511 Hubert L. Phillips vs. A. B. Butler Cont'd. by consent of plaintiff Counsel for defendant not responding.

2570 Samuel M. Daugherty Ext vs. A. James Sterling et als. Continued

2610 John J. Gabriel et als. vs. E. G. Piper Admr &c Continued

2623 Maria Stickles vs John Stickles Continued

2641 Benjamin Woods vs William Nightlinger et als. Cont'd. by consent

2708 C. H. Reed Guardian vs R. F. Lee et als. Continued

Thereupon the Court adjourned until half past eight oclock tomorrow morning=

John L Porter Judge

Thursday February 6th 1879

Court met at 8 1/2 oclock a. m. Same officers present as on yesterday.

3097

2507 2603 Consolidated

W. K. Grubbs
vs
J. J. McNeal

This day again came the said parties by their attorneys and also came the jury heretofore impaneled and sworn; and the said jury having heard the charge of the court retired to their room in charge of the Sheriff for deliberation

And now came the said jury into open court with their verdict in writing signed by their foreman and say; We the jury in this case being duly impaneled and sworn do find and say that we find for the plaintiff and assess the amount in his favor at $217 50/100 with interest from date of notes as called for on notes - Harvey S. Wood Foreman

2626

Farmers Bank of Union Co.
vs.
L. C. Vealy

This day came the parties by their attorneys and thereupon this cause came on to be heard and thereupon the plaintiff submitted a motion and showing for continuance and the Court being fully advised in the premises do find that said cause ought to be continued and thereupon this cause was continued at cost of Plaintiff. It is therefore considered ordered and adjudged that the Defendant recover of the Plaintiff his costs herein expended for this term taxed to,

2622

John McClaren
vs
Philip L. Cox

3003

This day came the said parties by their attorneys and thereupon this cause came on to be heard - and the plaintiff being absent his attorneys made a motion to have this cause continued which motion was opposed by Defendant - And thereupon the Court being fully advised in the premises and both parties agreeing thereto the Court did then order and direct that said cause be reassigned for Friday of next week the 14th day of February and that this case be continued to that time and that if said plaintiff then fails to appear that this cause be then dismissed without prejudice at the cost of the Plaintiff to all of which the parties by their attorneys agreed.

3006

Thursday February 6th 1879

3097 David Londenback vs Samuel Gladden } confirmation of sale and distribution of proceeds

On motion of the Plaintiff to the Court and on producing the return of the Sheriff of this County of the sale of the real estate in the petition described, made by him on the 11th day of January 1879 to David Londenback the said Plaintiff on an order of sale issued in this case and dated the 25th day of November A. D. 1878 and the Court on examination of said proceedings and being satisfied that said sale has been made in all respects in conformity to law, it is ordered that said proceedings and sale be and the same are hereby approved and confirmed and the said sheriff is ordered to execute and deliver to the said purchaser David Londenback, a deed in fee simple for the lands and tenements so sold. And it is further ordered by the Court that the said sheriff distribute and pay out the moneys arising from the sale of said lands and tenements as follows. 1st The cost herein taxed to $37.00 2nd To the said David Londenback the sum of $147.00/100 the same being in full of taxes paid by him and which were a lien on said lands and tenements at the date of sale 3rd And the residue amounting to $652.00/100 to the said David Londenback on his judgement and mortgage lien herein - And the said residue not being sufficient to pay the said judgement and mortgage lien of said Londenback in full, no further order as to distribution is made.

3003 A. Humphreys vs C. M. Beck }

This day came the Plaintiff by his attorneys and moved the court by written motion on file to strike out certain matter contained in the answer of Defendant and also to seperately state and number the grounds of defense therein and the Court being fully advised in the premises do overrule said motion as to striking out, except the matter inclosed in brackets by pencil marks on third page thereof which is stricken out and do sustain said motion as to seperately stating and numbering. And thereupon counsel for defendant asked leave to amend said answer by Saturday morning Feby 8th 1879 which is granted.

3006 Pleasant Valley B. and L. Association vs John H. Scott } This day came this cause on to be heard upon the motion of the Plaintiff to strike out certain matter in

Thursday February 6th 1879

the Answer and to make more definite and certain, the case being argued by counsel and the court being fully advised in the premises, overules said motion and hear granted defendant to amend answer by Monday second inst. 2507 2603

2953 David Holycross
vs
George K. Reed & Hester A. Reed

This day came the parties to this cause to be heard upon motion of defendant Hester A. Reed to require plaintiff to elect which ground of relief he would rely upon in support of his action and was argued by counsel and submitted. And the court being fully advised in the premises overruled said motion - To which ruling and judgement of the court said Hester A. Clark excepts - Leave was then granted to Hester A. Reed to answer by February 10th 1879 - 2507 2603

3064 James Leeper & Annie E. Leeper
vs
C. J. Parker, John W. Parker and James Grow

And now come the plaintiffs by their attorneys and defendants failing to answer or demur to plaintiffs petition the case was submitted to the court upon the pleadings. 2728

In Consideration whereof the Court do find that the said defendants are guilty of waste and destruction in manner and form as said plaintiffs have in their said petition alleged against them. It is therefore ordered and adjudged that the injunction heretofore granted in this action be and the same is hereby made perpetual and said defendants are hereby perpetually enjoined from cutting or hauling any more timber from said premises or from committing any further waste thereon - And it is further considered that the said plaintiff recover against the said defendants his costs in and about their suit in this behalf expended taxed to $ 2755 2803 2816 2817

3176 Henry Kinder
vs
James Mulvaine et al

Now comes the plaintiff by his attorney and the defendant being in default ~~in default~~ for answer and demurrer the Court find that the allegations of the petition are confessed by them to be true and that they are indebted to the plaintiff in the sum of Two hundred and Ninety seven and 05/100 dollars ($297.05) It is therefore considered by the Court that the said plaintiff recover from the said defendant the said sum of $297.05 and his costs herein expended 2823 Thereupon

Thursday Febmary 6th 1879

2507 2603 William H. Grubbs vs J. J. McNeal

This day this cause came on to be heard upon the motion of the defendant for a new trial - was argued by Counsel and submitted to the Court. And the Court being fully advised in the premises do overrule said motion, to all of which rulings of the Court the defendant by his Counsel Excepts.

2507 2603 William H. Grubbs vs J. J. McNeal

The jury in this action having on a former day of this term rendered a verdict for the plaintiff for the sum of two hundred fifty two and 52/100 Dollars. It is therefor considered by the Court that the said plaintiff recover against the said Defendant the said sum of $252.52 as aforesaid found to be due from the said defendant to the said plaintiff and also his costs in and about his suit in this behalf expended taxed to $

2728 Moses Thompson vs Rawson Peacock — Continued. To compel responding.

2755 Richmond National Bank vs William L. Decker et. als. — Continued

2803 Thomas Moffitt vs. John W. Grindell et. als. — Continued by consent

2816 Myron Gabriel vs. Eli G. Piper Admr. — Continued

2817 John J. Gabriel vs Eli G. Piper Admr. — Continued

2823 Thomas Moffit vs Elias Robertson — Continued by consent

Thereupon Court adjourned until half past eight o'clock tomorrow morning

Friday February 7th 1879

Court met at 8½ oclock A. M. Same officers being present as on yesterday

2972

J. J. Burdge
vs
Alex Gandy et. als.

This day came the Plaintiff by his attorneys Robinson & Piper and, also come the Defendant N. Sabine by his attorney P. R. Kerr and this cause coming on to be heard upon the motion of said Defendant to confirm the sale heretofore made by order of the Court of the premises described in Plaintiffs Petition by the Sheriff of said County and said Defendant produced to the Court the return of the sheriff of said sale, and the Court being fully advised in the premises do find that said sale was in all respects in accordance of law and the order of this Court. Therefore it is ordred and adjudged by the Court that said sale be, and the same is hereby confirmed and said Sheriff is hereby ordered to make to the purchaser of said premises J. J. Woodruff a deed of conveyance of said premises in pursuance of sale, and the Court coming now to the question of the distribution of the Procedes of said sale - do order that the Sheriff pay first the taxes due upon said premises 2nd pay the costs taxed in this suit and 3rd to the Defendant N. Sabine the amount of his claim as set forth in Cross petition filed herein to wit: $114.00 and that he bring the residue of saide procedes if any there be into Court for further order

3212

2949

3023

3159

J. W. Cummings admr. of
estate of Robert Smith Decd
vs.
William A. Epps et al

And now comes the said J. W. Cummings admr. of the estate of Robert Smith by his attorneys Robinson and Piper and the said defendants still failing to answer or demur to said petition it is considered that the plaintiff is entitled to an account of the money due him in the premises and the Court after hearing the evidence do find that there is due the said Plaintiff on the first note named in the petition and secured by said mortgage in the said petition described, the sum of two hundred and sixty dollars and 25 cents with eight per cent interest from the first day of this term. It is therefore considered by said Court here that the said plaintiff recover of the said defendants William A Epps and Sarah E Epps the said sum of $260.25 the sum so found due as aforesaid and also his costs taxed to $

475.

And it is further ordered adjudged and decreed

Friday February 7th 1879

that in case the said defendants fail for ten days from close of this term of the Court to pay to said plaintiff the said sum of $260.25 so as aforesaid found due with costs of suit an order issue to the Sheriff of said County Commanding him to cause the said lands and tenements, in said petition described, to be appraised advertised and sold according to law and apply the proceeds of said sale in satisfaction of said sum so found due with costs of suit and as to the note not due and all other matters this cause is continued

3212 Albert Adams vs Samuel Robinson et al } Settled and cost paid

2949 N. G. Wells vs Incorporated Village of Marysville }

This day this Cause came on to be heard upon the Petition in error of the Plaintiff - And the Court being fully advised in the premises do find for Plaintiff in error. It is therupon ordered that the judgement of the Mayor of said village heretofore rendered in this case be reversed and the Plaintiff in error N. G. Wells go hence without day

3023 John Fryman vs John McAlister et al }

Motion by Plaintiff to strike out certain portions of defendants answer as irrelevant and immaterial. On Consideration the Court sustained said motion except as to certain connecting words as marked in the answer. To which ruling the Defendant Jacot Hawkins excepts.

475. State of Ohio vs Frank Davis } Charge, Shooting with intent to kill

This day came in open Court Frank Davis and M. C. Lawrence and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of Three hundred dollars, to be levied of their goods and Chattles lands and tenements, if default be made in the following condition to wit: that the said Frank Davis be and appear before the Court of Common Pleas of said County of Union from day to day during the present term thereof. And then and there abide the order and sentence of the court and not depart the court without leave, then this recognizance to be void. Otherwise to be and remain in full force.

Friday February 7th 1879

3190 Drum and Henderson
vs.
S. W. Shyer et al

And now come the Plaintiffs Drum and Henderson and the said Samuel Myers having failed to demur or answer to the petition of the said Drum and Henderson it is considered that the said Drum & Henderson ought to recover the said sum of One Hundred and Six dollars so demanded in their petition together with the sum of $11 4/100 which the court finds due as the interest thereon as prayed for in said petition. It is therefore considered that the said Drum and Henderson recover against the said Samuel Myers the said sum of $117 4/100 together with their costs in and about their suit in this behalf expended taxed to $

3189 Ide and Wilson
vs
Richard Davis et als } Petition

And now come the said Ide and Wilson and the said Richard Davis J. H. Scott and Wright Harriman or either of them having failed to demur or answer to the petition of the said Ide and Wilson it is considered that the said Ide and Wilson ought to recover the said sum of $409 20/100 with $9 11 the interest which the court finds due on said sum up to the first day of this term of the court against the said Richard Davis on said account. And it is further considered by the court that the said Ide and Wilson ought to recover against the said J. H. Scott and Wright Harriman on said note as sureties for said Davis to said Ide and Wilson the sum of $400 00 together with the sum of $13 06 which the court finds due as interest on said note on the first day of this term. 3205

It is therefore considered that the said Ide and Wilson recover against the said Richard Davis the said sum of $418 31/100 and against the said J. H. Scott and Wright Harriman the said sum of $418 31/100 as the sureties of said Davis with interest at 8% from February 5th 1879 together with their costs in and about their suit in this behalf expended taxed to $ 2900

2836 Mary Long vs. Samuel Long Continued

2837 Samuel Turner vs Mary Turner et als. Continued by consent

2852 Catherine Driscal vs William Driscal. Continued for service

Friday Febmary 7th 1879

This day appeared at the bar of this court the Grand Jury heretofore impaneled and sworn in, and for the body of the County aforesaid, and presented their four certain bills of indictment against Alexander Snodgrass for Retailing intoxicating liquor, also their certain other bill of indictment against Fielding Donget for Furnishing intoxicating liquor to a person in the habit of getting intoxicated, also their certain other bill of indictment against Owen Decker for Retailing intoxicating liquor, also their certain other bill of indictment against Benjamin Wood for Retailing intoxicating liquor, also their two certain other bills of indictments against Horace Andrews for Retailing intoxicating liquor also their certain other bill of indictment against Elizabeth Orr for furnishing intoxicating liquor to a minor also their certain other bill of indictment against Wm E. Hagan for furnishing intoxicating liquor to a minor also their certain other bill of indictment against William Adams for ~~Retailing~~ intoxicating liquor. each indorsed "a true bill. H. C. Hamilton Foreman of the grand jury. Also their six other certain bills of indictment against Robert Savy for furnishing intoxicating liquor to a minor each endorsed, "A true bill. H. C. Hamilton foreman of the Grand jury

3205 P. G. Hynegar
vs.
W. J. Perry

This day this cause come on to be heard on motion of the Plaintiff to continue the case until Monday Febmary 10th and the Court being fully advised in the premises do sustain said motion and this Cause was continued until Monday Febmary 10th 1879 at the costs of the plaintiff

2900 A. M. Spicer et.als.
vs
L. V. Smith

This cause is dismissed at plaintiffs costs for want of prosecution. It is therefore considered and adjudged by the Court that the said defendant recover of the said plaintiffs his costs herein expended taxed to $

Thereupon Court adjourned until 8½ oclock tomorrow morning.

Saturday February 8th 1879

The Court met at 8½ oclock A.M. The same Officers being present as on yesterday.

3269 John Riley vs. S. G. Donavan et al } Contract

This day came the Plaintiff by A. T. Carpenter his attorney and thereupon came one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said Defendant herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiffs petition the sum of $206 93/100. It is therefore considered That said Plaintiff do recover of said Defendant the said sum of $206 93 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 percentum per annum. And by virtue of said warrant of Attorney, all errors are released and all right of appeal and all right to file a petition in error are waived

3192

3017 Henry C. Kennedy vs Arthur Wacker } 3181

This day came the parties by their Attorneys and this Cause coming on to be heard and the Plaintiff not desiring to further prosecute this case. The same was dismissed at the cost of the Plaintiff. It is therefore considered and adjudged by the court that the Defendant recover of the plaintiff his costs herein expended taxed to $ 3204

2927 James Guy vs John Evans } 448

This day came the parties by their attorneys and thereupon this Cause came on to be heard upon the motion of the said Plaintiff to vacate a part of the former entry and order in this case and was argued by Counsel. On Consideration whereof the Court being fully advised in the premises do overrule said motion. To which ruling of the Court in overruling said motion the plaintiff excepts.

3262 William Hunter vs Orlando Wells et als } Case dismissed at cost of Plaintiff without prejudice to a new trial. Costs paid.

3271

Saturday February 8th 1879

3271 E. J. Allen vs W. W. Carr et als

This day came the Plaintiff by P. F. Stahl his attorney and thereupon came T. B. Renton one of the attorneys of Record of this Court who, by virtue of a warrant of attorney duly executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said Defendants herein and by virtue of the same warrant of attorney confesses that there is due from the said Defendant to said Plaintiff as is alleged in said plaintiffs petition the sum of $244 19/100.

It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $244 19/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed, and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of attorney all errors are released, and all right of appeal and all right to file a petition in error are waived.

3192 J. H. Robison vs W. Smith et als } Settled and cost paid

3181 Andrew Aurine vs Wilson Johnson et al } Settled and cost paid

3204 Abraham Sharp vs Lucius B. Goff

This day came the parties and by consent the time for said Henry C. Goff to answer is extended to Saturday February 15th

448 State of Ohio vs Alex Snodgrass } Charge, Retailing intoxicating liquor.

This day came into open Court Alex Snodgrass and Elijah Mitchell and acknowledged themselves jointly and severally to owe and stand indebted to the state of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattels lands and tenements if default be made in the following condition to wit: that the said Alex Snodgrass be and appear before the Court of Common Pleas of said County of Union, from day to day during this term and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

Saturday February 8th 1879

3/32 John D. Grossenbacher
vs
Fredrick Grossenbacher
} In partition

This day this cause came on for hearing upon upon the return of the Sheriff and the report of the Commissioners heretofore appointed herein and on the motion to confirm the same, And it appearing that said estate can not be divided by metes and bounds without manifest injury to the value thereof and that said commissioners have made and returned their appraisement of said premises to wit: in the sum of $1.700 the Court find the said return and proceedings in all respects correct in in conformity to law, and do therefor approve and confirm the same. 451

And it appearing to the Court that the said John D Grossenbacher has elected to take the said premises at their appraisment value: And has paid to each of the said defendants herein their respective proportions of the same, the said Real Estate is hereby adjudged to the said John D Grossenbacher and the Sheriff is ordered to convey the same to him accordingly a deed in fee simple. And it is ordered that the costs of this action including a counsel fee of $55.00 to Cameron & Denton for their services, herein taxed at $ be paid by said defendants and the Plaintiff in equal parts No 3207

State of Ohio
vs.
Alex Snodgrass
} Retailing intoxicating liquor

#49 This day came in open Court Alex Snodgrass and Elijah Mitchell and acknowledged themselves jointly & severally to owe and stand indebted to the State of Ohio in the penal sum of One hundred dollars to be levied of their goods and Chattels lands and tenements if default be made in the following condition to wit: that the said Alex Snodgrass be and appear before the Court of Common Pleas of said County of Union, from day to day during the present term and then and there to abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force 2955

State of Ohio
vs
Alex Snodgrass
} Retailing intoxicating liquor

450 This day came in open Court Alex Snodgrass and Elijah Mitchell and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of One hundred dollars to be levied of their goods and Chattels lands and tenements if default be made in the following Condition to wit: that the said Alex Snodgrass 2966

Saturday Febuary 8th 1879

be and appear before the Court of Common pleas of said County of Union from day to day during the present term and there abide by the order and sentence of said Court and not depart the Court without leave then this recognizance to be void, otherwise to be and remain in full force.

451 State of Ohio vs Alex Snodgrass } Retailing intoxicating liquor.

This day came in open Court Alex. Snodgrass and Elijah Mitchell and acknowledged themselves jointly and severally to owe and stand indebted to the state of Ohio in the penal sum of One hundred dollars to be levied of their goods and chattles, lands and tenements if default be made in the following Condition to wit: that the said Alex. Snodgrass be and appear before the Court of Common pleas of said County of Union, from day to day during the present term and there and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void, otherwise to be and remain in full force.

No 3207 William H. Lamm vs. Jesse Taylor }

This day came on this cause for hearing and thereupon came the plaintiff by his attorney and the defendant being in default for answer and demurrer the Court find that the allegations of the petition are confessed by him to be true, and that he is indebted to the plaintiff in the sum of $141 24/100 with interest from the 3rd day of February 1879.

It is therefore considered by the court that the said plaintiff recover from the said defendant the said sum of one hundred and forty one and 24/100 dollars with interest from the 3rd day of Febuary 1879 and his costs herein expended laied to $

2955 Leonard Dawn vs John W. Phillips and others } Continued

2966 Elijah Hopkins vs William Hopkins } Continued

Thereupon court adjourned until Monday morning Febuary 10th 1879 at 9 oclock A. M.

Monday February 10th 1879

The Court met at 9 oclock A.M. Same Officers being present as on Saturday.

3078 Fullington Phillis and Woods vs J. L. Bland

On motion of the plaintiff and on his producing the return of the Sheriff of the sale made under the former order of this Court, and the Court on careful examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this court it is ordered that the said proceedings and sale be and the same are hereby approved and confirmed.

And it is further ordered that the said Sheriff convey to the purchaser John Bland by deed in fee simple, the lands and tenements so sold - And a writ of possession is awarded to put said purchaser in possession of said premises. The Court find that since the mortgage given to plaintiff by defendant upon which said premises were sold in this action that the defendant J. L. Bland conveyed same by deed of general warranty to Bland who is a minor; and orders after all liens are paid that balance be paid to J. L. Bland who is the guardian of said Bland 2727

And the Court coming now to distribute the proceeds of said sale, amounting to $1115.00 it is ordered that the Sheriff out of the money in his hands pay -

First The costs of this action taxed at $43.96/100 Secondly. To the plaintiffs Fullington, Phillis & Woods the amount herein found due them, with interest to wit: the sum of Eight hundred and Ninety eight dollars and 55 cents.

Thirdly to Liggett and Lake thirty dollars the amount found due them, Fourthly To J. L. Bland Guardian of Bland the balance of the money remaining in his hands to wit: the sum of One hundred and forty two and 49/100 dollars=

3188 Andrew Aurine vs M. V. Judy et. al.

Now came the Plaintiff herein, by his attorney and the Defendants being in default for Answer & Demurrer, the Court finds that the allegations of the petition are confessed by them to be true, and that the defendants are indebted to the plaintiff in the sum of $194.35/100 It is therefore considered ordered and adjudged by the Court that the said Plaintiff recover from the said Defendants the said sum of One hundred and Ninety four and 35/100 dollars with 8% interest from the date of this entry and his costs herein expended taxed at

$

Monday February 10th 1879

3180 Andrew Aurine
vs.
Robert McElroy et al

Now Came the Plaintiff herein, by his Attorney, and the Defendants being in default for an answer and demurrer, the Court finds that the allegations of the petition are confessed by them to be true and that the defendants are indebted to the Plaintiff in the sum of $291.86,

It is therefore Considered by the Court that the said Plaintiff recover from the said Defendants the said sum of two Hundred and ninety One and 86/100 dollars, with 8% interest from date of this Entry, And his costs herein expended taxed to $

P 93

2727 Edward Stubblefield, Margaret Solomon, George Solomon, John Stubblefield, Jane Fair, Wm G. Fair, Samuel Stubblefield, Albertine Poole Jacob Scott, Fannie Hall, Robert Hall, Joseph King, Richard King, George R. King Rebecca Stone Jno. D. Stone, Jane Henson Thomas H. Henson, Mary Esther Booth Fannie H. Booth and David Mulford,
Plaintiffs

Against

Leonard Dunn, John H. Sterling, James L. Fish H. McElroy and Conelius Fish
Defendants

Occupying Claimant Law proceedings.

This day came the parties aforesaid and submitted this cause to the Court to confirm the report of the Sheriff the verdict of the jury under the occupying Claimant Law and the Court being fully advised in the premises do find said report and the verdict of the jury correct and legal and the same are by the order of the Court confirmed, and thereupon the said Claimants of the lands above named as plaintiffs to whom said lands were adjudged do come and elect to surrender their title in said lands so recovered by them, to the said defendants in consideration of the sums to be paid them which said jury estimated to be the value thereof without the improvements thereon together with the rents since said action was commenced and thereupon it is considered ordered and adjudged by the Court that said plaintiffs have the right to make said election under the statute and that unless said defendants will pay for same as aforesaid, they shall surrender the possession of said lands, whereupon the occupants of the land as aforesaid accepted to pay for the said lands at said valuation rather than be evicted therefrom & asked the Court to fix the reasonable terms on which such payments shall be made

Whereupon the Court being fully advised in the premises do fix the payments as follows viz. One third in hand, one third in six months and one third in twelve months from the first day of this term with six per cent interest from same date. It is therefore considered adjudged and

Monday Febmary 10th 1879

decreed by the Court that said plaintiffs execute to said defendants each a deed of Conveyance, conveying to said defendants in fee simple the $\frac{4716}{10.000}$ parts of the land which each of said persons are shown by the records in this case to be possessed of and of which the plaintiffs are shown to have been entitled and that in default of the execution of such deed in ten days that this decree shall operate as a conveyance thereof - And it is further ordered and decreed that said Wm McElroy shall pay to said plaintiffs one hundred and fifty eight dollars ($158) in satisfaction of the rate and valuation of said land in his possession containing 25 acres described in the petition as follows, one third on demand one third August 3rd next, and one third Febmary 3rd next all with interest from Febmary 3rd 1879 all of which sums remain a lien on said 25 acres of land and in default of payment of either sum for ten days that execution issue for the same. And it is further ordered and decreed by the Court that said J. L. Fish pay to said plaintiffs three hundred and thirty nine and $\frac{55}{100}$ dollars in satisfaction of the rate and valuation of 50 acres in his possession as shown by said records, to be paid as follows viz: One third in hand one third August 3rd next and one third Febmary 3rd next all with interest from Febmary 3rd 1879 all of which sums shall remain a lien on said 50 acres until paid and if default of payment of either sum for ten days be made after due then an order of sale shall issue for the sale of said 50 acres to satisfy such payment.

And it is further ordered and decreed by the Court that John H. Sterling pay to said plaintiffs seven hundred and twenty and $\frac{70}{100}$ dollars in satisfaction of the rate and valuation of the $\frac{4716}{10000}$ of the 124 acres in his possession as shown by said records, to be paid as follows viz: one third in hand, one third August 3rd next, one third Febmary 3rd next, all on interest from Febmary 3rd 1879 and in default of either payment for ten days then an order of sale shall issue for the sale of said 124 acres to satisfy such payment and a lien shall be had on the same until payments are made.

And it is further ordered and decreed by the Court that Cornelius C. Fish pay to said plaintiffs one hundred and seventy six and $\frac{85}{100}$ dollars in satisfaction of the value of said $\frac{4716}{10.000}$ of the 25 acres shown to be in his possession by the said records to be paid one third in hand, one third August 3rd next and one third Febmary 3rd next all with interest from Febmary 3rd 1879. And in default of payment for ten days an order of sale shall issue for the sale of said 25 acres to satisfy same and a lien on said land shall remain until payments are made.

And it is further ordered and decreed by the Court that said Leonard Dann shall pay to said plaintiffs thirteen hundred and three dollars in satisfaction of

Monday February 10th 1879

the rent and value of said 4716/10000 of said 220½ acres of land shown by the records to be in his possession to be paid, one third in hand one third August 3rd next and one third February 3rd next all with interest from Feby 3rd 1879. and in default of payment for ten days that an order of sale issue for the sale of said 220½ acres to satisfy same and a lien for deferred payments to remain until paid.

It is further ordered that the plaintiffs pay all the costs of the proceedings under the order for the benefit of the occupying Claimant law and if — default be made therein for ten days that execution issue therefor and that Defendants pay all costs made prior to said order.

Daniel Anderson
vs
2846 Henry Taylor

Now came the parties herein by their attorneys and all matters of fact having been sent to a jury by the court herein. Also came the following named persons as jurors to wit: 1 L. G. Webster, 2 J. P. Thornton 3 L. G. Baker, 4 Benjamin Beem 5 J. C. Hull 6 J. E. Harriman 7 Lony Ford 8 Israel Fogle 9 Harvey S. Hood 10 J. L. Borger 11 C. Hogle regular jurors and Henry Wheeler Talis juror who were duly sworn and impaneled according to law, And thereupon after hearing the evidence, argument and charge of the court (in charge of the Sheriff) the Jury retired to their room for deliberation.

And now come the said jury into open court with their verdict in writing signed by their foreman and say, We the jury in this case being duly impaneled and sworn do find and pay that we find for the defendant in the sum of $39.50 Interest from Septem 5th 1876 to Febmary 10th 1879 = $5.72 And we find the balance in favor of Defendant $45.22 Henry Wheeler Foreman

3205 P. G. Heynegar
vs
H. J. Perry

This day this cause came on to be heard and it was by agreement of the parties, Continued until the next term of this Court at Costs of the plaintiff Therefor it is ordered and adjudged by this Court that the Plaintiff pay the Costs of this term taxed at $

Thereupon the Court adjourned until 8½ oClock to-morrow Morning-

Tuesday February 11th 1879

The Court met at 8½ oclock A.M. The same officers being present as on yesterday=

3218 Fuller Warren & Co
vs.
Drum & Henderson

And now come the said Fuller Warren and Company and the said Drum & Henderson having failed to demur or answer to the petition of the said Fuller Warren and Company it is considered that the said Fuller Warren Company ought to recover the said sum of ~~Two~~ hundred dollars so demanded in their petition together with the sum of ten dollars which the Court find due as interest thereon on the first day of this term of Court as prayed for in said petition, It is therefore considered that the said Fuller Warren and Company recover against the said Drum and Henderson the said sum of $210 ~~00~~ with 8% interest from first day of this term together with their costs in and about their suit in this behalf expended taxed to $

3219 Thomas, Ludlow and Rogers
vs.
Drum and Henderson

And now come the said Thomas, Ludlow and Rogers and the said Drum and Henderson having failed to demur or answer to the petition of the said Thomas Ludlow and Rogers, it is therefore considered that the said Thomas Ludlow and Rogers ought to recover the said sum of one hundred and ~~ninety~~ dollars so demanded in their petition together with the sum of $7 80/100 which the Court finds due as the interest thereon on the first day of this term of Court as prayed for in said petition— It is therefore considered that the said Thomas Ludlow and Rogers recover against the said Drum and Henderson the said sum of $127 80/100 with interest from the first day of this term of Court with their costs in and about their suit in this behalf expended taxed to $ 3273

3200 John Maskill & others
vs
James Mulvaine et als

This day came on this cause to be heard on the petition of the Plaintiffs and the answer and Cross petition of J. H. Robinson all others being in default, thereupon the Court being fully advised in the premises do find the allegations of said plaintiffs petition to be true and there is due the plaintiffs on said judgement besides the costs $124 16/100 with interest from January 27th 1869 Amounting to $74 49/100 making a total due plaintiffs one hundred and ninety eight and 65/100 dollars and a balance of costs in said cause of $61 22

Tuesday Feburary 11th 1879

making a total of $259 97/100 debt and costs of said Judgement which is a lien on said land in the petition described.

It is therfore ordered and adjudged by the Court that said Defendant James Mulvaine pay said sum of $259 97 debt and Costs to the plaintiffs in ten days with interest from the Commencement of this Term of Court and the costs of this proceeding; And in default thereof that an order of sale issue by the clerk to the sheriff of this County Commanding him to appraise advertise and sell said real estate to pay said sum, interest and costs and report his proceedings to this Court.

Also came on this cause to be heard on the cross petition of J.H. Robinson and the Court being fully advised in the premises do find that the allegations of his cross petition are true and there is due said J.H. Robinson on the Judgement in his petition set forth, from said James Mulvaine the sum of $109 12/100 debt and $23 92 costs in the judgement described in said petition which is a lien since Septem 1869. It is therfor ordered and adjudged by the Court that the Defendant James Mulvaine within ten days pay to said J.H. Robinson said $109 12/100 balance debt and said $23 92 balance costs and interest from the begining of this term and the costs of this proceedings and in default then of that an order of sale issue by the Clerk to the Sheriff of this County Commanding him to appraise advertise and sell said premises to satisfy said Claims and as to all other liens and claims this Cause is Continued.

3273 W.H. Woods vs Kylas Sabin and John F. Sabin } Replevin

This day came the Plaintiff by Lawrence and Mulford his attorneys, and thereupon came D.W. Ayers one of the Attorneys of Record of this Court, who, by virtue of a warrant of Attorney duly executed and now produced in open court and duly proven waived the issuing and service of process and entered appearance of said defendants herein and by virtue of the same warrant of attorney confesses that there is due from said defendants to said Plaintiff as is alleged in said Plaintiffs petition the sum of $1008 10/100. It is therfor considered ——— that said Plaintiff do recover of said defendants the said sum of $1008 10/100 so as aforesaid confessed to be due together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8% per annum. And by virtue of said warrant of attorney, all errors are released and all right of appeal and all right to file a petition in error are waived.

And the Court further finds that said John F. Sabin is security for said Kylas Sabin and orders that execution issue accordingly.

Tuesday Febuary 11th 1879

2901 Charles D. Merritt
vs
George Temple

Now came the parties herein by their attorneys; also came the following named persons as jurors to wit: 1 L. G. Webster 2 J. P. Thornton 3 L. G. Baker 4 Benjamin Beem 5 J. C. Hill 6 J. E. Harriman 7 Lony Ford 8 Isaac Fogle 9 H. N. Hood 10 Dalivan Hays 11 J. L. Borger 12 D. J. Simmons who were duly impaneled and sworn according to law. And the said jury having heard the testimony adduced, said cause was continued until tomorrow morning at half past 8 oclock= 2901

Farmers Bank of Union County
2927 vs
Anna Hill and others

This day came the plaintiff and by the consent of Defendants and the purchaser the sale made in this cause is set aside and said cause is continued under former order= 3209

3034 E. S. Callandar
vs
Christopher Oliphant et al

On motion of the said plaintiff by Gowey & Carpenter his attorneys and on producing the return of the sheriff of this County of a sale of real estate made by him on the 4th day of December A.D. 1878 to E. S. Callandar, the plaintiff on an order of sale issued in this case and dated October 23rd A.D. 1878. and it appearing that since said sale said E. S. Callandar has assigned his bid to Lester Cline and the court on examination of said proceedings being satisfied that said sale has been made in all respects in conformity to law it is ordered that the said sale and proceedings be and the same are hereby confirmed and the said sheriff is ordered to make to the purchaser Lester Cline a deed for the land and tenements so sold. And a writ of possession is hereby awarded to put said purchaser in possession of said premises

And the court coming now to the distribution, orders that the said Sheriff out of the proceeds of said sale pay 1st the costs of this action taxed to $ 2nd the taxes now a lien on said land amounting to $10.60. 3rd The court find that since the judgement herein the second note set forth in the petition has become due and is unpaid and that there is due the plaintiff thereon with interest to the first day of the present term of this court the sum of three hundred and fifty one and 90/100 Dollars. It is therefore ordered that the sheriff pay to the plaintiff E. S. Callandar the amount herein and in the former decree found due (if a sufficient amount is in his hands for that purpose) amounting on the first day of the term to wit: February 3rd 1879 to the sum of Five hundred and fifty five and 50/100 dollars ($555.50/100) And there still remaining due to the plaintiff E. S. Callander the sum of $ It is considered that he recover the same from the defendant Christopher Oliphant and execution is awarded therefor=

Wednesday February 12th 1879

The court met at half past eight oclock A.M. The same officers being present as on yesterday.

2901 Charles D. Merritt
vs
George Temple

This day again came the said parties by their attorneys and also came the jury heretofore impaneled and sworn, and the said jury having heard the argument and charge of the court, retired to their room in charge of the Sheriff for deliberation, and now come the said jury into open court with their verdict in writing signed by their Foreman and say: We, the jury in this case, being duly impaneled and sworn do find and say that We find for the Plaintiff in the sum of $245.50 and $14 73/100 - interest, in all $260 23/100 J. C. Kell, Foreman

3209 Horace Colver
vs.
John B. Hyde and A. J. Richardson

And now comes the said Horace Colver by his attorney and the said John B. Hyde and A. J. Richardson having failed to demur or answer to the petition of the said Horace Colver it is considered that the said Horace Colver ought to recover the said sum of $124 84/100 so demanded in his petition together with the sum of $14 42/100 which the Court finds due as the interest thereon as prayed for in said petition. It is therefore considered that the said Horace Colver recover against the said John B. Hyde as principal (and the said A. J. Richardson as endorser) the said sum of $139 26/100 with interest at 8% from the first day of this term of Court, together with his costs in and about his suit in this behalf expended taxed to $

This day appeared at the bar of this court, the Grand Jury heretofore impaneled and sworn, in and for the body of the County aforesaid, and presented their certain bill of indictment against Dallas Peters and Victor Payne for assault and battery, also their certain other bill of indictment against Charles Spears for retailing intoxicating liquors - also their certain other bill of indictment against Charles Spears for furnishing intoxicating liquors to a minor, also their two certain other bills of indictment against Horace Andrews for retailing intoxicating liquors, also their certain other bill of indictment against Horace Andrews for keeping place where intoxicating liquors are sold contrary to law. also their certain other bill of indictment against Franks Davis for disturbing a meeting. also their certain other bill of indictment against Franks Davis for shooting with intent to kill. Also their certain other bill of indictment against Franks Davis for carrying concealed weapons. Also their certain other bill of indictment against Alex Snodgrass for keeping a place where intoxicating liquors are sold contrary to law

Wednesday February 12th 1879

also their certain other bill of indictment against Alex. Snodgrass for retailing intoxicating liquors, also their certain other bill of indictment against Andrew McLaughlin for furnishing intoxicating liquors to a minor, also their certain other bill of indictment against Robert Davy for retailing intoxicating liquors, also their certain other bill of indictment against William Adams for furnishing intoxicating liquors to a minor, also their certain other bill of indictment against William Dunn for malicious destruction of property Each endorsed, "A true Bill, H. C. Hamilton Foreman of the grand jury,"

2924 S. Dufee et al
vs
P. C. & St. L. Ry. Company

Now came the parties hereto by their attorneys: also came the following named persons as jurors to wit: 1 John Organ 2 Israel Fogle, 3 Samuel Woods 4 John Sellers 5 C. Houston 6 L. G. Webster 7 L. G. Baker 8 Benjamin Beem 9 J. C. Hull 10 J. R. Thornton 11 Lory Ford 12 J. E. Harriman who were duly impaneled and sworn according to law. And the said jury having heard the testimony adduced said cause was continued until tomorrow morning at half past eight o'clock

2846 Daniel Anderson
vs.
Henry Taylor

The jury in this action having on a former day of this term rendered a verdict for the defendant and assessed his damages at 45^{22}. It is therefore considered by the court that the said defendant recover from the said plaintiff the said sum of Forty five dollars and 22 cents together with his costs herein expended taxed to $

Thereupon the Court adjourned until 8½ o'clock tomorrow morning

2265

2924

Thursday Morning February 13th 1879

Court met at 8½ oclock A.M. Pltf came Officers being present as on yesterday

2265 John A. Phillips
vs
John N. Sterling etal

This day came all the parties and submitted this cause to the Court, Thereupon it being made to appear to the Court that the claim of Harrison Dills Charles S. Lacey and the others (who were made defendants on the motion of the said John N. Sterling and who made claims to a portion of the land in question) have no longer any claim upon said land in the petition described but their said claims has been settled in case No. 2727 of Edward Stubblefield and others against Leonard Dunn and others in this Court and said Claimants have surrendered their claims to said land on the payment of $720 70/100 as decreed in said cause No. 2727. Thereupon it is Considered Ordered and decreed that the said Claimants be and they are hereby forever enjoined from making any Claim upon said lands and the title and possession of said John N. Sterling in said land be quieted as against any claim of either of said Claimants except as to the payment of said $720 70/100 And it is further found that there is due to said John A Phillips on the mortgage in said petition described the sum of Eleven Hundred and fifty five and 70/100 dollars and that said John N. Sterling by consent of the plaintiff assumes said $720 70/100 leaving a balance of $435 still due on said mortgage to plaintiff and thereupon the Defendant John N. Sterling this day has paid said balance $435 and said plaintiff has paid the costs herein and thereby this cause is settled - No further record to be made.

2924 Samuel Dunfee et als
vs
P. C. & St L. Railway Co

This day again came the said parties by their attorneys and also came the jury herein to fore impaneled and sworn, And the said jury having heard the charge of the Court retired to their room in charge of the Sheriff for deliberation.

And now come the said jury into Open Court with their verdict in writing signed by their Foreman and say: We the jury in this case being duly impaneled and sworn, do find and say that we find for the Defendant. C. Houston Foreman"

Thursday Febmary 13th 1879

3276 William Smith
vs
R. H. White } Cognovit

This day came the Plaintiff by S. S. Gardner his attorney, and thereupon came A. T. Carpenter one of the attorneys of Record of this Court who, by virtue of a warrant of attorney duly executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said Defendant herein, and by virtue of the same warrant of attorney confesses that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiffs petition the sum of $338.47. It is therefor considered that said Plaintiff do recover of said Defendant the said sum of $338.47 so as aforesaid confessed to be due together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorney, all errors are released and all right of appeal and all right to file a petition in error are waived.

2947 James Woolam
vs
A. J. Smith }

Now came the parties by their attorneys; also came the following named persons as jurors to wit: 1 W. S. Hood 2 Bolivar Hayes 3 J. L. Borger 4 D. J. Crummens 5 Norton Reed 6 B. F. Martin 7 J. H. Andrews 8 Wm Benson 9 Daniel Anderson, 10 M Thompson 11 H. Wheeler 12 E. Nogle who were duly impaneled and sworn according to law. And the said jury having heard the testimony, the argument, and the charge of the Court, retired to their room in charge of the Sheriff for deliberation. And now come the said jury into open Court with their verdict in writing, signed by their foreman and say: We, the jury in this case being duly impaneled and sworn do find and say that We find for the Plaintiff and assess his damages at sixty nine and 36/100 dollars. M. Thompson Foreman-

2994 P. E. Barnes
vs
Martha Miller et al }

On motion of the Plaintiff, and on his producing the return of the Sheriff of the sale made under the former order of this Court, and the Court on careful examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law, and the orders of this Court, it is ordered that the proceedings and sale be, and they are hereby approved and confirmed - And it is further ordered that the said Sheriff convey to the purchaser P. E. Barnes by deed in fee simple, the lands and tenements so sold and a writ of possession is awarded to put said purchaser in possession of said premises.

Report of Grand Jury

Thursday Febuary 13th 1879

Report of Grand Jury

This day appeared at the bar of this Court, the grand jury heretofore impaneled and sworn in, and for the body of the County aforesaid, and presented their certain bill of indictment against Martin Long, Jesse Mayo Frank Foote and George Orr for petit larceny, also their certain other bill of indictment against Willie Orr, George Orr Billy Orr Jesse Mayo and Frank Foote for petit larceny. Also their two other certain bills of indictment against Martin Long, Frank Foot, George Orr and Willie Orr, for petit larceny also their certain other bill of indictment against Martin Long Jesse Mayo Frank Foote Grant Corter George Orr and Willie Orr for petit larceny, and also their certain other bill of indictment against Alex Snodgrass for furnishing intoxicating liquor to a minor, also their certain other bill of indictment against A.L. Wright for obtaining money by false pretense, also their certain other bill of indictment against Benjamin Hood and Robert Dare for keeping a place where intoxicating liquors are sold contrary to Law, and also their certain other bill of indictment against Andrew McLaughlin and David Taylor for keeping a place where intoxicating liquors are sold contrary to Law, also their certain other — bill of indictment against Charles Spears for furnishing intoxicating liquors to a minor, also their certain other bill of indictment against W.S. Alden for retailing intoxicating liquor contrary to Law, also their certain other bill of indictment against Abraham Orr for receiving stolen property, also their certain other bill of indictment against George Krouse and Oren Ricker for selling intoxicating liquor to be drank on the premises. Each indorsed "a true bill" F.C. Hamilton Foreman of the Grand jury. The grand jury also filed their farther report to wit: the grand jury visited the jail of the County and found the sanitary condition to be good, We find that some of the locks are broken and that some of the bars of the windows are out and others out, and we recommend that they be repaired, also that ventilators be put into the water closets. We would farther say that our attention has been called to the manner of keeping the records of the County. And we feel that it is our duty to say that in our judgement there should be something done to save the records of the County from destruction in case the Court house should be consumed by fire. We wish also to say that we feel thankful to R.L. Woodburn, the Prosecutor for the prompt and careful manner in which he has pressed the business that was brought before the jury, and for his advice and assistance in the discharge of our very laborious and responsible duties. F. C. Hamilton Foreman.

The grand jury also announced the following to be filed to wit: We the grand jury wish to say that we have labored to disadvantage, because of the want of a proper room in which to hold our sessions. The room in which we have been sitting being too

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small, and not properly ventilated. Some of our number have been sick and all have been unwell from sitting in too small a room. We believe that the people intend to be just by their demands and that it is not known by the people that there is any cause of complaint. This is to recommend that the attention of the people be called to the subject of a better room for the Grand Jury believing that it will be economy in the end. H. C. Hamilton Forman of the grand jury

And there being no farther business for the said jury they were discharged finally. 490

446 State of Ohio vs Dalton Peters and Victor Payne } Assault and battery

This day came in open Court Dalton Peters and Victor Payne and B. H. Keys and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of One hundred dollars to be levied of their goods and chattles, lands and tenements if default be made in the following condition to wit: that said Dalton Peters and Victor Payne be and appear before the Court of Common Pleas of said County of Union from day to day during the present term and then and there abide the order and sentence of this Court and not depart the Court without leave then this recognizance to be void, otherwise to be and remain in full force. 2957

467 State of Ohio vs Charles Spears } For selling intoxicating liquors to be drank on premises where sold.

This day came in open Court Charles Spears and B. H. Keyes and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of One hundred dollars to be levied of their goods and chattles, lands and tenements if default be made in the following condition, to wit: that the said Charles Spears be and appear before the Court of Common Pleas of said County of Union from day to day during the present term thereof and then and there to abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void, otherwise to be and remain in full force. 2354 and 2439 and 2445-2364

468 State of Ohio vs Charles Spears } Charge Furnishing intoxicating liquor to a minor

This day came in open Court Charles Spears and B. H. Keyes and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of One hundred dollars to be levied of their goods

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and Chattles, Lands and tenements if default be made in default the following Condition to wit: That the said Charles Spears be and appear before the Court of Commons pleas of said County of Union from day to day during the present term thereof and then and there abide the order and sentence of the Court and not depart the Court without leave then this Recognizance to be void, otherwise to be and remain in full force

490 State of Ohio
vs.
Charles Spears
} Furnishing intoxicating liquor to a minor

This day came in open Court Charles Spears and P.H. Keyes and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and Chattles Lands and tenements if default be made in the following Condition to wit: That the said Charles Spears be and appear before the Court of Common pleas of said County of Union from day to day during the present term thereof and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void, otherwise to be and remain in full force

2957 Asbury Gardner
vs
William Robinson et al
} Now come the parties herein, by their attorneys also came the following named persons as jurors to wit: 1 John Sellers 2 John Ogan 3 Saml Woods 4 C. Houston 5 L.G. Webster 6 R.R. Thornton 7 L.G. Baker 8 Benjamin Beem 9 J.C. Hill 10 J.E. Harriman 11 Lory Ford 12 Israel Fogle. And the said jury having heard the testimony and argument said cause was continued until tomorrow morning at half past eight oclock

2354 and 2439 and 2445-2364 Orlando Wells
vs
Robert Gibson
} These four cases are refered back to R.R. Thornton by consent of parties and order of the Court to report in each case separately as formerly ordered as to his findings and verdict.

Thereupon the Court adjourned until 8½ oclock tomorrow morning

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The Court met at 8½ oclock A.M. The same Officers being present as on yesterday

2843 Miriam H. Riley vs F. M. Dickset al. } This day this cause came on to be heard upon motion of plaintiff for a reappraisement And it appearing to the Court that the property in above action has been twice advertised and twice offered for sale under the present appraisement and not sold it is hereby ordered that the present appraisement be and is hereby set aside and it is further ordered that the Sheriff cause a new appraisement to be made in accordance with law.

3278 William Laurence vs Samuel Wright } Cognovit

This day came the Plaintiff by in his own proper person and thereupon came P.B. Cole one of the attorneys of Record of this Court who by virtue of a warrant of attorney duly executed and now produced in Open Court and duly proven waived the issuing and service of process and entered appearance of said Defendant Samuel Wright herein and by virtue of said warrant of attorney confesses that there is due from said Defendant to said Plaintiff William Laurence as is alleged in said Plaintiffs petition the sum of $266 77/100 It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $266 77/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of eight percentum per annum, And by virtue of said warrant of attorney all errors are released and all right of appeal and all right to file a petition in error are Waived

2957 Albert Gardner vs William Robinson et al. } This day again came the said parties by their attorneys and also came the jury herein before impaneled and sworn And the said jury having heard the charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into Open Court with their verdict in writing signed by their foreman and say, We the jury in this case being duly impaneled and sworn do find and say that we find for the Plaintiff the sum of One hundred and seventy six 08/100 dollars J. E. Harriman, Foreman

2776

2901

2446

Friday February 14th 1879

2776 Steinberger Ayd Heusel
vs
H. Singer

This day came the parties by their attorneys and this cause came on for hearing on the Answer and crop petition of the defendants Christian Eickemeyer and George M. Wolf and the evidence, and was submitted to the Court.

On consideration whereof the Court being fully advised in the premises do find the facts stated in said answer and crop petition are true and that there is due to the said Christian Eickemeyer and George Wolf from the said Harman Singer upon the notes set forth in the petition with interest to the first day of this term of Court the sum of one thousand and seventy seven and 40/100 dollars. And the Court further find that in order to secure the payment of said notes the defendant Harman Singer executed and delivered to William Weber, who assigned to said Christian Eickemeyer and George M. Wolf his certain mortgage as in the answer and crop petition described and on the premises therein described.

That said mortgage was duly recorded in Book H-Page 333 of the Records of Mortgages of Union County and is the first and best lien upon the premises described in the petition

It is therefore considered and adjudged that unless the defendant Harman Singer shall within 3 days from this date pay or cause to be paid to the Clerk of this Court the cost of this case and the sum so as aforesaid found due then that an order issue to the Sheriff of said County Commanding him to appraise advertise and sell the premises in the crop petition described according to the statutes in such cases provided and out of the proceeds to pay the said sum found due to said Eickemeyer and Wolf and costs, and costs that may accrue.

2901 Charles D. Merrill
vs
George Pimple

The jury in this action having on a former day of this term rendered a verdict for the Plaintiff and assessed his damages at $260 23/100, and no motion for a new trial having been made, it is therefore considered by the Court that the said Plaintiff recover from the said defendant the said sum of two hundred and sixty and 23/100 dollars together with his costs herein expended taxed to $

2776 Steinberger & Heusel
vs.
H. Singer

On motion of H. Singer defendant this the sale in this case is set aside in order that the [illegible] feet may be sold on the order of Eickemeyer and Wolf taken at this term and cause continued

Friday Febuary 14th A/D 1879

2964 Thomas Jones
vs
James McCrary
William Roberts
S. P. Thompson

This day this cause came on for hearing on the Demurrer of the defendant James McCrary to the reply of the said Plaintiff and the same was argued by Counsel, And the Court being fully advised in the premises do overrule said demurrer to which ruling the said Defendant James McCrary did by his Counsel, at the time except. And this cause came on further to be heard upon the petition the answer the reply, the exibits and the evidence, And neither party demanding a jury the same was by agreement submitted to the Court, and the Court having heard the same and being fully advised in the premises doeth find that there is due the said Plaintiff on said note, on the first day of this term with interest computed at the rate of 8% interest, the sum of ninety two and 15/100 Dollars, It is therefore considered and adjuged by the Court, that the said plaintiff do recover of the said Defendants the said sum of ninety two and 15/100 dollars with interest thereon from the first day of this term computed at the rate of 8% together with his costs herein taxed to $.

3278

3196 Joseph Comer et al
vs
Michael Blue et al

Now came the plaintiff herein and the defendants Michael Blue and Adam Blue being in default for answer and demurrer the Court find defendants Michael Blue and Adam Blue are indebted to him in the sum of 228^{00} It is therefore considered by the Court that the said Plaintiff recover from the said Michael Blue and Adam Blue the said sum of 228^{00} at 8% interest from Feby 3rd 1879, and his costs herein expended taxed at $ And continued as to Lafayette Harriman the defendant for want of service.

3277

3279 H. R. Miller
vs
James Watson & Andrew R. Miller Partners as Watson & Miller

Cognovit

Miller partners by Edward E. This day came the plaintiff, by McLaughlins & Dow attorneys and thereupon came James Watson & Andrew R. Miller one of the attorneys of Record of this Court who by virtue of a warrant of attorney duly executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said Defendants herein, and by virtue of the same warrant of attorney confesses that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiffs petition the sum of $1350^{90}/_{100}$. It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $1,350^{90}/_{100}$ do as afore-

Friday February 14th th 1879

said found to be due together with costs of suit herein, to be taxed and with interest to be computed at the rate of eight per centum per annum, And by virtue of said warrant of attorney all errors are released and all right of appeal and all right to file a petition in error are waived,

3278 Peter Vanes vs Halson & Miller } Cognovit

This day came the plaintiff, by McLaughlins & Dor attorneys and thereupon came James Halson and Andrew R. Miller by Edward E. Cole one of the attorneys of Record of this Court and who by virtue of a warrant of attorney duly executed and now produced in open court and duly proven waived the issuing and service of process and entered appearance of said Defendant herein And by virtue of the same warrant of attorney confessed that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiffs petition the sum of $275 18/100. It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $275 18/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of eight per centum per annum. And by virtue of said warrant of attorney all errors are released and all right of appeal and all right to file a petition in error are waived.

3277 John D. McCracken vs James Halson et al } Cognovit

This day came the plaintiff, by McLaughlins & Dor his attorneys and thereupon came Halson and Andrew R. Miller by Edward E. Cole one of the attorneys of record of this Court who by virtue of a warrant of attorney duly executed, and now produced in open court and duly proven waived the issuing and service of process and entered appearance of said Defendant herein and by virtue of the same warrant of attorney confesses that there is due from said Defendant to said Plaintiff as is alleged in said plaintiffs petition the sum of $274 18. It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $274 18/100 so as aforesaid confessed to be due together with costs of suit herein, to be taxed and with interest to be computed at the rate of eight per centum per annum, And by virtue of said warrant of attorney all errors are released and all right of appeal and all right to file a petition in error are waived.

Friday February 14th 1879

2661 Margarella P. Lusch
vs
Jacob Lusch

On motion of Plaintiff and on his producing the return of the sale made under the former order of this Court and the Court on carefull examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this Court it is ordered that said proceedings be and the same are hereby approved and confirmed. 483

And it is further ordered that the said Sheriff convey to the purchaser James H. Robinson by deed in fee simple the lands and tenements so sold and a writ of possession is awarded to put said purchaser in possession of said premises, And the Court now coming to distribute the proceeds of said sale Amounting to twenty four hundred Dollars it is ordered that the Sheriff out of the money in his hands pay, First the costs of this action taxed to $ Second the taxes delinquent or otherwise including the taxes levied for the year 1878 Thirdly - Apply the balance of the said sum to the payment of the Plaintiffs mortgage in the petition set forth 485

And there still remaining due to the said plaintiff Margarita P. Lusch the sum of $ it is considered that she recover the same from the defendant Jacob Lusch and execution is awarded therefor

2965 Margaret Finley
vs
John J. Finley Admr with will annexed
of James G. Finley deceased

This day came the defendant and by leave of the Court filed his answer to the plaintiffs petition and thereupon came the ~~plaintiff~~ but defendants came not and thereupon came a jury to wit: 1 B. F. Martin 2 J. M. Andrews 3 Wm Benson 4 Daniel Anderson 5 Norton Reed 6 M. Thompson 7 N. L. Wood 8 Bolivar Hayes 9 J. L. Barger 10 J. Greenmons 11 John Ogan 12 John Sellers, who being duly impaneled and sworn according to law and having heard the evidence and argument of counsel and the charge of the Court, retired to their room in charge of the Sheriff for deliberation. Now come the said jury into open court with their verdict in writing and signed by their foreman and say: We the jury in this case being duly impaneled and sworn do find and say that we find for the Plaintiff and assess her damages in the sum of two hundred and twenty and 82/100 dollars ($220 82/100) M. Thompson Foreman. 486

It is therefore considered and adjudged by the Court that the Plaintiff Margaret Finley recover of said Defendant as administrator with the will annexed of James G. Finley deceased said sum of two hundred and twenty and 82/100 dollars and costs herein expended taxed to $ and that said administrator 487

allow said claims and costs and pay the same out of said estate according to law

483 State of Ohio vs Willie Orr } Charge Petit Larceny

This day came in open Court Willie Orr and Aaron Brown and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of One hundred dollars to be levied of their goods and Chattles, lands and tenements, if default be made in the following condition to wit: that the said Willie Orr be and appear before the Court of Common Pleas of said County of Union from day to day during the present term thereof and then and there abide the order and sentence of the Court, and not depart the Court without leave then this recognizance to be void, otherwise to be and remain in full force.

485 State of Ohio vs Willie Orr } Charge Petit Larceny

This day came in open Court Willie Orr and Aaron Brown and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of One hundred dollars to be levied of their goods and Chattles lands and tenements if default be made in the following condition to wit: that the said Willie Orr be and appear before the Court of Common Pleas of said County of Union, from day to day during the present term thereof and then and there abide the order and sentence of the Court and not depart the Court without leave, then this recognizance to be void otherwise to be and remain in full force.

486 State of Ohio vs Willie Orr } Petit Larceny

This day came in open Court Willie Orr and Aaron Brown and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of One hundred dollars to be levied of their goods and Chattles, lands and tenements if default be made in the following condition to wit: that the said Willie Orr be and appear before the Court of Common Pleas of said County of Union from day to day during the present term thereof and then and there abide the order and sentence of the Court and not depart the court without leave then this recognizance to be void otherwise to be and remain in full force

487 State of Ohio vs Willie Orr } Charge Petit Larceny

Orr

Friday Febuary 14th 1879

This day came in open court Willie Orr and Aaron Brown and acknowledged themselves jointly and severally to owe and stand indebted to the state of Ohio in the penal sum of one hundred dollars to be levied of their goods and Chattles lands and tenements if default be made in the following condition to wit: that the said Willie Orr be and appear before the Court of Common pleas of said County of Union, from day to day and then and there abide the order and sentence of the Court and not depart the Court without leave then this Recognizance to be void otherwise to be and remain in force

2958

2959

464 State of Ohio vs William Adams } Charge, Retailing

This day came in open court William Adams and C. Echemeyer and Susan Adams and acknowledged themselves jointly and severally to owe and stand indebted to the state of Ohio in the penal sum of one hundred dollars to be levied of their goods and Chattles lands and tenements, if default be made in the following condition to wit: that the said William Adams be and appear before the Court of Common pleas of said County of Union from day to day during the present term thereof and then and there abide the order and sentence of the Court and not depart the Court without leave then this Recognizance to be void otherwise to be and remain in full force.

2983

479 State of Ohio vs William Adams } Furnishing intoxicating liquor to a minor

This day came in open court William Adams, C. Eichemeyer and Susan Adams and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their lands and tenements, goods and Chattles if default be made in the following condition to wit: that the said William Adams be and appear before the Court of Common pleas in the said County of Union from day to day during the present term thereof and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

3134

2947 James Hoollum vs A. J. Smith } The jury in this action having on a former day of this term rendered a verdict for the Plaintiff and assessed his damages at $69.36 and no motion for a new trial having been made, It is therefore considered by the Court that the said James Hoollum recover from the said A. J. Smith the said sum of $69.35 together with his costs herein expended taxed to

Friday February 14th 1879

2958 Richard H. McCamey
vs
James Mulvaine

This cause is continued on motion and showing of the defendant and at his costs. It is therefore considered ordered and adjudged by the Court that the plaintiff recover of the defendant his costs of this term by him expended taxed to $

2959 Michael Blue
vs
Richard White

Now came the parties herein by their Attorneys, Also came the following named persons as jurors to wit: 1 Samuel Woods 2 C. Houston 3 L. G. Hebler 4 J. R. Thornton 5 L. G. Baker 6 Benjamin Penn 7 J. C. Hull 8 J. E. Harriman 9 Loy Ford 10 Israel Fogle 11 John Egan 12 B. F. Martin, who were duly impaneled and sworn according to law. And the said jury having heard the testimony adduced and the argument and charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into open Court with their verdict in writing signed by their foreman and say: We, the jury in this case being duly impaneled and sworn do find and say that we find for the defendant. L. G. Baker Foreman

2983 Duncan Potts
vs
Farmers Bank of Union County

This day this cause came on to be heard upon the affidavit filed herein by the Defendant on the 8th day of February 1879- And it appearing to the Court that said ~~affidavit is true and~~

Amy Bell Wallace } Divorce & alimony.
vs
3134 Isaac Wallace et al } This day came the parties and submitted this Cause to the Court upon the pleadings & evidence. Whereupon the Court being fully advised in the premises do find the allegations of the plaintiffs petition to be true & that plaintiff is entitled to a divorce by reason of the premises together with reasonable alimony & the custody of their Child named in the petition. It is therefore ordered and adjudged by the Court that said parties be & the are hereby divorced & the custody & Education of their child entrusted to plaintiff and it is ordered & adjudged that defendant Isaac Wallace pay plaintiff her reasonable alimony as follows Two hundred dollars Cash in hand & One hundred dollars in six months to be secured by note Satisfactory to the plaintiff and that defendants pay the costs of this proceeding except Plaintiffs Witnesses fees within ten days & in default of payment that execution issue therefor.

Thereupon the Court adjourned until 8½ oclock tomorrow morning.

Saturday Febmary 15th 1879

Court met at 8 o'clock A.M. The same Officers being present as on yesterday.

2983 Duncan Potts
vs
Farmers Bank of Union County

This day this cause came on to be heard upon the affidavit filed herein by the Defendant on the 8th day of Febmary 1879- And it appearing to the Court that said affidavit is true and that John T. Lenox without collusion with Defendant makes a claim to the subject of this action and that the Defendant is ready to pay the money mentioned in said action as the Court may direct. It is ordered by the Court that said fund remain in the hands of the Defendant the Farmers Bank of Union County until the further order of this Court, and it is further ordered that said John T. Lenox be made party Defendant herein: And that he be required and ordered to appear within ten days from the date of this entry (that being deemed by the Court a reasonable time) and thereupon the said John Lenox appeared and was allowed to make himself a party defendant to this action in lieu of said the Farmers Bank of Union County, and was allowed to file his answer and cross petition herein, all of which is accordingly done

3/62

2622

2927 James Guy
vs
John Evans et ux

This day came the parties by their attorneys and thereupon this cause came on for final hearing, and the Court being fully advised in the premised do find that the plaintiff not having sufficient notice has been guilty of no negligence or bad faith and ought not to be required to pay the costs of said proceeding and the Court further find that said defendants the said Trustees of Jerome township of said County have acted in good faith and under the supposition that their proceedings were lawful, and that it would be inequitable to require either these or the parties interested in said ditch to pay said costs and that it is but just and equitable that the costs in this proceeding be paid by the County Treasury.

491

It is therefore considered ordered and adjudged by the Court that this proceeding be finally dismissed without prejudice and that the costs of this proceeding be paid by the County Treasury out of the proper fund, And by agreement there is to be no record made

Saturday Febuary 15th 1879

3162 Union County Bank
vs
George H. Kiple et als

This day this cause came on to be heard upon the petition and exibits of the Plaintiff and it appearing to the court that the Defendants P.E. Barnes, Levi Handley and D.W. Camp had been duly served with summons in this case and said Defendants still failing to answer or demur to said petition the same is taken for true as against them And the court being fully advised in the premises, it is ordered and adjudged by the court that the plaintiff recover of the said Defendants P.E. Barnes, D.W. Camp and G.H. Handly, the sum of ($213 33/100) two hundred and thirteen and 33/100 dollars and the costs of this suit and this cause is continued as to the Defendant, George H. Kiple to the next term of this Court, for service on said Defendant

2622 John McLain
vs
Phillip L. Cox

This day came on this cause to be heard whereupon the plaintiff dismissed this cause without prejudice. It is therefore considered ordered and adjudged by the court that this cause be dismissed without prejudice and that defendant recover of the plaintiff his costs herein expended taxed to $

491 State of Ohio
vs
W. S. Alden

Retailing intoxicating liquor contrary to Law

This day came in open Court W. S. Alden and acknowledged himself to owe and stand indebted to the state of Ohio in the penal sum of one hundred dollars to be levied of his goods and Chattles, lands and tenements if default be made in the following condition to wit: that the said W. S. Alden be and appear before the Court of Common Pleas of said County of Union on Monday morning February 17th 1879 at 9 o,clock and then and there abide the order and sentence of the court and not depart the court without leave then this recognizance to be void, otherwise to be and remain in full force

Saturday Febuary 15th 1879

482 State of Ohio vs Martin Long } Petit Larceny

This day came in open court Martin Long and John Long and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and Chattles, lands and tenements if default be made in the following condition to wit: that the said Martin Long be and appear before the Court of Common pleas of said County of Union on Monday morning Febuary 17th 879 at 9 oclock and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force. 3140

483 State of Ohio vs Martin Long } Charge Petit Larceny

This day came in open Court Martin Long and John Long and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and Chattles lands and tenements if default be made in the following condition to wit: that the said Martin Long be and appear before the Court of Common pleas of said County of Union on Monday morning Febuary 17th A. D. 1879 at 9 oclock and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force 462

484 State of Ohio vs Martin Long } Petit Larceny

This day came in open Court Martin Long and John Long and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of One hundred dollars to be levied of their goods and Chattles, lands and tenements, if default be made in the following condition to wit: that the said Martin Long be and appear before the Court of Common pleas of said County of Union, on Monday morning Febuary 17th A.D. 1879 at 9 oclock and then and there to abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force 488

485 State of Ohio vs Martin Long } Petit Larceny

This day came in open court Martin Long and

Saturday February 15th 1879

John Long and acknowledged themselves severally and jointly to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattles lands and tenements if default be made in the following condition to wit: that the said Martin Long be and appear before the Court of Common Pleas of said County of Union on Monday February 17th 1879 at 9 oclock A.M. and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force.

3140 James Carter
vs
Bank of North Lewisburgh

This day came on this cause to be heard on the motion of the Plaintiff to take judgment upon the defendants answer, thereupon the Court being fully advised in the premises do overrule said motion to which plaintiff excepts.

462 State of Ohio
vs
Benjamin Hood
} Retailing intoxicating liquor contrary to Law

This day came in open court Benjamin Hood and Robert Davy and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattles, lands and tenements, if default be made in the following condition to wit: that the said Benjamin Hood be and appear before the Court of Common pleas of said County of Union on Monday morning February 17th 1879 at 9 oclock and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

488 State of Ohio
vs
Benjamin Hood
} Keeping a place where intoxicating liquors are sold contrary to Law

This day came in open Court Benjamin Hood and Robert Davy and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattles lands and tenements if default be made in the following condition to wit: that the said Benjamin Hood be and appear before the Court of Common pleas of said County of Union on Monday morning February 17th 1879 at 9 oclock and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

Saturday Febuary 15th 1879

452 State of Ohio vs Robert Davey } Furnishing intoxicating liquor to a minor

This day came in open Court Robert Davey and Benjamin Hood and acknowledged themselves jointly and severally to owe and stand indebted to the state of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattels lands and tenements if default be made in the following condition to wit: that the said Robert Daiey be and appear before the court of Common Pleas of said County of Union on Monday morning Febuary 17th 1879 at nine oclock and then and there abide the order and sentence of the court and not depart the court without leave then this Recognizance to be void otherwise to be and remain in full force.

456

453 State of Ohio vs Robert Davey } Furnishing intoxicating liquors to a minor

This day came in open Court Robert Davey and Benjamin Hood and acknowledged themselves jointly and severally to owe and stand indebted to the state of Ohio in the penal sum of One hundred dollars to be levied of their goods and Chattles, lands and tenements if default be made in the following condition to wit: that the said Robert Davey be and appear before the Court of Common Pleas of said County of Union on Monday morning Febuary 17th 1879 at nine oclock and then and there abide the order and sentence of the court and not depart the court without leave then this recognizance to be void otherwise to be and remain in full force.

457

454 State of Ohio vs Robert Davey } Furnishing intoxicating liquor to a minor

This day came in open Court Robert Davey and Benjamin Hood and acknowledged themselves jointly and severally to owe and stand indebted to the state of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattels, lands and tenements if default be made in the following condition to wit: that the said Robert Davey be and appear before the Court of Common Pleas of said County of Union on Monday morning Febuary 17th 1879 at 9 oclock and then and there abide the order and sentence of the court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

458

455 State of Ohio vs Robert Davey } Furnishing intoxicating liquor to a minor

This day came in open Court Robert Davey and

Benjamin Hood and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattles lands and tenements if default be made in the following condition to wit: that the said Robert Davy be and appear before the Court of Common pleas of said County of Union on Monday Morning Febuary 17th 1879 at 9 oclock and then and there abide the order and sentence of the Court And not depart the court without leave then this recognizance to be void otherwise to be and remain in full force

456 State of Ohio vs Robert Davy } Furnishing intoxicating liquor to a minor

This day came in open court Robert Davy and Benjamin Hood and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattels, lands and tenements if default be made in the following condition to wit: that the said Robert Davy be and appear before the Court of Common pleas of said County of Union on Monday morning Febuary 17th 1879 at 9 oclock and then and there abide the order and sentence of the court and not depart the court without leave then this recognizance to be void, otherwise to be and remain in full force

457 State of Ohio vs Robert Davy } Furnishing intoxicating liquor to a minor

This day came in open court Robert Davy and Benjamin Hood and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattles lands and tenements if default be made in the following condition to wit: that the said Robert Davy be and appear before the Court of Common pleas of said County of Union on Monday morning Febuary 17th 1879 at 9 oclock and then and there abide the order and sentence of the court and not depart the court without leave then this recognizance to be void, otherwise to be and remain in full force

478 State of Ohio vs Robert Davy } Retailing intoxicating liquor contrary to law

This day came in open court Robert Davy and Benjamin Hood and acknowledged themselves jointly and

Saturday Febuary 15th 1879

severally to owe and stand indebted to the state of Ohio in the penal sum of One hundred dollars to be levied of their goods and chattles, lands and tenements if default be made in the following condition to wit: that the said Robert Davey be and appear before the Court of Common Pleas of said County of Union on Monday morning Febuary 17th 1879 at 9 oclock and then and there abide the order and sentence of the Court and not depart the Court without leave then this Recognizance to be void, otherwise to be and remain in full force

2971 James Guy vs Jacob Crainer — 493

Now came the parties herein by their attorneys; Also came the following named persons as jurors to wit: 1 Samuel Woods 2 C. Houston 3 L. G. Webber 4 G. R. Thornton 5 L. G. Baker 6 Benjamin Beem 7 J. C. Hull 8 J. C. Harriman 9 Lory Ford 10 Israel Fogle 11 John Ogan 12 B. F. Martin, who were duly impanled and sworn according to law. And the said jury having heard the testimony adduced and the argument of counsel and charge of the Court retired to their room in charge of the Sheriff for dibiberation. And now come the said jury into open court with their verdict in writing and signed by their Forman and say; We the jury in this case being duly impanled and sworn do find and say that we find for the Defendant, John Ogan Forman

489 State of Ohio vs A. McLaughlin and D. Taylor — Keeping place where intoxicating liquors are sold — 460

This day came in open court A. McLaughlin and D. Taylor and C. Eckenroyer and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of One hundred dollars to be levied of their goods and chattles lands and tenements if default be made in the following conditions to wit: that the said Andrew McLaughlin and D. Taylor be and appear before the court of Common Pleas of said County of Union on Monday Morning Febuary 17th 1879 at 9 oclock and then and there abide the order and sentence of the court and not depart the court without leave then this recognizance to be void otherwise to be and remain in full force.

477 State of Ohio vs A. McLaughlin — Selling Furnishing intoxicating liquor to a minor — 3154

This day came in open Court A. McLaughlin and C. Eckenroyer and acknowledged themselves jointly and severally to owe and stand indebted to the State of

Saturday Febuary 15th 1879

Ohio in the penal sum of one hundred dollars to be levied of their goods and chattls, lands and tenements if default be made in the following condition to wit: that the said Andrew McLaughlin be and appear before the court of Common pleas of Union County on Monday morning Febuary 17th 1879 at 9 oclock and then and there abide the order and sentence of the court and not depart the court without leave then this recognizance to be void otherwise to be and remain in full force.

493 State of Ohio
vs
George Krouse and Oren Decker
} Charge- Retailing intoxicating liquor

This day came in open court George Krouse and Oren Decker and C. Eckenroy and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattles lands and tenements if default be made in the following condition to wit: that the said George Krouse and Oren Decker be and appear before the Court of Common pleas of said County of Union on Monday morning Febuary 17th 1879 at 9 oclock and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void, otherwise to be and remain in full force

460 State of Ohio
vs
Oren Decker
} Retailing intoxicating liquor contrary to law

This day came in open court Oren Decker and C. Eckenroy and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattles lands and tenements if default be made in the following condition to wit: that the said Oren Decker be and appear before the Court of Commons pleas of said County of Union, on Monday morning Febuary 17th 1879 and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force.

3154 Charles Randall
vs
Harvey Price et als
} Settled and cost paid—

Saturday Febmary 15th 1879

3226 The Village of Maysville Ohio
vs
Eliza Hombreck et als

This day on motion to the court by the applicant, that the parties defendant have been duly served with notice of the time and place at which application would be made to the court of Common Pleas of Union County Ohio.

And it appearing to the court that such notice has been served five days or more before the time of this application, and it appearing further to the court that due publication has been made according to law for service upon James C. McCleary in this action, all of which publication and notices required by the statute have been made and served, more than five days previous to this date: and that such notices and publications are reasonably specific and certain, It is therefore ordered by the court that the time for the inquiry into and assessment of compensation by a jury asked, be and the same is hereby fixed for Friday the 21st day of Febmary 1879

3012 Emma Cartmell vs. Benny Hoodworth, Continued for service

3018 Sarah Snodgrass vs. Joseph Coe Continued

3026 E. G. Piper Admr vs. P. B Cole. Continued with leave to defendant to answer

3024 E. G. Piper Admr vs. P. B. Cole Continued, with leave to defendant to answer

3042 William Moffitt vs S. J. Himph et. als. Continued

3043 Ross Scott vs. C. H. Walker et als Continued

3065 George W. Forman vs. Henry Hillis et. als. Continued

3068 Christian Eickemeyer vs. John Cuddihy Settled and Cost paid

3075 Johnston Jewell vs. Samuel Powell et. al. Continued by consent

3074 Belle Mullinger vs. P. H. Woodrow et. als. Settled and cost paid

3093 S. H. Chesney vs. Robert H. Preston et. als. Continued

3137 Orlando Wells vs. Justus J. Miller Continued

Thereupon Court adjourned until Monday Morning Febmary 17th 879 at 9 oclock

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Monday Morning Februay 17th 1879

3234 Farmers Bank of Union County
vs
James Mulvain et als

This day this cause came on for hearing upon the petition of the plaintiff, and the defendants being in default for answer and demurrer thereto the Court find the allegations therein contained are confessed by them to be true.

And the Court further finding that the judgement in the petition set forth remains due and unsatisfied, and no cause being shown why it should not be rendered: it is therefore considered by the Court that the said judgement, to wit rendered in case to in this Court at the August term 1870 in favor of this plaintiff and against these defendants for $276 10/100 with interest from the 3rd day of February a.d. 1879 and $ costs of suit, do stand revived It is further considered that the plaintiff recover from the defendant his costs herein expended. For all of which execution is awarded

3280 Andrew Annie
vs
J. S. Dillon et al

Now came the Plaintiff, by his attorney also came R.L. Hoodrum one of the attorneys of this Court on behalf of the defendants J.S. Dillon and Charles Carter and by virtue of a warrant of attorney for that purpose duly executed by the said J.S. Dillon and Charles Carter, and now produced to the Court waived the issuing and service of process, and with the assent of the Plaintiff confessed that the said J.S. Dillon and Charles Carter are justly indebted to the said Plaintiff in the sum of One hundred and Fifty seven dollars and 70/100, as evidenced by the promissory note of said J.S. Dillon and Charles Carter executed by them on the 6th day of May 1878 for the sum of $150.00 payable six months after date, with 8% interest It is therefore considered by the Court that the Plaintiff, Andrew Annie recover of said defendants the said sum of One hundred and fifty seven and 70/100 dollars with 8% interest from date of this Entry together with his costs herein expended taxed at $

3257 R.L. Hoodrum Admr
&c bonis non of R.L. Broom decd
vs
Thomas Mapes and others

Cyrus Brewster Edward Brewster Ella Brewster and Henry Brewster being minors, A.T. Carpenter is appointed guardian ad Litem to answer in this case for them Thereupon the said guardians ad litem files his answer

Monday February 17th 1879

3182 George Worthington and Co
vs
James Hillson et al.

This day came the Plaintiffs herein by their attorneys, and the defendants being in Default for answer or demurrer, the Court after due consideration finds that the allegations of the petition are confessed to be true by them, and that there is due the plaintiffs from the defendants, on the promissory note set forth in the petition, the sum of $82 98/100 with 6% interest from the date of this entry. The Court further finds that in order to secure the payment of said note the defendants James Hillson and Mahala D. Hilson, his wife executed and delivered to George Wallace one of the defendants herein their Certain Mortgage, as in the petition described and on the premises therein described, that said Mortgage was duly recorded in Book Page of the Records of Mortgages of Union County and is the first and best lien on said premises.

It is therefore considered and adjudged that unless the defendants James Hillson and Mahala D. Hillson, shall within ten days from the entry of this decree, pay to the Clerk of this Court, the costs of this case and to the plaintiffs herein the sum so found due as aforesaid with interest as aforesaid, that the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of Union County, directing him to sell said premises as upon execution and to bring the proceeds into Court for further order.

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3281 Bank of Richwood
vs
Jessie Taylor et al } Cognovit

This day came the Plaintiff by Cameron and Denton his attorneys and thereupon came J. M. Broderick one of the attorneys of Record of this Court who by virtue of a warrant of attorney duly executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said Defendant herein and by virtue of the same warrant of attorney confesses that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiffs petition the sum of $156.00 It is therefore considered that said plaintiff do recover of said Defendant the said sum of $156.00 so as aforesaid confessed to be due together with Costs of suit herein to be taxed, and with interest to be computed at the rate of 8 per centum per annum, And by virtue of said warrant of attorney all errors are released and all right of appeal and all right to file a petition in error are waived

484

Monday Febuary 17th 1879

480 State of Ohio
vs
William Dunn
} Indicted for malicious destruction of property

This day the defendant being brought into Court in charge of the Sheriff and it appearing that he is in indigent circumstances and unable to employ counsel the Court appoint T. B. Benton and D. W. Ayers as counsel for his defense.

481 State of Ohio
vs
Jesse Mayo, George Orr, Billy Orr
Frank Foote and Willie Orr
} Charge, petit larceny

This day the defendants Jesse Mayo, George Orr Billy Orr and Willie Orr being brought into Court in charge of the Sheriff and it appearing to the Court that they are in indigent circumstances and unable to employ counsel the Court appoint D. W. Ayers and T. B. Benton as counsel for their defense.

482 State of Ohio
vs
Jesse Mayo George Orr Billy Orr
Frank Foote and Willie Orr
} Charge petit larceny

This day the defendants Jesse Mayo, George Orr Billy Orr and Willie Orr being brought into Court in charge of the Sheriff and it appearing to the Court that they are in indigent circumstances and unable to employ counsel the Court appoint D. W. Ayers and T. B. Benton as counsel for their defense.

483 State of Ohio
vs
Jesse Mayo George Orr Billy Orr
Frank Foote and Willie Orr
} Charge, petit Larceny

This day the defendants Jesse Mayo George Orr, Billy Orr and Willie Orr being brought into Court in charge of the Sheriff and it appearing to the Court that they are in indigent circumstances and unable to employ counsel the Court appoint D. W. Ayers and T. B. Benton as counsel for their defense

484 State of Ohio
vs
Jesse Mayo, George Orr, Billy Orr
Frank Foote and Willie Orr
} Charge, petit Larceny

This day the defendants Jesse Mayo George Orr Billy Orr and Willie Orr being brought into Court in charge of the Sheriff and it appearing to the Court that they are in indigent circumstances and unable to employ counsel the Court appoint D. W. Ayers and T. B. Benton as counsel for their defense

Monday February 17th 1879

486	State of Ohio vs Jesse Mayo, George Orr, Billy Orr Frank Foutes and Willie Orr	Charge, Petit Larceny

This day the defendants Jesse Mayo, George Orr, Billy Orr and Willie Orr being brought into Court in charge of the Sheriff and it appearing that they are in indigent circumstances and unable to employ Counsel the Court appoint D.W. Ayers and P.B. Benton as Counsel for their defence.

463	State of Ohio vs Elizabeth Orr	Charge, furnishing intoxicating liquor to a minor.

This day the defendant being brought into Court in charge of the Sheriff and it appearing that ~~they are~~ she is in indigent Circumstances and unable to employ Counsel the Court appoint D.W. Ayers and P.B. Benton as Counsel for her defence.

	State of Ohio vs Abraham Orr	Indictment for receiving Stolen property

And now the defendant being brought into Court in charge of the Sheriff, and it appearing that he is in indigent circumstances and unable to employ Counsel, the Court therefore appoint A.F. Kellerstrass Esq as Counsel for his defence.

3147	Joseph E. Fouke vs. George Loar	Continued
3150	Anderson T Martin vs. S.H. Gray & Co et al,	Settled and cost paid -
3159	Rufus M. Fogle vs. Eli Fogle et als.	Continued
3163	Charles W. Carter Guardian vs Rosannah C. Carter	Continued
3166	Wendel Helfrich vs. William W. Bales Admr.	Continued
3178	John L. Fleck et al vs. James Hamilton	Settled and cost paid
3183	Newton Case vs C.C. Vansant et. al.	Continued for service
3184	Anna E. Erb Exec vs David Watson	Continued

Thereupon the Court adjourned until tomorrow morning at 8 1/2 o'clock

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Tuesday February 18th 1879

3228 L. D. Cahill vs E. Forman et al

And now comes the said L. D. Cahill by his attorney and the said Defendant still failing to answer or demur to said petition, it is considered that the said Plaintiff is entitled to an account of the money due him in the premises, and the Court after hearing the evidence, do find there is due to the said Plaintiff on the note and mortgage in the petition described, the sum of $128 76/100 it is therefore considered by the Court here that the said plaintiff recover of the said Defendants the said sum of $128.76 the sum so found due as aforesaid and also his costs taxed to $

And it is further ordered and adjudged that in case the Defendants fail for five days from the close of this term of Court to pay said Plaintiff the said sum of $128.76 so as aforesaid found due with costs of suit an order issue to the Sheriff of said County of Union, Commanding him to cause the said lands and tenements in said petition described to be appraised advertised, and sold according to law, and apply the procuds of said sale in satisfaction of the said sum so found due with costs of suit.

State of Ohio vs William Adams and Susan Adams } Keeping a place where intoxicating liquors are sold Contrary to law

This day came in open court William Adams Susan Adams and R. L. Talmage and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of two hundred dollars, to be levied of their goods and chattles lands and tenements if default be made in the following condition to wit: That the said William Adams and Susan Adams be and appear before the Court of Commons pleas of said County of Union on the 1st day of the next term thereof and then and there abide the order and sentence of the court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force.

3138 U. S. Bosh vs Sarah J. Kile Continued for service

3139 Union Central Life Ins Co. vs W. M. Haines et als Continued

3144 George Hollycross vs Dora Hollycross Continued

3146 Joseph E. Fouke vs James H. Dunfee Continued

Tuesday February 18th 1879

3282 Abner Riddle, Robert Lamb, John M. Riddle and John B. Williams Surviving partners of Rutan Riddle and Company
vs
James Watson and Andrew R. Miller

This day came the Plaintiffs by their attorney W. A. West, and thereupon came J. B. Cole one of the Attorneys of Record of this Court, who by virtue of two warrants of Attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process and entered a appearance of said Defendants herein and by virtue of the same two warrants of Attorney, Confesses that there is due from said Defendants to said Plaintiffs as is alleged in said Plaintiffs petition the sum of $165-18. It is therefore Considered that said Plaintiffs do recover of said Defendants the said sum of $165-18 so as aforesaid Confessed to be due together with Costs of suit herein to be taxed and with interest to be Computed at the rate of 8 per Centum per Annum, And by virtue of said warrants of Attorney all errors are released and all right of appeal and all right to file a petition in error are waived

State of Ohio
vs
William Adams
} Retailing intoxicating liquor contrary to law

This day came in open court William Adams and Susan Adams and Wright Harriman and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars if default be made in the following Condition to wit: That the said William Adams be and appear before the Court of Common pleas of said County of Union, from day to day during the present term thereof, and then and there abide the Order and Sentence of the Court, and not depart the Court without leave then this Recognizance to be void otherwise to be and remain in full force

493 State of Ohio
vs
George Krouse and Otis Decker
} Indictment for Selling Liquor to be drunk where sold

Now Came the prosecuting attorney on behalf of the state of Ohio, and the defendants with their Counsel; also Came the following named persons as jurors, to wit: 1 John Ogan, 2 B. F. Martin 3 J. M. Andrews 4 William Benson 5 John Sellers 6 Norton Reed 7 N. S. Wood 8 David Clement 9 Wm Goff 10 Henry Wheeler 11 Nat Welsh 12 Saml Morch. who were duly impaneled and sworn according to law. And the said jury having heard the testimony adduced by the parties, the arguments of Counsel and the charge of the Court, after deliberation thereon returned the following verdict to wit: We the jury on the issue joined, find the Defendants not guilty in manner and form

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as they stand charged in the indictment, John Sellers Foreman.

3023 John Fryman vs John McAllister & Jacob Hoskins } This cause coming on to be heard upon the motion to strike out from the answer of Jacob Hoskins certain redundant matter, the Court on consideration grant the same, and order that all the words in said answer from and including the word "That" at the beginning of the 6th line of the first page, to and including the word "Plaintiff" at the end of the 16th line 1st Page. and the words, "and this defendant and said McAllister represented different churches" on the 2nd page be stricken out-

3191 Julia A. McFadden vs, Harrison McFadden, Continued

3192 J. H. Robinson vs. William Smith, Settled and cost paid

3195 Andrew H. Sherwood vs Jackson C. Holmes et. al, Continued

3201 J. H. Ford vs. The Village of Marysville Continued

3202 M. C. Lawrence Trustee vs Charles Barth Continued

3203 Abram Sharp vs Emily Pigler et. als. Continued

3205 Charles F. Miller vs. Jacob Krouskop et als Continued

3217 Marysville Butter Tub and Spoke Co vs. Jesse Taylor et al, Settled & Cost paid

3216 Union Building and Loan A. vs Abraham Morey et al Continued

3220 P. B. Cole vs W. W. Robison Settled and costs paid

3223 Evaline Davis vs. Robert Davis Continued

3224 Jacob Johnson vs. George W. Hoke et. al, Continued

Thereupon the Court adjourned until 8 1/2 oclock tomorrow Morning

Wednesday, Febuary 19th 1879

Court met at 8½ o'clock A. M. Same officers being present as on yesterday

3023 John Frymans
vs
John McAllister et al

This cause is continued on motion and showing of the Defendants, Jacob Hopkins And at his costs.

3137 Orlando Wells
vs
J. J. Miller et als

3283

This day came the parties and by consent this Cause is continued with leave to all defendants who have not answered to plead in thirty days from rising of the Court and the answer of the Bank of North Lewisburgh being on file is to remain as if filed in time.

3173 Bank of North Lewisburgh
vs
James Carter et als

This cause is continued with leave to all defendants who have not yet answered to plead in thirty days from the rising of the Court.

3168 Commissions of Madison Co
vs
Thomas Jones

This day by agreement of parties this cause is continued

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3247 C. Aultman & Co.
vs
Wilson Brown et al

Now came the plaintiffs herein and the defendants being in default for answer and demurer the Court find that the allegations of the petition are confessed by them to be true and find that the defendants are indebted to the plaintiff in the sum of three hundred sixty one and 28/100 Dollars on the first day of this term of this Court. It is therefore considered by the Court that the said plaintiff recover of the said defendants the said sum of three hundred sixty one and 28/100 Dollars with Eight per Cent interest from the first day of this term of this Court and the costs of the plaintiff herein expended taxed at $

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3238 J. F. Gates
vs
Thomas McElroy et als

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Now came the plaintiff & the defendants being

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in default for answer and demurer the Court find that the allegations of the petition are confessed by them to be true and finds that the defendants are indebted to the plaintiff in the sum of one hundred and one dollars on the 12th day of Febuary 1879

It is therefore considerd by the Court that the said plaintiff recover from the said defendants the said sum of one hundred and one dollars with interest from said 12th day of Febuary and also his costs herein expended taxed to $ No record — $75 paid on above J.P.R.

3283 S. H. Benedict and Co. vs N. F. Pringle and W. H. Lewis } Cognovit

This day came the Plaintiffs by Carpenter and Brodrick their Attorneys and thereupon came D.W. Ayers one of the Attorneys of Record of this Court who by virtue of a warrant of attorney duly executed and now produced in Open Court and duly proven waived the issuing and service of process and entered appearance of said Defendants herein and by virtue of the same warrant of attorney confesses that there is due from said Defendants to said Plaintiffs as is alleged in said Plaintiffs petition the sum of $165 99/100. It is therefore considered that said Plaintiffs do recover of said Defendants the said sum of $165 99/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 percentum per annum,

And by virtue of said warrant of attorney all errors are released and all right of appeal, and all right to file a petition in error are waived.

478 State of Ohio vs Robert Davy } Selling intoxicating liquor to be drank where sold

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in Custody of the Sheriff and arraigned upon said indictment for plea thereto saith he is guilty. It is therefore considerd and adjudged by the Court that said defendant Robert Davy pay unto the State of Ohio his fine in the sum of twenty dollars together with the costs herein expended taxed to $ and further it is considered and adjudged by the Court that said defendant be and committed until said fine and costs are paid

3229 Farmers Bank of Union County vs H. C. Baylis et als } Continued

3230 Emma Johnson vs. Benjamin Johnson Continued

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454 State of Ohio vs Robert Davey } Furnishing intoxicating liquor to a minor

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in charge of the Sheriff and arraigned upon said indictment, for plea thereto saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Robert Davey pay unto the State of Ohio his fine in the sum of twenty five dollars together with the costs herein expended taxed to $ And further it is considered and adjudged by the Court that said defendant stand committed until said fine and costs are paid. 459

455 State of Ohio vs Robert Davey } Furnishing intoxicating liquor to a minor

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is guilty. It is therefore considered and adjudged by the Court that said said defendant Robert Davey pay unto the state of Ohio his fine in the sum of twenty five dollars together with the costs herein expended taxed to $ And further it is considered and adjudged by the Court that said defendant stand committed until said fine and costs are paid. 458

456 State of Ohio vs. Robert Davey } Furnishing intoxicating liquor to a minor

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Robert Davey pay unto the State of Ohio his fine in the sum of twenty five dollars together with the costs herein expended taxed to $ And further it is considered and adjudged by the Court that said defendant stand committed until paid fine and costs are paid. 469

457 State of Ohio vs Robert Davey } Furnishing intoxicating liquor to a minor

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment for plea thereto saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Robert Davey pay unto

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the State of Ohio his fine, in the sum of twenty five dollars together with the costs herein expended taxed to $
And further it is considered and adjudged by the Court that said defendant stand committed until said fine and costs are paid.

459 State of Ohio vs. Horace Andrews } Selling intoxicating liquor to be drank on premises

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being brought into Court in custody of the sheriff and arraigned upon said indictment, for plea thereto saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Horace Andrews pay into the State of Ohio his fine in the sum of twenty five dollars together with the costs herein expended taxed to $
And further it is considered and adjudged by the Court that said defendant stand committed until said fine and costs are paid.

458 State of Ohio vs Horace Andrews } Selling intoxicating liquors to be drank on premises

Now comes the prosecuting attorney on behalf of the state of Ohio and the defendant being brought into Court in charge of the sheriff and arraigned upon said indictment, for plea thereto saith he is guilty. It is therefore considered and adjudged by the court that said defendant Horace Andrews pay into the State of Ohio his fine in the sum of twenty five dollars together with the costs herein expended taxed to $
And further it is considered and adjudged by the Court that said defendant stand committed until said fine and costs are paid.

469 State of Ohio vs Horace Andrews } Selling intoxicating liquors to be drank on premises

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being brought into Court in custody of the sheriff and arraigned upon said indictment for plea thereto saith he is guilty. It is therefore considered and adjudged by the court that said defendants Horace Andrews pay into the State of Ohio his fine in the sum of twenty five dollars together with the costs herein expended taxed to $
And further it is considered and adjudged by the Court that said defendant stand committed until said fine and costs are paid.

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470 State of Ohio vs Horace Andrews } Selling intoxicating liquor to be drank where sold

Now comes the prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment for plea thereto saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Horace Andrews pay unto the State of Ohio his fine in the sum of twenty five dollars, together with the costs herein expended taxed to $

And further it is considered and adjudged by the Court that said defendant stand committed until said fine and costs are paid.

462 State of Ohio vs Benjamin Hood } Selling intoxicating liquor to be drank on premises

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Benjamin Hood pay unto the State of Ohio his fine in the sum of twenty dollars together with the costs herein expended taxed to $

And further it is ordered and adjudged by the Court that said defendant stand committed until said fine and costs are paid.

488 State of Ohio vs Benjamin Hood and Robert Davey. } Keeping a place where intoxicating liquors are sold contrary to law

Now came the prosecuting attorney on behalf of the State of Ohio and the defendants being present in Court in person and by attorney and being arraigned for plea saith they are not guilty, and thereupon came a jury to wit: 1 J. J. Simmons 2 J. L. Boyer 3 Daniel Anderson 4 L. G. Hibler 5 J. R. Thornton 6 L. G. Baker 7 Benjamin Dunn 8 J. C. Hull 9 J. C. Harriman 10 Lory Ford 11 Israel Fogle 12 Polivar Sleyes. Who being duly impaneled and sworn according to law to try the issue and a true verdict give between the State and the defendants, do find and return their verdict in the words and figures following to wit: We the jury empaneled and sworn to well and truly try and true deliverance make between the State of Ohio and the prisoners at the bar, Benjamin Hood and Robert Davey do find the defendants Benjamin Hood and Robert Davey guilty as charged. J. C. Hull Foreman.

Thereupon the defendants being still present and not desiring to say anything further why sentence should not be passed on the verdict it is considered and adjudged by the Court that the State of Ohio recover of the defendants each

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their fine as follows, said Benjamin Hood his fine in the sum of Seventy five dollars together with the costs herein expended taxed to $ And that the defendant Benjamin Hood also stand committed and be imprisoned in the County Jail for the period of twenty days and further that he stand committed until the said fine and costs are paid, and also that the defendant Robert Davey be fined in the sum of seventy five dollars and that the defendant Robert Davey also stand committed and be imprisoned in the County jail for the period of ten days and further that he stand committed until the said fine and costs are paid, And as to the closing of the room the case is passed for the further action of the Court

452 State of Ohio vs. Robert Davey } Furnishing intoxicating liquor to a minor

Now came the prosecuting Attorney on behalf of the State of Ohio and the defendant being present in court in person and by attorney and being arraigned for plea says he is not guilty. And thereupon came a jury &c.

It is therefore considered and adjudged by the court that said defendant Robert Davey, pay unto the state of Ohio his fine in the sum of Forty dollars together with the costs herein expended taxed to $ and that the defendant Robert Davey also stand committed and be imprisoned in the County jail for the period of ten days and further it is considered and adjudged by the court that said defendant stand committed until paid fine and costs are paid

453 State of Ohio vs Robert Davey } Furnishing intoxicating liquor to a minor

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in Custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Robert Davey pay unto the State of Ohio his fine in the sum of Forty dollars together with the costs herein expended taxed to $ And that the defendant Robert Davey also stand committed and be imprisoned in the County jail for the period of ten days and further it is considered and adjudged by the Court that said defendant stand committed until paid fine and costs are paid.

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471 State of Ohio vs Horace Andrews } Keeping place where intoxicating liquors are sold Contrary to Law

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into Court in Custody of the Sheriff and arraigned upon said indictment for plea thereto saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Horace Andrews pay unto the State of Ohio his fine in the sum of Fifty dollars together with the costs herein expended taxed to $ and that the defendant Horace Andrews stand committed and be imprisoned in the County Jail for the period of ten days and further it is considered and adjudged by the Court that said defendant stand committed until said fine and costs are paid. And as to the closing of the room the case is passed for the further action of this Court. 489

479 State of Ohio vs William Adams } Furnishing intoxicating liquor to a minor

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into Court in Custody of the Sheriff, and arraigned upon said indictment for Plea thereto saith he is guilty. It is therefore considered and adjudged by the Court that said defendant William Adams pay unto the State of Ohio his fine in the sum of Forty dollars together with the costs herein expended taxed to $ and that the defendant William Adams also stand committed and be imprisoned in the County Jail for the period of ten days and further it is considered and adjudged by the Court that said defendant stand committed until said fine and costs are paid.

477 State of Ohio vs Andrew McLaughlin } Furnishing intoxicating liquor to a minor

Now came the Prosecuting Attorney on behalf of the State of Ohio and the defendant being present in court in person and by attorney and being arraigned for plea saith he is not guilty and thereupon came a jury to wit: 1 Israel Fogle 2 Bolivar Hayes 3 L.J. Baker 4 Lory Ford 5 J.J. Simmons 6 J.L. Porger 7 David Anderson 8 L.G. Webster 9 J.R. Thomton 10 Benjamin Beem 11 J.C. Hull 12 J.E. Harriman who being duly empannelled and sworn according to law to try the issue and a true verdict give, returne the State and the defendant, do find and return their verdict in the words and figures following to wit. "We the Jury in this case, find the Defendant Andrew McLaughlin, Guilty in manner and form as he stands charged in the indictment. J.E. Harriman Foreman Whereupon the defendant being still present and not

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desiring to say any thing further why sentence should not be passed on the verdict it is considered and adjudged by the court that the State of Ohio recover of the defendant Andrew McLaughlin his fine in the sum of Forty dollars together with the costs herein expended taxed to $ and that the defendant Andrew McLaughlin also stand committed and be imprisoned in the County Jail for the period of ten days and further that he stand committed until the said fine and costs are paid.

489 State of Ohio vs A. McLaughlin and D. Taylor } Keeping a place where intoxicating liquor is sold contrary to law

Now came the prosecuting attorney in behalf of the State of Ohio and the defendants being present in court in person and by attorney and being arraigned for plea say they are not guilty and thereupon came a jury to wit: 1 Israel Fogle 2 Bolivar 3 L. G. Baker 4 Loy Ford 5 J. J. Grummons 6 J. L. Borger 7 Daniel Anderson 8 L. G. Webster 9 J. R. Thornton 10 Benjamin Beem 11 J. C. Hull 12 J. C. Harriman. Whereupon the defendants being still present and not desiring to say anything further why sentence should not be passed on the verdict it is considered and adjudged by the Court that the State of Ohio recover of the defendants each their fine as follows, Said Andrew McLaughlin his fine in the sum of Seventy five dollars together with the costs herein expended taxed to $ And that the defendant Andrew McLaughlin also stand committed and be imprisoned in the County Jail for the period of twenty days and further that he stand committed until the said fine and costs are paid, and that the defendant D. Taylor pay his fine in the sum of Sixty dollars together with the costs herein expended and that the defendant D. Taylor also stand committed and be imprisoned in the County Jail for the period of fifteen days and it is further considered and adjudged that he stand committed until the said fine and costs are paid, And as to the closing of the room this case is passed for the further action of the Court

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379 State of Ohio vs Horace Andrews } Selling intoxicating liquor to be drank where sold

Now comes the prosecuting attorney on behalf of the State of Ohio and the Defendant being brought into Court in Custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Horace Andrews pay unto the State of Ohio his fine in the sum of twenty dollars together with the Costs herein expended taxed to $ and further it is considered and adjudged by the Court that said defendant stand Committed until said fine and costs are paid.

473 State of Ohio vs Frank Davis } Indictment for shooting with intent to kill

And now comes the prosecuting attorney on behalf of the state of Ohio and presents to the Court the recognizance of said defendant taken in open Court of Common pleas Union County Ohio on the 7th day of February 1879 in the sum of three hundred dollars with M. C. Lawrence as surety. Thereupon the said defendant being three times solemnly called to appear and answer said charge as he agreed to do, and failing so to do, and M. C. Lawrence the surety, being three times solemnly called to produce the body of said defendant as he agreed to do, and failing so to do, the Court orders that the said recognizance be and the same is hereby forfeited absolutely. Motion made to refite same, which the Court on consideration overruled

461 State of Ohio vs Fielding Forget } Furnishing intoxicating liquor to a minor

And now comes the prosecuting attorney on behalf of the State of Ohio and presents to the Court the recognizance of said defendant taken before J. J. Gill Mayor of the village of Richwood County of Union and State of Ohio with Isaiah Clark and Andrew McLaughlin as surties. Thereupon the said defendant being three times solemnly called to appear and answer said charge as he agreed to do, and failing so to do, and Isaiah Clark and Andrew McLaughlin the surties being three times solemnly called to produce the body of said defendant as they agreed so to do, and failing so to do, the Court orders that the said recognizance be and the same hereby is forfeited absolutely

Thereupon the Court adjourned until 8 1/2 oclock tomorrow Morning

3285

434

2622

Thursday Febuary 20th 1879

3285 Fullington, Phillis & Woods vs Henry Myers } Cognovit

This day came the Plaintiffs by Lawrence and Mulford their Attorneys and thereupon came J. H. Kinkade one of the attorneys of record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process, and entered appearance of said Defendant Herein, and by virtue of the same warrant of Attorney, Confessed that there is due from said defendant to said Plaintiffs as is alleged in said Plaintiffs petition the sum of $162.50. It is therefore considered that said plaintiff do recover of said Defendant the said sum of $162.50 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 percentum per annum. And by virtue of said warrant of Attorney, all errors are released and all right of appeal and all right to file a petition in error are waived.

434 State of Ohio vs S. Burkum } Indictment Horsestealing

Now comes the defendant by his attorney and upon the showing by affidavit filed in this case the same was continued to the next term of this court. It is ordered and adjudged by the court that the said S. Burkum do forthwith enter into recognizance in the sum of two hundred dollars, with good and sufficient security for his appearance at the next term of this court to answer the charge against him and in default thereof, that he be committed to the jail of the County.

2622 Frank Taylor vs Z. C. Pooler }

This day came the defendant by his attorney and the plaintiff still failing to comply with the former order of this court in regard to giving security for costs, and being a non resident of said County and being in default for security for costs on motion of the defendant, it is ordered by the court that this cause be and the same is dismissed at the cost of the plaintiff. It is therefore considered and adjudged by the court that the defendant recover of the Plaintiff his costs herein expended except costs adjudged against defendant heretofore

Thursday February 20th 1879

2970 Mather Johnson
vs.
Sarah Johnson et als

This day came the parties by their attorneys and on motion of the plaintiff and upon producing the return of the Sheriff of his proceedings and sale under the former order of this court and the court being fully satisfied on examination that the same have been had in all respects according to law. the said proceedings and sale are hereby approved and confirmed

And the said Sheriff is ordered by deed duly executed to convey said premises to the purchaser Mather Johnson in fee simple free from dower. And the said Sarah Johnson having asked that in lieu of her dower its value be paid her in money the court find the just and reasonable value of her dower interest to be two hundred and forty eight and 50/100 dollars. And coming now to the question of distribution and the consideration of the matters set forth in the answer and reply the Court find that the taxes and improvements made by the said Mather Johnson equal the value of the rents and profits of said land. It is ordered that the Sheriff out of the proceeds of said sale pay first the taxes due upon said premises, 2nd The costs and expenses of this proceeding including an attorney fee of sixty dollars to Cameron and Denton taxed to $60.00, 3rd That he pay to paid Sarah Johnson the amount due her in lieu of dower, 4th of the residue he pay to the said Mather Johnson the 51/56 part thereof and to each of the said defendants the proportions to which they have hereto fore severally found due

2959

2914 John T. Lemon
vs
T. H. Miller

3258

This day came the parties by their attorneys, and by consent of plaintiff this cause is dismissed, at the costs of the plaintiff, without prejudice to another action, on the same subject in action. It is therefore considered by the court that the plaintiff John T. Lemon recover of the defendant Thomas H. Miller the costs herein expended taxed to $ and that the said defendant pay his own costs herein taxed at Dollars. It is ordered that there be no record made.

3261

2953 Duncan Falls
vs
Farmers Bank of Union County

This day came on this cause to be heard upon the inter-plea of the plaintiff John T. Lemon when upon it is ordered and by the Court that said Farmers

Thursday February 20th 1879

Bank pay into Court the sum due on said certificate of deposit. The Court further find by consent of said plaintiff and said Lenox that the sum of five hundred and twenty nine and 66/100 dollars of said sum is the property of said plaintiff and that the balance of said sum amounting to five hundred and twenty nine and 66/100 has been found to be the property of said Miller liable to be applied on said note to said Lenox on said garnishee process, therefore the Court Order and decree by the Consent of said parties that the said Lenox payout of his said $529 66/100 the costs of the depositions taken by him and that the remainder of said costs be paid by said plaintiff out of his share of said sum of money. It is ordered and decreed by the Court that upon payment of said sum to said parties as above provided that the said Bank be and the same is fully discharged from all liability therefrom on said Certificate of deposit. It is by said parties agreed that the said Lenox is still to retain his claim if he has any for the balance due him on said note after applying thereon said $529 66/100. Leave is granted to the parties to withdraw all the papers and that no further record be made in this case.

2959 Michael Blue vs Richard Hiltz

The jury on a former day of this term of Court having returned their verdict for the defendant upon the issues joined and there being no motion for a new trial, It is therefore Considered, ordered and adjudged by the Court that the defendant recover of the Plaintiff his costs herein expended taxed to $

3258 Aultman & Co vs John S. Smart } Continued

3261 Mary S. Kuntz vs Margaretta B. Lynch et als } Continued

Thereupon the Court adjourned until 8 1/2 o'clock to-morrow morning

Friday February 21st 1879

The Court met at 8½ oclock A.M. Same Officers being present as on yesterday

492 State of Ohio vs Abraham Orr } Indictment, Receiving stolen property

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea, thereto saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Abraham Orr pay unto the state of Ohio his fine in the sum of five dollars and also that the Defendant stand committed and be imprisoned in the County jail for the period of five days, and further it is considerd and adjudged by the court that the defendant pay the costs herein expended taxed to $ and that he stand committed until said fine and costs are paid.

480 State of Ohio vs William Drum } Indicted for maliciously destroying property

Now came the prosecuting attorney on behalf of the State of Ohio and the defendant being present in court in person and by attorney and being arraigned for plea saith he is not guilty, and thereupon came a jury to wit. 1 Israel Fogle 2 Bolivar Hayes 3 L. G. Baker 4 Tony Ford 5 D. J. Simmons 6 J. L. Borger 7 Daniel Anderson 8 L. G. Webster 9 Z. R. Thornton 10 Benjamin Beem 11 J. C. Hull 12 J. C. Harriman, who being duly impannelled and sworn according to law to try the issue and a true verdict give between the state and the defendant retired to their room in charge of the Sheriff for deliberation. 2951

And now come said jury into open Court, and state that they are unable to agree upon a verdict, thereupon they are, by the court, discharged from further consideration of this case and the case is continued, And the defendant William Drum is required to give bond in the sum of Fifty dollars for his appearance before this court at the next term thereof, and he failing so to do, is placed in the custody of the Sheriff. 3152

3159 * Rufus Fogle vs Eli Fogle } 3236

This day came the defendant Eli Fogle by his attorney R. L. Woodburn and waived the issuing and service of summons in this case and entered his appearance and thereupon this cause was continued by consent of parties.

3235 Rebecca J. Moffitt vs James C. Moffitt Continued

Friday February 21st 1879

2665 Richmond National Bank
vs
Edward D. Judd et als

On motion of the plaintiff and on its producing the return of the Sheriff of the sale made under the former order of this Court and the Court on carefull examination of the proceedings of the said sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this Court it is ordered that the said proceedings and sale be and they are hereby approved and confirmed. And it is further ordered that the said sheriff convey to the purchaser John Moore by deed in fee simple the lands and tenements so sold and a writ of possession is awarded to put the purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale amounting to four hundred and fifty four dollars ($454) it is ordered that the sheriff out of the money in his hands pay First, The costs in this action taxed to $ Secondly, the taxes on said premises delinquent or otherwise including the taxes of the year 1878

Thirdly, To the plaintiff the Richmond National Bank the balance of said sum remaining in his hands to wit: the sum of three hundred thirty six 9/100 Dollars to be applied as a credit upon plaintiffs judgement against the said defendants

And there still remaining due to the said Richmond National Bank the sum of two hundred thirty nine 85/100 dollars it is considered that it recover the same from the defendants Edward D. Judd, Simpson Price and Francis Baldwin, and execution is awarded therefor

2951 Harvey Haines
vs
U. S. Hustlers

This cause is continued with leave to Plaintiff to file petition in 20 days from the rising of this court.

3152 John R. Garbson
vs
Mathew Lingrel et al

This day came the defendant and by leave of the court signed and filed his answer herein and thereupon this cause is continued with leave to plaintiff to reply to said answer in 30 days

3236 S. Carter & Co et al.
vs
J. H. McCracken et al

Continued

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3250 A. J. Carpenter
vs
William Huston

And now comes the said A. J. Carpenter and the said William William Huston having failed to demur or answer to the petition of the said A. J. Carpenter it is considered that the said A. J. Carpenter ought to recover the said sum of $100.00 so demanded in his petition together with the sum of $3.03 which the court finds due as the interest thereon as prayed for in said petition. It is therefore considered that the said A. J. Carpenter recover against the said William Huston the said sum of $103.53 (with interest at 8% from the first day of this term of Court.) together with his costs herein and about this suit in this behalf expended taxed to $

2956 S. H. Lee
vs
Wm. H. Davis et. als.

On motion of the said plaintiff by A. J. Carpenter his attorney and on producing the return of the Sheriff of this County of a sale of Real Estate made by him on the 7th day of December A. D. 1878 to S. H. Lee (the plaintiff) on an order of sale issued in this case and dated the 22nd day of October A. D. 1878 and the Court on examination of said proceedings being satisfied that said sale has been made in all respects in conformity to law, it is ordered that the said sale and proceedings be and the same are hereby confirmed and the said Sheriff is ordered to make to the purchaser a deed for the lands and tenements so sold. And the Court coming now to the distribution of the proceeds of said sale, it is ordered that said Sheriff pay 1st The costs of this action taxed to $ 31 63/100

2nd The taxes now due and a lien upon said land amounting to $ 24 42/100. 3rd That the balance of the proceeds of said sale amounting to $605 45/100 be paid to the plaintiff to apply on his claim

3086

448

3242 John Wiley
vs
R. H. Donavan and Ella M. Donavan

And now comes the said John Wiley by A. J. Carpenter his attorney and the said defendant still failing to demur or answer to said petition it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the Court after hearing the evidence do find that there is now due to the said plaintiff on the notes and mortgage in said petition described the sum of $1665.50 together with 6 per cent interest thereon from the first day of the present term of this Court. It is therefore considered by the said Court here that the said plaintiff recover of said defendant R. H. Donavan the said sum of $1665.50 with interest at 6% from the first day of this term of Court the sum so found due as

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aforsaid and also his costs taxed to $

And it is further ordered and adjuaged that in case the said defendant fails for three days from the 21st day of Febuary 1879 to pay to the said plaintiff the said sum of $165.50 with the interest from the first day of this term of Court so aforsaid found due with costs of suit an order issue to the sheriff of said County Commanding him to cause the said lands and tenements in said petition to be appraised advertised and sold according to law and apply the proceds of said sale in satisfaction of the said sum so found due with costs of suit and that he bring the balance of the proceeds of said sale into Court to await the further orders of the Court herein. Since the above entry was made this cause was settled and cost paid. To record-

3086 Dixon Talcamp and Co. vs George E. Shipley et. als.

Now came the plaintiff herein and the defendants being in default for answer and demurrer the Court find that the allegations of the petition are confessed by them to be true and find that the defendants George E. Shipley and J. B. Miller as principals and M. M. Shipley and John Landon as sureties are indebted to the plaintiffs in the sum of two hundred thirty five and 60/100 dollars. ($235.60) with interest from Febuary 3rd 1879.

It is therefore considered by the Court here that the said plaintiffs recover from the said George E. Shipley and J. B. Miller as principals and the said M. M. Shipley and John Landon as sureties the said sum of $235.60/100 with interest from said Febuary 3rd 1879 And their costs herein expended taxed at $

448 State of Ohio vs Alex. Snodgrass } Retailing intoxicating liquor contrary to law

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Alex Snodgrass pay unto the State of Ohio his fine in the sum of Forty dollars, together with the costs herein expended taxed to $ and that the defendant Alex Snodgrass also stand committed and be imprisoned in the County jail for the period of ten days and further it is considered and adjudged by the Court that said defendant stand committed until said fine and costs are paid

Friday February 21st 1879

2686 J. H. Grindell
vs
Samuel Helshimer et al.

On motion of said plaintiff by A. T. Carpenter his attorney, and on producing the return of the Sheriff of this county of a sale of real estate made by him on the 7th day of December A. D. 1878 to James H. Robinson (to whom as it appears to the court the plaintiff, J. H. Grindell had prior thereto sold and assigned his said judgement) on an order of sale issued in this case and dated the 23rd day of October A.D. 1878 and the Court on examination of said proceedings being satisfied that said sale has been made in all respects in conformity to law it is ordered that the said sale and proceedings be and the same are hereby confirmed and said Sheriff is ordered to make to the said James H. Robinson a deed for the lands and tenements so sold and a writ of possession is hereby awarded to put said purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale orders that the said Sheriff out of the proceeds of said sale pay, 1st The costs in this action taxed to $ 3287
2nd The taxes now a lien upon said premises Amounting to $
3rd That he pay to James H. Robinson as assignee of plaintiff the amount due to plaintiff. 4th That he next pay the amount due to William McGinnis if he have sufficient to pay it left. 5 That he pay the balance if any to said defendant Samuel Helsheimer Jr.

449 State of Ohio
vs
Alexander Snodgrass
} Retailing intoxicating liquor contrary to law

Now comes the prosecuting attorney on behalf of the state of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea, thereto saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Alexander Snodgrass pay unto the State of Ohio his fine in the sum of twenty five dollars together with the costs herein expended taxed to $ 3286

And further it is considered and adjudged by the Court that said defendant stand committed until said fine and costs are paid.

445 State of Ohio
vs
Alexander Snodgrass
} Indictment for keeping a room of public resort for the sale of intoxicating liquor contrary to law

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being present in court in person and by attorneys and being arraigned for plea, says he is not guilty, and thereupon came a jury to wit: 1 C. Houston 2 J. J. Simmons 3 Long Ford 4 Samuel Hodges 5 John Ogan 6 B. F. Martin 7 L. G. Webster 8 Daniel Anderson 9 John Sellers 10 L. G. Baker 11 H. S. Hood 12 Israel Fogle, who being duly empanneled and sworn according

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to law to try the issue and a true verdict give returne the State and the defendant, do find and return their verdict in words and figures following to wit: We the jury in this case find the defendant Alexander Snodgrass guilty, in manner and form as he stands charged in the indictment L. C. Ford, Foreman.

Whereupon the defendant being still present and not desiring to say anything further why sentence should not be passed on the verdict. It is considered and adjudged by the court that the state of Ohio recover of the defendant his fine as follows, Said Alexander Snodgrass his fine in the sum of Seventy five dollars together with the costs herein expended taxed to $ And that the defendant Alexander Snodgrass also stand committed and be imprisoned in the County jail for the period of twenty days and further that he stand committed until the said fine and costs are paid. And as to the closing of the term the case is passed for the further action of the Court.

3287 John H. James et al
vs
The Citizens National Bank of Lubana

This cause coming on to be heard on the motion of the Plaintiffs to enjoin the defendant as prayed in the plaintiffs petition. It is by the court ordered that said defendant be and it is hereby enjoined as prayed in said petition until the further order of this court, on the Plaintiffs giving bond to be approved by the clerk of this court in the sum of Two hundred dollars.

3286 J. H. James & Henry T. Stiles
vs
Citizens National Bank of Lubana

This cause coming on to be heard on the motion of the Plaintiffs to enjoin the defendant from seeking to collect said judgement the said defendant is enjoined and restrained as prayed in the petition on the filing of a bond in the sum of Two Hundred dollars with surety to be approved by the Court, until the further order of this court.

Thereupon the court adjourned until half past eight o'clock tomorrow morning.

Saturday Febuary 22nd 1879

The court met at 8½ oclock A. M. Same officers being present as on yesterday.

3167 Wheeler and Wilson Manufacturing Company
vs
James R. Pyne and James A. Henderson

Now comes the plaintiff by its attorneys and the defendants being in default for answer and demurrer this cause was submitted to the court by the plaintiff upon the petition, neither party requiring a jury; on consideration whereof, the court finds that the defendants are indebted to the plaintiff, on the 3rd day of Febuary 1879 in the sum of $234.31. It is therefore considered and ordered and adjudged by the Court that the said plaintiff recover of the said Defendants the said sum of $234 31 with 8 percent interest thereon from the 3rd day of Febuary 1879, and also its costs herein expended taxed to &

3293 Farmers Bank of Union County
vs
Frank Oliphant C. Oliphant & Benj S Gnoss
Coguovit

3290

This day came the plaintiff by D. W. Ayers its attorney, and thereupon came Edward E. Cole one of the Attorneys of Record of this Court, who, by virtue of a warrant of attorney duly executed and now produced in open Court and duly proven, staind the issuing and service of process and entered appearance of said defendants herein, and by virtue of the same warrant of attorney confesses that there is due from said Defendants to said Plaintiffs as is alleged in said Plaintiffs petition, the sum of $203 36
It is therefore considerd that said Plaintiff do recover of said defendants the said sum of $203 36 so as aforesaid confessed to be due, together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorney, all errors are released, and all right of appeal, and all right to file a petition in error are waived

3179 F. He. and H. Otte
vs
Peter Damm Jr. and Michael Gundeman

3029

And now it appearing that the said Michael Gundeman has in his hands certain property not exempt from execution belonging to said Peter Damm Jr. to wit:
That the said Michael Gundeman is indebted to the said Peter Damm Jr. in the sum of $23 83, it is therefore ordered that the same be paid over to F. He. and H. Otte that it may be applied to the satisfaction of the judgement rendered against the said Peter Damm Jr. in favor of the said F. He. and H. Otte.

3208

Saturday February 22nd 1879

3297 Union County Bank vs H. H. Pringle et als } Cognovit

This day came the Plaintiff by P. R. Kerr his attorney, and thereupon came James B. Cole one of the Attorneys of Record of this Court, who, by virtue of a warrant of Attorney duly executed, and now produced in open Court and duly proven, waived the issuing and service of process, and entered appearance of said Defendants herein, and by virtue of the same warrant of attorney, confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition, the sum of $360 15/100. It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $360 15/100 as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said Warrant of Attorney, all errors are released, and all right of appeal, and all right to file a petition in error are waived.

3290 Bank of Richwood vs James Mulvaine and William Cassiday } Cognovit

This day came the Plaintiff by Cameron and Denton its attorneys, and thereupon came A. H. Leighter one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in Open Court and duly proven, waived the issuing and Service of Process, and entered appearance of said Defendants herein, and by virtue of the same warrant of attorney. Confesses that there is due from said Defendants to said Plaintiff as is alleged in said plaintiffs petition the sum of $573 50/100. It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $573 50/100 do as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest at the rate of 8 per centum per annum. And by virtue of said warrant of attorney, all errors are released, and all right of appeal, and all right to file a petition in error are waived

3029 Thomas Billings et al vs William C. Dynes et als } This cause is continued under former order of sale.

3208 J. R. Hare vs. Hylas Sabin et al } Settled and cost paid.

Saturday February 22nd 1879

3298 C. H. Paine
vs
H. H. Pringle, H. H. Lenox and L. A. Keages

This day came the Plaintiff by P. R. Kerr his Attorney, and thereupon came S. S. Gardiner one of the attorneys of Record of this Court who, by virtue of a warrant of Attorney, duly executed and now produced in open Court and duly proven waived the issuing and service of process, and entered appearance of said Defendants herein and by virtue of the same warrant of Attorney, confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition the sum of $427 70/100 It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $427 70/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8% per centum per annum, And by virtue of said warrant of Attorney, all errors are released, and all right of appeal and all right to file a petition in error are waived.

3077

3141 Emily A. Huntley
vs
Antoine Huntley
} Entry in divorce-

This day this cause came on to be heard upon the petition and testimony of the Plaintiff, the Defendant being in default for answer or demurrer and on consideration whereof the Court do find that due notice of the filing and pendancy of this petition was given to said defendant according to law and the Court do further find that the said defendant has been wilfully absent from said petitioner for more than three years prior to the filing of said petition, and has been guilty of gross neglect of duty during all that time toward said petitioner.

It is therefore adjudged and decreed that the marriage relation heretofore existing between said parties be and the same is hereby set aside and wholly annulled and said parties wholly released from the obligations of the same, and it is further ordered that the custody, marriage, education and care of the said

be and the same is hereby given to the said petitioner, and that the petitioner pay the costs of suit within ten days.

3173

2003 Thomas Peacock
vs
Jefferson Ford

This day this cause came on to be heard upon the motion of the Plaintiff for the appointment of a Referee in this cause and upon motion A. H. Beightler was appointed said Referee with full power to hear and determine all questions and difference that may be between said parties and report his said finding to the next term of the Court of Common Pleas of said County of Union.

Saturday Febuary 22nd 1879

3077 Wm G. Beatty
vs
J. W. Crawford

Now came the Plaintiff herein and the defendant being in default for answer and demurrer the court find that the allegations of the petition are confessed by him to be true, and that there is due to plaintiff from the defendant J. W. Crawford on the promissory note set forth in the petition with interest to the first day of this term, the sum of Seventy eight and 75/100 dollars.

The court further find that in order to secure the payment of said note, the defendant J. W. Crawford executed and delivered to said William G. Beatty the plaintiff their certain mortgage as in the petition described on the premises therein described, that said mortgage was duly recorded in book 9 page 538 of the Records of Mortgages of Union County, and is the first and best lien on the premises described in the petition

It is therefore considered and adjudged that unless the defendant J. W. Crawford shall within five days from the entry of this decree pay or cause to be paid to the clerk of this court the costs of this case, and to the plaintiff herein the sum so found due as aforesaid with interest from the 3rd day of February 1879 according to the terms of said mortgage deed, the defendants equity of redemption be foreclosed and said premises be sold, and an order of sale shall issue to the Sheriff of Union County directing him to sell said premises as upon execution and bring the proceeds into court for further order.

3173 Bank of North Lewisburgh
vs
James Carter et als

This day this cause came on to be heard upon the motion of H. E. Pilcher defendant to the answer and cross petition of Almira Reed 1 To strike out from said answer and cross petition the 3rd and 25th lines of the first page thereof and all the lines intervening as being redundant matter. 2 To make the said answer and cross petition conform to the Code by stating specifically the amounts and dates of all payments upon said mortgage indebtedness. 3rd And by stating specifically and definitely her title to said mortgage and how it was acquired, was argued by counsel and submitted to the court. Upon consideration whereof the court do overrule said motion so far as it goes to striking out the 3rd and 25th lines and all intervening ones and as to stating her title to said note and mortgage and how it was acquired, Said motion so far as it relates to stating specifically the amounts and dates of all payments on said mortgage indebtedness is sustained, to which overruling of parts of said motion defendants then and there excepted

Saturday February 22nd 1879

3033 Mary E. Ferguson
vs.
W. H. Ferguson
Petition for divorce and alimony

This day came the parties and submitted this cause for divorce and alimony upon the evidence and thereupon the Court being fully advised in the premises do find that the plaintiff is entitled to be divorced from the defendant for reasons alleged in the petition. It is therefore considered ordered and decreed by the Court that the Plaintiff be and she is hereby divorced from the defendant and they are absolved from their said marriage contract. And it appearing that said plaintiff is, by agreement of the parties, to have the house and furniture in which she resides and that said defendant agrees to convey the same to her, and has arranged the further sum of $3.200 as her alimony and that she is to release all claim further on his property personal and real and the Court being satisfied this arrangement is reasonable do confirm and approve the same.

And said defendant is to have of the furniture and pictures and books, anything he desires which belonged to his family before his marriage with Plaintiff. As to the custody and maintainance of their child, no order is made, the parties not desiring any. It is ordered by the Court that defendant pay the costs of this preceding within twenty days and in default thereof that execution issue therefor.

2974

3185

3046 George Bishop
vs
Peter Hyneger

Now comes the plaintiff by his Attorney and the defendant being in default for answer and demurrer the Court find that the allegations of the petition are true and that he is indebted to the plaintiff in the sum of Fifty five dollars. It is therefore considered by the Court that the plaintiff recover from the said defendant the said sum of Fifty five dollars and his costs herein expended taxed to $

2957

3248 Michael Cramer
vs
Mt. Carmel Lodge F. & A.M. et al.

This day this cause came on to be heard upon the demurrer of G. H. Court to the petition of plaintiff so far as he is concerned. and was argued by Counsel and submitted to the Court. Upon consideration whereof the Court does overrule said demurrer. Upon motion of said defendant G. H. Court leave is granted for twenty days from the rising of this Court to file answer.

3240 Horatio C. Hamilton vs James Cutler et. als. Continued

Saturday February 22nd 1879

2974 Amanda Salsgiver
vs
Louis Salsgiver

Now comes the Plaintiff herein and the defendant having been duly served with summons and copy of the petition herein and having failed to appear the Court find him in default for answer and demurrer to said petition and that the allegations thereof are confessed by him to be true. The Court further find from evidence adduced that the defendant has been guilty of gross neglect of duty as alleged in the petition, and by reason thereof the Plaintiff is entitled to a divorce as prayed for. It is therefore ordered by the Court that the marriage contract heretofore existing between the said Amanda Salsgiver and Louis Salsgiver be and the same is hereby dissolved and both parties are released from the obligations of the same. It is further considered by the Court that the said Amanda Salsgiver recover from the said Louis Salsgiver her costs herein expended taxed to $

3185 F. H. and H. Otte
vs
Peter Dann Jr & George Trapp

And now it appearing that the said George Trapp has in his hands certain property, not exempt from execution, belonging to said Peter Dann Jr. to wit: that the said George Trapp is indebted to the said Peter Dann Jr. in the sum of $28.75, And it is hereby ordered that the same be paid to F. H. and H. Otte that it may be applied to the satisfaction of the judgement rendered against the said Peter Dann Jr. in favor of the said F. H. and H. Otte

2957 Asbury Gardner
vs
William Robinson et al

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the motion of the said defendants for a new trial and was argued by counsel. On consideration whereof and the Court being fully advised in the premises do require the said plaintiff to remit from said verdict the value of said organ being all in excess of $68.50 with interest from April 10th /878 and thereupon came the said plaintiff and remitted from said verdict all in excess of $68.50 with interest as aforesaid and thereupon the Court overruled the said motion to set aside said verdict. It is therefore considered, ordered and adjudged by the Court that the plaintiff recover of the said defendants the said sum of $71.92 dollars being the amount principal and interest of said verdict after the remittitur together with his costs herein expended taxed to $ As to the taxing costs in the above judgement the defendants except

Saturday Febuary 22nd A.D. 1879

487 State of Ohio vs A. L. Wright } Indictment for obtaining money on false pretenses

And now this cause coming on for hearing on motion of the defendant to quash the said indictment the Court being fully advised in the premises, grant the same, The court further order that said defendant A.L. Wright be held to bail in the sum of Five hundred dollars for his appearance at the first day of the next term of this Court to answer the charge against him. And in default thereof that he be committed to the custody of the Sheriff.

3227

494 State of Ohio vs Elias Rice } Charge, Contempt of Court

2903

This day came the prosecuting Attorney and filed his certain information against the said Elias Rice, charging him with Contempt of Court in refusing to answer to a subpoena to appear before the grand jury of February term 1879

Thereupon also came the said Elias Rice into open court and the said information being read to him said he was ready for a hearing before the court - And the said Elias Rice being sworn and examined touching his said refusal and other evidence being heard, on consideration thereof the Court find that he is guilty of a contempt of Court, It is ordered that a fine of twenty five dollars be imposed upon the said Elias Rice for this his said Contempt and that he pay the costs of this proceeding - And that he the said Elias Rice stand Committed until both costs and fine are paid

2831 Israel Woolam vs John Riley et als } Continued on Motion of defendant

2888 Joseph H. Robinson vs Eli Swivel & Susan Swivel }

On motion of the said plaintiff by A. D. Carpenter his Attorney and on producing the return of the sheriff of this County of a sale of Real estate made by him on the 22nd day of February A.D. 1879 to Moses Seiver on an order of sale and dated the 14th day of January A.D. 1879. And the Court on examination of said proceedings being satisfied that said sale has been made, in all respects in conformity to law, it is ordered that the said sale and proceedings be and the same are hereby confirmed, and the said sheriff is ordered to make to the purchaser a deed for the lands and tenements so sold and that a writ of possession issue to the sheriff of said County to put the purchaser in possession of said

Saturday Feburary 22nd 1879

premises, And the court coming now to the distribution it is ordered that said Sheriff out of the proceeds of said sale pay 1st the costs of this action taxed to $36.22/100, 2nd The taxes now a lien on said premises amounting to $29.50/100 3rd The plaintiffs claim amounting to $207.82/100 4th That the balance be applied upon the claim of the defendants H. D. West and Benjamin Grubbs as appears to be due them from their answer filed herein.

3227 Moses Thompson
vs
Harrison McFadden

This case is continued with leave to the defendant to answer in 20 days from the rising of the court.

2903 William H. Robinson
vs
Alvin S. Bellus et als

On motion of Plaintiff and on his producing the return of the sheriff of the sale made under the former order of this Court and the court on careful examination of the procedings of said sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this Court it is ordered that the said proceedings and sale be and they are hereby approved and confirmed. And it is further ordered that the said sheriff convey to the purchaser William H. Robinson by deed in fee simple the lands and tenements so sold and the said purchaser is hereby subrogated to all the rights of the said Maysville Butter Tub and Spoke Company or other lien holders, so far as they may be paid herein for the protection of his title, and a writ of possession is awarded to put said purchaser in possession of said premises. And the court coming now to distribute the proceds of said sale amounting to three hundred and fifty dollars it is ordered that the Sheriff out of the money in his hands pay-Firstthe costs of this action taxed to $38.00/100 (the taxes on said premises delinquent or otherwise, including taxes of the year 1878 to be paid by said W. H. Robinson.) Secondly-To Fullington Phillis and Woods the balance of the said money remaining in his hands to wit: the sum of three hundred and twenty one and 47/100 Dollars to be applied as a credit upon the amount claimed in the answer and cross petition upon note and mortgage in the said answer and cross petition set forth. And there still remaining due to them-Fullington Phillis and Woods the sum of twenty eight and 70/100 Dollars it is ordered that the said Fullington Phillis and Woods recover the same from the defendant Alvin S. Bellus with 8% interest from Feburary 14th 1879 and execution is awarded therefor. And there still remaining due to the said Plaintiff William H. Robinson the sum of Seven hundred four and 40/100 dollars the full amount of his judgement with

over.

Saturday Februay 22nd 1879

the interest on the same at eight per cent interest from date of the judgment to wit: the 29th day of Apne A.D. 1878 it is considered that the said William H. Robinson recover the same from the defendant Alvin T. Bellus and execution is awarded therefor. 1783

3241 Joseph Newlove et als. vs. John C. Phillian } Continued

3252 T. J. Glendenning vs. T. B. Robinson et al. Settled and cost paid, No Record

3254 Sophronia Healy vs A. L. Smith Ho et al. }
Continued with leave to defendant to answer in twenty days from the rising of the Court

3255 R. T. McAllister vs Elizabeth Ammons } Continued. 3172

2197 Robert Graham vs Belinda Mitchell and George Mitchell }
And now comes the said Robert Graham by A. T. Carpenter his attorney and the said defendants still failing to answer or demur to said petition, it is considered that the said plaintiff is entitled to an account of the money due him in the premises, and the court after hearing the evidence do find that there is due to the said plaintiff on the note and mortgage in said petition described (after deducting Thirty dollars which the court finds was paid on said note on the 6th day of Febuary 1879) the sum of $186.00 with interest from the 6th day of Febuary at 6%- 2476

And it is further ordered and adjudged by the Court that in case the said defendants fail for three days from the close of the present term of this Court to pay to the said plaintiff the said sum of $186.00 with the interest from Febuary 6th 879 as aforesaid found due with costs of suit, an order issue to the Sheriff of said County commanding him to cause the said lands and tenements in said petition described to be appraised, advertised and sold according to law and apply the procuds of said sale in satisfaction of the said sum so found due with costs of suit and to bring the balance of the procuds of said sale into court subject to the further order of the court in the premises 1139

2674 Robert Gibson vs Elisha Wells } Continued with leave to Plaintiff to file Petition in 30 days from the rising of the Court

Saturday February 22nd 1879

The following Cases were disposed of by Judge Hughes —

1783 Harvey M. Haines
vs
Wesley H. Shaffer

This day this cause came on to be heard upon the motion of defendant to dismiss this cause for want of prosecution and was argued by Counsel, Thereupon the Court being fully advised in the premises do overrule said motion to which ruling the defendant excepted and asked the Court to sign a bill of exceptions, Thereupon the plaintiff asked leave to plead in the case, and the Court ordered that plaintiff amend his petition within 30 days from the rising of this Court and that plaintiff pay the costs made since his first default in amending petition on leave granted, - And in default of compliance with said order said cause stand dismissed.

3172 W. P. Anderson et. al.
vs
J. R. Craig et. al.

Now came the Plaintiffs herein and the Defendants being in default for answer or demurrer, the Court find that defendants are indebted to Plaintiffs in the sum of $222.50. It is therefore considered by the Court that the said Plaintiffs recover from said defendants the said sum of $222.50 and their costs herein expended laxed at $

2476 Matilda Sturdy
vs
Justus J. Miller

This day this cause came on to be heard and upon agreement was dismissed at the cost of the defendant,

It is therefore considered, ordered and adjudged that the above case be and the same is hereby dismissed and that the plaintiff recover from the defendant her costs herein expended laxed to $

Kellon, Bancroft & Co
vs
1134 E. Hammond et als

On motion the court order J. C. Price Receiver heretofore appointed to make report herein by next term of Court

And it is further ordered that the said appraisement herein before made be set aside and the said premises again appraised on an order of sale to issue and this cause is continued

Over

Saturday February 22nd 1849

2021 William Roberts
vs
Lafayette Wells et als

This day came on this cause to be heard on the motion of the defendants to set aside the sale made of the lot in the petition described and also on the motion of the Plaintiffs to confirm said sale. Thereupon the Court being fully advised in the premises do overrule the said motion to set aside said sale and sustain said motion to confirm the same and it is therefor ordered by the Court that said sale be and the same is hereby confirmed and the Sheriff of this County Commanded to execute to said purchaser a deed in fee simple conveying said premises to said purchaser.

And the Court further order that out of the said purchase may the costs of this proceeding be paid which were made in the Common pleas Court but not in the district and Supreme Courts on error and the taxes on said lot and third apply the balance upon the decree in plaintiffs favor and for the balance due plaintiff from Lafayette Wells an award of execution is made.

2090. Bank of North Louisburg
vs
Orlando Wells et als

This day came the plaintiff and filed its reipt and settlement with Orlando Wells, whereby said Wells paid to the plaintiff in notes $7,539 14/100 in full of the principal and interest except costs in the following cases viz: the judgement of $2,527 62 and costs in favor of O.V. Wells & Co assigned to said Bank, also the judgement of $1166 36 and costs in the case in favor of Osmond H. Wells assigned to the Bank. Also the judgement of James Carter against E. H. Henderson and Orlando Wells for $317 14 and costs assigned to the Bank. Also the judgement of James Carter against Orlando Wells for $2667 50 assigned to the Bank. It is therfor ordered and decreed by the Court that said settlement be confirmed and said decree herein before entered be satisfied except as to the costs in each of said causes and as to the costs herein expended and it is ordered and decreed by the Court that unless said Orlando Wells pays the costs in said four judgements together with the costs herein within ten days, that an order of sale be issued to the Sheriff commanding him to appraise, advertise and sell said premises and report his proceedings to this Court, and as to all defendants who have not answered leave is given them to file an answer in thirty days and leave is given to said Orlando Wells to reply to any answer of defendants within forty days and as to all matters not disposed of this cause is continued

1432

Saturday February 22nd 1879

1432 Harrison Dills et als
vs
Stuart Robinson et als

This day came on this cause to be heard by the Court and it being made to appear by the parties to the court that since the filing of the petition in this cause that Harrison Dills, Charles S. Lacy Wm M Lacy Alexander Lacy Mary M. Talifero Thomas B. Talifero, John Sinclair Jr and Robert Sinclair and the heirs of Margaret H. Booth (Except Fannie H. Booth) have conveyed their interests in the lands in said petition described to David Mulford one of the plaintiffs, and it appearing further that the remaining plaintiffs Edward Stubblefield Margaret Solomon, George Solomon, Jane Fair and William G. Fair, John Stubblefield, Albertine Scott, Jacob Scott Samuel L. Stubblefield Pennice Hall, Robert Hall, Joseph King, Richard King, George R. King Rebecca Stone, John D. Stone Jane Henson, Thomas H. Henson, Mary Catlett, David Mulford and Fannie H. Booth, brought their action at Law in this Court against the defendants, Leonard Dunn, Wm McElroy John H. Sterling, James L. Fish and Cornelius E. Fish to recover of them the 4716/10.000 parts of the land in said petition described known as the middle lot of the subdivision of the Surveys in said petition described and that they recover judgement for said fraction of land and that under the proceedings under the order of the Court in favor of said defendants for the benefit of the occupying Claimants Law, the said plaintiffs have elected to surrender their title to said fraction of land on payment of the sums at which said land was valued by the jury in a state of nature, And that by means of the order of the court made upon said election by said plaintiffs, no partition can now be made of said lands, the title being thereby vested in defendants, Therefore on motion of defendants and by consent of plaintiffs it is ordered and decreed by the Court that the title and possession of said defendants to said lands be quieted by reason of said proceedings under the occupying Claimants Law as against the claim of the plaintiffs in this cause except as to defendants liability to pay said sums adjudged by the Court to be paid for said lands by them. And the Court further order the plaintiffs to pay the costs in this cause, not before ordered, within twenty days and in default thereof that execution issue for the same

Thereupon the Court adjourned until 8 1/2 oclock Monday Morning Feb 24th

Monday Morning February 24th 1879

3232 Morris H. Hill
vs
Susannah A Hard Eli Hard
and Jacob V. Nash

And now comes the said Morris H. Hill by A. J. Carpenter his attorney and also the said Jacob V. Nash by his attorney and the defendants Susannah A. Hard and Eli Hard file failing to demur or answer to said petition it is considered that said plaintiff is entitled to an account of the money due him in the premises, And the court after hearing the evidence do find that there is due to the said plaintiff on the note and mortgage in said petition described the sum of $210 03/100 together with interest at 8% from the first day of this term of Court. And it is further ordered and adjudged that in case the said defendants Susannah A. Hard and Eli Hard fail for three days from the close of this term of Court to pay to the said plaintiff the said sum of $210.03 with interest from the first day of this term of Court at 8% % as aforesaid found to be due, with costs of suit, an order issue to the sheriff of said County Commanding him to cause said lands and tenements in said petition described to be appraised advertised and sold according to law and to bring the proceeds of said sale into Court subject to the further orders of this Court herein

482

481

Frank Doo

3211 Andrew Annie
vs
A. Judy et al

This day came this cause on to be heard upon the motion of defendants to require the petition to be made more specific and certain and the Court on due consideration does sustain said motion, And the plaintiff is allowed to file an amended petition within twenty days from the rising of this Court

481

2924 Samuel Drumfer and James Drumfer
vs
The Pittsburgh Cincinnati and St Louis Ry. Co.

This day came on this cause to be further heard by the court and there being no further objection to entering judgement on the verdict, It is considered, ordered and adjudged by the Court that defendant go hence without day and recover of the plaintiffs the defendants costs herein expended taxed to $

481

2941 James Guy
vs
Jacob Kramer

This day came on this cause to be heard on the verdict of the jury. It is therefore considered ordered and adjudged by the Court that the defendant go hence and recover of plaintiff his costs herein not before adjudged against defendant

Monday Morning February 24th 1879

482 State of Ohio
vs
Martin Long et als
Charge petit Larceny

Now comes the prosecuting attorney on behalf of the State of Ohio, the defendant being brought into Court in custody of the Sheriff: thereupon said defendant Martin Long retracts his plea of not guilty heretofore entered, and for plea to said indictment saith he is guilty of Petit Larceny which plea is accepted by the prosecuting attorney, And it is further ordered by the Court that the said Martin Long pay a fine of Five Dollars and that he be imprisoned twenty days in the jail of the County of Union. The prosecuting attorney nolles the indictment as to Frank Foote, Jesse Mayo, and George Orr.

481 State of Ohio
vs
Frank Foot et als
Charge petit Larceny

Now comes the prosecuting attorney on behalf of the State of Ohio, the defendant being brought into Court in custody of the Sheriff: thereupon said defendants George Orr, Frank Foote and Jesse Mayo retract their plea of not guilty heretofore entered, and for plea to said indictment saith they are guilty of petit larceny, which plea is accepted by the prosecuting attorney And it is further ordered by the court that the said Frank Foot, George Orr and Jesse Mayo pay a fine of five dollars and that they be imprisoned twenty days in the jail of the County of Union as to the defendants Billy Orr and Willis Orr the prosecuting attorney nolles the indictment

481 State of Ohio
vs
Jesse Mayo
Charge petit Larceny

Now comes the prosecuting attorney on behalf of the State of Ohio, the defendant being brought into Court in Charge of the Sheriff, thereupon said defendant retracts his plea of not guilty heretofore entered, and for plea to said indictment saith he is guilty of petit Larceny which plea is accepted by the prosecuting attorney, And it is further ordered by the Court that the said Jesse Mayo pay a fine of five dollars and that he be imprisoned in the jail of the County of Union for twenty days

481 State of Ohio
vs
George Orr
Charge petit Larceny

Now comes the prosecuting attorney on behalf of the State of Ohio the defendant being brought into court in charge of the Sheriff, thereupon said defendant retracts his plea of Not guilty heretofore entered and for plea to said indictment saith he is guilty of petit larceny which plea is accepted by the prosecuting attorney - And it is further ordered by the Court that the said George Orr pay a fine of five dollars and that he be imprisoned twenty days in the jail of the County of Union

Monday February 24th 1879

480 State of Ohio
vs
William Drum
} Charge malicious destruction of property -

Now comes the prosecuting attorney on behalf of the state of Ohio, the defendant being brought into court in custody of the Sheriff. Thereupon said defendant retracts his plea of not guilty heretofore entered and for plea to said indictment saith he is guilty which plea is accepted by the prosecuting attorney - And it is further ordered by the court that the said William Drum pay a fine of five dollars and that he be imprisoned ten days in the jail of the County of Union

488 The State of Ohio
vs
Benjamin Wood and Robert Davey
} Keeping a place of habitual resort for the sale of intoxicating liquor contrary to law

This day came on this cause to be heard further and thereupon the Court do find decree and adjudge that further that the said place kept as found by said verdict of the jury is a nuisance and under the statute upon which said indictment was found should be abated and thereupon the Court order the same abated according to law

489 State of Ohio
vs
Andrew McLaughlin and D. Taylor
} Keeping a place where intoxicating liquor is sold contrary to law

This day came on this cause to be heard further and thereupon the Court do find decree and adjudge that further that the said place kept as found by said verdict of the jury is a Nuisance and under the statute upon which said indictment was found should be abated and thereupon the Court order the same abated according to law.

445 State of Ohio
vs
Alexander Snodgrass
} Keeping a place where intoxicating liquors are sold contrary to law

This day came on this cause to be heard further, and thereupon the Court do find, decree and adjudge that further, that the said place kept as found by said Verdict of the jury is a Nuisance and under the statute upon which said indictment was found should be abated and thereupon the Court order the same abated according to law

2125 James Woodburn
vs
W. W. Robinson et als
}

On motion it is ordered that the plaintiff have leave to amend his petition on file in this action within twenty days from the rising of this Court. And the defendants have leave to answer within days thereafter

3054

3251

3173

2715

Monday February 24th 1879

3054 John Evans
vs
G. Green and Israel Hollom

And now comes the said John Evans, and the said George G. Green and Israel Hollom having failed to demur or answer to the petition of the said John Evans it is considered that the said John Evans ought to recover the said sum of One hundred and five and 73/100 dollars so demanded in his petition together with the sum of three and 17/100 dollars which the court finds due as the interest thereon as prayed for in said petition. It is therefore considered that the said John Evans recover against the said Defendants the said sum of $108.90 (One hundred and eight dollars and ninety cents) together with his costs in and about his suit in this behalf expended taxed to $

3251 J. H. Hankee
vs
F. M. Brown, Catherine M. Brown and Wilson Brown

And now comes the said J. H. Hankee, and the said F. M. Brown, Catherine M. Brown and Wilson Brown having failed to demur or answer to the petition of the said J. H. Hankee, it is considered by the court that the said J. H. Hankee ought to recover the said sum of One hundred dollars so demanded in his petition, together with the sum of two and 40/100 dollars which the Court finds due as the interest thereon as prayed for in said petition, It is therefore considered that the said J. H. Hankee recover against the said Defendants the said sum of $102.40 (One hundred and two dollars and forty cents) together with his costs in and about his suit in this behalf expended taxed to $

3173 Bank of South Lewisburg
vs
James Carter et als.

This day this cause came on to be heard upon the motion of C. H. Pistole as administrator of the estate of Alpheus Reed deceased for leave to be made a party defendant in this action and to file answer and cross petition, which motion is granted and leave given to file his answer and cross petition as such administrator within twenty days from the rising of this Court.

2715 Reuben Freshwater
vs
Abrahams Freshwater et als

The continuance made in this cause is set aside and thereupon on motion, the sale made in this cause is set aside and this cause is continued under former order—

Monday February 24th 1879

3257 R. L. Hoodburn Admr &c
vs
Thomas Mapes et al

This day this cause came on to be heard and the defendant Thomas Mapes made default herein and the Court being fully advised in the premises do find from the pleadings and evidence that the allegations of said plaintiffs petition are true and that the said plaintiff ought to recover from the said defendant Mapes by reason of the premises the sum of One hundred and forty three and 76/100 dollars with interest at 8 per cent. It is therefore ordered, adjudged and decreed by the Court that the said plaintiff recover of the said Mapes the said sum of One hundred and forty three and 76/100 dollars with interest at 8 per cent and his costs herein expended taxed to $ It is further ordered and decreed that upon the payment of said sum of money to said Plaintiff that the said Plaintiff as the Administrator of Dt bonis non of R. L. Broome deceased on behalf of the heirs of R. L. Broome deceased execute and deliver to the said Mapes his heirs and assigns a good and sufficient deed in fee simple for the premises described in Plaintiffs petition.

It is further ordered and decreed by the Court that if the said Mapes shall fail for ten days from the rising of this Court to pay said sum of money that an order of sale issue to the Sheriff of Union County this who is appointed a Master Commissioner for that purpose, commanding him to sell said premises described in said petition according to law and to report his proceedings therein to this Court for which purpose and all other matters this cause is continued

3057 John H. Preston
vs
James McCrory

And now comes the said J. H. Preston, and the said James McCrory having failed to demur or answer to the petition of the said John H. Preston it is considered that the said John H. Preston ought to recover the said sum of one hundred and thirty dollars as demanded in his petition, together with the sum of thirty and 22/100 dollars which the Court finds due as the interest thereon as prayed for in said petition. It is therefore considered that the said John H. Preston recover against the said James McCrory the said sum of $142 22 being the amount of both debt and interest together with his costs in and about his suit in this behalf expended taxed to $

3156 P. B. Cole Trustee &c
vs
C. D. Tidle et als
} Dt demurrer to petition - continued

2682 This Sarah Yearsley
vs
P. Manchester et al
} This cause is continued under former order of sale

3053

3292

3302

Monday February 24th 1879

3053 Sim McCan
vs
Lee Neutz, and Al Scott } Coquovit

Now comes Danie Boyd and suggests to the Court the death of Sim McCan the plaintiff herein and that he Danie Boyd is the duly appointed and qualified administrator of the said Sim McCan and moves the Court for leave to file a supplemental petition and continue the prosecution of this action against the said defendants. And the Court, finding the suggestion to be true do grant said motion. And said supplemental petition is now accordingly filed, and process is ordered as in the commencement of an action.

3292 Banks of Richwood
vs
James Jordan et als } Coquovit

This day came the Plaintiff by Cameron & Denton attorneys and thereupon came A. H. Leighter one of the attorneys of record of this Court, who, by virtue of a warrant of attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process and entered appearance of said Defendant herein, and by virtue of the same warrant of attorney, confesses that there is due from said Defendants to said Plaintiff as is alleged in said plaintiff's petition, the sum of $790 25/100. It is therefore considered that said plaintiff do recover of said Defendants the said sum of $790 25/100 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8 percentum per annum.

And by virtue of said warrant of attorney, all errors are released, and all right of appeal and all right to file a petition in error are waived.

3302 Ettinger and Arnold
vs
H. H. Briggle and A. H. Leuck } Coquovit

This day came the plaintiff by S. S. Gardiner their attorney and thereupon came A. J. Carpenter one of the attorneys of record of this court, who, by virtue of a warrant of attorney duly executed and now produced in open court and duly proven, waived the issuing and service of process, and entered appearance of said Defendant herein, and by virtue of the same warrant of attorney confesses that there is due from said defendants to said plaintiff as is alleged in said plaintiffs petition the sum of $326 12/100. It is therefore considered that said plaintiff do recover of said Defendant the said sum of $326 12/100 so aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per cent per annum. And by virtue of said warrant of attorney all errors are released and all right of appeal and all right to file a petition in error waived

Monday February 24th A.D. 1879

3299 People Pauls
vs
J. J. Anderson, J. Walker and L. A. Hedges

This day came the Plaintiff by Carpenter and Prodrick its attorneys and thereupon came Geo. C. Hamilton one of the attorneys of Record of this court, who, by virtue of a warrant of attorney duly executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said Defendants herein and by virtue of the same warrant of attorney, confesses that there is due from said Defendants to said Plaintiff, as is alleged in said plaintiffs petition the sums of $340 45/100. It is therefore considered that said plaintiff recover from said Defendants the said sum of $340 45/100 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed, and with interest to be computed at the rate of 8 percentum per annum, and by virtue of said warrant of attorney all errors are released and all right of appeal and all right to file a petition in error are waived.

3263 Eliza A. Baker
vs
Hylas Sabine and John T. Lenox

3301

This day this cause came on to be heard upon the petition of the Plaintiff and the Defendants Still failing to answer or demur to said petition, and the court being fully advised in the premises, It is ordered and adjudged by the Court that the Plaintiff recover of the defendants Hylas Sabine and J. T. Lenox the sum of $303 70/100 (three hundred and three and 70/100 dollars) with interest at 8 per cent from February 3rd 1879 and the costs herein expended taxed to $.

3260 Wheeler and Wilson Manufacturing Company
vs
James R. Pyne and J. A. Henderson

Now comes the Plaintiff by its attorneys and the defendants being in default for answer and demurrer this cause was submitted to the Court by the plaintiff upon the petition, neither party requiring a jury; On Consideration whereof the Court find that the defendants are indebted to the Plaintiffs on the 3rd day of February 1879 in the sum of $116 86. It is therefore considered ordered and adjudged by the Court that the said plaintiff recover of the said defendants the said sum of $116 86 with eight per cent interest thereon from the 3rd day of February 1879 And also its costs herein expended taxed to $

2839

3300

Maysville, Monday February 24th 1879

3300 Peoples Bank
vs
Ashley Lightlinger & R. H. White

This day came the Plaintiff by Carpenter and Dodrick its Attorneys and thereupon came Geo. C. Hamilton one of the Attorneys of Record of this Court who, by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process and entered appearance of said Defendants herein and by virtue of the same warrant of Attorney, confesses that there is due from said Defendants to said plaintiff as is alleged in said Plaintiffs petition the sum of $119 78/100. It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $119 78/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorney, all errors are released, and all right of appeal, and all right to file a petition in error are waived.

3301 Rosana Lawrence
vs
C. J. Parker and Patrick Slattery

This day came the Plaintiff by Lawrence and Mulford her Attorneys and thereupon came J. W. Ayers one of the Attorneys of Record of this Court who, by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said Defendants herein and by virtue of the same warrant of Attorney, confesses that there is due from said Defendants to said plaintiff, as is alleged in said Plaintiffs petition the sum of $214 52/100. It is therefore considered that said plaintiff do recover of said Defendants the said sum of $214 52/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of Eight per centum per annum, And by virtue of said warrant of Attorney, all errors are released, and all right of appeal and all right to file a petition in error are waived.
Court finds that C. J. Parker is principal and Patrick Slattery is his surety.

2839 Samuel Miller
vs
Isaac Madox et als

This day this cause came on to be heard, and upon motion of the plaintiff this cause was continued because the papers in the above case have been lost. Leave was asked and obtained by the plaintiff herein to supply papers within twenty days from the rising of this Court and leave to defendants to answer in 20 days thereafter.

Monday February 24th 1879

2260 F. Melching
vs
Adam Thenwood

This day came the plaintiff and having never obtained service on defendant, dismissed this cause without prejudice at his costs. It is therefore considered that plaintiff pay the costs herein taxed to $

3071 Isaac Hane
vs
Mary May

This day the plaintiff asked and obtained leave to file reply in 30 days from the rising of the court and cause continued at his costs - Judgement for costs of term.

3106 C. D. Cole Trustee &c
vs
C. D. Tidle et als

It appearing that the defendants had placed on file an answer to the petition without intending the same to be filed, leave is given them to withdraw the same and this cause stands on demurrer to the petition and is continued by agreement. 3145

3186 R. S. Ustick
vs
Jorlina B. Haines

By agreement of the parties in this case judgement is to be entered in plaintiffs favor against defendant for thirty dollars and costs, Judgement accordingly with costs - to record -

3208 J. R. Hart
vs
H. Sabine et als

Cause continued

3134 Blando Wells
vs
Justus J. Miller et als

Leave is granted to all defendants in default to answer in thirty days from the rising of the court and cause is continued

3020

3161 Johnson Linsey & Co.
vs
P. L. Lighten & Co.

By agreement of parties this cause is settled at plaintiffs costs. It is therefore considered and adjudged by the Court that the said defendant recover of the said Plaintiffs his costs herein expended.

Monday Febuary 24th /879

3291 Bank of Richwood
vs
John McAllister et als

This day came the Plaintiff by Cannon & Bunton, Attorneys and thereupon came A. H. Beightler one of the Attorneys of Record of this Court, who, by virtue of a warrant of Attorney duly executed and now produced in open Court and duly sworn, waives the issuing and service of process and entered appearance of said defendant herein and by virtue of the same warrant of attorney confesses that there is due from said defendants to said Plaintiff as is alleged in said plaintiffs petition the sum of $804 40 It is therefore considered that said Plaintiff do recover of said defendant the said sum of $804 40/100 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 percentum per annum. And by virtue of said warrant of attorney all errors are released, and all right of appeal and all right to file a petition in error are waived.

3145 Orlando Wells
vs
Edmond H. Wells et. als

And now this cause coming on to be heard upon the motion and exceptions to the answer of Harry G. Partridge, by plaintiff to require said defendants to make his answer more specific by stating therein the names of the makers of said notes and amounts and dates thereof. And the amounts and full particulars in regard to said accounts, who they are against in each instance &c, And by stating to whom he sold and transferred said notes and accounts and who has them now, and if said answer be not made in 20 days or a day to be named named by the Court Answers to be enforced under sect. 45 civil code page 624 75 Volume Ohio Laws, was argued by counsel. Whereupon the Court upon Consideration being fully advised in the premises do sustain said motion, and order the said defendant H. G. Partridge to answer in accordance therewith within 20 days from the rising of this Court

3020 Elizabeth Parthemore
vs
William Slage

Continued with leave to plaintiff to plead in 20 days from the rising of the Court.

Monday February 24th 1879

2854 Wm H. Baxter

vs

T. H. Chesney and E. L. Chesney

This day came the parties and submitted this case on the pleadings and evidence. Whereupon the Court being fully advised in the premises do find the allegations of the defendants answer to be true to the extent following viz: For the half acre taken for the grave yard there should be a deduction of $25 and for the taxes paid by defendants for plaintiff in excess of taxes paid by plaintiff for defendants $30.05 and for damages for right of way as claimed by Foster Bennett in his answer, the sum of One hundred and fifty dollars making a total of $178.05/100 to be deducted at the date of the mortgage leaving $1321.95 balance with 8 per cent interest from March 1st 1877 Amounting in the principal and interest to the first day of this term $1525.38/100 due and a lien on the land in the petition described. It is therefor considered, ordered and adjudged by the Court that unless said defendants pay to the plaintiff the said sum of fifteen hundred and twenty five and 38/100 dollars with interest at eight per cent from February 3rd 1879 and costs of this proceeding within ten days that an order of sale issue to the sheriff of this County Commanding him to appraise, advertise and sell said premises according to law, And it appearing that another note of fifteen hundred dollars secured by said mortgage is not yet due, this cause is continued as to said note not due. Notice of appeal by defendants and the appeal bond is fixed by the Court at $500—

2950 D. S. Stephens Admr of O. P. Stevens

vs

Mt Carmel Lodge of Free and accepted Masons et als

3210 Consolidated with 3055

This day came the parties to this cause as well as the parties in cause No. 2930 of George B. Hamilton against Mt Carmel Lodge of Free and Accepted Masons and others, consolidated by the former order of this Court and submitted this consolidated case to the Court upon the pleadings and evidence and exibits. Whereupon the Court find that the conveyance made by George St. Court for the third story of the Brick building described in said petition of George B. Hamilton is a deed and conveys to said lodge and its assigns in fee simple the said third story of said building, with the right of passage way by the stair way with the limit only that the same shall be so used and occupied as not to annoy, disturb, or hinder the said Court and his assigns, in the use and occupancy of the remainder of said building. And the Court further find said conveyance is not a lease as alleged in said petition of D. S. Stevens and the title of said Lodge is a legal title and not an equitable one

It is therefor considered, ordered and adjudged by the Court that said third story of the building described

Monday February 24th 1879

in said petition on lot No 47 in Richwood of Union County Ohio together with the right of way thereto by the stair way thereupon the 1st and 2nd stories be sold to pay said liens according to law, granting to the purchaser thereof an estate in fee forever with said right of way subject only to the conditions of said deed as to taxes and repair of roof and subject to the conditions before named that it shall be so used as not to disturb, annoy, hinder or injure the owners or occupants of the remainder of said building in the use of said remainder. And it is further ordered and adjuaged by the Court that the said claim of George B. Hamilton for $103.79 with interest from January 5th 1878 and $3.35/100 costs and incurred costs is a lien from February 7th 1878. That the claim of William Lowe is a lien from September 24th 1874. That the claim of Sarah Norman is a lien from May 4th 1878. That the said claim of D.S. Simms is a lien from May 3rd 1878. That said claim of Cyrus Claymates is a lien from May 13th 1878.

It is further ordered and adjudged by the Court that unless said defendant, the said Lodge, shall pay said sum and interest and costs found due said George B. Hamilton as aforesaid within ten days, that an order of sale issue commanding the Sheriff of this County, to appraise advertise and sell said premises on the terms above set forth to satisfy said liens and report his proceedings at the next term of this court, to which term all matters not above disposed of in this case are continued.

3210 Consolidated with 3055

C.H. Smith
vs
W.H. Simms et als

This day came the parties and submitted this cause to the Court whereupon the Court being fully advised in the premises do find the allegations of the petition of C.H. Smith to be true and there is due him on the first day of the term on said mortgage the sum of Thirteen hundred and fifty four and 60/100 dollars and further find the allegations of the cross petition of W.H. Smith to be true and there is due him on the first day of the term the sum of five hundred and eleven and 66/100 dollars. The lien of C.H. Smith dates from June 19th 1876 and the lien of W.H. Smith dates from April 18. 1870. It is therefore considered ordered and adjudged by the Court that unless the said W.H. Simms and wife pay to said plaintiff said sum of due said C.H. Smith and the costs within ten days that an order of sale issue to the Sheriff of this County commanding him to appraise advertise and sell said land in the petition described to satisfy said claim, interest and costs and it is further considered, ordered and decreed that said defendants pay to said W.H. Smith the said sum of five hundred and eleven and 66/100 dollars and interest from Feb 3rd 1879 within ten days that an order of sale issue commanding the Sheriff to appraise advertise and sell said land to satisfy his claim and as to the remaining claims on said land by R.H. Davis and the trustees of York township This cause is continued

Monday February 24th A.D. 1879

2354 Orlando Wells
vs
Robert Gibson

Now this cause coming on for hearing on the report of the Referee and the motion of Plaintiff for judgement thereon the Court do on consideration of the premises approve and confirm said report. It is therefor Considered and adjudged by the Court that the said plaintiff recover from said defendant the said sum of $412 76/100 so by said report found to be due, together with his costs herein expended prior to the said reference taxed to $ And it is further Considered, ordered and adjudged that each of said parties pay one the costs of said reference made by him and one half of the sum of $100 00 which the Court allow to R. L. Woodburn Esq. Referee for his services herein, taxed to $ Costs of reference taxed to defendant $101 12. Costs of reference taxed to plaintiff $84 82

2569

3143 James H. Field
vs
John Sellers et. als.

Now comes the plaintiff herein and the defendant John Sellers being in default for answer and demurrer the Court find as against the said defendant John Sellers impleaded herein that the allegations of the petition are confessed by him to be true and that there is due to said plaintiff, James H. Field, from the said defendant John Sellers, on account of the materials furnished, by said plaintiff to the said defendant, as set forth in the petition herein the sum of Thirty dollars and forty cents ($30 40/100) with interest from the 26th day of July 1877, And that the same is a lien on the premises in said petition described, by reason of the mechanics lien therein described and duly recorded in book "Records of Mechanics liens for Union County Ohio" Page In the Recorders Office of Union County Ohio, The court also find that said plaintiff is entitled to have the said lien enforced,

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3173

It is thereupon considered, ordered and adjudged that the Plaintiff James H. Field recover from the defendant John Sellers the said sum of $30 40 (Thirty dollars and forty cents) with interest on the same from July 26" 1877 together with his costs herein expended, And that unless the said judgement is paid within 10 days from the entry hereof then an order may issue to the Sheriff of Union County Ohio, commanding him to sell the said premises, in said plaintiffs petition duly set forth and described, as upon execution, And of his proceedings in the premises to make due return to this Court And as to all questions of priority of liens, and as to the several Amounts due to the other defendants to this suit this Cause is Continued

Monday Feburay 24th 1879

2569 Margaret McElderry
vs
Jonas Figley

This day came on this cause to be heard on the motion to set aside the verdict of the jury and grant a new trial whereupon the court being fully advised in the premises do overrule said motion, Whereupon it is considered ordered and adjudged by the court that the plaintiff recover of said defendant said sum of two hundred and thirty and 73/100 dollars found due by the verdict of the jury together with her costs herein expended taxed to $ To all of which defendant excepts and asked the court to allow and sign his bill of exceptions and for the purpose of allowing the defendant to prepare his bill of exceptions this journal is ordered to be kept open for thirty days according to law.

2463 Margaret McElderry
vs
Jonas Figley

This day the plaintiff comes and dismisses this cause and she is ordered to pay all costs herein since the former judgement was set aside, within 20 days and in default thereof that execution issue therefor. So ordered.

2954 A. E. Myers et al.
vs
J. C. Fooler

This day this cause came on to be heard and upon the motion of defendant leave was granted by the court to the defendant to plead herein in 20 days from the rising of the court and this cause is continued

3173 Bank of North Lewisburg
vs
James Carter and others

This day leave is given to C. H. Finsbie Admr. to become a party defendant and file his answer in 20 days and leave is granted to all defendants in default to plead in thirty days and it appearing there is due to Fleck and Chapman as alleged in their cross petition the sum of $339 50/100 which the court find is the valid mechanics lien on the land in the petition described. It is therefor ordered and decreed by the court that unless said James Carter and A. M. Pilcher shall pay said sum in 10 days that an order of sale issue to the Sheriff of this county Commanding him to appraise advertise and sell said premises and as to all other matters not disposed of this cause is continued

Monday February 24th 1849

3248 Michael Cramer
vs
Mt. Carmel Lodge No. 303 of Free and accepted Masons and U.S. Court

This day this cause came on to be heard, the defendant Mt. Carmel Lodge No. 303 of Free and accepted Masons of Richwood Ohio being in default for answer or demurrer and neither party requiring a jury was submitted to the court by the Plaintiff upon his petition. Upon consideration, whereof the court having been fully advised in the premises, it is found by the Court that there was due from the defendant Mt. Carmel Lodge No. 303 of Free and Accepted Masons of Richwood, Ohio to the plaintiff on the instrument set forth in plaintiffs petition at the first day of the present term of this Court the sum of two hundred and nineteen and 65/100 dollars ($219 65). It is therefore considered ordered and adjudged by the Court that the plaintiff Michael Cramer recover of the defendant Mt. Carmel Lodge No 303 of Free and accepted Masons of Richwood Ohio said sum of Two hundred Nineteen and 65/100 dollars ($219 65) together with the costs of this suit.

2439

2445

2364 and 2354

2445 Orlando Wells
vs
Robert Gibson

Now this cause coming on for hearing on the report of the referee and the motion of the defendant for judgement thereon, the Court do on consideration of the premises approve and confirm said report

It is therefore ordered and adjudged by the Court that the said defendant recover of the said plaintiff the said sum of $66 78 by the said Report found to be the value of the Sow and pigs replevied by plaintiff together with his costs herein expended taxed to $ except that each party is to pay the half of the reference allowance and his own costs made before the refere-

432

2364 Orlando Wells
vs
Robert Gibson

Now came on this cause to be heard on the motion of defendant to confirm the report of the referee in this cause and the court being fully advised in the premises do confirm the same. It is therefore considered, ordered, and adjudged by the court that the defendant recover of the plaintiff the sum found due to be the value of said mares replevied to wit: the sum of three hundred and forty nine and 68/100 dollars together with his costs herein expended taxed $ Except that each party is to pay half the sum allowed to the Referee and each pay his own costs before the referee

Monday February 24th 1879

2439 Orlando Wells
vs
Robert Gibson

This day came on this cause to be heard on the motion of defendant to confirm the Report of the Referee, thereupon the Court being fully advised in the premises do confirm said Report. Therefor it is considered ordered and adjudged by the Court that the Defendant go hence without day and the attachment issued in this case be discharged and the defendant recover of the plaintiff his costs herein expended taxed to $ except that each party is to pay half the allowance to the Referee and each to pay his own costs before the Referee

2445 Orlando Wells
2364 vs
and Robert Gibson
2354

Motion to offset Judgements of $412 76/100 in case 2354 against judgements of $866 78/100 in case 2445 and of $849 68/100 in case No 2364, Motion continued under the agreement that no execution will issue before next term of Court.

432 State of Ohio
vs
Thomas Forrider

Charge Assault with intent to kill

Now comes the Prosecuting Attorney on behalf of the State of Ohio, And the defendant being present in Court in person and by attorney, And being arraigned for plea saith he is not guilty, And thereupon came a jury to wit: 1 C. Houston 2 M. Thompson 3 D. M. Robinson 4 Samuel Woods 5 John Organ 6 B. F. Martin 7 J. M. Andrews 8 William Benson 9 John Sellers 10 Norton Reed 11 H. S. Wood 12 Mark Welch who being duly impannelled and sworn according to law to try the issue and a true verdict give therein The State and the defendant do find and return their verdict in the words and figures following to wit: We, the jury in this case, find the defendant Thomas Forrider guilty in manner and form as he stands charged in the indictment.

It is further ordered by agreement that this case be continued to the next term of this Court and this day came the defendant and by order of Court entered into his own recognizance before the Court in the sum of Five hundred dollars conditioned for his appearance at the next term of this Court to answer the charge against him.

Monday February 24th 1879

2138 Richwood Union Building and Saving Association vs Ross Scott and others

This cause came on for hearing on the motion to set aside the appraisement of the real estate in the petition described and it appearing to the Court that said real estate has been twice advertised and offered for sale and still remains unsold for want of bidders, the appraisement heretofore made is hereby set aside, and a new one ordered.

756 C. B. Cole vs Robert Welch

Now comes the plaintiff herein, and the defendant Robert Welch being in default for answer and demurrer the Court find that the allegations of the petition are confessed by him to be true. And the Court further finding that the judgement in the petition set forth remains due and unsatisfied, and no cause being shown why it should not be revived. It is therefore considered by the Court that the said judgement to wit: A judgement rendered in favor of the plaintiff and against the said defendant before A. S. Hekins a Justice of the Peace for the sum of $102.00 on the 19th of August 1869. A transcript of which the Court find was by the plaintiff filed in the clerks office of this Court September 18th 1869 for execution. That the said plaintiff caused execution to issue from said Court of Common Pleas on said judgement and that the same levied on the property in the petition described, on the 30th of October 1869 as the property of defendant which property the Court find remains unsold and that no writ has issued therein since July 12th 843. It is therefore considered by the Court that said judgement to the amount of $102.00 with interest thereon from the 19th day of August 1869 and costs, stand revived. It is further considered that Plaintiff recover from the Defendant his costs herein expended

For all of which execution is awarded.

3249 Michigan Mutual Life Insurance Co. vs Francis Baldwin and B. Baldwin

This cause being heard on the demurrer to the petition the Court does on consideration, overrule the same, and on motion the defendants are allowed to answer within thirty days from the rising of the Court. On motion the plaintiff is allowed to correct some clerical errors in his said petition instanter.

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Monday February 24th 1879

3061 Richwood Building and Savings Association
vs
Hylas Sabine and others

Now came the plaintiff herein and the defendants being in default for answer and demurrer the Court find that the allegations of the petition are confessed by them, the defendants, to be true and that the defendants have failed to pay to the plaintiff the weekly installments of dues and the interest as in the petition set forth, and that there is due to said plaintiff (after deducting a payment of $30.00 made since the filing of the petition herein) as dues to the date of this decree the sum of $214.00/100 And as interest the sum of $140.76/100.

The Court further find that there is due to said plaintiff from said defendant Hylas Sabine as and by way of fines for the non payment of said dues as in the petition alleged the sum of $52.80/100 making in all for dues interest and fines the sums of $407.56/100 The Court further find that in order to secure the regular payment of said dues and other installments as well as those hereafter to become due the said Hylas Sabine and Anna Sabine his wife executed and delivered to this plaintiff their certain mortgage in the petition described and on the premises therein described. It is therefore considered and decreed by the Court that unless the said defendants shall within ten days from the entry hereof pay or cause to be paid to the said plaintiff the said sum of $407.56/100 so found due together with its costs in and about this suit in this behalf taxed to $ that the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of this County of Union directing him to sell said premises as upon execution and bring the proceeds into Court for further order.

350 State of Ohio vs Hannon Singer — Continued for sentence.

351 State of Ohio vs Hannon Singer — Continued for sentence

358 State of Ohio vs William Richter — Continued for sentence

359 State of Ohio vs. William Richter. Continued for sentence

360 State of Ohio vs William Richter Continued for sentence

Monday February 24th A.D. 1879

3221 Eli G. Piper Admr with will annexed
vs
Andrew J. Mowry and others defendants

And now came the parties by their attorneys and this cause came on to be heard upon the motion of the defendant A. J. Mowry to strike out all usury in said note and mortgage and the Court being fully advised in the premises do find order that all usurious interest be expunged from said note and mortgage, and it is further considered by the Court that the plaintiff is entitled to an account of the money due him, as said administrator, in the premises, and the Court after hearing the evidence do find that there is due to the plaintiff, on the note in the petition described the sum of Four hundred and sixty eight and 75/100 dollars. It is therefore considered by the Court here that the said plaintiff recover of the said defendants Andrew J Mowry the said sum of $468 75/100 the sum so found due as aforesaid and also his costs taxed to $ and it further ordered adjudged and decreed that in case the said defendants fails for ten days from the entry hereof to pay to the said plaintiff the said sum of $468 75/100 so as aforsaid found due with costs of suit an order issue to the Sheriff of said county of Union commanding him to cause the said lands and tenements in said petition described, to be advertised, appraised and sold according to law and apply the procedes of said sale in satisfaction of said sums so found due with costs of suit, And as to all other matters this cause is continued

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2757 Richwood Union Building and Saving Association
vs
John M. Tucker and others

Now came the plaintiff herein and the defendants being in default for answer and demurrer the Court find that the defendants have failed to pay the plaintiff the weekly installments of dues and the interest as in the petition set forth and that there is due to the said plaintiff as dues to the date of this decree the sum of $161 25/100 and as interest the sum of $55 47

The Court further find that there is due to the plaintiff from the said defendants as and by way of fines for the non payment of said dues as in the petition alleged the sum of $32 25/100 making in all for dues, interest and fines the sum of $248 97.

The Court further find that in order to secure the regular of said dues and other installments as well as those hereafter to become due the said John M. Tucker, Alice Tucker his wife, George B. Tucker and Sarah A. Tucker his wife executed and delivered to this plaintiff their certain mortgage in the petition described and on the premises therein described, that said mortgage was on the 20th day of May A. D. 1874 duly recorded in book 1 on page 41 of Record of mortgages U. B. L. A. of said county of Union and that the same is a first lien on the premises de-

463

Monday February 24th 1879

scribed in the petition. It is therefore considered ordered and decreed by the Court that unless the said defendants shall within two days from the entry hereof pay or cause to be paid to the said plaintiff the said sum of $248 97/100 so found due and also the costs of the plaintiff in this and about its suit in this behalf expended taxed to $ that the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of the County of Union directing him to sell said premises as upon execution and bring the proceeds into Court for further order.

483 The State of Ohio vs. Martin Long, Frank Foote, George Orr and Willie Orr } Petit Larceny

Nolle prosequi is entered herein, by order of Court, at request of the prosecuting attorney.

484 The State of Ohio vs. Martin Long, Frank Foote, Willie Orr and George Orr } Petit Larceny

Nolle prosequi is entered herein, by order of Court, at request of the prosecuting attorney.

485 The State of Ohio vs. Martin Long, Frank Foote, Willie Orr George Orr, Jesse Mayo and Grant Courter } Petit Larceny

Nolle prosequi is entered herein, by order of Court, at request of the prosecuting attorney.

463 State of Ohio vs. Elizabeth Orr } Judictment. Furnishing intoxicating liquor to minor

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being present in Court in person and by attorney and being arraigned for plea, says she is not guilty. And thereupon came a jury to wit: 1 J.M. Andrews 2 Daniel Anderson 3 John Sellers 4 Norton Reed 5 D.M. Robinson 6 C. Houston 7 H.S. Hood 8 Bolivar Hayes 9 J.L. Borger 10 J.J. Simmons 11 B.F. Martin 12 John Ogan, who being duly empanneled and sworn according to law to try the issue and a true verdict give between the state and the defendant, do find and return their verdict in the words and figures following to wit: We the jury empanneled and sworn to well and truly try, and true deliverance make between the State of Ohio and the prisoner at the bar Elizabeth Orr do find the defendant guilty. Bolivar Hays, Foreman.

Thereupon this case was continued for sentence upon defendants own recognizance.

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391	The State of Ohio vs. William Richter	Continued for sentence	434
392	The State of Ohio vs. William Richter	Continued for Sentence	461
433	State of Ohio vs Patrick Sheridan	Left off docket	
437			460
	State of Ohio vs Lenhert Coldice, Barbara Coldice Michael Keim and Julia A Keim	Left off docket	491 464
438	State of Ohio vs Robert Taylor & George Donohue	Leave off Docket	
439	State of Ohio vs. Robert Taylor	Leave off docket	
440	State of Ohio vs. Lenhert Coldice and Barbara Coldice	Leave off Docket	
443	State of Ohio vs. Michael Keim	Leave off Docket	
444	State of Ohio vs. Michael Keim	Leave off docket	
447	State of Ohio vs. Fredrick Reif	Leave off docket	
427	State of Ohio vs. J. M. Darling,	Continued by agreement	
360	State of Ohio vs. William Richter	Continued for Sentence	472
335	State of Ohio vs. Paul Schlagel	Left off docket	
426	State of Ohio vs William Hodges et als	Continued by Consent	466
486	State of Ohio vs. Alex. Snodgrass	Continued by Consent	468
450	State of Ohio vs. Alex. Snodgrass	Continued by consent	467
451	State of Ohio vs. Alex. Snodgrass	Continued by consent	490
476	State of Ohio vs. Alex. Snodgrass	Continued by Consent	441
473	State of Ohio vs. Frank Davis	Continued	
474	State of Ohio vs. Frank Davis	Continued	
465	State of Ohio vs William Hazen	Continued for arrest	

Monday February 24th 1879

#34 State of Ohio vs. S. Burkham } Continued

#61 State of Ohio vs. Fielding Tougat } Continued for arrest.

460 State of Ohio vs. Orrin Decker & Continued for sentence

491 State of Ohio vs. A. S. Alden & Continued by consent

464 State of Ohio vs. William Adams } Retailing intoxicating liquor contrary to law.

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being present in court in person and by attorney and being arraigned for plea saith he is not guilty and thereupon came a jury to wit: 1 D. M. Robinson 2 Jamd Woods 3 John Ogan 4 B. F. Martin 5 J. M. Andrus 6 Wm Benson 7 John Sellers 8 Norton Reed 9 H. S. Hood 10 E. L. Rice (Talis) 11 G. S. Baldwin (Talis) 12 R. L. Partridge (Talisman) who being duly empannelled and sworn according to law to try the issue and a true verdict give returned the State and the defendant do find and return their verdict in the words and figures following to wit: We, the jury in this case, find the defendant William Adams guilty in manner and form as he stands charged in the indictment. Thereupon this cause was continued for sentence.

472 State of Ohio vs Frank Davis } Continued

466 State of Ohio vs. Dallon Peters and Victor Payne & Continued

468 State of Ohio vs. Charles Spears & Continued by consent

467 State of Ohio vs. Charles J Spears & Continued by consent

490 State of Ohio vs Charles J Spears & Continued by consent

441 State of Ohio vs Lenhert Coldice { Leave off docket

Monday February 24th 1879

2998 Harden R. Pickett
vs.
John H. Stewart

And now came the said Harden R. Pickett by Cameron & Benton his counsel and on his motion and on producing the report of the sheriff of his sale made under the former order of this court and the court being satisfied on examination that said sale has been made according to law it is ordered that said proceedings and sale be, and the same are hereby approved and confirmed and the said sheriff is ordered, by deed duly executed to convey said premises to the said purchaser in fee simple and it is further ordered that the said sheriff out of the moneys in his hands pay first the costs of this case including a Counsel fee of $42.50 to be taxed at $ And that of the residue he pay to the said Harden R. Pickett one equal 1/32 part thereof, The said J. R. Pickett the one equal 1/32 part thereof. James F. Pickett the 1/32 part thereof, The said Alley Pickett the one equal 1/32 part thereof, To Isabell Pickett the one equal 1/32 part thereof. To the said Hosea Pickett the one equal 1/32 part thereof, To the said Sarah E. Doll the one equal 1/32 part thereof To the said Hornett Hunt the one equal 1/32 part thereof, And to the said John H. Stewart the one equal 3/4 part thereof.

450 State of Ohio
vs.
Alex Snodgrass
} Indictment for selling intoxicating liquor to be drank upon the premises.

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the sheriff and arraigned upon said indictment for plea thereto saith he is not guilty- And by agreement of parties this case was continued to the next term of this Court. It is therefore ordered by the court that the said Alex. Snodgrass do forthwith enter into a recognizance in the sum of One hundred Dollars for his appearance at the next term of this court to answer the charge against him. And in default thereof that he be committed to the jail of the County.

451 State of Ohio
vs
Alex Snodgrass
} Retailing intoxicating liquor

Now comes the prosecuting attorney on behalf of the state of Ohio and the defendant being brought into Court in custody of the sheriff and arraigned upon said indictment for plea thereto saith he is not guilty And by agreement of parties this case was continued to the next term of this Court. It is therefore ordered by the court that the said Alex Snodgrass do forthwith enter into recognizance in the sum of one hundred dollars for his appearance at the next term of this court to answer the charge against him. And in default thereof that he be committed to the jail of the county

467

468

476

Monday February 24th 1879

467 State of Ohio
vs
Charles Spears } Furnishing intoxicating liquor to a minor

Now comes the prosecuting attorney on behalf of the state of Ohio, and the defendant being brought into Court in custody of the sheriff and arraigned upon said indictment for plea thereto saith he is not guilty. And by agreement of parties this case was continued to the next term of this Court. It is therefore ordered by the Court that the said Charles Spears do forthwith Enter into a recognizance in the amount of One hundred dollars for his appearance at the next term of this court to answer the charge against him - And in default thereof that he be committed to the jail of the County.

468 State of Ohio
vs
Charles Spears } Furnishing intoxicating liquor to a minor

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the sheriff and arraigned for plea upon said indictment, saith he is not guilty And by agreement of parties this case was continued to the next term of this court. It is therefore ordered by the court that the said Charles Spears do forthwith enter into a recognizance in the amount of one hundred dollars, for his appearance at the next term of this court to answer the charge against him and in default thereof that he be committed to the County jail

476 State of Ohio
vs
Alex Snodgrass } Selling intoxicating liquors to be drank on premises

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the sheriff, and arraigned upon said indictment for plea thereto saith he is not guilty and by agreement of parties this case was continued to the next term of this court. It is therefore ordered by the court that the said Alex Snodgrass do forthwith enter into a recognizance in the amount of one hundred dollars, for his appearance at the next term of this court to answer the charge against him. And in default thereof that he be committed to the jail of the county.

Monday Febuary 24th 1879

486 State of Ohio vs Alexander Snodgrass } Furnishing intoxicating liquor to a minor

Now Comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the sheriff, and arraigned upon said indictment for plea thereto saith he is not guilty. And by agreement of parties this case was continued to the next term of this court. It is therefore ordered by the court that the said Alex Snodgrass do forthwith enter into a recognizance in the amount of One Hundred Dollars, for his appearance at the next term of this court to answer the charge against him, and in default thereof, that he be committed to the jail of the County

3072

490 State of Ohio vs Charles Spears } Furnishing intoxicating liquor to a minor

Now Comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the sheriff, and arraigned upon said indictment for plea thereto saith he is not guilty. And by agreement of parties this case was continued to the next term of this court. It is therefore ordered by the court that the said Charles Spears do forthwith enter into a recognizance in the amount of One Hundred Dollars for his appearance at the next term of this court to answer the charge against him, and in default thereof that he be committed to the jail of the County

2988

State of Ohio vs U. S. Alden } Retailing intoxicating liquors

Now comes the Prosecuting Attorney on behalf of the State of Ohio and the defendant being brought into court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is not guilty. And by agreement of parties the case was continued to the next term of this court. It is therefore ordered by the court that the said U.S. Alden do forthwith enter into a recognizance in the amount of One Hundred Dollars for his appearance at the next term of this court to answer the charge against him, And in default thereof that he be committed to the jail of the County.

441

3226 Village of Mansville vs Eliza Hornbeck et als } Proceedings to appropriate private property to public use

The above named case not having been reached in consequence of the court being unable to grant a jury for that purpose - Thomas Fillings is hereby appointed a guardian ad Litem for the infant defendants Lewis H. Hornbeck and William

Monday February 24th 1879

W. Hornbeck- And on Consideration of the demurrer to the application said demurrer is overruled. To which ruling and decision of the Court the defendants by their attorney then and there excepted. And the judge then fixed the time for the inquiry into and assessment of compensation for lands sought to be appropriated in this proceeding for the 29th day of March 1879 at 10 oclock A.M. and ordered that a jury be Summoned for that purpose in accordance with the statute, to which time this cause is Continued

3072 Wm W. Woods
vs
W. C. Barnett et als

This cause came on for hearing upon the motion to set aside sales of the real estate made in this action, And on Consideration thereof and good cause shown, it is ordered that the said Sale and they are hereby set aside and the C. B. and L. association the other defendants have leave to file answer and cross petition in 10 days from the rising of this term of Court.

2988 Lester Clark
vs
John Epps et als

This day this cause came on for hearing on motion of, defendant John Epps to amend the entry heretofore to wit: February 4th of this term entered, and the same having been argued by Counsel and submitted to the Court the Court do sustain said motion and it is therefore considered and ordered that said Entry be corrected in this, That the amount of the proceeds of said sale ordered to be paid to the Defendant Levi Snyffin herein be $226 40 instead of $327 70/100 as appears in the said entry.

441 The State of Ohio
vs
Horace Andrews
} Keeping a place where intoxicating liquors are sold contrary to law

This day came on this cause to be heard further and thereupon the Court do find decree and adjudge that further, that the said place kept as found by said plea of the defendant is a nuisance and under the statute upon which said indictment was found should be abated and thereupon the Court order the same abated according to law

Monday February 24th 1879

No. 3237 J. F. Gates
vs
C. A. Leran and James Leran

And now comes the said J. F. Gates, and the said C. A Leran and James Leran having failed to demur or answer to the petition of the said J. F. Gates, it is considered that the said J. F. Gates ought to recover the said sum of $118 32/100 the demands in his petition together with the sum of $2.66 which the Court finds due as interest thereon as prayed for in said petition.

It is therefore considered that the said J. F. Gates recover against the said C. A. Leran and James Leran the said sum of $120 98 together with his costs in and about his suit in this behalf expended taxed to #

3259 Elizabeth Hoskins et als
vs
John Fleming

This day this cause came on to be heard, the defendant being in default for plea, answer or demurrer; And the cause was submitted to the Court by the Plaintiffs upon the petition and the evidence. On consideration whereof the Court find that the defendant, John Fleming Sr. has for several years last past, committed waste, both voluntary and permissive, upon the lands described in the petition. It is therefore considered, ordered and adjudged and decreed by the Court that the plaintiffs the heirs of Phoeba Fleming deceased have possession of the lands in the petition described. And it is further ordered that the defendant who is in possession of said premises or any person who has come in under him, pending this suit deliver up the possession thereof to the heirs of said Phoeb Fleming deceased, on demand, and on production by the Sheriff of Union County Ohio, of a certified copy of this Entry to said Fleming or any one holding under him. It is further considered by the Court that the plaintiffs recover of the defendant their costs herein expended taxed to #

2912

2953 David Holycross
vs
G. H. Reed et al

Settled and Costs paid

3171 Wright Harriman
vs
T. C. Owen

This day this cause came on to be heard upon the motion of the defendants counsel to make the petition more definite and certain, and the same was submitted to the Court. On consideration whereof the said motion is sustained, in this; that the plaintiff be required to amend his petition so as to state whether he purchased said note before due or after due, and the residue

2369

3213

Court finds and Jobs plaintiff plaintiff forty one

Monday February 24th 1879

of said motion is overruled, The plaintiff asked and obtained leave to make the amendment by interlineation in the petition, To all of which ruling and decisions of the Court the defendant by his attorneys, then and there excepted.

Rogers, Duck and Lewis
vs
J. H. McCracken et al.

This day this cause came on to be heard, on motion, of the Plaintiffs to confirm the sale of Property heretofore made, by order of this Court, and the Court being fully satisfied that the Proceedings of the Sheriff in making said sale were in all respects legal and according to the order of this Court.

Wherefore it is ordered and adjudged by the Court that said sale be and the same is hereby confirmed and the Sheriff of said County is ordered to make to the purchaser or his assigns, a deed of conveyance of the premises so sold by said Sheriff, and the Court coming now to the distribution of the Proceeds of said sale do order that the Sheriff pay, 1st the costs remaining unpaid in this case 2nd the taxes due upon said premises 3rd The balance upon the judgement of these plaintiffs against the defendant J. H. McCracken

2912 Thomas Brown
vs
N. C. Barnett

This day this cause came on for hearing and the plaintiff being in default for two terms and having failed to file petition, on motion of defendants attorney it is by the order of the Court dismissed at cost of plaintiff. It is therefore ordered and adjudged by the Court that the defendant recover of the plaintiff his costs herein expended taxed to $

2369 Margaret McElderry
vs
Jonas Figley

Now comes the said Defendants and presents to the Court his certain bills of exceptions herein which being found by the Court to be true are allowed, Signed and Sealed. and on motion are hereby made part of the record of this case.

3215 Joseph Fox,
vs
James Herrod & Job S. Dillon

This day this cause came on to be heard, the defendants James Herrod an Job S. Dillon being in default & neither party requiring a jury it was submitted to the court by the plaintiff. On consideration whereof the Court finds there was due on the first day of this term of Court Feby 3d 1879 from the defendants James Herrod and Job S. Dillon to the plaintiff Joseph Fox the sum of one hundred forty one 7/100 dollars as the said plaintiff doth in his petition alleges. It is therefore considered ordered and adjudged by the court that the plaintiff Joseph Fox recover of the defendants James Herrod and Job S. Dillon said sum of one hundred forty one 7/100 Dollars with interest from February 3d 1879 the amount so found due together with his costs herein expended taxed to $.

Monday February 24th 1879

It is ordered that all cases not otherwise disposed of in this Court be and the same are hereby continued to the next Term Thereof.

This Special Session of this court of Common Pleas for the Term of February A.D. 1879 was begun on Monday the 3d day of February and continued from day to day by regular adjournments until this 24th day of February 1879, and is now conforming without day.

No 2644

John G. Mitchel
vs
Jacob Schurch et als

In Mem Common Pleas
Entry of Confirmation and distribution

This day came the plaintiff by his attorney and the defendant Adam Schneider guardian &c by his attorney J. L. Cameron and thereupon the motion to set aside the sale heretofore made in this case was withdrawn and this cause thereupon came on to be to be heard upon the report of the Sheriff of this County of a sale made by him on the 21st day of September A.D 1878. On consideration whereof the Court do find the proceedings of said Sheriff and the sale by him made of the lands and tenements in the petition described to be in all respects in due conformity to law. It is therefore considered, ordered adjudged and decreed by the Court that the said proceedings and sale of said Sheriff be in all things affirmed, and that the said Sheriff execute and deliver to John G. Mitchel the purchaser a deed of the lands and tenements aforesaid in fee simple, pursuant to the Statute in such case made and provided. And it is further ordered adjudged and decreed by the Court that the proceeds of said sale the said Sheriff, pay. First the costs of this action in the sum of $ - 2d. The taxes on said lands and tenements to and including the entire tax levied in 1878, in the sum of $28.30. 3d That he pay to the defendant Adam Schneider as guardian of John Engle and Magdalena Engle the sum of $300cc with interest from April 1st 1871 which sum the Court finds to be owing to him as such guardian although the same be not yet due. 4th That he pay to the defendant John R. Williams the sum of $ 5th That he apply the residue arising from such sale upon the judgment in favor of the Plaintiff in the sum of $ and that Execution be awarded in favor of the Plaintiff in the sum of $ for the balance found due him against Jacob Schurch and Elizabeth Schurch. And it is further ordered that the defendants who may be in possession of said premises, or any person or persons who have come in under them pending this suit deliver up the possession thereof to said purchaser, on demand and production of said Sheriffs Deed. It is understood and agreed by the parties and made a further order of the Court that all leases or rentings which have been or may be made by said Schurch & Wife or either of them up to June 16th 1879 and to expire during the year 1879 are to be held valid by the plaintiff John G. Mitchel and that he the said plaintiff shall have the landlords share of such rents for the year 1879. As to the causes of action set forth in the answer and cross petition of John R. Williams which are numbered Three (3) Fourth (4) Fifth (5) and Sixth (6th) respectively the same are dismissed without prejudice to a future action upon the notes therein set forth.

3224

Verdict

Saturday March 29th A.D. 1879.

The Village of Marysville Ohio
3224 vs
Eliza Hornbeck Et al

This day came the parties and the court being satisfied from the evidence that it is necessary to appropriate the lands in said petition described for the purposes therein mentioned do order that the jury be empannelled to make the valuation of the premises and the damages that will be done to the remainder of the land as provided by law. Whereupon there came a jury to-wit; Benjamine Hannawalt- L.B. Demorest- L.P. Monroe N.P. Thompson, Robert Sharp, John Curry, W.S. Winters, A.P. Lemert Owen Wilber, James Wilson, L.D. Wright- and Monroe Martin, who being duly empannelled and sworn & after actual view of the premises and hearing the Evidence offered by the parties in the presence of the court and being Charged by the court as to the law of the case do return their verdict in the words & figures following to-wit;

The Village of Marysville Ohio vs Eliza Hornbeck, James C. McCleary, William H. Hornbeck and Lewis H. Hornbeck.

Verdict- We the jury in this case being duly empannelled and sworn do find and say That the amount of Compensation which is due to Eliza Hornbeck for her life estate irrespective of benefits is the sum of $136750, and we further say that the amount of Compensation which is due James C. McCleary William H. Hornbeck and Lewis H. Hornbeck as remainder is the sum of $607.50 irrespective of benefits by reason of the appropriation of the lands described in the petition to-wit; Being parts of Surveys No. 4066 and 3334 in the Virginia Military District- Union County Ohio and containing 3 1/2 Acres of Land, And that no damage will accrue to the remaining portion of their property by reason of such Appropriation- L.B. Demorest- James Wilson, Owen Wilber, John Curry N.P. Thompson Monroe Martin, A.P. Lemert- Robert Sharp Berry Hannawalt- W.S. Winters L.D. Wright- L.P. Monroe

Thereupon the defendants moved the court to set aside the verdict and grant them a new trial, Which Motion the court overruled and the defendants asked the court to grant them a bill of Exceptions as provided by the Statute which the court allow Sign & Seal & order to be made a part of the record, Whereupon the Court confirm said Verdict and Report of the Sheriff and the plaintiff still desiring to accept said lands for Cemetery purposes at the price fixed by said jury the court do order and adjudge that said proceedings be confirmed and the plaintiff stand seized of said premises their payment to the Clerk of this Court The sum of Nineteen Hundred and Seventy five dollars and the costs of this proceeding, and the said defendants upon the said payment are forever enjoined from Making any Claim to said premises and this decree shall operate as a Conveyance to said plaintiff of said premises according to law Conveying the entire estate of said defendants.

And the court order that out of the $1367.50 awarded to Eliza Hornbeck as her life estate the Court pay any taxes that remained a lien on said land at the date of the verdict- and the ballance of said $1367.50 be pay her taking her receipt- for the same and the

Friday April 18th A.D. 1879

the $607.50 awarded to her Children named in the petition be pay to them and their guardian Lawfully appointed or to be appointed by the Probate Court. It is further ordered that if the quantity of said land Should turn out to be more than 34½ acres. then said Village pay for the excess of said quantity at the rate of $50 per acre when the same Shall be ascertained-

3373 Ettinger v Arnold
vs.
H. H. Pringle et al.
P. H. Paul
vs
H. Pringle et al
Union Co. Bank
vs.
H. H. Pringle et al

And now, Come as well the said Plaintiff as the said defendants and thereupon a motion of the said Plaintiff for the appointment of a Reciver in these actions for reasons stated in said motion come on to be heard before the Hon. John B. Coats Judge of the Probate Court of said County (The judges of the Supreme, District and Common Pleas Courts being absent from said County of Union) upon affidavits and other evidence. On consideration whereof it is found that said property in said motion mentioned is in danger of being lost or greatly sacrificed, and that it is for the best interests of the said Plaintiffs and Defendants that a Reciver be appointed as prayed for in said motion, It is therefore ordered that J. P. Brookins be and he is hereby appointed Reciver in these several actions on his giving an undertaking to the Clerk of this Court in the sum of $5.000.00 Conditioned that the said J. P. Brookins shall faithfully discharge the duties of such Reciver in these actions and obey the orders of the Court therein. And thereupon came the said J. P. Brookins and entered into an undertaking as aforesaid with A. J. Blake and Thomas P. Crary as his sureties to the acceptance of the Clerk of said Court. And was thereupon duly sworn faithfully to perform his duties as such Reciver and it is further ordered that the said J. P. Brookins do proceed forthwith to take possession of such property as such reciver as is mentioned in said motion and all book accounts and credits of every description belonging to said Defendants Pringle, Lenox and all persons having any of said property in their possession or under their control, are hereby required and commanded to deliver the same to said J. P. Brookins as such Reciver on his demand under penalty of the law for a contempt of Court for not so delivering the same and it is further ordered that said Reciver proceed as fast as consistent, with the nature of said property and the situation of said affairs to convert the same into money and apply the proceeds to the payment of the judgments against said Defendants Pringle and Lenox according to the priority of liens obtained by levies made in said judgments. Said priorities to be determined by this Court upon the proofs shown. Done this 17th day of April 1879.

John B. Coats.
Judge of Probate Court
Union County Ohio

John L Porter Judge

Monday, April 21st A.D. 1879.

The State of Ohio } ss.
County of Union }

This Separate Session of the Court of Common Pleas of the 3d Judicial district of the State of Ohio, within and for the County of Union for the Term of April in the year of Our Lord one Thousand Eight hundred and Seventy Nine held in the Court House in the of Marysville County and State of Ohio aforesaid was begun on Monday the Twenty first day of April A.D. 1879.

Present.

Hon. C.H. Hughes Judge of the Court of Common Pleas of Allen Co. O

Justus J. Miller
Sheriff of Union County Ohio

R.L. Woodburn.
Prosecuting Attorney

Attest. W.W. Wright
Of Union County, Ohio

The venire facias for a grand jury heretofore issued and returnable this day at 10 o'clock A.M., was duly returned by the Sheriff with his indorsement thereon, as follows, to wit: The State of Ohio, Union County ss. Sheriff's Office Union County Ohio April 21st 1879. On the following named day of april 1879 I served this writ on the within named: W.C. Woods April 4th 1879, Isaac Brodrick April 4th 1879 H.G. Burnham April 4th 1879 George Harris april 4th 1879 A.P. Harvey April 7th 1879, Stephen Shirk April 7th 1879 Philip Coe April 4th 1879 G.B. Hamilton April 2nd 1879 Isaac Willet April 2nd 1879 Samuel Sherwood April 7th 1879 George Wilcox April 1st 1879 C.J. Olds April 7th 1879 J.S. Hutchinson April 7th 1879 T.W. Bridge april April 2nd 1879 Lester Clark April 7th 1879. J.J. Miller Sheriff and upon calling the same in open Court W.C. Wood, Isaac Brodrick, George Harris, A.P. Harvey, Stephen Shirk, Philip Coe, G.B. Hamilton, Isaac Willet Samuel Sherwood, George Wilcox, C.J. Olds, J.S. Hutchinson, T.W. Bridge and Lester Clark appeared in answer thereto. And the panel being incomplete the Sheriff summoned from among the bystanders to complete the same, the following named person who appeared in answer thereto to wit: Levi Longbrake. And the panel being full, the Court appointed G.B. Hamilton Foreman of the grand jury, and he with his fellow jurors took the oaths in manner and form as prescribed by law; and the said jury being instructed by the Court in relation to their duties were conducted to their room, attended by the Sheriff, for deliberation.

The following named persons compose the grand jury to wit:
G.B. Hamilton, Foreman of the grand jury. W.C. Wood, Isaac Brodrick, George Harris, A.P. Harvey, Stephen Shirk, Philip Coe, Isaac Willet, Samuel Sherwood, George Wilcox, C.J. Olds, J.S. Hutchinson T.W. Bridge, Lester Clark, and Levi Longbrake.

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1998
1845
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3318

Monday April 21st A.D. 1879

No 2093	Mary A. Thurman vs Jonathan Hammond et als	This day came on this cause to be heard on the award of the Arbitrators to whom this cause was submitted and it appearing that the assessment made on plaintiffs land was approved by said award and that the plaintiff hath paid her assessments as they became due this cause is dismissed by agreement without any record and that the plaintiff to pay the costs of the case including the half of the expenses of the Arbitration
3313	Wm Evans vs Joshua S. Gill et al	The default of defendant George P. Hamilton is opened up and leave is granted him to answer this day. Answer filed.
3261	Mary Kuntz vs Margaret R. Lush et als	Leave is granted the defendants to file answer by Saturday of this week.
3191	Julia S. McFadden vs. Harrison McFadden	Continued
3206	G. C. Poole vs. L. G. Poole	This day this cause came on to be heard and leave was asked and obtained by the Plaintiff to file motion
1998	A. C. Dring vs Dillman Goff.	Continued
1875	B. F. Mariatt exr vs. Joshua Mariatt et als.	Continued
2754	John O. Ferrall vs. J. Hammond	Continued
2755	Richmond National Bank vs W. L. Dicker	Continued
3008	York Centre Church Band vs L. B. Beebe	Continued with leave to Plaintiff to file full transcript and petition in 30 days from the rising of the Court
3318	Fechheimer Frankle & Co. vs H. H. Pringle W. H. Lenox and T. B. Fadley	This day came the Plaintiffs by its attorneys and the said defendants still being in default for answer or demurrer to the petition this cause was submitted to the Court upon the exhibits and evidence and was argued by counsel. On consideration the Court being fully advised in the premises do find the facts stated in the Plaintiffs petition to be true and the Court do further find that there is due to the Plaintiff from the said defendants upon said note in the petition set forth the sum of Two hundred and fifty seven $^{20}/_{100}$ dollars with 8% interest from April 21st 1879. It is therefore considered ordered and adjudged by the Court that the said Plaintiff recover of the said defendants the said sum of $257.20 with 8% interest from April 21st 1879. The amount so as aforesaid found due together with his costs expended taxed at $

Monday April 21st 1879

3317 Fechheimer Frankle & Co.
vs
W. H. Lenox H. H. Pringle and John Moore

This day came the Plaintiff by its attorneys Cameron & Benton and the said defendants still bring in default for answer or demurrer to the petition this cause was submitted to the Court upon the petition exhibits and evidence and was argued by Counsel. On Consideration whereof the Court being fully advised in the premises do find the facts stated in the Plaintiffs Petition to be true and the Court do further find that there is due to the Plaintiffs from the said defendants upon the note in the petition set forth the sum of Two hundred and fifty seven and 20/100 dollars with interest at 8% from April 21st 1879. It is therefore considered ordered and adjudged by the Court that the said Plaintiff recover of the said defendants the said sum of $257.20 with 8% interest from April 21st 79 the amount so as aforesaid found due together with the costs expended taxed at $

2092 R. G. Thurman
vs
Jonathan Thurmond et als

This day came on this cause to be heard on the award of the Arbitrators to whom this cause was submitted and thereupon the Court by the consent of the parties find that the assessment on plaintiffs lands was Excessive and should be reduced to $1685 with interest at seven per cent from June 20, 1876 payable semiannually in ten semiannual installments the first one due Dec. 20, 1876. That under this rule of valuation six installments of $168.50 each will be due by June 20, 1879 with all the interest at 7 per cent on said $1685 to that date amounting altogether to $136.82 and the four installments of the same amount of $168.50 each with seven per cent interest from June 20, 1879 will become due one each six months thereafter till the four are all paid. It is by the award and the agreement of the parties, ordered that all state, County and other taxes assessed against the plaintiff other than said pike taxes are to be paid without penalties & interest - The County Commissioners having agreed to remit all penalties leaving the plaintiff to pay the taxes assessed on him without any penalties or interest. It is further found by the Court with the consent of the parties that the costs of this proceeding be paid as follows viz: The County to pay all the costs except the expense of Arbitration and the balance of the costs be paid one half as adjudged against Mrs Mary A. Thurman in the other case to 2093 one fourth by the plaintiff and one fourth by the County Commissioners. There is to be no record. The said sums due and to become due on said pike tax as fixed in this decree to be collected on the county duplicate by the Treasurer of the County in accordance with the above finding and agreement and decree.

1998
2003
2483
608
1262
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1875
2003
2076
2419
2493
2570
2641
2708

Monday April 21st 1879

2003	Thomas Peacock vs. Jefferson Ford	This day this cause came on to be heard and was continued under former order.
2483	Mary M. Robertson vs. Elias Robertson	This day this cause came on to be heard and was continued
608	John Swan et al vs Henry Williams et al	This day this came came on for hearing and the defendants asked, and obtained leave to file amended answer in 40 days from the rising of the Court and the plaintiffs asked and obtained leave to file reply thereto in 20 days from the filing thereof and cause continued.
1998	A. C. Doney vs Tilman Goff -	Continued -
	~~John Swan vs Henry Williams~~ -	~~Continued with leave~~
1262	James Taylor et al vs Adam Rine -	Continued
1247	Susan Humphries et al vs Joab Huffman	Continued
1875	F. W. Marriott Exec vs Joshua Marriott et al -	Continued
2003	Thomas Peacock vs Jefferson Ford	Continued
2076	Mary J. Baker et al vs Richard White	Continued
2419	Lemuel Myers vs Edward Thompson et al	Continued
2493	John W. Barnes vs Wiley Berkley et al	Continued
2570	Saml M. Daugherty Exc vs A. J. Sterling et al	Continued
2641	Benj Woods vs William Keightlinger	Continued
2708	O. W. Reed Guardian vs R[illegible] et al	Continued

Thereupon the Court adjourned to meet tomorrow morning at 8½ Oclock.

Tuesday April 22d A.D. 1879.

This Morning Court at half past Eight Oclock The same officers being present as on yesterday,

2474 John Blair vs John Jolliff et al

Now came the parties hereto, by their attorneys; also came the following-named persons as jurors, to-wit: George Gordon Enos A. Bell. Walter Rhoads - R. A. Hall. Boanerges Crum. Lemuel Robinson - J. Rinehart - C. W. Montgomery. N. M. Baldwin. M. L. Buffington - L. W. Smith regular jurors and Thomas Wharton talis juror. Who were duly impannelled and sworn according to law and the said jury having heard the testimony adduced in part. The court adjourned until to-morrow Morning at 8½ Oclock A. M.

2726 Fritch, Nippon & Co vs William Leightinger et. al - Continued

2728 Moses Thompson vs Rawson Peacock - Continued

2754 John O'Farrel vs Joel Hammond et. al - Continued.

2755 Richmond Natl Bank vs W. L. Decker et. al, Continued.

2852 Catherine Driscol vs William Driscol et. al Continued

2958 R. W. McCamey vs James Mevain } Continued on Showing of defendant at his cost 21 is therefor considered that the Plaintiff pay the cost of this term and Execution is awarded therefor.

3012 ~~York Carter vs Neff~~ Emma Cartmell vs Benny Woodworth - Cont'd for Servic

3136 Nelson Davis vs W. H. Davis - Continued

3138 W. S. Bosh vs Sarah J. Teale Continued for Service -

3147 Joseph E. Foulke vs George Loar Continued

3191 Julia McFadden vs Harrison McFadden - Continued

3205 Chas F. Miller vs Jacob Kronkhoff et. al - Continued

2102 P. R. Kerr assignee vs Jacob C. Teale

This cause came on for hearing on the pleading and evidence and jury by agreement of parties being waived was submitted to the court. On consideration whereof the court being

Tuesday April 22d A.D. 1879

fully advised in the premises do find on the issues joined for the defendants. It is therefore considered by the Court that the said defendants go hence without day and recover from the plaintiff their Costs herein expended taxed to $ —

Thereupon Court adjourned to meet tommorrow Morning at half past Eight o'clock A. M.

Wednesday April 23d A.D. 1878.

This morning Court Met at Eight and one half Oclock The Same officers being present as on yesterday,

3191 Julia McFadden
vs
Harrison McFadden

2474

Appearing that this Cause was Entered Continued by a Misunderstanding, on Motion is opened up & the Cause assigned for hearing as originally assigned-

2483 Mary Jo. Robertson vs Elias Robertson. Continued by Consent-

2803 Thomas Moffitt vs John N. Grindle et als. Continued by Consent-

2823 Thomas Moffitt vs Elias Robertson et al Continued by Consent-

2704

2143 Marion Kent
vs
Eliza J. Sharp

This day this Cause came on to be heard upon the petition and answer and both parties waiving a jury. Thereupon it was submitted to the Court, and the Court being fully advised in the premises does find for the Defendant and assess her damages at $75.00 It is therupon considered ordered and adjudged that said Eliza Sharp recover of the said Marion Kent said Sum of $75.00 and her costs herein taxed at $— Report of Grand Jury

2474 John Blair
vs
John Golliff et al

This day again came the parties, by their attorneys and also came the jury heretofore impannelled and Sworn and the trial proceeded. And the said jury having heard the remaining testimony, the argument, and charge of the Court, retired to their room in charge of the Sheriff for deliberation,-

Thereupon Court adjourned until to morrow morning at Eight oclock-

Thursday, April 24th A.D. 1879.

This Morning Court Met at Eight Oclock the Same officers being present as on yesterday,

2474 John Blair vs John Jolliff et al

This day came the said parties by their attorneys and also came said jury into open court with their verdict in writing signed by their foreman, and say; We the jury in this case, being duly impannelled and Sworn do find and say that we find that the plaintiff was the owner of, and entitled to the possession of the real estate described in his petition at the time named in said petition and we assess his damages by reason of the wrongful detention thereof at $1.00. Thereupon the defendants gave notice of their intention to file a motion for a new trial.

2704 James Green vs Cornelius Fish

This cause is continued on motion and showing of the Plaintiff and at his cost. It is therefore adjudged that the defendant recover of the plaintiff his costs of this term of Court & expended taxed to $ -

Report of Grand Jury

This day appeared at the bar of this court the grand jury heretofore impannelled in, and for the body of the county aforesaid, viz; W. G. Wood, Levi Longbrake Geo Harris A. P. Harvey, Stephen Shirk, Philip Coe, L. B. Hamilton, Isaac Wilson Samuel Sherwood, Georg Weber, C. J. Olds, J. S. Hutchison, T. W. Bridge and Lester Clark - and presented their bill of indictment against Addison Elliott for Murder, indorsed "A True Bill" L. B. Hamilton, Foreman of the grand jury." And also their certain other bill of indictment against A. L. Wright for obtaining Money on false pretense, Also their certain Three other bills of indictments against Charles Weber for Selling intoxicating liquors on Sunday Also their two certain other bills of indictment against Charles Spears for Selling intoxicating liquors on Sunday, also their other bill of indictment against Susan Adams for Selling intoxicating liquor to a person in the habit of getting intoxicated also their certain other bill of indictment against Susan Adams for selling intoxicating liquors to a person in the habit of getting intoxicated. Also their certain other bill of indictment against Susan Adams for keeping a place where intoxicating liquors are sold contrary to law. Each indorsed "A True Bill" L. B. Hamilton foreman of the grand jury. Also their further report Viz;

We the grand jury have this day visited and made careful examination of the County Jail and find it in good condition with the exception of a lock on one of the cell doors and also some repairs that are needed to the front door of the jail. We are satisfied with the Management of the Sheriff. April 24th 1879. L. B. Hamilton Foreman of the Grand jury

Thursday April 24th A.D. 1879

3309 R. L. Woodburn vs Jament Cartmell & al } Attch & Cost Paid

2491 Ralph Hunt vs Hughy Jour } No 3313

Now came the parties by their attorneys; also came the following named persons as jurors, to-wit: W. L. Thompson, George Jordan, E. A. Bell, Walter Rhoads, Boanerges Brum J. Reinhart, S. W. Montgomery, W. L. Buffington, L. W. Smith, E. Hoyle, S. S. McDivit, and John Gibson Talesmen Who were duly impaneled and Sworn according to law. and after hearing the Evidence, argument of Counsel and charge of the Court retired to their room in charge of the Sheriff for deliberation. And now Come the said jury into open Court with their verdict in writing, Signed by their Foreman and Say; We the jury in this case being duly impaneled Sworn do find and Say that we find for the defendants and no Cause of Action. Thereupon the plaintiff gave notice of intention to file motion for a new Trial.

Thereupon Court adjourned to Meet to-morrow Morning at Eight o'clock.

2159

Friday. April 23rd A.D. 1879.

This morning Court met at eight o'clock. the same officers being present as on yesterday-

No 3313- John M Ropp Plaintiff
against-
Margaret Hartrum and
B. M. Hartrum her husband

This day came the plaintiff by his attorney and the said defendants having filed to answer or demur and being in default, thereupon this cause was submitted to the court without the intervention of a jury and the same was submitted to the court upon the Evidence Exhibits and testimony and the court being fully advised in the premises do find the allegations of said petition to be true and that there is justly due from the defendant Margaret Hartrum to the Plaintiff on the note in the petition mentioned the sum of 656^{00} on the first day of this term of the court to-wit; April 21st 1879. And the court doth further find that the said Mortgage deed in the petition described was executed by the defendants to secure the payment of said note and the interest thereon and that the same has become absolute by reason of the Nonpayment of said note & interest

Wherefore it is considered, adjudged and decreed by the court that the said Plaintiff John M. Ropp recover of the said defendant Margaret Hartrum said sum of 656^{00} on said note. the amount so as aforesaid found due- and it is further ordered adjudged and decreed by the court that the said judgment bear interest at 8 per cent from the first day of this term and that plaintiff also recover his costs herein expended taxed to $ and that an order of sale be issued in this case directing the Sheriff commanding him to appraise advertise & sell said lands & tenements in the petition described according to law and that the proceeds of such sale be applied to the payment of the judgment & costs & costs aforesaid rendered herein-

2159 Bank of North Lewisburgh
vs
Orlando Wells & Others

This day came the parties and submitted this cause to the court on the cross petition Reed Jones & Co Whereupon the Court being advised in the premises find for the said Reed Jones & Co as alleged in said cross petition and that said Reed, Jones & Co have a judgment of $194.49 debt with interest from December 20th 1875 & 3.10 Cost which sum was lien on said lands from January 19th 1876 When the transcript was filed in this court and said judgment remains a lien on said lands but the said Reed, Jones & Co received from Donohue the sum of $50. to be applied on said judgment, the 20th day of November 1877 and there remains a balance of said judgment at this date unpaid $178 37 which

Friday, April 23rd A.D. 1879.

Sum and Costs the Court order said Orlando Wells to pay within ten days together with the costs of this proceeding - The Court further find that Woods does not claim said land and the deed made to him was made simply as a security and the title to said land was in fact in said Orlando Wells and therefore unless the said Orlando Wells shall pay said Sum due to said Reed & Jones & Co within ten days then an order shall issue to the Sheriff of this County to sell said lands to satisfy the same and bring the proceeds into Court & as to all other matters not herein disposed of this Cause is continued -

3312 James A. Reed
against
William Carr and
Druzilla Carr
} Foreclosure

This day came the Plaintiff by J. C. Johnson his attorney and the defendants still failing to answer or demur are adjudged to be in default. And thereupon neither party requiring a jury this cause came on to be heard to the Court upon the Petition of the Plaintiff the evidence and was argued by Counsel upon consideration of which and the Court being advised in the premises do find that there is due to the plaintiff upon the note first Mentioned the Sum of $322.83 including interest to the first day of the present term of this Court - And the Court do further find that by virtue of the Mortgage mentioned in the petition the amount so found due is a lien upon the premises therein Mentioned - And the Court do further find that the Condition contained in said Mortgage has been broken and that the Equity of redemption of the said defendant ought to be foreclosed.

It is therefore ordered by the court - that the said William W. Carr within 10 days from this date pay to the said Plaintiff the said Sum of $322.83 with interest from the first day of the present term of this court and that he pay to the clerk of this Court the costs of Proceeding in like time and in default of said payment - It is ordered that the said premises be sold to pay the same and that the said defendants be forever barred from any Claim in said premises by virtue of the said Equity of redemption -
and it is further ordered that in default of such payment that an order issue to the Sheriff of Union County commanding him to appraise advertise and sell said premises as upon Execution and that of the proceeds of such sale he pay first the costs of this case -
2d Taxes & assessments upon said premises. Third the amount found due the plaintiff with interest from the first day of the present term of this Court - and that the residue he bring into this Court to abide its future order thereon - and this cause is continued -

3375

2762

2762

Friday April 25th A.D. 1879

3375 James Cutler &c
vs
George W. Canan & others

This day came the plaintiffs and renewed to the Court on this cause the Court being fully advised in the premises do grant an injunction until further order against said Wm Robertson constable & J. J. Miller Sheriff restraining them from proceeding to sell the property levied upon by them on Executions against said George W. Canan & Canan and Lenot as partners. but the liens and rights of all parties in said property and real Estate remain the same as if this injunction had not been allowed and said officers ordered to stay proceedings of sale leaving the assignee the opportunity to sell the same under the assignment laws of Ohio reserving to all parties their liens and rights to receive the proceeds of the Sale of said property according to their several rights and priorities The Plaintiff to give Bond in $500.00

A. L. Williams
vs
2762 John Epps } Appeal

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the Motion of the said defendant to require the said plaintiff to make his answer more definite and certain in regard to the matter of constable fees. Which Motion was sustained by the Court and thereupon the said defendant asked and had leave of the Court to withdraw all that part of his said answer in relation to constable fees so as the same would not be in any way adjudged or prejudice by this action which is accordingly done. This action shall not prejudice the collection of said constable fees hereafter.

A. L. Williams
vs
2762 John Epps } Appeal

Now came the parties herein by their attorneys also came the following named persons as Jurors. to-wit; E. A. Bell. Walter Rhoads. N. A. Hall, Boanarges Green, Lemuel Robinson. M. L. Thompson. J. Rinehart. C. W. Montgomery. N. M. Baldwin. M. L. Buffington. L. W. Smith regular Jurors and James Welsh talis juror who were duly impannelled and sworn. And the Jury having heard the testimony, Arguments and Charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into open court with their verdict in writing. Signed by their foreman. and say. We, the Jury in this case, being duly impannelled and sworn do find and say that We find for Plaintiff $72.15 interest $8.12 Total $80.87. M. L. Thompson Foreman. It is thereupon considered ordered and adjudged by the Court that the Plaintiff recover of the Defendant the said Sum $80.87 with interest so found due, and his his costs herein expended taxed to $

x Friday April 25th A. D. 1879

1844 Frank Reid by his friend vs. P. C. and St. L. Ry. Co. } Continued

2999 Anna C. Erb Extx. vs. David Watson } Continued.

3000 Anna C. Erb Extx. vs. David Watson } Continued. 3137

2623 Maria Stickles vs. John Stickles } Continued

2511 Hubert L. Philips vs. A. P. Butler } Continued

2715 Reuben Freshwater vs. Abraham Freshwater et. als } Pond under former order 2825

2837 Samuel Turner vs. Mary Turner et. als } Continued

2902 John P. Bailey vs. L. A. Dockins } Continued

2930 & 2950 D. C. Stevens Admr. vs. Mt. Carmel Lodge F. A. M. } Continued

2954 A. C. Myers et. al. vs. J. C. Pooler } Continued

2966 Elija Hopkins vs. William Hopkins } Continued

3013 Sarah Snodgrass vs. Joseph Coe } Continued 3303

3026 C. G. Pipes Admr. vs. P. B. Cole } Continued

3027 C. G. Pipes et. al. vs. P. B. Cole et. al } Continued

3093 T. W. Chesney vs. Robert W. Preston } Continued

3144 George Holycross vs. David Holycross } This cause came on to be heard and was dismissed without prejudice at the cost of the plaintiff. It is therefore considered and adjudged by the Court that the defendant recover of the plaintiff his costs herein taxed at $

3151 Albert M. Wallace vs. Martha J. Wallace } This cause came on to be heard and was dismissed without prejudice at plaintiffs costs. It is therefore considered and adjudged by the Court that said defendant recover of said plaintiff his costs herein expended taxed to 1825

3162 Union County Bank vs. George H. Kipple et als } Continued 3274

And thereupon the Court adjourned until 9 o'clock tomorrow morning.

Saturday Apr'le 26th A. D. 1879

This morning Court met at 9 o'clock. Same officers being present as on yesterday.

3137 Orlando Wells vs Justice J. Miller et al } The North Lewisburgh Bank defendant being in default for answer, on leave of the Court files it's answer whereupon the Plaintiff elects to continue the case which is accordingly done.

2825 ~~82411~~ Daniel Johnson vs Harvey M. Haines et als } This cause coming on for hearing upon the motion of Joshua B. Haines one of the defendants to set aside the decree or-der of sale heretofore rendered in this case, was argued by Counsel and submitted. Whereupon the Court being fully advised in the premises do overrule said motion. To which ruling of the Court in overruling said motion the defendant Joshua B. Haines then and there excepted and asked the Court to allow of his exception and make the same a part of the record of this case which is done ac-cordingly

3303 John King vs Patrick King, Caty King, Wm King Eugene King, Julia Clifford late King and Daniel Clifford her husband. } It appearing to the Court that the defendants Wm King and Eugene King are minors, William being 15 years of age and Eugene 9 years of age and that the said William King has neg-lected for the space of thirty days from the return of notice in Parti-tion served upon him to apply for a guardian ad litem, on motion M. C. Lawrence Esq. is hereby appointed guardian for the suit for said minor defendants, and now comes the said M. C. Laurence and in Open Court accepts said appointment.

In Partition

Harvey Haines vs H. S. Waters } Leave is granted plaintiff (on his motion) to file a petition instanter, and petition filed

1825 Daniel Johnson vs Harvey M. Haines et als } Consolidated on suggestion of Joshua B. Haines by his Attorney)

3274 Joshua B. Haines vs Daniel Johnson et als

This cause coming on for hearing upon the demurrer of J. Greenleaf & Co. one of the defendants to the Petition of said Josh-ua B. Haines to set aside the decree and order of sale heretofore ren-dered in said original action of Daniel Johnson vs. Harvey M. Haines et als in said Court was argued by Counsel and submitted: where-

ore

Saturday April 26th 1879

upon the Court being fully advised in the premises do sustain said demurrer to which ruling of the Court in sustaining said demurrer the said plaintiff then and there excepted and prayed the Court to allow his exception and make the same a part of the record in this case, which is done.

3009

No 3143 James W. Field
vs.
John Sellers et al

Now comes the Marysville Building and Loan association by their attorney and by leave of the Court, files their answer and cross petition.

2491 Ralph H Cunt
vs
Hughey Fout

This cause came on for hearing on the motion of the plaintiff to set aside the verdict and for a new trial herein, and the Court on consideration thereof does overrule the same. It is therefore considered by the Court, that the said defendant go hence without day and recover from the said plaintiff his costs herein expended.

The plaintiff then and there excepted to the overruling of said motion for new trial and asked the Court to sign & seal his Bill of exceptions as well to the overruling of said motion and as to the part of the charge of the Court to which he noted an exception at the time and thereupon the Court ordered said Bills of exception to be recorded as part of the Record of the case when signed and sealed and the Court by consent of the parties gives the plaintiff thirty days within which to present his Bill of exceptions and the Journal of the Court is ordered to be kept open thirty days for that purpose

492 State of Ohio
vs
Addison Elliott } Indictment for Murder

Now comes the Prosecuting attorney on behalf of the State of Ohio and the defendant being brought into Court in custody of the sheriff and arraigned upon said indictment for plea thereto saith he is not guilty. And it appearing that said defendant is in indigent circumstances and unable to employ counsel the Court at his request assigns D. H. Ayers to defend him. Thereupon at the request of the Prosecuting attorney the Court appointed J. H. Robinson to assist

3003

Saturday April 26th A.D. 1879

3009 James Fullington et al.
vs.
William Richie et al

This cause came on to be heard on the return of the Sheriff of the writ of execution issued herein with his report of his proceedings and sale of lands and tenements under said writ - And the Court having carefully examined the said proceedings, being satisfied that the said sale has, in all respects been made in conformity to the Provissions of the statute in such cases made and provided finds the same to be legal, and does therefore approve and confirm the same It is further ordered that the sheriff make to the purchasers James Fullington, Charles Phillis and H. H. Woods a deed in fee simple for the lands and tenements so sold to wit - Situated in the Village of Maysville and described as follows= Beginning at a stake in the corner of the original East alley and Center street of said town: Thence East with Center street 13 rods to a stake one rod east of the Wagon shop of S. Peacocks lot. Thence north 10 poles to a stake in the line of Welshs lot: Thence west one rod to a stake in the corner of said Welchs: Thence North 11 poles to the meanders of Slate Creek W. S. W. 12 poles more or less to the alley of Maysville. Thence with said alley to the place of beginning containing 2 acres more or less and designated as out Lots 34 & 35 and one rod in part off the west side of out Lot number 33 of said town being the same premises conveyed to Joseph H. Brand by Richard L. Spencer and wife by deed dated March 31st 1866 and by said Brand conveyed to said Rausch by deed dated August 22nd 1865 Except one lot sold off said tract to H. H. Woods by deed bearing date 31st of March 1874 Except also lot sold to Leonard Green off said tract by deed bearing date 31st March 1874. And a writ of possession is awarded to put the said Purchaser in possession of said premises. And the Court coming now to the distribution of the purchase money orders the Plaintiffs that they pay - First to the Treasurer of this County the taxes and penalty due upon the property sold to wit, the sum of $ Second, To the clerk of this Court the costs of this action taxed at $ Third to the Plaintiffs Fullington Phillis and Woods the amount of the Judgement herein rendered, with interest to date to wit the sum of $ Fourth to the Defendant herein the balance of said Purchase money to wit: the sum of $

3003 A. Humphries
vs.
C. M. Beck

Exceptions to deposition of J. C. Frampton sustained & Motion of defendant for security for costs sustained costs to be secured in stanter and cause continued

Saturday Apnl 26th 1879

No 2644 Robert Gibson vs Elisha Wells and H. H. Titus — This day came the Plaintiff but the defendants remained in default. Whereupon the Plaintiff submitted this cause to the Court and waived a jury, whereupon the Court being fully advised in the premises do find for the Plaintiff and that there is due the Plaintiff as claimed in his Petition the sum of $50.00 with interest from September 19. 1877 and $18.50 costs in the original Replevin case amounting altogether to this date to seventy three and 30/100 dollars. Therefor it is considered and adjudged by the Court that Plaintiff recover of defendants the said sum of seventy three & 30/100 dollars together with costs herein taxed to $

2474 John Blair vs John Jolliffe & John Cramer — This day came on this cause to be heard on the Motion for new trial and the Court being fully advised in the premises do find in favor of said motion and grant a new trial in the case and the Court order that the said defendants pay the costs of this term and judgment is hereby rendered against them for the costs of this term and cause continued

Kelton, Bancroft & Co vs E. Hammond et als — This day came on this cause to be heard on Motion whereupon the Court order John C. Price Receiver, out of the money received by him for rent of the property he pay back taxes and tax claims and the taxes as they accrue and report to the next term of this Court his account as receiver to which time this cause is continued.

2355 Anthony Kiger, Rachel Conklin and A. J. Conklin her husband vs Mary J. Turner Defendant — And now came the parties by their Attorneys and thereupon neither party requiring a Jury, submitted the case to the Court upon the issues joined between the parties, after hearing the evidence and argument of Counsel and being fully advised in the premises, do find that the Plaintiffs are seized in fee simple of the following premises being part and parcel of the premises described in the Plaintiffs petition demanded in manner and form as therein alleged described as follows, Being part of Va. Military Survey No 5249 in Union County Ohio beginning at a stone the S. W. corner of the said original survey. thence N. 7 3/4 W. 99 Poles to a stake S W. corner of Adam Shirks land, thence N. 8 E. 42 poles to a beech & stake in the north line of said tract and being the N. E. corner of the said land set off to the said Ruth Kiger as her dower in said, thence S. 8 E. 101 to the south line of the original survey and also said tract, thence

1783

with the South line of said survey S. 82 W. 42 1/3 poles to the beginning containing one third part of the said tract of land described in the petition and the same set off to said Ruth Sigua as her Dower therein and as to the balance of said tract in said petition described the Court find the plaintiffs have no title or right of possession - Thereupon the defendant moved the Court to grant her a new trial for the reason that the said finding of the Court in favor of the plaintiffs is contrary to the evidence and 2nd that the Court erred in finding in favor of the plaintiffs for the third of said premises as the dower of Ruth Sigua and third, that the evidence shows that the said Dower was never assigned so as to prevent the Statute of limitations running against the plaintiffs as to said third of said lot until her death as shown in her motion

And thereupon the Court overrule said motion for new trial to which judgment of the Court overruling said motion for new trial the defendant excepted and asked the Court to sign, seal her Bill of Exceptions which is done and the said Bill of Exceptions ordered to be made part of the record and the Journal of the Court is by agreement and order of the Court to be kept open for thirty days in order to prepare said Bill of exceptions and have the same signed, sealed and filed,

It is therefore considered by the Court here, that the said Anthony Sigua Rachel Conklin and A. G. Conklin her husband do recover from the said Mary Turner defendant, the said one third of said tract ordered herein, and also the sum of one dollar their damages so as aforesaid assessed and their costs in and about this suit in this behalf expended taxed to dollars and thereupon the defendant excepted to said judgment and asked the Court to sign and seal her Bill of exceptions which is accordingly done and ordered to be made a part of the record and the Journal is ordered to be left open for 30 days for the purpose of signing and sealing and filing said Bills.

And thereupon came the said Mary J. Turner by her attorney and made application to the Court here, for the valuation of improvement and assessment of damages under the statute for the relief of Occupying Claimants and the Court having considered of the same are of opinion that the said Mary J. Turner is entitled to pay for improvements made on said premises since the day of 1858 at the expiration of the life estate of the said Ruth Sigua: Thereupon it is ordered that further proceedings may be had in the premises, agreeable to the provision of said statute.

1783 Harvey M. Haines vs. Porter Sleafer. Continued

And thereupon Court adjourned until 9 o'clock Monday morning -

Monday April 28th A.D. 1879

The Court met at 9 oclock

No. 3065 Geo. H. Freeman vs Henry Willis et als

This day came the parties and settled this cause and the line between plaintiffs and defendants' lands is by agreement to be and remain by agreement as established by F. J. Sages running from the stone in the road straight to the Burr oak tree on the north end of their lands. And by agreement the plaintiff is to pay the costs of the case. Record to be made. It is therefore considered and adjudged by the Court that defendants recover of the plaintiff their costs laxed to $

No. 3023 John Fryman vs John McAllister et al

Now came the parties herein by their attorneys: Also came the following persons as jurors to wit. George Jordan, Hallin R Hoadley, R.A. Hall, Lemuel Robison, M.L. Thompson, J. Rinehart, G.W. Montgomery, H.M. Baldwin, M.L. Buffington, L.H. Smith regular jurors and Ralph Bonnett and J. F. Bennett Talis jurors. And the said jury having heard the testimony, the argument and charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into Open Court with their verdict in writing, signed by their Forman and say. We the jury in this case, being duly impanneled and sworn do find and say that we find for the Defendant. M.L. Buffington Forman

No. 57 State of Ohio vs Alexander Snodgrass

Now comes the Prosecuting attorney on behalf of the State of Ohio and the defendant being brought into Court in custody of the Sheriff Thereupon said defendant retracts his plea of not guilty heretofore entered for plea to said indictment saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Alex. Snodgrass pay unto the State of Ohio his fine in the sum of Twenty five dollars together with the costs herein expended laxed to $. It is further ordered and adjudged by the Court that said defendant Alex Snodgrass stand Committed until said fine and costs are paid

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486

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Monday April 28th A. D. 1879

476 State of Ohio vs Alex Snodgrass } Retailing

Now comes the Prosecuting attorney on behalf of the State of Ohio and the defendant being brought into Court in custody of the sheriff: Thereupon said defendant retracts his plea of not guilty heretofore entered, and for plea to said indictment saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Alex Snodgrass pay into the state of Ohio his fine in the sum of Twenty dollars together with the costs herein expended taxed $ It is further ordered and adjudged by the Court that the said defendant Alex Snodgrass stand committed until said fine and costs are paid.

486 State of Ohio vs Alex Snodgrass } Furnishing intoxicating liquor to a minor

Now comes the Prosecuting Attorney on behalf of the State of Ohio and the defendant being brought into Court in custody of the sheriff: Thereupon said defendant retracts his plea of not guilty heretofore entered, and for plea to said indictment saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Alex Snodgrass pay into the state of Ohio his fine in the sum of Twenty dollars together with the costs herein expended taxed at $ It is further ordered and adjudged by the court that the said defendant Alex Snodgrass stand committed until said fine and costs are paid.

450 State of Ohio vs Alex Snodgrass } Retailing

Now comes the Prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff: Thereupon said defendant retracts his plea of not guilty heretofore entered, and for plea to said indictment saith he is guilty. It is therefore considered and adjudged by the Court that said defendant Alex Snodgrass pay into the State of Ohio his fine in the sum of Twenty five dollars together with the costs herein expended taxed to $ It is further ordered and adjudged by the Court that the said defendant Alex Snodgrass stand committed until said fine and costs are paid

Monday April 28th 1879

501 State of Ohio vs. Susan Adams } Keeping place where intox liquors are sold contrary to law.

Now comes the Prosecuting attorney on behalf of the State of Ohio and the defendant Ving Wright into Court in custody of the sheriff and arraigned upon said indictment for plea thereto saith she is guilty. It is therefore considered and adjudged by the Court that said defendant Susan Adams pay unto the State of Ohio her fine in the sum of Seventy five dollars together with the costs therein expended taxed at $ and that the defendant Susan Adams stand committed and be imprisoned in the County Jail for the period of Twenty days. and further it is considered and adjudged by the Court that said defendant stand committed until said fine and costs are paid. And as to the closing of the room the case is passed for the further action of this Court.

No 3043

500 State of Ohio vs. Susan Adams } Selling intoxicating liquors to a person in the habit of getting intoxicated

Now comes the Prosecuting attorney on behalf of the State of Ohio and the defendant Ving Wright into Court in custody of the Sheriff, and arraigned upon said indictment for plea thereto saith she is guilty. It is therefore considered and adjudged by the Court that said defendant Susan Adams pay unto the State of Ohio her fine in the sum of Fifty dollars together with the costs herein expended taxed at $ and that the defendant Susan Adams stand committed and be imprisoned in the County Jail for the period of ten days, and further it is considered and adjudged by the Court that said defendant stand committed until said fine and costs are paid

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3248

499 State of Ohio vs. Susan Adams } Selling intoxicating liquors to a person while intoxicated

3255

Now comes the Prosecuting attorney on behalf of the State of Ohio and the defendant Ving Wright into Court in custody of the sheriff, and arraigned upon said indictment for plea thereto saith she is guilty. It is therefore considered and adjudged by the Court that said defendant Susan Adams pay unto the State of Ohio her fine in the sum of Forty dollars together with the costs herein expended taxed at $ And it is further ordered and adjudged by the Court that the said defendant Susan Adams stand committed until said fine and costs are paid.

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3288
3306

492 State of Ohio vs. Addison Elliott } Indictment for murder.

Now comes the Prosecuting Attorney on behalf of the State of Ohio and the defendant Ving Wright into Court in custody of the sheriff

Monday April 28th A.D. 1845

and arraigned upon said indictment for plea thereto saith he is not guilty, And it appearing that said defendant is in indigent circumstances and unable to employ counsel, the Court at his request assign D.W. Ayers to defend him. Thereupon at the request of the Prosecuting attorney, the Court appointed J. H. Robinson to assist him in the prosecution of this case.

No 3043 Ross Scott vs C. H. Hacker } This day this cause came on to be heard and the said defendant and his witnesses being for the Court and ready for trial the said plaintiff came not but neglected and refused to further prosecute this cause. It is adjudged by the Court that this cause be dismissed for want of prosecution at the cost of the plaintiff. It is therefore adjudged by the Court that the defendant recover of the said plaintiff his costs herein expended taxed to $ And the money herefore paid into the hands of the said Justice of the Peace by reason of the garnishee process be paid over to the said defendant C. H. Hacker

3224 Moses Thompson vs Harrison McFadden } Settled and cost Paid

3230 Emma Johnson vs Benj Johnson } Continued

3248 Michael Cramer vs Mt Carmel Lodge } This cause came on to be heard and was dismissed without prejudice as to George W. Court at plaintiffs costs. It is therefore considered by the Court that the said defendant recover of the plaintiff his costs herein expended taxed to $

3255 R. T. McAllister vs Elizabeth Amine } Settled

3256 Farmers Bank of Union Co vs Andrew Scoggle et al } Settled & Cost Paid

3263 Elijah A. Baker vs H. Sabine } Left off docket

3288 David McStein vs William McStein et als } Cont'd for service

3306 Courtland Gibson vs Thomas Cody et al } Continued

Thereupon Court adjourned until half past eight o'clock to-morrow morning

Tuesday April 29th A. D. 1879

Court met at 8½ o'clock this morning. The same officers being present as on yesterday.

3075 Johnson Jewell
vs
Samuel Bowman et al

This day came the parties by their attorneys and the said defendants being in default for answer or demurrer and not desiring to further defend, the said parties consented to a finding by the Court in favor of the plaintiff both as to the right of possession and right of property involved in this case and by agreement of parties the Court is permitted to assess the damages of the plaintiff at one cent.

It is further considered ordered and adjudged by the Court that the said plaintiff recover of the defendants his costs herein expended taxed to $ and by agreement there is to be no record in this case

do Farmers Bank
vs
L. C. Weitz

This day came the parties by their attorneys and settled this case and by agreement each party is to pay its own costs,
It is therefore adjudged by the Court that each party pay its own costs and by agreement there is to be no record-

2847 Allen H. Cook
vs
Sarah E. White

This day this cause came on to be heard and was submitted to the Court and the Court being fully advised in the premises do dismiss this cause without prejudice at Plaintiffs cost. It is therefore ordered and adjudged that the defendant recover his costs taxed at $ 3305

3232 Morris H. Hill
vs
Susannah Hardt et als

On motion of plaintiff by A. J. Carpenter his attorney, and on producing the return of the Sheriff of the sale made under the former order of this Court, and the Court on careful examination of the proceedings of the said sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this Court, it is ordered that the said proceedings and sale be, and they are hereby, approved and confirmed, And it is further ordered that the said sheriff convey to the purchaser Jacob V. Nash by deed in fee simple the land and tenements so sold and a writ of possession is awarded to put said purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale amounting to Twenty six hundred and Eighty two Dollars, it is ordered that the Sheriff out of the money in his hands pay. First The costs of this action taxed at $68.92
Secondly. The Court find that since the judgment herein the second one

Tuesday April 29th 1879

of the notes set forth in the Petition has become due, and is unpaid and that there is due the Plaintiff thereon with interest to the present day the sum of Eleven Hundred & Twenty four 66/100 Dollars. The Court further find that the third note in said Petition set forth and described is not yet due and that there is owing thereon to said Plaintiff the sum of Five Hundred & Sixty two & 33/100 Dollars making in all on the judgement heretofore rendered and the 1st and 2nd note Eighteen Hundred & Ninety six Dollars as the entire amount which the Court finds the Plaintiff is entitled to receive out of the Proceeds of said sale by virtue of his lien on the Property sold.

The Court further finds the defendant Jacob V. Nash still owns the last three notes set forth and described in Plaintiffs Petition and that said notes are not yet due, and that there is owing on said three notes to said Jacob V. Nash the sum of Seventeen Hundred Eighty five & 40/100 Dollars which sum the Court find said Jacob V. Nash is entitled to receive out of the Proceeds of said sale (after the Payment of Plaintiffs claim) by virtue of his lien on the Property sold. It is therefore ordered that the sheriff pay to the Plaintiff Morris H. Hill the amount herein and in the former decree found due & owing him with interest to wit the sum of Eighteen Hundred and six & 89/100 Dollars. Thirdly - To the defendant Jacob V. Nash to apply on the amount heretofore found due to him the balance remaining in his hands to wit: the sum of Seven Hundred and Seventeen and 08/100 Dollars

3305 Charles Randall
vs
P. E. Bames

This day came on this cause to be heard on the motion to discharge the attachment whereupon the Court having heard the affidavits and evidence produced by both parties and after hearing the evidence and arguments of Counsel of the parties find the affidavit of the Plaintiff on which the attachment issued is not true.

Therefore it is considered ordered and adjudged by the Court that the attachment issued in this cause be and the same is hereby dismissed and discharged and the Property seized on attachment is released at the costs of the Plaintiff made in said motion. To all of which the Plaintiff excepts and asks the Court for leave to file Petition in error: Whereupon the Court Permit the Plaintiff to file his Petition in error to District Court within the next 20 days during which time the Property attached shall remain in the hands of the sheriff. The undertaking to be in double the amount of the appraised value of the attached Property with security to the satisfaction of the Clerk of the Court

Tuesday April 29th 1879

3175 Silas H. Poling
vs
Christopher Oliphant et als

This day this cause came on for hearing on motion of the Plaintiff to confirm the sale heretofore made, and on his producing the return of the sheriff of the sale made under the former order of this Court, and the Court on Careful examination of the proceedings of the said sheriff, being satisfied that the same have been had ~~in all respects~~ in all respects in conformity to law and the order of the Court, it is ordered that said proceedings and sale be and they are hereby approved and confirmed. And it is further ordered that the said sheriff convey to Lester W. Cline, who purchased the said lands from the Purchaser Silas H. Poling by deed in fee simple the land and tenements so sold and a writ of possession is awarded to put said Lester W. Cline in possession of said Premises, And the Court coming now to distribute the proceeds of said sale amounting to $ it is ordered that the sheriff out of the money in his hands pay 1st The taxes on said Premises amounting to $10.60 2nd The costs in this action taxed at $28.28 3rd To the Plaintiff the residue of said money amounting to $

3140

3378

3137 Orlando Wells
vs.
Justus J. Miller et als

The following questions of fact are by order of the Court sent to the jury in this cause to be answered by the jury to wit:
1st Was the property levied on by the sheriff referred to in this Case the property of Osmond W. Wells at the time the same was levied as his property on the execution in favor of Plaintiff. 2nd Was the judgment on which the execution was levied in favor of the Plaintiff and against Osmond W. Wells a bona fide judgment. Thereupon came a jury to wit: George Jordan, E. A. Bell, Wallis Rhoads, R. A. Hall B. Green, Emil Robinson, M. L. Thompson, J. Rinehart, G. H. Montgomery H. M. Baldwin, M. L. Buffington, L. H. Smith, who were duly impanneled and sworn to try said issues and thereupon having made some progress in this Case Court adjourned to tomorrow morning at half past eight o'clock

497

And thereupon Court adjourned until tomorrow morning at half past eight o'clock.

Wednesday April 30th 1879

The Court met at 8 1/2 oclock this morning. The same Officers being present as on yesterday

3140 James Carlin vs Bank of South Lewisburg

This cause coming on for hearing upon the demurrers to the 2nd 3rd and 4th defenses set up in the answer and to each of said defenses separately was argued by counsel. Whereupon the Court being fully advised in the premises do sustain the demurrers of the Plaintiffs to the said 2nd and 3rd defenses in said answer and do overrule the demurrer of the Plaintiff to the said 4th defense in said answer. To which sustaining of said demurrers as to the 2nd and 3rd defenses the defendants excepted and to which overruling of said demurrer to the said 4th defense the Plaintiff then and there excepted. Thereupon Plaintiff asked and obtained leave to reply to said 4th defense - instanter

3378 Maggie A. Swartz vs Marcus Hildreth

Woodburn Now came the Plaintiff by her attorney, also came N. L. Woodburn one of the attorneys of this Court, on behalf of the defendant Marcus Hildreth, and by virtue of a warrant of attorney for that purpose, duly executed by the said Marcus Hildreth, and now produced to the Court, waived the issuing and service of Process and, with the assent of Plaintiff, confessed that the said Marcus Hildreth, is justly indebted to the said Plaintiff in the sum of Three hundred and fifty one and 15/100 dollars, as evidenced by the Promissory note of said Marcus Hildreth executed by him on the 6th day of January 1879, for the sum of $350.00 payable ninety nine days from date, with 8% interest after due. It is therefore Considered by the Court that the Plaintiff, Maggie A. Swartz recover of said defendant the said sum of Three hundred and fifty one & 15/100 dollars, with 8% interest from the date of this entry, together with his costs herein expended taxed at $

497 State of Ohio vs Charles S Spears } Selling intoxicating liquor on Sunday

This day came in open court Charles S Spears and William Weber and acknowledged themselves jointly and severally to owe and stand indebted to the state of Ohio in the penal sum of one hundred dollars to be levied of their lands and tenements, goods and chattels if default be made in the following condition to wit: That the said Charles S Spears be and appear before the Court of Common Pleas of said County of Union on Monday May 5th A. D. 1879 and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force.

half

Wednesday April 30th 1879

#98 State of Ohio vs Charles Spears } Selling intoxicating liquor on Sunday

This day came in open Court Charles Spears and William Orrow and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their lands and tenements, goods and chattels if default be made in the following condition to wit: That the said Charles Spears be and appear before the Court of Common Pleas of Union County on Monday May 5th A.D. 1879 and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force.

3142 J. C. Neill vs J. H. Hall } 3137

8 This day came the parties by their attorneys and thereupon came a jury to wit: D. T. Burr, Israel Kinney, John Harris, Frank Peart, Andrew Gill, C. L. Corey, Orlin Mackin, Stewart Green, John P. More, E. C. Smith, George Jordan, E. A. Bell, who were duly impaneled and sworn according to law. And the said jury having heard the evidence the argument of Counsel and charge of the Court: retired to their room in charge of the sheriff for deliberation. And the said jury now comes into open Court with their verdict in writing and signed by their Forman and say: We, the jury in this case being duly impaneled and sworn do find and say that we find for the defendant one dollar. Israel Kinney Forman

3336 Thomas Dain Admr vs Thomas Cone } Settled and cost paid -

3152 John B. Garretson Admr vs Mathew Lingrel et al } This day this cause came on for hearing to the Court upon the petition of the plaintiff, answer of the defendant Mathew Lingrel & reply of the plaintiff thereto and was argued by counsel: On consideration whereof the Court do find that there is at this date due upon the note in the petition mentioned including interest at the rate of 8% per cent per annum the sum of $322.80. And the Court further find that the defendants Mathew Lingrel and Martha Lingrel his wife executed and delivered to the plaintiff to secure the mortgage sued in the petition mentioned and described on the premises therein described, that said mortgage was duly recorded in Book 12. Pages 222 & 223 of the records of Mortgages of Union County Ohio and is the first and best lien on the premises described in the petition herein. The Court further find that the condition of defeasance in the mortgage has been broken and that the plaintiff is thereby entitled to have the defendants Equity of re-

Wednesday apr ie 30th A. D. 1879

demtion foreclosed. It is therfore considered and decreed that unless the said defendants within ten days from the entry of this decree pay or cause to be paid to the Clerk of this Court the costs in this cause and to the plaintiff the said sum of $322.50 and interest thereon at the rate of 8 per cent per annum from the 18th day of May 1878 according to the terms of said mortgage and the defendants equity of Redemtion be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the sheriff of Union County Ohio directing him to sell said premises free from dower as upon execution and bring the proceeds of said sale into Court for further order. Thereupon the defendant Matthew Lingrey gives notice of his intention to appeal this case to the District Court of said County of Union and the Court fixes the amount of the undertaking for appeal at $100.00.

3137 Orlando Wells vs J. J. Miller et.als. This day this cause came on further to be heard and by the consent of the Court and the agreement of the parties, one of the jurors was withdrawn from the panel, and thereupon this cause by like agreement of the parties was withdrawn from the jury and the further intervention of a jury being waived, this cause was submitted to the Court, and by agreement of the parties defendant, served with process or in court, this cause was compromised on the following terms to wit: the sale of the stock of goods and other personal property levied upon by the Sheriff of Union County Ohio by executions in favor of the defendants, the Bank of North Lewisburg, H. B. Claflin & Co. and Fullington Phillis and Woods, and heretofore in this case placed in the hands of J. B. Thelpley as Receiver and by him sold in accordance with the former order of this Court, and for the sum of $1410.00 which sale is now hereby confirmed and the said sum of $1410.00 the proceeds of said sale is by agreement of the said parties to be distributed as follows to wit: First the costs in this case to be paid including a fee of $50.00 to the Receiver in full of his compensation for services as such Receiver, Second the balance of the proceeds of said sale, shall be distributed pro rata on the following claims which amount to the respective sums foreclosed to wit: The Bank of North Lewisburg $354 76/100, H. B. Claflin & Co $2.397 64/100 and Fullington Phillis & Woods $1147 56/100 which agreement is approved by the Court and is made the order and judgment of the Court. It is further found by the court that the plaintiff Orlando Wells has no lien or claim upon said stock of goods and personal property so sold by said Receiver, or the proceeds arising from said sale, and the said Receiver is ordered to collect the moneys for which said goods were sold, from the purchasers, and distribute the same on the said claims of the Bank of North Lewisburg, H. B. Claflin & Co. and Fullington Phillis & Woods as in accordance with the foregoing agreement and order of the Court, and it is further ordered, that if there is any moneys in the hands of the Sheriff of Union County arising from any sales made by him on Executions in favor of said parties out of any of the goods herein referred to, in excess of the costs be made on said writs, the said excess (if any) is ordered to be distributed among the same parties by the said pro rata rule as herein before ordered, And it is further ordered that any costs made on said writs and in said causes not paid by the Sheriff from any sales so far as they relate to the personal property sold as aforesaid are to be added to the said sums found due to the said parties to make the basis with the sums herein before mentioned on which said pro rata distribution is to be made. And by agreement of the parties, no further record is to be made in this case.

Thursday May 1st A.D. 1879

Court met at half past eight o'clock this morning. Same officers being present as on yesterday.

3327 Stewart and Conklin vs O. C. Chase } Money only

Now comes the Plaintiffs, and the defendant being in default for answer and demurrer the Court find that the allegations of the Petition are confessed by him to be true and that the defendant is indebted to the Plaintiffs in the sum of two hundred forty eight and 47/100 dollars ($248.47/100) It is therefore considered by the Court here that the said Plaintiffs recover from the said Defendant the said sum of two hundred forty eight and 47/100 dollars with interest at eight per cent from the 1st day of May A.D. 1879 together with their costs in and about their suit expended herein taxed to $ 3203

3225 Harrison Washburn vs James D. Haines } 3203

This day this cause came on to be heard upon motion of defendant to require Plaintiff to secure the costs in this action and it appearing that Plaintiff has heretofore taken leave to secure the costs within a given time and said time having passed and Plaintiff having failed so to do it is now on application of Defendant by his Counsel ordered by the Court that said Plaintiff secure the costs in this action to the acceptance of the Clerk before the expiration of the present term of this Court, or in default thereof it is ordered that this action be dismissed at Plaintiffs costs

3379 John McWilliams vs A. C. Ault } Cognovit 466

This day came the Plaintiff by J. E. Davis his attorney, and thereupon came J. L. Cameron one of the Attorneys of Record of this Court, who by virtue of a warrant of Attorney duly executed, and now produced in open Court and duly proven, waived the issuing and service of Process and entered appearance of said Defendant herein, and by virtue of the same warrant of Attorney confesses that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiffs Petition, the sum of $ 1459.20. It is therefore considered that said do recover of said Defendant the said sum of $ 1459.20 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of eight per centum per annum. And by virtue of said warrant of Attorney, all errors are released, and all right of appeal, and all right to file a Petition in error are waived 3241

Thursday May 1st A. D. 1879

3204 Abram Sharp vs Henry C. Goff & L. B. Goff

On motion the default for reply is opened up and leave given to file reply on this first day of May which is accordingly done and thereupon the defendant asked a continuance which is granted by the Court and thereupon the plaintiff gave notice of his application for the appointment of a Receiver and the cause is ordered to remain for hearing on that motion at this term.

3203 Abram Sharp vs Emily Bigler et al

Upon motion of Plaintiff therefor, leave is hereby given to supply petition in this case instanter supplied petition filed herewith

3203 Abram Sharp Plaintiff vs Emily Bigler, Gregory Bigler, Edward N. Stewart, Phillip Snider and George A. Hill. Defendants

This day came A. J. Carpenter in person and upon motion therefor asks leave of the Court to be made party defendant herein and for leave to file his separate answer and cross petition setting judgment liens on the premises described in the plaintiffs petition. Upon consideration whereof leave is hereby given as asked for in said motion and to file the separate answer and cross petition of said defendant instanter. The answer and cross petition filed herewith.

466 State of Ohio vs Dalton Peters and Victor Payne — Assault and battery

Now came the Prosecuting attorney on behalf of the State of Ohio and the defendant Dalton Peters being brought into Court and arraigned upon said indictment for plea thereto saith he is guilty. It is therefore considered, ordered and adjudged by the Court that the said defendant Dalton Peters pay unto the state of Ohio his fine in the sum of ten dollars together with the costs expended herein taxed at $ And it is further ordered and adjudged by the Court that said defendant stand committed until said fine and costs are paid. As to Victor Payne the indictment is nolled.

3241 Joseph Stewart et. als. vs John C. Phillian — Dismissed at Plaintiffs Costs

Thursday May 1st A.D. 1879

3208 Abram Sharp Plaintiff vs Emily Bigler. Gregory Bigler Edward K. Stewart, Philip Snider and George A. Hill. } This day came said Emily Bigler by her attorney and by leave of the Court withdrew her separate answer from the files in this case, And the defendants Emily Bigler and Gregory Bigler being in default for further answer and demurr the cause came on to be heard upon the supplemental petition of said Plaintiff, and the separate answer and cross petition of defendants, Edward K. Stewart, Philip Snider, George A. Hill and A. J. Carpenter and was submitted to the Court upon the pleadings and the evidence without the intervention of a jury, on Consideration whereof the Court find that the allegations contained in said petition are true and that said defendants Emily Bigler and Gregory Bigler are indebted to said Plaintiff on said notes and mortgage set up in said petition in the sum of Five thousand one hundred and sixty one and 13/100 Dollars ($5161 13/100) and that the defendants Emily Bigler and Gregory Bigler executed and delivered the mortgage deed set up in said Supplemental petition described, and on the premises therein described that said mortgage was duly recorded in book 11. Page 47 of the Records of Mortgages of Union County and is the first and best lien on the premises described in said petition and prior to the liens of any of the defendants. The Court further find that the condition of defeasance in said mortgage has been broken and that said Abram Sharp Plaintiff is thereby entitled to have the defendants Emily Bigler and Gregory Bigler's equity of redemption foreclosed. It is therefor considered and decreed that unless the said defendants shall within three days from the entry of this decree pay or cause to be paid to the Clerk of this Court the costs in this case and to the said Abraham Sharp, Plaintiff the sum of Five thousand one hundred and sixty one and 13/100 dollars with interest at six per cent from May 1st 1879 according to the tenor of said mortgage deed, the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of Union County directing him to sell said premises as upon execution and bring the proceeds into Court for further orders.

3171 Wright Harriman vs T. C. Owen } Now came the parties herein, by their attorneys; also came the following named persons as jurors to wit: Wallis R Woods, R. A. Hall, Bonaparte Green, Samuel Robinson, M. L. Thompson, J. Rinehart, G. W. Montgomery A. M. Baswin, M. L. Buffington, L. W. Smith, D. L. Burr, Horace Kinney, who were duly impaneled and sworn according to law. And the said jury having heard the testimony adduced said cause was continued until tomorrow morning at half past 8 o'clock

Thereupon Court adjourned until tomorrow morning at half past 8 o'clock

Friday May 2nd 1879

The Court met at 8/20 clock this morning- The same officers being present as on yesterday.

3195 Andrew H. Sherwood vs. Jackson C. Holmes & Amos Beach

This day came on this cause to be heard and thereupon the Court ordered the following questions of fact to be sent to a jury in this case to be responded to by the jury to wit. 1st was it the intention of the parties in this case by the deed made to Jackson C. Holmes by Andrew H. Sherwood that said Holmes should have by said deed any part of the premises in said petition described lying north of a line running at right angles to the alley and along the south side of the barn on said premises? 2nd, Is the plaintiff entitled to the possession of the part of said premises lying north of the line along the south side of said barn. And thereupon came a jury to wit: John Harris, Frank Pearl, Andrew Gill, C. L. Corey, Peter Mackin, Stuart Green, John P. Morse, E. C. Smith, George Jordan, E. A. Pell, J. Van Pearse Talis junr and Isaac Brodrick, Talis junr, who being duly impannelled and sworn according to law returned their verdict in writing answering the first question aforesaid in the negative and the second question aforesaid in the affirmative, Whereupon this cause came on further to be heard by the Court whereupon the Court being fully advised in the premises do find for the plaintiff on the issues joined between the parties and therefore order and adjudge that said deed be and the same is hereby corrected in its description so as to conform to the intention of the parties as alleged in said petition and that said Holmes hold so much of said premises as lies south of a line running straight from the alley along the south side of the barn on said lot and no more and the balance be held by the Plaintiff And it is considered ordered and adjudged by the Court that the plaintiff recover of said Holmes the possession of the part of said premises lying north of said line running along the south side of said barn as aforesaid and recover of said Holmes his costs herein expended taxed to $ and if said Holmes does not surrender said possession in ten days that a writ of possession issue directed to the sheriff commanding him to deliver to plaintiff such possession and the said Amos Beach not claiming any interest in any of said premises the title to said premises is hereby quieted as against him

3224 Jacob Johnson vs George W. Mosher } Continued

Friday May 2nd A.D. 1849

John King Plaintiff
vs.
Patrick King, Caty King,
3303 Wm King, Eugene King,
Julia Clifford and Daniel
Clifford her husband, Mary
Desmond and Michael Des-
mond her husband Joanna
King, widow of Eugene King Decd

Now came the said Plaintiff and the said Wm and Eugene King by their Attorneys and thereupon said cause came on to be heard upon the petition of the Plaintiff and the answers of Wm King and Eugene King the minor defendants by M. C. Lawrence Esquire their guardian ad litem, and the evidence. On consideration whereof the Court find that all of the defendants have had due legal notice of the pendancy and demand of the said petition and that the defendants, Patrick King, Caty King, Julia Clifford and Daniel Clifford her husband, Michael Desmond and Mary Desmond his wife, and Joanna King the widow are in default for answer and demurrer, and that the said petition is thereby confessed by them to be true. And the Court further find the allegations of the petition to be true and that the said Joanna King widow, is entitled to dower in the premises described in the petition. and that subject thereto the said plaintiff Patrick King, is seized of and has a legal right to the undivided one seventh part of the estate described in the petition, and is entitled to have partition made of said premises, that the defendants Patrick King, Caty King, Eugene King, and William King, Julia Clifford, and Mary Desmond, are tenants in Common with the said plaintiff in the said premises in the following proportions, to-wit, that subject to such dower of the said Joanna King, the said Patrick King is seized of and has a legal right to the undivided one seventh part thereof, the said Caty King to the undivided one seventh part thereof, the said Eugene King to the undivided one seventh part thereof, the said William King to the undivided one seventh part thereof and the said Julia Clifford to the undivided one seventh part thereof and the said Mary Desmond to the undivided one seventh part thereof. And no reason appearing why partition should not be made: It is therefore ordered, adjudged and decreed, that the said Joanna King be endowed of one full equal third part of said premises, and that subject thereto partition of said Estate be made: and that an order issue to the sheriff of the said County of Union commanding him that by the oaths of Uriah S. Aldin Benjamin Lock and Martin Whitsell three disinterested and judicious free holders of the vicinity (who are not of kin to either party, and who are hereby appointed Commissioners for that purpose he set off and assign such dower to the said Joanna King according to law, and that by the like oaths of the said named Commissioners he cause to be set off and divided to the said plaintiff and to each of the said defendants the part and proportion of the said Estate to which they are herein before severally found entitled.

And it is ordered that if in the opinion of the said Commissioners said premises cannot be divided by miles and bounds, without injury to the value thereof, they appraise the same both subject to and

3171

3201

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3171

Friday May 2nd A.D. 1879

also free from the down of the said Joanna King. And of his proceedings herein the said sheriff is ordered to make due return without unnecessary delay.

3171	Wright Harriman vs T. C. Owen	This day again came the said parties, by their attorneys and also came the jury herefore impanelled and sworn and the trial proceeded. And the said jury having heard the argument of Counsel, and charge of the Court retired to their room in charge of the sheriff for deliberation. And now come the said jury into open Court with their verdict in writing signed by their Forman and say. We, the jury in this case, being duly impanelled and sworn do find and say that we find for the defendant T. M. Baldwin Forman
3201	J. W. Ford vs Village of Maysville	Settled and cost paid
3354	W. J. Woods et al. vs Anna Rosette et al	Settled and cost paid.
3360	Hannah Kinkade vs George Davis et al	Settled and cost paid.
3171	Wright Harriman vs T. C. Owen	This day this cause came on to be heard on the motion of defendant and verdict of the jury. It is therefore considered ordered and adjudged by the Court that the said defendant recover of the said Plaintiff his costs herein expended taxed to $

Thereupon the Court adjourned until tomorrow morning at half past eight o'clock

Saturday May 3rd 1879

3380 P. E. Barnes vs Charles Donigan et al } Cognovit

3264

This day came the Plaintiff by S. S. Gardiner Attorney, and thereupon came A. T. Carpenter one of the Attorneys of Record of this Court, who, by virtue of a warrant of Attorney duly executed, and now produced in open Court and duly proven, waived the issuing and service of process, and entered appearance of said Defendant herein, and by virtue of the same warrant of Attorney, confesses that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiff's Petition, the sum of $ 129 00. It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $ 129 00/100 so as aforesaid confessed to be due together with Costs of suit herein, to be taxed and with interest to be computed at the rate of 8 Percentum per annum. And by virtue of said warrant of Attorney, all errors are released, and all right of appeal, and all right to file a Petition in error are waived.

3243 C. Aultman & Co. vs. John S. Smart } Now came the parties herein, by their attorneys; also came the following named Persons as jurors to wit: John Harris, Frank Prane, Andrew Gill, C. L. Cory, Peter Mackin, Stewart Green, John P. Morse, E. C. Smith, George Jordan, E. A. Bell regular jurors and C. Hanson and W. L. James Talis jurors who were duly impannelled and sworn according to law. And the said Jury having heard the testimony, the argument, and charge of the Court, retired to their room in charge of the Sheriff for deliberation. And now come the said jury into Open Court with their verdict in writing and say: We, the jury in this case, being duly impannelled and sworn do find and say that "We find for the said Defendant" "E. A. Bell Foreman

2921 John Sessions Plaintiff vs William Balls Defendant } Order for New Appraisement

This cause came on for hearing on the motion of the defendant to set aside the appraisment of the real estate levied on in this action, and on consideration whereof and good cause being shown, it is ordered that the said appraisment be, and the same is hereby set aside, and a new appraisement is ordered

Saturday May 3rd 1879

3264 Alda Price
vs
John Price

Now came the parties herein and thereupon this cause came on to be heard on the petition of the plaintiff the Answer and cross petition of the defendant and on the evidence, On consideration whereof the Court find that the parties were married as stand in the petition and at the time of filing the petition were bona fide residents of Ohio and County of Union. The Court further find that the defendant has not been guilty of the neglect and misconduct as charged in the petition but has in all respects conducted himself as a good and faithful husband and the said petition is therefore dismissed. And thereupon this cause came on to be heard on the cross petition of the defendant and the evidence: On consideration whereof the Court find that the plaintiff has been guilty of gross neglect of duty and that by reason thereof the defendant is entitled to a divorce as prayed for in his cross petition. It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Alda Price and John Price be and the same is hereby dissolved, and both parties are released from the obligations of the same. It is further ordered that the custody care education and control of the said children of the parties hereto be confided to the said John Price exclusively.

And the Court do further find that the defendant is the owner in fee simple of the following described real estate to wit: part of Survey No. 9922 Situate in Jackson Township Union County Ohio. Beginning at a stake in the South East corner of the farm of Harvey Price in the center of Rush creek near an ash on the west bank of the creek, thence S. 78° W. 117 88/100 poles to a stake, thence N. 12° W. 56 1/10 poles to a stone, thence N. 78° E. 56 1/16 poles to the center of Rush Creek, thence with the meanders thereof to the beginning containing thirty acres. It is therefore ordered and decreed that the Plaintiff be forever divested of all and every claim title or interest by courtesy or otherwise in or to any of the real estate herein before described; and that the defendant have full power to lease, rent or dispose of the same at his pleasure. And the plaintiff is enjoined from intefering in any manner with his rights and from setting up any interest in said real estate.

Monday May 5th A.D. 1879

Court met at 9 oclock this morning. Same officers being present as on Saturday.

3357 William H. Robinson vs Louisa Thompson

Now came the plaintiff herein and the defendant being in default for answer and demurrer the Court being fully advised in the premises find that the allegations in the petition are confessed to be true by the defendant and the Court further find that the defendant is indebted to the plaintiff in the sum of Five hundred fifty one and 67/100 Dollars ($551 67/100). It is therefore considered by the Court that said plaintiff recover from the said defendant the said sum of Five hundred, fifty one and 67/100 Dollars ($551 67/100) with 8 per cent interest per annum from April 29th 1879 and also his costs herein expended taxed to $

3322 A. B. Robinson vs. James D. Herd et al

This day came on this cause to be heard on the demurrer of defendants to the petition. Whereupon the Court being fully advised in the premises do overrule said demurrer and leave is given to defendants to plead by Wednesday noon of this week - Defendants except to the overruling of said demurrer.

3347 J. W. Robinson vs Peter Hymgar et al

3385

This day came on this cause to be heard on the petition and evidence of note, and defendants made default, and a jury was waived and thereupon the Court being fully advised in the premises do find the allegations of the petition are true and there is due on said note to Plaintiff from Peter Hymgar as maker and George B. Hamilton as guarantor the sum of three hundred and sixty two and 10/100 dollars with interest from April 3rd 1878 Amounting to $23.75 and making a total of this date $385 63/100. It is therefore considered ordered and adjudged by the Court that Plaintiff recover of said defendants, Hymgar as Principal and Hamilton as guarantor said sum of three hundred and eighty five and 63/100 dollars and costs herein expended.

3323 Andrew Murine vs James Mulvain

Now comes the Plaintiff by his attorney and the defendant being in default for answer or demurrer, the Court finds the allegations of the petition to be true, and that the defendant is indebted to the plaintiff in the sum of $183 60 with 8% interest per annum from the first day of February 1879. It is therefore considered by the Court that the said plaintiff recover of said defendant the said sum of $183 60 and 8% interest per annum from the first day of February 1879 and his costs herein expended taxed to $

Monday May 5th A. D. 1879

3319 Robinson v Robinson
vs.
J. J. Grummons et al.

This day came the said Plaintiffs and the Defendant J. J. Grummons came not and made default herein and thereupon this Cause came on to be heard and was submitted to the Court, a jury being waived by Plaintiff, on the pleadings and evidence, and the Court being fully advised in the premises do find for the plaintiffs and that said plaintiffs ought to recover of the defendant Grummons the sum of Two Hundred and Forty one and 94/100 dollars on their first cause of action with interest at 8% and sixteen 57/100 dollars on their second cause of action. It is therefore considered ordered and adjudged by the Court that the said Plaintiffs recover of the said Grummons on their first cause of action the said sum of Two hundred and Forty one and 94/100 dollars with 8 per cent interest and on the second cause of action Sixteen and 57/100 dollars and costs herein expended taxed at $ And it is further considered, ordered, adjudged and decreed by the Court that if the said Grummons shall fail for ten days from the rising of this Court to pay said sum of Two Hundred and Forty one and 94/100 dollars and interest and the costs herein expended that an order of sale issue to the Sheriff of Union County Ohio who is made a special Master Commissioner for that purpose commanding him to sell the premises described in plaintiffs Petition according to law and to report his proceedings herein to the next Term of this Court, and as to Amanius mortgage continued -

3385 Ryan Johnson & Co
vs
W. C. Goldsmith

And now comes the said Ryan Johnson & Co. by A. T. Cavpenter their attorney and the said W. C. Goldsmith having failed to demur or answer to the petition of the said Ryan Johnson & Co. it is considered that the said Ryan Johnson & Co. ought to recover the said sum of $658 70/100 so demanded in their petition together with the sum of $12 07/100 which the Court finds due as the interest thereon as prayed for in said petition. It is therefore considered that the said Ryan Johnson & Co recover against the said W. C. Goldsmith the said sum of $670 77/100 together with their costs in and about their suit in this behalf expended taxed to $

The Union Central Life Insurance Company
vs.
Wm M. Haines et al

This day came the parties, and the Court having heard the evidence finds there remains due to the Plaintiff on account of the interest accrued prior and up to December 1st 1878 on the note in the petition described the sum of $18.00, which the defendants are ordered to pay to the plaintiff within ten days, and as to the principal of said note, and the interest accruing and accrued since December 1st 1878 and all other questions the cause is continued

Monday May 5th A.D. 1879

3356 James H. Roney
vs.
Luther Hutchinson

Now came the plaintiff herein and the defendant being in default for answer and demurr the Court find that the allegations of the petition are confessed by him to be true and the Court further find that the defendant is indebted to the plaintiff in the sum of $183.00 It is therefore considered by the Court here that the said plaintiff recover from the said defendant the said sum of One hundred and eighty three dollars ($183.00) with interest from May 1st 1879 and his costs herein expended taxed to $

3325 Samuel Ream Sr.
vs.
Henry Bell et. als

This day this cause came on for hearing and the Defendants having failed to answer or demur to the Petition of Plaintiff herein the Court find that the allegations therein contained are confessed by them to be true and that they are indebted to said plaintiff in the sum of thirty and 46/100 Dollars with interest from the 21st day of April a.d. 1879. It is therefore considered by the Court that the Plaintiff Samuel Ream Sr. do recover from the defendants Henry Bell, Samuel Ballinger and Enoch Williams the said sum of Thirty and 46/100 Dollars with interest from the 21st day of April a. D. 1879 together with his costs herein expended taxed to $ and Execution is awarded

3264 Alda Price
vs.
John Price

Now came the parties herein

3346 W. H. Lamunn
vs.
Jesse Taylor et. al.

And now comes the said plaintiff by his attorneys and thereupon this cause came on for hearing on the pleadings and evidence, on consideration whereof the Court do find that the said William H. Lamunn obtained the judgment as he has in his petition alleged, and there is now due on the same the sum of $141 24/100 and that the said S. H. Lamunn holds a mortgage on said premises and that the same is a prior lien to said judgment, And the Court do further find that the said defendant Jesse Taylor and the said Justus Taylor in whom the recorded title to the premises in the petition described appears are one and the same person. It is therefore considered and ordered by the Court that unless the said defendant Jesse Taylor shall, within 10 days from the close of this term of Court pay or cause to be paid to the said plaintiff the said judgment of $141 24/100 with interest and costs of said judgment and this action, that an order issue to the Sheriff of said County to appraise advertise and sell the premises in the petition described as the lands and tenements

No 3334

491

of Justus Taylor, according to law and that he bring the proceeds into Court for further order-

#0 3334 E. S. Callendar
vs
C. H. Tallman et al

And now comes the said E. S. Callendar by Carpenter and Brodrick his attorneys and the said defendants still failing to answer or demur to said petition, it is considered that the said plaintiff is entitled to an account of the money due him in the premises, and the Court after hearing the evidence, do find that there is due to the said plaintiff, on the notes and mortgage in said petition described, the sum of One Thousand Two Hundred and ninetten dollars and ten cents with interest from the 21st day of April A.D. 1879. It is therefore considered by the Court here, that the said plaintiff recover of the said defendant C. H. Tallman the said sum of One Thousand Two Hundred and Ninetten dollars and ten cents with interest from the 21st day of April A.D. 1879 the sum so found due as aforesaid and also his costs taxed to $ And it is further ordered and adjudged, that in case the said defendants C. H. Tallman and M. S. Tallman fail for ten days from the close of this term of the Court, to pay to the said Plaintiff the said sum of One Thousand, Two Hundred and Ninetten dollars and ten cents, so as aforesaid found due, with costs of suit, an order issue to the Sheriff of said County, Commanding him to cause the said lands and tenements in said petition described, to be appraised, advertised and sold according to law, and apply the proceeds of said sale in satisfaction of the said sum so found due with costs of suit.

State of Ohio
vs. } Recalling
#91 W. S. Alden

This day came the defendant W. S. Alden into open Court and acknowledged himself to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of his lands and tenements, goods and chattles if default be made in the following condition to wit: That the said W. S. Alden be and appear before the Court of Common Pleas of said County of Union at the first day of the next term thereof and then and there abide the order and sentence of the Court & not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force-

Monday May 5th A.D. 1849

#67 State of Ohio vs C. Spears } Retailing

This day came in open Court H. S. Alden, J. P. Morse and Charles Spears and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal Sum of One Hundred dollars to be levied of their goods and Chattles lands and tenements if default be made in the following condition to wit: That the said Charles Spears be and appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force.

#68 State of Ohio vs C. Spears } Furnishing intoxicating liquor to a minor

This day came in open Court H. S. Alden, J. P. Morse and Charles Spears and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of One hundred dollars to be levied of their goods and chattles, lands and tenements if default be made in the following condition to wit: That the said Charles Spears be and appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force. 3297

#90 State of Ohio vs Charles Spears } Furnishing to a minor.

This day came in open Court C. Spears, J. P. Morse and H. S. Alden and acknowledged themselves jointly and severally to owe & stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattles, lands and tenements if default be made in the following condition to wit: That the said Charles Spears be and appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

3325 Samuel Ream Sr. vs Henry Bell et al. }

This day this cause came on for hearing and by agreement the judgment rendered by the Court herein was set aside, It is therefore considered ordered and adjudged that the said judgment be and the same is hereby set aside and held for nought. and leave is granted to defendants to plead in 40 days from the rising of the Court and cause Continued.

Monday, May 5th A.D. 1879

No. 2776

Steinberger & Hause
vs.
H. Singer

On motion of the Plaintiff and on his producing the return of the Sheriff of the sale made under the former order of this Court and the Court on careful examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this Court, it is ordered that the said proceedings and sale be and they are hereby approved and confirmed. And it is further ordered that the said Sheriff convey to the purchaser Steinberger & Hause by deed in fee simple the lands and tenements so sold and a writ of possession is awarded to put said purchaser in possession of said premises, and the Court coming now to the distribution of the Proceeds of said sale amounting to $ it is ordered that the Sheriff out of the money in his hands pay First, the costs taxed in this action at $ Second that he shall pay the taxes thereon taxed at $. Third to the defendants E. C. Eichenmyer and George Wolf the amount herein for found due them with interest, to wit: The sum of $109[79]. Fourth to the Plaintiffs Steinberger & Hause the amount herein for found due viz: $331[12]. Fifth to the defendant H. Singer the balance of the money remaining in his hands to wit: the sum of $

3229

Farmers Bank of Union County
vs.
W. E. Baxter, Mary E. Baxter, Clemens Oscamp & Robt. Nelson

3229

This cause came on for hearing on the petition the answer and cross petition of defendant Clemens Oscamp and the answer and cross petition of defendant Robert Nelson, W. E. Baxter and Mary E. Baxter being in default for answer or demurrer and was submitted to the Court. On consideration whereof the Court do find that the defendant W. E. Baxter and Mary E. Baxter his wife executed and delivered to the plaintiff the Farmers Bank of Union County the mortgage deed in the petition described and on the premises described therein, that said mortgage was duly recorded in Book No. 13 page 132 of the records of mortgages of Union County and is the first and best lien on the premises described in the petition, Clemens Oscamp the 2nd best and Robert Nelson the 3rd best. The Court further find that the condition of the defesance in said mortgage has been broken and that the said Plaintiff is thereby entitled to have the defendants W. E. Baxter and Mary E. Baxter equity of redemption foreclosed. And the Court further find that there is due to the said Farmers Bank of Union County from the defendant W. E. Baxter the sum of $ 1092,84 on the notes set up in the said plaintiffs petition including interest to the 6th day of May 1879. That there is due to the defendant Clemens Oskamp on the note set up in the cross petition of the said Clemens Oskamp including interest to the 6th day of May A. D. 879 the sum of $ 163[00] with interest from said May 6th 1879 at 8% and to secure the payment of the said notes the defendant W. E. Baxter and

× Monday May 5th A.D. 1879

May C. Baxter his wife executed and delivered to said Clemens Oscamp their certain mortgage note as in the petition described on the same premises described in the plaintiffs petition, that said mortgage was duly recorded in book 13 P. 189 of the records of mortgages of Union County and is the second first lien on the said premises for the amount so found due- And the Court further find that there is due to the defendant Robert Nelson from the defendant W. E. Baxter on the notes set up in the cross petition of the said Robert Nelson including interest to the 6th day of May A.D. 1879 the sum of $575 73/100 and that to secure the payment of said notes the defendant W. E. Baxter and May C. Baxter his wife executed and delivered to the said Robert Nelson their certain mortgage as in the cross petition of said defendant Nelson described, on the same premises described in the plaintiffs petition. That said mortgage was duly recorded in book 14 P. 112 of the records of Mortgages of Union County Ohio and is the third first lien on the said premises for the amount so found due. It is therefore considered, ordered and adjudged that unless said defendant W. E. Baxter shall within ten days from the entry of this decree pay or cause to be paid to the Clerk of this Court the Costs in this case and to the plaintiff and defendants Clemens Oscamp and Robert Nelson the sums so found due them as aforesaid with interest from the 6th day of May 1879 according to the terms of said mortgage deeds the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of Union County Ohio directing him to sell said premises as upon execution and bring the proceeds into Court for further order and this action is continued as to all other questions

3313

3163 Charles W. Curtis, Guardian vs. Rosannah C. Curtis et als } Continued by consent

3166 W. Helfrich vs William M. Sales Admr. } Continued

3168 Commissioners of Madison County vs. Thomas Jones } Continued by consent

3169 Margaretta B. Lusch vs. Jacob Lusch } Cause Continued

3174 K. C. Scott vs. Rebecca Morse } Continued

3183 Newton Case vs. C. C. Vansant et al. } Continued for Service

3184 Anna E. Erb exx vs. David Watson et al. } Continued

3196 Joseph Comer et al. vs. Michael Klue et als } Continued

3210 ▽ 3055 C. W. Smith vs. William H. Stones et als. } Continued under former order

3222 Samuel Carmichael vs. Sarelia Billings et als } Continued

Thereupon Court adjourned until 8 1/2 o'clock tomorrow morning-

3249

* An application was drawn within the State of Ohio signed by Francis Baldwin one of the defendants and sent to Plaintiff by an agent of the said Plaintiff in this State for a loan from the said Plaintiff. To said defendant in the sum of $ and secured by Plaintiff at his place of business in the State of Michigan, and said notes and mortgage in the Petition set forth and mentioned were drawn in said State of Michigan in

Tuesday May 6th A. D. 1879

Court met at 8½ o'clock this morning. The same Officers being present as on yester-day.

William Evans
3313 vs.
Joshua S. Gill & George B. Hamilton

This day this cause came on to be heard upon the pleadings and evidence and the said defendant Joshua S. Gill being in default for answer except as to four payments of twenty dollars each as set forth in said answer of said Joshua Gill and the said cause being submitted to the Court upon the pleadings, it is considered by the Court here that said Joshua S. Gill is in default for the balance due on the said note set up in Plaintiffs petition, It is therefore considered by the Court here that the plaintiff recover of the said defendant Joshua S. Gill the sum of Ten hundred and thirty three 82/100 dollars with interest therein at eight per cent from the first day of this term of Court and his costs herein taxed at $ and if the same is not paid execution issue therefor, and as to all other matters between the said plaintiff and said defendants herein this cause is continued

Michigan Mutual Life Insurance Co.
vs.
Francis Baldwin et al
3249

And now came the said parties by their attorneys and thereupon this action came on for hearing upon the pleadings and evidence, and was argued by counsel, On consideration whereof the court find that there is due to the said plaintiff on the note and mortgage in said petition described, the sum of Eleven hundred and eighty eight dollars and thirty six cents. The court further finds that * said note and mortgage were given and executed in the State of Michigan, and that they legally draw ten per cent interest after maturity, It is therefore considered by the said Court here that the said plaintiff recover of the said defendants the sum of Eleven hundred and eighty eight and 36/100 dollars with ten per cent interest from May 6th 1879 the sum so found due as aforesaid and also his costs taxed to $ and it is further ordered and adjudged that in case the said defendant fails for three days from the close of this term of the Court to pay to the said plaintiff the said sum of Eleven hundred and eighty eight 36/100 dollars as aforesaid found due with costs of suit an order issue to the Sheriff of said County Commanding him to cause the said lands and tenements in said petition described to be appraised, advertised and sold according to law, and apply the proceeds of said sale in satisfaction of the said sum so found due with costs of suit, To all of which rulings and decisions of the Court the defendants by their attorneys then and there excepted. They also gave notice of their intention to appeal from the decree and order of sale so rendered and entered, and the Court fixed the amount of appeal bond at $

order

* An application was drawn within the State of Ohio signed by Francis Baldwin one of the defendants and sent to Plaintiff in this State for a loan of $ the said Plaintiff to said defendant sent in the sum of $ accepted by Plaintiff at its Office of business in the State of Michigan, and said note and mortgage in the petition set forth and sued upon were drawn in said State of Michigan in accordance with said application, but they were executed in the State of Ohio by the defendants.

Tuesday May 6th A. D. 1879

Eddie F. Burnham
vs.
Lucius A. Burnham
Divorce and Alimony

This day this cause came on to be heard on motion of the plaintiff for the appointment of Trustee. And it appearing to the Court that Enoch Garwood the Trustee heretofore appointed in this case has recently deceased leaving said trusteeship vacant, and the Court being fully advised in the premises do appoint James B. Whipley such trustee with all the powers heretofore granted to the said Enoch Garwood by the order this Court heretofore made in this case

3320

R. L. Woodburn Admr &c
vs
Caroline Chavous et als

This day came the said Plaintiffs and the Defendants came not and made default herein and thereupon this cause came on to be heard upon the pleadings and evidence and the Court being fully advised in the premises do find for the plaintiffs and that the said Plaintiffs ought to recover of the defendant Hiram Roney by reason of the premises the sum of Four hundred and sixty five and 40/100 dollars with interest at eight per cent. It is therefore considered ordered and adjudged by the Court that the Plaintiffs recover of the defendant Hiram Roney the said sum of Four hundred and Sixty five and 40/100 dollars and interest at eight per cent and costs herein expended taxed at $ It is further found by the Court that the said sum of Four hundred and sixty five and 40/100 dollars with interest thereon at eight per cent is a mortgage lien on said premises described in Plaintiffs petition and that the equity of the case is with the plaintiff and that the defendants Caroline Chavous, Sylvester Chavous, Mary Ann Chavous James Ulysses Chavous, Harriet B. Chavous and Jacob Chavous and Robert Cordell and Ada Cordell the heirs and legal representatives of Anderson Chavous decd hold the legal title to said premises subject to plaintiffs said mortgage deed and that said premises ought to be sold to pay said plaintiffs mortgage lien aforesaid and that there is due thereon by reason of the premises, to the plaintiff the said sum of Four Hundred and Sixty five and 40/100 dollars with interest at eight per cent. It is therefore considered, ordered and decreed by the court that if the said claims of Four hundred and Sixty five 40/100 dollars and the interest and costs herein expended are not paid for the period of ten days from the rising of this Court that an order of sale issue to the Sheriff of Union County Ohio who is appointed a Special Master Commissioner for that purpose, commanding him to sell said premises according to Law and to report his proceedings therein to this court

3053

3362

2610

2816

3030

Elizabeth Parthemore
vs.
William R. Stage

Now come the said parties by their attorneys, and then

2817

Tuesday May 6th A.D. 1879

upon this action came on for hearing to the Court upon the petition of Plaintiff Answer of Defendant and Reply thereto by Plaintiff, together with the written article of agreement marked "A" and attached to the plaintiffs petition and the evidence and was argued by counsel and the Court being fully advised in the premises do find that the said William R. Sage Defendant has not reasonably complied with the terms of said written article of agreement, and therefor the said deed of conveyance mentioned in said petition from said Plaintiff to said Defendant for Lot No. 10 in the Village of Milford Centre has become void and of no force, as the said plaintiff in her said petition has alleged, It is therefor considered by the Court that said deed of Conveyance in said petition described be and the same is hereby set aside and vacated, and declared to be void and of no force and effect in law to effect or convey the title of the said described premises to the said Defendant, And it is further considered that said Defendant do recover of the said Plaintiff his costs in and about this suit in this behalf expended taxed at dollars and cents.

Thereupon the said Defendant gave notice of appeal and the Court fixed the undertaking for appeal at one hundred dollars -

3053 Sims McCaw vs. L. C. Wurtz et al.

This day came the parties and settled this cause at the cost of the defendant. It is therefor considered and adjudged by the Court that the plaintiff recover of the defendant his costs herein expended taxed to $ and by agreement there is to be no record

3362 S. A. McElroy et als vs. Edward Powers

The defendant having filed his answer that the heirs of Julia Ann Anderson claim or are supposed to be claiming an interest in said lands and that said heirs ought in equity to be made parties defendant. It is therefore ordered by the Court that due notice be published in the Marysville Tribune for six weeks to the heirs of Julia Ann Anderson dec'd to assert their claim to said lands or their right thereto will be barred by the order of this Court and this cause is continued.

2610 John J. Gabriel vs. Eli G. Piper Admr &c — By consent of Defendant this cause is continued at plaintiffs costs at his request

2816 Myron Gabriel vs. E. G. Piper Admr &c — By consent of Defendant this cause is continued at plaintiffs costs at his request.

2817 John J. Gabriel Minor vs. E. G. Piper Admr &c. — By consent of Defendant this cause is continued at plaintiffs costs at his request

Tuesday May 6th A.D. 1879

3268 Abel M. Lacy vs J. W. Cummings et. als

This day this cause came on to be heard on the motion of the defendants to require the plaintiff to separately state and number his petition and to reform prayer of petition and the Court being fully advised in the premises do sustain said motion and thereupon leave was granted to Plaintiff to amend his said Petition within forty days from the rising of the Court.

501 State of Ohio vs Susan Adams } Indictment for keeping a place where intox. liq. are sold contrary to law.

This day came on this cause to be heard further and thereupon the Court do find decree and adjudge, that further that the said place kept as plead to by said defendant is a nuisance and under the Statute upon which said indictment was found should be avoided and thereupon the Court order the same avoided according to law.

State of Ohio vs Andrew McLaughlin } Contempt of Court

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said charge for plea thereto saith he is guilty, but claiming he did not understand the order, thereupon it is ordered and adjudged by the Court, that said defendant be released by paying costs and that he does not violate said order of Court hereafter

493 State of Ohio vs A. L. Wright } Obtaining money under false pretenses.

And now comes the prosecuting attorney on behalf of the State of Ohio, and presents to the court the recognizance of said defendant taken before John P. Coats, Probate judge of Union County in State of Ohio on the 4th day of March 1879 in the sum of Five hundred dollars with Orlando M. Scott and Judson J. Scott as sureties. Thereupon the said defendant being three times solemnly called to appear and answer said charge as he agreed to do, and failing so to do, and Orlando M. Scott and Judson J. Scott the sureties, each being three times solemnly called to produce the body of said defendant as they agreed to do and failing so to do, the Court order that the said recognizance be, and the same hereby is, forfeited absolutely

350 State of Ohio vs. Harmon Singer } Continued for sentence

351 State of Ohio vs. Harmon Singer } Continued for sentence

358 State of Ohio vs. William Richter } Continued for Sentence

359 360 391 392 426 427 432 460 461 465 467 468 472 473 474 490 491 492 494 495 496 497 498 434

Tuesday May 6th A. D. 1879

359 State of Ohio vs. William Richter } Continued for Sentence.

360 State of Ohio vs. William Richter } Continued for sentence.

391 State of Ohio vs. William Richter } Continued for sentence

392 State of Ohio vs. William Richter } Continued for Sentence

426 State of Ohio vs. William Kudgel et als } Continued

427 State of Ohio vs. James M. Darling } Leave off docket

432 State of Ohio vs. Thomas Fowler } Continued for Sentence

460 State of Ohio vs Orrin Decker } Cont'd, for arrest

461 State of Ohio vs Finding Tought } Leave off Docket

465 State of Ohio vs. William Hazen } Continued for arrest.

467 State of Ohio vs. Charles Spears } Continued by agreement.

468 State of Ohio vs. Charles Spears } Continued by agreement

472 State of Ohio vs. Frank Davis } Continued for arrest.

473 State of Ohio vs. Frank Davis } Continued for arrest.

474 State of Ohio vs. Frank Davis } Continued for arrest

490 State of Ohio vs. Charles Spears } Continued by agreement

491 State of Ohio vs. U. S. Alden } Continued by agreement

492 State of Ohio vs. Addison Elliott } Ponds by order of Court for want of time to try.

494 State of Ohio vs. Charles Urben } Demurrer to indictment sustained, Excepted to by Prosecuting attorney

495 State of Ohio vs. Charles Urben } Demurrer to indictment sustained, Excepted to by Prosecuting attorney

496 State of Ohio vs Charles Urben } Demurrer to indictment sustained, Excepted to by Prosecuting atty

497 State of Ohio vs Charles Spears } Demurrer to indictment sustained
Excepted to by Prosecuting attorney

498 State of Ohio vs. Charles Spears } Demurrer to indictment sustained
Excepted to by Prosecuting attorney

434 State of Ohio vs. Burkham } Continued

Wednesday May 7th A.D. 1879

Court met at 8½ oclock A.M. Same officers being present as on yesterday.

3337 H. W. Baxter vs T. W. Chesney & E. L. Chesney

This day day came on this cause to be heard on the demmer of E. L. Chesney to the petition and the demmer of plaintiff to the answer of T.W. Chesney, whereupon the Court being fully advised in the premises do sustain both of said demmers and thereupon plaintiff asked and obtained leave to file ammended petition by Thursday the 8th day of May 1879

3311 Edwin Andrews vs Ruth A. Andrews

This cause came on for hearing on the petition (defendant failing to answer or demur) and the evidence and was submitted to the Court. On consideration whereof the Court find that the plaintiff at the time of filing his petition had been a resident of the State of Ohio for one year next preceding the same and was at that time a bona fide resident of this County of Union and that the parties hereto were married as in said petition set forth - The Court further find, upon the evidence adduced, that the defendant has been guilty of gross neglect of duty as charged in the petition, and that by reason thereof the plaintiff is entitled to a divorce as prayed for. It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Edwin Andrews and Ruth A. Andrews be and the same hereby is, dissolved, and both parties are released from the obligations of the same. And it is further ordered that the plaintiff pay the costs of this proceeding

3156 P. B. Cole, Trustee &c vs Ed. Sidle et. als. 3236

This day came on this cause to be heard on the demmer to the petition, whereupon the Court overrule said demmer to which ruling of the Court defendants except. Thereupon the cause is continued with leave to defendants to plead in thirty days

3143 James W. Field vs John Sellers et al

This cause came on for hearing on the answer and cross petition of the defendant Maysville Building and Loan association and was submitted to the Court upon the pleading and evidence, the Court find that the allegations of the answer and cross petition are true, And that the defendants John Sellers and A. J. Sellers his wife executed and delivered to the Maysville Building and Loan association the mortgage deed in

3242

Wednesday May 17th A. D. 1879

the answer and cross petition described, and on the premises therein described, that said Mortgage was duly recorded in Book [illegible] of the R. E. R. Page 103 of the record of Mortgages of Union County and is the first and best lien on the premises described in the petition. The court further find that the condition of defeasance in said mortgage has been broken and that the said Marysville Building and Loan association is thereby entitled to have the defendants equity of redemption foreclosed - It is therefore considered and decreed that unless the said defendants John Sellers and A. J. Sellers shall within three days from the entry of this decree, pay or cause to be paid, to the Clerk of this court the costs in this case and to the said Marysville Building & Loan Association the sum of Seventy four 56/100 dollars ($74.56) with interest from April 23rd 1879 according to the terms of said mortgage and, the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of Union County directing him to sell said premises as upon execution, and bring the proceeds into Court for further order

3242 — A. K. McFarland et. al vs. Wm Robeson — Petition in error

This cause came on to be heard upon the petition and exhibits of the Plaintiff, was argued by counsel, and the court being fully advised in the premises. find that there was error in the proceedings of the justice, in this case as alleged and complained of by the Plaintiffs in their said petition. Whereupon it is ordered by the court that said proceedings and judgments by said justice be and the same are hereby vacated and set aside, and wholly held for nought and all seizures or levies of property, upon writs issued by said justice, in said proceedings are hereby held for nought and wholly discharged, and said cause is set down for trial in this court

3236 — E. Carter & Co et. al vs. J. W. McCracken et. al

Now came the parties herein, by their attorneys: also came the following named persons as jurors to wit: E. A. Bell, Geage Jordan, R. A. Hall, M. L. Thompson, J. Rinehart, L. W. Smith, Andrew Gill, Frank Pearl, D. T. Burr, G. W. Montgomery, W. A. Rhoads, Israel Kinney, who were duly impaneled and sworn according to law; And the said jury having heard the evidence the argument of Counsel and charge of the court retired to their room in charge of the Sheriff for deliberation - And now come the said jury into open Court with their verdict in writing signed by their foreman and say, We, the jury in this case, being duly duly impaneled and sworn do find and say that We find for the Plaintiff $45.92/100 Enos A. Bell Foreman. It is therefore ordered and adjudged by the Court that the Plaintiffs recover of the Defendant, J. W. McCracken the said sum of $45.92 and their costs herein laid at. And it is further adjudged by the Court that said claim and judgment are and the same is hereby held as a lien upon the Real Estate

× Wednesday May 7th A. D. 1879

described in Plaintiffs Petition and that unless said judgment and costs be paid within ten days from this date, that an order issue from the Clerk of this Court to the Sheriff of said County to sell said premises as upon Execution and bring the proceeds into Court for further order and this cause is continued as to all other defendants and as to question of Priorities of liens, to the next Term of this Court, at which time all of the other defendants have leave to file answers and cross petition

R. L. Woodburn Admr. vs. Saml Cannon et als } Settled & costs paid

3310 Newton Case / D. Mulford } This Cause came on to be heard and was continued on Showing of defendant and at his costs for the term. It is therefore considered and adjudged by the Court that the Plaintiff recover of the defendant his costs herein expended for this term taxed to &

3326 Cannon & Benton vs. Isaac Temple et al } Continued for service

3328 Christopher Oliphant vs. Justus J. Miller } Continued with leave to defendant to answer in 30 days from the rising of the Court.

3329 Guilford Oliphant vs. Justus J. Miller } Continued with leave to defendant to answer in 30 days from the rising of the Court

3331 Samuel Gamble vs. Israel Cain et al } Continued

3333 The Peoples Bank vs. Michael St. John et al. } Continued

3341 H. M. Rouse vs. Pleasant Valley B. & L. Association } Continued

3342 Andrew Brightlin vs. Susan Little } Continued

3344 Henry Wheeler vs. J. McElroy } Settled & Cost paid

3345 Rachael Mallow vs. Clinton Burris } Continued with leave to plaintiff to plead to answer in 40 days from rising of the Court

3349 P. G. Wyncoop vs. George Bishop et al } Continued

3332 Nathan Mills vs. J. R. Pickett et al. } Continued with leave to plaintiff to reply in 30 days from rising of the Court

Thereupon Court adjourned until 9 o'clock tomorrow morning —

2281

2766

3165

3072

Thursday
~~February~~ May 8th A. D. 1879

Court met at 9 oclock this morning. Same officers being present as ow yesterday

2281 Rogers, Duck & Lewis vs. J. W. McCracken } Foreclosure of mortgage

On motion of the Richwood Union Building and Savings Association which at a former term of this Court took a decree and order of sale on cross petition in this case and on producing the Writs of the Sheriff, of sale made under former order of this Court and the Court on careful examination of the proceedings of said Sheriff, being satisfied that the same have been had in all respects in conformity to law and the orders of this Court, it is ordered that the said proceedings and sale be and the same are hereby approved and confirmed. And it is further ordered that the said Sheriff convey to the purchaser by deed in fee simple the lands and tenements so sold and a writ of possession is awarded to put said purchaser in possession of said premises. The Court find that since the entry of this decree and order of sale aforesaid there has fallen due 62 payments of dues interest and fines up to this 7th day of May 1879 making the sum of $48 98/100 now due. And the Court coming now to distribute the proceeds of said sale amounting to eighty four and 25/100 dollars it is ordered that the Sheriff out of money in his hands pay. First the costs in this action taxed to $ Second the tax on said premises $5 24/100 And third the balance to the Richwood Union Building and Savings Association holding the lien first and best on said premises.

2766 Maysville Building and Loan Association vs. Jacob Snell et al. }

This cause came on for hearing on the motion to set aside the sale and allow Jerry Rinehart, F. F. Gaut David S. Snell, Judicial Dror to be made defendants. And on consideration thereof and a good cause shown it is ordered that the sale be set aside and it hereby is, and another sale ordered, also that Jerry Rinehart David S. Snell F. F. Gaut and Judicial Dror be allowed to file their answers and cross petition within thirty days from the rising of the court.

3165 Christian Jenson vs John T. Bedwell et als }

This day came on this cause to be heard on the motion of John T. Bedwell. Whereupon the court being fully advised in the premises do overrule said motion and on motion leave is granted to said Bedwell to file answer by this morning May 8th 1879

3072 W. W. Woods vs. W. C. Barnett } On motion leave is given to W. H. Robinson and Louisa Thompson and C. Eichenmyer to become parties defendants and file answers in 30 days and cause continued.

Thursday May 8th a.d. 1879

2955 Leonard Dann vs John A. Phillips et als

This day came the plaintiff and dismissed this cause at plaintiffs costs without prejudice – No record. It is therefore considered and and adjudged by the Court that this cause be dismissed without prejudice and defendants recover of plaintiffs their costs herein expended taxed to $

3142 J. C. Neville vs. J. H. Hall

This cause came on to be further heard on the verdict rendered herein. Whereupon it is considered ordered and adjudged by the Court that the defendant go hence without day and recover of plaintiff his costs herein taxed to $

3304 Hannah A. Grimm vs. Alson Brouson

On proper showing by defendant this cause is continued at his costs. It is therefore considered and adjudged by the Court that plaintiff recover of defendant the costs of this term.

3081 J. S. Norton Co vs School District 101 et als

This day the Court order all defendants to file their answers in 30 days and cause is continued

3350 P. J. Voyeth vs W. H. Storms et als.

This day came on this cause to be heard and the right of trial by jury was waived and the cause submitted to the Court whereupon the Court being fully advised in the premises do find the allegations of the petition to be true and there is due the plaintiff from the defendants the sum therein claimed to wit: $ 735 38/100 and that said Storms and Cordy are principals and said Moffit is guarantor and Endorser. It is therefore considered and adjudged by the Court that Plaintiff recover of said Storms and Cory as principals and said Moffit as guarantor the said sum of $735 38/100 together with his costs herein expended taxed to $

3330 J. J. Finley, Admr vs Margaret Finley } Cause continued as upon showing by Plaintiff at his costs

It is therefore considered and adjudged by the Court that defendant recover of plaintiff the costs of this term.

3348

3140

3071

3316

Thursday May 8th A.D. 1879

3348 Margaret Grant vs John Moore et als — Continued with leave to plaintiff to file ammended petition in 20 days

3140 Hosea Finch et als vs Matilda Wirt et als.

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the pleadings exhibits and testimony and was argued by Counsel, On consideration whereof the Court being fully advised in the premises do find the equity of the case to be with the defendant. It is therefore considered, ordered and adjudged by the Court that the defendants recover of the said plaintiffs their costs herein expended taxed to $ Thereupon said plaintiffs gave notice of their intention to appeal this case to the District Court and the Court fix the bond at $200.00

3071 Isaac Jane vs Mary May — This day came on this cause to be heard on the pleadings and evidence, Whereupon the Court being fully advised in the premises do find for the defendant that the land in said petition described was paid for by her money and she is the equitable owner thereof. It is therefore considered, ordered and adjudged by the Court that the petition be dismissed so far as it seeks to claim said lands to pay the said plaintiff said claim which is the relief sought in said petition. It is therefore ordered that plaintiff to pay the costs herein expended taxed to $ and in default for thirty days of such payment execution issue therefor. Notice of appeal by plaintiff and the amount of appeal bond is fixed at $200.00

3316 Osborn Salcamp & Co vs J. W. Southard et als

Now came the plaintiffs herein and the defendants being in default for answer and demurrer the Court find that the allegations of the petition are confessed by them to be true, and the Court further find that the defendants are indebted to the plaintiffs in the sum of One Hundred, Seventeen and 59/100 Dollars ($117.59). It is therefore considered by the Court here that the said plaintiffs recover from the said defendants the said sum of one hundred Seventeen and 59/100 dollars with interest from the 10th day of May A.D. 1879 at eight per cent per annum together with their costs herein expended taxed to $

J. S. Gill vs L. Sabine et als — Motion to set aside sale.

On motion of defendant and by consent of all parties the sale in this cause is set aside and the cause is continued under former order

Thursday May 8th a.d. 1879

2138 Richwood Union Building and Saving Association
vs.
Ross Scott and others
} Foreclosure of mortgage

3153

On motion of the Plaintiff and on its producing the return of the Sheriff of the sale made under former order of this Court and the Court on careful examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this Court it is ordered that the said proceedings and sale be and the same are hereby approved and confirmed. And it is further ordered that the said Sheriff convey to the purchaser by deed in fee simple the lands and tenements so sold and a writ of possession is awarded to put said purchaser in possession of said premises

And the Court now coming to distribute the proceeds of said sale amounting to $756 00/100 it is ordered that the Sheriff out of money in his hands pay. First. The taxes on said property amounting to $167 87/100 including tax of June 1879. Second the costs in this action taxed to $

Thirdly, The balance of said money to the Plaintiff, including the sum of $182 12/100 which has fallen due since the entry of said decree in this case making the amount now due the plaintiff in dues, interest and fines the sum of $288 67 and as to the further distribution of the said proceeds in payment of the amount yet to become due in dues, interest and fines to said plaintiff and all other matters this cause is continued

3022 A. J. Hartman
vs.
A. Beck
}

3351 3353 3359 3361 3363 3364 3365 3366 3367 3368

This day this cause came on to be heard on the return of the Sheriff of the writ of execution issued herein, with his report of his proceedings and sale of lands and tenements under said writ. And the Court having carefully examined the said proceedings, being satisfied that the said sale has, in all respects, been made in conformity to the provisions of the Statute in such cases made and provided, finds the same to be legal and does, therefore, approve and confirm the same

It is further ordered that the Sheriff make to the purchaser, A. B. Robinson a deed in fee simple for the lands and tenements so sold to-wit: Out Lot No (2) Two in the Village of Plainsburgh, in Union County and State of Ohio. And the said purchaser is hereby subrogated to all the rights of any lien holder who shall be satisfied herein, for the protection of his title, And a writ of possession is awarded to put said purchaser in possession of said premises. And the Court coming now to the distribution of the purchase money in the hands of the Sheriff orders that he pay. First To the clerks of this Court the costs in this action taxed at $40 62/100 2nd To Comer, Evans & Co, the amount of the judgment of said Comer, Evans & Co, in an action against said Defendant A. Beck on transcript of J. R. Taylor J. P. of Leesburg Township Union County Ohio amounting to $57 89 and to the clerk the costs therein amounting to $7 50/100 3rd To the Plaintiff A. J. Hartman the remainder of the purchase money of said premises amounting to $92 94/100

Thursday May 8th 1879

3153 John L. Southard et. als. vs. David Mulford et als } This day Came on this case to be heard by the Court upon the Pleadings, Evidence and argument of Counsel, Whereupon the Court find for the plaintiffs on the issues joined and that the intention of Henry Duffield and Sarah Duffield in making this said power of attorney to Joshua Judy was to authorize him to convey by deeds the lands in said petition discribed, but that the said power was not legally acknowledged in form, and the Court find that said Judy intended to make good deeds to the parties under whom the plaintiffs hold said lands in possession, and that said grantees paid in full for said lands to said Judy as such Attorney in fact, and that now in equity they are entitled to have the intention of said parties carried into effect against the defendants and their title quieted. Therefore it is ordered and decreed by the Court that the title and possession of the plaintiffs in said lands be and the same are hereby quieted and the defendants enjoined forever from making any efforts to disturb the title or possession of the plaintiffs in said lands in said petition discribed. It is further ordered and decreed that defendants within ten days pay the costs herein expended taxed to $ and in default thereof that execution issue therefor as upon judgments at law. Notice is given by defendants of their intention to appeal and ask the Court to fix the amount of the undertaking for appeal and the Court fix the same at $200.00

3351 W. J. Woods admr. vs A. L. Smith et.al. } Settled and cost paid

3353 Hannah Kinkade Admrx. vs. John Deary, } Settled and cost paid

3359 D. W. Kyle et al vs. W. C. Barnett et als } Continued

3361 Henry Wheeler vs. Hannah Kinkade et.als. } Continued

3363 Sarah A. Webster et.al. vs. T. W. Smith et.als. } Continued

3364 Finley L. Davis vs. Elijah Liston } Continued with leave to defendant to answer in 30 days from Rising of the Court

3365 Edward Faurot et.al, vs. Margaret A. Ellis et.al } Continued

3366 S. Walker vs. J. T. Lenox et.als. } Continued

3367 Solomon Walker vs. G. W. Cannon et.als } Continued

3368 Solomon Walker vs. G. W. Cannon et.als. } Continued

And Thereupon Court adjourned until 9 o'clock tomorrow morning.

Friday May 9th 1879

Court met at 9 oclock this morning- Same officers being present as on yesterday.

2733 William B. Thompson vs. James Hoover } Cause argued on demurrer to 2nd defense of answer, and demurrer sustained. Leave to withdraw answer and file amended answer in 30 days from rising of Court- Cause Continued-

3303 John King vs Patrick King et als. } This cause came on for hearing upon the return of the Sheriff and the report of the Commissioners heretofore appointed herein, and on the motion to confirm the same, And it appearing that said estate cannot be divided by metes and bounds without manifest injury to the value thereof, and that said Commissioners have made and returned their appraisement of said premises free from the dower of the said Joanna King in the sum of $300.00, the Court find the said return and proceedings in all respects correct and in conformity to law and do therefor approve and confirm the same, And the said Joanna King having by her answer waived her dower by metes and bounds and asked that in lieu thereof its value be paid her in money, the Court find the just and reasonable value of her said dower interest to be one hundred dollars- And it appearing to the Court that the said Patrick King has elected to take the said premises at their appraised value, the same are therefor upon payment of the said sum of $300.00 adjudged to him, And the Sheriff is ordered to convey said premises to him by deed in fee simple free of dower

It is further ordered that out of the proceeds of said sale the Sheriff pay, First, to the Treasurer of said County dollars being the taxes and penalty due on said premises, Secondly, to the clerk of this Court the costs of this action including a counsel fee of $15.00 to P. B. Colcord son for their services herein, taxed to $ thirdly, to the said Joanna King widow the said sum of $100.00 as and for her full dower interest in the said premises- Fourthly- and of the residue of the proceeds of said sale to the plaintiff John King one seventh of the cash proceeds to wit the sum of $ and also one seventh of the notes for the deferred payments, To the said defendants Patrick King, Cally King, William King Eugene King, Julia Clifford and Mary Desmond, each one seventh of the cash proceeds to wit, the sum of $ and also one seventh of the notes for the deferred payments

3369 W. J. Woodward Admr. vs. A. Holmes et al. } Continued

3371 A. Moodie vs. A. Boylan } Continued

3372 Martha Moore vs. John Moore } Continued

3272

2839

3235

Friday May 9th A. D. 1879

3272 A. H. McFarland et al. vs Wm Robertson

This day this cause came on to be heard upon the Petition and exhibits of the Plaintiff, was argued by counsel, and the Court being fully advised in the premises do find there was error in the said procedings and judgments of the justice of the Peace. Therefor the said procedings and judgment of said justice be and the same are hereby revised & vacated with costs. It is further ordered by the Court that the Defendant pay the costs of this action and the costs made by the procedings of said justice, hereby set aside. And said action is retained for trial in this Court as upon appeal. To the last ruling of the Court the Plaintiff excepts.

2839 Samuel Miller vs Isaac Maddox et als

This day came on this cause to be heard on petition of plaintiff and the answers of the Administrator of the Estate of Robert Smith dec'd and his heirs at law and the answer of G. W. Longnecker & Elizabeth Longnecker and the answer of the A. & G. W. Rail Road Company and the evidence. Whereupon the Court find in favor of said defendants on the issues joined and that said mortgage in said petition described is fully paid as alleged in said answers. It is therefor considered ordered and adjudged by the Court that the plaintiffs petition be dismissed and that defendants recover of the Plaintiff their costs herein expended taxed to $ and the Court further order and adjudge and decree that said mortgage be and the same is hereby cancelled and plaintiff gave notice of his intention to appeal to the District Court and the Court fix the appeal bond at $200.00

3235 Rebecca J. Moffitt vs James C. Moffitt

This day this cause came on to be heard upon Plaintiffs petition and the defendant being in default for demurr or answer was submitted to the Court upon the pleading and evidence, On consideration whereof the Court find that the plaintiff at the time of filing her petition had been a resident of the State of Ohio for one year next preceding the same and was at that time a bona fide resident of this County of Union and that the parties hereto were married as in said Petition set forth. The Court further find upon the evidence adduced that the defendant has been guilty of gross neglect of duty and extreme cruelty and that by reason thereof the plaintiff is entitled to a divorce as prayed for. It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Rebecca J. Moffitt and James C. Moffitt be and the same hereby is dissolved and both parties are released from the obligations of the same. It is further considered by the Court that the said Rebecca J. Moffitt recover from the said James C. Moffitt her costs herein expended taxed at $ and that execution is awarded

Friday May 9. A.D. 1879

P. R. Kerr
vs
Samuel Lytle

This day this cause came on to be heard, on the motion of the Plaintiff to confirm the sale of the premises levied upon and sold by the Sheriff in this case and the return of the Sheriff of said sale being produced to the Court, and the Court being fully advised in the premises do find that said sale was in all particulars, regular and in accordance with the law; It is therefore ordered that said sale be and the same is hereby confirmed, and the said Sheriff is ordered to make to the purchaser a deed of conveyance of said premises according to law. and that the proceeds of said sale be applied to the payment of plaintiffs judgment, after paying the Costs of this action and the taxes upon said premises,

3239

Angeline Lockwood Plaintiff
vs
Olin Lockwood, Amanda Lockwood
Westley Lockwood, George Lockwood
Malvina M. Lockwood, Israel Lockwood
Erastus Lockwood, Francis Lockwood
Warren Lockwood, Harrison Lockwood
Edward Lockwood Evaline Martin
Ella Ford, Defendants

This cause being heard upon the demurrer to the petition, the Court on consideration thereof overrule the said demurrer and thereupon the defendants failing to plead further the Court find upon the petition and evidence that the defendants are indebted to the plaintiff in the sum of Two hundred and Eighty five dollars and that the said indebtedness is a charge upon the lands descried in the petition and said plaintiff has a lien upon said lands for the payment thereof. That the said sum was paid by said plaintiff on assessments for gravel road improvements made upon the estate of said defendants in said lands. It is therefore considered and adjudged that unless the defendants shall within 20 days from the entry of this decree pay or cause to be paid to the Clerk of this Court the costs in this case and to the said plaintiff the sum of $285.00 Two hundred and Eighty five dollars so found due as aforesaid with interest from the 21st day of April A. D. 1879 the 1st day of this term of said Court the said premises shall be sold and an order of sale therefor shall issue to the Sheriff of Union County directing him to sell said premises subject to the life estate of the plaintiff therein as upon execution and bring the proceeds into Court for further order. Thereupon the said defendants gave notice of their intention to appeal to the district Court and the Court fix the bond for appeal at $100.00

3322

3189

3240

H. C. Hamilton
vs
James Butler et al

This day this cause came on to be heard on motion of defendants to open up the continuance and strike certain matters from the reply of the plaintiff, was argued by Counsel and the Court being fully advised sustain said motion and the plaintiff has leave to amend his petition in 30 days from rising of Court. Cause continued

Friday May 9th A. D. 1879

No 3338 Sarah T. G. Southard et al
vs
Samuel McAllister et al

And now comes the said plaintiffs Sarah T. G. Southard and Charles W. Southard by Parsons & Brodrick their attorneys, and the said defendants still failing to answer or demur to said petition, it is considered that the said Plaintiff Sarah T. G. Southard is entitled to an account of the money due her in the premises, and the court after hearing the evidence, do find that there is due to the said plaintiff Sarah T. G. Southard, on the note and mortgage in said petition described, the sum of one thousand and Eight hundred dollars and Seventy eight cents, with interest at eight per cent thereon from the 21st day of April A.D. 1879.

It is therefore considered by the said court here that the said Plaintiff Sarah T. G. Southard recover of the said defendants Samuel McAllister the said sum of One Thousand and Eight hundred dollars and seventy eight cents with interest thereon at eight per cent from the 21st day of April A.D. 1879. It is further considered, ordered and adjuged that in case the said defendants Samuel McAllister and Louisa J. McAllister fail for ten days from the close of this term of the Court, to pay to the said Plaintiff Sarah T. G. Southard the said sum of one Thousand and eight hundred dollars with eight per cent interest thereon from the 21st day of April 1879. So as aforesaid found due, with costs of suit, an order issue to the Sheriff of said County Commanding him to cause the said lands and tenements in said petition discribed to be appraised, advertised and sold according to law and apply the procends of said sale in satisfaction of the said sum so found due, with costs of suit.

A. B. Robinson
vs.
James D. Herd et al } Settled and costs paid-

3322

Rufus M. Fogle
vs
Eli Fogle et al } on motion to the Court and it appearing that Loyonis & Fogle are Minors over 14 years of age it is ordered that R. L. Woodburn be and he is hereby appointed Guardian ad litem for the Suit for the said Minors and thereupon came the said R. L. Woodburn for the Suit and accepted said appointment and filed his answer-

3159

Thereupon the Court adjourned until 9 oclock tomorrow morning

Saturday May 10th A. D. 1879

3189 J. W. Cummings Admr. vs. William A. Epps and Sarah Epps } On Foreclosure

This day came the parties and the defendant moved the Court for leave to file answer for the defendant Sarah Epps, which leave was accordingly granted and answer filed instanter to which said Answer Plaintiff filed reply and the cause coming on to be heard upon the petition answer and reply together with the evidence and arguments of Counsel and the Court being fully advised in the premises do find equities of the case in favor of the plaintiff - And it appearing to the Court that the second note in the petition set forth has fallen due and that there is due on said note to this date the sum of $293 33 it is considered by the Court that the plaintiff ought to have an account of said money in said sum of $293 33 which said note is secured by said mortgage and a lien on said land.

The cause then coming on to be further heard upon the motion of the Plaintiff to confirm the sale heretofore made in this case and Plaintiff producing the return of the Sheriff of the sale made under former order of this Court and the Court on careful examination of the proceedings of said Sheriff being satisfied that the same have been in all respects in conformity to law and the orders of this Court and the Court being fully advised in the premises ordered that said proceedings and sale be and the same are hereby approved and confirmed - And it is further ordered that the Sheriff convey to the purchaser J. W. Cummings by deed in fee simple the lands and tenements so sold and a writ of possession is awarded to put the purchaser in possession of said premises -

And the Court coming now to distribute the proceeds of said sale amounting to $625 00 it is ordered that the Sheriff out of money in his hands pay, First, The costs in this action taxed to $38 33/100, Second, To the Plaintiff the taxes on said premises for which he holds a lien amounting to $117 27 Third To the Plaintiff the sum of $558 78/100 the amount due on said mortgage and note up to this date. Whereupon the said Sarah Epps gave notice of a motion to set aside said findings and decree and for a new trial, And said motion having been heard by the Court and overruled the said Sarah Epps then and there excepted to said overruling and asked the Court to sign and seal his bill of exceptions therein and make the same a part of the record in this case which is accordingly done - To all of which orders and rulings of the Court the defendant Sarah Epps excepts and gave notice of her intention to appeal. Whereupon the Court fix the bond at $100

2493 John W. Barnes vs Wiley Berkley et al. } Continuance opened up. Settled and cost paid

3305 Charles Randall vs P. E. Barnes } This day this cause came on to be heard on motion of Plaintiff for leave to amend Petition and make Camp & Randall parties defendant, was argued by counsel. The Court being advised in the premises sustain said motion and leave is granted said Plaintiff to amend his Petition as prayed for in said motion in 30 days from rising of Court. To which P. E. Barnes objects

3382

3381

3370

No. 3343

Saturday May 10th A. D. 1879

Bank of North Lewisburg
vs.
3382 J. W. Haines & Geo. W. Hinick

This day came the Plaintiff by Robinson & Piper Attorney and thereupon came R. L. Woodburn one of the Attorneys of Record of this Court, who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process and entered appearance of said Defendants herein and by virtue of the same warrant of Attorney, confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition the sum of $705 35/100 It is therefore Considered that said Plaintiff do recover of said Defendants the said sum of $705 35/100 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of eight per centum per annum. And by virtue of said warrant of Attorney, all errors are released, and all right of appeal and all right to file a petition & petition in error are waived.

C. S. Callender
vs.
3381 A. Judy et. al.

This day came the Plaintiff by Carpenter & Brodrick his Attorneys and thereupon came P. R. Kerr one of the Attorneys of Record of this Court who by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process and entered appearance of said Defendants herein and by virtue of the same warrant of Attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition, the sum of $127 14 It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $127 14 so as aforesaid confessed to be due together with costs of suit herein, to be taxed and with interest to be computed at the rate of eight per centum per annum. And by virtue of said warrant of Attorney, all errors are released and all right of appeal, and all right to file a petition in error are waived.

C. S. Chapman
vs
3340 Daniel S. Ford et. al.

This day came the Plaintiff by his attorneys and asked and obtained leave of the Court to make Idora A. Ford a Party Defendant in the above action, and cause continued

Duncannon Iron Co.
vs.
No. 3343 John Sensel

This day came the Plaintiff by its attorneys and upon good cause shown this action is dismissed by said Plaintiff. by leave of Court without prejudice to a new action herein.

Saturday May 10th A.D. 1879

3254 Sophronia Healy vs. A. L. Smith & Co. et als

This day this cause came on for hearing and thereupon came the plaintiff by her attorney and the defendants being in default for answer and demurrer, the Court find that the allegations of the petition are confessed by them to be true and that they are indebted to the plaintiff in the sum of $273 74/100 with 8% from April 21st 1879. It is therefore considered and adjudged by the Court that the said plaintiff do recover from the said defendants the said sum of Two hundred and Seventy Three dollars and seventy four cents with eight per cent interest from the 21st day of April 1879 and her costs herein expended taxed to $

3324

3137 Orland Wells vs. Justus J. Miller et als

This day the said Osmond W. Wells appeared in Court by his attorney T. E. Powell and moved the Court here for leave to enter his appearance in this case and file his answer and cross petition herein and said motion was argued by Counsel and submitted to the Court, upon consideration whereof the Court do overrule said motion and refuse leave to said Osmond W. Wells to file said answer to which rulings of the court the said Osmond W. Wells by his attorney hereby excepts.

3159

3383 The Peoples Bank vs. Allen Little, Elijah Little & J. J. Anderson } Replevin.

This day came the plaintiff by Carpenter & Broderick Attorneys and thereupon came G. O. Hamilton one of the Attorneys of Record of this Court who by virtue of a warrant of attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process and entered appearance of said defendant herein, and by virtue of the same warrant of Attorney confesses that there is due from said defendant to said Plaintiff as is alleged in said Plaintiffs petition the sum of $354 50. It is therefore considered that said Plaintiff do recover of said defendants the said sum of $ 354 50 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorney, all errors are released and all right of appeal and all right to file a petition in error are waived.

3258

3173 Bank of North Lewisburg vs. James Carter et. al. } This day came on this cause to be heard on the demurrer of Carter and A. M. Pitcher to the cross petition of Reed whereupon the Court do overrule said demurrer. Whereupon the said defendants asked and obtained leave for said defendants to file answer to said cross petition by one o'clock P. M. of May 12. 1879 and leave also to same parties to answer the cross petition of W. A. West within same time

3339

Saturday May 10th A. D. 1879

3324 Bank of North Lewisburg
vs.
Orlando Wells et als.

This day came on this cause to be heard on demurrer to the 2nd defence of plaintiffs reply whereupon the Court being fully advised in the premises do overrule said demurrer to which defendant excepts. Whereupon defendant Elizabeth Wells made showing for continuance which is granted at her costs - with leave to her to file amended answer in thirty days. It is therefore considered and adjudged by the Court that said plaintiff recover of said defendant the costs of this term taxed to $

3159 Rufus Fogle
vs.
Eli Fogle et al

This cause came on for hearing and was submitted to the Court upon the pleadings and evidence, on consideration whereof the Court find and construe the will of William Fogle as follows to wit - That Eli Fogle is first to receive Two hundred dollars and Jacob Fogle thirty five dollars out of his estate - The balance of the real estate to be divided equally between Eli Fogle, Rufus Fogle, George Fogle Sarah Ann James, Albert Fogle, James L. Fogle, Mary C. James, Frecnie C. Fogle, Lydia A. Fogle, Rachael C. Fogle, excepting Albert Fogle and Rufus Fogle who are each to receive Fifty dollars less than Eli Fogle, George Fogle, Sarah Ann James, James L. Fogle, Mary C. James Frecnie C. Fogle, Lydia A. Fogle and Rachael Fogle. and that Jacob W. Fogle is only to receive Twenty five dollars in all as his share from said estate of William Fogle, and that Eli Fogle is to receive Two hundred dollars more than any other heir named in said will, and costs made in this case follows the partition

3258 C. Aultman & Co
vs.
John S. Smart

This day came on this cause to be heard on the motion for new trial, whereupon the Court being fully advised in the premises do overrule said motion and enter judgment on said verdict. Whereupon it is considered ordered and adjudged by the Court that the defendant go hence without day and recover of the plaintiffs his costs herein expended taxed to $ to all of which the plaintiffs excepted and asked the Court to sign and seal its bill of exceptions. and order the same to be made part of the record - which was done and ordered accordingly

3339 Richwood Union Band & Association
vs.
J. M. Newhouse et al

This day came Godman Thornhill & Co. by their attorneys Carpenter & Brodrick and asked and obtained leave of the Court to file an answer and cross petition herein.

Saturday May 10th A. D. 1879

3140 James Carlin
vs.
Bank of North Lewisburgh

Cause continued with leave to defendant to file amended answer and answer the interrogations to the reply in 30 days.

John Fryman Plaintiff
3023 vs
John McAllister & Jacob W. Harkins

Now comes the Plaintiff by his attorney and the defendant John McAllister being in default for answer or demurrer this cause came on for hearing on the petition and evidence: On consideration whereof the Court find that the said defendant John McAlister is indebted to the plaintiff in the sum of one hundred and forty six and 85/100 dollars. It is therefore considerd by the Court that the said plaintiff recover of the defendant John McAlister impleaded herein with Jacob W. Harkins. The said sum of one hundred and forty six and 85/100 dollars and his costs herein expended taxed to $. And the motion for a new trial as to the defendant Harkins this cause is continued

John Beatty
3355 vs
Jesse Redman et als

This day this cause came on to be heard upon the plaintiffs demurr to the answers of defendant P. R. Kerr and was argued and submitted to the Court. Whereupon the Court being fully advised in the premises sustained said demurr- 3314

er.

John Beatty
3355 vs.
Jesse Redman et. als.

And now comes the said plaintiff by A. T. Carpenter his attorney and the Court having sustained plaintiffs demurr to the answer of P. R. Kerr and he having filed no other answer and none of the other defendants having answered or demurred to plaintiffs petition and it appearing to the Court from the answer of defendant P. R. Kerr and the evidence that since the execution of the note and mortgage set forth in plaintiffs petition that the premises therein described have since been conveyed by Jesse Redman and Margaret Redman his wife, defendants herein to the defendant P. R. Kerr and that when he purchased said premises he agreed to and did assume and agree to pay to plaintiff the note described in plaintiffs petition and release defendant Jesse Redman from all liability thereon. It is therefore considered by the Court that the said plaintiff is entitled to an account of the money due him in the premises, and the Court after hearing the evidence do find that there is due from the defendant P. R. Kerr to the plaintiff on the note and mortgage in said petition described the sum of Forty and 35/100 dollars

It is therefore considered by the Court here that the said plaintiff recover of the said defendant P. R. Kerr the said sum of Forty and 35/100 Dollars the sum so found to be due on the 21st day of April A. D. 1879 with interest from said date, as aforesaid, and also his costs taxed to $~~20.11~~

And it is further ordered and adjudged that in case said defendant P. R. Kerr fails for three days from the close of this term of Court

to pay to said plaintiff said sum of Forty $\frac{35}{100}$ dollars with the interest thereon from the 21st day of April A. D. 1879 so as aforesaid found due with costs of suit, an order issue to the Sheriff of said County Commanding him to cause said lands and tenements in said petition described to be appraised, advertised and sold according to law and apply the proceeds of said sale in satisfaction of the said sum so found due with costs of suit.

2757 Richwood B. B. & L. Association vs John M. Tucker et als

This day this cause came on for hearing upon the motion of the defendant John M. Tucker by his attorney to set aside the sale heretofore made in this case and also upon motion of John A. Cook to be made a party defendant and have leave to file an answer and cross petition herein. On consideration whereof the Court do sustain both of said motions and the appraisement and sale heretofore made in this case is set aside and held for naught and a new appraisement and new sale of said premises is hereby ordered upon the premises described in the petition of Plaintiff and the said John A. Cook has leave to file an answer and cross petition (and answer filed) herein and cause continued.

3314 John A. Cook vs Hugh J. Perry

This day this cause came on for hearing upon motion of the defendant to require the Plaintiff to give security for costs herein on consideration whereof the court do sustain said motion and the Plaintiff has leave to secure the costs herein in thirty days from the close of this Term of Court and cause continued.

William Y. Beatty vs J. W. Crawford

On motion of the plaintiff and on his producing the return of the Sheriff of the sale made under the former order of this court: and the Court on careful examination of the proceedings of the said Sheriff, being satisfied that the same have been had in all respects in conformity to law and the orders of this court it is ordered that the said proceedings and sale be and the same are hereby approved and confirmed. And it is further ordered that said Sheriff convey to the purchaser Wm Y. Beatty by deed in fee simple the lands and tenements so sold, and a writ of possession is awarded to put said purchaser in possession of said premises, And the Court coming now to distribute the proceeds of said sale amounting to Fifty $\frac{50}{100}$ dollars, It is ordered that the Sheriff out of the money in his hands pay, First, The costs herein taxed to $. Secondly the taxes in arrears on said lot, $3.91 Thirdly, To the said plaintiff, Wm Y. Beatty the residue of the money arising from said sale in the hands of said Sheriff to wit: the sum of $15.33 to be applied as a credit on his said judgment against the said defendant And then still remaining due to the said William Y. Beatty the sum of $29.22 it is considered that he recover the same from the defendant J. W. Crawford and that execution is awarded therefor

Saturday May 10th A. D. 1879

3216 Union Building and Loan Association
vs.
Abraham Morey and Abby B. Morey

Now came the plaintiff herein and the defendants being in default for answer and demurrer the Court find that the allegations of the petition are confessed by them to be true and that the defendants have failed to pay to the plaintiff the weekly installments of dues and the interest as in the petition set forth and that there was due at the date of this decree to the said plaintiff from the said Defendants as dues the sum of Sixty five dollars and as interest the sum of Fifty dollars making in all for dues and interest the sum of $115.00/100. The Court further find that in order to secure the regular payment of said dues and installments that the said Abraham Morey and Abby B. Morey his wife executed and delivered to this plaintiff their certain mortgage in the petition described and on the premises therein described, that said mortgage was on the 31st day of March A. D. 1871 duly recorded in Book No. 8 on page 335 of the records of mortgages of the said County of Union and that the same is a first lien on said premises in the petition described. It is therefore considered by the Court that unless the said defendants shall within ten days from the entry hereof pay or cause to be paid to the said plaintiff the said sum of $115.00 so found due and to the Clerk of this Court the costs taxed herein to $ that the defendants Equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of said County of Union directing him to sell said premises as upon execution and bring the proceeds into Court for further order.

3352

2812 P. G. Wymgar
vs.
H. J. Perry

This day came the parties and declare this cause settled, upon the following terms agreed upon by said parties. This cause is settled and dismissed and the plaintiff to pay all costs except the witness fees of Thomas David Perry and W. J. Woods which the defendant is to pay. Therefore it is ordered and adjudged by the Court that the Plaintiff pay the costs of this case, except the witness fees aforesaid and that the defendant pay said witness fees

3287

2836 Mary Long
vs
Samuel Long et. als

And now came the said plaintiff by her attorney and this cause came on to be heard upon the petition and evidence. On consideration whereof the Court find the petition to be true and that said defendant is guilty of habitual drunkenness and gross neglect of duty as therein charged. It is therefore decreed that the marriage relation heretofore existing between said parties be and the same is hereby set aside and wholly annulled and both the said parties released from the obligations of the same, and it is further ordered that the custody and guardianship of said children be and the same is given to the plaintiff. It is further ordered and decreed, that the defendant pay to the plaintiff as her reasonable alimony the sum of four hundred dollars within thirty days from the rising of the Court, and the same is made a lien

Saturday May 10. a. D. 1879

and charge upon the funds in the petition described in the hands or to come into the hands of said Filsinger Administrator and said Filsinger is ordered to pay the same over to the plaintiff to the full amount herein decreed and also the costs of this proceeding, And that the plaintiff recover of the defendant her costs herein expended.

3352 S. A. McClelland Plaintiff
vs.
John W. Moxley et. als. Defendants

This cause coming on for hearing, the defendants being in default for answer or demurrer. Moxley by his attorneys Carpenter and Brodrick, appeared and obtained leave to file answer setting up a subsequent lien, on the premises described in plaintiffs petition, A jury being waived, the cause was submitted to the Court, On consideration whereof the Court find that the allegations of the plaintiffs petition are confessed by the said defendants to be true, The Court further find that condition of defeasance in said mortgage died in said plaintiffs petition described has been broken and that the plaintiff is thereby entitled to have the defendants equity of redemption foreclosed, And that there is due the plaintiff on said mortgage the sum of one hundred, thirty five and 75/100 dollars ($135 75/100) with interest from March 15. 1879. It is therefore considered, ordered, adjudged and decreed that unless the said defendants shall within 10 days from the entry of this decree pay or cause to be paid to the Clerk of this Court said sum and interest and the costs in this case, the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of Union County Ohio, directing him to sell said premises as upon execution and bring the proceeds into Court for further order-

3287 John H. James and Henry T. Giles
vs.
The Citizens National Bank of Urbana Ohio

This day this cause came on to be heard upon the motion of the defendant to dismiss this action and upon the motion to vacate and dissolve the injunction heretofore granted in this case and after argument of Counsel and the Court being fully advised in the premises the court does find, That the plaintiffs petition does not state facts sufficient to constitute a cause of action, Nor does the facts therein stated constitute a defence to the cause of action of the defendant sought to be pleaded up by the plaintiffs petition, And it not having been shown to the Court that there is error in the said judgment, or that the same was taken for more than was due the defendant, Whereupon it is ordered by the Court, that the injunction heretofore granted in this cause be vacated and dissolved, And the plaintiff failing further to plead, it is ordered and adjudged by the Court that this petition and proceedings of these plaintiffs be dismissed, at the costs of the plaintiffs John H. James and Henry T. Giles and it is ordered and adjudged that said plaintiffs pay the costs herein taxed to $ To all of which findings orders and judgments the said plaintiffs excepts-

Saturday May 10. a. D. 1879

3386 John H. James and Henry S. Miles
vs.
The Citizens National Bank of Urbana Ohio

This day this cause came on to be heard upon the motion of the defendant to dismiss this action and to vacate and dissolve the injunction heretofore granted in this case, And after argument of Counsel, the Court being fully advised in the premises does find that the Plaintiffs petition does not state facts sufficient to constitute a cause of action, Nor does the facts therein stated constitute a defense to the cause of action sought to be set up, and it not having been shown to the Court that there is error in the judgment of the defendant, or that the same was taken for more than was due to the defendants. Wherefore it is ordered and adjudged by the Court that the injunction heretofore granted by the Court in this case be vacated & dissolved, and the plaintiffs failing further to plead, It is ordered and adjudged by the Court that this Petition and Procedings be dismissed and that the Plaintiffs John H. James and Henry S. Miles pay the costs herein expended taxed to dollars and that upon this failing for ten days so to do, execution issue therefor - To all of which findings and orders the plaintiffs except.

No. 3340 George Mast
vs.
J. E. Bigelow & Perry Douglass

This day this case came on for hearing on the Plaintiffs Petition, There being no answer on file the plaintiff asked judgment in default for the sum of $150⁴⁴ the amount claimed in his petition, The Court being fully advised in the premises does find and adjudge that the plaintiff have judgment against the defendants for the sum of $150⁰⁰ and cost of this suit amounting to $ and that execution issue for the collection of said judgment.

3194 George Mast
vs
Ellen Coopenduer et al.

Court of Common Pleas Union County Ohio

This case came on for hearing this day on the petition of plaintiff and answer of defendant, Plaintiff asks leave to file Reply on May 10. 1879 and an order of Court to make Jenas McCollough, Laura McCollough minor children of Horatio McCollough Dec, Hester McCollough widow of Horatio McCollough Dec, and John McCollough parties defendant in this action, Case was argued by Counsel, The Court being fully advised in the premises grants plaintiff leave to file Reply on May 10. and orders that Jenas McCollough, Laura McCollough, minor children of Horatio McCollough Dec'd Hester McCollough widow of Horatio McCollough Dec'd and John McCollough be made parties defendants in this case and brought into Court by summons according to Law-

2355 Anthony Yeiger et. als
vs
Mary J Warner

This day came the defendant and presented her Bill of Exceptions, which at her request the Court signs and seals and orders to be made a part of the record of this cause-

Saturday May 10th A. D. 1879

3202 M. C. Lawrence Trustee for the heirs of Lieutenant Edward Smith Dcd. vs Charles Barth, Defendant

This day this cause came on to be heard and the plaintiff came, but the defendant made default and came not. Thereupon neither requiring a jury, this cause was submitted to the Court by the plaintiff as such Trustee, upon the petition and exibits. On consideration whereof the Court do find the allegations of the petition to be true, and that there was due on the 21st day of April 1879 (That being the 1st day of this Term of Court) from the defendant Charles Barth to the plaintiff, as Trustee for heirs of Lieutenant Edward Smith Dcd, the sum of Two Hundred and forty four and 35/100 dollars ($244 35/100) which sum the Court finds to bear interest from the 21st day of April 1879. at the rate of eight per cent per annum until paid, and that the said sum, is a lien upon the lands in the petition described, by virtue of the mortgage therein mentioned. It is therefore considered, ordered and adjudged by the Court that the plaintiff as such Trustee recover of the said Charles Barth the sum of Two Hundred forty four and 35/100 Dollars ($244.35) so found due, together with interest at 8 per cent from April 21st 1879 and also his costs herein expended taxed to $ And it is further ordered, adjudged and decreed that, if the defendant Charles Barth fail for ten days from the rising of this Court to pay to the plaintiff as such Trustee the sum of $244. 35 with interest thereon from the 21st day of April 1879 at the rate of eight per cent per annum, and also the Costs of this suit then and in that case, that an order of sale issue to the Sheriff of this County for the time being commanding him to procud to appraise, advertise and sell said lands and tenements in the petition described as upon judgments at law - and that he bring the proceeds arising from such sale into Court for its further order

3159 Perfas Fogle vs Eli Fogle et al

The said court at a former day of this term having construed the will of Williams Fogle and the said heirs plaintiff and defendants desiring that partition be made according to the said construction the Court with the consent of all the parties order partition of the said premises to be made as follows. That said lands and tenements be duly appraised and a portion of the same set off to Jacob Fogle of the value of twenty five dollars ($25.) which the court finds to be his full share. To Eli Fogle a portion of the value of two hundred dollars more than any other of said parties - To George Fogle. Sarah Ann James. James L. Fogle. Mary E James. Francena E Fogle. Lozaria A Fogle. Rachel E Fogle a portion Each equal in value and of $200. less value than Eli Fogles share. To Perfas Fogle and Albert Fogle Each a portion of Two hundred and fifty dollars less value than that of Eli Fogle. All of the said parts and portions being by the Court found to be the portions which the said parties are respectively Entitled under and by virtue of said Will. It is further ordered that an order issue to the Sheriff of the said county commanding him that by the oaths of Andrew J. Mowrey. William Perkins and Joseph H. Beard he cause partition of the said lands to be made as hereinbefore the same has been ordered and that he make his return of said proceedings and partition to

May 16th 1899

to the next Term of this Court to which time this cause as to all matters so hereby disposed of is continued,

No 3261 Mary A. Kountz
vs
Margaretta B Lousch & others

This day came the said plaintiff by her attorney and the said defendants Still being in default for demmer or answer to the petition and their attorney being present and not desiring to plead. This cause was Submitted to the court upon the petition of said plaintiff & his exhibits and testimony. On consideration whereof the court being fully advised in the presence do find the facts Stated in said petition to be true and that there is due to the plaintiff by reason of the premises from the said defendants Michael Shaliff, George M. Wolf and Margaret B. Lousch the Sum principal and interest of $926.84 and that an action has fully accrued upon said writing Obligatory for said Sum, It is therefore considered ordered and adjudged by the court that the said plaintiff recover of the said defendants the said Sum of $926.84, together with her costs herein & penalee taxed to $.

3223 Evaline Davis
vs
Robert Davis

Now comes the plaintiff herein and the defendant being in default for answer or demmrer the court find that the plaintiff at the time of filing her petition had been a resident of the State of Ohio, for more than one year next preceding the same, and was at that time a bona fide resident of this county of Union, and that the parties hereto were married at the time set forth in the said petition.

The court further finds upon the evidence adduced that the defendant has been guilty of gross neglect of duty, and that by reason thereof the plaintiff is entitled to a decree as prayed for. It is therefore ordered and adjudged by the court that the Marriage Contract heretofore existing between the said Evaline Davis and Robert Davis, be and the same is hereby dissolved and both parties are released from the obligations of the same. It is further ordered that the Petitioner be and She is restored to her Maiden name of Evaline Spain. It is further considered that the said Evaline Davis recover from said Robert Davis her cost herein & penalee

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Monday June 9th 1879

Order for Special Term of Court of Common Pleas.

To the Clerk of the Court of Common Pleas within and for the County of Union in the State of Ohio.

It is ordered by John L. Porter Judge of the Court of Common Pleas within and for the Third Sub-division in the Forth Judicial District, that a Special Term of said Court be held in said County of Union to commence at the Court House in the village of Marysville on the 22d day of July 1879 at nine oclock A.M. of said day for the Purpose of trying the Case of the State of Ohio against Amos H. Inskeep who is indicted for Murder in the first degree and removed on Change of Venue from Logan County to Union County.

It is further ordered that a Jury of thirty Six Men having the qualifications of Jurors be drawn and Summoned as pointed out by the Statutes on that subject, requiring said Jury to attend in said Cause at the time & place herein Named.

It is ordered that this order be published in the Marysville Tribune and Union County Journal for Three Consecutive Weeks according to Law. John L. Porter. Judge.

Order for add'l Jurors

It appearing to the Satisfaction of John L. Porter Judge of the Court of Common Pleas that there is not a Sufficient number of Jurors in the box in this County for the unexpired portion of this year, It is ordered that Fifty Two additional Jurors be apportioned by the Clerk among the Several Townships of this County and that the box be Supplied with that number of Jurors according to Law. John L. Porter, Judge.

July 22d A.D. 1879.

The State of Ohio County of Union ss.

This Special Session of the Court of Common Pleas of the 10th Judicial District of the State of Ohio within and for the County of Union held at the Court House in the Village of Marysville County & State aforesaid was begun on Tuesday July 22d A.D. 1879 Present

Hon John L. Porter Judge

Justus J. Miller Sheriff of Union County.

Geo W. Emmerson Pros Atty of Logan County.

Attest W. M. Winget. Clerk of the Court Com Pleas of Union Co. O.

802

State of Ohio
vs
Amos H. Inskeep
} Indictment for Murder in the First-Degree

Now comes the Prosecuting Attorney of Logan County G. W. Emmerson on behalf of the State of Ohio and said defendant Amos H. Inskeep being brought into open court in the custody of the Sheriff his counsel T. E. Powell also coming. Thereupon said cause come on to be heard on the motion of defendant filed herein to continue this case on the ground of the Sickness of Judge Geddes, Co Counsel for defendant therein.

Thereupon the Court being fully advised in the premises and after hearing the evidence and argument of counsel doth order and adjudge that said Motion be sustained and that this case be and Stand continued to the next regular

term of this Court.

And the Court doth further order and adjudged that the 22d day of September A.D. 1879 be the day fixed for the trial of said cause at said next term.

Thereupon Court adjourned without day.

John L Porter Judge

The State of Ohio }
Union County } ss.

This separate session of the Court of Common Pleas of the 10th judicial district of the State of Ohio within and for the county of Union for the term of September in the year of our Lord one thousand eight hundred and seventy nine held in the court house in the town of Marysville county and State aforesaid was begun on Monday the 8th day of September in the year aforesaid

Present:

John L. Porter
Judge of the Court.

R. L. Woodburn
Prosecuting Attorney.

J. J. Miller
Sheriff

W. H. Winget
Clerk.

The Venire facias for a Grand Jury heretofore issued and returnable this day at 10 o'clock A. M. was duly returned by the Sheriff with his endorsements thereon, as follows, to-wit:

May 20th 1879. I served this writ on the following within named persons by delivering to each of them a true copy of the within writ on the respective dates as follows, to wit: On the 13th day of August 1879. John Knock. Joseph Cole, L. Bishop, On the 14th day of August 1879. James Gabriel, William Watson. On the 15th day of August 1879. E. F. Haines, George McPeck, James Crawson, On the 16th day of August 1879 T. P. Cratty. Theodore Munson, L. W. Cary. Cosydon Cameron. I also served this writ on the following within named persons by leaving a true copy of the within writ at the usual place of residence of each of them they being absent therefrom on the respective dates as follows, to wit: On the 13th day of August 1879. Isaac N. Paris, On the 16th day of August 1879 John M. Blue. Isaac Stofer,

J. J. Miller Sheriff.

And upon calling the same in open court T. P. Cratty, John M. Blue, James Crauston, Joseph Cole, John Knock. L. W. Cary, E. F. Haines James Gabriel Isaac N. Paris. George McPeck, Cosydon Cameron Theodore Munson. Isaac Stofer, L. Bishop. William Watson, appeared and answered thereto. And the panel being full the court appointed T. P. Cratty foreman of the grand jury and he with his fellow jurors took the oaths in manner and form as prescribed by law and the said jury being instructed by the court in relation to their duties, were conducted to their room, attended by the Sheriff, for deliberation. The following named persons compose the grand jury, to wit: T. P. Cratty, John M. Blue, James Crailston, Joseph Cole, John Knock, L. W. Cary, E. F. Haines James Gabriel, Isaac N. Paris, George McPeck, Cosydon Cameron Theodore Munson, Isaac Stofer, L. Bishop, William Watson,

Monday September 8th 1879.

3143 J. H. Field vs. John Sellers et al

It appearing to the Court that the real estate taken on execution herein has been twice advertised and offered for sale and still remains unsold for want of bidders now on motion of R. L. Woodburn, the appraisement heretofore made is hereby set aside and a new one ordered and passed for sale.

3401 A. J. Carpenter vs. Rosannah C. Carter No 8401.

And now comes the said A. J. Carpenter by Carpenter & Brodrick his attorneys and the said defendants still failing to demur or answer to said petition it is considered that the said plaintiff is entitled to an account of the money due him on the premises 2951.
and the court after hearing the evidence do find that there is due to the said plaintiff on the note and mortgage in said petition described the sum of Two Hundred & Forty nine & 4/100 Dollars ($249.04).
And it is further ordered and adjudged that an order issue to the Sheriff of said County commanding him to cause said lands and tenements in said petition described to be appraised 2511.
advertised and sold according to law and to bring the proceeds of said sale into Court subject to the further orders of the Court herein as to the distribution thereof.

3363 Sarah A. Webster et. als vs. T. Y. Smith et. als 3093.

And now comes the said plaintiffs Sarah A. Webster & Lucius Webster by Carpenter & Brodrick their attorneys and thereupon this cause came on to be heard upon the Petition of plaintiffs and the answer & Cross petition of defendants Young, Smyth, Field & Co and the answer and cross petition of P. H. Bauer and the other defendants still failing still failing to answer or demur to said petition it is considered that the said plaintiff Sarah A. Webster is entitled to an account 2076
of the money due her in the premises, and the court after hearing the evidence do find that there is due to the said Sarah A. Webster on the note and Mortgage in said petition described the sum of Two Hundred & Sixty four Dollars ($264.00). 1247.
And it is further ordered and adjudged that an order issue to the Sheriff of said County commanding him to cause the said lands & tenements in said petition described to be appraised advertised and sold according to law and to bring the proceeds into Court, subject to further order of the court herein as to the distribution thereof. 2610

3370. C. S. Chapman vs Daniel S. Ford et. als

And now comes the said C. S. Chapman

Monday September 8th 1879.

plaintiff by Carpenter & Brodrick his attorneys and thereupon this cause came on for hearing upon petition of the Plaintiff and the answer and cross petition of the defendant E.S. Calander, and the other defendants still failing to demur or answer to said petition it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the court after hearing the evidence do find that there is due to the said plaintiff on the notes & Mortgage in said petition described the sum of Seventeen Hundred and Eighteen 33/100 Dollars. ($1718 33/100) with interest at 8% from this date. And it is further ordered and adjudged that an order issue to the Sheriff of said County commanding him to cause the said lands and tenements in said petition described to be appraised advertised and sold according to law and to bring the proceeds of said sale into court subject to the further order of the court herein as to the distribution thereof.

2951. Harvey Haines vs. W.S. Whiters } Now comes the attorneys in this case, leave was granted to file petition now and leave granted to defendants to file answer in 30 days from the rising of the court and cause continued.

2511. Hubert L. Philips vs. Abraham B. Butler } Left off of docket by order of the Court.

3093. T.W. Chesney vs. Robert W. Breaston } This day came the parties by their attorneys and dismissed this cause at the cost of the defendant. It is therefore considered and adjudged by the court that the plaintiff recover of the defendant R.W. Breston the cost herein expended

2076 Mary J. Baker et als. vs. Richard White et als } This cause continued

1247. Susan Humphreys et als. vs. Joab Huffman et als } By consent of parties this cause is postponed until after the criminal business of the term is disposed of and then to be assigned for trial at this terms.

2610 John J. Gabriel et als vs. E.G. Piper Admr &c. } Continued by agreement of parties.

Monday, September 8. 1879.

2816	Myron Gabriel vs Eli G. Piper Admr	Continued by agreement.
2715	Ruben Freshwater vs. Abram Freshwater et als	Continued under former order.
2817.	John J. Gabriel vs. Eli G. Piper Admr.	Continued by agreement.
3240.	H C Hamilton vs. James Cutler et als	Leave granted to defendants to file answer to amended petition instanter & answer filed.
3348.	Margaret Grant. vs. John Moore et als	Leave granted to defendants to answer plaintiffs amended petition & answer filed
3304.	Charles Randall vs. P. E. Barnes	This cause continued on the showing of the plaintiff and at his cost.
3365	Edward Fawn et al. vs. Margaret Ellis et al	

Now came the plaintiffs herein by their attorneys and this petition thereupon coming on to be heard the court find that all of the defendants have had due legal notice of the pendency and demand of the said petition and that they are in default for answer and demurrer, and that the said petition is thereby confirmed by them to be true. Thereupon the Court find that the said plaintiff Julia M Ellis is seized & has a legal right to the undivided One Hundred and sixty four four hundred and sixty fifths part of the estate described in the petition and is entitled to have partition made of said premises; that the defendants are tenants in common with the said plaintiff in the said premises in the following proportions, to wit: that the said Margaret A Ellis is seized & has a legal right to the undivided one hundred & sixty four four hundred and sixty fifths part thereof and the said Admr. Ellis to the undivided One hundred & thirty seven four hundred & sixty fifths part thereof. And no reason appearing why partition should not be made. It is therefore ordered, adjudged and decreed that partition of said estate be made and that an order issue to the Sheriff of the said County of Union commanding him that by the oaths of P. E. Brooks C. Q. Cory and John Penterwood three judicious and disinterested freeholders

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Monday September 8, 1879.

of the vicinity who are hereby appointed for that purpose. Be cause to be set off and deeded to the said plaintiff and to each of the said defendants the part and proportion of the said estate to which they are here in before severally found entitled and of his proceedings herein the said Sheriff is ordered to make due return without unnessary delay.

Andrew Brightler }
vs
3842 Susan Loitle }

Leave to Plaintiff to file reply within twenty days from the rising of the Court and cause continued.

Moses Thompson }
vs
2728 Ranson Peacock }

This day this cause came on to be heard upon the Motion of the defendant to require the plaintiff to set forth in his petition more fully the cause of action upon the Item in the account attached to the petition of $2500 and was argued by counsel, and the Court being fully advised in the premises do sustain said Motion. Whereupon leave was granted to the plaintiff to file amended petition instanter. Amended petition filed.

Harrison Washburn }
vs
3223 J. D. Haines }

By leave of the Court costs All secured and cause continued at cost of Plaintiff. It is therefore considered ordered that the defendant recover of the plaintiff his cost of this Term Expended taxed to $.
Leave to defendant to answer within 30 days from the rising of the Court.

Abel M Lary }
vs
3268 J. W. Cummings et al }

This day this cause came on to be heard upon the Motion of defendant Make 2nd & 5th cause in petition more definite and certain, and the Court being fully advised in the premises does overrule said Motion and the defendant took leave to plead instanter Which was granted.

3402 George W Kenrick vs A. J. Hartman et al. Settled & cost Paid.

Monday September 8th 1879

3394 A.V. Kennedy. et al vs George Sinclair et al

This day this cause came on to be heard upon the petition of the plaintiff and the defendants being in default for answer or demurer and the court being fully advised in the premises do find for the plaintiffs and assess their damage $102.96. It is therefore considered ordered and adjudged that the said A.V. Kennedy and George F. Morse as the Administrators of the estate of A.V. Morse deceased ~~plaintiffs~~ recover of the said sum of $102.96 of the said George Sinclair and B.F. Williams and their costs herein taxed at $.

3331

3418. John R. McIntire & Co vs. J.M. Radebaugh

This day came the plaintiff by its attorneys and the said defendant being still in default for demurer or answer to the petition this cause was submitted to the court upon the petition and evidence and the court being fully advised in the premises find there is due to the plaintiff upon the notes set forth in the petition the sum principle and interest of three hundred and Seventy Six dollars and fifteen cents $376 15/11. It is therefore considered ordered and adjudged by the Court that the said plaintiff recover of the said defendants the said sum of Three hundred and Seventy six dollars & fifteen cents together with his costs herein expended taxed at $

3398

3414. Joseph S. Styer. vs. James Thackery. et als

And now comes the said Joseph S. Styer by Carpenter & Brodrick his attorneys and thereupon this cause came on to be heard upon the petition and evidence and was argued by counsel on consideration whereof the Court do find that due notice of the pendency of this action has been given according to law and the Court do further find that the said Joseph S. Styer has a legal right to and is seized in fee simple of one undivided three fourteenths (3/14) part of Lot No 8. 95 110 acres & Lot No. 9. 49 acres as described on plat in plaintiffs petition and the Court do further find that the said Martha E Thackery Daisey S Styer, Mina Hill, May Hill, George A. Styer, & Eber Styer are tenants in common in said Lots Nos 8 & 9. with the said Joseph S. Styer in the following proportions to wit: That said E Thackery is seized of one seventh (1/7) part thereof. That said Daisey Styer is seized of one seventh (1/7) part thereof. That said Mina Hill is seized of one fourteenth (1/14) part thereof. That said May Hill is seized of one fourteenth (1/14) part thereof. That said George A. Styer is seized of three fourteenths (3/14) part thereof. That said Eber Styer

Monday September 8. 1879.

is seized of one seventh (1/7) part thereof. It is therfore ordered that a writ of partition issue to the Sheriff of said County of Union commanding him by the oaths of F. J. Sager, Levi Wells & John Smith partition be made of said lands & tenements (to wit Lot No 8 of 5. 116/160 Acres & Lot No 9 of 48. Acres. as described by the plat in plaintiffs petition) in the following proportions to wit: To Joseph S Styer (the plaintiff) three fourteenths part. To the said Martha E Thackery, one seventh part. To the said Maisey Styer, one seventh part. To the said Mina Hall, one fourteenth part. To the said May Hall one fourteenth part. To said George A Styer Three fourteenths part. To the said Eber Styer one seventh part. And it is further ordered that the Sheriff return his proceedings in the premises forthwith:

3331. Samuel Gamble vs. Israel Carter et al.

And now comes the said Samuel Gamble by Carpenter & Brodrick his attorneys and the said defendants having failed to demur or answer to the petition of the said Samuel Gamble it is considered that the said Samuel Gamble ought to recover the said sum of $112 00 so demanded in his petition together with the sum of $6 13/100 which the court finds due as the interest thereon as prayed for in said petition. it is therefore considered that the said Samuel Gamble recover against the defendant, J. M. Danforth the said sum of $118 13 with interest thereon from the first day of the term of court. together with his costs in and about his suit in this behalf expended taxed to $.

3338. Joseph Ross vs. Isaac J. Lister

And now comes the said Joseph Ross by Carpenter and Brodrick his Attorneys and the said defendant still failing to answer. or demur to said petition it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the court after hearing the evidence do find that there is due to the plaintiff on the notes and mortgage in the said petition described the sum of Two Hundred & Seventy & 33/100 Dollars ($270 33. It is therefore considered by the said court here that the said plaintiff recover of said defendant the said sum of Two Hundred & Seventy & 33/100 Dollars ($270 33/100) the sum so found due aforesaid (with interest from the first day of this term of Court) and also his costs taxed at $ —. And it is further ordered & adjudged that in case the said defendant fail for three days from this 8th day of Sep. 1879. to pay to the said plaintiff the said sum of Two Hundred & Seventy & 33/100 Dollars ($270 33/100) so aforesaid found due with interest thereon from Sep 8 1879. with costs of suit an order issue to the Sheriff of said County commanding him to cause the said lands & tenements in the petition described to be appraised advertised & sold, free of dower as against plffs mortgage according to law and apply the proceeds of said sale in justification of said sum so found due with costs of suit

Monday September 8 1879

3339. Richwood U.B.&L.A. vs. J.M. Newhouse et als

And now comes the defendant Godman Thornhill & Co. by Carpenter & Brodrick their attorneys and the said defendants J. M. Newhouse & Sarah Newhouse still failing to answer or demur to the Answer and cross petition of said defendants herein filed it is considered that the said defendants Godman Thornhill & Co. are entitled to an account of the money due them on the premises and the court after hearing the evidence do find that there is due the said defendants Godman Thornhill & Co. on the note and mortgage in said answer and cross petition described the sum of Seven Hundred, Seven & 84/100 Dollars, with interest thereon at eight per cent. per annum from the 8th day of Sep. 1879. It is therefore ordered and adjudged that an order issue to the Sheriff of Union County commanding him to cause the said lands & tenements in said answer & cross petition described to be appraised advertised and sold according to law and apply the proceeds of said sale in satisfaction of the said sum so found due with the costs of suit.

2754. John O'Farrell vs J. Hammond et al

This day came the parties and dismissed this cause both petition and cross petition without prejudice of either party and at the cost of the plaintiff. It is therefore considered and adjudged by the court that the defendants recover of the plaintiff their costs herein expended taxed to $.

608. John Swan et als vs. Henry Williams et als

This day this cause came on for hearing and thereupon came the plaintiff by their attorneys and dismissed this action without prejudice to a new action. It is therefore ordered and adjudged by the court that the plaintiffs pay the costs herein expended taxed to $— and that execution is awarded for the same.

Monday, September 6th 1875.

Morris & Bro.
vs.
J. M. Hunnicutt

This day this cause came on for hearing and the deft having still failed to answer or demur to the petition of the plaintiffs herein filed the court find the allegations therein contained are confessed by them to be true and that they are indebted to the plaintiffs in the sum of Two Hundred Twenty four and 43/100 dollars with interest thereon at Eight per centum per annum from the 8th day of September 1875. It is therefore considered and adjudged by the court that said plaintiffs do recover of said defendants the said sum of Two Hundred Twenty four and 43/100 dollars with interest thereon at 8% per annum from the 8th day of Sept 1875 and the costs herein expended taxed to $ and execution awarded for the same

Thereupon Court adjourned to meet tomorrow morning at 9½ oclock

Tuesday. September 9th 1879.

~~C.W. Smith~~
~~vs~~
~~William H Stonestals~~

This morning court met pursuant to adjournment. The same officers being present as on yester day.

3210
3055

C.W. Smith
vs.
William H Stonestals

On motion of the plaintiff and on his producing the return of the Sheriff of the Sale made under the former order of this Court on careful examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this court. it is ordered that the said proceedings and sale be and they are hereby approved. And it is further ordered that the said Sheriff convey to the purchaser C.W. Smith by deed in fee simple the lands & tenements sold and a writ of possession is awarded to put said purchaser in possession of said premises. And the Court now coming to distribute the proceeds of said sale amounting to Two thousand and one dollars (2001^{00}) it is ordered that the Sheriff out of the money in his hands pay: First. The costs of this action taxed to 46^{45}. Secondly. To the Defendant Wm H. Smith, the amount heretofore found due him on his prior mortgage, with interest to wit the sum of Five Hundred Twenty nine & $\frac{5.6}{100}$ Dollars ($529\frac{5.6}{100}$). Thirdly To the plaintiff C.W. Smith the amount heretofore found due him with interest to wit Fourteen Hundred and Two $\frac{76}{100}$ Dollars ($1402\frac{76}{100}$). Fourthly - To defendants J.R Cobb and the Administrator of R.W. Davis deceased the balance of the Money remaining in his hands. to wit: the sum of Twenty one $\frac{28}{100}$ Dollars. ($21\frac{28}{100}$).

2948.

3140

2944.

A.E Myers et al
vs.
Z.C. Pooler.

This day this cause came on to be heard upon the motion of the defendant to continue the same. And was submitted to the Court upon the affidavit of the defendant. whereupon the court being fully advised in the premises do continue said case the cost of this term to be taxed to the defendant. It is therefore. considered ordered and adjudged that the plaintiff recover from the defendant the cost of this term & court taxed to $. and the above case con.

Tuesday September 9th 1878.

3400. M.A. Rose vs. James Gordon et al

This day this cause came on to be heard upon the petition of plaintiff and the answer of the defendant and was submitted to the Court and the Court being fully advised in the premises do find usury in plaintiff's claim to the amount claimed in defendants answer. And the Court further finds that there is now justly due and owing to the plaintiff from defendants James Jordon & Enos A. Bell as surity on the note set forth in plaintiffs petition the sum of Three Hundred & Sixty six 47/100 Dollars with interest from the first day of the present term of this Court. It is therefore considered, ordered and adjudged that the plaintiff do recover of defendants James Jordon as principle & Enos A. Bell as surity the sum of Three Hundred & Sixty six 47/100 Dollars as aforesaid for and due with interest from the first day of this term of Court together with his costs in this behalf expended. taxed to $.

2948. Richard W. McKamie vs. James Mulvaine

Now came the parties herein by their attorneys; also came the following named persons as jurors to wit; George Graham, George Rickard, Leonidas Turner, W.H. Andrews, W.W. Crahood, J.M. Romine Nathan Howard, John Coder and L.H. Southard, Regular Jurors, Aaron Mather, Milton Thompson, S. Gamble, Talis Jurors. And the said jury having heard the testimony addduced in part. The Court adjourned until to morrow morning at 8½ oclock.

3140 James Carter vs. Bank of South Lewisburg

This day came on this cause to be heard on the pleadings and evidence and argument of Counsel. Thereupon the Court being fully advised in the premises do find for the defendant on the issues joined between the parties, except that the Court finds that there was interest in excess of six per cent on the note on which said judgment was rendered after the defendant purchased the same amounting to one hundred and Eighty four and 23/100 dollars ($184 23/100) Thereupon the defendant offered to remit said $184 23 from said judgment of $3237 35 and thereupon the Court on the remittur of said $184 23 find for the defendant and reduce said judgment at the date it was rendered to $3053 12 together with costs. Thereupon it is considered, ordered and adjudged by the Court that the plaintiffs petition is dismissed except as to said unlawful interest and the Court order and adjudge that the plaintiff recover of the defendant this costs herein expended taxed to $ To which ruling and judgment for the plaintiff as to costs the ~~plaintiff~~ defendant excepts. To which findings of the Court as far as it is in favor of the defendant, the plaintiff excepts

Wednesday September 10th 1879

This morning court met pursuant to adjournment the same officers being present as on yesterday.

3414 Joseph S. Styer vs. James Thackery et als

This cause came on for hearing upon the return of the Sheriff and report of the Commissioners heretofore appointed herein and the motion to confirm the same And it appearing that said estate cannot be divided by metes and bounds without injury to the value thereof, and that said Commissioners have made and returned their appraisment of said premises in the sum of $50 per acre for the first tract of 5.9 acres and $40 per Acre for the second tract of 5 119/160 Acres the court find the said return and proceedings in all respects correct and in conformity to law and do therefor approve and confirm the same. And thereupon neither of said parties Electing to take the said premises at their appraised value on motion of the plaintiff it is ordered that said premises be sold at public auction and that an order issue therefor to the Sheriff of Union County And that said sheriff return his proceedings to this Court without unnessary delay. And this cause coming on further to be heard upon the prayer of the plaintiff for the correction of mistakes made in former proceedings in partitions of said premises the court after hearing the evidence do find the allegations in plaintiffs petition true and it is hereby ordered that said mistakes be corrected as follows to wit: 1st That Lot No 6 of 25 140/160 Acres be set off and assigned (and marked on the Plat set forth in plaintiffs petition) to Daisey Styer whom the court finds is entitled thereto as the heir of her father Charles S Styer deceased. 2d That Lot No 1 of 25 140/160 Acres be set off and assigned (and marked on said plat) to Joseph S. Styer the plaintiff whose full name the Court finds is Joseph Sylvester S Styer. 3d The Court finds the words "Excepting dower interest" on Lot No 4 of 25 140/160 Acres are there by mistake and that said Lot No 4 is free and clear of dower and it is ordered that it be so marked in said plat.

Report of Grand Jur

Grand Jur Report as t Jail

3365 Edward Faucett et al vs. Margaret Ellis et al

This cause came on for hearing upon the return of the Sheriff and the report of the commissioners heretofore appointed herein and on the motion to confirm the same. And it appearing that said estate cannot be divided by metes and bounds without injury to the value thereof and that said commissioners have made and returned their appraisement of said premises in the sum of $250. The court find the said return and proceedings in all respects correct and in conformity to law and do therefore approve and

Wednesday, September 10. 1879.

confirm the same And therefore neither of said parties electing to take said premises at their appraised value on motion of the plaintiff it is ordered that said premises be sold at public ~~auction~~ and that an order issue therefor to the Sheriff of Union County. And that said Sheriff return his proceedings to this court without unnecessary delay.

Report of Grand Jury.

This day appeared at the bar of this court the grand jury heretofore impaneled and sworn &c, and for the body of the County aforesaid, viz: T. P. Catty. John M. Blue, James Cranston, Joseph Cole. John Knock, G. W. Carey. C. F. Haines, James Gabriel, Isaac. N. Paris. George McPeek, Bryden Cameron, Theodore Munson, Isaac Stofer, L. Bishop. William Watson. and presented their certain bill of indictment against John Mayo. for Assault & Battery, indorsed. "A true bill T. P. Cratty foreman of the grand jury." And also their certain other bill of indictment against Gilbreth Allplant. for Carrying Concealed Weapons. indorsed "A true bill T. P. Cratty. foreman of grand jury." And also their certain other bill of indictment against George Grow for Carrying Concealed Weapons. indorsed "A true bill. T. P. Cratty. foreman of the grand jury." And also their certain other bill of indictment against George Krouse. for Selling Intoxicating liquors to a minor. indorsed "A true bill T. P. Cratty foreman of the grand jury." And also their certain other bill of indictment against George Krouse. for Selling Spiritous liquor on Sunday. indorsed. "A true bill T. P. Cratty. foreman of the grand jury." And also their certain other bill of indictment against Edgar Rodgers & Joseph Rodgers for Assault & Battery. indorsed. "A true bill T. P. Cratty. foreman of grand jury." And also their other certain other bill of indictment against Sylvester Thornton & Melville Lingrel. for Larceny. indorsed. "A true bill. T. P. Cratty foreman of the grand jury."

Grand Jury's Report as to Jail

To the Honorable Court of Common Pleas of Union Co Ohio. Pursuant to the instructions of the Court. the Grand Jury visited the County Jail. It was found in neat clean and orderly condition the prisoners comfortable and every thing betokening care on the part of the Sheriff and assistants. We recommend; 1st That all the hinges of all the cell doors be riveted immediately. 2d That pipes be provided to carry gases from the privies out of the building. Sanitary reasons require that this be done without delay. 3d That a broken lock on a cell door on the east side of the Jail be repaired.

T. P. Cratty foreman.

And the Grand Jury report as follows: We the grand jury are willing to say our Court House is not what it should be to be in harmony with the wealth and enterprise of the citizens of this County. The Grand Jury Room is unfit for a Jury to stay in and is detrimental to the health and comfort of any Jury that may be called to convene therein. we are of the opinion that the Court House is in great danger from fire as it now stands and that the loss to the property owners

Wednesday September 10th 1879.

of Union County in case of fire would be far more than a tax sufficient to build a Court House with all modern improvements in harmony with the wealth and enterprize of our citizens

P.P. Gratty foreman.

And there being no further business for the said Jury they were discharged finally.

2358. Richard H. McCamey. vs. James Shillvaine } This day came the said parties by their attorneys and also came the jury heretofore impannelled and sworn and the trial proceeded. And the said Jury having heard the argument and charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into Open court with their verdict in writing signed by their foreman and say. We the jury in this case being duly impannelled and sworn do find and say that we find for the Plaintiff in the sum of One hundred & fifty ($150.00) Dollars. W.H. Andrews foreman

3404

3157 Mary Smith vs. Harvey Bumgardner } Now came the parties hereto by their attorneys also came the following named persons as jurors to-wit. George Graham, George Rickard, Leonidas Turner, W.H. Andrews, Joseph Haskel, John Blair, H.H. Crahood, J.M. Rowsie, Nathan Howard, John Coder, J.P. Marriott, L.H. Southard. And the said jury having heard the testimony adduced in part the court adjourned until tomorrow morning at 8½ o'clock.

3387.

3140 James Carter vs. Bank of North Lewisburg } Now comes the plaintiff and presents to the Court his certain bill of exceptions herein which being found by the Court to be true, is allowed, signed and sealed, and on motion is hereby made part of the record of this case

3387.

Thursday September 11th 1879.

This morning Court met pursuant to adjournment the same officers being present as on yesterday.

3226. Cameron & Benton vs. Isaac Temple et al

This day came the parties and settled this cause at the cost of the defendant. It is therefore adjudged by the Court that the plaintiff recover of the defendant their cost herein expended taxed to $.

3404 John C. Phillan et al Admrs. vs. John W. Newhouse

On motion plaintiffs are ordered to give security for costs instanter which is accordingly done.

2405. John C. Phillan et al admrs. vs. John W. Newhouse.

On motion plaintiff is ordered to give security for costs instanter which is accordingly done.

3387. Mary E. Cobb vs. William H. Moore et als

On motion to the Court by said plaintiff and it appearing that neither of said infant defendants have in person applied for the appointment of a guardian for this suit. It is ordered that M. C. Lawrence be and he is hereby appointed guardian for this suit for William H. Moore, Sophia A. Moore, John H. Moore Alice Louise Moore, and Clarence O. Moore and thereupon came the said M. C Lawrence and accepted the said appointment and filed his answer herein

3387. Mary E. Cobb. vs. William H Moore et als

And now came the said Mary E. Cobb by her next friend John N Cobb. by Cameron & Benton her attorneys and thereupon this case came on to be heard upon the petition and evidence and was argued by counsel. On consideration whereof the Court being fully advised in the premises do find that said plaintiff Mary E. Cobb has a legal right to and is seized in fee simple of the one Sixth part of said premises and that William H. Moore Sophia A. Moore, John H. Moore, Alice Louise Moore and Clarence O Moore are tenants in common with said Mary E. Cobb in said premises being each seized.

Thursday September 11. 1879.

in fee simple of the undivided One Sixth part thereof and that said Ellen Moore is entitled to Dower in said premises. It is therefore ordered that a writ of partition issue to the Sheriff of said County of Union Commanding him that by the oaths of Andrew S. Mowry, John M. Blue and Ashbery Cheney One full equal third part of said premises in said petition described be set off and assigned to the said Ellen Moore as her Dower and that by the like oaths of the said Andrew S. Mowry, John M. Blue, and ~~Cheney~~ George W. Latimer Cheney partition of said lands be made subject to said Dower estate in the following proportion to wit:

To the said Mary E. Cobb one Sixth part thereof. To the said William H. Moore One Sixth part thereof To the said Sophia A. Moore One Sixth part thereof To the said John H Moore One Sixth part thereof. To the said Olive Irene Moore One Sixth part thereof. To the said Clarence O. Moore One Sixth part thereof. And it is further ordered that the Sheriff return his proceedings in the premises forthwith

3157 Mary Smith
vs
Harvey Baumgartner

This day again came the parties, by their attorneys, and also came the jury heretofore impannelled and Sworn and the trial proceeded, And the said jury having heard the remaining testimony, the argument, and charge of the court retired to their room in charge of the Sheriff for deliberation, And now come the said jury into open court with their verdict in writing signed by their foreman and say; "The following questions are by order of the court sent to the jury in this cause to be answered by the jury to wit;

1st How much land did plaintiff sell to the defendant? Answer, Their undivided interest

2d How much was defendant to pay her for the Land Sold. Answer Ten Hundred and forty four ($1044) Dollars,

3d How much has defendant paid to Plaintiff. Answer, Nine hundred and forty five & 22/100 ($945.22) Dollars

4th. How much (if anything) is still due to plaintiff from defendant on the land, Answer. Ninety Eight & 78/100 ($98.78) Dollars.

W. H. C Andrews. Foreman.

Thereupon the Court adjourned to meet tomorrow morning at 8½ o'clock.

Friday September 12th 1879

This morning court met pursuant to adjournment the same officers being present as on yesterday.

3368 W. J. Wood Admr. vs. O. Holmes et al

This day this cause came on to be heard upon the petition of the Plaintiff and the defendant still failing to answer or demur to said Petition and the Court being fully advised in the premises do find there is due upon the note and mortgage described in said petition the sum of $197.17 with interest at 8 per cent. from May 1. 1879. Wherefore it is ordered and adjudged by the Court that the plaintiff recover of the defendant the sum of Two hundred and seven Dollars. ($207.00) and his costs taxed at $ and it is further ordered that if said defendant fail to satisfy said Judgment and costs in five days from this date then that an order issue to sheriff of said County Commanding him to cause the property described in said Petition and mortgage to be appraised and sold as upon execution and Judgment to be made of said Judgment & costs from the proceeds thereof

3325. Samuel Ream et al vs. Henry Bell et al

This day this cause came on for hearing on application of plaintiff by his Attorneys Carpenter & Brodrick for a continuance of this action on consideration whereof the Court do grant such continuance and thereupon came the defendants by W. W. Ayers their Attorney and asked and obtained leave to file an amended answer herein in thirty days from the rising of the Court.

3328. Christopher Oliphant vs. Justus J. Miller

This case came on for hearing and the jury being waived. and by consent of parties this case was heard by the Court and the Court upon the evidence and exhibits and being fully advised in the premises in this case do find that the right of property and the right of possession to the property described in plaintiffs petition is in the plaintiff and that the damages be assessed in this case in the amount of One cent. It is therefore ordered and adjudged by the Court that the right of property and the right of possession is in the plaintiff and that he recover of the defendant his damages in this case the amount of One Cent and his costs in this case taxed at $.

Friday September 12th 1879

3329. Gilford Ollyphant vs. Justus J. Miller

This case came on for hearing and the jury being waived and by the consent of the parties this case was heard by the Court and the Court upon the evidence and the exhibits in this case and the Court being fully advised in the premises do find that the right of property and right of possession to the property described in plaintiffs petition are in the Plaintiff and that the damages be assessed in this case at one cent. It is therefore ordered and adjudged by the Court that the right of Property and right of possession is in the plaintiff and that he recover of the defendant his damages in this case to the amount of One cent and his costs in this case taxed at $.—

506.

3314 John A. Cook. vs. Hugh J. Perry.

This cause came on for hearing upon the motion of the defendant to require additional security for costs. On consideration whereof the Court do sustain said motion and plaintiff has leave to give additional security for costs in this action within thirty days from the rising of the Court and if not so secured in said thirty days then this cause to stand dismissed And this cause is Continued.

2694.

3268. Abel M. Lary. vs. J. W. Cummings admrstat

This day came the parties by their Attorneys and this cause came on to be heard upon the motion of the defendants for a continuance of this cause and the Court being fully advised in the premises do sustain said motion and order said cause to be continued at the cost of the defendants and thereupon the defendants asked and obtained the leave of the Court to file their answer within thirty days from rising of the Court.

2690.

Thereupon Court adjourned to meet at 8½ oclock to-morrow morning.

Saturday September 13th 1879.

This morning court met pursuant to adjournment the same officers being present as on yesterday.

State of Ohio
506 vs.
Gilford Oliphant

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being brought into Court in Custody of the Sheriff and arraigned upon said indictment for plea thereto saith he is guilty of Carrying Concealed Weapons. It is ordered by the Court that the said defendant Gilford Oliphant pay a fine of Fifty Dollars and that the said Gilford Oliphant be imprisoned in the Jail of Union County for the term of ten days and that he pay the cost of this prosecution and that he stand committed to the Jail of Union County until the amount of said fine & Costs shall be paid.

Howe Sewing Machine Co.
2694 vs.
O. H. Wamels Et al

This day this cause came on to be heard on motion of the plaintiff to confirm Sale heretofore made by order of the Court of the property described in said order and upon producing the return of the Sheriff of said Sale and the Court being fully advised in the premises and being satisfied that the sale was in all respects regular and according to law and the order of the Court. It is ordered and adjudged by the Court that said Sale be and the same is hereby confirmed and the said Sheriff is hereby ordered to make to the purchaser P. R. Kerr or to Richard H. Robison as said Kerr may direct a good Mortgage deed for said premises as aforesaid.

George Armstrong
2690 vs.
A Baty Et al

This day this cause came on to be heard upon the motion of the plaintiff to confirm the sale by the Sheriff of said County in pursuance to the order of this Court heretofore made in this case of the property described in said order and upon producing the return of the Sheriff and the Court being fully advised in the premises and the said sale was in all things regular and according to law and the order of the Court It is therefore ordered and adjudged by the Court that said sale be and the same is hereby confirmed and the said sheriff is hereby ordered to make to the purchaser P. R. Kerr or to Richard H. Robson as said Kerr may Elect a good warranty deed for said premises as aforesaid

Saturday September 13th A. D. 1879.

2963 Margaret Finley
vs
J. J. Finley Admr &c

Now came the parties herein, by their attorneys; also came the following named persons as Jurors, to wit; George Graham, George Richard, Leonidas Turner, W. H. Andrews, Joseph Mackel, John Blair, W. W. Arahood, J. M. Romine, Nathan Howard, John Coder, J. P. Marriott and L. H. Southard, who were duly impaneled and sworn according to Law. And the said jury having heard the testimony, the argument and Charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into open court with their verdict in writing, Signed by their Foreman and say, We, the jury in this case, being duly impanelled and Sworn do find and say that we find for the Plaintiff the Sum of Two Hundred and twenty six 5/100 Dollars ($226.05) W. H. Andrews, Foreman.

3361

3035 John A. Cook
vs.
Nathan Freeman et als.

On motion of Plaintiff by A. J. Carpenter his attorney and on his producing the return of the sheriff of the sale made under the former order of this Court: And the Court on careful examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law, and the orders of this Court, it is ordered that the said proceedings and sale be and they are hereby approved and confirmed. And it is further ordered that the said Sheriff convey to the purchaser John A. Cook by deed in fee simple the lands and tenements so sold and a writ of possession is awarded to put said purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale amounting to $201 it is ordered that the sheriff out of the money in his hands pay First, the costs of this action taxed to $17.38 2d, That he pay the balance to the plaintiff to apply on his claim -

Thereupon the Court adjourned until 9 oclock Monday morning September 15th 1879.

Monday September 15th A. D. 1879

The Court met at 9 oclock this morning pursuant to adjournment. The same officers being present as on yesterday.

3361 Henry Wheeler Plaintiff
Against
Hannah Kinkade et als } Court of Common Pleas, Union County Ohio

This day this cause came on for hearing and thereupon came the said Plaintiff and the said defendant Elizabeth Yates by their attorneys, Carpenter & Brodrick and the said Defendants Hannah Kinkade, Anna K. Chapman and Charles S. Chapman her husband, John H. Kinkade James F. Kinkade and Drusilla J. Kinkade by their attorneys Robinson & Piper and the said defendants J. H. Robinson in person and it is considered that the said Plaintiff and the said defendants Elizabeth Yates are entitled to an account of the money due them in the premises, and the Court after hearing the Evidence, do find that there is due to the said plaintiff, on the note and mortgage in said petition described the sum of Eleven hundred and forty six Dollars, with interest thereon (as per agreement hereinafter stated) at the rate of eight per centum per annum from the 8th day of September A. D. 1879.

And at the same time came the said Plaintiff, Henry Wheeler and the said Defendant Elizabeth Yates by Carpenter & Brodrick their Attorneys, who are specially authorized in the premises by said plaintiff and said defendant Elizabeth Yates; and the said Defendants Hannah Kinkade, Anna K. Chapman and Charles S. Chapman her husband, John H. Kinkade, James F. Kinkade and Drusilla J. Kinkade by Robinson & Piper their attorneys, who are especially authorized in the premises by each and all of said defendants; and the following agreement was made by said parties, by their respective Attorneys hereto, that is to say, that for and in consideration that said plaintiff and said defendant Elizabeth Yates will stay execution and order of sale herein for one year from the entry of this decree, that said Defendants Hannah Kinkade and others will pay to said plaintiff and said defendant Elizabeth Yates on their notes and mortgage in this Petition and cross Petition herein stated, interest at the rate of eight per centum per annum from the 8th day of September A. D. 1879. And the said Defendant J. H. Robinson in person consents to said agreement. It is therefore Considered, ordered and decreed that in case the said Defendants Hannah Kinkade, Anna K. Chapman and Charles S. Chapman, her husband, John H. Kinkade, James F. Kinkade and Drusilla J. Kinkade, fail for one year from the entry of this decree to pay to the said plaintiff the said sum of Eleven hundred & Forty six Dollars, with interest thereon at eight per centum per annum from the 8th day of September A. D. 1879; and to the said defendant Elizabeth Yates the said sum of Twelve Hundred and Twenty six Dollars with interest at Eight per centum per annum from the 8th day of September A. D. 1879; so as aforesaid found due with costs of suit, an order issue to the Sheriff of said County, Commanding him to cause the said lands and tenements in said petition described, to be appraised, advertised and sold according to law, and apply the proceeds of said sale so far as the same may be necessary in satisfaction of the said sum so found due with costs of suit, and bring the remainder of said proceeds into Court for further order herein.

Monday morning September 15th 1879

3412. Luther Lane Plaintiff
vs.
Otho Hardman and
Aaron Weaver, Defendants

This day came the Plaintiff by Lawrence & Mulford his Attorneys, and thereupon came Leonadas Piper one of the attorneys of Record of this Court, who, by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process and entered the appearance of said defendants herein, and by virtue of the same warrant of Attorney, confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition the sum of $614 20. It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $614 20 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of Eight per centum per annum. And by virtue of said warrant of Attorney, all errors are released, and all right of appeal and all right to file a petition in error are waived.

3341

3306

3206 F. C. Pooler Plaintiff
vs.
L. Y. Pooler and Others

This day came the parties and this cause came on to be heard upon the within of plaintiff for leave to file an amended petition herein and the Court being fully advised in the premises do sustain said motion and grant leave to plaintiff to file his amended petition within thirty days from rising of the Court. And at same time came English, Wilcox and Company, E. E. Shedd and Company and the Dr. Harter Medicine Company by their attorneys and asked and obtained leave to be made parties defendant in this cause with leave to file their respective answers and cross petitions within thirty days from the rising of the Court which leave by the Court was accordingly granted and this cause thereupon continued.

3348

3385

3371

3384 Elias Rice
vs.
E. P. Hathaway

This day came the parties by their attorneys and thereupon this cause came on to be heard and neither party requiring or demanding a jury by the consent of the parties and the sureties on the replevin bond a jury was waived and this cause was submitted to the Court upon the pleadings and evidence. On consideration whereof the Court being fully advised in the premises do find that the right of possession and the right of property at the time this cause was commenced was in the defendant and the Court by like consent of parties and the sureties on said replevin bond do assess the damages of the defendant at the sum of Three hundred and fifty three 85/100 dollars $353 85 It is therefore considered and adjudged by the Court that the said defendant recover of the said plaintiff the said sum of $353 85 together with his costs expended taxed to $ and at the request of the sureties on said bond the defendant agrees not to issue execution herein till after November 1st 1879

3081

Monday September 15th 1879

3341	H. M. Rouse Plaintiff vs. The Pleasant Valley Building and Loan Association	This day this cause came on to be heard upon the motion of the defendant to require the plaintiff herein to secure the costs and was by order of the Court stricken from the files of this Court.
3306	Cortland Gibson vs. Thomas Cody et als	This cause coming on for hearing the plaintiff offered no evidence nor grounds for delay and the defendant Laura Cole moved to dismiss the cause for want of prosecution which motion was argued by counsel and thereupon the Court being fully advised in the premises do sustain the said motion, and the said cause is dismissed, but without prejudice to another action. Judgment against plaintiff for costs.
3348	Margaret Grant vs. John Moore	This cause is continued with leave to plaintiff to plead to the answer in 30 days from the rising of the Court.
3385	Edith Baldwin vs Joseph Rice	Appeal Dismissed.
3371	Jno A. Moodie vs. A. Boylan	This day this cause came on to be heard and the parties appeared and a jury was waived and the cause submitted to the Court upon the exibits and the evidence and was argued by counsel. Whereupon the Court after hearing the evidence and being fully advised in the premises do find for the defendant. It is therefor considered, ordered and adjudged by the Court that the defendant do recover of the plaintiff John A. Moodie his costs in and about this cause in his behalf expended taxed to $
3081	J. S. Norton & Co Plaintiff vs. School District No 1 Paris Tp. Union County Ohio et al.	This day this cause came on to be heard upon the special demurrer of the plaintiff to that part of the answer of said School District No. 1 Paris Tp. in which it pleads the statute of limitations, and the same was argued by counsel. On consideration whereof the Court sustained said demurrer. To all of which ruling of said Court the defendant the School District No 1 Paris Township Union County Ohio hereby excepts

Monday September 15th 1879

3372 Martha Moore
vs.
John Moore

This day came this cause on to be heard upon the petition and evidence, on consideration whereof the Court being fully advised in the premises do find that said John Moore defendant has been guilty of extreme cruelty as alleged in petition. It is therefore adjudged by the Court that the marriage relation heretofore existing between said parties be and the same is hereby dissolved and held for naught and both parties divorced and wholly relieved from the obligations of the same. Coming now to the matter of alimony the Court find a post nuptial agreement has been entered into by the said parties and that the same is reasonable and fair between the parties the same is confirmed by the Court and the said Martha Moore is to have and hold as her reasonable alimony the property in said agreement named to wit: Three cows, Sixteen sheep, one half of the corn in the crib one sow and pigs, one fourth of the corn raised on the place this year and twenty five acres of land off the north end of said place as designated in said post nuptial agreement. And it is further adjudged that said John Moore pay the costs of this proceeding taxed to $

2902

3174 Xenophon C. Scott
vs.
Rebecca Moore

This day this cause came on for hearing upon the motion of plaintiff to strike out certain portions of defendants answer and also upon demurr of plaintiff to defendants 1st defense and was argued by counsel and submitted to the Court. Whereupon the Court after hearing and being fully advised in the premises do sustain the motion of plaintiff and overrules said demurrer. On application of plaintiffs counsel leave is granted to plaintiff to amend his petition in 20 days from the rising of this Court and leave granted to defendant to answer thereto by the third Saturday after the second Monday after the filing of said amended petition. And this cause continued.

1783
1825 & 3274
1998
2090
2474
2998

3333 Peoples Bank
vs.
Michael St. Johns et als

This day this cause came on for trial upon the petition of plaintiff and the answer of defendant Michael St. John and plaintiffs reply thereto, the defendants Andrew S. Mowry and Templeton Liggett still failing to demur or answer to petition of plaintiff and a jury trial waived by the parties this cause was submitted to the Court upon the pleadings exhibits and evidence and the Court being fully advised in the premises do find that there is due to plaintiff on the note in plaintiffs petition described from the defendants Michael St. John as maker and Andrew S. Mowry and Templeton Liggett as indorsers the sum of Two hundred dollars so demanded in plaintiffs petition together

3000
1139
1875
2415

Monday September 15th 1879

with the sum of $54-97 which the Court finds due as the interest thereon as prayed for in said petition. It is therefore considered that the said plaintiff recover against the said Michael St John as maker and the said A.S. Mowry and Templeton Liggett as indorsers the said sum of $254-97 with 8% interest from the 8th day of September A.D. 1879. together with plaintiffs costs in and about his suit in this behalf expended taxed to $

2902 John P. Bailey vs. L. A. Doctum

This day this cause came on for trial and thereupon came the parties by their attorneys and settled this case as follows: 1st The defendant to pay the plaintiff the amount of the judgment in the Court below with interest to the first day of this term to wit: the sum of $11.09 2nd That each party pay his own cost. 3rd That there be no record of papers in this case other than this entry. It is therefore considered, ordered and adjudged by the Court that plaintiff recover of defendant the sum of $11.09 so as aforesaid agreed by the parties to be due, with interest from the first day of the present term of Court to wit: from September 8th 1879 and that each party pay the costs made by himself in this case. which includes all costs made before the Justice of the peace as well as in this Court.

1783 Harvey M. Haines Against Wesley K. Shafer Continued

1825 & 3274 Dame M. Johnson vs. Harvey M. Haines et al Paid

1998 A. C. Dorey vs. Fillman G. Goff Continued

2090 Bank of South Lewisburgh vs Orlando Wells et als Continued

2474 John Blair vs. John Jolliff Continued

2998 Ann C. Erb exx vs David Watson Continued

3000 Ann C. Erb exx vs. David Watson Continued

1139 Kelton Bancroft & Co vs. E. Hammond Continued

1875 F. W. Marriott exr vs. Joshua Marriott et als. Continued

2419 Lemuel Myers vs. Edward Thompson et als Paid under former order

Thereupon Court adjourned until 8½ o'clock tomorrow morning.

Tuesday September 16. 1879

Court met at half past eight o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

3393 James Williams vs. America Williams

On motion of the defendant herein by her attorney and good cause being shown it is hereby ordered that she be allowed the sum of Fifty Dollars as and for her expenses in conducting her defense in the above action. It is therefore ordered that the said James Williams pay to D.W. Ayers the attorney of the above named America Williams the sum of Fifty Dollars three days from the service of this order and in default of such payment for three days Execution is allowed to issue therefor and cause continued.

3373 P. H. Bauer et.als. vs. H. H. Pringle et.als.

This day this cause came on to be heard upon motion to confirm report of Receiver J. P. Brookins heretofore appointed in this cause and the Court being fully advised in the premises, and finding that said report is in all things correct and the charges and expenses of said Receiver reasonable, it is ordered by the Court that said report be confirmed and said charges and expenses allowed, and said Receiver is ordered to pay over to the Clerk of this Court the amount remaining in his hands to wit: $938 63/100 and be discharged from further liability in the premises. Question on distribution reserved for further order. 3397 3165

3374 Maria L. Reed et.al. vs. Eben P. Hathaway et.als

This day this cause came on for hearing and thereupon came the plaintiffs by their attorneys Carpenter & Brodrick and thereupon Plaintiffs petition came on to be heard, and due legal notice of the application herein having been given the Court do, on the petition and evidence find that there has been an omission inadvertantly made in the promissory note as set forth in said petition - And thereupon, no good reason appearing why an order correcting said error should not be made the same is hereby allowed, and the said promissory note is corrected as follows: by adding thereto the words with interest from date which the Court find to have been the true and manifest intention of the parties. It is accordingly ordered and adjuged that the said promissory note have full force and effect as herein corrected. And thereupon came the said plaintiffs by their said Attorneys and the said defendants Eben P. Hathaway, Alice Hathaway, Catherine A. Brown & William Brown still failing to answer or demur to said petition it is considered that the said plaintiffs are entitled to an account of the money due them in the premises and the Court after hearing the evidence, do find that there is due to said plaintiffs on the note and mortgage in said petition described, the sum of twelve Hundred, forty four and 60/100 3072

dollars with interest from the 8th day of September A.D. 1879. It is therefore considered by the said Court here that the said plaintiffs recover of the said Defendant Eben P. Hathaway the said sum of four hundred and forty four Dollars and sixty cents the sum so found due as aforesaid with interest from September 8th A.D. 1879 and also their costs taxed to $. And it is further ordered and adjudged that an order issue to the Sheriff of said County commanding him to cause the said lands and tenements in said petition described, to be appraised advertised and sold according to law and apply the proceeds of said sale, so far as the same may be necessary in satisfaction of the said sum so found due, with costs of suit and bring the proceeds remainder thereof into Court for further order herein. And at the same time came the Defendant Nathan Howard by his attorneys Lawrence & Mumford and asked and obtained leave to file answer and cross petition herein in Fifteen days from the entry of this decree and cause continued

3397 George Weigand vs Jacob Leonard

This day came the plaintiff and dismissed this cause without prejudice. It is therefor considered and adjudged by the Court that defendant go hence and recover of the plaintiff his costs herein expended taxed to $ to record

3165 Christian Jensen vs John T. Bidwell et al

This day came on this cause to be heard by the Court whereupon the Court being fully informed in the premises do find the allegations of the petition are true and there is due plaintiff from said John T. Bidwell the sum of two hundred and twenty one and 48/100 dollars as claimed and that the said Village of Marysville doth not owe said Bidwell any money but doth owe him six evenings use of the city hall as part of his compensation for the work done by said plaintiff and the Court find that in equity said use of said hall should be applied upon said decree and therefor in order to accomplish said application the Court on motion appoint D.W. Ayers a Reciver in the case to rent said Hall by the consent of said Village Council at such times as the same may not be used by said Council and report his action in the premises at the next term of the Court to which time this Cause is continued for his report. No costs to be paid by the Village

3072 W. W. Woods vs W. C. Barnett et al.

In this case leave is granted to C. Eichenmyer to file cross petition - And the same is filed.

Tuesday September 16th 1879

3159 Rufus M. Fogle vs Eli Fogle et.als. } On motion to the Court by Cannon & Benton Counsel for said Petitioner and upon producing the return of the Sheriff and the report of said commissioners heretofore appointed and the same having been examined by the Court here and found in all respects correct and in conformity to law. It is hereby ordered that the said proceedings and report be and the same is hereby approved and confirmed and that said parties hold in severalty lots and premises so set off and assigned to each respectively. And it is further ordered that the costs of this action including a counsel fee of Forty five dollars to Cannon & Benton be paid by said parties in proportion to their respective interest in said Estate and in default that execution issue therefor. 3428

3390 Isaac Walke vs David Fogle et.als. } This day came the parties by their attorneys and thereupon this cause came on to be heard upon the demur of the defendants to the petition of the said plaintiff. On consideration where of the Court do sustain said demur and thereupon said plaintiff asked and had leave to file an amended petition herein in 30 days from the rising of the Court and this cause is continued.

3406 Elenor Lodwig vs Richard Davis et.als. } This day came the parties by their attorneys and this cause came on to be heard upon the motion of the said E. S. Robinson to strike out certain portions of the reply of the said plaintiff. On consideration where of the Court being fully advised in the premises do sustain the said motion. And thereupon this cause came on to be further heard upon the demur of the said E. S. Robinson to the said reply and on consideration where of the Court do overrule said demur. To which ruling and judgment on said motion plaintiff excepts.

3389 Nancy White vs Albert B. White } This day came the parties by their attorneys and thereupon this cause came on to be heard upon the petition and evidence. On consideration where of the Court being fully advised in the premises do find that the parties have since the filing of the petition in this case made and entered into a post nuptial agreement which is dated on the day of 1879 and which agreement the Court find to be just and reasonable and by which the said Nancy White is to have fifty acres of land in Fee Simple in her own right and that she release all her inchoate right and claim to the other lands of the said Albert White. It is ordered by the Court that said post nuptial agreement be and it is hereby approved and confirmed and ordered to be recorded as part of this

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decree and that said Nancy White as her reasonable alimony have and hold enjoy said 50 acres of land in fee in her own right and it is further ordered that she pay the cost hereof, and that as to that part of said petition asking a divorce the same is dismissed without prejudice.

Elizabeth Price et als
vs.
3428 John P. Boric et als

Now came the plaintiffs herein by Carpenter & Brodrick their attorneys and their petition, thereupon coming on to be heard the Court find that all the defendants have had due legal notice of the pendancy and demand of the said petition and that they are in default for answer and demurrer and that the said petition is thereby confessed to be true. Thereupon the Court find that the said plaintiff Elizabeth Price is seized of and has a legal right to the undivided one eighth part of the estate described in the petition and is entitled to have partition made of said premises: That the defendants are tenants in common with said plaintiff in the said premises in the following proportions to-wit: That the said Catherine Boric is seized of and has a legal right to the undivided one eighth part thereof: And the said Margaret Cregg to the undivided one eighth part thereof: And the said Mary Ann Stockton to the undivided one eighth part thereof: And the said Almira Hayes to the undivided one eighth part thereof: And the said Joseph Myers to the undivided one eighth part thereof: And the said Samuel Myers to the undivided one eighth part thereof: And the said William C. Webb to the undivided one sixteenth part thereof: And the said Catherine Theodosia Webb to the undivided one sixteenth part thereof. And thereon appearing why partition should not be made, It is therefore ordered adjudged and decreed that partition of said estate be made: And that an order issue to the Sheriff of the said County of Union commanding him that by the oaths of A. S. Mowry, Stephen Long and John Penn three judicious and disinterested freeholders of the vicinity who are hereby appointed Commissioners for that purpose he cause to be set off and divided to the said plaintiff and to each of the said defendants Catherine Boric, Margaret Cregg, Mary Ann Stockton Almira Hayes Joseph Myers, Samuel Myers, William C. Webb & Catherine Theodosia Webb the part and proportion of the said Estate to which they are severally found entitled. And it is ordered that if in the opinion of said Commissioners, said premises cannot be divided by metes and bounds without injury to the value thereof, they appraise the same, and of his proceedings herein the said Sheriff is ordered to make due return without unnecessary delay

Tuesday September 16th 1879

2483	Mary K Robertson vs Elias Robertson	Continued
2570	Samuel M. Daugherty Exec vs A.J. Liesing et.als.	Continued with leave to Plaintiff to file further pleadings in thirty days from the rising of the Court
2623	Maria Stickles vs. John Stickles	Continued
2641	Benjamin Wood vs. William Nightlinger	Continued
2708	O. H. Reed Guardian vs R. F. Lee et.als.	Continued
2733	N. B. Thompson vs. James Hoover	Continued
2803	Thomas Moffit vs. John H. Grindle	Continued
2823	Thomas Moffit vs. Elias Robertson et.al,	Continued
2837	Samuel Turner vs. Mary J. Turner et.als.	Continued
2852	Catherine Discoe vs. William Discoe et.al	Continued
2930 & 2950	D. S. Stephens Admr. vs Mt. Carmel Lodge F. A. M.	Continued
2966	Eliza Hopkins vs Wm Hopkins	Continued
3003	A. Humphreys vs. C. M. Beck	Continued
3012	Emma Cartmell vs. Benny Woodworth	Continued for service
3138	W. S. Bosh vs. Sarah J. Nigle	Continued under former order
3147	Joseph E. Fouke vs. George Loar	Continued
3156	P. B. Cole Trustee &c. vs. C. W. Fidler et.als.	Continued
3162	Union County Bank vs George Nipple et.als.	This day came the parties and settled this cause at cost of plaintiff. It is therefore considered and adjudged by the Court that the defendants recover of the plaintiff their costs herein expended taxed to $

Thereupon the Court adjourned until half past eight o'clock tomorrow morning.

3407

3408

3399

~~Tuesday~~ Wednesday September 17, 1879

Court convened at eight and one half o'clock this morning. The same officers being present as on yesterday.

3407 James L. Fish vs. B. S. Fisher

This day this cause came on for hearing and thereupon came the plaintiff by his attorneys Carpenter & Brodrick and a jury being waived the same was submitted to the Court upon the pleadings and the evidence, on consideration whereof the Court find that the allegations in Plaintiffs petition herein are true and that by reason of the breach of the Covenants of warranty as set forth in said petition the said Plaintiff has been damaged in the sum of two hundred and nine dollars. It is therefore considered, ordered and adjudged that said Plaintiff do recover of said Defendant the said sum of Two hundred and nine dollars found due as aforesaid with interest thereon from the entry of this decree and costs of suit; and execution is awarded for the same

3408 James L. Fish vs. C. E. Fish

This day this cause came on for hearing and thereupon came the Plaintiff by his attorneys Carpenter & Brodrick and the Defendant by his attorneys Robinson & Piper and a jury being waived the same was submitted to the Court upon the pleadings and the evidence, on consideration whereof the Court find that the allegations in Plaintiffs petition herein are true and that by reason of the Breach of the Covenants of warranty as set forth in said Petition the said Plaintiff has been damaged in the sum of One Hundred, Thirty Nine and 33/100 Dollars. It is therefore considered, ordered and adjudged that said Plaintiff do recover of said Defendant the said sum of One Hundred, Thirty Nine and 33/100 Dollars found due as aforesaid with interest thereon from the entry of this decree and costs of suit, and execution is awarded for the same.

3399 Joseph L. Dickelman vs. William T. Reed

This day this cause came on for hearing and the defendant still failing to answer or demur to plaintiffs petition, was submitted to the Court upon the petition, exhibits and testimony and was argued by Counsel. And the Court after hearing the evidence and being fully advised in the premises do find that all the notes set forth in the plaintiffs petition have been paid in full and that the conditions of said mortgage have been fully complied with and that said mortgage has been fully satisfied. It is considered, ordered and adjudged by the Court that said mortgage ought to be and is hereby cancelled and released. And it is further ordered by the Court that the defendant pay the costs of action taxed to $ and that execution be awarded therefor.

Wednesday September 17th 1879

3391 David Davis vs Henry Snell — This cause is continued

3405 John C. Phillian vs John H. Newhouse — Continued with leave to defendants to file answer in thirty days from the rising of the Court.

3395 Sarah Epps vs J. H. Cummins — Continued

3386 Osmond H. Wells vs James B. Wheeley et als. — This cause is reassigned for hearing on Tuesday of the 4th week.

3375 James Cutler vs George H. Canan et als. — Continued

3433 Thomas Fox vs Ruben Stultz — On showing of defendant this cause is continued on his motion and at his costs.

3342 Sarah Fox vs Thomas Fox — On showing of the Plaintiff and on his motion this cause is continued at plaintiffs costs. It is therefore considered and adjudged by the Court that the defendant recover of the Plaintiff the costs of the Term taxed at $

3435 John A. Blount et al vs J. M. Dunn — This cause came on to be heard upon motion of the Defendant upon his showing filed in this Case and on consideration of same, it is ordered by the Court that this Cause be continued, and at the costs of this defendant.

3404 John C. Phillian & Lester Oliver Admrs vs John H. Newhouse Defendant — Now came the plaintiffs but defendant came not and made default and thereupon this cause was submitted to the Court by plaintiffs and a jury waived. Whereupon the Court being fully advised in the premises do find there is due from defendant to the plaintiffs as administrators of the estate of David Phillens the sum of $646 10 on the notes mentioned in said petition. Therefor the Court Consider and adjudge that plaintiffs recover of the defendant said sum of six hundred and forty six and 10/100 dollars and their costs here in expended taxed to $

3348 Margaret Grant vs John Moore et. als — Continued with leave to plead to answer in thirty days from the rising of the Court.

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3337

3411

Wednesday September 17, 1879

3368 Solomon Walker vs. Geo. H. Canaw et.als } Continued

3337 H. H. Baxter vs. T. H. Chesney & E. L. Chesney }

This day came this cause on to be heard on the demurrer of E. L. Chesney to the amended petition of plaintiff, whereupon the Court being fully advised in the premises do sustain the said demurrer. To which ruling of the Court plaintiff excepts and thereupon plaintiff asked and obtained leave to amend his petition as to said E. L. Chesney in thirty days from the rising of the Court, and the said T. H. Chesney still remaining in default for answer and neither party demanding a jury this cause as to him is submitted to the Court. Whereupon the Court being fully advised in the premises do find there is due plaintiff on the note set up in said petition from said T. H. Chesney the sum of $1803.00 as alleged in said petition. Therefore it is considered and adjudged by the Court that plaintiff recover of said T. H. Chesney the said sum of Eighteen Hundred and three dollars together with his costs herein taxed to $

3411 Beriah Wilkins vs. William M. Wright et.als }

This day came on this cause to be heard, Whereupon the defendant Wm M. Wright having made tender of $420.00 due the 21. of April 1879 and deposited the same in Bank, on which has accumulated $9.45 interest which he brings into Court and thereupon the Court find said sum of $429.45 is the amount due on said mortgage and it appearing that J. M. Drum claims a judgment lien on said premises set up in his answer and said Drum having made a sufficient showing for a continuance as to him the Court orders and decrees the said sum of money be paid to plaintiff on his executing his bond with security satisfactory to the clerk conditioned that he will successfully resist said claim of said Drum and quiet the title of said Wright to said premises, and on such payment the said mortgage given to plaintiff be and the same is to be hereby cancelled and said plaintiff required to sign a full release of said mortgage on payment to him or the execution of said Bond. And as to said Drum's claim this cause is continued. The costs up to the present time to be deducted by the clerk out of said $429.45

Wednesday September 17. 1879

3406 Elenor Lodwig
v.
Richard Davis et.als

This day came on this cause to be heard on the issues joined thereon the parties and a jury being waived the cause was submitted to the Court. Whereupon the Court being fully advised in the premises do find for the defendant G. S. Robertson and that twelve dollars usurious interest was charged in said note and there is due plaintiff from Richard Davis on said note two hundred and twelve dollars principal and thirty and 76/100 interest amounting altogether to $242 76.
It is therefore considered and adjudged by the Court that said G. S. Robertson go hence without day and that plaintiff do recover of said Richard Davis said sum of two hundred and forty two and 76/100 dollars with costs herein expended taxed to $ 3417

3362 S. A. McElroy et.al.
v.
Edward Powers

This cause came on for hearing and was submitted to the Court upon the pleadings, upon consideration whereof the Court finds that the heirs of Julia Ann Anderson, who, it was alleged by defendant Powers claimed to have some interest in the lands described in the petition having been notified as heretofore ordered in this case by publication for more than six weeks in the Marysville Tribune, a paper of general circulation in Union County to appear in Court and present their claim to said land by the 1st day of September A. D. 1879 and that in default thereof their claim or title thereto would be forever barred having failed to appear in Court or to set up their title or claim thereto, the Court being fully advised in the premises doth find the said heirs have no claim thereon and the Court orders a decree that said heirs be forever barred: and that said defendant Edward Powers is seized in fee simple, and is rightfully in possession of said lands, clear of any out standing claim or title, It is therefore ordered adjudged and decreed that the title and possession of said Edward Powers to the said premises is in the petition described, be quieted as against the plaintiffs and all his co defendants and said heirs of said Julia Ann Anderson, and all persons claiming under them, or any of them, And that said parties, or any one claiming under them, are hereby enjoined from setting up any claim or title to said premises or any part thereof adverse to the title or possession of said Edward Powers. The Court further finds that the defendant Edward Powers, is indebted to the plaintiffs, upon the note in the petition described, in the sum of two hundred and fifteen dollars and Eighty eight cents, with 6% interest from the 8th day of September 1879. And that the said Edward Powers executed and delivered to the plaintiffs, the mortgage deed in the petition described, and that the said mortgage was duly recorded, and is the first and best lien on said premises described in the petition. The Court further finds that the condition of defeasance in said mortgage has been broken, and that the plaintiffs are intitled thereby to have the defendants equity of

3163 3165 3168 3169 3184 3222 3224

Wednesday September 17. 1879

Redemption foreclosed. It is therefore considered and decreed that unless the said defendant, within three days from the entry of this decree, pay to the clerk of this Court the Costs in this case and to said plaintiffs the said sum of $215.88, with 6% interest from the 8th day of September 1879 the defendants equity of redemption be foreclosed and said premises shall be sold, and an order of sale shall issue therefor to the Sheriff of Union County, directing him to sell said premises as upon execution, and out of the proceeds thereof, to pay first the Costs of this suit, and secondly to the plaintiffs the said sum of $215.88 and the interest thereon.

3417 Fechheimer, Fenkle & Co vs H. H. Pringle et als

And now this cause coming on for hearing and the defendants H. H. Pringle, W. H. Lemax and R. H. Weiz being in default for answer or demurrer and the case being submitted to the Court upon the pleading and evidence and the Court being fully advised in the premises do find that the said R. H. Weiz is surety and the said Pringle and Lemax are principals and that they are indebted to the plaintiffs in the sum of $530.00. It is therefore considered by the Court that the said Plaintiffs recover from H. H. Pringle and W. H. Lemax as principals and R. H. Weiz as surety the sum of Five hundred and thirty dollars at eight per cent interest from the first day of this term and their costs taxed at $

3163 Charles W. Carter, Guardian vs Rosamah Carter et. als Continued

3165 Wendell Helfreich vs W. W. Pate Admr. Continued

3168 Commissioners of Madison Co. vs. Thomas Jones Contd by consent

3169 Margarita P. Lush vs. Jacob Lusch Continued

3184 Ann C. Erb Exrx vs. David Watson et al Continued

3222 Samuel Carlisle vs. Sorelia Stillings et.als. Now came the parties and settled this cause at plaintiffs costs. It is therefore considered and adjudged by the Court that the defendants recover of the plaintiff their costs herein expended taxed to $

3224 Jacob Johnson vs George W. Mosher et al. Now came the parties and settled this cause at plaintiffs costs. It is therefore considered and adjudged by the Court that the defendants recover of the plaintiff their costs herein expended taxed to $

Thereupon the Court adjourned to half past eight o'clock tomorrow morning

Thursday September 18th 1879

Court convened at half past eight oclock this morning pursuant to adjournment. Same officers being present as on yesterday.

3339 Richwood Union B. & L. Association
vs
J. M. Newhouse et al

Now came the plaintiff herein and the defendants being in default for answer and demurrer and the case being submitted to the Court upon the evidence and exibits and the Court being fully advised in the premises do find that the defendant has failed to pay to the plaintiff the weekly installments of dues and the interest as in the Petition set forth, and there is due to said plaintiff as dues to the date of this decree on its first cause of action the sum of $55.50 and as interest the sum of $19.28. The Court further find that there is due to said Plaintiff from said defendant as, and by way of, fines for the the nonpayment of said dues as in Petition alleged in first Cause of action the sum of $11.10 making in all for dues, interest & fines in said first cause of action $86.58 & side this note of $600.00 on which the above mentioned dues, fines and interest accrued. 3006

The Court further find that in order to secure the regular payment of said dues and other installments as well as those hereafter to become due the said James M. Newhouse and Sarah Newhouse his wife executed and delivered to this Plaintiff their certain mortgage in the petition described and on the premises therein described that said mortgage was on the 21 day of May 1874 duly recorded in Book 1 Page 50 of the records of mortgages of Union County and that the same is the first and best lein on the premises described in the petition. The Court further find that on the plaintiffs second cause of action that the defendants have failed to pay to the plaintiffs the weekly installments of dues and the interest, as in the petition set forth and that there is due to said Plaintiff as dues to the date of this decree the sum of $37.00 and as interest the sum of $20.72. The Court further find that there is due to said plaintiff from said defendant as and by way of fines for the non payment of said dues as in the petition alleged the sum of $7.40. making in all for dues interest and fines the sum of $65.12, On their second cause of action and the note on which the dues, fines and interest as above stated accrued is the sum of $400.00. making in all due on Plaintiffs two causes of action as above stated for dues, fines and interest the sum of $151.70. The Court Further find that in order to secure the regular payment of said dues and other installments as well as those hereafter to become due the said James M. Newhouse and Sarah Newhouse his wife executed and delivered to this plaintiff their certain mortgage in the petition described and on the premises therein described that said mortgage was on the 22nd day of March 1876 duly recorded in book B.L. 1 Page 249 of the records of mortgages of Union County and that the same is the next best lein on the premises described in the petition. 3023

It is therefor considered by the Court that unless the said defendants shall within 10 days from the entry hereof pay or cause to be paid to the said plaintiff the said sum of $151.70 so found due and to the clerk 3334

of this Court the costs taxed herein at $ the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of Union County this directing him to sell said premises as upon execution and bring the proceeds into Court for further order.

3006 Pleasant Valley Building and Loan Association vs. John H. Scott & Lucy A. Scott Defendants } Common Pleas Union County

This cause coming on for hearing on motion of the plaintiff to strike from the amended answer certain irrelevant, redundant and immaterial matter, was argued by counsel, and submitted, Whereupon the Court being fully advised in the premises do sustain said motion and order the following matter, to-wit stricken out in accordance therewith to wit: All of said amended answer from and including the word "when" in the 5th line from the bottom of the 1st page down to the 23d line on the 6th page thereof, and all thereof from the end of the 2nd line on the 7th page down to and including the word "defendants" in the 10th line of the 8th page. Thereupon the defendants asked and obtained leave to amend his answer by Wednesday of the 3d week of this term.

3023 John Fryman Plaintiff vs John McAllister & Jacob Hoskins } Union Common Pleas.

This cause coming on to be heard this day upon the motion of the plaintiff to set aside the verdict heretofore found thereon in favor of the defendant Hoskins, and for a new trial for reasons set forth in said motion, on file was argued by counsel and submitted and thereupon said motion was overruled by the Court, to which overruling the plaintiff then and there excepted. Thereupon the plaintiff moved the Court for judgment in his favor and against said Hoskins defendant, upon the pleadings notwithstanding the verdict, which motion was argued by counsel and submitted. Whereupon the Court overruled said motion for judgment, to which overruling the plaintiff then and there excepted. The Court then proceeded to render judgment in favor of said defendant Jacob Hoskins and against the plaintiff, upon the said verdict, and it is ordered and adjudged that the said defendant Jacob Hoskins go hence and recover of the plaintiff his costs herein expended taxed to $

3334 E. S. Callendar vs C. H. Tallman et al. } This day this cause came on for hearing on motion of the plaintiff by Carpenter & Brodrick his attorneys to set aside appraisement herein and it appearing to the Court that the real Estate taken on Order of Sale herein has been twice advertised and twice offered for sale and still remains unsold for want of bidders now on motion of said Plaintiff, the appraisement heretofore made is hereby set aside and a new appraisement ordered.

Thursday September 8. 1879

3432 Geo. F. Morse et.al. Exrs &c
vs
J. Smith Alexander et.al.

This day this cause came on for hearing and thereupon came the plaintiffs by their attorneys Carpenter & Brodrick and the defendants still failing to answer or demur to said Plaintiffs petition herein filed, the Court find the allegations therein contained are confessed by them to be true and that there is due said plaintiffs as executors of the last will and testament of A. D. Morse deceased, on the promissory note therein set forth the sum of one hundred and six & 05/100 dollars with interest thereon at the rate of eight per centum per annum from the 8th day of September A. D. 1879. It is therefore considered and adjudged by the Court that said Plaintiffs as such executors as aforesaid recover of said defendants the said sum of one hundred six and 05/100 Dollars, the sum found due as aforesaid with interest thereon at the rate of eight per centum per annum from the 8th day of September A. D. 1879 together with Costs of suit and execution is awarded for the same.

3203 Abram Shar Plaintiff
vs.
Emily Bigler and others

This day came the parties by their attorneys and this Cause came on to be heard upon the motion of Plaintiff to confirm sale heretofore made of the premises in the Petition described and on the Plaintiff producing the return of the Sheriff of sale made under the former order of this Court; and the Court on careful examination of the procedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this Court, it is ordered that the said procedings and sale be and the same are hereby approved and confirmed. And it is further ordered that the said sheriff convey to the purchaser Abram Shar by deed in fee simple the lands and tenements so sold and a writ of possession is awarded to put said purchaser in possession of said premises if said possession to the said premises shall not be peacably delivered to said Purchaser on or before January 1st 1879, And it is further ordered by the Court that the said purchaser shall have privilege of preparing the ground and sowing about 36 acres of wheat before said December 1st 1879 And to make such improvements and repairs as he may want not however interfering with the crops of said Bigler on said property. And the Court now coming to distribute the proceeds of said sale Amounting to $6.600.00 it is ordered that the sheriff out of money in his hands pay the costs in this action taxed to $ 36.64- Said purchaser to pay the taxes on said lands and the balance of said purchase money to apply as payment in full satisfaction of judgment, and the note and mortgage owned and held by the plaintiff herein, the purchase of said premises amounting to the sum of $ 7,766.50 with interest from August 1st 1874

Thursday September 18. 1879

2988 Lester Clark vs John Epps et als. On motion leave was granted to said John Epps to file Answer to cross petition of J. W. Cummings Administrator of Smith deceased and answer filed

3349 C. L. Wynegar Plaintiff Against George Bishop Defendant This cause being heard on the demurrer to the first cause of action in the petition, the Court does, on consideration, sustain the same; and the defendant is allowed to amend his petition by Friday of the second week.

3441 Adaline Knachel Against William Cassiday et al. Settled and cost paid

3248 Michael Cramer vs. Mt. Carmel Lodge F. A. M. Leave off docket

3288 Daird McKear vs. William McKeir et als. Continued for service

3310 Newton Case vs. D. Mulford Now came the parties and settled this cause at Plaintiffs Costs. It is therefore considered and adjudged by the Court that the defendant recover of the Plaintiff his costs herein expended taxed to $

3312 James Reed vs. William M. Carr et al. Continued

3146 Joseph E. Fouke vs. James W. Dunfee Settled & Court costs paid

3345 Rachael M. Mallox vs. Clinton Purris Could by Agreement

3359 B. H. Keys et al vs. W. C. Parmer et als. Continued

3366 S. Walker vs. J. F. Lenox et als. Continued

3367 Solomon Walker vs. G. W. Cannon et als Continued

3403 Frank D. Weller vs. Robert H. Thompson Continued

3409 Samuel K. Wenner vs Emma Wenner Continued

Thereupon the Court adjourned until 10 o'clock Monday morning September 22nd 1879

Monday Morning September 22nd 1879

Court met at 10 oclock this morning pursuant to adjournment. The same officers being present as on Thursday.

3437 James Fullington, Charles Phellis and W. H. Woods partners under the firm name of Fullington Phellis & Woods

vs.

Jacob Ell et al. Defendant

This day this cause came on for hearing and neither party requiring a jury the same was by the Plaintiffs submitted to the Court, the defendants being in default for plea, answer or demurrer. On consideration whereof the Court finds the allegations of the petition to be true; That there was due from the defendant Jacob Ell to the plaintiffs on the notes set forth in this petition on the first day of this term, to wit: September 8th 1879 the sum of $870.84 which sum the Court finds bears interest from said date at the rate of seven per cent per annum. And the Court further finds that said sum is a lien upon the lands and tenements mentioned in the petition by virtue of the mortgage set forth in the plaintiffs' third cause of action. It is therefore considered, ordered and adjudged by the Court that the plaintiffs recover of the defendant Jacob Ell said sum of $870.84 with seven per cent interest so found due together with this costs herein expended taxed to $ And it is further ordered, adjudged and decreed by the Court that if the defendant Jacob Ell shall fail to pay said sum of money, and interest and costs, within five days from this date then and in that case an order issue to the Sheriff of Union County for the time being, commanding him to proceed to appraise advertise and sell the lands and tenements in the petition described as upon judgments at law; and that he bring the proceeds arising from such sale into Court subject to its further order to which time this cause is continued

3455

3478 The Banks of Richwood

vs.

J. J. Anderson and S. Walker

This day came the plaintiff by their Attorneys and thereupon came J. S. Gill one of the Attorneys of Record of this Court, who, by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process and entered a appearance of said defendant herein, and by virtue of the same warrant of Attorney, confesses that there is due from said defendant to said Plaintiff as is alleged in said Plaintiffs' petition the sum of $285.60 It is therefore considered that said Plaintiff do recover of said defendant the said sum of $285.60 so as aforesaid confessed to be due together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8% per centum per annum. And by virtue of said warrant of Attorney, all errors are released and all right of appeal and all right to file a petition in error are waived.

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Monday Morning September 22. 1879

3442 S. S. McCracken vs. Isaac N. McCracken

And now comes the said S. S. McCracken by Carpenter & Brodrick his attorneys and the said defendants Isaac N. McCracken and Margaret McCracken still failing to answer or demur to said petition, it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the Court after hearing the evidence do find that there is due to the said plaintiff, on the note and mortgage in said petition described, the sum of Four hundred and Eight Dollars and eighteen cents with interest thereon at the rate of Eight per centum per annum from the eighth day of September A. D. 1879.

It is therefore considered by the said Court here that the said plaintiff recover of the defendants Isaac N. McCracken the said sum of Four hundred and Eight Dollars and eighteen cents the sum so found due as aforesaid with Eight per cent interest thereon from the 8th day of September A. D. 1879, and also his costs taxed to $ And it is further ordered and adjudged that an order issue to the Sheriff of said County Commanding him to cause the said lands and tenements in said petition described to be appraised, advertised and sold according to law and bring the proceeds into Court for further order herein. And leave is granted to the defendants "Hoodburn Sawing Wheel Company" to file answer herein within 50 days from rising of Court and Cause Continued

3455 Lucy Virginia French et al. vs. Benjamin Hill et al.

Now comes the plaintiffs in this action by their attorneys and it appearing to the Court that the defendant Benjamin Hill has been sued in this action by mistake and that the real defendant is, Robert Hill. It is ordered by the Court that said mistake be corrected so that Robert Hill shall be shown as a defendant and that this Entry operate as an amendment to the petition: and that the true name of the defendant be used in all further proceedings herein. And that this case shall be conducted under the following title to wit: "Lucy Virginia French et als. vs. Robert Hill et al." and this Cause continued for service upon said Robert Hill

3416 Leonard Dunn vs. Julia A. Phillips et als. Settled and cost paid

3430 George F. Morse et al. Exc vs J. Smith Alexander et als Continued

3434 Betsy L. Pyers vs James T. Pyers Continued

3438 Andrew J. Thompson vs Alice E. Thompson Continued

3439 Sarah J. Poling vs. George W. Poling Continued

Monday 22nd of September 1879

3229 Farmers Bank of Union County Plaintiff
vs.
W. E. Baxter, Mary C. Baxter, Clemmens Oskamp and Robert Nelson, Defendants

This cause came on to be heard on the return of the Sheriff of the writ of execution issued herein with his report of his proceedings and sale of lands and tenements under said writ, And the Court having carefully examined the said proceedings being satisfied that the said sale have in all respects been in conformity to the provisions of the Statute in such cases made and provided finds the same legal and does therefore approve and confirm the same. It is further ordered that the Sheriff make to the purchaser Clemmens Oskamp a deed in fee simple for the lands and tenements so sold to wit: Situate in the County of Union and State of Ohio and in the incorporated Village of Marysville, Beginning at the north west corner of a lot formerly owned by D. F. McKitrick running thence easterly and with D. F. McKitrick's and Henry Woods lots and with Mrs. Taylors line to the alley on the east side of the Brown property: Thence with the west margin of said alley northerly to the south margin of North Street as now Extended: Thence with north street westerly to the corner of Kennedys lot: Thence South with Kennedys line to the place of Beginning and being the premises formerly owned by Thomas Brown containing about three fourths of an acre. And the said purchaser is hereby subrogated to all the rights of the said lien holders in said premises so far as they may be paid herein for the protection of his title. And a writ of possession is awarded to put the said purchaser in possession of said premises.

And the Court coming now to the distribution of the purchase money in the hands of the Sheriff orders that he pay, First to the Treasurer of this County the taxes and penalty due upon the property so sold to wit: the sum of $59 42 the purchaser to pay taxes levied for the year 1879. now a lien on said premises. Second to the clerk of this Court the costs of this action taxed at $73 84/100, Third to the plaintiff the Farmers Bank of Union County the amount of the judgment with interest at 8 per cent to date to wit: the sum of $1123.78, Fourth, The balance of said purchase money to wit: $1142.96 to be applied as payment to the extent of said sum of $1142 96 upon the decree in favor of said Clemmens Oskamp and Execution is awarded for balance due said Oskamp.

3440 Alice Thompson vs. Andrew J. Thompson . Continued

3444 James Stewart vs. Wilson S. Davis } Now come the parties and settled this cause at costs of defendants. It is therefore considered and adjudged by the Court that the plaintiff recover of the defendant his costs herein expended taxed to $

3447 Mary J. Emmerson et al. vs William Holly et al. cross et als. Continued

3448 Union Central Life Insurance Co vs. James Williams } Continued with leave to plaintiff to file petition in 10 days from Rising of the Court

Monday September 22nd 1879

502 The State of Ohio vs. Amos H. Huskey Defendant } Indictment for Murder in the first Degree.

The defendant Amos H. Huskey this day appeared in open Court in person and with Counsel. The said Huskey having been heretofore indicted in Logan County by the Grand Jury therein for the murder of George W. Rockwell and the said Amos H. Huskey having on his application been directed by the Common Pleas Court of said Logan County to be tried in this County and the certified transcript of all the proceedings in the case in said Logan County together with the original indictment in said case having been transmitted by the Clerk thereof under his official signature and the seal of said Court to the Clerk of this Court the same is duly filed herein and the same was ordered to be proceeded in in this Court, and numbered 502 herein,

State of Ohio. Plaintiff vs. Amos H. Huskey, Defendant } Indictment for murder in the First Degree

502

Now comes the prosecuting attorney on behalf of the State of Ohio, said Amos H. Huskey being brought into open Court in the Custody of the Sheriff his Counsel also coming. Thereupon J. E. Powell the Attorney of said Huskey duly authorized in the premises suggests to the Court that said Amos H. Huskey is not now sane and duly presents to the Court the Certificate of Wm. T. Shaw and others, said persons being respectable Physicians in good professional Standing to the same effect. Thereupon it is ordered by the Court that a jury be duly empanelled to try whether or not the said Amos H. Huskey be sane and the Court further orders that the time for said trial be fixed for this day to wit: the 22nd day of September A. D. 1879. Thereupon a jury is duly drawn from the jury-box and a venire issued therefor according to law returnable forthwith. Thereupon said Venire facias was duly forthwith returned by the Sheriff of this County with the endorsement thereon as follows to wit: The State of Ohio, Union County, ss. Sheriff's Office Sept 22nd 1879. On the 22nd day of September 1879 I served this writ on the within named persons by reading: to wit: John Abbott, J. B. Dort, David Conklin Solomon Wright, H. T. Fullion, Michael Sager, James Cooley, J. P. McDowell, J. B. Dondua, R. L. Stimmell, John H. Sterling, M. M. Selby. "J. J. Miller Sheriff of Union County Ohio." And upon calling the same in open Court the said jurors so drawn and summoned to wit: John Abbott, J. B. Dort, David Conklin, Solomon Wright, H. T. Fullion, Michael Sager, James Cooley J. P. McDowell, J. B. Dondua, R. L. Stimmell, John H. Sterling & M. M. Selby. appeared in answer to their names and were accepted and duly sworn to try the question whether the said Amos H. Huskey is or is not sane and a true verdict give according to the law and the evidence. And the said Amos H. Huskey having affirmation of said issue proceeded to the examination of the witnesses and the trial not having been concluded the Court adjourned until tomorrow morning at half past 8 o'clock.

Tuesday September 23d 1879

Court convened at 8½ oclock A. M. pursuant to adjournment. Same officers being present as on yesterday.

3480 Thomas A. Legler et.al. Partners as Legler Barlow Co. vs J. B. Torrence Defendant } Coguovit

This day came the plaintiff by H. A. West attorney, and thereupon came John M. Brodrick one of the attorneys of Record of this Court who, by virtue of a warrant of attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process and entered appearance of said Defendant herein and by virtue of the same warrant of attorney confesses that there is due from said Defendant to said plaintiff as is alleged in said Plaintiffs Petition the sum of $309 34/100. It is therefore considered that said plaintiff do recover of said defendant the said sum of $309 34/100 so as aforesaid confessed to be due, together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorney all errors are released, and all right of appeal and all right to file a petition in error are waived.

505

502 State of Ohio vs. Amos H. Juskey } Indictment for murder in the first degree.

Now comes the prosecuting attorney on behalf of the State of Ohio, said Amos H. Juskey being brought into Court in the custody of the Sheriff, his counsel also coming and the examination of witnesses by said Amos H. Juskey being still in progress and thereupon the Court adjourned until tomorrow morning at half past 8 oclock.

502

3476 The Bank of Richwood vs G. W. Canan, John T. Lenox Sons and S. Walker } This day came the plaintiff by their Attorneys and thereupon came A. H. Kellogath one of the attorneys of Record of this Court, who, by virtue of a warrant of attorneys duly executed and now produced in open Court and duly proven, waived the issuing and service of process and entered appearance of said defendants herein, and by virtue of the same warrant of Attorney, confesses that there is due from said defendants to said plaintiff as is alleged in said Plaintiffs petition the sum of $1570 00. It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $1570 00 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of attorney, all errors are released, and all right of appeal, and all right to file a petition in error are waived

Thereupon Court adjourned until tomorrow morning at 8½ oclock.

502

Wednesday September 24th 1879

Court convened at half past eight o'clock A.M. pursuant to adjournment Same officers being present as on yesterday.

State of Ohio
vs.
505 George Grow

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is guilty of Carrying Concealed Weapons. It is ordered by the Court that the said defendant George Grow pay a fine of fifty dollars and that the said George Grow be imprisoned in the jail of Union County for the term of ten days, and that he pay the costs of this prosecution. and that he stand committed in the jail of Union County until amount of said fine and costs shall be paid

State of Ohio
vs.
502 Amos H. Inskeep } Indictment for murder in the first degree.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, said Amos H. Inskeep being brought into Open Court in the custody of the Sheriff, his Counsel also coming and the examination of witnesses by said Amos H. Inskeep being still in progress and thereupon the Court adjourned until tomorrow morning at half past 8 o'clock

Thursday September 25th 1879

State of Ohio
vs.
502 Amos H. Inskeep } Indictment for murder in the first degree.

Now comes the Prosecuting Attorney on behalf of the State Ohio, said Amos H. Inskeep being brought into open Court in the custody of the Sheriff, his Counsel also coming and the examination of witnesses by said Amos H. Inskeep being still in progress and thereupon the Court adjourned until tomorrow morning at half past 8 o'clock.

Friday September 26th 1879

Thereupon Court convened at half past Eight o'clock A.M. Same officers being present as on yesterday.

State of Ohio
vs.
502 Amos H. Inskeep } Indictment for murder in first degree

Now comes the prosecuting attorney on behalf of the State of Ohio said Amos H. Inskeep being brought into Open Court in the custody of the Sheriff, his Counsel also coming and the examining of witnesses by said Amos H. Inskeep being still in progress and thereupon the Court adjourned until tomorrow morning at half past Eight o'clock

Saturday September 27. 1879

Court convened at half past Eight oclock this morning. The Same officers being present as on yesterday.

502 The State of Ohio vs Amos H. Duskey } Indictment for murder in the first degree.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, said Amos H. Duskey being brought into open Court in custody of the Sheriff, his Counsel also coming and the examination of witnesses by said Amos H. Duskey being still in progress and thereupon the Court adjourned until 9 oclock Monday morning next

3449 Jesse Ramsey vs. Perry Sherman Admr } Continued with leave to defendant to file answer in 30 days from Rising of the Court.

3453 Melissa P. Kaie et als vs. William McMurrich et als } Continued with leave to defendants to file Answer in 30 day from rising of the Court

3459 John Moore vs P. Ray Kerr Continued

3467 Francis M. Hubbard vs Daniel M. Hubbard Continued

3469 George Lockhart vs Andrew Taylor Continued

3471 M. C. Laurence vs Israel Morey Settled and Cost paid

3473 Isaac Galis vs Ira H. Drake et als. Continued

3474 Henry Krider et al. vs John Cramer et al Continued

3475 William C. Cowles et als. vs Mathew Pomer Continued

3479 Albert B. Witter vs. Luther Lane Continued

3481 Ellen Turpin vs. Thomas Turpin Continued

Thereupon the Court adjourned until 9 oclock Monday morning next

Monday September 29th 1879

Court convened at half past eight o'clock a.m. Pursuant to adjournment. Same officers being present as on yesterday.

3456 Robert Graham vs Jacob W. Kellar

And now comes the said Plaintiff Robert Graham by Carpenter & Prodrick his attorneys and the said defendant still failing to answer or demur to said petition, it is considered that the said plaintiff is entitled to an account of the money due him in the premises, and the Court after hearing the Evidence, do find that there is due to said plaintiff on the note and mortgage in said petition described the sum of three hundred and fifty two dollars and fifty six cents with interest thereon at the rate of Eight per centum per annum from the 8th day of September A. D. 879. It is therefore considered by the said Court here that said plaintiff recover of the said Defendant the said sum of three hundred and fifty two dollars and fifty six cents with 8 per cent interest from September 8th 1879 the sum so found due as aforesaid, and also his costs taxed to $ And it is further ordered and adjudged that an order issue to the Sheriff of said County commanding him to cause the said lands and tenements in said petition described, to be appraised, advertised and sold according to law, and apply the proceeds of said sale in satisfaction of the said sum so found due with costs of suit.

3451 J. H. Wall vs W. L. Harrison & Stephen Davis

Now comes the plaintiff by Carpenter & Prodrick his attorneys and the defendants being in default for answer and demurrer the Court find that the allegations of the petition are confessed by them to be true and that there is due from defendants to the plaintiff on the note in plaintiffs petition described the sum of $102.50 together with the sum of $8.78 which the Court finds is due thereon as interest as prayed for in plaintiffs petition. It is therefore considered by the Court that the said plaintiff recover from the defendants W. L. Harrison & Stephen Davis the sum of $111.28 the sum so as aforesaid found due (with interest from the 8th day of September A. D. 1879 @ 6%) together with his costs herein expended taxed to $

3455 Lucy Virginia French et.als. vs Robert Hill et als } Continued with leave to defendants to answer within 30 days from Septem 29. 1879

3457 Lucy Virginia French et.als. vs John H. Preston et als } Continued with leave to defendants to answer within 30 days from Septem 29. 1879

Monday September 29. 1879

3450 G. W. Mackling vs A. B. Butler et.al. } Court of Common Pleas, Union County Ohio,

And now comes the said plaintiff G. W. Mackling by Pargeon & Prodrick his attorneys and the said defendants still failing to answer or demur to said petition, it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the Court after hearing the evidence, do find that there is due to said plaintiff on the note and mortgage in said petition described the sum of fifteen hundred and sixty six dollars and sixty nine cents with interest thereon at the rate of Eight Per centum per annum from the 8th day of September A. D. 1879. It is therefore considered by the said Court here that said plaintiff recover of the said defendant A. B. Butler the said sum of fifteen hundred and sixty six dollars and sixty nine cents with 8 per cent interest from September 8th 1879 the sum so found due as aforesaid, and also his costs taxed to $ And it is further ordered and adjudged, that an order issue to the Sheriff of said County Commanding him to Cause the said lands and tenements in said petition described, to be appraised, advertised and sold according to law, and apply the proceeds of said Sale in satisfaction of the said sum so found due with costs of suit.

3378 Maggie A. Swartz vs Marcus Hildreth }

This Cause came on to be heard on the return of the Sheriff of the writ of execution issued herein; with his report of his proceedings and sale of lands and tenements under said writ; and the Court having Carefully Examined the said proceedings, being satisfied that the said sale has, in all respects been made in Conformity to the provisions of the Statute in such Cases made and provided, finds the same to be legal and does therefore approve and confirm the same. It is further ordered that the said Sheriff make to the purchaser Maggie A. Schwartz a deed in Fee simple for the land and tenements so sold to wit. Part of survey No. 3693 on the Marion Road and bounded and described as follows: Commencing at the south west Corner of lot (4) four in Village of Harrisburg in said County of Union, Thence four poles along the Marion Road. Thence east eight poles, thence north four poles Thence west along the south line of said lot No. 4 to the place of Beginning, and a writ of possession is awarded to put the said purchaser in possession of said premises.

3482 Caleb Marsh Plaintiff
Against
J. McNewhouse, J. E. Newhouse, J. H. Hoskins & Allen Hickox }

This day came the plaintiff by Carper & Vandeman his attorneys, and thereupon came J. H. Kinkade one of the attorneys of Record of this Court, who, by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process, and entered appearance of said Defendants herein, and by virtue of the same warrant of Attorney, Confesses that there is due from

Monday September 29, 1879

said Defendants to said Plaintiff as is alleged in said Plaintiffs petition the sum of six hundred and six dollars and Eighty four cents ($606 84)
It is therefore considered that said Plaintiff do recover of said Defendants the said sum of six hundred and six dollars and Eighty four cents ($606 84) so as aforesaid confessed to be due together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorny, all error are released and all right of appeal, and all right to file a petition in error are waived.

3376 Andrew Hisey, Plaintiff
Against
W. F. Dawson and L. H. Jain } Court of Common Pleas Union County.

Now came the plaintiff herein and the defendant being in default for answer and demurrer and this cause coming on for hearing was submitted to the Court upon the pleadings and evidence; on consideration whereof the Court find that at the time of bringing this action the said plaintiff was in possession of the said property described in the petition; and that he has the legal estate in, and is entitled to the possession of the same; that the promissory note and mortgage described and referred to in the said petition were without consideration and obtained by fraud and misrepresentation; that neither the defendants or any one of them have any estate in, or are entitled to the possession of said real estate or any part thereof, and that the plaintiff ought to have his title and possession quieted as against each and every one of said defendants, the said mortgage delivered up and cancelled and the said promissory note delivered up as prayed for in his petition. It is therefore ordered, adjudged and decreed that the title and possession of the said Andrew Hisey to all and singular the premises in the petition described to wit; Situate in the County of Union, in the State of Ohio and in the Virginia Military District and bounded and described as follows, Being part of Survey No. 5729 in the name of Robert Means Beginning at the north east corner of Henry Shirks turkey acre lot of land, thence S. 80° W. 86 poles to a stone in the line of Joseph Orahood and George Orahoods land; thence west twelve rods and six links to Stephen Shirks line and George Orahoods line (Corner a stone); thence with 5 1/4 rods to a stone; thence east one rod and six links to a stone, thence north 80. 34 to a stone; thence east eleven rods to the Beginning containing five acres and one hundred and fifty three rods, &c, and the same hereby are, quieted as against the defendants and each and every one of them, and all persons claiming under them, or either of them: That the said promissory note be delivered up and the said mortgage be delivered up and cancelled and held for naught.
And said defendants and each and every one of them and all persons claiming under them are hereby forever enjoined from setting up any claim to said premises, or any part thereof or to any interest therein, adverse to the title and possession of said Andrew Hisey thereto, or in any manner interfering with his use and enjoyment of the same. It is further ordered that the plaintiff pay the costs herein taxed to $

Monday September 29. 1879

502 State of Ohio vs Amos H Inskeep } Indictment for murder in 1st degree

Now comes the Prosecuting Attorney and on behalf of the State of Ohio, said Amos H. Inskeep being brought into open Court in Custody of the Sheriff, his Counsel also coming and the examination of witnesses by said Amos H. Inskeep being still in Progress and thereupon the Court adjourned until tomorrow morning at half past Eight oclock

Tuesday September 30. 1879

Court convened at half past eight oclock A. M. Pursuant to adjournment. The same officers being present as on yesterday.

502 State of Ohio vs Amos H. Inskeep } Indictment for murder in 1st degree

Now comes the Prosecuting attorney on behalf of the State of Ohio, said Amos H. Inskeep being brought into open Court in the Custody of the Sheriff, his Counsel also coming and the examination of witnesses by said State of Ohio being still in Progress and thereupon the Court adjourned until tomorrow morning at half past eight oclock.

October 1st

Wednesday ~~September~~ 30. 1879

Court convened at half past eight oclock this morning. The same officers being present as on yesterday.

502 State of Ohio vs Amos H. Inskeep } Indictment for murder in 1st degree

Now comes the Prosecuting Attorney on behalf of the State of Ohio, said Amos H. Inskeep being brought into open Court in the Custody of the Sheriff, his Counsel also coming and the examination of witnesses by said State of Ohio being still in Progress and thereupon the Court adjourned until Saturday morning Oct 4th 1879 at half past eight oclock.

Saturday October 4. 1879

Court convened at half past eight oclock pursuant to adjournment. The same Officers being present as on Wednesday.

Catherine Joseph et.als. vs. Eli G. Pijer Ad. & others } Nos 3462, 3463, 3464, 3465

This day came the defendants by their Attorneys and asked and obtained the leave of the Court to file pleadings in the four cases of above title and numbers, within thirty days from the rising of this term of this Court.

3393 James Williams vs America Williams }

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the motion of the plaintiff to open up the Continuance in this case and to set aside the allowance of Alimony. And the Court being fully advised in the premises do sustain said motion and by order of the Court the Continuance is opened up and set aside and the judgment and allowance of alimony is set aside and held for nought and the petition and Cross Petition are dismissed without prejudice and all papers by leave of the Court are to be withdrawn from the files. It is further considered that the plaintiff pay the costs of this action taxed at $

502 State of Ohio vs. Amos H. Juskey } Indictment for murder in 1st degree

Now comes the Prosecuting attorney on behalf of the State of Ohio said Amos H. Juskey being brought into open Court in the Custody of the Sheriff, his Counsel also coming and the examination of witnesses by said State of Ohio being still in progress and thereupon the Court adjourned until ~~Saturday~~ Monday morning at 9 oclock. [illegible]

Monday October 6th 1879

Court convened at 9 o'clock this morning pursuant to adjournment. The same officers being present as on Saturday.

2921 John Sessions vs William Bales

On motion to the Court by the plaintiff, and it appearing to the Court by the return of the Sheriff, the real Estate levied in this case has been twice offered for sale and not sold for want of bidders It is therefore ordered by the Court that the appraisement of the real Estate levied on in this case be and the same is set aside and that the same be reappraised according to law.

502 State of Ohio vs Amos H Huskey — Indictment for murder in 1st degree.

A. L. Wright having taken down the testimony on the trial of the above case, and thereby shortened the length of said trial it is ordered that he be paid for said services the sum of $25.00 out of the County Treasury of Logan County Ohio: And the Auditor of said County of Logan is ordered & directed to draw his warrant on the Treasurer of said County in favor of said A. L. Wright for said sum of $25.00

492 State of Ohio vs. Addison Elliott — Indictment for murder in the first degree

This day this cause came on for hearing and upon order of the Court, the same was postponed till Thursday October 9th 1879 1 o. Clock P. M.

502 State of Ohio vs. Amos H. Huskey — Indictment for murder in 1st degree

Now comes the Prosecuting Attorney on behalf of the State of Ohio said Amos H. Huskey being brought into open Court in custody of the Sheriff, his Counsel also coming and the examination of witnesses by said State of Ohio being ~~had in part~~ concluded and thereupon the Court adjourned until half past eight o'clock tomorrow morning.

3341 H. M. Rouse vs The Pleasant Valley Building & Loan Association

This day this cause came on for trial and the Deft. failing to demur or answer this cause was submitted to the Court upon the pleadings, evidence & Exhibits, and was argued by counsel, whereupon the Court being fully advised in the premises of said cause say there is due and remaining unpaid from the Defendant, The Pleas Valley B. & L. Co. to the plaintiff H. M. Rouse the sum of $12.05/100 with interest from October 1878. It is therefore considered, ordered & adjudged, That the plaintiff recover of the Deft. the said sum of $12.05 with int. from Oct. 1878. and $1.65 his costs herein expended amounting to $. And it is further ordered & adjudged by the Court that unless the said defendant pay or cause to be paid to the plaintiff herein the sum of $12.65 and the costs herein taxed to $ within ten days from the date of this entry that execution issue therefor

Tuesday October 7th 1879

Court convened at half past eight oclock pursuant to adjournment. The same officers being present as on yesterday.

502 State of Ohio vs Amos H. Huskey } Indictment for murder in first degree.

Now comes the prosecuting attorney on behalf of the State of Ohio and said defendant being brought into open Court in the custody of the Sheriff his Counsel also coming and thereupon the argument of Counsel being in progress, thereupon the Court adjourned until tomorrow morning at half past 8 oclock.

490 State of Ohio vs. Charles Spear Continued by agreement.

491 State of Ohio vs. W.S. Alden Continued by agreement

503 1/2 State of Ohio vs. Edgar Rogers and Joseph Rogers, Continued by Agreement.

504 State of Ohio vs. John Mayo Continued for want of time.

508 State of Ohio vs. George Krouse Continued by agreement.

507 State of Ohio vs. George Krouse Continued by agreement.

509 State of Ohio vs. Sylvester Thomton & Melville Lingrel Continued for arrest

3240 H. C. Hamilton vs James Cutler et al. } This day this cause came on to be heard upon the pleadings, exibits and evidence of the parties plaintiff and defendants and neither party desiring or demanding a jury and a jury being waived the matters in difference were submitted to the Court and the Court being fully advised in the premises and upon hearing the allegations and evidence of the of the parties and argument of Counsel do find there is due from the defendants James Cutler, R. T. McAllister and Hyreas Sabine to the plaintiff the sum of $195.50. Wherefore it is ordered and adjudged by the Court that the plaintiff recover of said Defendants Cutler, McAllister and Sabine the sum of $195.50 with interest from the 1st day of the September term, to-wit September 21 1879 and his costs herein expended.

Wednesday October 8th 1879

Court convened at Eight and one half oclock A. M. pursuant to adjournment. The same officers being present as on yesterday.

3387 Mary E. Cobb vs. William H. Moore } In Partition

On motion to the Court by Cameron & Benton Counsel for the Petitioners and upon producing the return of the Sheriff and the report of said Commissioners heretofore appointed and the same having been examined by the Court here and found in all respects correct and in conformity to law, and that it is for the best interest of all said parties that the portions of said Clarence E. Moore and Alice M. Moore be set off in one body as done and shown in Lot No 1 and that it is alike for the best interest of all said parties that the portions of the said William H. Moore and John H. Moore be set off in one body as done and shown by lot No 2. It is hereby ordered that the said proceedings and report be and the same is hereby approved and confirmed and that said widow hold and enjoy the part set off to her as her reasonable dower and that said parties hold in severalty the parts and premises so set off and assigned to each respectively and it is further ordered that the costs of this action including a counsel fee to be paid to Cameron & Benton of $99.00 be paid by said parties in equal parts and in default that Execution issue therefor. And it appearing that the true name of the defendant herein designated as Sophia A. Moore is Phila M. Moore and that the initial letter in the name of John is M. instead of A. and the initial letter of Clarence is E. instead of A. It is ordered that the same be and they are corrected and the record ordered to be made in the names so corrected viz: Phila M. Moore, John M. Moore, Clarence E. Moore.

3485 Joseph Russell vs. James Hamilton & D. H. Price } Cognovit

This day came the Plaintiff by Henry J. King attorney, and thereupon came J. M. Kennedy one of the Attorneys of Record of this Court, who, by virtue of a warrant of ~~warrant~~ Attorney duly executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said Defendant herein, and by virtue of the same warrant of attorney confesses that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiff's petition the sum of $407.14. It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $407.14 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorney, all errors are released, and all right of appeal and all right to file a petition in error are waived.

502

502

3332

3429

Wednesday October 8th 1879

502 State of Ohio vs. Amos H. Inskeep } Indictment for murder in first degree

Now comes the Prosecuting Attorney on behalf of the State of Ohio and said Amos H. Inskeep being brought into Court in the custody of the Sheriff, his Counsel also coming, also came the jury heretofore empanelled and Sworn in this case and the said jury having heard all the testimony adduced by the parties the argument of Counsel and the charge of the Court, after due deliberation thereon, returned the following verdict to wit:

The State of Ohio, Union County ss No. 502 September term 1879

The State of Ohio vs Amos H. Inskeep } "We the jury in this case, being duly empannelled and Sworn do find and say that the defendant Amos H. Inskeep at the time of empannelling this jury was and Still is sane. J. B. Dondua, J. B. Dort, Wm T. Fullen, David Poulin Solomon Wright, J. P. McDowell, M. M. Selby, J. H. Sterling, R. L. Stimmel John Abbott, Michael Sager, James Cooley.

And thereupon said defendant is ordered into the custody of the Sheriff to await further proceedings and thereupon the Court adjourned until Thursday morning at 9 o'clock

502 State of Ohio vs Amos H. Inskeep } Indictment

3332 Nathan Mills vs J. R. Pickett et al. } This day this cause came on to be heard upon the motion of defendants for additional Security for costs and the Court being fully advised in the premises did sustain said motion and leave was granted plaintiff 30 days from rising of the Court to put in additional Security for costs and the same time to reply and cause continued.

3429 Comer, Emmons & Co vs John H. Andrews et als. } And now this cause coming on for hearing and the defendants John H. Andrews and John M. Andrews and J. T. Price being in default for answer or demurrer and the case being submitted to the Court upon the pleadings and evidence, and the Court being fully advised in the premises do find that the defendants are indebted to the plaintiffs in the sum of $112.85. It is therefore considered by the Court that the said plaintiffs recover from the defendants the sum of $112.85 dollars and their costs herein expended taxed at $

Thursday October 9. 1879

Court convened at 9 o'clock this morning Pursuant to adjournment. The same officers being present as on yesterday

502 State of Ohio vs. Amos H. Dusenbury } Indictment for murder in first degree

Now comes the prosecuting attorney on behalf of the State of Ohio and said defendant with Counsel coming into open Court and thereupon it appearing to the Court that the special jury heretofore empaneled and sworn to try the question whether said defendant is or is not sane at the time of the said empaneling having duly found said Amos H. Dusenbury to be sane at the time of said empaneling and of the rendering of said verdict, it is thereupon ordered that the trial be had on said indictment according to law and the day for said trial be and the same is hereby fixed for the 29th (Twenty ninth) day of October inst Ensuing at this term of Court.

492 State of Ohio vs. Addison Elliott } Charge, Murder in 1st degree

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being present with his counsel. Whereupon the defendant by his counsel D.W. Ayers submitted a motion to the Court for the Continuance of said Cause Setting forth that Frank Guy who was a material witness and for want of whose evidence could not safely go to trial, also on the account of the illness of W. H. West assistant Counsel, Thereupon the prosecuting attorney admitted the Statement in said affidavit as evidence of said Frank Guy. Thereupon the Court overruled said motion

492 State of Ohio vs. Addison Elliott } Indictment for murder in first degree.

Now comes the prosecuting attorney on behalf of the State of Ohio the defendant being brought into Court in custody of the Sheriff: Thereupon Nolle Prosequi is entered herein by order of the Court at request of the prosecuting attorney as to murder in the first and second degrees. Thereupon the defendant Addison Elliott was arraigned upon Charge of manslaughter and withdraws his plea of not guilty and for plea thereto saith he is guilty which plea is accepted by the prosecuting attorney. Thereupon evidence was introduced upon part of the State and upon part of the defendant and the Cause argued by Counsel. after hearing the Evidence and argument of Counsel, the Court remanded the said defendant Addison Elliott to the custody of the Sheriff until Friday 8 1/2 oclock A. M. October 10th 1879 for sentence.

Thereupon the Court adjourned until 8 1/2 oclock tomorrow morning.

Friday October 10. 1879

Court convned at 8 1/2 oclock this morning. The same officers being present as on yesterday.

492 State of Thio vs Addison Elliott

Whereupon by order of the Court the said defendant Addison Elliott was this day brought into Court in custody of the Sheriff and being enquired of, by the Court if he had any reason why sentence should not pronounce against him, the defendant Addison Elliott replied that he hath not. It is therefore considered and adjudged by the Court that the said defendant Addison Elliott be imprisoned and confined in the Penitentiary of the State of Ohio and kept at hard labor but without any solitary confinement for the period of seven years and that he pay the costs of this prosecution for which execution is awarded.

3364 Finley D. Davis vs. Elijah J. Liston

This cause is continued with leave to the defendants to Answer in 30 days from the rising of the Court.

502 The State of Ohio vs. Amos H. Dunlap } Indictment for murder in the first degree.

This day came George K. Emerson Prosecuting attorney of Logan County Ohio, and also came the said defendant Amos H. Dunlap in Person and by his attorneys and thereupon the said defendant made a motion to the Court for a continuance of the trial of said indictment to the next term of said Court, and having made a proper Showing to the Court of the necessity for the continuance of said Cause said motion of said defendant Amos H. Dunlap is sustained and the said Cause is Continued to the next term of this Court for the trial of said defendant upon said indictment for murder in the first degree.

472 State of Thio vs Frank Davis } Now comes the prosecuting attorney on behalf of the State of Thio and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment for plea thereto saith he is guilty of unlawfully and wilfully disturbing a religious meeting held at Mt. Zion church Union County Ohio, which plea is accepted by the prosecuting Attorney. It is further ordered and adjudged by the Court that the said defendant Frank Davis pay a fine of fifty Dollars and the costs of this prosecution and that he stand Committed to the jail of Union County until the amount of said fine and costs shall be paid, And it is further Ordered by the Court that the said Frank Davis be imprisoned in the jail of Union County for the term of ten days and pay the costs of this prosecution for which execution is awarded

Friday Oct. 10. 1879

474 State of Ohio vs. Frank Davis } Carrying Concealed Weapons.

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment for plea thereto saith he is guilty of Carrying Concealed Weapons which plea is accepted by the prosecuting attorney. It is further ordered and adjudged by the Court that the said Frank Davis pay a fine of one hundred dollars, and that the said Frank Davis be imprisoned in the jail of Union County Ohio for the term of Twenty days and that he pay the costs of this prosecution for which Execution is awarded. And it is further ordered by the Court that the said Frank Davis stand committed to the jail of Union County until the Amount of said fine and costs shall be paid

343

3460 State of Ohio vs. Sidney Rogers }

Now comes the prosecuting attorney on behalf of the State of Ohio, and also came Mary E. Rogers the complainant and Sidney Rogers the defendant in accordance with the condition of the recognizance entered into by said defendant before Henry J. King a justice of the peace and filed in the office of the Clerk of this Court and thereupon upon full consideration of the evidence, it is ordered and adjudged that the said Sidney Rogers do forth with enter into recognizance in the sum of one hundred dollars with good and sufficient security to be of good behavior and to keep the peace with all persons and particularly with the said Mary E. Rogers for the term of one year next hereafter and in default of such security that he be committed to the jail of this County, there to remain until he shall comply with this order or be otherwise legally discharged and that he pay the costs of this prosecution for which execution is awarded.

3386 Osmond N. Wells vs. J. B. Whelpley et al. }

This day this cause came on to be heard upon the motion of plaintiff for continuance of this cause and the Court being fully advised in the premises do sustain said motion at the cost of plaintiff. It is therefore considered, ordered and adjudged that the same be continued to the next term of this Court and the defendants recover the costs of this term off the Plaintiff taxed at $ and an execution issue therefor on the application of defendant

Thereupon the Court adjourned until 9 o'clock tomorrow morning.

Saturday October 11. 1879

Court convened at 9 o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

3436 Margaret Forrider vs. Thomas Forrider } Now came the plaintiff herein and the defendant being in default for answer and demurrer, upon the pleadings and evidence submitted to the Court, the Court find that the plaintiff at the time of filing her petition had been a resident of the State of Ohio for one year next preceding the same and was at the time a bona fide resident of this County of Union and that the parties hereto were married as in said petition set forth. The Court further find upon the evidence that the defendant has been guilty of extreme cruelty to the plaintiff Margaret Forrider and that by reason thereof the plaintiff is entitled to a divorce as prayed for. It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Margaret Forrider and Thomas Forider be and the same hereby is dissolved and both parties are released from the obligations of the same. It is further ordered that the custody, care education and control of the said Children of the parties hereto be, until further order confided to the said Margaret Forider exclusively. And the said Thomas Forider is hereby enjoined from interfering in any manner with either of said Children or with the plaintiff in her custody of them. It is further ordered that the said defendant shall have the privilege of visiting said Children at reasonable times, only in the presence of a third party, friendly to both parties. It is therfore ordered and adjudged that the said plaintiff do have and possess as and for alimony the following described real estate to wit: The following described lands situated in the County of Union and State of Ohio, Being part of survey No. 9944 and bounded as follows. Beginning at a stake in the south line of said original survey from which a maple 14 in. trees N. 43 1/2 W. 18 links and a sugar tree 2 in. diameter trees S. 40 1/2 W. 2 3/4 links. Thence N. 10° W. 148 3/10 poles to a stake in the center of the Essex & Berwick road. Thence with the center of said road N. 64° E. 29 6/10 poles to Baldwins, north west corner a stake, Thence with the west line of said Baldwins 10° E. 157 poles to a stake in the south line of said survey, thence S. 81° 3/4 W. 28 15/100 poles to the place of beginning containing Twenty six & three fourths acres more or less. And the said defendant is hereby ordered to convey said premises and the improvements thereon, and all the appurtenances thereto appertaining and belonging to said plaintiff, her heirs and assigns forever, by a good & sufficient deed in fee simple free from any right or claim of said defendant to any estate by the Courtesy or otherwise therein. And it is further ordered that upon the failure of said defendant to execute said conveyance within five days from the entry hereof, that this decree shall operate as such conveyance. It is further ordered and decreed that the defendant be forever divested of and every claim title or interest by courtesy or otherwise in or to any of the real estate herein before described, and that the plaintiff have full power to lease, rent or dispose of the same at her pleasure. And the defendant is enjoined from interfering in any manner with her rights, and from setting up any claim of interest in said real estate. And it is further ordered and adjudged that the said plaintiff do also have possess and enjoy, as and for alimony the following personal property with the right to use sell or dispose thereof at her pleasure to wit: all her wearing apparel and all her household and kitchen furniture now in the possession of said plaintiff, also two head of horses, two head of cows, eight head of hogs, all the farming utensils and corn and situated in the premises above described. It is further ordered and adjudged that the said plaintiff have and be invested with the rights

over

and power of a feme sole to acquire, hold, manage and dispose of property, money and choses in action, and to bring and maintain suits in her own behalf, free from the control or interference of her said husband. It is further ordered that the said plaintiff pay the costs herein taxed at $ within ten days or that execution be allowed to issue therefor.

2704 James Green vs. Cornelius E. Fish } This cause is settled at plaintiffs costs. Judgment for costs against defendant and no record.

3008 York Center Band vs. L. M. Beebe } Leave to plaintiff to file petition thirty days after rising of the Court and cause continued.

3466 Osmond W. Wells vs. Town of South Lewisburg } Cause continued with leave to answer in thirty days after adjournment of Court.

3313 William Evans vs. Joshua S. Gillett als. } This day came this cause on to be heard and the Court being fully advised in the premises do find for the defendant George B. Hamilton and therefore it is considered, ordered and adjudged by the Court that said George B. Hamilton go hence and recover of plaintiff his costs herein taxed to $

3240 Horatio C. Hamilton vs James Cutler and others } This day came the defendants and asked leave to amend their amended answer by inserting the words "forty three head of them and no more" after the words, "The said hogs were never partnership hogs although" and strike out the words "they" after said words, which motion is allowed and said amendment is now made by interlineation and thereupon leave is given to plaintiff to amend his reply.

3426 Lydia A. Goodwin vs. John Goodwin } In Divorce

And now this cause coming on for hearing upon the pleadings and evidence was submitted to the Court, on consideration whereof the Court find that the plaintiff at the time of the filing of her petition had been a resident of the State of Ohio for one year next preceding the same and was at that time a bona fide resident of this County of Union and that the parties hereto were married as in the petition set forth. The Court further find upon the evidence adduced that the defendant has been guilty of extreme cruelty and that by reason thereof the plaintiff is entitled to a divorce as prayed for. It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Lydia A. Goodwin and John Goodwin be and the same is hereby dissolved and both parties are released from the obligations of the same. It is further ordered that the custody, care, education and control of the said

children of the parties hereto be confided to the plaintiff herein Lydia A. Goodwin exclusively, but it hereby ordered that the said John Goodwin have the privilege at all reasonable times, of visiting said children and any violation of this privilege by either party may be reported to this Court. It is further considered by the Court that the said Lydia A. Goodwin recover from the said John Goodwin her costs herein expended taxed to $ and execution is awarded therefor.

Sarah A. Webster et.als
3363 vs.
I. G. Smith et. als.

On motion of plaintiffs by Carpenter & Brodrick their attorneys and on their producing of the sheriff of the sale made under the former order of this Court, and the Court on careful examination of the proceedings of said sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this Court, it is ordered that the said proceedings and sale be and they are hereby approved and confirmed. And it is further ordered that the said sheriff convey to the purchaser A. J. Carpenter by deed in fee simple the land and tenements so sold and the said purchaser is hereby subrogated to all the rights of the said lien holders in said premises so far as they may be paid herein for the protection of his title; and a writ of possession is awarded to put said purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale amounting to $760.00 it is ordered that the sheriff out of the money in his hands pay: First the costs of this action taxed to $38.83 Second. The Taxes now a lien upon said premises $67.32. Third. To the defendant P. E. Bauer the amount heretofore found due him with interest to wit: The sum of $115.15. Fourth. To A. J. Carpenter (who as it appears to the Court is now the owner of the Sarah A. Webster et.al. judgment) the amount heretofore found due to said Sarah A. Webster with interest to wit: The sum of $265.45. Fifth. To the defendants Wing, Smyth Field & Co. the amount heretofore found due them with interest to wit $283.44

William Moffit
3042 vs.
Sarah J. Minnigh et.als

It appearing to the Court that the real Estate taken on execution herein has been twice advertised and offered for sale and still remains unsold for want of bidders, now on motion of the plaintiff the appraisement heretofore made is hereby set aside and a new one ordered.

Saturday October 11. 1879

3458 D. S. Stephens Admr. vs Kylas Sabine } Now came the plaintiff herein and the defendant being in default for answer and demurer the Court find that the allegations of the petition are confessed by him to be true. That the defendant Kylas Sabine Executed and delivred to said D.S. Stephens Administrator of the Estate of O. P. Stevens deceased the mortgage dud in the petition described and on the premises therein described to wit: Commencing at a stake in the original west survey line of survey No. 6293 in Claibourne Township, Union County Ohio: at S. E. corner of Gandy and Graham Tile Lot: Thence Southerly upon said survey line 34 $\frac{06}{00}$ poles to the S. E. Corner of R. M Burns lot. Thence S. 72 1/4 west along the ditch north of said Burns lot to the middle of the Richwood and Pharisburg Pike. Thence northerly along said Richwood and Pharisburg Pike to the S. W. Corner of a Lot recently owned by Reuben Lavender. Thence N. 74 3/4° E. 41 $\frac{18}{100}$ poles to the place of beginning Excepting therefrom the addition to Richwood before made by the Grantor O. P. Stephens. Being all the lands south of Richwood and East of said pike not heretofore conveyed. That said mortgage was duly recorded in Book 10 Page 352 of the Record of Mortgages of Union County and is the first and best lien on the premises described in the petition. The Court further find that the condition of defeasance in said mortgage has been broken and that the said plaintiff is thereby entitled to have the defendants equity of redemption foreclosed. It is therefore considered and decreed that unless the said defendant shall within 10 days from the entry of this decree pay or cause to be paid to the Clerk of this Court the costs in this case and to said plaintiff the sum of $127.50 with interest from the 8 day of September 879 according to the terms of said mortgage dud. the defendants equity of redemption be foreclosed and said premises shall be sold and and order of sale shall issue therefor to the Sheriff of Union County Ohio directing him to sell as upon execution and bring the proceeds into Court for further order

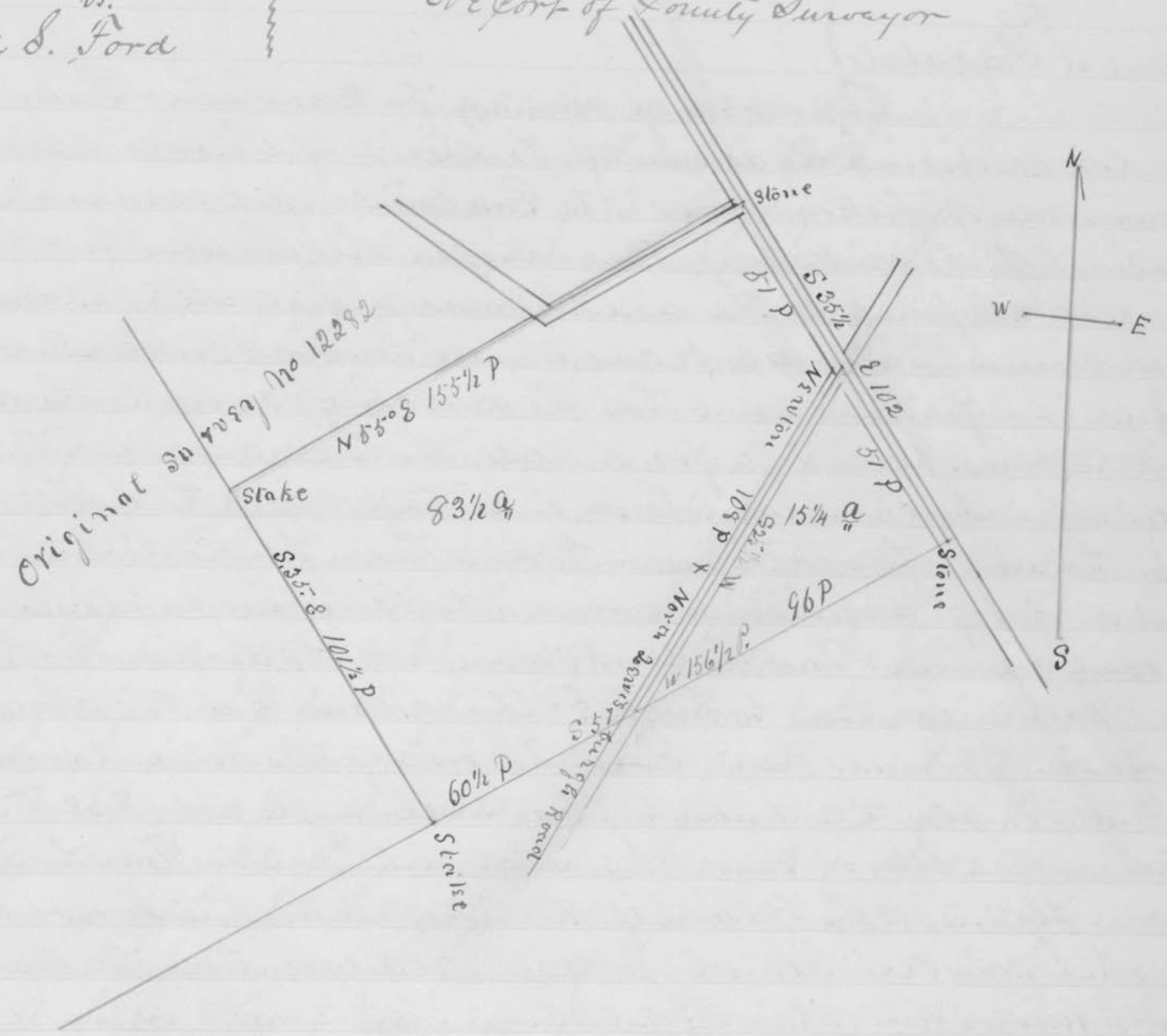
3370 C. S. Chapman vs Daniel S. Ford et.als } This day this cause came on to be heard upon motion of plaintiff for an order to have the premises in the plaintiffs petition surveyed And it appearing to the Court that by the description of said premises as made in plaintiffs mortgage the number of acres of land in said tract cannot be accurately determined, it is hereby ordered that the County surveyor proceed without delay to survey or cause to be surveyed said premises and report that his report be embodied in the record of this case

3326 Cameron & Benton vs Isaac Temple et. als } This day came the parties and settled this cause at the costs of the defendant. It is therefore considered and adjudged by the Court that the plaintiffs recover of the defendant their costs herein ex-

pended taxed to $

Saturday October 11. 1879

3370 C. S. Chapman vs. Daniel S. Ford } Report of County Surveyor



I hereby certify that on the 13th day of October 1879 I made a survey of the above tract of land being part of O. V. M. Survey No 12282 in Liberty Township, Union Co. Ohio. Being the same tract of land described in Case No 3370 in the petition of C. S. Chapman against Daniel S. Ford et als.- which tract of land is more particularly described as follows: Beginning at a stake in the centre of the Newton and South Lewisburgh road and in the easterly line of said survey No. 12282 and 51 rods from a stone in the south easterly corner thereof. Thence with the centre of said road S. 25 1/2° W. 108 poles to a stake in the southeasterly line of said survey Thence with said line S. 57° W. 60 1/2 poles to a stake, Thence N. 35 W. 101 1/2 poles to a stake, Thence N. 55° E. 155 1/2 poles to a stone in the northeasterly line of said survey: Thence with said line S. 35 1/2 E. 51 poles to the place of beginning containing 83 1/2 acres of land, Fred J. Sager. S. V. C. C.

(seal)

Appointment of Persons to examine Report of Commissioners

Robert M. Henderson and Charles S. Chapman are hereby appointed and required in connection with the Prosecuting attorney to investigate and examine the financial transactions of the County Commissioners for the year ending on the 3d Monday of September 1879 and report the result of their examination to the auditor, as and in the manner required by law.

John L. Porter, Probate.

Saturday October 11. 1879

3370 C. S. Chapman
vs.
Daniel S. Ford et.al.

On motion of plaintiff, by Carpenter & Prodrick his attorneys and on producing the return of the sheriff of the sale made under the former order of this Court, and the Court on careful examination of the proceedings of the said sheriff being satisfied that the same have been in all respects in conformity to law and the orders of this court, it is ordered that the said proceedings and sale be and they are hereby approved and confirmed And it is further ordered that the said sheriff convey to the purchaser C. S. Chapman by deed in fee simple, the lands and tenements so sold and the said purchaser is hereby subrogated to all the rights of the said lien holders so far as they may be paid herein for the protection of his title and a writ of possession is awarded to put said purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale amounting to $1670.83 it is ordered that the sheriff out of the money in his hands pay: First, The costs of this action taxed to $50.29 Secondly, To plaintiff amount of his tax claim to wit: $68.74. Third, The taxes now a lien on said premises to wit: $2.23. Fourth, To C. S. Chapman plaintiff the balance of the money in his hands not exceeding the amount of his claim to wit: $1732.27, and execution is awarded for the balance of said plaintiff's claim

3410 Cornelius E. Fisk
vs.
Elizabeth Fisk

This day came on this cause to be heard and the Court being satisfied that due notice hath been given to defendant of the filing of this petition and being satisfied by the evidence of the truth of the allegations of the petition and that plaintiff hath good ground for divorce as alleged in said petition and that the post nuptial agreement referred to in said petition was reasonable and that the land conveyed and the personal property delivered to her by plaintiff was reasonable and was to be shared be in full of all her rights present and contingent upon him for alimony or dower. It is therefore decreed by the Court that plaintiff and defendant be and they are hereby divorced and the defendant is invested with all and full control of the said land conveyed to her and the property delivered to her and in her possession, and that plaintiff hold all the balance of his estate real and personal without any right present or contingent on defendant for further alimony or right of dower. Plaintiff to pay all the costs of this proceeding.

John H. Barnes
vs.
Wiley Berkley

Henry Krider et.al.
vs
John Cramer et.al.
Settled and cost paid

3414 Joseph S. Styer vs. James Thackery

This day this cause came on for hearing and thereupon came Joseph S. Styer by Carpenter & Brodrick his counsel and on his motion and on producing the report of the Sheriff of his sale made under the former order of this Court, and the Court being satisfied on examination that said sale has been made according to law, it is ordered that the proceedings and sale be and the same is hereby approved and confirmed and the said Sheriff is ordered by deeds duly executed to convey the said premises known as Lot No. 9 of fifty nine acres to the said purchaser thereof George H. Holt, in fee simple, and to convey the said premises known as Lot No. 8 of Five and 119/160 Acres to the said purchaser thereof Dugham Hood, in fee simple; And it is further ordered that the said Sheriff, out of the money in his hands to wit: The sum of $2887 23/100, pay first the costs of this case, including a Counsel fee of $68 31/100 to Carpenter & Brodricks, taxed to $131 59/100 and the tax now due on the said premises to wit: $14 17/100, and that of the residue he pay to the said Joseph S. Styer. Three fourteenths part: $587 45/100 to the said Martha E. Thackery one seventh part = $391 65/100 to the said Daisy Styer one seventh part = $391 65/100, to the said Mina Hill one fourteenth part = $195 81/100, To the said May Hill one fourteenth part = $195 81/100, To the said George A. Styer Three fourteenths part = $587 45/100, To the said Eber Styer one seventh part = $391 65/100

3352 S. A. McCloud vs. John Moxley et.als.

This day this cause came on to be heard upon motion of Hutchinson Shaw to confirm a sale heretofore made by the Sheriff of the premises in the above case and the motion of defendant John Moxley to set aside said sale on the ground that before the confirmation the judgment, interest and costs have been by him fully paid. Whereupon the Court after hearing the argument of Counsel. the payment of the judgment interest and costs being admitted by the parties. and being fully advised in the premises overrules the motion of Hutchinson Shaw to confirm said sale and orders that the Sheriff pay back to said Hutchinson Shaw any money paid by him to the Sheriff on said sale and the Court does sustain the motion of said John Moxley and said sale is hereby set aside. To all of which rulings orders and judgments of the Court the purchaser Hutchinson Shaw excepts

3272 A. H. McFarland et al. vs. Wm Robertson Defendant

This day this cause came on to be heard, leave asked and ~~granted~~ refused was granted by the defendant to docket the above case. and leave was also granted to the defendant to plead within 20 days from the rising of the Court and cause continued

Saturday October 11. 1879

3457 William Evans vs. Joshua L. Gill et.al

This day this cause came on to be heard upon the motion of plaintiff to make new parties defendant which was heard by the Court and upon consideration the Court do grant said motion and it is ordered by the Court here that the plaintiff have leave to make new parties defendant and cause continued

3490 Conrad & Shepper vs. A. J. Bealer et.al.

Now came the plaintiffs by their attorney and also came R. L. Woodburn, one of the attorneys of record of this Court on behalf of the defendants, A. J. Bealer and J. Z. Bealer and by virtue of a warrant of attorney for that purpose, duly executed by the said A. J. Bealer and J. Z. Bealer and now produced to the Court, waived the issuing and service of process and with the assent of plaintiffs confessed that said defendants, are justly indebted to the said plaintiffs in the sum of one hundred and ninety three dollars and forty cents ($193 40) as claimed in the petition, It is therefore considered by the Court that the plaintiffs recover from said defendants the said sum of one hundred and ninety three dollars & 40/100 with 8% interest per annum from the date of this entry, together with his costs herein & pended taxed at $

473 State of Ohio vs. Frank Davis — Indictment, Shooting with intent to kill.

By order of the Court and consent of the Prosecuting Attorney the indictment in this case is nolled.

350 The State of Ohio vs. Harmon Singer. Left off docket.

351 The State of Ohio vs. Harmon Singer Left off docket.

358 State of Ohio vs. William Richlin Left off docket.

359 State of Ohio vs William Richlin Left off docket.

360 State of Ohio vs. William Richlin Left off docket.

361 State of Ohio vs. William Richlin Left off docket.

392 State of Ohio vs. William Richlin Left off docket

Thereupon the Court adjourned until 9 o'clock Thursday morning Oct 16/79

Thursday October 16th 1879

3431 Peoples Bank vs. Charles Wilson et al

And now comes the said plaintiff by Carpenter & Broderick its attorneys and the said defendants still failing to answer or demur to said petition it is considered that the said plaintiff is entitled to account of the money due it in the premises and the court after hearing the evidence do find that there is due to the said plaintiff on the note and mortgage in said petition described the sum of One hundred and forty seven and 36/100 Dollars ($147.36) with interest from the 8th day of September 1879.

It is therefore considered by the said Court here that the said plaintiff recover of said defendants Charles Wilson and Florence Wilson the said sum of One hundred and forty seven & 36/100 Dollars with interest from the 8th day of September 1879 the sum so found due as aforesaid and his costs taxed to $ And it is further ordered and adjudged that in case said defendants fail for five days from the entering of this decree to pay to the said plaintiff the said sum of $147.36 with interest from September 8th 1879 so as aforesaid found due with costs of suit an order issue to the Sheriff of said County of Union Commanding him to cause said lands and tenements in said petition described to be appraised, advertised and sold according to law and apply the proceeds of said sale in satisfaction of the sum so found due with costs of suit.

3191 Julia S. McFadden vs. Harrison McFadden

This day came on this cause to be heard by the Court whereupon the Court find from the evidence that the charge of adultery against the defendant is sustained as alleged in the petition and that plaintiff is entitled to a decree of divorce. That the parties have settled between themselves all questions of alimony &c and that the same is reasonable.

Therefore it is decreed and adjudged by the Court that the plaintiff be and she is hereby divorced from the defendant and they are absolved from their marriage contract and plaintiff is decreed to peaceably hold and control all the property in her possession and conveyed to her by and without any contingent right of the said defendant. It is further ordered that the costs of this case be paid by the plaintiff.

3428 Elizabeth Price et.als. vs. John P. Bonic et.als. On motion to the Court by Carpenter & Broderick Counsel for said petitioners and on producing the return of the Sheriff and report of said commissioners heretofore appointed and the same having been examined and found in all respects correct and in conformity to law it is hereby ordered that the said proceedings and report be and same is hereby approved and confirmed and thereupon neither of said parties electing to take said premises at the said valuation it is ordered that said premises be sold at public sale by the Sheriff of said County of Union according to law and that he return his doings in the premises to the next term of this Court to which time this action is continued.

Oct 16/79

Thursday Oct 16. 1879

502 State of Ohio vs. Amos H. Duskup

This day this cause came on for hearing upon the motion of the defendant for new trial which was argued by counsel and submitted to the Court upon consideration whereof the Court do overrule said motion to which ruling of the Court the defendant by his Counsel excepts and thereupon at the request of attorneys of the defendant leave is given them to prepare and present bills of exception within thirty (30) days after the close of this term and the Journal is ordered to be kept open for that purpose and the allowance and signing thereof entered therein as of this term

3420 John McLaru vs. Phillip L. Coe } Court Common Pleas, Union County Ohio.

This day this cause came on to be heard upon the plaintiffs motion asking for an order of the Court to require the defendant Phillip L. Coe to give the plaintiff permission to take a copy of a certain written article of agreement made by and between the plaintiff and defendant at South Lewisburgh Ohio and dated Nov. 4th 1876. which article of agreement was signed by the said parties and witnessed by Ed. C. Miller and is pertaining to the Exchange of the horse mentioned in the petition in this case for said lot No. 23 therein mentioned, the original of which is now in the possession of, or under the control of the said defendant and the Court being fully advised in the premises does hereby with the consent of the defendants attorneys, sustain said motion and order the said defendant to give the plaintiff possession to take & enjoy of said original article of agreement within 20 days from this date.

3486 Martha A. Russell vs. Joseph Russell }

This day this cause came on to be heard upon the motion of plaintiff for Alimony Pendita ad lita and the Court being fully advised in the premises do sustain said motion - It is therefore ordered that defendant pay the plaintiff the sum of $100.00 to be paid as follows $50.00 in hand and the balance in thirty days from this date, in default thereof that execution issue therefor 3468

426 State of Ohio vs. William Hudgel, Josiah Kezer & Benjamin Daugherty - Left off docket

432 State of Ohio vs. Thomas Fowlers Continued

460 State of Ohio vs. Orin Decker Continued

465 State of Ohio vs. William Hazen Continued for arrest.

467 State of Ohio vs. Charles Sears Nolled

468 State of Ohio vs. Charles Sears Left off

3157 Mary Smith vs. Harvey Bumgardner

This cause came on to be heard upon the pleadings of the parties, whereupon came a jury to wit: George Graham, George Richard, Leonadas Turner, W. H. Andrews, Joseph Maskel, John Blair, W. W. Orahood, J. M. Romine, Nathan Howard, John Coder, J. P. Marriott, L. H. Southard, who were duly impannued and sworn. Whereupon the Court sent the following questions to said jury to be answered by their verdict to wit: 1. How much land did Plaintiff sell defendant? 2nd How much was defendant to pay her for said land? 3rd How much has defendant paid Plaintiff for said land? 4th. How much (if any thing) is still due to Plaintiff from defendant for said land? To which questions the jury returned the following verdict, to wit: In answer to first question, "Their undivided interest" To the second question, "$1044.00" To the third question "$945.22", To the fourth question "$98.78" Therefore the Court find there is due the Plaintiff from the defendant on the first day of this term the sum of $98.78, being the balance unpaid purchase money upon the premises described in the Plaintiffs petition and that said Plaintiff has a vendors lien thereon for the same, which is the first and best lien on said premises and that she is entitled to have the premises sold for payment and satisfaction of said lien.

It is therefore ordered, adjudged and decreed that unless said Harvey Bumgardner shall pay or cause to be paid within 5 days from the entry of this decree, said judgment of $ 98.78 with interest from the 1st day of this term, and to the Clerk of this Court the costs of these proceedings, said premises shall be sold as upon execution and an order shall issue therefor to Sheriff of Union County and that said sheriff bring the procends of said sale into Court for further order. Whereupon the defendant gave notice of his intention to appeal this case to the District Court and the Court fixed the bond for appeal at $200.00

3468 John F. Zimmer vs. James Leiger et als. } And now comes the said John F. Zimmer by Carpenter & Brodrick his attorneys and the said defendants still failing to demur or answer to said petition it is considered that the said plaintiff is entitled to an account of the moneys due him in the premises and the Court after hearing the evidence do find that there is now due to the said plaintiff on the notis and mortgage in said petition described, the sum of six hundred and forty three 01/100 dollars ($643.01) with interest from the 8th day of September A. D. 1879. It is therefore considered by the said Court here that the said plaintiff recover of the said defendant James Leiger the said sum of $643.01 with interest from Sept 8th 1879 the sum so found due as aforesaid and also his costs taxed to $. And it is further ordered and adjudged that in case said defendant fail for three days from this date (Oct. 17. 1879) to pay to the said plaintiff the said sum of $643.01 with interest from September 8th 1879 so as aforesaid found due with costs of suit an order issue to the Sheriff of said County commanding him to cause the said lands and tenements in said petition described to be appraised, advertised and sold according to law and apply the procends of said sale in satisfaction of the said sum so found due with costs of suit.

Thursday October 16th 1879

3470 Delmore Snodgrass
vs
Joseph E. Dodds et.als.

And now comes the said Delmore Snodgrass by Parquette & Brodrick his attorneys and the said defendants still failing to answer or demur to said petition, it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the Court after hearing the evidence do find that there is due to the said plaintiff on the note and mortgage in said petition described the sum of $501.07 with 8% int. from the 8th day of September 1879. It is therefore considered by the Court here that the said plaintiff recover of the said defendant Joseph E. Dodds the said sum of $501.07 with 8% int. from September 8th 1879 the sum so as aforesaid found due and also his costs taxed $ And it is further ordered and adjudged that in case the said defendants fail for three days from this date (Oct. 17th 1879) to pay to the said plaintiff the said sum of $501.07 with 8% int. from September 8. 1879 so as aforesaid found due with costs of suit an order issue to the Sheriff of said County of Union Commanding him to cause the said lands and tenements to be appraised, advertised and sold according to law and apply the procuds of said sale in satisfaction of the said sum so found due with costs of suit.

3373 P. H. Baur et.als.
vs.
H. H. Pringle et.als. } Entry and Bill of Exceptions

Be it remembered that at the September term 1879 of the Court of Common Pleas, in said County of Union before the Hon. J. L. Price Judge this cause came on to be heard upon the order of Distribution, upon the pleadings and evidence all of which evidence in behalf of both Plaintiffs and defendants is set out in the agreed statement of facts hereto attached and made a part hereof marked "Exhibit A." And the Court after consideration thereof find that the levies made by the constable upon judgments in favor of the defendants Lurllan, Moore and Hill were valid levies and entitled to preference over levies made by the Sheriff on judgments of the Plaintiffs P. H. Baur and the Union County Bank. That the levy of the Sheriff on the judgments of the defendant Benedict & Co, was a valid levy and entitled to preference over the levies made by said constable. It is therefore ordered and adjudged by the Court that out of the procuds of the sale of the goods and chattles levied upon as returned by the receiver appointed in this case there be paid first the costs in this action. 2nd judgment interest and costs of the defendant Benedict & Co. to wit: $174.76 3rd the several judgments interest and costs of the defendant G. W. Lurllan, Cyrus Moore, and M. H. Hill to wit: Geo. Lurllan, $102.45 M. H. Hill $226.68 and Cyrus Moore $116.16 and that the residue if any be paid to the plaintiff P. H. Baur. To the above findings and judgment of the Court the plaintiffs P. H. Baur and Union County Bank except, except as to levies made by the Sheriff in favor of Benedict & Co. it being concluded that said claim is entitled to priority as found by the Court. and the payment of the residue to P. H. Baur, P. R. Kennally, for Plaintiffs

"Exhibit A." Agreed statement of facts used as the evidence on behalf of all the parties in this case. 1st all judgments and claims set up 492

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by the different parties in this motion, are alike against the defendants H. H. Pringle & W. H. Lenox who were partners doing business under the name of H. H. Pringle or against said Pringle for indebtedness of said Pringle & Lenox, 2nd The execution upon the judgment of Benedict & Co. against said Pringle & Lenox was levied upon the goods & chattles of said Pringle & Lenox by the Sheriff, on the 28th day of March 1879 in the manner hereinafter mentioned and the executions of the defendants Lullen, Moore and Hill upon their serveal judgments as set up in the pleadings were levied on the same goods & chattles of Pringle & Lenox on the said 28th day of March by the Constable of Claiborne Township but in point of time subsequent to the Levy made by the Sheriff in favor of Benedict & Co. but on the same day and before the store house in which the goods were, was closed. 3rd That the executions upon the judgments of P. H. Bauer and the Union County Bank against the said Pringle & Lenox were placed the first day of of April 1879 in the hands of said sheriff of Union County, who proceeded to levy the same upon the same goods and chattles of Pringle & Lenox that were levied upon by him in the case of Benedict & Co. against the said Pringle & Lenox on the 1st day of April 1879 as shown by said Sheriff's return upon said writs. 4th. That when the sheriff levied upon said goods and chattles on the 28th of March 1879 he found the same in charge of Wm H. Richards who was carried on the tailoring business in the same room in which Pringle & Lenox had their clothing store. Pringle being absent from home or sick having left them in his charge and that the Sheriff after making the levy made a memorandum of the same on the back of his writ and left the goods in charge of the said Richards as the agents of the sheriff and for that reason did not lock up the store room, that he did not take personal possession of said goods but had them under his control. 5th That when the constable levied upon the same goods he found them in charge of said Richards as aforesaid. who told him the Sheriff had levied upon them, and that after he had levied his writs upon these goods he left them in said store room in charge of said Richards and did not take personal possession of them or lock up the store room where the goods were left. 6th That said goods were sold by J. P. Brookins who was appointed by the Court as Reciver in this case and the procuds were brought into Court for distribution by order of this Court.

State of Ohio
vs. } Indictment for murder
Addison Elliott

492

Court allow D. W. Ayers a fee of Eighty five dollars ($85) for defending the prisoner Addison Elliott under assignment of Court.

State of Ohio
vs. } Indictment for murder
Addison Elliott

492

Court allow J. St. Robinson a fee of fifty dollars ($50.00) for assisting the state of Ohio in the prosecution of the above case under assignment of Court

Thursday October 16th 1879

Be it Remembred that at a meeting of the Judges of the Court of Common Pleas of the Tenth Judicial District of the State of Ohio, at the Court House in the town of Upper Sandusky in the County of Wyandot and State of Ohio, on the 15th day of October 1879, for the purpose of Fixing the Times of holding the terms of the Court of Common Pleas, and the District Courts for the years A.D. 1879- It is ordered, That a term of Court of Common Pleas be commenced at 8 o'clock A. M,

In Crawford County, on	January 5th,	April 26th.	September 6th
In Hardin County on	February 23d,	May 3rd.	October 4th
In Hancock County on	January 5th,	June 8th.	September 6th
In Logan County on	February 17th,	May 25th.	October 19th
In Marion County on	February 17th,	June 8th.	November 2nd
In Seneca County on	February 2nd,	May 31st.	September 6th
In Union County on	January 5th,	May 3rd	September 13th
In Wood County on	February 16th	May 3rd	October 4th
In Wyandot County on	February 2nd	May 18th	October 13th

And that a Term of the District Court, be commenced at 8 o'clock A. M.

In Crawford County on July 9th, In Hardin County, on March 30th
In Hancock County on April 7th. In Logan County on March 19th
In Marion County on June 29th, In Union County on March 16th
In Seneca County on April 13th, In Wood County on April 20th and
In Wyandot county on April 2nd. John L. Porter. Henry H. Dodge
Thomas Beer" Judges.

2958

2715

To the Clerk of the Court of Common Pleas of Union County, Ohio. And you are hereby directed to have the foregoing order published for 4 consecutive weeks in two newspapers- one of each political party- published in said County according to law- John L. Porter Judge.

493 State of Ohio vs. A. L. Wright } Indictment for obtaining money under false pretenses

This cause coming on for hearing on the demurrer to the indictment the Court upon consideration thereof sustain the said demurrer. It is therefor adjudged that the said A. L. Wright be and he hereby is discharged.

463 The State of Ohio vs. Elizabeth Orr. Left off docket.

464 State of Ohio vs. William Adams Left off docket.

434 State of Ohio vs. T. Burkham Left off docket.

Thereupon the Court adjourned until 9 o'clock tomorrow morning.

Friday October 17th 1879

Court convened at 9 oclock A.M. pursuant to adjournment. The same officers being present as on yesterday.

2958 Richard W. Camey vs. James Mulvain

This cause came on for hearing on the motion of defendant to set aside the verdict and for a new trial herein and the Court on consideration thereof does overrule the same. It is therefor considered by the Court that the said plaintiff recover from the said defendant the said sum of one hundred and fifty dollars as heretofore by the verdict of the jury found due him with interest from September 9th 1879 together with his costs herein expended. To all of which rulings and judgments the defendant excepts and asks the Court to sign and seal his bill of exceptions and thereupon by consent of parties thirty days are given defendant to prepare said bill and the journal is kept open for that purpose.

2715 Reuben Freshwater vs. Abraham Freshwater

This day came the parties and by consent of parties the continuance heretofore made is opened up and by the like consent of parties the former orders of this Court as to the third lot in the petition and writ of partition named and described being about 14 acres of law in Paris Township in Survey No. 3351, also the fourth lot in the petition named being 88 acres more or less are hereby set aside and held for naught and as to said third and fourth lots the same is dismissed from the petition and wholly released from this action and as to all other matters this cause is continued under the former order of this Court.

J. K. McJunkin & Co. vs. I. F. Gates, Defendant } Coquovit

This day came the plaintiff by Cameron & Benton Attorneys and thereupon came L. Piper one of the attorneys of record of this Court, who, by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process and entered a appearance of said defendant herein, and by virtue of the same warrant of attorney, confesses that there is due from said defendant to said plaintiff as is alleged in said plaintiffs petition the sum of $ 626 00. It is therefore considered that said plaintiff do recover of said defendant the said sum of $ 626 00 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8 per centum per annum - And by virtue of said warrant of Attorney, all errors are released and all right of appeal, and all right to file a petition in error are waived

Friday October 17th 1879

3461 Eli G. Piper Admr
vs.
Brown Watson et.als.

Now came the plaintiff herein and the defendants being in default for answer and demurer the Court find that the allegations of the petition are confessed to be true by the said defendants and the Court further find that there is due from the defendants to the plaintiff the sum of fourteen hundred and forty two dollars ($1442.00). It is therefore considered by the court here that the said plaintiff recover from the said defendants the said sum of fourteen hundred and forty two dollars with interest at six per cent per annum from Oct 1st 1879 and his costs herein expended taxed to $ 502

3415 A. L. Smith Son
vs.
Justus J. Miller

Now comes the plaintiff herein by its attorney and the defendant being in default for answer and demurer with the assent of the Court and by the consent of the plaintiff a jury was waived and this cause submitted to the Court upon the petition and evidence. On consideration whereof the Court find upon the petition and evidence that at the commencement of this action the plaintiff had the right of possession and right of property in the property described in the petition and that the defendant unlawfully withheld the same and that the plaintiff is entitled to recover his damages by reason of the premises from the said defendant, which the Court assess at one cent. It is therefore considered, ordered and adjudged by the Court that the plaintiff recover of the defendant said sum of one cent damages together with costs herein expended taxed to $

3365 Edward Fawn et.al.
vs.
Julia D. Fawn et.al.
} Court Common Pleas, Union County 3421

On motion of the plaintiff and upon producing the return of the Sheriff of his proceedings and sale under the former order of this Court, and the Court being satisfied on examination that the same have been had in all respects according to law, the said proceedings and sale are hereby approved and confirmed. And the said Sheriff is ordered by and duly executed to convey said premises to Margaret Ellis and Ann Ellis, the purchasers in fee simple. And the said purchasers having voluntarily and their own motion paid the entire purchase money in cash. it is further ordered that the Sheriff, out of the proceeds of the said sale pay. First, To the Treasurer of Union County $1.19 dollars, being the taxes and penalty due on said premises. Secondly to the Clerk of this Court the costs of this action including a counsel fee of $20.00 to E.E. Cole for his services herein, taxed to $ 52.19. Thirdly, And of the residue of the proceeds of said sale, to the plaintiffs Edward Fawn and Julia D. Fawn his wife, one hundred and sixty four four hundred and sixty fifths part of the balance of the cash proceeds to wit, the sum of $ 4.11 To the said defendants Margaret Ellis one hundred and sixty four four hundred and sixty fifths part of the balance of the cash proceeds to wit, the sum

of $40" and to the said defendant Ann Ellis one hundred and thirty seven four hundred and sixty fifths part of the balance of the cash proceeds to wit: the sum of $33.49

502 State of Ohio vs. Amos H. Inskeep } Indictment for murder in first degree.

Copy of deed from Amos H. Inskeep To Almond C. Inskeep Fee .70
" " " " Job Inskeep To Amos H. Inskeep " 1.10
" " " " Amos H. Inskeep To Lycurgus Inskeep " .75
" " " " Isaac S. Inskeep To Amos H. Inskeep " 75
" " " " Amos H. Inskeep To Abner H. Morton " 1.00
" " " " Isaac S. Inskeep To Amos H. Inskeep " 1.00
" " " " H. H. Chandler To Amos H. Inskeep " 1.35
" " " " Isaac S. Inskeep To Amos H. Inskeep and Abner H. Morton " 1.00
" " " " Abner H. Morton et al To Amos H. Inskeep " 1.00
" " " " Amos H. Inskeep To George H. Hinick " 90
Fees of John A. Coulter Recorder of Logan County "
Telegraphing " 60
Copy of deed from Job Inskeep To Abner H. Morton " 85
" " " " Amos H. Inskeep To Isaac S. Inskeep " 85
" " " " Amos H. Inskeep To Nelson Johnston " 85
" " " " Amos H. Inskeep To Catherine Chace " 85
" " " " Amos H. Inskeep To Isaac S. Inskeep " 85
$14.40

The above account of Recorder John A. Coulter in the case of the State of Ohio vs. Amos H. Inskeep for copies of deeds, mortgages &c, in said case is approved and ordered paid. John L. Porter Judge.

3421 Louisa D. Wilcox vs. John Gunderman }

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the motion of the defendant to require the plaintiff to make her petition more definite and certain as in said motion stated and was argued by counsel, On consideration whereof the Court being fully advised in the premises do sustain said motion, to which ruling the defendant excepted and thereupon the plaintiff asked and had leave to amend her petition in 30 days from the rising of the Court and the cause continued.

Thereupon the Court adjourned until tomorrow morning at half past Eight O Clock.

Saturday October 16th 1879

Thereupon the Court met pursuant to adjournment at half past Eight o-clock A.M. The same officers being present as on yesterday-

3324 Bank of North Lewisburg vs Orlando Wells, Elizabeth Wells and others

This day came the parties and submitted this cause to the Court upon the pleadings and evidence and the Court having heard the Evidence find for the plaintiff and that there is due plaintiff on said mortgage the sum of fourteen hundred dollars, with Eight per cent interest from April 1st 1879 payable annually on the note due Jany 1. 1879 and the further sum of two hundred and twenty four dollars as interest on the other two notes to April 1st 1879 on which six per cent interest from April 1st 1879 is due amounting in all to $1817 14/100 on which $1400 plaintiff draw 8 per cent interest from October 15th 1879 and on the balance six per cent interest - All of which is a mortgage lien on the land described in the petition of which land the said Elizabeth Wells has the title as alleged. 3422

It is therefore ordered and decreed by the Court that unless the said Elizabeth Wells pay or cause to be paid said sum of money with interest aforesaid and costs of this proceeding taxed to $ within 10 days, that an order as sale issue to the sheriff of this County who is a appointed special Master for that purpose, commanding him to appraise, advertise and sell said premises according to law to satisfy said claim and as to the other notes and interest this cause is continued - And thereupon this cause came on to be heard upon the cross petition of Benjamin Grant, and the Court being fully advised in the premises do find for said Benjamin Grant that he has the first and best lien on said premises for his mortgage and there is due thereon said sum of three Thousand dollars, with Eight per cent interest payable annually from April 26th 1878 Amounting on the 12th of October 1879 to $3358 00 It is therefore ordered and decreed by the Court that unless said defendants pay said sum of $3358 and interest and costs within 10 days, then an order of sale issue to said Sheriff as said Master commanding him to appraise, advertise and sell said premises according to law and as to the claims of all the other defendants this cause is continued - Notice of appeal by Orlando Wells, Elizabeth Wells and bond fixed at 200.

3330 J. J. Finley vs Margaret Finley

This day came the parties and by consent of both parties a new trial is allowed as asked for and the cause to 2965 of Margaret Finley against J. J. Finley Admr re on account on which said judgment was rendered is set down for trial and thereupon came on this cause to be heard on the issues joined between said parties and thereupon came a jury to wit: George Graham, George Rickard, Leonidas Turner, W. H. Andrews, Joseph Maske John Blair, W. W. Crahood, J. M. Romine, Nathan Howard, John Coder, J. C. Marriott, L. H. Southard, who being duly empannelled and sworn according to law, a true verdict to give on the said issues, found and returned its verdict September 13th 1879 in the words and figures following to wit:

Saturday October 18th 1879

"We the jury in this case, being duly impaneled and sworn do find and say that we find for the plaintiff the sum of two hundred and twenty six 5/100 ($226 5/100) Dollars. H. H. Andrews Foreman.

And thereupon said J. J. Finley Administrator &c. filed his motion for a new trial for reasons therein stated, which motion being fully heard by the Court is overruled and judgment ordered to be entered thereon. It is therefore considered, ordered and adjudged by the Court that said Margaret Finley recover of the defendant J. J. Finley as said Administrator the said sum of two hundred and twenty six dollars and 5 cents found due as aforesaid September 13th 1879 together with the costs in this cause expended taxed to $. To all of which rulings and judgments J. J. Finley Admr excepts and asks the Court to sign his bill of exceptions which is accordingly done.

Feckheimer, Fricker & Co. }
vs
3422 H. H. Ringle et. al. }

Now came the plaintiffs herein, and the defendant being in default for answer or demurrer and the case being submitted to the Court upon the evidence and exhibits and the Court being fully advised in the premises in this case do find that the defendants H. H. Ringle and Kate Ringle his wife executed and delivered to John P. Slemmons the mortgage sued in the petition described and on the premises therein described and that on the 1st day of August 1878 the said John Slemmons assigned said mortgage to the plaintiffs and on the same day for a valuable consideration sold to these plaintiffs the two notes described in said mortgage. That said mortgage was duly recorded in Book No 14 Page 414 of the Records of Mortgages of Union County and is the first and best lien on the premises described in the petition. The Court further find that the defeasance in said mortgage has been broken and that the said plaintiffs are thereby entitled to have the defendants equity of redemption foreclosed.

It is therefore considered and decreed that unless the said defendants shall within one day from the entry of this decree pay or cause to be paid to the clerk of this Court the costs in this case and to said plaintiffs the sum of $435 75 dollars with interest at 8% from the 8th day of September 1879 according to the terms of said mortgage sued the defendants equity of redemption be foreclosed and said premises be granted to shall be sold and an order of sale shall issue therefor to the sheriff of Union County directing him to sell said premises as upon execution and bring the proceeds into Court for further order and this cause continued as to the second note not now due.

Saturday October 18th 1879

Fechheimer, Frenkle & Co.
3422 vs.
N. H. Pringle et. al.

Now comes the Richwood Building and Savings association who having been made parties defendants in this action and the defendants, H. H. Pringle and Kate Pringle being in default for answer and demurrer this cause came on for hearing on the said Answer and cross petition and evidence, On consideration where of the Court do find that the defendants H. H. Pringle and Kate Pringle have failed to pay to the said Richwood Building and Savings association the weekly installments of dues and the interest as in the answer and cross petition set forth and that there is due to said Richwood Building and Savings Association as dues to the 6th day of September 1879 the sum of $ 46.50 and as interest the sum of $ 21.70.

The Court further find that there is due to the said Richwood Building and savings Association from said H. H. Pringle and Kate Pringle defendants as and by way of fines for the non payment of said dues as in the answer and cross petition alleged the sum of $9.30 making in all for dues interest and fines the sum of $77.50 dollars. The Court further find that in order to secure the regular payment of said dues and other installments as well as those hereafter to become due the said H. H. Pringle and Kate Pringle his wife executed and delivered to the Richwood Building and Saving Association their certain mortgage in the petition described and on the premises therein described, That said mortgage was on the 1st day of February 875 duly recorded in Book B. & S. A. Page 148 of the Records of mortgages of Union County and that the same is the first lien on the premises described in the answer and cross petition. It is therefor considered by the Court that unless the said H. H. Pringle and Kate Pringle shall within one day from the Entry hereof pay or cause to be paid to the said Richwood Building & Savings Association the said sum of $ 77.50 so found due and to the Clerk of this Court his costs taxed herein at $ Also the said H. H. Pringle and Kate Pringle defendants being in default for answer and demurrer to the said Richwood Building & Savings Association's second Cause of action set up in their answer and cross petition, and the Court upon the pleading and evidence do find that the defendants H. H. Pringle and Kate Pringle has failed to pay to the Richwood Building and saving Association the weekly installments of dues and the interest as in the answer and cross petition set forth and that there is now due to the said Richwood Building & Savings Association as dues to the 6 of September 879 the sum of $ 15.50 and as interest the sum of $ 6.82. The Court further find that there is due to the said Richwood Building and Saving Association from said H. H. Pringle and Kate Pringle defendants as and by way of fines for the non payment of said dues as in the answer and cross petition alleged the sum of $3.10 making in all for dues fines and interest the sum of $25.42 and making in all for both causes of action for dues interest and fines the sum of $102.72. The Court further find that in order to secure the regular payment of said dues and other installments as well as those here-

Saturday October 18th 1879

after to become due the said H. H. Pringle and Kate Pringle his wife executed and delivered to the Richwood Building and Saving Association their certain mortgage in the answer and cross petition described and on the premises therein described, that said mortgage was on the 6 day of August 1875 duly recorded in Book B. & L. A. page 89 of the Records of mortgages of Union County and that the same is the second lien on the premises described in the answer and cross petition. It is therefore considered by the Court that unless the said H. H. Pringle and Kate Pringle defendants shall within one day from the entry hereof pay or cause to be paid to the said Richwood Building and Saving Association the sum of $25 42/100 found due on their second cause of action and $77 50/100 on their first cause of action and to the Clerk of this Court the costs taxed herein at $ then said premises be sold and an order of sale shall issue therefor to the Sheriff of Union County directing him to sell said premises as upon execution and bring the proceeds into Court for further order.

George B. Hamilton.
vs.
John W. Barnes. his wife Catherine Barnes
Samuel Sailor. his wife Elizabeth Sailor
Stephen Pyers & His wife Mary M. Pyers
} Court of Common Pleas of Union County O.

This day this cause came on to be heard upon the petition of the plaintiff, the defendants all being in default for answer or demurrer and neither party requiring a jury it was submitted to the Court by the plaintiff. Upon careful consideration whereof, the court having been fully advised in the premises it is found that the defendant John W. Barnes is indebted to the plaintiff at this date in the sum of Five Hundred six & 60/100 ($506 60/100) dollars. to bear interest payable annually. It is therefore considered, ordered and adjudged by said Court that said Plaintiff George B. Hamilton recover of said defendant John W. Barnes said sum of Five Hundred six & 60/100 ($506 60) dollars so found due together with costs of suit. It is further found by the court that the said sum so found due as aforesaid together with the costs of suit is now a valid and subsisting lien upon the lands and tenments in the petition described and it is therefore considered, ordered adjudged and decreed by said Court that unless the said sum of $506 60 together with costs of suit be paid to plaintiff within ten days from the rising of this court then that an order issue to the Sheriff of Union County for the time being commanding him to appraise, advertise and sell said lands and tenements as upon judgments at law and bring the proceeds of said sale into this Court to be held subject to its further order. This Cause stands Continued as to notes not yet due and for report of Sale.

Saturday October 18th 1879

Geo. P. Hamilton

vs.

Samuel Sailor Elizabeth Sailor his wife
Mary M. Pyers and Stephen Pyers her husband

Union Common Pleas.

This day this cause came on to be heard upon the petition of the plaintiff, the defendants all being in default for answer or demurrer and neither party requiring a jury was submitted to the Court by the plaintiff. Upon consideration whereof, the Court having been fully advised in the premises, it is found that there is due to the plaintiff upon the mortgage in the petition described at this date the sum of Three hundred, Sixty five 7/100 ($365.07) dollars, and that said sum is now a valid and subsisting lien upon the said premises. It is therefore considered, ordered and adjudged and decreed by the Court that unless said sum of $365.07 be paid to this plaintiff George P. Hamilton and the costs of suit to the Clerk of this Court within 10 days from the rising thereof, then that an order issue to the ~~Clerk of this Court~~ Sheriff of Union County Ohio for the time being commanding him to appraise, advertise and sell said land and tenements in the petition described as upon judgments at law and bring the proceeds arising from said sale into this Court subject to its further order, and this cause is continued for report of sale and as to note not yet due.

3145

Orlando Wells

vs.

Osmond W. Wells et als.

On motion to the Court by the plaintiff and by consent of parties it is ordered that James B. Whelpley as receiver heretofore appointed in this case give additional bond with surety to the satisfaction of the Clerk of this Court in the further sum of four hundred ($400) dollars conditioned for the faithful discharge of his duties as such receiver according to law. And by like consent of parties it is further ordered by the Court that the books of accounts, notes money and other property or effects, which were removed by Harry G. Partridge one of the defendants from the store house in Peoria Union County Ohio recently occupied by him as a store under the name of H. G. Partridge & Co. That said books, notes, money and other property be delivered over to the said James B. Whelpley Receiver upon his giving bond as aforesaid and upon demand made by him, and the said A. D. Palmer one of the defendants in whose possession said property and effects has recently been is hereby ordered and required to deliver up to said Receiver any and all of said effects that still so remains in his possession. And the said Receiver is required and ordered to proceed to collect said assets forth with, and report his proceedings to the next Term of this Court to which time this cause is continued. This order is made by consent of A. D. Palmer with the distinct understanding that the same is made without prejudice of his rights on distribution of the sums collected on said notes and accounts to be made when the receiver shall report to this Court Leave is given to the Bank of South Leipsingh to enter its appearance as defendant and file answer in thirty days

3375 James Cutler Assignee
vs.
George W. Canan et.als.

On motion to the Court Joshua Paine. R. T. McAllister individually and R. T. McAllister and Isaac Jane as assignees of Charles Scott are made parties Defendant in this case and with leave to answer the petition. It is also further ordered by the Court that John Blair, Geo. B. Hamilton & Solomon Walker as Trustees of the firm of Canan & Lenox and successors of James Cutler the plaintiff be substituted as party plaintiff instead of said James Cutler as such Assignee of the said firm of Canan & Lenox

3427 A. T. Carpenter
vs.
John W. Wells et.als.

And now came the said A. T. Carpenter and the said defendants still failing to demur or answer to said petition it is considered that the said plaintiff is entitled to an account of the money due him in the premises and the Court after hearing the evidence do find that there is due to the plaintiff on the note and mortgage in said petition described (after deducting payments which it appears have been made thereon since the commencement of this suit) the sum of one hundred and Thirty six & 71/100 Dollars ($136.71) with interest from the 8th day of September A. D. 1879. It is therefor considered by the said Court here that the said plaintiff recover of said defendant John W. Wells the said sum of $136.71 the sum so found due as aforesaid with interest thereon from the 8th day of September A. D. 1879 and also his costs taxed to $

And it is further ordered and adjudged that an order issue to the Sheriff of said County commanding him to cause said lands and tenements in said petition described to be appraised, advertised and sold according to law and apply the proceeds of said sale in satisfaction of the said sum so found due with costs of suit.

3496 The Peoples Bank
vs.
J. A. Henderson et.als.

Saturday October 8th 1879.

3204 Abram Sharp
vs.
Lucius B. Goff Et,als.

This day came the Parties and submitted this Cause to the Court, whereupon the Court find there is due from the defendant Henry C. Goff in full of the mortgage and tax claim of the plaintiff on said land in the petition described and which said Lucius B. Goff assumed to pay to plaintiff and which is a first lien on said lands the sum of thirty seven hundred and seventy nine dollars and forty four cents. It is therefor considered, ordered and decreed by the Court that the said defendants pay said sum of money with Costs and interest from September 11. 1879 within ten days or in default thereof that an order of sale issue to the Sheriff, who is a Counted Special Master Commissioner for that purpose, ordering him to appraise, advertise and sell said premises according to law. Thereupon the plaintiff and defendants agreed with each other to stay the said order until September 11. 1880 in consideration that Edwin Goff and Vernum Goff Secured the sum of three hundred dollars to the plaintiff for the use of said land until that time, and the said Edwin Goff and Vernum Goff to have the immediate use of said farm, till that time subject to the right of Henry C. Goff to get his Corn off said land by the first of January next. And further that if said Edwin and Vernum Goff shall give to plaintiff their mortgage for the amount of this decree and interest September 11. 1880 deducting said $300 paid as rent and paying $500 more at the same time then the plaintiff is to convey to said Edwin and Vernum Goff said land by good deed, and said Henry C. and Lucius B. Goff agree to release their title, or if not that said land shall be sold on this decree. Said balance of said decree after deducting said $300.00 and $500.00 to be secured by said mortgage as follows: viz: $500 Jany 1. 1880 and the balance in annual payments of $400 each payable with six per cent interest payable annually to January 1. 1881 and at eight percent payable annualy after that date. In case said Edwin and Vernum Goff buy said land they are also to pay the tax of 1880 thereon and if they dont buy it as aforesaid they are to give quiet possession thereof on the 11th of September 1880 subject to the right to get their corn off in a reasonable time.

3025

3401

3202 M. C. Laurence Trustee.
Against
Charles Barth, Defendant

This day came the plaintiffs by their attorneys, no one appearing for the defendant and this cause came on to be further heard upon the report of the Sheriff of a sale by him made, and the same was argued by counsel: On consideration whereof the Court do find the proceedings of said Sheriff and the sale by him made of the lands and tenements in the petition mentioned, to be in all respects in due form of law. It is therefor ordered, adjudged and decreed by the Court, that the proceedings and sale of said Sheriff be in all things affirmed; and that the said Sheriff execute and deliver to said purchaser a deed in fee simple for the tenements aforesaid, pursuant to the Statute in such case made

and Decreed: And that of the Proceeds of said Sale, the said Sheriff first pay the Costs of this suit, amounting to $16.37 Second (the Court for duplicate in the sum of $26.18 Third) that he pay to the Plaintiff in this action the sum of $251.12 Fourth that the residue of the money arising from such sale, if any, be paid to Thiget Harriman a lien holder in sum of $9.33. And it is further ordred that the defendants who may be in possession of said premises, or any person who has come in under them or either of them pending this suit, deliver up the possession thereof to said purchaser on demand and production of said Sheriffs deed.

E. Springer Oliver
3025 Against
John H. Beaver et als.

This day this cause came on to be further heard upon the answer and Cross Petition of John H. Hamilton and neither party requiring a jury, this cause was by the Plaintiff submitted to the Court, on consideration whereof the Court do find the equity of the Case to be with the said defendant and that there is due to him on this 18th day of October 879 upon the mortgage in the petition mentioned, the sum of $1134.90 It is therefore ordered adjudged and decreed by the Court that the defendant within ten days from this date pay the said defendant Hamilton the said sum of $1134.90 with the interest to be computed thereon from this date until said at six per centum per annum and also the costs of this suit to be taxed, and in default thereof that the Sheriff of this County for the time being is ordered to proceed to sell the lands and tenements in the petition mentioned as upon judgments at law; and that he report his proceedings at the next term of this Court to which time this cause is continued -

A. J. Carpenter
3401 vs.
Rosannah E. Carter

On motion of the plaintiff by Carpenter & Brodrick his attorneys, and on his producing the return of the Sheriff of the sale made under the former order of this Court and the Court on careful examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this Court, it is ordered that the said proceedings and sale be and they are hereby approved and confirmed, And it is further ordered that the said Sheriff convey to the purchaser Henry Wheeler by deed in fee simple the lands and tenements so sold and a writ of possession is awarded to put said purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale amounting to $ it is ordered that the Sheriff out of the money in his hands pay: First, The costs of this action taxed to $66.58 Second. The taxes now a lien on said premises to wit: $ 34.66. Third. To the plaintiff A. J. Carpenter the amount of his claim to wit: $ 251 12/100. Fourth, To defendant Henry Wheeler the amount of his claim to wit: $502 25/100 Fifth, To Peleg Cranston as administrator of the Estate of Israel Carter dec'd. one half of the residue of the proceeds of said sale remaining in the Sheriffs hands to wit: $410 43/100 Sixth. To the defendants Rosannah Carter the other half to wit $410 43/100.

John L Porter Judge

Monday January 5. A. D. 1880

The State of Ohio } ss
Union County }

This separate session of the Court of Common Pleas of the 10th Judicial District of the State of Ohio within and for the County of Union for the term of January in the year of our Lord one Thousand Eight hundred and Eighty held in the Court House in the town of Marysville, County and state aforesaid, was begun on Monday the 5th day of January in the year aforesaid.

Present:

R. L. Woodburn, Prosecuting Attorney
John L. Porter, Judge
H. M. Winget, Clerk.
J. J. Miller, Sheriff.

The venire facias for a Grand Jury heretofore issued and returnable this day at 10 o'clock A. M. was duly returned by the Sheriff with his endorsements thereon as follows towit:

On or before the 17th day of December 1879, I served this writ on the within named Jurors as follows: On the within named J. M. Darling Dec 13th 1879. J. M. Carter Dec. 13th 1879, Adam Dilsaver Dec. 13 1879 William Jenkins Dec 17. 1879 J. D. Graham Dec 13. 1879 Corydon Cameron Dec 13. 1879 Rodney Gabriel Dec 13. 1879 William Haines Dec 15. 1879 H. H. Conkright Dec. 13. 1879 and Lewis Bowers December 17. 1879 by delivering copies. And on the within named Lester Dockum, William Wolford, William Wells, Jacob Gibson and John Reynor by leaving certified copies at their respective residences.

J. J. Miller Sheriff.

And upon calling the panel in open Court J. M. Darling J. M. Carter, William Jenkins, J. D. Graham Corydon Cameron Rodney Gabriel, William Haines, H. H. Conkright Lewis Bowers, Lester Dockum William Wolford, William Wells, Jacob Gibson and John Reynor appeared in answer thereto. And the panel being incomplete the Sheriff summoned from among the bystanders to complete the same the following named person who appeared in answer thereto towit: Moses Thompson, and the panel being full, the Court appointed H. H. Conkright Forman of the Grand Jury and he with his fellow jurors took the oaths in manner and form as prescribed by law; and the said jury being instructed by the Court in relation to their duties were conducted to their room attended by the Sheriff for deliberation.

The following named persons compose the Grand Jury towit: H. H. Conkright, Forman of the Grand Jury; J. M. Darling, J. M. Carter, William Jenkins, J. D. Graham, Corydon Cameron, Rodney Gabriel William Haines, H. H. Conkright, Lewis Bowers, Lester Dockum, William Wolford, William Wells, Jacob Gibson, John Reynor and Moses Thompson.

Monday January 5th A. D. 1880

3177 Frances M. Oglesby vs. Charles Hobbs et.als.

On motion of the plaintiff further time was granted said plaintiff to file an amended petition: thereupon he took and was granted leave till 40 days from the rising of this Court and Cause continued.

2483 Mary K. Robertson vs. Elias Robertson — Continued

2803 Thomas Moffitt vs. John M. Grindell et.al. — Continued

2823 Thomas Moffitt vs. Elias Robertson et.al. — Continued

3364 Finley D. Davis vs Elijah Lister

Leave is this day given to the defendant Hannah M. Lister to file her answer and answer filed. Leave given Margaret Livingston to be made party defendand and file answer by Wednesday of this week.

3506 George H. Court vs. William C. Goldsmith et.als.

And now comes the said George H. Court by Carpenter & Brodrick his attorneys, and the said defendant William C. Goldsmith still failing to answer or demur to said petition, it is considered that the said plaintiff is entitled to an account of the money due him in the premises, and the Court after hearing the evidence do find that the said defendant William C. Goldsmith executed to the plaintiff the four several notes, as set forth in the petition; That one of said notes was past due when the petition was filed; That one has become due since that time, and that both of said notes are unpaid, and that the others are not yet due. The Court further find that there is due to said plaintiff from the said defendant William C. Goldsmith, on said notes which are over due with interest to the first day of this term (Court January 5. 1880) the sum of Four hundred and fifty dollars. The Court further find that, in order to secure to plaintiff the payment of said several notes (which the Court find were given for the purchase money of the premises in said petition described) the said defendant William C. Goldsmith executed and delivered to said plaintiff his certain mortgage as in said petition described, and on the premises therein described; That said mortgage was duly recorded in Book 13 page 603 of the Records of Mortgages of Union County and is the first and best lien on said premises in said petition described. It is therefore considered, ordered and adjudged that unless the said defendant William C. Goldsmith shall within one day from the entry of this decree pay or cause to be paid, to the Clerk of this Court the costs of this case, and to the plaintiff herein the sum so found due as aforesaid, with interest from the 5th day of January A. D.

1880 the defendants equity of redemption be foreclosed, and said premises shall be sold, and an order of sale shall issue therefor to the Sheriff of Union County commanding him to appraise, advertise and sell said premises as upon execution and bring the proceeds of said sale into Court for further order.

3428 Elizabeth Price et.al. vs. John P. Bonic et.als.

And now came the said plaintiff Elizabeth Price by Carpenter & Brodrick her counsel and on her motion, and on producing the report of the Sheriff of his sale made under the former order of this Court, and the Court being satisfied on examination, that said sale has been made according to law; it is ordered that the said proceedings and sale be, and the same is hereby approved and confirmed; and the said Sheriff is ordered by deeds duly executed, to convey said premises to the said purchasers in fee simple; and it is further ordered that the said Sheriff, out of the moneys in his hands pay: 1st The costs of this case including a counsel fee of $27 72/100 to Carpenter & Brodrick taxed to $112 59/100 2nd To the plaintiff Elizabeth Price one equal one tenth part of the residue - $52 34/100, 3d To the defendant Catherine Bonic one equal one tenth part of the residue - $52 34/100 4th To the defendant Margaret Trego one equal one tenth part of the residue - $52 34/100 5th To the defendant Mary Ann Stockton one equal one tenth part of the residue - $52 34/100 6th To the defendant Almira Hayes one equal one tenth part of the residue - $52 34/100 7th To the defendant Joseph H. Myers one equal one fifth part of the residue - $104 68/100 8th To the defendant Samuel B. Myers one equal one fifth part of the residue - $104 68/100 9. To the defendant William C. Webb one equal one twentieth part of the residue - $26 17/100 10th To the defendant Catharine Theodosia Webb one equal one twentieth part of the residue - $26.17

2786 Fitch, Sidgen & Co vs William Kightlinger & Nancy F. Kightlinger

This day came the parties by their attorneys and it appearing to the Court that the parties have settled and compromised this case and by the statement of the parties in open Court the Court find for the plaintiff and that the amount of the said plaintiffs judgment, interest and cost as set forth in the petition Amounting to $91 16/100 is a lien upon the premises from the 22nd day of September 1877. By the consent and agreement of the parties in open Court the deed from the said Nancy F. Kightlinger to said William Kightlinger is set aside so far as the claim of the said plaintiff is concerned. It is therefore considered, and decreed by the Court that the lien of the said plaintiff to the amount of its judgment, interests and costs, Amounting to $91 16/100 be and the same is hereby declared to the full amount of the

same, and it is further ordered and decreed that the said deed be and the same is hereby set aside and held for naught so far as the said plaintiffs claim is concerned, and it is further ordered and decreed that unless said William Kightlinger shall pay said judgment interest and costs amounting to $ 91 16/100 by the day of 1880 then that an order issue to the Sheriff of the said County of Union commanding him to appraise, advertise and sell said premises in the petition described according to law and that he apply the proceeds to the payment of said plaintiffs claim and that the defendants pay the costs of this proceeding taxed to $

3332 Nathan Mills vs J. R. Pickell et al.

This day came the plaintiff and dismissed this cause without prejudice to a new action at the costs of the plaintiff. It is therefore considered, ordered and decreed by the Court that the defendants recover of the plaintiff their costs herein expended taxed to $

3314 John A. Cook vs Hugh Perry

This day came the parties and the said plaintiff still failing to comply with the order of this Court as to giving security for costs, on the application of the defendant this cause is dismissed at the costs of the plaintiff without prejudice to a new action herein. It is therefore considered, ordered and adjudged by the Court that the defendant recover of the plaintiff his cost herein expended taxed to $

3225 Harrison Washburn vs James D. Haines

This day came this cause on to be heard upon the motion of defendant to require the plaintiff to give security for costs in this case for the reason that by the rule of this Court Attorneys of record in the case are prohibited from being such security. On consideration whereof the Court being fully advised in the premises do sustain said motion and on the application of plaintiff granted leave to the plaintiff to secure costs in this case within 40 days from the rising of the Court and in default thereof that this cause stand dismissed.

3521 Fechheimer, Freuncle & Co. vs. H. H. Pringle, H. H. Lenox & S. Walker

This day came the said plaintiff by its attorneys and the said defendants still being in default for demur or answer to the petition, this cause was submitted to the Court upon the petition and evidence. On consideration whereof the Court do find there is now due to the plaintiff from the said defendants upon the, prom-

Monday January 5. 1880

issory note in the petition mentioned the sum principal and interest to the first day of this term of Court of five hundred and forty two and 80/100 Dollars and the Court do further find there is due plaintiff from said defendants as protest upon said note as in the said petition alleged the sum of $1.25. It is therefore considered, ordered and decreed by the Court that the said plaintiff recover of the said defendant the said sum of $544.05. so as aforesaid found due and also its costs herein expended taxed to $ and it is further ordered that the judgment so rendered bear interest at 8% per annum.

2641 Benjamin Wood vs Wm Kightlinger and Nancy F. Kightlinger

This day came the parties by their attorneys and it appearing to the Court that the parties have heretofore settled this case and the parties being present and consenting and requesting the same the court do find for the plaintiff and that the amount of his claim in the petition set forth to wit: the sum principal and interest to the first day of this term on the judgment $129.26 and costs $14.61 is a valid and subsisting lien on the premises set forth and described in the petition dating said liens from Oct. 12. 1877 and described that so far as the said amounts are concerned the deed to the said Nancy F. Kightlinger ought to be set aside so as to let in said lien. The Court do further find by the like consent and agreement of the parties Execution and order of Sale in this case is not to be issued for one year from the first day of this present term of Court. It is therefore considered, ordered and decreed by the Court that the said sum of $129.26 and $14.61 be and the same is hereby declared a valid and subsisting lien upon the premises in the petition described dating from October 12. 1877 and it is further ordered and decreed that the deed from the said Nancy Kightlinger be set aside and held for naught so far as said lien is concerned and it is further ordered and decreed that unless the said defendants shall pay said sums so found to be a lien upon the said premises together with interest thereon, by the 5th day of January 1881. Then that an order issue to the Sheriff of said County Commanding him to duly appraise, advertise and sell said premises according to law and that he apply the proceeds in payment of said liens, and that the plaintiff recover of the defendants his costs herein expended taxed to $

2728 M. Thompson vs Rawson Peacock } Now came the parties herein, by their attorneys: also came the following named persons as jurors to wit: Owen Wilson, John Gibson, Joseph Powers, John Blair, Reese Baccard, Uriah Cook, H.C. Vosburg, E.D. Smith, Uriah Cahill Talis juror, Stephen Shirk, Talis juror William Smith Talis juror and R.L. Partridge Talis juror who were duly impaneled and sworn according to law. And the said jury having heard the testimony adduced in part, said cause was continued until tomorrow morning at 8½ oclock.

Tuesday January 6th 1880

Court Convened at half past eight o'clock this morning - The same officers being present as on yesterday.

516 State of Ohio vs J. Mahaffey

This day came Annie Himes, Jane Mecham, David Mecham and Philip Smith and acknowledged each to owe and stand indebted to the State of Ohio in the sum of one hundred dollars each, to be levied of their goods and chattles, lands and tenements, if default be made in the condition following which is that they each be and appear before the Court of Common Pleas of Huron County on the 19th. day of January 1880 to give evidence in a cause in said Court pending, wherein the State of Ohio is plaintiff and J. Mahaffey defendant and not depart the Court without leave then this recognizance shall be void otherwise to remain in full force.

3502 S. S. McIlroy vs. A. Hombeck et.als.

And now comes the said plaintiff S. S. McIlroy by Carpenter & Brodrick his attorneys and the said defendants Abraham Hombeck, Eliza Hombeck and R. H. Trimble having failed to demur or answer to the petition of the said plaintiff, it is considered that the said plaintiff ought to recover the said sum of one hundred and Forty Dollars so demanded in his petition, together with the sum of Fourteen and 79/100 Dollars which the Court finds due as the interest thereon as prayed for in said petition. It is therefore considered and adjudged by the Court that the said plaintiff S. S. McIlroy do recover against the said defendant Abraham Hombeck as principal and the said defendant R. H. Trimble as indorser the said sum of one hundred and fifty four and 79/100 Dollars, debt and interest as aforesaid, with interest thereon from the 5th day of January A. D. 1880 together with his costs in and about his suit in this behalf expended taxed to $ and execution is awarded for the same.

2951 Harvey Haines vs. H. S. Shulers

This day this cause came on for hearing upon the pleading and evidence and the defendant being in default for answer or demurrer, the Court being fully advised in the premises the Court do find that the defendant is indebted to the plaintiff in the sum of 63 16/100. It is therefore considered ordered and adjudged by the Court that the said plaintiff recover from the said defendant the said sum of $ 63 16/100 and his costs herein expended taxed at $

3419 Lemuel Myers vs. Edward Thompson Continued for service.

Tuesday January 6th. 1880

2728 Moses Thompson vs Rawson Peacock

This day again came the said parties, by their attorneys and also came the jury heretofore impanelled and sworn and the trial proceeded. And the said jury having heard the argument and charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into open Court with their verdict in writing signed by their foreman, and say: We, the jury in this case, being duly impanelled and sworn do find and say that we find for the Plaintiff in the sum of $157.89 and we find balance in favor of Plaintiff to be $157.89 "E. D. Smith Foreman.

3174 Xenophon C. Scott vs Rebecca Morse

This day came the plaintiff by his attorneys Carpenter Brodrick and asked and obtained leave of the Court to file herein his amended petition and amended petition filed and thereupon it is agreed by the parties hereto by their attorneys that the defendant have leave to plead to said Amended Petition in 30 days from the rising of the Court and the plaintiffs to plead to said answer in 20 days thereafter and cause continued.

2954 A. E. Myers et.al. vs J. C. Pooler

This day came the parties and by agreement with the consent of the Court, settled this case as follows: The injunction heretofore granted is to be made perpetual and the defendant pay the costs. It is therefore considered and adjudged by the Court that the said injunction heretofore granted be and the same is made perpetual and it is further ordered and adjudged that the plaintiffs recover of the defendant their costs herein expended taxed to $ and by agreement there is to be no record.

1783 Harvey M. Haines vs. Wesley Shafer. Continued.

1825 0 3274 Daniel M. Johnson vs. Harvey M. Haines et.al. Continued.

2090 Bank of North Lewisburgh vs. Orlando Wells et.als. Continued.

2474 John Blair vs John Jolliff Continued.

2999 Ann C. Erb ex. rc vs. David Watson. Continued

3000 Ann C. Erb ex. rc vs. David Watson Continued

Tuesday January 6th. A. D. 1880

2570	Samuel Daugherty Exec vs A. James Sieving et.als.	Continued.
2852	Catherine Driscoe vs. William Driscoe.	Continued.
3126	Nelson Davis vs William H. Davis.	Continued.
3163	Charles H. Carter Guardian vs. Rosannah C. Carter et.als.	Continued.
3194	Geo. Mast vs. Ellen Coopeider et.al.	Continued.
3412	Isaac Fuller vs Samuel Julian.	Continued.
1139	Kellon, Bancroft & Co. vs. C. Hammond	Continued.
1875	F. H. Marriott et.als. vs. Joshua Marriott et.als.	Leave off docket
1998	A. C. Doney vs. Tillman G. Goff	Continued
2003	Thomas Peacock vs. Jefferson Ford.	Continued under former order.
2076	Mary J. Baker vs. Richard White et.als.	Continued.
3496	Peoples Bank vs Jas. A. Henderson et.als.	This day came the parties herein by their attorneys and by agreement this cause is continued under the former order of the Court herein.
3489	Peter Latimer vs Sarah Mc Coy et.al.	This day came the parties by their attorneys and by agreement this cause is continued.
3003	A. Humphreys vs C. M. Beck	Now came the parties herein by their attorneys, also came the following named persons as jurors towit: S. L. Reed, Owen Wilber, John Gibson, John Blair, Reese Ballard, Uriah Cook, H. C. Vossbury, E. D. Smith, Uriah Cahill, Stephen Shirk, R. L. Partridge and Joseph Powers who were duly impaneled and sworn according to law. And the said jury having heard the testimony, the argument and charge of the Court retired to their room in charge of the sheriff for deliberation. And the hour of adjournment having arrived the Court discharged said jury until tomorrow morning at half past Eight o'clock

Thereupon the Court adjourned until tomorrow morning at 8½ o'clock.

Wednesday January 7th A. D. 1880

Court convened at half past eight O'clock A. M. pursuant to adjournment. The same Officers being present as on yesterday.

3006 Pleasant Valley Building and Loan Association vs John A. Scott et al.

This day came the parties and asked and had leave to file amended answer - Answer filed.

3528 George F. Morse et al. Exec &c vs M. P. Rice

This day came the plaintiffs by their attorneys Carpenter & Brodrick and asked and obtained leave of the Court herein to amend their petition herein filed by changing the figures 1869 to 1864 in copy of the date of the note mentioned in the 1st cause of action in said petition, it appearing to the Court that the same was a clerical error therein and petition amended and sworn to by one of the attorneys of said plaintiff.

3528 George F. Morse et al. Exec &c vs M. P. Rice

This day came the defendant by his attorney O. P. Converse and asked and obtained leave of the Court to file answer to the petition of plaintiff herein filed on or before the first day of February A. D. 1880 and by agreement of parties by their attorneys this cause is continued.

3483 C. D. Sidle vs James Aumine

This day this cause came on for hearing and thereupon came the plaintiff by his attorney P. R. Kerr and the defendant by his attorneys Carpenter & Brodrick and by Order of Court and consent of parties by their attorneys this cause is dismissed at costs of plaintiff. It is therefore considered and adjudged by the Court that the defendant recover of the plaintiff the costs herein expended taxed to $ and Execution is awarded for the same - Torecord -

2610 John J. Gabriel et al vs. E. G. Piper Admr. Continued.

2708 O. H. Reed Guardian vs. Robert F. Lee et. als. Continued.

2715 Reuben Freshwater vs. Abraham Freshwater et. als. Continued.

2733 W. B. Thompson vs James Hoover Continued

2816 Myron Gabriel vs Eli G. Piper Admr. Continued.

October 25. 1879 In Vacation.

3494 Tyle & Co. vs. J. H. Yates et.als.

On motion by plaintiffs and the judge of the Court being fully advised in the premises appoints J. J. Miller Receiver as asked for in this case and after giving bond in $2.000 according to law he is hereby ordered to advertise said stock of goods for ten days in the Marysville Tribune and Union County Journal for sale at public auction in bulk on Six months time with approved security and bring the money into Court and stay proceedings on Executions.

3496 The Peoples Bank vs. J. A. Henderson et.als.

October 28th 1879 In Vacation

On motion John Wiley is appointed Receiver in this Case as prayed for, with authority to take possession of the property and accounts notes and books mentioned in the pleadings and he is ordered to sell said property on ten days notice in the Marysville Tribune in bulk on six months time with approved security. Receiver to give Bond satisfactory to the Clerk of this Court in $1.500

502 State of Ohio vs Amos H Inskeep

November 15th 1879 In vacation.

"Court of Common Pleas, Union County Ohio."

This day came the said defendant by his attorney and presented to the Court his bill of Exceptions taken in the trial of this action at the September Term A. D. 1879 of said Court and the same being presented within thirty days from the rising of the said Court and being found in all respects correct is signed, Sealed and allowed by the Court and ordered to be filed and made part of the record herein. T. E. Powell Attorney for defendant. John A. Price one of the Counsel for the State.

Wednesday January 7th 1880

2817 John J. Gabriee et.al. vs. E. G. Piper Admr. Continued

2708 O. H. Reed Guardian vs. Robert F. Lee et.als. Continued
2715 Reuben Freshwater vs Abraham Freshwater Continued
2733 H. B. Thompson vs James Hoover Continued

2817 John J. Gabriee vs Eli G. Piper Admr Continued

2930 & 2950 D.J. Stevens Admr. vs. Mt Carmel Lodge F. A. M. Contd. under former order

3012 Emma Carmicee vs. Benny Woodworth. Contd for service.

3147 Joseph E. Fouke vs. George Loar. Continued

3165 Christian Jenson vs. John T. Ridwelle Leave off docket.

3169 Margaretta R. Lusch vs. Jacob Lusch. Continued.

3204 Abram Sharp vs. Lucius B. Goff Leave off docket

3288 David McNeir vs. William McNeir et.als. Continued for service.

3434 Betsey Pyers vs. James A. Pyers. Left off docket.

3447 Mary J. Emmerson et.al. vs. Wm Hockycross et.als. Settled & cost paid.

3473 Isaac Gates vs. Ira H. Drake et.al. Settled & cost paid.

3479 Albert B. Hitter vs. Luther Lane Continued for service.

3497 Ramsey Kannegan vs William S Douglass Continued for service.

3494 Lytle Co. vs I. F. Gates et.als. Continued under former order.

3522 Dora Brown vs. Philip McNeir. Continued for service.

3003 A. Humphreys vs C. M. Beck } This day again came the said parties by their attorneys and also came the jury heretofore impanneled and sworn herein and retired to their room in charge of the Sheriff for further consultation. And now come the said jury into open court with their verdict in writing signed by their forman and say: We, the jury in this case being duly impanneled and sworn do find and say that we find for the Defendant. Uriah Cahill. Forman

Thereupon the Court adjourned until tomorrow morning at 8½ oclock.

Thursday, January 8th 1880

Court convened at 8½ o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

3268 Abel M. Lary vs. J. H. Cummings

Now came the parties herein, by their attorneys; also came the following named persons as jurors, to-wit: Owen Hiller, John Gibson, Joseph Powers, John Blair, Reese Ballard, Miah Cook, H. Vosbury. E. D. Smith, Miah Cahill, Stephen Shirk, R. L. Partridge and S. L. Reed who were duly impaneled and sworn according to law.

And the said jury having heard the testimony adduced said cause was continued until tomorrow morning at half past eight o'clock.

3342 Andrew Beightler vs. Susan Little

This day came the parties herein by attorneys and it being made to appear to the Court that this case had been settled by written agreement, and that by said written agreement said case was withdrawn by the plaintiff and that each party was to pay one half of the costs, it was therefore decreed ordered and adjudged by the Court that judgment be had against each of said parties for one half of the costs in this case taxed at $

3538 E. Aultman & Co. vs. Thomas Edwards

This cause came on for hearing and the cause being submitted to the Court upon the pleading and evidence and the defendant being in default for answer or demurrer and the Court being fully advised in the premises find that the defendant is indebted to the plaintiff in the sum of $270.50. It is therefore considered by the Court that the said Plaintiff recover from the said defendants the sum of $270.50 with interest at 8% from the first day of this term and its costs herein expended taxed at $

3305 Charles Randall vs. P. E. Barnes D. W. Camp & Joseph Randall

This day this cause came on to be heard on motion of defendant Barnes to strike the amended petition from the files. Whereupon the said defendant withdrew his said motion and the plaintiff had leave of the Court to file a 2d amended petition as to the defendant Barnes by Jan. 7th 1880 and the said defendants Dalle W. Camp and J. F. Randall still failing to answer or demur to the petition of the plaintiff against them and being in default therefor and the court being fully advised in premises, do find there is due the plaintiff from the defendants Camp & Randall the sum of $525 with interest thereon from the 1st day of Oct. 1878. It is therefore * Thereupon the Court adjourned until tomorrow morning at 8½ o'clock.

* Ordered and adjudged by the Court that the Plaintiff recover of the said defendants Daniel W. Camp and Joseph F. Randall said sum of $525 with interest thereon from Oct. 1878 and his costs herein expended taxed at $

Friday January 9th. A. D. 1880

Court convened at 8½ oclock A.M. pursuant to adjournment. The same officers being present as on yesterday.

Samuel Beam Sr.
3325 vs
Henry Bell et.als.

This day came the plaintiff by his attorneys and asked and obtained leave of the Court to file a reply to the 1st paragraph of defense contained in the separate amended answer of the defendant Samuel Ballinger herein filed and reply filed.

Frank D. Keller
3403 vs.
Robert Thompson

On motion and showing by the defendant this cause is postponed until Thursday the 20th day of January 1880 for trial at the costs of the defendant caused by the delay. It is therefore considered and adjudged by the Court that the plaintiff recover of the defendant his costs in case caused by such postponement taxed to $

Newton Case
3183 vs
C. C. Dausant et.als.

This day this cause came on for hearing upon the petition of plaintiff and the answer of the defendant Hylas Sabine the plaintiff being in default for demurrer or reply to the answer of said defendant Hylas Sabine, whereupon the Court finds the allegations in the answer of Hylas Sabine are confessed to be true and that said Hylas Sabine is by reason thereof fully released and discharged from all liability on the note set forth in plaintiffs petition, the plaintiff being present by his attorney A. H. Ketchpath and assenting thereto. Whereupon it is ordered and adjudged by the Court that this case be dismissed as to the defendant Hylas Sabine and that he go hence without day and recover of plaintiff his costs herein taxed to $ and as to the defendant C. C. Dausant this cause is continued for service.

J. C. Pooler Plaintiff
3206 vs
L. G. Pooler et.als. Defendants

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the motion of the defendants English, Miller & Co. C. E. Shedd & Co. and Dr. Kaiser Med. Co. for an order requiring the plaintiff to make his petition more definite and certain. Whereupon the Court being fully advised in the premises do sustain the said motion. Whereupon the plaintiff asked and obtained leave to file an amended petition by Tuesday January 13. 1880.

Friday January 9th. A. D. 1880

3268 Abel M. Larry
vs
J. H. Cummings

This day again came the said parties by their attorneys and also came the jury heretofore impanneled and sworn and the trial proceeded. And the said jury having heard the argument and charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into open Court with their verdict in writing, Signed by their Forman and say: We, the jury in this case, being duly impanneled and sworn do find and say that they find for the defendant plaintiff the sum of $216.96.
John Blair Forman.

3304 Hannah A. Grimm
vs
Alson Brunson

Now came the parties herein, by their attorneys; also came the following named persons as juro tourit: Owen Miller, John Gibson, Joseph Powers, John Blair, Reese Ballard, Uriah Cook, H. C. Vosbury, C. D. Smith, Uriah Cahill, Stephen Shirk, R. L. Partridge, S. L. Reed who were duly impanelled and sworn according to law. And the said jury having heard the testimony, and the argument of counsel and the hour of adjournment having arrived the Court discharged said jury until tomorrow morning at 8½ o'clock.

3536 C. Aultman & Co.
vs
Thomas Edwards et al.

This day this cause came on for hearing upon the evidence and pleadings in said case and the defendants Thomas Edwards and John J. Edwards being in default for Answer or demurrer the Court find that the defendants are indebted to the plaintiff in the sum of $510 20/100. It is therefore considered by the Court that the said plaintiff recover from the said defendants the sum of $510 20/100. It is therefore considered by the Court that the said plaintiff recover from the said defendants the sum of $510 20/100 with interest at 8% from the first day of this term and its Costs herein expended taxed at $

do 3539 John Delp
vs
J. F. Reif admr

Settled & Cost Paid.

Thereupon The Court adjourned until tomorrow morning at 8½ o'clock.

Saturday January 10. A. D. 1880

Court convened at half past eight o'clock A. M. pursuant to adjournment The same offices being present as on yesterday.

3304 Hannah A. Grimm vs Alson Brunson

This day again came the said parties, by their attorneys and also came the jury heretofore impanneled and sworn and the trial proceeded. And the said jury having heard the charge of the Court, retired to their room in charge of the Sheriff for deliberation.

And now come the said jury into open Court with their verdict in writing, signed by their foreman and say: We, the jury in this case, being duly impanneled and sworn do find and say that we find for the Plaintiff four hundred & Fifty Dollars. Stephen Shirk Foreman.

3325 Samuel Reams Sr. vs. Henry Bell et.als.

Now came the parties herein by their attorneys; also came the following named persons as jurors, to-wit: who were duly impanneled and sworn according to law. Owen Shiver, John Gibson Joseph Powers, John Blair, Reuse Ballard, Uriah Cook, H. C. Woody, E. D. Smith, Uriah Tahlie, S. L. Reed, Stephen Shirk and R. L. Partridge And the said jury having heard the testimony the agument and charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into open Court with their verdict in writing and signed by their foreman and say: We, the jury in this case, being duly impanneled and sworn do find and say that we find for the Defendants. Joseph Powers Foreman.

And thereupon the Court discharged said jury until Tuesday morning next at Nine o'clock.

3556 W. H. Conkright Admr of the Estate of Nicholas Money Dec'd vs. George C. Wreck

Cogswort.

This day came the plaintiff by Cameron & Benton his attorneys and thereupon came R. L. Woodburn one of the attorneys of Record of this Court, who, by virtue of a warrant of attorney duly executed and now produced in open Court and duly sworn, waived the issuing and service of process and entered appearance of said Defendant herein and by virtue of the same warrant of attorney, confesses that there is due from said defendant to said plaintiff as is alleged in said Plaintiff's petition the sum of $2.279^{07}. It is therefore considered that said Plaintiff do recover of said defendant the said sum of $2.279^{07} so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of the same warrant of attorney, all errors are released and all right of appeal and all right to file a petition in error are waived.

Saturday January 10th. 1880

2921 John Sessions Plaintiff
vs
William Bales & Sarah Bales his wife

On motion of the Plaintiff and on his producing the return of the Sheriff of the sale of said premises by him made under the former order of this Court and the Court having examined the proceedings of the said Sheriff and the sale by him made aforesaid and being satisfied that the same are in all respects in due Conformity to law and the orders of this Court. It is ordered that said proceedings be and the same are hereby approved and confirmed, And it is further ordered that said Sheriff convey to the purchaser by deed in fee simple the lands and tenements so sold and that a writ of possession be and the same is hereby awarded to put said purchaser in possession of said premises; And it is further ordered that said sheriff out of the proceeds of said sale pay 1st The costs of this action amounting to the sum of $ 54.77. 2nd The taxes now due on said premises amounting to 37.19. To the plaintiff the said sum of $ 1505.84 with 8 per cent interest from the 3d day of February 1879 amounting to $1.618.77 4th And that the residue of purchase money arising from said Sale be paid to R.L. Partridge Defendant $310.27.

This day appeared at the Bar of this Court the grand jury heretofore impaneled and sworn in, and for the body of the county aforesaid viz: John Raynor, J.M. Darling, John Carter, William Jenkins, Lewis Bower J.D. Graham, Comydon Cameron, Jacob Gibson, Rodney Gabriel, William Willis, William Haines, William Halford, Lester Dockum, H.H. Cornright, Moses Thompson. And presented their certain bill of indictment against Lewis Gray and Lewis Dick for Burglary and Grand Larceny
Also their certain other bill of indictment against Uriah S. Alden and Charles Spears for keeping a place where intoxicating liquors are sold contrary to law, Also their certain other agreemen bill of indictment against William Richter and John Richter for keeping a place where intoxicating liquors are sold contrary to law. Also their certain other bill of indictment against Alson Brunson and Scott Brunson for keeping a place where intoxicating liquors are sold contrary to law
Also their certain other bill of indictment against Benjamin Wood and Robert Davey for keeping a place where intoxicating liquors are sold contrary to law. Also their certain other bill of indictment against Arthur Smith for carrying concealed weapons. Also their certain other bill of indictment against John Mahaffey for assault with intent to rape; Also their certain other bill of indictment against Gustavus Sparks for Retailing intoxicating liquors to be drank where sold,
Also their certain other bill of indictment against Charles Spears for selling intoxicating liquors to be drank on premises; Also their certain other bill of indictment against Benjamin Wood for selling intoxicating liquors to a minor; Also their certain other bill of indictment against Scott Brunson for selling intoxicating liquors to be drank where sold. Also their certain other bill of indictment against Alson Brunson for selling intoxicating liquors to be drank where sold;

Also their certain other Bill of indictment against R. S. Alden for selling intoxicating liquor to be drank on premises where sold. Each indorsed "A true bill" H. H. Cowright Foreman for the Grand Jury.

And the said jury having further business to transact again retired to their room for deliberation.

3512 A. B. Robinson vs. John Warner & others } This day this cause came on to be heard and the defendants came not but made default herein and thereupon this cause was submitted to the Court and the Court being fully advised in the premises do find that the allegations of plaintiffs petition are true and that he ought to recover of the defendant by reason of the premises the sum of Five hundred and Fifty and 50/100 dollars and that the same is a mortgage lien on the premises described in plaintiffs petition and that said premises ought to be sold to pay said plaintiffs claim. It is therefore considered, ordered, adjudged and decreed by the Court that the said Plaintiff recover of the said defendants the said sum of Five hundred and Fifty and 50/100 dollars and interest thereon at 8 percent and costs herein expended taxed at $ and if said defendants fail for ten days after the rising of this Court to pay said sum of money that an order of sale issue directed to the Sheriff of Union County Ohio who is appointed a special Master Commissioner for that purpose commanding him to sell said premises according to law and report his proceedings herein to this Court. And as to all other matters this cause is continued.

507 State vs. George Krouse. Left off docket.

508 State of Ohio vs George Krouse Left off docket

509 State of Ohio vs Sylvester Thornton & Melville Lingrel Capias for arrest

526 The State of Ohio vs America D. Williams Continued

3325 Samuel Reams Sr. vs. Henry Bell et.als. } This day this cause came on to be heard on the motion to take judgment on the verdict of the jury heretofore rendered in this case. It is therefore considered and adjudged by the Court that the defendant recover of the plaintiff his costs herein expended taxed to $ for which execution is awarded.

Thereupon the Court adjourned until Tuesday morning at 9 oclock.

Tuesday January 13th A. D. 1880.

Court convened at 9 o'clock this morning- The same officers being present as on yesterday-

3527 A. S. Turner vs James N. Pyers et al

This day came the plaintiff by his attorneys Carpenter & Brodrick and the defendants James N. Pyers and James Williams since failing to demur or answer to the petition of plaintiff herein filed, the Court find the allegations thereof to be confessed by them to be true and that there is due to said plaintiff as therein set forth the sum of one hundred and fifty five and 16/100 Dollars with eight percent interest thereon from the 5th day of January A. D. 1880. It is therefore considered and adjudged by the Court that said plaintiff A. S. Turner recover against said defendants James N. Pyers and James Williams the said sum of one hundred and fifty five and 16/100 Dollars with eight percent interest thereon from the 5th day of January A. D. 1880. the sum so found due as aforesaid, together with the costs herein expended taxed to $ and execution is awarded for the same.

3442 S. S. McCracken vs J. N. McCracken

This cause came on to be heard on motion to set aside the sale made in this cause whereupon the Court order the sale set aside and cause continued under the former order.

3557 W. H. Tourright Admr. of Nicholas Money Dec'd vs George C. Welch Cogswell

This day came the plaintiff by Cameron & Benton Attorneys and thereupon came L. Piper one of the attorneys of Record of this Court, who by virtue of a warrant of attorneys duly executed, and now produced in open Court and duly proven, waived the issuing and service of process and entered appearance of said defendant herein and by virtue of the same warrant of Attorney, confesses that there is due from said defendant to said plaintiff as is alleged in plaintiff's petition the sum of $984 25/100. It is therefore considered that said plaintiff do recover of said defendant the said sum of $984 25/100 so as aforesaid confessed to be due, together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said Warrant of Attorneys, all Errors are released and all right of appeal and all right to file a petition in Error are waived.

510 510 3486 342 2960 3013 3168 331

Tuesday, January 13th A. D. 1880

510	The State of Ohio Against Lewis Gray and Lewis Dick	Indictment for Burglary and Grand Larceny.

Nolle Prosequi is entered herein by order of Court at request of the prosecuting attorney as to the charge of burglary.

510	The State of Ohio vs. Lewis Gray and Lewis Dick	Indictment for Burglary and Grand Larceny

Now comes the Prosecuting attorney on behalf of the State of Ohio, and the defendants being brought into Court in custody of the Sheriff, and arraigned upon said indictment for plea thereto saith they are guilty as they stand charged in the indictment, of Grand Larceny; Thereupon it is ordered and adjudged by the Court that the said Lewis Gray and Lewis Dick be imprisoned and confined in the Penitentiary of the State of Ohio, and kept at hard labor but without any solitary confinement, for the period of two years, and that they pay the costs of this prosecution, for which execution is awarded. It is further ordered that the Sheriff be allowed one assistant in conveying said prisoners to the Penitentiary.

3486	Martha A. Russell vs Joseph Russell	Settled and cost paid.
3420	John McLain vs P. L. Coe	Now came the parties herein by their attorneys; Also came the following named persons as jurors to wit: Owen Miller, Jno. Gibson, Joseph Powers John Blain, Reese Ballard, Uriah Cook H. C. Foster, Uriah Talbice, S. L. Reed, Stephen Shirk, R. L. Partridge and L. H. Harbes Talisman. Who were duly impaneled and sworn according to law. And the said jury having heard the testimony adduced in part, said cause was continued until tomorrow morning at 8½ o'clock.
2966	Eliza Hopkins vs. William Hopkins	Continued
3013	Sarah Snodgrass vs. Joseph Coe	Continued
3168	Commissioners of Madison Co. vs. Thomas Jones	Continued
3312	James H. Reed vs. Wm M. Carr et al	Continued.

Thereupon the Court adjourned until tomorrow morning at 8½ o'clock

Wednesday January 14th. A. D. 1880.

Court Convened at 8½ oclock This morning pursuant to adjournment. The same officers being present as on yesterday.

This day again appeared at the Bar of this Court the grand jury heretofore impanneled and sworn in, and for the body of the County aforesaid viz: John Reynor, J. M. Darling. John Carter, William Jenkins, Lewis Bower, J. D. Graham, Corydon Cameron, Jacob Gibson Rodney Gabriel, William Willis, William Haines, Milliam Wolford, Lester Dockum, H. H. Conkright, Moses Thompson and presented their certain bill of indictment against Wilson Brown for Assault and Battery. Also their certain other bill of indictment against Arthur Smith and Delbert Dixon for disturbing Sabbath School. Also their certain other bill of indictment against Elijah Brown, Wilson Brown and Lon Grubbs for resisting an officer. Also their certain other bill of indictment against America V. Williams for Arson. Also their certain other bill of indictment against Michael Powers for Selling intoxicating liquor contrary to law. Also their certain other bill of indictment against Roe Debolt for furnishing intoxicating liquor to a minor, Also their certain other other bill of indictment against Ebenezer Culver, Orange Culver, and Leander Culver for threatening in a menacing manner. Also their certain other bill of indictment against Elijah Brown for Assault and Battery, Also their certain other bill of indictment against William Brown for Assault and Battery. Also their certain other bill of indictment against Lycurgus Ross for Robbery. Each endorsed "A True bill" H. H. Forenaught Conkright ^ The Grand Jury submitted

3420

The grand jury also submitted the following report.

Report on Public Buildings.

"To the Judge of the Court of Common Pleas of Union County Ohio, We the Grand jury of said County after having visited the jail would say that we found it in good condition and the prisoners therein well cared for. We would recommend however that a new lock be placed on one of the doors immediately which we pointed out to the Sheriff. With regard to the Court house we would say that the room in which the grand jury are compelled to hold their sessions is entirely unfit for that purpose. The jury during its present session being obliged a good part of the time to shift from one side of the room to the other to keep from getting wet to the skin, We would therefore recommend that steps be taken as soon as possible for the erection of a new house that will meet the wants of the people of our County. All of which is respectfully submitted. H. H. Conkright. Foreman

3493

3513

The following was also submitted by the Grand Jury.

Resolved: That the grand jury return a vote of thanks to the Prosecuting Attorney for his kindness and promptness in responding to our calls, and the very efficient manner which he has conducted the business of our session

H. H. Conkright Foreman.

And there being no further business for the said jury. they were discharged finally.

Wednesday January 14. 1880

3439 Sarah J. Poling vs. George W. Poling

This day came this cause on to be heard and the plaintiff appeared in person and by attorney but the defendant came not Thereupon this Cause was submitted to the Court upon the petition and evidence and was argued by Counsel. On consideration whereof the Court being fully advised in the premises do find that the defendant has been guilty of gross neglect of duty as charged in the petition. It is therefore Considered, ordered and decreed by the Court that the marriage relation heretofore Existing between said parties be and the same is set aside and held for naught and both parties are released from the obligations of the same. It is further adjudged and decreed that the defendant pay the plaintiff as her reasonable alimony the sum of Two hundred Dollars, and the same is hereby made a charge and lien upon the premises in the petition described and execution awarded in addition thereto. And it is further ordered and decreed that the Care, Custody and guardianship of the said Children of plaintiff and defendant be and the same is hereby given to the plaintiff with leave to defendant to visit the Children at all reasonable times and it is further ordered that the said defendant pay the Costs of this proceeding taxed to $

3420 John McLain vs. Phie L. Coe

This day again came the said parties, by their attorneys and also came the jury heretofore impaneled and sworn and the trial proceeded. And the said jury having heard the remaining testimony, the argument, and charge of the Court retired to their room in charge of the Sheriff for deliberation. And the hour of adjournment having arrived the Court discharged said jury until tomorrow morning at 8½ o'clock.

3493 Jacob V. Nash vs. Eli Ward This

3513 George Riddle vs. Wilson Brown

This day came the plaintiff by his attorneys Carpenter & Brodrick and asked and obtained leave of the Court to file his petition herein.

Wednesday January 14. A.D. 1880

Marysville Building and Loan Association
vs
3320 Jacob Suell and Eliza C. Suell

On motion of the plaintiff and on this producing the return of the sheriff of the sale made under the former order of this Court. and the Court on careful examination of the proceedings of the said sheriff, being satisfied that the same have been had in all respects in Conformity to law and the order of this Court, it is ordered that the said proceedings and sale be and they are hereby approved and confirmed, And it is further ordered that the said Sheriff convey to the purchaser Marysville Building and Loan Association by deed in fee simple the lands and tenements so sold to-wit: Situated in the Village of Marysville in the County of Union and State of Ohio, being all of in Lot No 19 in Welsh's addition to the said village of Marysville and the said purchaser is hereby subrogated to all the rights of the said lien holders in said premises so far as they may be paid herein for the protection of their title, And a writ of possession is awarded to put said purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale, amounting to five hundred and sixty seven dollars it is ordered that the Sheriff out of the money in his hands first pay the costs of this action taxed at $79 42. Secondly that he pay the taxes against said property amounting to $63.03 Thirdly to the plaintiff Marysville Building and Loan Association the balance of the said money remaining in his hands to-wit, the sum of Four hundred and twenty four dollars and fifty five cents to be applied as a credit upon the sum of Five hundred and thirty nine dollars and sixty cents, being the amount that Court finds due the plaintiff against the said defendants. And there still remaining due to the said Marysville Building and Loan Association the sum of one hundred and fifteen dollars and five cents, it is Considered that he recover the same from the defendant Jacob Suell and execution is awarded therefor. And the Court further find that there is due to the defendants Jerry Rinehart, Daniel S. Suell T. F. Gaut, Jedekiah Dever, from the defendants Jacob Suell and Eliza C. Suell on the note set up in the answer and Cross petition of the said Jerry Rinehart, Daniel S. Suell, T. F. Gaut, Jedekiah Dever, the sum of Two hundred and twelve dollars with interest at Eight per cent from December 22nd 1876, It is therefore Considered that they recover the sum of two hundred and twelve dollars with Eight per cent interest from December 22d 1876 from the defendant Jacob Suell, and execution is awarded therefor.

Thereupon the Court adjourned until tomorrow morning at 8½ o'clock

343 342 349 350

Thursday January 15. A. D. 1880

Court Convened at eight and one half o'clock A.M. pursuant to adjournment. The same officers being present as on yesterday.

3430 George F. Morse et.al. Exec'rs &c
vs.
J. Smith Alexander et. als.

This day came the parties by their attorneys and by agreement this Cause is Continued.

3420 John McLarn
vs.
Philip L. Coe

This day again came the said parties by their attorneys; also came the jury heretofore impaneled and sworn, and retired to their room, in charge of the Sheriff, to consult of their verdict. And now come said jury into Open Court, and state that they are unable to agree upon a verdict; whereupon they are by the Court discharged from further consideration of this Case and the Case is Continued.

3493 Jacob V. Nash
vs.
Eli Ward et.al.

This day came the parties by their attorneys and thereupon this Cause came on to be heard upon the demur of the plaintiff to the Answer of the defendants and was argued by Counsel and submitted, On Consideration whereof the Court being fully advised in the premises do overrule said demur and thereupon the plaintiff asked and obtained leave to file a reply to the answer by Saturday January 24. 1880 and by order of the Court the hearing of this Case is fixed for Friday January 30th 1880.

3504 Peoples Bank
vs
W. S. Alden et.als.

This day this Cause came on for hearing upon the demurer of the defendant Mattie Alden and motion of the defendant W. S. Alden to strike out certain parts of the petition herein filed and the same was argued by Counsel and submitted to Court. On Consideration whereof the Court do overrule said demurer and sustain said motion and thereupon the plaintiffs by their attorneys asked and obtained leave of the Court to file an amended petition herein. To which ruling of the Court in overruling said demurer the defendant Mattie Alden excepts and asks her exception to be allowed and made a part of the record in this Case which is done accordingly.

Thursday January 15th 1880.

3531 Levi Longtrake
vs.
Louisa Thompson et al

This Cause Came on for hearing on the petition of the plaintiff, and answer and cross petition of one of the Defendants S. C. Thompson and the evidence, and was submitted to the Court, on Consideration the Court find that there is due the plaintiff from the defendant Louisa Thompson on the promissory note set forth in the petition with interest to the 15th day of this term, the sum of three hundred and ninety one and 44/100 dollars being the amount due to January 15. 1880. The Court further find that in order to secure the payment of said note the defendant Louisa Thompson Executed and delivered to said Levi Longtrake the plaintiff her certain mortgage as in the petition described and on the premises therein described, that said mortgage was duly recorded in book 13 Page 106 of the record of mortgages of Union County. It is therefore Considered and decreed that unless the said defendant shall within three days from the entry of this decree, pay or Cause to be paid to the Clerk of this Court the Costs in this Cause and to the said plaintiff the sum of three hundred and ninety one dollars and forty four cents with interest from Jan. 15. 1880 according to the terms of note and mortgage deed, the defendants Equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of Union County, directing him to sell said premises as upon Execution and bring the proceeds into Court for further order.

3531

3495 Creole Scriqua
vs
Samuel Bonnett et.al.

This day Came on this Cause to be heard on the demurrer of said Defendant to the petition and thereupon the Court being fully advised in the premises do sustain said demurrer and thereupon the plaintiff being a non resident of this County is ordered to give security for costs on or before Wednesday January 28. 1880 and leave is given the plaintiff to file an amended petition by the same time.

3525

3519 Edward S. Churchman
vs.
Jacob Rose, Defendant.

This day this Cause Came on for hearing upon the motion of the defendant to require the plaintiff to make his petition more definite and certain and the same was argued by Counsel and submitted to the Court. On Consideration whereof the Court do overrule said motion and thereupon the defendant asked and obtained leave of the Court to file his answer to said petition herein by January 24. 1880.

Thursday January 15th. A.D. 1880

3459 John Moore vs P. R. Kerr

Now came the parties herein by their attorneys; also came the following named persons as jurors, towit: Owen Wilber, John Gibson, Joseph Powers, Reese Ballard, Wiah Cook, H. C. Dorbury, C. D. Smith, Wiah Tahlee, S. L. Reed, Stephen Shirk, R. L. Partridge and George Beecher Talis juror, who were duly impanelled and sworn according to law. And the said jury having heard the testimony, the argument and charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into open Court with their verdict in writing, signed by their forman and say. We, the jury in this case, being duly impanelled and sworn do find and say that we find for the Defendant.

John Gibson Forman.

It is therefore considered and adjudged by the Court that the defendant recover of the Plaintiff his costs herein expended taxed to $

Levi Longbrake vs. Louisa Thompson & others 3531

This day came this cause to be further heard on the cross petition of S. C. Thompson filed in this cause, whereupon the Court find that the allegations of the said cross petition are true and that said S. C. Thompson is the owner of the note in his cross petition described and there is due thereon to him $391 44/100 and which note is the first to become due as secured by said mortgage and is the first lien thereon, prior and better than the lien of said Levi Longbrake. It is therefore ordered, adjudged and decreed by the Court that unless the defendants within ten days pay said sum of three hundred and ninety one and 44/100 dollars and interest from date and costs herein expended that an order of sale issue to the Sheriff of this County Commanding him to appraise, advertise and sell the premises in said petition described according to law and that he report his proceedings herein to this Court.

3525 B. F. Drake, Assignee vs. George Fack et.als. Dismissed & cost paid

Whereupon the Court adjourned until tomorrow morning at 8½ oclock

Friday January 16. A.D. 1880

Court convened at 8½ o'clock A.M. pursuant to adjournment. The same officers being present as on yesterday-

3377 Robert Gibson vs. W. W. Woods

This day came this cause on to be heard upon the demurer of the defendant to the petition of the said plaintiff and was argued by Counsel and submitted. On consideration whereof the Court being fully advised in the premises do overrule said demurer to which ruling of the Court in overruling said demur the defendant excepts. Thereupon the defendant has leave of the Court to answer by January 19.

3449 Jesse Ramsey vs. Perry Sherman Admr

This day came the parties by their Attorneys: Also came the following named persons as jurors to-wit: Joseph Powers John Blair, Reese Ballard, N. C. Tosbery, C. D. Smith, Uriah Tabler S. L. Reed, Stephen Shirk, R. L. Partridge, and Geo. Baldwin J. M. Welsh and A. W. Torrence Talis jurors, who were duly impaneled and sworn according to law. And the said jury having heard the testimony, the argument and charge of the Court, retired to their room in charge of the sheriff for deliberation. And now come the said jury into open Court with their verdict in writing, signed by their forman and say: We, the jury in this case, being duly impaneled and sworn do find and say that we find for the Plaintiff the sum of $ 900. R. Ballard Forman.

3156 P. B. Tole, Trustee Plaintiff vs. C. D. Sidle et. al. Defendant

This day came the parties by their attorneys and by agreement compromised this case. The defendants pay an amount agreed upon to-wit: Seven hundred dollars, and the same is paid, and in addition the said defendants are to pay all the costs made in this action, and also the costs assessed in the former action in this Court of Mary R. Haynes against Horatio C. Hamilton et. al. It is therefor considered and adjudged by the Court that the plaintiff recover of defendants his costs in this suit expended taxed at $ to Record

3313 William Evans vs. Joshua S. Gee et. al. Continued

3324 Bank of North Lewisburg vs. Orlando Wells et. als. Left off docket

3349 P. J. Hymegar vs. George Bishop et. al. Continued

Friday January 16. A. D. 1880.

3503 Isaiah Tartuelle vs John B. Robinson

Now came the parties herein by their attorneys: Also came the following named persons as jurors to wit: Owen Wilson, John Gibson, Uriah Cook, Joseph Powers, John Blair, Reese Ballard, H. C. Vosberry, E. D. Smith, Stephen Shirk, R. L. Partridge regular jurors and George Baldwin and Joseph Hawn talis jurors who were duly impaned and sworn according to law. And the said jury having heard the testimony adduced in said said cause was continued until Tomorrow morning at 8½ oclock

3511 A. B. Robinson vs. John Warner and others

This day this cause came on to be heard and thereupon the defendants came not but made default therein and thereupon this cause was submitted to the Court and the Court being fully advised in the premises do find that the allegations of Plaintiffs Petition are true and that Plaintiff ought to recover of the defendants John Warner and A. Mary Warner as principal debtors and Appolonai Cridler as surety the sum of one hundred and eighty six and 18/100 dollars. And therefor it is considered, ordered and adjudged by the Court that the said Plaintiff recover of the defendants John Warner and A. Mary Warner as principal debtors and Appolonai Cridler as surety the said sum of one hundred and eighty six and 18/100 dollars and interest at 8 per cent per annum and costs herein expended taxed at $

3366 S. Walker vs J. T. Lenox et.als. Continued

3368 S. Walker vs. G. W. Cannon et.als. Continued

3430 Geo. F. Morse et al Admrs vs J. S. Alexander et.als Continued by Consent

3433 Thomas Fox vs. Reuben Stultz Continued

3448 Union Central Life Ins. Co. vs James Williams. Continued with leave to defendant to answer in 40 days from rising of the Court.
"

3457 William Evans vs Joshua S. Gill et.als. Continued

3486 Martha A. Russell vs Joseph Russell Stalker cost paid. As record.

Thereupon the Court adjourned until tomorrow at 8½ o'clock.

Saturday. January 17. A. D. 1880

3509 Ohio Farmers Insurance Company vs A. B. Robinson, Defendants

This day came the parties and waived the trial by jury and submitted this cause to the Court, Whereupon the Court being fully advised in the premises do find for the defendant on the issues joined. It is therefor considered, ordered and adjudged by the Court that the defendant go hence and recover of plaintiff his costs herein expended taxed to $

3503 Isaiah Cartmell vs. John B. Robinson

This day again came the said parties, by their attorneys and also came the jury heretofore impaneled and sworn and trial proceeded. And the said jury having heard the remaining testimony, the argument, and charge of the Court, retired to their room in charge of the Sheriff for deliberation. And now came the said jury into open Court with their verdict in writing, signed by their foreman, and say. "We the jury in this case, being duly impaneled and sworn do find and say that we find for the plaintiff five cents. 5 cts. Uriah Cook Foreman.

3072 H. H. Woods vs H. C. Barnett Et.als.

This cause came on to be heard by the Court upon the pleadings and evidence and was argued by Counsel, On consideration whereof the Court do at the request of the plaintiff state in writing the Courts conclusions of fact seperate from the conclusions of law as foleows: 1st. The Court finds that the said H. C. Barnett Defendant did on the 12th day of June 1877 execute to the Enterprise Building and Loan Association a mortgage covering the lands described in its cross petition and also executed another mortgage on same premises to same association August 8. 1877, which was recorded on the same day and are a lien from same time.
2nd That on the 16th day of January 1878 the said Barnett did convey to Louisa Thompson by deed in fee simple the following lot parcel of the said lands, being described in cross petition of Wm H. Robinson, so mortgaged to said loan Association, for which the said Louisa Thompson executed to said Barnett a mortgage on said lot so conveyed to her by said Barnett, to secure the purchase money for fifteen hundred dollars. 3d That on the 1st day of February 1878 the said Barnett in good faith and for a valuable consideration did transfer said mortgage to Wm H. Robinson Defendant.
4th. That on the 19th day of March 1878 the said H. C. Barnett and wife did execute a mortgage to the Defendant C. Eichemeyer for indemnity as alleged in his cross petition. and that the same became a lien upon a strip of ground 90 feet north and south by 333 feet east

and west, lying immediately north of and adjoining the lot owned by Louisa Thompson on the said 19th day of March 1878 at 5 o'clock P. M. 5th That on the 22d day of July 1878 the said Barnett did mortgage to the said plaintiff H. H. Woods all of said real estate described in the said mortgage to said Building and Loan Association Except that part which was conveyed by said Barnett to Louisa Thompson. 6th The mortgage to J. H. Robinson on lot No. 382 dated the 18th of May 1876 and is the first lien on the same. 7th The mortgage to Steinbarger & Wenner is dated November 27th 1877 and recorded the same day. 8th It is further found by the Court that there is due H. H. Robinson on said mortgage in his cross petition described the sum of five hundred dollars principal and Eighty dollars interest on the first note due which bears interest at eight per cent per annum besides the two notes to become due. And it is further found that there is due to said Loan Association up to December 22d 1879 on the two said mortgages the sum of $778 48/100. Wherefore the Court do adjudge order and decree that unless the said Barnett or said Louisa Thompson cause said sum due as aforesaid to be paid to Wm H. Robinson together with interest thereon at eight per cent per annum within ten days that an order issue to the Sheriff of this County commanding him to sell according to law the premises in his cross petition described and further unless said Barnett or Thompson cause said sum of $778 48 with interest from Dec 22d 1879 to be paid within ten days to said Association that an order of sale issue in like manner, commanding said Sheriff to sell the remainder of the premises in the cross petition of said Association described and the Court order that the proceeds of said remainder be first applied in satisfaction of the said Claim of the said association before any part of said Thompson lot be so applied and in making said sales the Sheriff is ordered to appraise and sell said lots in seperate parcels so as to enable the Court to know the amount of the proceeds of each parcel and properly distribute proceeds of the sales so made. To which conclusions of law the plaintiff excepts.

And on further consideration of the case, it is found by the Court that the allegations in the cross petition of Christian Eickemeyer are true and that there is due to the said defendant Christian Eickemeyer, from the defendant W. T. Barnett by virtue of the provisions of said mortgage in the said cross petition set forth and described, at this date, the sum of Two hundred and seventy nine and 40/100 Dollars ($279 40) It is therefore ordered, adjudged and decreed that if the defendants, W. T. Barnett and M. C. Barnett fail for ten days from this date to pay to said Christian Eickemeyer the said sum of two hundred seventy nine and 40/100 Dollars so found due, together with costs, then and in that case, that an order of sale issue to the Sheriff of Union County, Ohio, commanding him to proceed to appraise, advertise and sell the lands and tenements in the cross

over

Saturday January 17. 1880

petition of said C. Eichemeyer described, as upon judgments at law, and that he bring the proceeds arising from such sale into Court subject to ils further order.

3535 J. L. Southard vs. Orlando Wells

Now came the plaintiff herein and the defendant being in default for answer and demurrer the Court find that the alligations of the petition are confessed to be true by him and he is indebted to the plaintiff in the sum of two hundred three and 63/100 Dollars ($203 63/100). It is therefore considered by the Court here that the said plaintiff recover from the said defendants the said sum of two hundred three and 63/100 Dollars with eight percent interest on the same from January 19th A. D. 1880 and also his costs herein expended taxed to $

3450 George W. Mackling vs. A. B. Butler. et als.

On motion of plaintiff by Carpenter & Brodrick his attorneys and on his producing the return of the Sheriff of the sale made under the former order of this Court, and the Court on careful examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this Court it is ordered that the said proceedings and sale be and they are hereby approved and confirmed. And it is further ordered that the said Sheriff convey to the purchaser George W. Mackling by deed in fee simple the lands and tenements so sold and a writ of possession is awarded to put said purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale amounting to Sixteen hundred and Twenty five and 34/100 Dollars ($1625 34/100) it is ordered that the Sheriff out of the money in his hands pay. First. The costs of this action taxed to $25.98 Second. The taxes now a lien of said lands $ 210 00. Third, To plaintiff to apply on his claim the balance $ 1389 36/100.

Thereupon the Court adjourned until tomorrow morning until 8½ o'clock A. M.

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Monday January 19. A. D. 1880

Thereupon Court convened this at 9 o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

526 State of Ohio vs America V. Williams

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment for plea thereto saith she is not guilty and puts herself upon the County, and the prosecuting attorney doth the like. And it appearing that said defendant is in indigent circumstances, and unable to employ Counsel, the Court at her request assign Leonidas Piper as Counsel to defend her. And this day came the defendant America V. Williams and with T. Stewart as her surety entered into recognizance before the Court in the sum of Five hundred dollars, conditioned for her appearance at this the January Term of this Court on Wednesday the 28th day of January 1880 at 9 o'clock A. M. to answer said charge

516 State of Ohio vs. John Mahaffey

This day came David Mecham, Philip Smith, Annie Hines and Jane Mecham and acknowledged each to owe and stand indebted to the state of Ohio in the sum of one hundred Dollars each, to be levied of their goods and chattles, lands and tenements, if default be made in the condition following which is, that they each be and appear before the Court of Common Pleas of Miami County on the 19th day of January 1880 to give Evidence in a cause in said Court pending, wherein the State of Ohio is plaintiff and J. Mahaffey Defendant and not depart the Court without leave, then this recognizance shall be void, otherwise to remain in full force.

3499 Samuel Stricklin vs. Justus J. Miller

Now came the parties herein by their attorneys: also came the following named persons as jurors towit: John Gibson, Reese Baccard, H. C. Vostrey, C. D. Smith Uriah Cahill, Stephen Shirk, R. L. Partridge, regular jurors and D. H. March, Charles McCampbell, J. K. Richey, Joseph Haun and McCurdy Mills Talis jurors. who were duly impaneled and sworn according to law. And the said jury having heard the testimony and Argument of Counsel said cause was continued until tomorrow morning at 8½ o'clock.

Thereupon the Court adjourned until tomorrow morning at 8½ o'clock.

Tuesday January 20. A. D. 1880

Court convened at 8½ oclock this morning pursuant to adjournment The same officers being present as on yesterday.

3166 Wendel Helfreich vs Wm H. Bales Admr &c

This day this cause came on for hearing upon the general demurer to the petition, and the same being argued by Counsel and the Court being fully advised in the premises does sustain said demurer. Both parties asked and obtained leave to withdraw from the files all pleading, & copy of the petition filed subsequently to and thereto said demurer, and the plaintiff obtained leave to amend his petition within thirty days from this date. January 20. 1880.

3499 Samuel Stricklin vs Justus J. Niem

This day again came the said parties by their attorneys and also came the jury heretofore impaneled and sworn and the trial proceeded. And the said jury having heard the charge of the Court retired to their room in charge of the Sheriff for deliberation.

And now come the said jury into open Court with their verdict in writing, signed by their Foreman and say: We, the jury in this case being duly impaneled and sworn do find and say that we find for the Plaintiff and assess his damage at the sum of one dollar.

H. C. Vosburg Foreman.

521 State of Ohio vs Als. Bronson } Selling intoxicating liquor to be drank on premises.

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is not guilty and puts himself upon the Country and the prosecuting attorney doth the like. And the defendant with R. S. Alden as his surety entered into recognizance in the sum of One hundred dollars conditioned for his appearance on the 26th day of January to answer said charge.

522 State of Ohio vs U. S. Alden } Selling Imax, liq, to be drank where sold

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being brought into Court in charge of the Sheriff and arraigned upon said indictment for plea thereto saith he is not guilty and puts himself upon the Country and the prosecuting attorney doth the like. And the defendant with Wm Weber as his surety entered into recognizance in the sum of one hundred dollars conditioned for his appearance on the 26th day of January 1880 to answer said charge.

Tuesday January 20. A. D. 1880

513 The State of Ohio vs. Alson Brunson and Scott Brunson — Selling Intox. liquor contrary to law.

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant Alson Brunson being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is not guilty and puts himself upon the Country and the prosecuting attorney doth the like. And the defendant Alson Brunson with Scott Brunson and B. H. Keyes as his surties Entered into recognizance in the sum of Two hundred dollars conditioned for his appearance on the 26th. day of January 1880 to answer said Charge.

517 The State of Ohio vs. William Richter and John Richter — Indictment for selling intoxicating liquor contrary to law.

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant Wm William Richter being brought into Court in custody of the Sheriff and arraigned upon said indictment for plea thereto saith he is not guilty and puts himself upon the country and the prosecuting attorney doth the like.

And the defendant with Wm Ikler as his surety Entered into recognizance in the sum of Two hundred dollars conditioned for his appearance on the 26. day of January 1880 to answer said Charge.

511 The State of Ohio vs. Uriah S. Alden and Charles Spears — Kept a place where liquors are sold contrary to law.

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant Uriah S. Alden being brought into Court in custody of the sheriff and arraigned upon said indictment for plea thereto saith he is not guilty and puts himself upon the County and the prosecuting attorney doth the like. And the defendant with Charles J. Spear and B. H. Keyes as his sureties entered into recognizance in the sums of Two hundred dollars conditioned for his appearance on the 26th day of January 1880 to answer said charge.

3305 Charles Randall vs P. C. Barnes et als. — Now came the parties herein by their attorneys; also came the following named persons as jurors, to-wit: Joseph Powers, S. L. Reed, John Gibson, Reese Ballard H. C. Vosbury, Uriah Cahill, Stephen Shirk R. L. Partridge and E. D. Smith regular jurors and Geo. Baldwin Wm Gotts and Milton Thompson Talis jurors who were duly impaneled and sworn according to law. And the said jury having heard the testimony adduced in part said cause was continued until tomorrow morning at 8 1/2 o'clock

Wednesday January 21st 1880

Court convened at 8½ o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

513 The State of Ohio vs. Alson Brunson and Scott Brunson } Indictment for selling intoxicating liquor contrary to law.

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant Scott Brunson being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is not guilty. And the defendant with A. Brunson and B. W. Keyes as his sureties entered into recognizance in the sum of Two hundred dollars conditioned for his appearance on January 26. 1880 before said Court to answer said charge.

511 The State of Ohio vs. Noah S. Alden & Chas. Spears } Selling liquor contrary to law.

Now comes the prosecuting attorney on behalf of the state of Ohio and the defendant Charles Spears being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is not guilty. And the defendant with N. S. Alden and B. W. Keyes as his sureties entered into a recognizance in the sum of Two hundred dollars, conditioned for his appearance at the Court of Common Pleas of Union County O. on the 26. day of January 1880 to answer said charge.

520 The State of Ohio vs. Scott Brunson } Now comes the prosecuting attorney on behalf of the state of Ohio and the defendant Scott Brunson being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is not guilty. And the defendant with B. W. Keyes and N. S. Alden as his sureties, entered into a recognizance in the sum of one hundred dollars conditioned for his appearance on the 26. day of January of January 1880 to answer said charge of selling intoxicating liquors to be drank where sold.

518 The State of Ohio vs. Charles Spears } Selling intoxicating liquors to be drank where sold.

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant Charles Spear being brought into Court in charge of the Sheriff and arraigned upon said indictment, for plea thereto saith he is not guilty. And the defendant with N. S. Alden and B. W. Keyes as his sureties entered into recognizance in the sum of one hundred dollars conditioned for his appearance of January 26. 1880 before the Court of Common Pleas to answer said charge.

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Wednesday January 21st A. D. 1880

3337	H. H. Baxter vs. S. H. Chesney et. als.	On motion by plaintiff leave is given plaintiff to file his amended petition this day which amended petition is now filed.
3305	Charles Randall vs. P. E. Barnes et. als.	This day again came the said parties, by their attorneys and it appearing that L. Uriah Cahill one of the jurors is unable by reason of sickness further to attend this trial and the remaining Eleven jurors heretofore impanneled and sworn, now coming the trial by consent of both parties proceeded. And the said jury having heard the remaining testimony and the argument said cause was continued until tomorrow morning at half past Eight o'clock.
3462	Catherine Joseph and David L. Joseph her husband and others Plff. vs. Eli G. Piper Admr. et als	And now came the parties by their attorneys and defendants asked and obtained leave to withdraw the demurrer heretofore filed in this case and further asked and obtained leave to file their answers herein and which was accordingly done.
3463	Catherine Joseph and D. L. Joseph her husband et. als, vs. Eli G. Piper Admr. &c et. als.	And now came the parties by their attorneys and defendants asked and obtained leave to withdraw the demurrer heretofore filed in this case and further asked and obtained leave to file their answers herein and which was accordingly done.
3464	Catherine Joseph and D. L. Joseph her husband et. als. vs. Eli G. Piper Admr. and others	And now came the parties by their attorneys and defendants asked and obtained leave to withdraw the demurrer heretofore filed in this case and further asked and obtained leave to file their answers herein and which was accordingly done.
3465	Catherine Joseph and D. L. Joseph her husband et. als. vs Eli G. Piper Admr, et. aes,	And now came the parties by their attorneys and defendants asked and obtained leave to withdraw the demurrer heretofore filed in this case and further asked and obtained leave to file their answers herein and which was accordingly done.

Thereupon the Court adjourned until tomorrow morning at 8½ o'clock

Thursday January 22d A.D. 1880

Court convened at 8½ o'clock A.M. pursuant to adjournment. The same officers being present as on yesterday.

No. 3320 — Robert L. Woodburn vs. Caroline Chavvis et al

On motion of the plaintiff and on his producing the return of the sheriff of the sale made under the former order of this Court, and the Court, on careful examination of the proceedings of the Sheriff, being satisfied that the same have been had in all respects in conformity to law and the orders of this court, it is ordered that the said proceedings and sale be and they are hereby approved and confirmed. And it is further ordered that the said sheriff convey to the purchaser A. B. Robinson by deed in fee simple the lands and tenements so sold towit: Being all of out lot number eleven in what is known as D. D. Welch's addition to the town of Marysville Union County Ohio and lying in the north west part of said town. And a writ of possession is awarded to put said purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale amounting to two hundred and thirty three dollars and forty cents, it is ordered that the Sheriff out of the money in his hands pay, First the costs in this action taxed at $29 94 Secondly, The taxes due and unpaid on said property described. Thirdly, To the Plaintiff R.L. Woodburn Admr, of the Estate of R.L. Broom deed the balance of the money remaining in his hands to wit: Two hundred and three dollars and forty six cents. And there still remaining due to the said R.L. Woodburn Admr, of the Estate of R.L. Woodburn deed the sum of Two hundred and Eighty dollars and twenty one cents. It is therefore considered by the Court that he recover the same from the defendant Hiram Roney and Execution is awarded therefor.

2728 — Moses Thompson vs. Rawson Peacock

Error — Correct entry on opposite page

The jury in this action, having on a former day of this term, rendered a verdict for the plaintiff and assessed his damages at $157 89, and no motion for a new trial having been made: It is therefor considered by the Court that the said plaintiff recover from the said defendant the said sum of one hundred and fifty seven and 89/100 dollars together with his costs herein expended, and interest from the 1st day of this term of court to wit: Jany 5th 1880

Thursday January 22nd A. D. 1880

3003 A. Humphreys vs. C. M. Beck

Error in this entry corrected on page 537 Journal

The jury in this action having, on a former day of this term, rendered a verdict for the defendant, and no motion for a new trial having been made: It is therefore considered by the Court that the said defendant go hence without day and recover from the plaintiff his costs herein expended

3305 Charles Randall vs. P. E. Barnes et.als.

This day again came the said parties by their attorneys and also came the jury heretofore impaneled and sworn with the exception of Wm Goff who was absent, and the parties agreeing that the cause should be deliberated by the remaining jurymen and the said jury having heard the charge of the Court retired to their room in charge of the sheriff for deliberation. And now come the said jury into open Court with their verdict in writing signed by their foreman say: We, the jury in this case, being duely impaneled and sworn do find and say that we find for the defendant. R. L. Partridge Foreman.

No. 2728 Moses Thompson vs. Rawson Peacocks

This day came on this cause to be further heard on the motion for a new trial, whereupon the court being fully informed do overrule said motion to which ruling defendant excepts.

It is therefore considered, ordered and adjudged by the Court that plaintiff recover of the defendant the sum of one hundred and fifty seven and 89/100 dollars found due by the verdict of the jury together with his costs herein expended taxed to $

3492 J. M. Southard vs. Village of Marysville et.al. Continued.

3498 The State of Ohio, for the use of Sarah E. Brown vs. Charles Snodgrass Continued for service.

3546 A. A. Woodworth vs. C. C. C. & I. Railway Co. Continued

Thereupon Court adjourned until tomorrow morning at 8½ o'clock.

Friday January 23d A. D. 1880.

Court convened at 8½ o'clock A. M. pursuant to adjournment. The same officers being present as on yesterday.

No. 3268 Abel M. Lary Plaintiff
vs.
J. H. Cummings Admr. and others, Defendants

This day came the parties by their attorneys and this cause came on to be heard upon the motion of the defendants for a new trial and to set aside the verdict and the Court being fully advised in the premises, on consideration whereof the Court sustain said motion, upon condition that the defendants pay all costs thus far made in this case. 347

It is therefore ordered that said verdict be and the same is hereby accordingly vacated and set aside and a new trial granted herein. And it is further ordered and adjudged by the Court here that the defendants pay all the costs as aforesaid accrued within thirty days from the rising of the Court, otherwise said verdict to be and remain in full force and virtue in law.

3403 Frank D. Weller
vs
R. H. Thompson

Now come the parties herein by their attorneys: also came the following named persons as jurors to wit: Uriah Cook, Joseph Powers, H. C. Vosbury, Stephen Shirk, R. L. Partridge, E. D. Smith regular jurors and Geo. Miller, C. Hanson Stanley Beeler, Levi Kerran, David S. Clement, John Stimbel Talesjurors- who were duly impaneled and sworn according to law. And the said jurors having heard the evidence adduced in part said cause was continued until tomorrow morning at 8½ o'clock 3549

3449 Jesse Ramsey
vs
Perry Sherman as Admr. of William Ramsey

This day came the parties by their attorneys and thereupon the motion of the defendant for a new trial came on to be heard, upon consideration whereof the Court being fully advised in the premises do overrule said motion to which ruling of the Court in overruling said motion the defendant excepts. It is therefore considered and adjudged by the Court that the plaintiff recover of the said defendant as such administrator the said sum of five hundred dollars the sum found due by the verdict of the jury and his costs herein expended taxed to $ 300

Thereupon the Court adjourned until tomorrow morning at 8½ o'clock.

Saturday January 24th A. D. 1880

Court convened at 8½ o'clock A. M. pursuant to adjournment. The same officers being present as on yesterday.

It appearing to the Court that the business of J. J. Miller Sheriff is such that it is essential and necessary that he should have an assistant for the time being. It is therefore ordered by the Court upon motion of J. J. Miller Sheriff that Samuel Landon be and hereby is appointed deputy Sheriff. until discharged with the same powers and authority that the Sheriff has by law.

William E. Hoveler et.als.
vs.
3475 Mathew Bonner

This day this cause came on to be heard upon the demurrer of plaintiff to defendants answer and was argued by Counsel and submitted. Thereupon the Court being fully advised in the premises does sustain said demurrer.

Frank D. Weller
vs
3403 R. W. Thompson

This day again came the said parties, by their attorneys and also came the jury heretofore impanneled and sworn and the trial proceeded. And the said jury having heard the remaining testimony adduced in part said Cause was continued until Tuesday the 10th day of Febuary A. D. 1880 and said jury was discharged until that time.

D. T. Elliott
vs
3549 Allen Lister

This cause came on to be heard on the demurrer to the petition, whereupon the Court sustain said demurrer And thereupon plaintiff obtained leave to file amended petition within thirty days from the rising of Court and this cause is continued

A. Humphreys
vs
3003 C. M. Beck

This day came on this cause to be further heard on the motion of plaintiff for a new trial, whereupon the Court being fully advised in the premises do overrule said motion, to which ruling Plaintiff excepts. It is therefore considered, ordered and adjudged by the Court, that the defendant recover of the plaintiff her costs herein expended taxed to $ And by order of the Court for the purpose of preparing and filing a bill of exceptions the term of this Court is kept open for thirty days from the rising of the same, and the plaintiff is allowed 30 days from the rising of Court to prepare and file his bill of exceptions.

Whereupon the Court adjourned until Monday morning at 9 o'clock

Monday January 26. A.D. 1880.

Court convened at 9 o'clock A.M. pursuant to adjournment. The same same officers being present as on Saturday.

3006 Pleasant Valley Building and Loan Association, Pltff vs. John H. Scott et al. Dfts } Common Pleas, Union County Ohio

This cause coming on for hearing on the motion of Defendant to strike from the amended answer, was argued by counsel and submitted, whereupon the Court being fully advised in the premises do overrule said motion. To which overruling the plaintiff then and there excepted.

Thereupon a demurrer to the said Amended answer and each plea and defense herein being filed by plaintiff by leave of Court was submitted to the Court and by the Court overruled. To which over ruling the plaintiff then and there excepted. Leave was thereupon granted to plaintiff to file reply to said amended answer and said reply filed instanter.

1247 Susan Humphreys et.als. vs. Joab Huffman et.als. }

This cause was by the parties settled in the manner following towit: The plaintiffs are to execute to each of the defendants who occupy any part of the 190 acres known as the Burnham tract a good deed in fee simple but excluding the part thereof occupied by the A. & G. W. R. R. Company and said defendants are to pay in full satisfaction of said plaintiffs claim the sum of Eighteen hundred dollars and Defendants are to pay no costs in any of the Courts through which this case has gone, except they are to loose the two jury fees they have paid. It is therefore considered and adjudged by the Court that the defendants recover of the plaintiffs their costs herein Expended except the jury fees above mentioned and by agreement there is to be no further record. 515

3561 P. E. Barnes, Plaintiffs vs. Wm M. Denman, James Denman Hiram A. Denman & Mary A. Denman } This day came the Plaintiff by Cameron & Benton Attorneys and thereupon came J. W. Robinson one of the attorneys of Record of this Court, who, by virtue of a warrant of Attorneys duly executed and now produced in open Court and duly proven, waived the issuing and service of process, and entered a appearance of said Defendants herein, and by virtue of the same warrant of attorney confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs Petition the sum of $146 60/100. It is therefore considered that said Plaintiff do recover of said defendant the said sum of $146 60 so as aforesaid confessed to be due, together with costs of suit herein to be taxed 533

Monday January 26. A. D. 1880

and with interest to be computed at the rate of 8% per centum per annum. And by virtue of said warrant of Attorney, all Errors are released, and all right of appeal, and all right to file a petition in Error are waived -

531 The State of Ohio vs. Elijah Brown } Indictment for assault and battery

Now came the prosecuting attorney on behalf of the State of Ohio, and the defendant with his counsel; also came the following named persons as jurors to-wit: Owen Wilber, John Gibson, John Blair, Reese Ballard S. L. Reed, G. W. Moore, Wm Ralston J. E. Southard, A. L. Smith sr. John Trottinger, Louis Conrad, J. D. Herd, who were duly impaneled and sworn according to law.

And the said jury having heard the testimony adduced by the parties, the arguments of counsel and the charge of the Court, after deliberation thereon, returned the following verdict to-wit: We, the Jury in this case, find the defendant Elijah Brown Guilty in manner and form as he stands charged in the indictment.

John Blair Foreman.

515 The State of Ohio vs. Arthur Smith } Indictment for Carrying Concealed Weapons.

Now came the prosecuting attorney on behalf of the State of Ohio, and the defendant with his counsel; Also came the following named persons as jurors, to-wit: J. D. Herd, G. W. Moore, Wm Ralston, J. E. Southard, John Trottinger, Louis Conrad, Owen Wilber John Gibson, John Blair, Reese Ballard, S. L. Reed and Basic Hush Talis juror who were duly impaneled and sworn according to law:

And the said jury having heard the testimony adduced by the parties, the arguments of counsel and the charge of the Court, after deliberation thereon, returned the following verdict, to-wit: We, the Jury in this case find the defendant Arthur Smith not guilty, in manner and form as he stands charged in the indictment

John Gibson Foreman- And there being no further charge against said defendants he is hereby discharged -

No 3359 B. W. Keyes et. als. vs. W. C. Barnes et. als. } and Levi Longbrake vs Louisa Thompson et. als } No. 3531

This day came B. W. Keyes et. als. Plaintiffs in case No. 3359 and moved the Court to Consolidate No. 3359 with case No. 3531; and it appearing to the Court that said two cases relate to the same subject matter and that said two Causes are between the same parties it is ordered that they be Consolidated as one case under the title of Levi Longbrake vs Louisa Thompson et. als. and numbered No. 3531

Monday January 27. A. D. 1880

3304 Hannah A. Grim
vs
Alson Brunson

This day came on this cause to be further heard on the motion for a new trial - Thereupon the Court being fully advised in the premises do overrule said motion - Thereupon it is considered, ordered and adjudged by the Court that the plaintiff recover of the defendant four hundred and fifty dollars her damages found by the verdict of the jury together with her costs herein expended taxed to $ to which ruling of the Court in overruling said motion the defendant excepts and for the purpose of preparing and filing a bill of exceptions the term is kept open for 30 days from the rising hereof -

530 The State of Ohio
vs
Ebenezer Culver
Orange Culver
Leander Culver
Indictment for Threatening in a menacing manner.

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendants being brought into Court in custody of the Sheriff, and arraigned upon said indictment for plea thereto saith they are "not guilty" and put themselves upon the country and the prosecuting attorney doth the like.

Now came the prosecuting attorney on behalf of the State of Ohio and the defendant with his counsel; Also came the following named persons as jurors to wit: J. D. Herd, S. H. Moore, Wm Ralston, J. E. Southard, John Crottinger, Louis Conrad, Owen Wilson, John Gibson, John Blair, Reese Ballard, S. L. Reed regular jurors and Jackson Wright Talis juror, who were duly impaneled and sworn according to law;

And the said jury having heard the evidence adduced in said said cause was continued until tomorrow morning at 8½ o'clock.

3421 Lana D. Wilcox
vs.
John Sunderman

This day this cause came on to be heard upon the motion of defendant to dismiss this case for want of prosecution. On consideration whereof the Court being fully advised in the premises order that unless the said plaintiff file in this case her amended petition by the last day of this term of Court then this cause stands dismissed at the plaintiffs costs.

3572 James Mitchell
vs
J. J. Miller
This day came the Plaintiff and dismissed this action and Paid the Costs

Whereupon the Court adjourned until tomorrow morning at 8½ o'clock

530

3168

Tuesday January 27. A. D. 1880

Court convened at 8½ o'clock A. M. pursuant to adjournment. The same officers being present as on yesterday.

530 The State of Ohio
vs.
Ebenezer Culver
Orange Culver and
Leonidas Culver
Indictment for threatening in a menacing manner

This day again came the prosecuting attorney on behalf of the State of Ohio, and the defendant with his Counsel; Also came the jury heretofore impaneled and sworn, and the said jury having heard the remaining testimony and the argument of Counsel and charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into Open Court with their verdict in writing signed by their foreman and say: We, the jury in this case, find the Defendants Ebenezer Culver, Orange Culver, and Leander Culver, Guilty, in manner and form as they stand charged in the indictment. Owen Wilber Foreman.

530 The State of Ohio
vs.
Ebenezer Culver
Orange Culver &
Leander Culver
Indictment for threatening in a menacing manner.

This cause being heard on the motion for a new trial, the Court on consideration do overrule said motion. And the defendants herein, Ebenezer Culver, Orange Culver and Leander Culver, having been heretofore convicted of threatening in a menacing manner, were this day brought into Court in custody of the Sheriff and informed by the Court of the verdict of the jury and inquired of if they had anything to say why judgment should not be pronounced against them And showing no good and sufficient cause why judgment should not be pronounced, It is therefore considered and adjudged by the Court that the said defendants Ebenezer Culver, Orange Culver and Leander Culver pay a fine of five dollars each, and the costs of this prosecution and that they stand committed until said fine and costs are paid.

3168 Commissioners of Madison County O
vs
Thomas Jones

This day come the appellant Thos Jones and dismissed this action and paid the costs.

Tuesday January 27th 1880.

527 The State of Ohio vs. Elijah Brown, Wilson Brown and Lon Grubbs } Indictment for Resisting an officer.

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendants being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith they are not guilty and puts themselves upon the country and the prosecuting attorney doth the like.

Now came the prosecuting attorney on behalf of the State of Ohio, and the defendants with their attorneys; Also came the following named persons as jurors, to-wit: J. D. Herd, G. W. Moore, Wm Ralston, J. E. Southard John Challenger, Louis Conrad, Owen Wilber, John Gibson, John Blair Reese Ballard, S. L. Reed regular jurors and George Beecher Talis juror who were duly impaneled and sworn according to law:

And the said jury having heard the testimony adduced by the parties the arguments of Counsel and the charge of the Court, after deliberation thereon, returned the following verdict, to-wit: We, the jury in this case, find the defendants Elijah Brown, Wilson Brown "guilty" in manner and form as they stand charged in the indictment. Lon Grubbs not guilty. John Gibson Foreman.

And thereupon said defendant Wilson Brown is ordered into the Custody of the Sheriff to await sentence; And there being no further charge against said defendant, Lon Grubbs he is hereby discharged.

No 511 State of Ohio vs. Uriah S. Alden Charles Spears } Keeping a place where intoxicating liquors are sold contrary to law.

This day this cause come on for hearing upon motion of the defendants by their attorneys, that the struck jury in the above case be set aside, on the ground that two of said jurymen were non residents of said County of Union. Whereupon the Court sustained said motion and re-assigned the cause for trial on Thursday Feb'y 5th 1880.

3272 A. H. McFarland et al. vs William Robertson Continued

3145 Orlando Wells vs Osmond H. Wells et als. Continued

3027 E. G. Piper Admr. vs P. B. Cole et al. Continued

3026 E. G. Piper admr, vs. P. B. Cole Continued

2837 Samuel Turner vs Mary J. Turner Continued

Thereupon the Court adjourned until tomorrow morning at 8½ o'clock

513

No. 512

262

337

338

Wednesday January 28. A. D. 1880

Court convened at 8½ o'clock pursuant to adjournment. The same officers being present as on yesterday.

513 The State of Ohio vs Alson Bronson and Scott Bronson } Keeping a place where intox. liquor are sold contrary to law.

Now came the prosecuting attorney on behalf of the State of Ohio, and the defendants with their counsel; also came the following named persons as jurors, to-wit: W. W. Bales, Jas. Chambers, Jos Beardsley Hayes Spearman, Joseph Evans, Geo. Carpenter, John Curry, A. J. Brooks N. C. Clark, R. M. McElroy, J. R. Richey, and Darius Buxton, who were duly impaneled and sworn according to law. And the said jury having heard the testimony adduced by the parties, the arguments of counsel and the charge of the Court, after deliberation thereon returned the following verdict, to-wit: We, the jury in this case, find the Defendant Als, Bronson "Guilty," in manner and form as he stands charged in the indictment. And we find Scott Bronson "not guilty". J. C. Evans Forman.

No. 512 The State of Ohio vs. William Richter and John Richter } Indictment for keeping a place where intoxicating liquors are sold contrary to law.

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant John Richter being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is "not guilty". Now came the prosecuting attorney on behalf of the State of Ohio, and the defendants with their counsel, also came the following named persons as jurors, to-wit: D. R. Cochran, L. C. Ford, Jas. Hamilton, H. C. Ferris Stephen Graham, Lewis Lamay, Silas Shirts, Luther Turner Samuel Waddle Berry Hammoralt, John Liggett and Leroy Decker. who were duly impaneled and sworn according to law. And the said jury having heard the evidence adduced in part, said cause was continued until tomorrow morning at 8½ o'clock.

2623 Maria Stickles vs John Stickles } This cause is continued with leave to the plaintiff to amend her petition in 30 days from the rising of the Court.

3375 James Cutler Assignee vs Geoge W. Cannon et.als. Continued.

3386 Osmond N. Wells vs J. B. Wheeley et.als. Continued.

Thereupon Court adjourned until tomorrow morning at 8½ o'clock

Thursday January 29. A. D. 1880.

Court met at Eight and one half o'clock Pursuant to adjournment. The same officers being present as on yesterday.

531 The State of Ohio vs Elijah Brown } Indictment for Assault and Battery

The defendant herein having been heretofore convicted of Assault and Battery, was this day brought into Court, in custody of the Sheriff, and informed by the Court of the verdict of the jury and inquired of if he had anything to say why judgment should not be pronounced against him, and showing no good and sufficient cause why judgment should not be pronounced; it is therefore considered and adjudged by the Court that the said defendant Elijah Brown pay a fine of twenty dollars and the costs of prosecution and that the said Elijah Brown be imprisoned in the jail of Orion County for the period of ten days and that he stand committed until said fine and costs are paid.

No. 527 State of Ohio vs. Elijah Brown, Wilson Brown & Lon Gaubs } Indictment for resisting an officer.

The defendants herein Elijah Brown and Wilson Brown having been heretofore convicted of resisting an officer, was this day brought into Court in custody of the Sheriff and informed by the Court of the verdict of the jury and inquired of if they had any thing to say why judgment should not be pronounced against them; And showing no good and sufficient cause why judgment should not be pronounced It is therefore considered and adjudged by the Court that the defendant Elijah Brown pay a fine of twenty dollars and the costs of this prosecution and that the said Elijah Brown be imprisoned in the jail of Orion County for the term of five days and that he stand committed until said fine & costs are paid. It is also considered and adjudged by the Court that the said defendant Wilson Brown pay a fine of twenty dollars and the costs of this prosecution and that the said Wilson Brown be imprisoned in the jail of Orion County for the term of ten days and that he stand committed until said fine and costs are paid.

512 State of Ohio vs. William Richter & John Richter } Indictment for keeping a place where intox. liquors are sold contrary to law.

This day again came the prosecuting attorney on behalf of the State of Ohio, and the defendants with his counsel; Also came the jury herein for impaneled and sworn and the trial proceeded; And the said jury having heard the testimony adduced, the arguments of counsel, and the charge of the Court, after deliberation thereon returned the following verdict to wit:

We the jury in this case, find the defendant William Richter Guilty in

Thursday January 29. 1880

manner and form as he stands charged in the indictment. We find John Richter "not guilty". D. R. Cochran, Foreman
And there being no further charge against said John Richter he is hereby discharged.

3477 The Bank of Richwood vs Thomas Taeeman et.al. } Settled and cost paid and papers withdrawn.

3518 Mary J. Ware vs Howard R. Ware }

This cause came on for hearing on the petition and the evidence, the defendant being in default for demurrer or answer; On consideration whereof the Court find that the plaintiff at the time of filing her petition had been a resident of the State of Ohio for one year next preceding the same, and was at that time a bona fide resident of this County of Union and that the parties hereto were married as in said petition set forth.
The Court further find, upon the evidence adduced that the defendant has been guilty of gross neglect of duty and other acts as charged in the petition and that by reason thereof the plaintiff is entitled to a divorce as prayed for. It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Mary J. Ware and Howard R. Ware be and the same hereby is dissolved and both parties are released from the obbigations of the same.

3387 Isaac Starke vs David Joseph et.als. Continued

3425 Hannah Carson vs John C. Gregg et.als. Continued

3443 Francis S. Hoyt exec. vs. A. S. Alden. Continued for want of time.

3469 George Lockhart vs Andrew Taylor Continued.

3467 Francis M. Hubbard vs Daniel M. Hubbard Continued.

3520 James Williams vs America Williams Cntd for want of time to try.

3533 William Wilson et.als. vs John Swan et.als. Continued

Whereupon the Court adjourned until tomorrow morning at Eight and one half oclock.

Friday January 30th 1880

Court convened at 8½ oclock this morning pursuant to adjournment. The same officers being present as on yesterday.

3529 George Worthington & Co. vs. George P. Snows

This day came on this cause to be heard by the Court, the parties having waived a trial by jury. Whereupon the Court find for the defendant on the issues joined between the parties. Whereupon it is considered ordered and adjudged by the Court that the defendant go hence and recover of the plaintiffs his costs herein expended taxed to $

No. 3081 J. S. Norton & Co Plaintiffs vs. School District No. One Paris Township Union County Ohio, Et. al.

This day this cause came on to be heard upon the special demurrer of the defendants Woods & Dolbear, J. V. Saufleet, Hubbell Brown & Co. Hancock & Dow, and the Marysville Butter Tub and Spoke Company to that part of the reply of School District No.(1) one Paris Township &c in which it pleads the Statute of limitations under the mechanics lien law, and the same was argued by Counsel. On consideration whereof the Court sustained said special demurrer. To all of which ruling and decision of the Court the defendant School District No. one Paris Township, Union County, Ohio, then and there by its attorneys excepted.

3081 J. S. Norton & Co. vs. School District No. one Paris Township Union County Ohio, Et al.

This day this cause came on to be heard upon the general demurrer of the plaintiffs J. S. Norton & Co. and the defendants Woods & Dolbear, J. V. Saufleet, Hubbell, Brown & Co. Hancock & Dow and the Marysville Butter Tub and Spoke Company to the answer of the defendant, School District No.(1) one Paris Township Union County Ohio, and the same was argued by Counsel. On Consideration Whereof the Court do overrule said demurrer. To which ruling and decision of the Court the said plaintiffs, and the said defendants therein named then and there by their attorneys Excepted.

Thereupon Court adjourned until tomorrow morning at 8½ Oclock

Saturday January 31st 1880

Thereupon Court convened at 8½ o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

528 The State of Ohio vs Michael Powers } Indictment for keeping a place where intoxicating liquors are sold contrary to law.

This day came the prosecuting attorney on behalf of the State of Ohio, and the defendant with his counsel and this cause came on to be heard on the motion of defendant to quash said indictment. On consideration whereof the Court overrule said motion.

Thereupon said defendant being arraigned upon said indictment for plea thereto saith he is guilty.

3537 Richard Spearman vs. L. F. Stickrein }

This day this cause came on to be heard upon motion of plaintiff for leave to file petition. Court being fully advised in the premises do grant the plaintiff leave to file the same within 30 days from rising of the Court. Thereupon this cause is continued.

3173 Bank of North Lewisburg vs. James Carter et. als. }

This day came on this cause to be heard on the pleadings and evidence and arguments of counsel, whereupon the Court being requested to make his special findings of the facts separate from the findings of the law do on the evidence find that payments have been made on the mortgage given to Almira Reed as alleged in the answer of A. M. Pilcher and there is due on the mortgage described in the cross petition of Almira Reed on the 140 acre farm therein described, the sum of eighteen hundred eleven 68/100 - $1811.68 with interest as a lien on the said 140 acres, which is the first lien on said 140 acres. 2d The Court further find that in

× the Spring of 1871 James Carter in consideration of six hundred and four hundred dollars paid to him by A. M. Pilcher, agreed verbally with said A. M. Pilcher to convey by deed to her in fee simple the 140 acres of land but the said A. M. Pilcher failed to prove that she took or obtained possession of said land under or by virtue of the said verbal contract but the Court find that the said A. M. Pilcher had possession of said 140 acres as the widow of James Carter deceased from the time of the decease of the latter, and continued the possession right along under said contract of purchase with her said son James Carter, and the Court further finds that said Carter on two different occasions met A. M. Pilcher for the purpose of making said deed after making said contract and deed was prepared at both times and said Carter without repudiating the contract, declined to execute said deed but repeated his promise that he would do so. That he, in April 1878 made the deed in pursuance of his verbal agreement to said A. M. Pilcher for said 140 acres of land

and that the $6.400 paid was a fair consideration for the same.
Thereupon on the law the Court finds that the deed so made connected the legal title with the equitable title to said land so as to give her a clear title thereto as against the several judgments claimed by plaintiff and other parties to be liens on the said land.
3d The Court find James Carter owns the one half of lot 15 in said petition described and is tenant in common with Osmond H. Wells on which half lot the plaintiffs judgment is the first lien.
4th The Court find that James Carter is seized in fee simple of the 30 acres of land in said petition described and subject to the rights of W. A. West and A. M. Pilcher under the mortgage to Elliot, the said 30 acres is in equity liable to the payment of the said judgment of the plaintiff. 5th The Court further find that there is still due the plaintiff from James Carter on said judgment after being corrected by the judgment of this Court at its last term the sum of $3053 12/100 with interest at 8 per cent from February 22. 1878 which is a lien as before mentioned. Therefore the Court order, decree and adjudge that unless said A. M. Pilcher, James Carter and H. E. Pilcher shall pay said Almira Reed the said sum of Eighteen hundred and Eleven and 68/100 dollars ($1811 68/100) with interest from January 21st 1880 and the costs made in regard to the same herein, within ten days, that an order of sale issue to the Sheriff of this County Commanding him to appraise advertise and sell according to law the 140 acres aforesaid and bring into Court the proceeds. And that subject to said claim of Almira Reed that the title of A. M. Pilcher to said 140 acres be and the same is hereby quieted against the claims and liens of the other parties to this cause and their petition dismissed as to said 140 acres.
Further the Court order and adjudge that unless said James Carter shall within ten days pay to plaintiff the said sum of $3052 12/100 with said interest as found due as aforesaid to plaintiff with the costs herein that an order of sale issue to the Sheriff of this County Commanding him to appraise, advertise and sell the said half of said lot 15 and the whole of the said 30 acres and report his proceedings therein and as to the claim of W. A. West and A. M. Pilcher under the Elliot mortgage this cause is continued. And as to the judgment and order of the Court quieting the title of A. M. Pilcher to said 140 acres as against the judgment liens of the plaintiff and the judgment of Claflin & Co. and dismissing said petition as to said 140 acres the said plaintiff and said Claflin & Co. except

3337 W. H. Baxter vs. E. L. Chesney et. al.

This day came on this cause to be heard on the demurrer of E. L. Chesney to the amended petition of Plaintiff filed January 22. 1880 Whereupon the Court being fully advised in the premises sustain said demurrer and it appearing that judgment was rendered on the note mentioned in said petition against T. H. Chesney at a previous term of this Court and the plaintiff not desiring to further amend, the Court consider and adjudge that the

Saturday January 31st 1880.

defendant E. L. Chesney recover of the plaintiff her costs herein expended taxed to $

3072 W. W. Woods Plaintiff
vs.
W. C. Barnett et. al. } Journal entry appointing a receiver.

This day this cause came on to be heard upon the motion of the several defendants in this action, who have filed Answer and cross petition, for the appointment of a receiver herein.

And thereupon the Court find that the several parcels of real Estate described in the petition of the plaintiff, and in the answers and cross petitions of the several defendants, are so incumbered by the mortgages in the several pleadings set forth, that none of the lands will sell for sufficient to pay the liens thereon.

It is therefor ordered that J. J. Millen, Sheriff of Union County, Ohio be and he is hereby appointed receiver in this action to take charge of all the lots, lands and tenements in the petition and Cross petitions described, with power to rent receive and collect rents, keep the premises in repair, and do all and singular the acts and things allowed to, and required of a receiver by law in such cases. He is to keep account of rents, repairs, expenses &c. as against each parcel of real Estate which may come into his possession by virtue of his receivership.

All parties here, and all persons who may have come into possession of said premises or any part thereof since the commencement of this action are hereby ordered to deliver possession of the same to said receiver on his demand. Said receiver is to make report of his receipts and expenses at the expiration of his appointment or upon confirmation of sale, of all or of any of the several parts.

3541 Ellen Deem vs James W. Gaston Continued.

3547 Isaac Shirk vs Jacob Ama Shirk Continued.

3551 Murilla Keith vs Charles Keith Continued.

3550 John W. Haines
vs
Bank of South Lewisburg } This cause is continued with leave to the defendant to file answer in 30 days from the rising of the Court.

Thereupon the Court adjourned until Monday morning at 8½ o'clock.

Monday Febmary 2d A.D. 1880

Court Convened at 9 o'clock this morning Pursuant to adjournment the same officers being present as on yesterday.

No 3495 Ercole Scrigna vs Samuel Bonnell et.als. The plaintiff having failed to give security for Costs in this case as ordered, the Court on motion of defendants now order that unless plaintiff gives security for costs by Tuesday Febmary 3d 1880 this cause be dismissed for want of prosecution.

3081 J. S. Norton & Co. vs. School District No, one of Paris Township, and others. Defendants. This day came on this cause to be further heard on the pleadings and evidence. Whereupon the Court having fully heard the parties do find that on the 21st day of July 1877 plaintiffs filed their claim as alleged for $819 00/100. That Woods & Dolbear filed their claim as alleged July 31. 1877 for $95. 63/100. That J. V. Samfleet filed his claim July 21. 1877 as alleged, for $496 80/100. That Hubble Brown & Co. on July 7. 1877 filed their claim as alleged for $220 00/100. That Fleck & Chapman filed their claim as alleged for $164 70/100. That Hancock & Dow filed their claim as alleged for $751 62/100. That the Butter Tub & Stone Co. filed their claim as alleged for $272 95/100. That all of said claims were for materials and work done for C. S. Woodward Son on his contract with the said school district, a copy of which is attached to the answer of said District. The Court further find that one hundred dollars and no more after the time of the filing of said claims were paid to said C. S. Woodward Son contrary to the rights of the said lien holders by the Board of Directors of said school District and that said school District did not owe said C. S. Woodward Son any sum of money at the time of the filing of said claims, except the said one hundred dollars. Therefore it is considered, ordered and adjudged by the Court that the said school District pay within ten days said sum of one hundred dollars to the said several creditors of C. S. Woodward Son pro rata according to the several amounts claimed by them severally as aforesaid and further that said school District pay the costs of this proceeding taxed to $ And thereupon plaintiffs, and each one of the said parties, who have filed cross petitions in this case severally gave notice of their intention to appeal to the District Court. And the said school District also gave notice of its intention to appeal to the District Court and thereupon at the request of the said several parties the Court fix the appeal bond at $200

Thereupon Court adjourned until tomorrow morning at 8½ o'clock.

Monday Febmary 2d 1880

516 The State of Ohio vs. John Mahaffey } Indictment for an assault with intent to commit a rape

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto saith he is "not guilty;" and puts himself upon the Country, and the prosecuting attorney doth the like.

Now came the prosecuting attorney on behalf of the State of Ohio, and the defendant with his counsel; Also came the following named persons as jurors, to-wit: John Gibson, John Blair, Reese Ballard, J. D. Herd Wm Ralston, A. L. Smith, John Trottinger, Lewis Conrad, David Sharer J. Van Pierce, John Coder, H. M. Cartmell - who were duly impaneled and sworn according to law. And the said jury having heard the testimony adduced in part said cause was continued until tomorrow morning at 8½ o'clock

3517 Samuel Stuckein vs. J. J. Miller } By agreement of parties this case is dismissed at the costs of the defendant and the property replevined is to be and remain the property of the plaintiff. It is therefore adjudged by the Court that the plaintiff recover of the defendant his cost herein expended taxed to $ and by agreement there is to be no record.

No. 3499 Samuel Stuckein vs. Justus J. Miller } The jury on a former day of this term having returned their verdict for the plaintiff with damages in the sum of one dollar and the motion for a new trial being withdrawn, It is considered and adjudged by the court that the plaintiff recover of the defendant the said sum of one dollar and his costs herein expended taxed to $ And by agreement there is to be no record.

Thereupon Court adjourned until tomorrow morning at 8½ o'clock

Tuesday Febmary 3d 1880

Court met at 8½ o'clock A. M pursuant to adjournment. The same officers being present as on yesterday.

5/6 The State of Ohio vs. John Mahaffey } Indictment for Assault with intent to commit rape.

This day again came the Prosecuting attorney on behalf of the State of Ohio and the defendant with his Counsel and also came the jury heretofore impaneled and sworn and the trial proceeded. And the said jury having heard the remaining testimony, the argument of Counsel & charge of the Court retired to their room in charge of the Sheriff for deliberation.

3513 George Riddle vs. Wilson Brown et.al. } This day came the parties by their attorneys and by agreement thereof this cause is continued.

3493 Jacob V. Nash vs. Eli Ward et.al. } This day came the parties by their attorneys and by agreement thereof this cause is continued.

3563 Charles K. Cordry vs. John M. Gunder Continued with leave to plaintiff to file petition instanter. Petition filed and plaintiff to secure costs in 30 days from rising of Court.

3562 F. W. Lewis vs Henry Wheeler Continued.

3560 Mathew Lingree vs. Caleb Haines Continued

3559 Richwood Union B. & L. A. vs. George B. Tucker et.al. Continued

3555 John Gray Admr. vs. Michael Blue et.als. Continued

3554 Cornelius Mulvaine vs. Jonas Figley } Continued with leave to plaintiff to file petition in 30 days from the rising of the Court.

Whereupon Court adjourned until tomorrow morning at 8½ o'clock

Wednesday February 4th A.D. 1880

Court met at 8½ o'clock A. M. pursuant to adjournment - The same officers being present as on yesterday -

516 The State of Ohio vs John Mahaffey } Indictment for Assault with intent to commit a rape

This day again came the prosecuting attorney on behalf of the State of Ohio, and the defendant with his counsel, and also came the jury heretofore impaneled and sworn, and retired to their room in charge of the Sheriff to consult of their verdict. And now come said jury into open Court, and state that they are unable to agree upon a verdict; Whereupon they are, by the Court, discharged from further consideration of this case, and the defendant John Mahaffey was required by the Court to enter into a recognizance in the sum of six hundred dollars for his appearance on the first day of the next term of this Court, which he accordingly did with Jas. T. Mahaffey as his surety, and this cause is continued

503 The State of Ohio vs Edgar Rogers and Joseph Rogers } Indictment for Assault and Battery.

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendants being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto say they are "not guilty" and put themselves upon the country, and the prosecuting attorney doth the like.

Now came the prosecuting attorney on behalf of the State of Ohio and the defendants with their counsel; Also came the following named persons as jurors, to-wit: S. L. Reed, J. E. Southard, John Blair, J. D. Herd Wm Ralston, John Trottinger, Lewis Conrad & Uriah Cahill regular jurors and Sterling Davis, Geo. S. Baldwin, Henry Wheeler and Holmes Hutchinson Talis jurors who were duly impaneled and sworn according to law. And the said jury having heard the testimony, the argument of counsel and charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into open Court with their verdict in writing signed by their foreman and say: We, the jury in this case find the defendants Edgar Rogers guilty, in manner and form as he stands charged in the indictment and Joseph Rogers not guilty. Uriah Cahill, Foreman - Joseph Rogers

And there being no further charge against said defendant, he is hereby discharged -

Wednesday Felmary 4. A. D. 1880.

525 The State of Ohio. vs. Arthur Smith and Delbert Dixon } Indictment for disturbing a meeting.

Now Comes the Prosecuting attorney on behalf of the State of Ohio, and the defendants being brought into Court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto, say they are "not guilty;" and put themselves upon the Country and the Prosecuting attorney doth the like.

Now came the Prosecuting attorney on behalf of the State of Ohio, and the defendants with their Counsel; also came the following named persons as jurors, towit: John Gibson, John Blair, Reese Ballard S. L. Reed, J. D. Herd, J. C. Southard John Crottinger, Louis Conrad, Uriah Tahlee, William Ralston regular jurors and A. H. Torence & Hayes Spearman Talis Jurors who were duely impaneled and sworn according to law. And the said jury having heard the testimony adduced in part, said Cause was continued until to morrow morning at 8½ oclock.

3553 J. H. Hamilton Plaintiff vs. Francis Baldwin et. al. }

This day this cause is continued with leave to the defendants Francis Baldwin and Bridget Baldwin to answer in twenty days from the rising of the Court. And leave is also given to the defendant, the Michigan Mutual Life Insurance Company to answer in thirty days from the rising of the Court.

3524 Jennie Longwell et. al. vs. John Kirby et. al. } Settled and cost paid.

Genl order as to collection of cost- It is this day ordered by the Court. That where the party recovering neglects to sue out Execution immediately, or after such Execution has been returned without satisfaction of cost the Clerk may for his own benefit, or shall at the instance of any person entitled to fees in the bill of costs taxed against either party issue against the party indebted to such Clerk or other person for such fees. Whether plaintiff or defendant. an execution to compel the party to pay his own costs. And this Shall be a standing order of this Court.

Whereupon Court adjourned until tomorrow morning at 8½ o'clock.

Thursday Fumary 4th A. D. 1880.

Court convened at 8½ o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

525 The State of Ohio vs Arthur Smith & Delbert Dixon } Indictment for disturbing a meeting.

This day again came the prosecuting attorney on behalf of the State of Ohio and the defendants with their Counsel and also came the jury heretofore impaneled and sworn and the trial proceeded. And the said jury having heard the remaining testimony the argument and charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into Open Court with their verdict in writing signed by their Foreman and say: We the jury in this case, find the defendants Arthur Smith and Delbert Dixon, Guilty, in manner and form as they stand charged in the Indictment H. Speakman, Foreman.

It is therefore considered and adjudged by the Court that the said defendants Arthur Smith and Delbert Dixon, each pay a fine of ten dollars, and the costs of this prosecution; and that they stand committed to the jail of Union County until the amount of said fine and costs shall be paid.

503½ The State of Ohio vs. Edgar Rodgers and Joseph Rodgers } Indictment for assault and battery.

Edgar Rogers the defendant herein, having been heretofore convicted of Assault and battery, was this day brought into Court in custody of the Sheriff, and informed by the Court of the verdict of the jury and inquired of if he had anything to say why judgment should not be pronounced against him; and showing no good and sufficient cause why judgment should not be pronounced; It is therefore considered and adjudged by the Court that the defendant Edgar Rogers pay a fine of $10 and the costs of this prosecution and that he stand committed to the jail of Union County until the amount of said fine and costs shall be paid.

511 State of Ohio. vs. Wiah Alden & Charles Spear } Indictment for keeping a place where liq. is sold contrary to law

Now came the prosecuting attorney on behalf of the State of Ohio, and the defendant S. Alden with his counsel; Also came the following named persons as jurors to wit: S.L. Bell Samuel McAdow, James Cunningham, L. G. Webster, S.S. Jarrell, J.H. Beem, W.L. James J.F. Gates, John Cunningham, Hiram Inskeep, Luther Turner & Saml McAllister who were duly impaneled and sworn according to law. And the said jury having heard the testimony adduced in part said cause was continued until tomorrow morning at 8½ oclock

Whereupon Court adjourned until tomorrow morning at 8½ oclock.

Friday, Febmary 6th A. D. 1880

Court convened at 8½ o'clock this morning pursuant to adjournment. The same officers being present as on yesterday-

511 State of Ohio vs Uriah S. Alden Charles Spears } The State Indictment for selling liquor contrary to law.

This day again came the prosecuting attorney on behalf of the State of Ohio and the defendant U. S. Alden with his counsel; and also came the jury heretofore impaneled and sworn and the trial proceeded.

And the said jury having heard the remaining testimony, the argument and Charge of the Court retired to their room in charge of the Sheriff for deliberation.

And now come the said jury into Open Court with their verdict in writing signed by their foreman and say: We the jury in this case, find the Defendant Uriah S. Alden, "guilty" in manner and form as he stands charged in the indictment. S. S. Jewell, Foreman.

514 State of Ohio vs. Benjamin Wood and Robert Davey } Indictment for selling intox. liquors contrary to law.

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant Benjamin Wood being brought into Court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto saith he is "guilty".

3510 Emily L. Goff vs. A. T. Talleman et.als. Settled & Cost paid.

3484 Wm M. Hardy vs. Mathew Lingrel Continued

3466 Osmond W. Wells vs. Hudson Haines et.al. Continued

3345 Rachael M. Mattox vs. Clinton Burns Continued.

Thereupon the Court adjourned until tomorrow morning at 8½ o'clock.

Saturday Febmary 7th. A. D. 1880.

Court convened at 8½ o'clock A.M. pursuant to adjournment. The same officers being present as on yesterday

William E. Hoveter et.als.
vs.
3475 Mathew Bonner

This cause came on for hearing upon the pleadings and the evidence; on consideration whereof the Court find the allegations of plaintiffs petition to be true and that Cadwalleader Wallace in his lifetime to wit: on the 22d day of August A. D. 1831 Sold and Conveyed to Josiah B. Andrews the land in plaintiffs petition described and that Josiah B. Andrews then paid said Cadwalladen Wallace therefor in full. The Court further find from the evidence that the plaintiffs now own in fee, deriving title thereto from said Josiah B. Andrews and his grantees the several portions of said tract claimed by them in their petition and fully described in Plat No. 2 therein to-wit: William E. Hoveter Sixty Eight acres thereof. W. H. Andrews, One hundred and five and 3/4 acres thereof. H. J. Harbert one hundred and twenty acres thereof. George Graham thirty nine and 3/4 acres thereof and William P. Crafty seventy acres thereof. And the Court further finds that Josiah B. Andrews, his grantees and the plaintiffs have held adverse, notorious, uninterrupted and peaceable possession of the lands described in plaintiffs petition since the 22d day of August A. D. 1831.

And the Court find from the evidence that the deed made by Cadwalladen Wallace to said Josiah B. Andrews for the lands described in plaintiffs petition has been lost or destroyed. The Court further finds that the defendant Mathew Bonner is the devisee in trust of said Cadwalladen Wallace deceased and that he is by the terms of the will of said Cadwalladen Wallace fully authorized and empowered among other things to do and perform every act in relation to the real Estate of said Cadwalladen Wallace and to perfecting title thereto which if alive and acting he himself might or could do. It is therefore ordered, adjudged and decreed by the Court that the title and possession of said real Estate is in the plaintiffs and it is further ordered, adjudged and decreed that the defendant Mathew Bonner as devisee of Cadwalladen Wallace deceased convey to plaintiffs by good and sufficient deed of general warranty the said premises conveying to each of said plaintiffs the portion thereof owned and held by each as appears by Plat No. 2 of said petition and that said Mathew Bonner as such devisee execute and deliver said deeds to each of said plaintiffs within ten days from the rising of this Court and in default of the conveyance herein ordered, within the time limited, it is ordered that this decree have the same force and effect and be in all respects as available as such deed of conveyance would be to convey the premises in the petition described to plaintiffs. Plaintiffs to pay costs of this action taxed to $ 13 57.

Saturday Febmary 7th 1880

3495 Excee Scrigna vs Samuel Bonnell and Village of Marysville

This day on motion to the Court, and it appearing to the Court that a former order of this Court requiring the plaintiff to give security for costs in this action, has not been complied with, and that the plaintiff has been in default for amended petition since January 28th 1880. It is ordered by the Court that this action be and the same is hereby dismissed for want of compliance with the orders of the Court, and for want of prosecution and at the costs of the plaintiff. It is therefore considered, ordered and adjudged by the Court that the defendants recover of the plaintiff their costs herein expended taxed to $

3548 The State of Ohio vs. Orson Benton — Peace Warrant

This day came the prosecuting Attorney and also the defendant Orson Benton. Whereupon the said defendant waived an Examination and consented to enter into a recognizance according to law with good and sufficient security in the sum of five hundred dollars that he shall keep the peace and be of good behavior generally and especially towards the said Eliza Benton for the period of six months from this date, which recognizance the said Orson Benton entered into accordingly with Lewis Benton his surety.
It is further ordered and adjudged by the Court that the said defendant within ten days pay the costs of this proceeding and in default thereof that execution issue therefor

3003 Pleasant Valley Building and Loan Association vs. John K. Scott and Lucy A. Scott Defendants

On motion of the defendants and for good cause shown it is ordered that this cause be, and the same hereby is referred to L. Piper Esquire as special master Commissioner to take the testimony in writing, and report the same to the Court, with his conclusions on the law and facts involved in the issues - at the present term thereof.

Whereupon the Court adjourned until Tuesday morning next at 8½ o'clock

Tuesday February 10th 1880

Court met at 8½ oclock this morning pursuant to adjournment. The same officers being present as on Saturday.

358 The State of Ohio vs. William Richter } Indictment for retailing liquor

The defendant having at a former term of this Court plead guilty to an indictment for retailing liquor, it is considered and adjudged by the Court that the defendant Wm Richter pay a fine of twenty five dollars and the costs of this prosecution and that he stand committed to the jail of Union County until the amount of said fine and costs shall be paid.

359 The State of Ohio vs. William Richter } Indictment for retailing liquors

The defendant having at a former term of this Court plead guilty to an indictment for retailing liquors, it is considered and adjudged by the Court that the defendant Wm Richter pay a fine of twenty five dollars and the costs of this prosecution; and that he stand committed to the jail of Union County until the amount of said fine and costs shall be paid.

360 The State of Ohio vs William Richter } Indictment for selling intoxicating liquor to a minor

The defendant having at a former term of this Court plead guilty to an indictment for selling liquor to a minor, it is considered and adjudged by the Court that the defendant William Richter pay a fine of twenty five dollars and the costs of this prosecution, and that he stand committed to the jail of Union County until the amount of said fine and costs shall be paid.

391 The State of Ohio vs William Richter } Indictment for Selling intax liquor to a minor.

The defendant having at a former term of this Court plead guilty to an indictment for Selling intaxicating liquor to a minor, it is considered and adjudged by the Court that the defendant Wm Richter pay a fine of twenty five dollars and the costs of this prosecution and that he stand committed to the jail of Union County until the amount of said fine and costs shall be paid.

Tuesday February 10. 1880

392 The State of Ohio vs. William Richter — Indictment for retailing liquor.

The defendant having at a former term of this Court plead guilty to an indictment for retailing liquor, it is considered and adjudged by the Court that the defendant Wm Richter pay a fine of thirty five dollars and the costs of the prosecution and that he stand committed to the jail of Huron County until the amount of said fine and costs shall be paid -

513 State of Ohio vs. Alson Bronson and Scott Bronson — Keeping a place where intoxicating liquors are sold contrary to law.

Whereupon the defendant Alson Bronson being present and not desiring to say anything further why sentence should not be passed on the verdict, it is considered, ordered and adjudged by the Court that the State of Ohio recover of the defendant Alson Bronson his fine in the sum of seventy five dollars together with the costs herein expended taxed to $ And it is further ordered and adjudged by the Court that the defendant Alson Bronson also stand committed and be imprisoned in the County jail for the period of twenty days, and further that he stand committed until said fine and costs are paid -

513 State of Ohio vs. Alson Bronson and Scott Bronson — Keeping a place where liquor is sold contrary to law.

This day came on this cause to be heard further. Thereupon the Court do order, decree and adjudge that the said place kept as found by said verdict of the jury, is a nuisance under the statute upon which indictment was found and should be abated and shut up: Therefore the Court order the same abated and shut up according to law -

511 State of Ohio vs. Uriah S. Alden and Charles Spears — Keeping a place where intoxicating liquors are sold contrary to law.

This day came the defendant Uriah S. Alden in person and by Counsel and also come the prosecuting attorney and this cause come on to be heard on the motion for a new trial - Whereupon the Court being fully advised in the premises do overrule the same - To which ruling of the Court the defendant Uriah S. Alden excepted and ask the Court to sign his bill of exceptions which is accordingly done

Tuesday February 10. 1880

511 The State of Ohio vs. Charles S Sears and Uriah S. Alden — Keeping a place where intoxicating liquor is sold contrary to law.

Whereupon the defendant Uriah S. Alden being present and not desiring to say anything further why sentence should not be passed on the verdict, It is considered ordered and adjudged by the Court that the said State of Ohio recover of the defendant Uriah S. Alden his fine in the sum of Seventy five dollars together with the costs herein expended and taxed to $ And it is further ordered and adjudged by the Court that the defendant Uriah S. Alden also stand committed and be imprisoned in the County jaile for the period of twenty days; and further that he stand committed until said fine and costs are paid.

511 The State of Ohio vs. Charles S Sears & Uriah S. Alden — Keeping a place where intoxicating liquors are sold contrary to law.

This day came on this cause to be heard further Whereupon the Court do order decree and adjudge that the said place kept as found by said verdict of the jury is a nuisance under the statute upon which indictment was found and should be abated and shut up. Whereupon the Court order the same abated and shut up according to law.

528 The State of Ohio vs. Michael Powers — Keeping a place where intox. liq. are sold contrary to law

Whereupon the defendant Michael Powers being present and not desiring to say anything further why sentence should not be passed on the verdict, it is considered, ordered and adjudged by the Court that the State of Ohio recover of the defendant Michael Powers his fine in the sum of Fifty dollars together with the costs herein expended and taxed to $ And it is further ordered and adjudged by the Court that the defendant Michael Powers also stand committed and be imprisoned in the County jail for the period of ten days and further that he stand committed until said fine and costs are paid.

528 The State of Ohio vs Michael Powers — Keeping a place where intox. liq. are sold contrary to law.

This day came on this cause to be heard further. Whereupon the Court do order, decree and adjudge that the said place kept as found by said verdict of the jury is a nuisance under the statute upon which indictment was found and should be abated and shut up. Whereupon the Court order the same abated and shut up according to law.

Tuesday Fetmary 10. a.D. 1880.

512 The State of Ohio vs. William Richter and John Richter — Keeping a place where intoxicating liquors are sold Contrary to law.

Whereupon the defendant William Richter being present and not desiring to say anything further why sentence should not be passed on the verdict, it is considered, ordered and adjudged by the Court that the State of Ohio, recover of the defendant William Richter his fine in the sum of Seventy five dollars together with the Costs herein expended and taxed to $ And it is further ordered, and adjudged by the Court that the defendant William Richter also stand committed and be imprisoned in the County jail for the period of twenty days, and further that he stand committed until said fine and costs are paid. 3403

513 The State of Ohio vs. William Richter and John Richter — Indictment for keeping a place where liquors are sold contrary to law.

This day came on this cause to be heard further. Whereupon the Court do order decree and adjudge that the said place kept as found by said verdict of the jury is a nuisance under the statute upon which indictment was found and should be abated and shut up. Whereupon the Court order the same abated and shut up according to law.

514 The State of Ohio vs. Benjamin Wood & Robert Davey — Keeping a place where intoxicating liquors are sold Contrary to law.

Whereupon the defendant Benjamin Wood being present and not desiring to say anything further why sentence should not be passed on the verdict, It is considered, ordered and adjudged by the Court that the State of Ohio recover of the defendant Benjamin Wood his fine in the sum of Seventy five dollars together with the costs herein expended and taxed to $: And it is further ordered and adjudged by the Court that the defendant Benjamin Wood also stand committed and be imprisoned in the County jail for the period of twenty days, and further that he stand committed until said fine and Costs are paid. 3564

514 The State of Ohio vs. Benjamin Wood and Robert Davey — Indictment for keeping a place where intoxicating liquors are sold Contrary to law.

This day came on this cause to be heard further. Whereupon the Court do order, decree and adjudge that the said place kept as found by said verdict of the jury is a nuisance under the statute upon which indictment was found and should be abated

and shut up. Thereupon the Court order the same abated and shut up according to law.

3403 Frank D. Heller vs. Robert H. Thompson

This day again came the parties herein by their attorneys and also came the jury heretofore impanneled and sworn and the trial proceeded. And the said jury having heard the testimony adduced in part said cause was continued until tomorrow morning at half past eight oclock.

3564 Hugh E. Moore Plaintiff vs. George W. Moore Adolphus H. Moore and Mary Ann Moore. Defendants

This day on motion to the Court by the plaintiff and upon producing the petition, answer and agreement of partition and assignment of dower, amicably made by the parties to this action or proceeding, together with the plat of the lands, and the exhibits; and the same having been found by the Court to be in all respects correct and in due form of law. and equitable and just. It is ordered, adjudged and decree by the Court, that said partition assignment of dower, and other proceedings and matters agreed upon, be and the same are hereby approved and confirmed.

And it is further ordered, adjudged and decreed by the Court, that the said Mary Ann Moore widow of Jonathan Moore deceased have and possess the lands and tenements, so by agreement assigned to her, as and for her reasonable dower in said premises: and that the said Hugh E. Moore, George H. Moore and Adolphus H. Moore, the other parties to this proceeding, have and hold in severalty the lands and tenements set off and assigned to each of them, respectively as shown by the agreement and plat in fee simple. And it is further ordered by the Court, that a complete record of these proceedings be made as in other cases in partition.

And it is further ordered, that the costs and expenses of this action, including a counsel fee of $55.00 to M. T. Lawrence attorney, for services herein, taxed to $62.50 be paid by the parties to this action, in the following proportions, to wit: Hugh E. Moore one third part George H. Moore one third part. and Adolphus H. Moore one third part; and in default thereof that execution issue therefor.

Thereupon the Court adjourned until tomorrow morning at 8½ oclock

Wednesday Feb'y 11th A.D. 1880.

Whereupon the Court convened at 8½ o'clock pursuant to adjournment. The same officers being present as on yesterday.

No. 611 — The State of Ohio vs. U. S. Alden and Charles Sears — Indictment for keeping a place where intoxicating liquors are sold contrary to law.

This day this cause came on to be heard upon the application of the defendant Uriah S. Alden to the Court herein to suspend the sentence heretofore assessed against the said defendant by the Court herein and was argued by Counsel. Whereupon the Court being fully advised in the premises, It is considered, ordered and adjudged by the Court herein that the sentence heretofore passed upon the defendant Uriah S. Alden be and the same is hereby suspended until Saturday Evening of Feb'y 14th 1880 upon the condition and terms that the said defendant execute to the State of Ohio in the sum of $500.00 Condition that the said defendant shall appear in said Court from day to day, which bond is accordingly given.

3403 — Frank D. Heller vs. Robert H. Thompson

This day again came the said parties by their attorneys and also came the jury heretofore impaneled and sworn and the trial proceeded. And the said jury having heard the evidence adduced in part said cause was continued until tomorrow morning at half past eight o'clock.

Whereupon the Court adjourned until tomorrow morning at 8½ o'clock

Thursday Feburary 12th A. D. 1880

Thereupon the Court convened at 8½ o'clock pursuant to adjournment. The same officers being present as on yesterday.

3403 Frank D. Keller vs. Robt. H. Thompson

His day again came the said parties by their attorneys; also came the jury heretofore impanneled and sworn and the trial proceeded. And the said jury having heard the evidence adduced in part, said cause was continued until tomorow morning at half past eight o'clock.

3514 French Lockwood vs. Cook, Morse & Co

This cause is continued on the showing of the plaintiff for the absence of Ells and at plaintiffs costs. It is therefore considered and adjudged by the Court that defendants recover of the plaintiff their costs of this term of Court.

3348 Margaret Grant vs John Moore et.als.

This cause is continued with leave to plaintiff to reply to defendants answers in 30 days from the rising of the Court

3392 Sarah Fax vs Thomas Fax

This day this cause came on to be heard and was submitted to the Court upon the petition Answer and evidence. On consideration whereof the Court being fully advised in the premises do find that the defendant has been guilty of gross neglect of duty and habitual drunkenness as alleged in the said petition. It is therefore considered and decreed by the Court that the marriage relation heretofore existing between the said parties be and the same is hereby vacated and wholly annulled and both parties released from the obligations of the same. It is further ordered that the custody and guardianship of the plaintiffs infant child born since the commencement of this suit be and the same is hereby given to the plaintiff, with leave to the defendant to see it at proper times when sober and it is further ordered that the said plaintiff recover of the defendant her costs herein expended taxed to $ And that the name of plaintiff be changed to Sarah Chapman.

Thereupon the Court adjourned until tomorrow morning at 8½ o'clock

Friday Feburary 13th 1880.

Court Convned at 8½ o'clock this moning Pursuant to adjournment. The same officrs bring present as on yesterday.

3558 Stephen Cranson Jr. Et.als. vs Orson Benton et.als.

This day this cause came on to be heard and leave was granted the defendants Orson Benton, Mary Pennington, Leurs Benton, Mary A. Jenkins, Leurs Jenkins, M. L. Benton et.als. to plead within 30 days from the rising of the Court and this cause is Continued.

3403 Frank D. Heller vs. Robert H. Thompson

This day again came the said parties by their attorneys and also came the jury heretofore impaneled and sworn and the trial proceeded; and the said jury having heard the remaining Evidence and the argument in part said cause was continued until tomorrow morning at 9½ o'clock.

3305 Charles Randall vs. P. C. Barnes

This day came on this cause to be further heard on the motion of plaintiff to set aside the verdict rendered herein and grant a new trial. Whereupon the Court being fully advised in the premises do overrule said motion and thereupon it is considered, ordered and adjudged by the Court that the defendant P. C. Barnes go hence without day and recover of the plaintiff his costs herein expended taxed to $ To which ruling and judgment of the Court the plaintiff excepts and asks the Court to sign his bill of exceptions which is accordingly done.

No. 3364 Finley Davis vs. Elijah Lister Et.als.

This cause is continued with leave to plaintiff to reply in 30 days from the rising of Court.

3348 John Gamble vs Benjamine Rodgers et-al } Cause Dismissed & Cost paid by plaintiff

Whereupon the Court adjourned until tomorrow morning at 8½ oclock.

Saturday February 14th A. D. 1880

Court convened at 8½ o'clock the morning pursuant to adjournment. The same officers being present as on yesterday.

3552 J. W. Hamilton
vs.
Washington Davis et.als.

This day this cause came on to be heard upon the petition of the plaintiff, and the defendants still failing to answer or demur to the same but made default, and the Court being fully advised in the premises find there is due from the defendant Washington Davis to the plaintiff the sum of $300.00. It is therefore ordered and adjudged by the Court that the plaintiff recover of the defendant Washington Dairs said sum of $300 with interest from this date, and the Court further order and decree that if said judgment, interest and the costs of this suit be not paid by the said defendant within 5 days then that an order issue from this Court to Sheriff of Muon County to Sell as upon Execution the lands and tenements described in said Petition, and bring the proceeds thereof into Court for further order.

3568 Sally Wells
vs.
O. H. Wells Co.
James Carter and
O. W. Wells
} Cognovit.

This day came the plaintiff by P. B. Tolerson her attorneys, and thereupon came John M. Broduck one of the attorneys of Record of this Court, who, by virtue of a warrant of Attorney duly Executed, and now produced in Open Court and duly proven, waived the issuing and service of process, and entered appearance of said Defendant herein, and by virtue of the same warrant of Attorney, confesses that there is due from said Defendant to said plaintiff as is alleged in said Plaintiffs' petition, the sum of $494.55. It is therefor considered that said Plaintiff do recover of said Defendant the said sum of $495.55 so as aforesaid confessed to be due, together with costs of suit herein to be taxed and with interest to be computed at the rate of 8 per centum per annum.

And by virtue of said warrant of Attorney, all Errors are released, and all right of appeal and all right to file a petition in Error are waived

3504 Peoples Bank
vs.
N. S. Alden et.als.

This day this cause was continued for want of time to hear the same. And at the same time came the plaintiff by his attorneys and asked and obtained leave of the Court to file an amended petition herein in ten days from the rising of the Court.

Saturday February 14th. A. D. 1880.

3523 Peter Gisell vs. T. P. Freeman et.als.

This day this cause came on for hearing on motion of the defendants to require the plaintiff to elect which of the causes of action in his petition set forth he would pursue, and the same was argued by counsel and submitted to the Court. On consideration whereof the Court do overrule said motion.

3403 Frank D. Heller vs. Robert H. Thompson

This day again came the parties herein by their attorneys and also came the jury herein impaneled and sworn and the trial proceeded. And the said jury having heard the remaining argument and charge of the Court, retired to their room in charge of the Sheriff for deliberation. And now come the said jury into open Court with their verdict in writing signed by their foreman and say: We, the jury in this case, duly impaneled and sworn do find and say that we find for the Plaintiff the sum of $ 3000. R. L. Partridge Foreman.

3506 George H. Court vs. William C. Goldsmith

On motion of the plaintiff, and on his producing the return of the Sheriff of the sale made under the former order of this Court and the Court on careful examination of the proceedings of the said Sheriff, being satisfied that the same have been had in all respects in conformity to law and the orders of this Court, it is ordered that the said proceedings and sale be and they are hereby approved and confirmed. And it is further ordered that the said Sheriff convey to the purchaser George H. Court (the plaintiff herein) by deed in fee simple, the lands and tenements so sold; and the said purchaser is hereby subrogated to all the rights of the said lienholders, in said premises so far as they may be paid herein, for the protection of his title; and a writ of possession is awarded to put said purchaser in possession of said premises.

And the Court coming now to distribute the proceeds of said sale amounting to three hundred and thirty five Dollars, it is ordered that the Sheriff out of the money in his hands pay: First, The costs of this action taxed to $23.36/100 2d The Court find that the third and fourth of said notes in the petition described are not yet due, and that there is owing thereon to said plaintiff the sum of Four Hundred and forty one and 28/100 Dollars, which the Court find the plaintiff is entitled to receive out of the proceeds of said sale, by virtue of his lien on the property sold. It is therefore ordered that the Sheriff pay to the plaintiff George H. Court the balance of said proceeds to-wit: the sum of $311.64/100 on the amount herein and and in the former decree found due and owing him, with interest to-wit: the sum of Eight Hundred Ninety four and 20/100 Dollars and that execution be awarded for the balance.

Saturday " Feburary 14. A.D. 1880

3543 Eliza Benton vs Orson Benton

On the application of the plaintiff and notice to the defendant it is ordered and adjudged by the Court in this case that the plaintiff ought to be paid as alimony pending this suit the sum of $100.00 to be paid $50 by Feburary 23d 1880 and fifty dollars March 6th 1880. It is therefore adjudged by the Court that the plaintiff recover of the defendant the said sum of $50.00 by Feburary 23. 1880 and $50.00 by March 6th 1880, and in default that execution issue therefor.

3405 John C. Philian vs Stiles Newhouse et.als.

This cause is hereby consolidated with No 3501 and both causes to be carried on as No. 3501 in the name and style of J. C. Philians et.als. vs. J. H. Newhouse et.als. and leave is given to the plaintiff to file an amended petition in 20 days from the rising of the Court with leave to make further parties.

3395 Sarah Epps vs J. H. Cummings et.als.

This day came on this cause to be heard on the motion to dissolve injunction and dismiss the cause unless further injunction bond be given. Whereupon the Court find the security on the bond given in this case is not good and it is therefore ordered and adjudged by the Court that the plaintiff by the 20th of March 1880 execute and deliver a new injunction Bond according to law with security satisfaction to the Clerk of this Court in the sum of $200 as hereinbefore ordered and in default of giving such Bond said injunction hereinbefore allowed be dissolved and this cause stand dismissed without further order at the plaintiffs costs

Saturday February 14. A. D. 1880

No. 3411

Beriah Wilkins
vs
H. M. Winget and J. M. Dumm

This cause having been heretofore disposed of as to the sum due the plaintiff from H. M. Winget came on now to be heard on the cross petition of J. M. Dumm and reply of plaintiff to enforce a lien on the premises in the petition described in favor of J. M. Dumm for the judgment in his cross petition described against George Shipley. Whereupon the Court being fully advised in the premises do find for the plaintiff on the said issues, and thereupon the Court do order, adjudge and decree that said J. M. Dumm hath claim or lien on said premises by reason of said judgment and hath no claim or right to the money brought into Court by said Winget And therefore doth adjudge and decree that the title to said premises be and the same is hereby quieted in him against said claim of said J. M. Dumm. And the Court order and adjudge that all costs made on that branch of the case be paid by said J. M. Dumm in ten days and in default thereof that execution issue for the same as upon judgments at law.
Notice of appeal to the District Court by J. M. Dumm and bond fixed at $100.00.

No. 3523

Peter Gisell
vs
T. P. Freeman et.als.

This day this cause came on to be heard and was submitted to the Court upon the pleadings and the evidence. On consideration whereof the Court do find that the plaintiff is entitled to an account of the money due him in the premises and that there is due from the defendant T. P. Freeman as principal, and B. G. Devoe as indorser to the plaintiff the sum of one hundred and ninety Two Dollars and ninety nine cents, with interest from the 5th day of January A. D. 1880, It is therefore considered and adjudged by the Court here, that the said plaintiff do recover of the said defendants T. P. Freeman as principal and B. G. Devoe as indorser the said Sum of one hundred and ninety two Dollars and ninety nine cents with interest from the 5th day of January A. D. 1880 the sum so found due as aforesaid, and also his costs taxed to $ The Court further find that the Champion Iron Fence Company, by their agent B. G. Devoe, entered into a Contract with the defendants T. P. Freeman and A. M. Freeman to furnish the material and construct an Iron Fence on two sides of In Lot number one hundred and twenty seven (No. 127) in the Village of Marysville, County of Union and State of Ohio (For a more definite description reference is hereby made to the recorded Plat of said Village) And the Court find that on the 24th day of June A. D. 1879 (it being within one month after furnishing said materials and performing said labor) the said B. G. Devoe, as agent of said Champion Iron Fence Company made out an account in writing of the materials furnished and labor performed by said Company and on the same day the said Devoe as said Agent and duly authorized made

oath thereto according to law and on said 24th day of June 1879 said Company caused said account to be filed with the Recorder of Mion County, Ohio (which said County the Court find to be the County wherein said labor was performed and said materials were furnished) which account so made and filed was recorded by said Recorder according to law on the 8th day of July A. D. 1879 in Record of Mechanics Liens, Book 2, Pages 168, 169 and 170. And the Court find that said Mechanics Lien so filed with the Recorder as aforesaid, is a valid and subsisting lien on the premises above described. And the Court find that said lien has been duly assigned and transfered to this plaintiff and that said plaintiff is now the legal owner and holder of said Mechanics Lien. It is therefore considered, ordered and decreed by the Court, that unless the said judgment is paid within ten days from the entry hereof then an order shall issue to the Sheriff of Mion County Ohio, commanding him to sell said premises as upon Execution; and of his proceedings in the premises to make due return to this Court. And as to the defendant A. M. Freeman (so far as a personal judgment against her is concerned herein) and as to all questions of priority of liens and as to the amount due the other defendant Elizabeth Gabriel herein, this Cause is continued with leave to plead in 30 days.

3530 Elizabeth Wolford vs. George W. Poling et.als.

This day this cause came on to be heard upon the pleading and evidence in this case and the defendants Mary Harris and John Harris having filed their answer and cross petition and Geo. W. Poling and J. W. Cummings Admr. being in default for answer or demurer and the Court being fully advised in the premises do find that there is due to the plaintiff from the defendant George W. Poling on the promissory note set forth in the petition with interest to the first day of this term Jan. 5. 1880 the sum of $173 33/100. The Court further find that in order to secure the payment of said note that a similar note given to Mary Poling now Mary Harris, the defendant George W. Poling executed and delivered to said Elizabeth Poling (and Mary Poling now Mary Harris) the plaintiff his certain mortgage as in the Petition described and on the premises therein described, that said mortgage was duly recorded in Book Page May 5. 1879 of the records of mortgages of said County of Mion and is the first and best lien on the premises described in the petition. The Court further find that the conditions of defeasance in said mortgage has been broken and that said plaintiff is thereby entitled to have the defendants equity of redemption foreclosed. It is further considered and decreed that unless the said defendant George W. Poling shall forthwith pay or cause to be paid from the entry of this decree to the Clerk of this Court the costs in this case and to said plaintiff the sum of $173 33/100 and interest from the 5th day of January 1880, according to the terms of said mortgage deed, the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor

Saturday Feburary 14th 1880

to the Sheriff of Mion County directing him to sell said premises as upon execution and bring the proceeds into Court for further order. And as to Mary Harris, John Harris and J. H. Cummings this cause is continued.

511 The State of Ohio vs. W. S. Aden and Charles Spears } Indictment for keeping a place where intoxicating liquors are sold contrary to law.

This day this cause came on to be heard upon motion of the defendant Uriah S. Alden to the Court herein to further suspend the sentence heretofore assessed against the said defendant by the Court and was argued by Counsel. Thereupon the Court being fully advised in the premises, it is considered ordered and adjudged by the Court herein, that the ~~sentence~~ heretofore passed upon the defendant Uriah S. Alden be and the same is hereby further suspended until Saturday February 21st 1880 upon the conditions and terms that the said defendant's bond Executed to the State of Ohio in the sum of $500 stand in full force and virtue of law that the said defendant shall appear in said Court from day to day which bond has been accordingly given.

3576 Mary M. Curry vs Cordine Curry } Petition for Divorce

This day came this cause on to be heard upon the petition and evidence and was argued by Counsel and submitted. On consideration whereof the Court being fully advised in the premises do find that the defendant has been guilty of habitual drunkeness for more than three years next prior to the filing of the petition. It is therefore considered ordered and decreed by the Court that the marriage relation heretofore existing between said parties be and the same is hereby vacated and wholly annulled and both parties released from the obligations of the same. And it is further ordered and adjudged by the court that the care custody and guardianship and Institute of said Children in the petition named. To-wit- Minnie B and Clara J. Curry be and the same is give to the plaintiff, with leave to the defendant to visit them at reasonable times when Sober. It is further adjudged and decreed by the court that the defendant pay to the plaintiff as her Reasonable Alimony the sum of One Hundred ~~dollars~~ and Fifty dollars and the same is hereby made a lien and charge upon the property in the petition described.

Saturday February 14th 1880

No 350 v

Isaac F. Gates
vs
J. Ko. McIntire & Co

This day the plaintiff came & dismissed this action at his cost- It is therefore considered ordered and adjudged by the court- that the Plaintiff pay the cost herein taxed. for which execution is awarded-

No 350 b

Harlow Clark
vs
Hulda Clark

This day the plaintiff came and dismissed this action It is therefore considered ordered and adjudged by the court- that the plaintiff pay the cost herein taxed for which execution is awarded.

1833

George B. Hamilton Pltff
vs
Andrew S. Mowry 2nd
Orin Brem Defendants

This Day came the plaintiff by his attorneys and this cause thereupon came on to be further heard upon the report of the Sheriff of the Sale and proceedings made and had by him under an order of Sale in this case, on consideration Whereof the Court do find the proceedings of said Sheriff and the Sale made by him of the lands in the petition mentioned to be in all respects in due form of Law: It is therefore ordered adjudged and decreed by the Court that the proceedings and Sale of said Sheriff be in all things affirmed; and that said Sheriff execute and deliver to said George B. Hamilton the purchaser, a deed of the lands and tenements aforesaid in fee simple pursuant to the Statute in such case made and provided. And that of the proceeds of said Sale said Sheriff pay, 1st The costs of this action taxed to $16.73 2d The Taxes and assessments which are now a lien on the lands so sold in the Sum of $97.36. and that the residue in the Sum of $120.91 be retained by the plaintiff he being the purchaser. and that the plaintiff have award of Execution in his favor against said Andrew S. Mowry defendant for the balance due him in the Sum of $382.19 and this cause is dismissed without prejudice as to Orin Brem and the note marked "C" in the petition.

Thereupon Court adjourned until Saturday February 21st 1880

Saturday, February 21st 1880

Court Convened today pursuant to adjournment. The same officers being present as on last Saturday.

No 511 — State of Ohio vs. Uriah S. Alden & Charles S Sears — For Keeping a place where intoxicating liquors are sold in violation of law.

This day this cause came to be further heard upon the motion of the defendant Uriah S. Alden for further suspension of the Sentence of the said defendant Uriah S. Alden. The defendant Uriah S. Alden being himself present in Court and said motion argued by counsel and the Court being fully advised in the premises does hereby overrule said motion, and the Court further ordered and adjudged that the sentence of the said defendant Uriah S. Alden be at once on this 21st day of February A. D. 1880 carried into execution.

No. 502 — State of Ohio vs. Amos H. Inskeep — Indictment for murder in the first degree.

This day came the said parties and their attorneys, the said defendant being in person before the Court; and thereupon it was proved to the Satisfaction of the Court by competent legal evidence, in open Court, the said defendant Amos H. Inskeep being present, that he the said Amos H. Inskeep, did on the 27th day of November A. D. 1879, break and escape from the jail of Union County Ohio and that he was rearrested and returned to said Union County jail on the 9th day of February A. D. 1880. And the Court do further find that there is not sufficient time at this term of Court to try the said Amos H. Inskeep on the said indictment; and the said case is continued by order of Court to the May Term A. D. 1880 of the Court of Common Pleas of Union County, Ohio, to wit: to the 17th day of May A. D. 1880 on which day the said case is assigned for trial; and the Court do further find that by reason of the said Escape of the said Amos H. Inskeep as aforesaid the said delay of said trial on said indictment is caused by the act of said Amos H. Inskeep.

2882 — Marysville Building and Loan Association. Plaintiff vs. Hays Spearman Defendant

Now comes the defendant Hays Spearman by his attorney and moves the Court to set aside the sale in the above case. The Court being fully advised in the premises do hereby order that the sale made in the above case be set aside which is hereby accordingly done.

to. 340
317
3288
3398

Saturday January 21st 1880

No. 3403 Frank D. Miller
vs.
Robert H. Thompson

This day this cause came on to be heard on the motion of Defendant to have the verdict herein rendered set aside and for a new trial in said cause and was argued by counsel. And the Court being fully advised in the premises do sustain said motion on the condition that the defendant pay all costs made in this case within thirty days from the rising of this term of Court, And in default of such payment of costs, said motion stands overruled.
"Clerk enter on Journal. Porter J."

3173 Bank of North Lewisburgh
vs.
James Carter et. Als.

This day on motion to the Court Sally Trees and O. W. Wells were made parties defendants in this suit with leave to answer and thereupon the said O. W. Wells filed his answer and by his consent it is ordered and decreed by the Court that the order made herein at this term be so modified that in case an order of sale issue to sell any part of said lot 15 that the entire lot be appraised and sold on such order and all questions on distribution thereof are reserved and Continued.

3288 David McNeir
vs
William McNeir et al

Cause dismissed by consent of Parties & Cost Paid

3398 Joseph Ross
vs
Isaac L. Lisler

On motion of the plaintiff and on his producing the return of the Sheriff of the sale made under the former order of this Court and the Court on careful examination of the proceedings of the said Sheriff being fully satisfied that the same have been had in all respects in conformity to law and the orders of this Court it is ordered that the proceedings and sale be and they are hereby approved and confirmed. And it is further ordered that the said Sheriff convey to the purchaser Joseph Ross by deed in fee simple the lands and tenements so sold, and the said purchaser is hereby subrogated to all the rights of the said lien holder in said premises so far as they may be paid herein for the protection of his title; and a writ of possession is awarded to put said purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale amounting to three hundred and three dollars it is ordered that the Sheriff out of the money in his hands pay. 1st the costs of this action taxed to $39.21 - 2nd to the plaintiff the remainder of said proceeds amounting to $263.79 and execution is awarded for the balance of said plaintiffs claim.

Saturday February 21st 1880

3559 Richwood U. B. -vs- S. A.
vs.
George B. Tucker et.al.

This day this cause came on to be heard upon the pleading and evidence and the defendants George B. Tucker and Sarah A. Tucker being in default for demurrer or answer and the Court being fully advised in the premises do find that the defendants have failed to pay to the plaintiff the weekly installements of dues and the interest as in the petition set forth and that there is due to said plaintiff as dues to the date of this decree the sum of $46 50/100 and as interest the sum of $16 12/100- The Court further find that there is due to said plaintiff from said Defendant as and by way of fines for the non payment of said dues as in the petition alleged the sum of $9 30/100 making in all for dues interest and fines the sum of $71 92/100- The Court further find that in order to secure the regular payment of said dues and other installements as well as those hereafter to become due, the said George B. Tucker and Sarah A. Tucker his wife Executed and delivered to this plaintiff their certain mortgage in the petition described; that said mortgage was on the 20th day of May 1874 duly recorded in Book 1 Page 39 of the records of Mortgages of Union County and that the same is the first lien on the premises described in the petition-

It is therefore considered by the Court that unless the said defendants shall forthwith, pay or cause to be paid to the said plaintiff the sum of $71 92/100 so found due and to the Clerk of this Court the costs taxed herein at $ according to the terms of said mortgage deed the defendants Equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of Union County directing him to sell said premises as upon execution and bring the proceeds into Court for further order-

3558 Stephen Cranston et.al. Plaintiffs
vs.
Orson Benton et.al. Defendants

On motion to the Court by the said Stephen Cranston by his attorneys and it appearing to the Court by the oath of the said Stephen Cranston Jr. attached to his petition that the names and residence of the heirs of Amanda Hanston are unknown to the said plaintiff, it is therefore ordered that the said plaintiff cause a notice containing the substance and prayer of said petition and of the pendancy of this action be published for six consecutive weeks in the Marysville Tribune a newspaper printed in Marysville Ohio in this County informing the said heirs of the said Amand Hanston that they must appear and Answer said petition on or before the third Saturday next after the day of the last or sixth publication. 3339.

Saturday February 21st 1880

3558 Stephen Cranston Jr. et al. Pltffs.
vs.
Orson Benton et. als. Defts

And now this cause came on to be heard on motion for the appointment of a receiver herein, And thereupon the Court find that the land hereinafter mentioned is in the possession of a tenant who rented the same of Phoeba Benton, since deceased, and that there is a question as to the rights of the parties in the partition thereof; and that pending the suit neither party has a right to the possession or control of the said premises or to rent or collect the rents thereof whereby there is danger of loss. It is therefore by consent of parties ordered that Stephen Cranston Jr. and Lewis Benton be and they are hereby appointed receivers of the said land to wit: the land described in the petition and situated in Union County Ohio, and containing Two hundred and twenty one acres. And the rents and profits thereof. That said receivers or either of them upon being duly qualified by giving bond in the sum of $1.000 conditioned according to law proceed to take possession of said farm and rent the same, and collect all rents now due or that shall become due therefor. And the said parties here and all other persons having any of said property in their possession or under their control are hereby ordered to deliver the possession of the same, and all persons owing any such money on account of rents of said premises are hereby directed to pay over the same to the said Stephen Cranston Jr. and Lewis Benton as such receivers on their demand. And it is ordered that before entering upon their duties such receivers execute to the State of Ohio an undertaking conditioned according to law in the sum of $ And now come the said Stephen Cranston Jr. and Lewis Benton with and as sureties to the approval of the Court and were duly sworn as such receivers.

3339. Richwood U. B. & L. A.
vs.
James Newhouse et als

On motion of the Plaintiff and on its producing to the Court the return of the Sheriff of the sale made under the former order of the Court - And the Court on carefull Examination of the proceedings finds that the answer and cross Petition of Godmanard Thornhill was properly filed and heard and adjudicated and their equities determined and that the answer and cross petition of J.E. Newhouse, J.W. Hoskins & Allen Kiekobe were properly filed and that they were made parties by their own motion and by the special request of each and all of them, and that their equities were adjudged and determined and upon examination of the proceedings of the Sheriff, being satisfied that the same have been had in all respects in conformity to law and the order of this Court - it is ordered that said proceedings and sale be and they are hereby approved and confirmed. And it is further ordered,

that the said Sheriff convey to the purchasers French & Thornhill and Daniel W. Godman. by deed in fee simple the lands and tenements so sold and the said purchaser is hereby subrogated to all the rights of the said lein holders in said premises so far as they may be paid herein for the protection of his title and a writ of Possession is awarded to put said purchasers in possession of said premises. And the Court coming now to distribute the proceeds of the sale amounting to $1051.00 It is ordered that the Sheriff out of the Money in his hands Pay. First - the costs of this action taxed at $54.45. Second - the taxes $58.32 Third and the Court further finds that the present value of the mortgage held by said Plaintiffs amounts to the sum of $211.70 That it is the first and best lein on said Premises and that the purchaser assumes and is to pay the same amounts and at the times as is directed in the said lein as the said Newhouse & Wife was bound to do. Fourth - That he pay to the defendant Godman, Thornhill & Co the Ballance of the money remaining his hands, to wit: $676.83 and execution is awarded for the Ballance due said Godman Thornhill & Co as shown by their former Judgment and decree herein.

John L Porter Judge

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March 5th 1880 In Vacation -

3492 J. M. Southard } Union County Ohio.
vs. } Court Com. Pleas.
The Incorporated Village of Marysville Ohio }

And now came the said defendant by M. C. Lawrence its attorney, and its motion came on to be heard before me one of the judges of said Court (due notice of the filing and pendancy of the same having been given to said plaintiff) as well upon the original petition and affidavit as upon affidavits produced by said defendant, In consideration whereof I find that the facts stated in said petition are not sufficient in law to justify the same and that the facts therein stated are proved to be incorrect and untrue; It is therefore considered that the injunction heretofore issued in this case be and the same hereby is vacated - notice of appeal by plaintiff and the bond fixed at $50.00 Done this 14th day of February A.D. 1880 at Upper Sandusky Wyandot County - Thomas Beer Judge as aforesaid -

Harvey M. Weaver and Elija B. Kimball } Common Pleas court of Union County Ohio
Partners as H. M. Weaver & Co Plaintiffs } "In Vacation"
No 3574 vs } "Order of Sale in Attachment."
John Leister Defendant }

This cause coming on to be heard at Chambers (it being in vacation of said Court) on motion of the Plaintiffs for an order to sell the property attached in this case, and it appearing that the said property is perishable and that owing to the cost of keeping and danger of loss by stealing the same it is sale would be to the benefit of all parties, the said motion is granted. And it is ordered that the Sheriff proceed to sell the said property as upon execution for cash and that he bring the proceeds thereof into court as required by law to await the further order of the court herein -

State of Ohio } Supreme Court of the State of Ohio.
City of Columbus } Of the Term of January A. D. 1880.
Error to the District Court of Union County -

Henry J. Kenig }
vs }
The State of Ohio }

Motion to dismiss this cause from the General Docket on account record not printed Ordered that the motion be and the same is ~~dismissed~~ hereby granted -

I Richard J. Fanning Clerk of the Supreme Court of the State of Ohio do hereby certify that the foregoing entry is truly taken and correctly copied from the Records of said Court - to-wit - Journal No 7 Page 193 - In Witness Whereof I have hereunto subscribed my name and affixed the seal of said Supreme Court. this fifteenth day of April A. D. 1880 Richard J. Fanning Clerk

By James A. Fanning Deputy

In the matter of the Union Mutual Relief Association
to perpetuate the Testimony of W. J. Woods.

Now comes the said Union Mutual Relief Association by its attorney and thereupon his petition for the examination of a certain witness coming on to be heard, the said John L. Porter Judge of the Common Pleas Court of Union Co. on Consideration of the premises do grant the prayer of the same, and allow the Examination of the said W. J. Woods as aforesaid upon the written interogations in the Petition set forth, and order that the same be had at the residence of W. J. Woods in Claibome Tp. on 5th day of May 1880. Commencing at 8 o'clock A. M. in the same manner as in the taking of Depositions. That notice be served on J. Smith Alexander in the manner Provided by law for taking depositions and that said deposition when taken be returned to the Clerk of this Court. May 1st 1880.

John L. Porter Judge.

Monday May 3d 1880.

The State of Ohio } ss
Union County }

This separate session of the Court of Common Pleas of the 10th Judicial District of the State of Ohio, within and for the County of Union for the Term of May in the year of our Lord, one thousand eight hundred and Eighty held in the Court House in the Town of Marysville County and State aforesaid was begun on Monday the 3d day of May in the year aforesaid

Present:

R. L. Woodburn
Prosecuting Attorney.

John L. Porter
Judge.

W.M. Winget
Clerk.

J. J. Miller
Sheriff.

The Venire facias for a Grand Jury heretofore issued and returnable this day at 10 o'clock A. M. was duly returned by the Sheriff with his endorsements thereon as follows to wit:

The State of Ohio, Union County, ss. Sheriff's Office, May 1st 1880. On the day of April 1880, I served this writ on the within named as per following return: Alfred McAtee by delivering copy April 10th 1880. Allie Woodworth by delivering copy April 10th 1880, John Moore Sr. by leaving copy at residence April 10th 1880. Louis Heidman by delivering copy April 10. 1880. Joseph Boyd by leaving copy at residence April 10. 1880. James Cunningham by leaving copy at residence Apl. 10. 1880. Caleb W. Haines by copy left at residence April 10. 1880, Orin Hammand by copy left at residence April 10th 1880. B. H. Evans by delivering copy April 10. 1880. D. H. Henderson by delivering copy April 10th 1880, George L. Sellers by delivering copy Apl. 10th 1880. W. R. Henderson by leaving copy at residence April 10. 1880, George Stevens by delivering copy April 10. 1880. G. S. Welch by delivering copy April 10. 1880, Albert Perry by delivering copy April 10. 1880.

J. J. Miller Sheriff.

And upon calling the same in open Court Alfred McAtee, Allie Woodworth, John Moore Sr. Louis Heidman, Joseph Boyd, James Cunningham Caleb H. Haines, Orin Hammond, B. H. Evans, D. H. Henderson, George L. Sellers, W. R. Henderson, George Stevens, G. S. Welch and Albert Perry Appeared in answer thereto. And the panel being full the Court appointed D. H. Henderson Forman of the Grand Jury and he with his fellow Jurors took the oaths in manner and form as prescribed by law. And the said jury being instructed by the Court in relation to their duties were conducted to their room attended by the Sheriff for deliberation.

The following named persons compose the Grand Jury to wit:

Alfred McAtee, Allie Woodworth, John Moore Sr. Louis Heidman, Joseph Boyd, James Cunningham, Caleb W. Haines, Orin Hammand, B. H. Evans, D. H. Henderson, George L. Sellers, W. R. Henderson, George Stevens G. S. Welch and Albert Perry.

Monday May 3d A. D. 1880.

3578	George F. Morse et.al. Exec Against M. P. Rice Defendant	Settled Cost paid.
3166	Mendel Helfrich Plaintiff vs. William H. Bales Admr. et.al.	This day came the parties by their attorneys and this cause came on to be heard upon motion by plaintiff for leave to file an amended petition in this case on consideration whereof and the Court being fully advised in the premises sustain said motion granting such leave and petition then filed and the defendants asked and obtained leave to file pleading within 30 days from rising of the Court and Cause continued.
2623	Steeples vs Steeples	Continued with leave to Plaintiff to file Supplemental petition in 30 days from the rising of the Court.
No 3590	Smith vs Leonard and Smith vs Lawson No. 3595	On motion to the Court these two cases were consolidated.
3596	C. S. Chapman vs Edmund Turner et.al.	April 6th 1880. Dismissed by order of Plaintiff and Cost paid.
3493	Jacob V. Nash vs Eli Ward et.al.	Settled and Cost paid.
3489	Peter Lattimer vs. Sarah McCoy et.al.	This day came the said parties by their attorneys and by consent of both parties this case is continued.
No 3555	John Gray Admr &c. vs Michael Blue et.als.	This day this cause came on for hearing and thereupon came the plaintiff by his attorneys Carpenter & Brodrick, and the defendants being in default for Answer and demurrer, the Court find that the allegations of the petition are confessed by them true, and that they are indebted to the plaintiff in the sum of Two hundred and thirty Two Dollars and Sixty cents, with eight per cent, interest thereon from the third day of May 1880. It is therefore considered and adjudged by the Court that the said plaintiff John Gray as Administrator of the estate of William H. Davis, deceased, recover from the said defendants Michael Blue, Adam Blue and Lafayette Harriman the said sum of Two hundred and Thirty Two Dollars and Sixty cents

May 3rd A. D. 1880

do found due as aforesaid, with eight per cent interest thereon from the third day of May A. D. 1880, and his costs herein expended taxed to $

No. 3563 Charles R. Cordrey vs John M. Gunder

This day this cause came on for hearing upon motion of defendant to dismiss this action at costs of plaintiff for non compliance with entry requiring plaintiff to secure costs herein and the Court being fully advised in the premises do overrule said motion and the plaintiff asked and obtained leave to secure costs by Wednesday May 5th 1880.

3598 Jeremiah Miller vs. Caleb J. Haines et. als.

This day came the plaintiff Jeremiah Miller by Carpenter & Brodrick his attorneys and the said defendants Caleb J. Haines and Attie Haines still failing to answer or demur to plaintiffs petition it is considered that said plaintiff is entitled to an account of the money due him in the premises, and the Court after hearing the evidence do find that there is due to said plaintiff on the note and mortgage in said petition described the sum of Eight hundred and seventy one Dollars and seventy three cents with interest from the 3d day of May A.D. 1880.

It is therefore considered and adjudged that the said plaintiff recover of the said defendant Caleb J. Haines the said sum of eight hundred and seventy one & 71/100 Dollars the sum so found due as aforesaid, with interest thereon from the 3d day of May A. D. 1880, and also his costs taxed to $

And it is further ordered and adjudged that in case the said defendant Caleb J. Haines fails for one day from the entry of this decree of the Court to pay to the said plaintiff the said sum of $871.73 with the interest thereon from May 3d 1880 so as aforesaid found due, with costs of suit an order issue to the Sheriff of said County Commanding him to cause said lands and tenements in said petition described to be appraised, advertised and sold according to law, and bring the proceeds into Court for further order herein

No 3174 H. C. Scott vs. Rebecca Morse

This day this cause came on for hearing on the demurrer of the defendant to the petition of Plaintiff and was argued by Counsel and submitted to the Court. On Consideration whereof the Court do overrule said demurrer, Whereupon defendant asked and obtained leave of Court to file answer herein within 40 days from the rising of this Court and cause continued by agreement of both parties.

No. 3629

3006

May 3d A.D. 1880

No. 3629 — The Peoples Bank vs. Henry Amrine and John Newlove

This day came the Plaintiff by Carpenter & Brodrick its attorneys, and thereupon came A.H. Brightler one of the Attorneys of Record of this Court, who, by virtue of a warrant of Attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process, and entered appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs petition the sum of $158.00. It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $158.00 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorney, all errors are released, and all right of appeal, and all right to file a petition in error are waived

3006 — Pleasant Valley Building & Loan Association - Plaintiff. vs. John H. Scott and Lucy A. Scott

This cause coming on for hearing on the Report of the Special Master Commissioner, to whom the same was heretofore referred, and the exceptions thereto, on consideration thereof the Court do order that the said report be and the same is hereby approved and confirmed. And the Court upon the said report and testimony find that there is due from the defendant to the plaintiff upon the notes and mortgage in the petition described the sum of $82 34 and the other facts are as found by the report of the Master and that said mortgage was on the 16 day of July 1873 duly recorded in Book 10 page 206 of the records of mortgages of Union County, and that the same is the first lien on the premises described in the petition. It is therefore considered by the Court that unless the said defendants John H. Scott and Lucy A. Scott shall within ten days from the entry hereof pay or cause to be paid to the said plaintiff the said sum of $82 34/100 and to the Clerk of this Court the 1/2 of the costs herein including the 1/2 of $25.00 which the Court allow to the said Master for his services herein taxed at $ together with interest on said sum of $82 34 from May 3. 1880 the 1st day of this term, the defendants equity of redemption be foreclosed and said premises described in the petition shall be sold and an order of sale therefor shall issue to the Sheriff of Union County directing him to sell said premises as upon execution and bring the proceeds into Court for further order. Plaintiff therefore gave notice of appeal and the appeal bond was fixed by the Court at $150.00

Whereupon the Court adjourned until to morrow morning at 8 1/2 o'clock

Tuesday - May 4th. A.D. 1880.

Court convened at 8 1/2 o'clock this moning pursuant to adjournment. The same officers being present as on yesterday -

No. 2857 — M. H. Barlin vs T. H. Chesney & Eva L. Chesney

This day came on this cause to be heard on the motion of defendants to set aside the sale made in this case for reasons on file in their motion and also came on the motion of plaintiff for confirmation of said sale, Whereupon the Court finding that the lands in said proceedings described are partly in Madison County Ohio, and partly in Union County Ohio and that therefore the sale and appraisement are irregular and should be and are hereby set aside, To which ruling the plaintiff Excepts. Whereupon this cause came on further to be heard on the motion of plaintiff and thereupon it is ordered by the Court that the Sheriff of this County who is appointed Special Master for that purpose proceed under the former Order of the Court herein to sell said lands in one body and he is ordered hereby to reappraise said lands in one body by appraisers Chosen from said County of Union and he is ordered to advertise the sale in a newspaper published in and of general circulation in said County of Union and one paper only and not in both of said counties. the said tract being all in one parcel and said Master is ordered to report his proceedings herein to this term of Court.

No. 3295 — Harrison Washburn vs. J. D. Haines

This day this cause came on to be heard upon motion of defendant to dismiss this action for want of Compliance, by plaintiff with the former order of this Court to secure the costs in this action and was argued by Counsel and submitted. Whereupon the Court being fully advised in the premises does sustain said motion. It is therefore ordered that this case be and hereby is dismissed without prejudice at the Costs of plaintiff - It is further ordered that defendant pay the costs of this action taxed to $ within five days or in default thereof that execution issue therefor.

3194 — George Mast Plaintiff vs. Ellen Cooperrider et.al.

On motion, L. Piper was appointed guardian ad. Litem for Jenas Mc Cullough and Laura Mc Cullough infant defendants who thereupon appeared in open Court, accepted said appointment and filed Answer for said infant defendants.

Tuesday May 4th. 1880.

No. 3630 — Marion County Bank vs. W. R. Tallman and Thomas H. Tallman

This day came the Plaintiff by J. C. Johnston its attorney and thereupon came Chas F. Garberson one of the attorneys of Record of this Court, who by virtue of a Warrant of Attorney duly executed, and now produced in open Court and duly proven, waived the issuing and service of process, and entered appearance of said Defendants herein, and by virtue of the same warrant of attorney, confesses that there is due from said Defendants to said plaintiff as is alleged in said Plaintiffs petition, the sum of $107 02, It is therefore considered that said plaintiff do recover of said Defendants the said sum of $107 02/100 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of Attorney all errors are released, and all right of appeal, and all right to file a petition in error are waived.

3228 — S. D. Tahlee vs Edward Foreman et al.

On the motion of plaintiff and on his producing the return of the Sheriff of the sale made under the former order of this Court, to wit: at Feb Term 1879, and the Court on careful examination of the proceedings of the said Sheriff, being satisfied that the same have been had in all respects in conformity to law and the orders of this Court, it is ordered that the said proceedings and sale be and they are hereby approved and confirmed, and it is further ordered that the said Sheriff convey to the purchaser S. D. Tahlee by deed in fee simple the lands and tenements so sold, and a writ of possession is awarded to put said purchaser in possession of said premises.

And the Court coming now to distribute the proceeds of said sale amounting to $57-00 it is ordered that the Sheriff out of the money in his hands pay first, the costs of this action taxed at $35 85, Second the balance to be paid on taxes upon said premises being $25-00 and that Execution issue for said plaintiffs claim.

2803 — Thomas Moffit vs. John H. Grindle et als.

This day came the plaintiff and J. W. Grindle one of the defendants and thereupon on motion of said Grindle the injunction in this case be and it is so modified as to release the said Elliott notes so called and particularly described in said J. W. Grindle's answer and as to all other matters in this case this cause is continued.

Tuesday May 4th. A.D. 1880

No. 3412 — Israel Fuller, Plaintiff vs Samuel Julian Deft.

No 3606 — Israel Fuller Plaintiff vs Samuel Julian Deft.

In Foreclosure

This day came the plaintiff and moved the Court for a consolidation of the above cases and the Court on Consideration thereof and being fully advised in the premises sustain said motion and said cases are accordingly consolidated by the order of this Court.

No. 3364 — Finley L. Davis vs. Elijah Lister et.al.

This cause is continued with leave to plaintiff to reply to the Answer of defendant within 30 days after the rising of the Court.

No. 3453 — Melissa P. Hale et.als. vs. Wm Mc Kittrick et.als.

This cause is continued with leave to the plaintiffs to file amended petition making new parties within 30 days from the rising of the Court.

No. 3349 — P. G. Hynegar vs. George Bishop

This day this cause was by mutual agreement, Settled upon the following Terms towit: The Plaintiff P. G. Hynegar is to pay the Costs in this case, and in the original case of George Bishop against P. G. Hynegar and the Defendant is to cancel and receipt in full and does hereby cancel and receipt in full the judgment taken against said Hynegar in said former suit No. 3046 and it is ordered by the Court that Plaintiff pay said costs within 30 days from the rising of Court and in default thereof that execution issue therefor.

3272 — A. H. McFarland et al vs William H. Robinson

Now came the parties herein by their attorneys; also came the following named persons as jurors towit: Asa Langstaff, H. C. Thomas, Alex Gibson, A. J. Whitney, Rowland Hill, W. L. Robinson regular jurors and Abraham Sager, J. P. Wyeth, Henry Wheeler, Jas. A. Henderson, Edwin Hilter and L. H. Harbers. Talis jurors who were duly impannelled and sworn according to law. And the said jury having heard the testimony and charge of the Court retired to their room in charge of the Sheriff for deliberation.

And now come the said jury into open Court with their verdict in writing signed by their foreman and say: We, the jury in this case, being duly impannelled and sworn do find and say that we find for the Defendant in the sum of $92.19.

P. J. Wyeth Foreman.

Tuesday, May 4th. A. D. 1880.

2469 George Lockhart vs Andrew Gaylor

This cause came on for hearing, was submitted to the Court upon the pleadings and evidence. On consideration whereof the Court find that the defendant Andrew Gaylor is indebted to George Lockhart plaintiff in the sum of one hundred and fifteen dollars and four cents. with eight per cent interest from May 3d 1880. It is therefore considered by the Court that the said Plaintiff recover from the said defendant the said sum of one hundred and fifteen Dollars and four cents, with interest from May 3d 1880 at eight per cent and his costs herein expended taxed to $

3577 John Mc Allister vs S. S. Brees

Continued by agreement.

3575 Maria O'Donnell vs Patrick O. Donnell

Continued

3395 Sarah Epps vs J. H. Cummins et.als.

This day came on this cause to be heard, whereupon the Court being fully advised in the premises dismiss the petition and thereupon it is ordered that the plaintiff pay the costs herein within ten days and in default thereof that execution issue for the same as upon judgments at law.

3268 Abel M. Lacy vs J. W. Cummings et.als.

This day the parties settled this case, Defendant Cumming Admr paying $125 & costs. Wherefore it is considered and adjudged by the Court that defendants pay the costs herein. To record. And thereupon the defendant J. W. Cummings paid the cost

3169 Margaret B. Lush vs Jacob Lush

Continued.

Whereupon the Court adjourned to meet tomorrow morning at 8 1/2 o'clock.

Wednesday May 5th. A. D. 1880.

Court met at 8 1/2 o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

This day appeared at the bar of this Court the Grand Jury heretofore impaneled and sworn in, and for the body of the County aforesaid, viz: Alfred McAlee, Allie Woodworth, John Moore Sr. Louis Weidman, Joseph Boyd James Cunningham, Talbot H. Haines, Orin Hammond, B. H. Evans, D. H. Henderson, George L. Sellers, H. R. Henderson, George Stevens, G. S. Welch and Albert Perry, and presented their certain bill of indictment against Leb H. Mosier for Selling Intoxicating liquor to be drank on premises where sold, indorsed "A True Bill" D. H. Henderson Foreman of the Grand Jury. And also their certain other bill of indictment against Leb B. Mosier for selling intoxicating liquor contrary to law. Also their certain other bill of indictment against Lucillas Shirk for Assault and Battery, Also their certain other bill of indictment against John Collumber for shooting with intent to wound. Also their certain other bill of indictment against Thomas Gardner for housebreaking and Grand Larceny. Also their certain other bill of indictment against William Ridley and Albert Ridley for Burglary and Larceny. Each endorsed "A True Bill, D. H. Henderson Foreman of the Grand Jury."

The Grand Jury also submitted the following report:

Report on Jail

Maysville O. May 4th. 1880. To his Honor John L. Porter Judge of the Court; In accordance with the instructions of the Court the Grand Jury visited the County Jail, and beg leave to report, that we found the institution in good condition, and the health of the prisoners good, but in view of approaching warm weather we would recommend the improvement of the ventilating and Sewerage system, which we think will be very essential to the health and comfort of the unfortunate occupants. We also find a broken lock on cell No. 1. in the south Corridor which in our judgment should be repaired. All of which is respectfully Submitted.

D. H. Henderson Foreman of Grand Jury.

And there being no further business for the said jury, they were discharged finally.

No. 3480 George F. Mose et al. Exec. &c. vs J. Smith Alexander et al.

This day this cause came on for hearing and a jury trial waived was submitted to the Court upon the pleadings and evidence. On consideration whereof the Court do find that there is due the said plaintiffs as executors of the last will and testament of A. V. Morse, deceased from the said defendants upon the note mentioned in Plaintiffs petition the sum of Two hundred and Sixty Two 89/100 Dollars with interest at eight per cent, from the third day of May A. D. 1880 payable annually. It is therefore considered and adjudged that said plaintiffs George F. Mose and A. V. Kennedy as executors as aforesaid do recover from the said defendants J. Smith Alexander, Haddens Wood and John B. Coats the said sum of Two hundred and Sixty two and 89/100 Dollars, with eight per cent, interest from the 3d day

of May A. D. 1880 payable annually the sum so found due as aforesaid together with their costs herein expended taxed to $ and Execution is awarded for the same.

3531 Levi Longtrake vs Louisa Thompson

On motion of the plaintiff and on this producing the return of the sheriff of the sale made under the former order of this Court; and the Court on careful examination of the proceedings of the Sheriff, being satisfied that the same have been had in all respects in conformity to law and the orders of this Court, it is ordered that the said proceedings and sale be and they are hereby approved and confirmed, and it is further ordered that the said sheriff convey to the purchaser John Rausch by deed in fee simple, the lands and tenements so sold, and the said purchaser is hereby subrogated to all the rights of the said lien holders in said premises, so far as they may be paid herein for the protection of his title, And a writ of possession is awarded to put said purchaser in possession of said premises.

And the Court coming now to distribute the proceeds of said sale amounting to Eleven hundred and thirty four dollars, it is ordered that the sheriff out of the money in his hands pay- First, the costs of this action taxed at $66 77/100. Second, the taxes on said property taxed at $23 08/100. Third. To the defendant S. C. Thompson the amount heretofore found due him on his answer with interest to wit: $399 10/100. Fourth. To the plaintiff Levi Longtrake the amount heretofore found due him with interest, to wit: the sum of $399 10/100. Fifth, to the defendants B. H. Keyes and Delmore Snodgrass the balance of said purchase money amounting to Two hundred and forty five 95/100 dollars, to apply on the amount due them on their petition filed in case No. 3359- and the same consolidated with this case No. 3531, amount due said B. H. Keyes and Delmore Snodgrass on their petition, Five hundred and thirty one dollars and thirty cents- And there still remaining due to the said B. H. Keyes and Delmore Snodgrass the sum of Two hundred and eighty five and 35/100 Dollars, it is considered that they recover the same from the defendant W. C. Barnett and execution is awarded therefor-

2733 W. B. Thompson vs. James Hoover } Continued

3457 William Evans vs. Joshua S. Gill et. als. }

Death of Joshua S. Gill suggested and cause continued.

Wednesday May 5th A.D. 1880.

No. 1998 — A. C. Doney vs Tilman G. Goff — Continued.

No. 3008 — York Center Comet Band vs L. M. Beebe.

This day came this cause and was dismissed for want of prosecution at plaintiffs costs. It is therefore considered and adjudged by the Court that the defendant recover of the said York Center Comet Band his costs herein expended taxed to $

3457 — William Evans vs. Joshua S. Gill et.als.

The death of Joshua S. Gill suggested and leave given to make his Administrator party and cause continued.

3492 — J. M. Southard vs. Village of Marysville et. al.

This case is improperly on the docket. it having been appealed to the District Court.

3420

3596 — J. M. Southard vs. The Incorporated Village of Marysville et. als. — Dismissed without prejudice by plaintiff. No record. It is therefore ordered that plaintiff pay the costs herein taxed to $

3386 — Osmond H. Wells vs J. B. Whelpley et.als. — On motion of the parties the Court order an issue to be submitted to a jury as follows: Did the plaintiff Osmond W. Wells own the stock of goods in dispute on the 4th. of October 1878 and thereupon came a jury to wit: Asa Lansta ff, Wm T. Thomas, Alex. Gibson, A. J. Whitney, Rowland Hill, Wm L. Robinson, Abraham Sager, Henry Wheeler, J. A. Henderson, L. H. Harter Regular juror and J. W. Clark and M. Thompson Talis juror, who being duly impannelled and sworn, and having heard the evidence, arguments of counsel and charge of the Court retired and duly considered this cause, returned their verdict in the words and figures following viz:

5330

Verdict — Osmond H. Wells vs J. B. Whelpley receiver & others } No. 3386

The jury will respond to the following questions of fact, which by order of the Court are sent to them to answer, to wit:
Question 1st. Did the plaintiff Osmond H. Wells own the stock of goods in dispute, on the 4th day of October 1878.
Answer- He did not. J. A. Henderson Foreman.

Thereupon Court adjourned until tomorrow morning at 8 1/2 o'clock.

Wednesday Thursday May 6th 1880

3433 Thomas Fox vs Reuben Stults

This day came the defendant and made affidavit for continuance by reason of the absence of Sarah Chapman a material witness for him. Whereupon the Court being fully advised in the premises do sustain said motion and continue the cause at the defendants costs. Whereupon the Court consider and adjudge that plaintiff recover of defendant the costs of this term of Court taxed to $

3386 Osmond H. Wells vs J. B. Wheepley et.als.

And now came on this cause to be further heard by the Court, whereupon the Court being fully advised in the premises do consider and adjudge that the defendants go hence without day and recover of the plaintiff their costs herein expended taxed to $

The plaintiff thereupon gave notice of appeal and the Court at his request fix the appeal Bond at two hundred dollars.

3420 John McLain vs Philip L. Coe

This day came the defendant and demanded a trial, Whereupon the plaintiff still being unprepared for trial this cause is dismissed by the Court for want of prosecution at the plaintiffs costs and without prejudice. It is therefore considered and adjuged by the Court that defendant recover of the plaintiff his costs herein expended taxed to $

533 The State of Ohio vs William Ridley & Albert Ridley } Indictment for burglary and larceny

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant William Ridley being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is guilty of Petit Larceny - and Nolle Prosequi is entered herein, by order of Court at request of the prosecuting attorney as to the burglary. It is further ordered by the Court that the said defendant William Ridley pay a fine of Fifty Dollars and that the said William Ridley be imprisoned in the jail of Union County for the term of thirty days - and that he stand committed to the jail of Union County until the amount of said fine and costs shall be paid. and that he pay the costs of this prosecution for which execution is awarded.

Thursday May 6th A. D. 1880.

534 — The State of Ohio vs Thomas Gardner — Indictment for house breaking and Grand Larceny.

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is not guilty and puts himself upon the country and the prosecuting attorney doth the like.

No. 3563 — Charles H. Gordrey vs John M. Gunder

This day this cause came on to be heard upon motion of defendant for a peremptory order in this case and it appearing that plaintiff has not yet secured the costs in accordance with the former order of the Court herein, it is now ordered by the Court that the plaintiff do secure the costs in this action by noon of Monday May 10. 1880 or in default thereof that this case be dismissed.

3522 — Dora Brown vs Phil J McKean

This day came the parties and settled this case by the defendant agreeing to pay one hundred and Fifty dollars and costs which the plaintiff accepts and which settlement the Court confirms and approves. It is therefore considered and adjudged that the defendant within thirty days pay the plaintiff in full settlement of said Cause of Complaint said sum of one hundred and Fifty dollars and the costs of this proceeding and on failure of such payment the Court Order the sale by the Sheriff of this County of the interest of said defendant in the lands attached by the Sheriff in this cause.

3143 — Bank of North Lewisburg vs James Carter et. als. — Common Pleas, Union County, Ohio.

This cause came on for hearing on the motion to set aside the sale of the 30 acres of land levied on and sold in this action as the property of said James Carter defendant, and on consideration thereof and good cause shown, it is ordered that said sale be, and it hereby is, set aside, and a new sale is ordered thereof and by agreement the land is to remain in the possession of Ann M. Pitcher and she is to be chargable with rents until further order.

Thursday May 6th. A. D. 1880.

3425 Hannah Carson vs John C. Gregg et. als.

This day came the parties plaintiff and defendants and submitted this cause to the Court whereupon by the agreement and consent of plaintiff and defendants, the Court do order and decree that said will be set aside so far as to allow the plaintiff to sell and convey the real estate which was owned by said John Carson and use so much of the proceeds of the same as may be necessary for her comfortable support under the conditions following viz: Samuel B. Woodrum is hereby appointed a trustee of all of the property personal and real of said estate and of the plaintiff and the sale of said real estate shall not be made unless he shall recommend the same and shall also sign the deed as trustee which may be made for said premises, and he is to give Bond in the sum of seven hundred dollars with sureties satisfactory to the Clerk of this Court conditioned that he will faithfully discharge his duties as such trustee, and he is authorized to pay for her proper support and maintenance so much of the principal and interest of said estate as may be necessary for the comfortable support of the plaintiff so long as she shall live and any balance of said estate which may remain unconsumed at her death shall pass the same as if this agreement and decree had not been made. Said Trustee is to report to the Probate Court every two years his proceedings as said Trustee and the Court order the said Trustee to pay out of said estate the costs of this proceeding.

3618 Ann Haines vs. Hezekiah Haines

This day this cause came on to be heard and leave was asked and obtained by the defendant to file petition in the above case by August 1st 1880 and this cause continued.

1783 Harvey M. Haines vs. Wesley Shafer. Continued

1825 3274 Daniel M. Johnson vs. Harvey M. Haines et. al. Continued

2090 Bank of South Lewisburgh vs. Orlando Wells et. als. Continued

2474 John Blair vs John Jolliff continued.

2999 Ann E. Erb exec, vs. David Watson Continued.

3000 Ann E. Erb exec. vs. David Watson Continued

Whereupon the Court adjourned until tomorrow morning at 8½ o'clock.

Friday May 7. 1880

Court convened at 8½ o'clock this morning pursuant to adjournment. The same Officers being present as on yesterday -

3513 George Riddle vs Wilson Brown et.al.

This day came the parties by their attorneys, and by consent of all the parties hereto the Court reassigned this case for Thursday May 13. 1880.

3504. Peoples Bank vs. U. S. Alden et.als.

This day this cause came on for hearing upon the demurrer of Mattie Alden, and the demurrer of Allison Amrine to the second amended petition of plaintiff and the same was argued by counsel and submitted to the Court. On consideration whereof the Court do overrule both of said demurrers, to all of which rulings of the Court the said defendants then and there excepted, and the said defendants U. S. Alden, Mattie Alden and Allison Amrine asked and obtained leave to file their answers herein by Saturday Evening May 8th 1880.

3466 Osmond H. Wells vs Hudson Haines et.als.

This day came on this cause to be heard and thereupon came a jury towit: Asa Langstaff, W. C. Thomas, Alex. Gibson, Rowland Hill Wm L. Robinson, Abraham Sager, Henry Wheeler and L. H. Harbor regular jurors and Thomas Wharton, J. R. Dixon, Scott Rogers and R. H. White Talis jurors who being duly sworn and thereupon the defendants asked on showing for leave to file an amended answer. Whereupon the Court grant leave to amend answer, and thereupon the Court direct a juror to be withdrawn on the condition that the defendants pay the costs of the term including the usual jury fee of $6.00 - which being done this cause is continued with leave to defendants to file amended answer in thirty days.

2610 John J. Gabriel et.al. vs E. G. Piper Admr &c

This day came the parties herein by their attorneys: Also came the following named persons as jurors towit: Asa Langstaff. William C. Thomas, Alex Gibson, Rowland Hill, Wm L. Robinson, Abraham Sager, Henry Wheeler and L. H. Harbor regular jurors, and Thomas Wharton, C. A. Paris, William Howard and J. R. Greenawalt Talis jurors who were duly impanneled and sworn according to law. And the said jury having heard the evidence adduced in part said cause was continued until tomorrow morning at 8½ o'clock.

Whereupon the Court adjourned until tomorrow morning at 8½ o'clock.

Saturday May 8. A. D. 1880

Court convened this morning at 8½ o'clock A M pursuant to adjournment, the same officers being present as on yesterday.

3421 Louisa V. Wiccox vs. John Gunderman

This day came the parties by their attorneys and thereupon came this cause on to be heard and it appearing that the plaintiff has failed to amend her petition or comply with the former order of the Court in that behalf. It is ordered by the Court that this action be dismissed at the costs of the plaintiff. It is therefore considered ordered and adjudged by the Court that the defendant recover of the Plaintiff his costs herein expended. To record.

3592 David Mulford vs. Harvey S. Wood et.al. Settled and cost paid.

3504 The Peoples Bank vs. W. S. Alden et.al. This day came the parties and by consent of parties also Amine one of the defendants is dismissed from this action and not required to further answer.

533 The State of Ohio vs. William Riddle & Albert Ridley Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant Albert Ridley being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is guilty of Petit Larceny - and Nolle Prosequi is entered herein by order of Court at request of the prosecuting attorney as to burglary. It is further ordered by the Court that the said defendant Albert Ridley pay a fine of ten dollars and that the said Albert Ridley be imprisoned in the jail of Union County for the term of ten days. And that he stand committed to the jail of Union County until the amount of said fine and costs shall be paid, and that he pay the Costs of this prosecution for which execution is awarded.

535 State of Ohio vs. John Collumber Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the sheriff and arraigned upon said indictment for plea thereto saith he is not guilty and this cause is continued by consent of parties till next term of Court. upon the terms that the said John Collumber enter into Recognizance with good and sufficient sureties in the sum of three hundred dollars to the State of Ohio for his appearance on the first day of the next term of Court.

Saturday May 8. A. D. 1880

No. 3533 William Wilson et.als. vs John Swan et.als.

This day this cause came on for hearing and was submitted to the Court on the pleadings and the evidence, on consideration whereof the Court find that the said Gen. John Swan and the said James Taylor, in said plaintiff's petition mentioned, were the owners, as tenants in common of Virginia Military Survey No. 9894, situated in the Township of Washington, County of Union and State of Ohio, by virtue of a Patent from the President of the United States,: That afterwards said Patent was issued, said Gen. John Swan died, leaving heirs and legal representatives, and that on the 15th day of February A. D. 1838 the said heirs and legal representatives executed and delivered to one R. B. Bagby a Power of Attorney to compromise, adjust and sell said lands with others therein mentioned; that on the 30th day of November A. D. 1840 said Power of Attorney was duly recorded in Union County Records of Deeds in Volume No. 8 Page 70; That by the consideration and decree of the Court of Common Pleas of Logan County Ohio, at its August A. D. 1841 Term thereof, partition of said V. M. Survey No. 9894 was made between the said James Taylor and the said heirs and legal representatives of said Gen. John Swan, deceased, giving to said James Taylor Four hundred and Eighty eight acres of said survey off the west side thereof, and to the said heirs and legal representatives of said Gen. John Swan deceased Five Hundred and Fifty seven acres off the last side of said survey (See Logan County Common Pleas, Final record G. Page 82); That afterward on the 22nd day of November A. D. 1842 the said R. B. Bagby as attorney, as aforesaid, and under and by virtue of the said Power of attorney, above mentioned, executed and delivered to one Batteal Harrison a good and sufficient deed of general warranty, and thereby conveyed to said Batteal Harrison the said Five hundred and fifty Seven acres so set off in said partition aforesaid to the said heirs and legal representatives of said Gen. John Swan, deceased, and which said tract of land was more particularly described in said deed, as follows, towit; Beginning at three Beeches north easterly corner No. 9894 surveyed in the name of John Swan and James Taylor for 1000 acres; Thence South 78. 30 West, with the original line of said survey, 219 Poles and one half poles to a stake in the original line of said survey; Thence North 78. 30 east, with the original line, 214 poles to a sugar tree and two Beeches to the original corner of said survey; Thence South 11 East 413 Poles to the place of Beginning, containing Five hundred and Fifty Seven acres, be the same more or less, in the aforesaid mentioned bounds." The Court further find that the said deed was never recorded in said County of Union (but was partially recorded in Logan County Records of Deeds Volume O. Page 541) and that the same has been lost or destroyed; The Court further find that the said plaintiffs hereto own in severally the lands and tenements set forth in said petition and according to the plat annexed to said petition, and that the said plaintiffs and those under whom they claim title to said lands have held open, actual, notorious, continuous, peaceable, exclusive and adverse possession of said lands, claiming title thereto for more than twenty one years last past before the commencement of this action. The Court further find that at

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Saturday May 8th A. D. 1880.

the time of bringing this action the said plaintiffs were in possession of the said real property described in the petition and that they have the legal estate in, and are entitled to the possession of the same; that neither the defendants, nor any one of them, have any estate in, or are entitled to the possession of said real estate or any part thereof, and that the plaintiffs ought to have their title and possession quieted as against each and every one of said defendants, prayed for in their petition. It is therefore considered, ordered, adjudged and decreed that the title and possession of the said plaintiffs William Wilson, Jacob Armatrout, James Gibson, Henry Lingrel, Charlotte Rogers, Rachel Moon, Rebecca Hicks, Jane Kemper, John Rogers, Amos Rogers, Adolphus Rogers and Retta Rogers, Jeremiah Robinson, Lemuel Robinson, Lafayette Robinson, David Robinson, Martha E. Fout and Matilda Robinson, Marion Fout, Jacob Krouskop, Benjamin Parish and Elizabeth Parish, M. M. Selby and Absalom Kupps, to all and singular the premises in the petition described, and in severally as therein set forth and as shown by the said plat thereto annexed and made part thereof, be and the same hereby are quieted as against the defendants, and each and every one of them, and all persons claiming under them, or any of them. And said defendants, and each and every one of them, and all persons claiming under them, or any of them are hereby forever enjoined from setting up any claim to said premises or any part thereof, adverse to the title and possession of the said plaintiffs, above mentioned thereto, or in any manner interfering with their use and enjoyment of the same.

2610 John J. Gabriel et al. vs. Eli G. Piper Admr &c. } This day again came the said parties, by their attorneys and also came the jury heretofore impaneled and sworn, and the trial proceeded, And the said jury having heard the testimony adduced in part said cause was continued until Monday morning next at 9 o'clock

1139 Keeler, Bancroft & Co. vs. E. Hammond } Continued.

2003 Thomas Peacock vs Jefferson Ford Continued under former order.

2079 Mary J. Baker vs. Richard White et.als. Continued

2419 Lemuel Myers vs. Edward Thompson Contd. for Publication.

2483 Mary K. Robertson vs Elias Robertson } Continued with leave to defendant to withdraw answer and file his cross petition herein.

Whereupon the Court adjourned until Monday May 10. 1880 at 9 o'clock A. M.

Monday May 10. A. D. 1880.

Court convened at 9 o'clock A.M. pursuant to adjournment. The same officers being present as on yesterday

3563 Charles K. Cordrey vs John M. Gunder

This day this cause came on for hearing upon motion of defendant to dismiss and it appearing to the Court that plaintiff has failed to give security for costs within the time heretofore ordered by the Court it is now ordered that this action be dismissed without prejudice. It is further ordered that the plaintiff pay the costs herein within five days or in default thereof that Execution issue to the Sheriff therefor.

3547 Isaac Shirk vs Jacobana Shirk

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the petition, answer and evidence and was argued by Counsel and submitted to the Court. On consideration whereof the Court find the charges stated in the said petition are true and that the defendant has been guilty of wilful absence for more than three years and also guilty of gross neglect of duty. It is therefore adjudged and decreed by the Court that the marriage relation heretofore existing between said parties be and the same is hereby set aside and wholly annulled and both parties released from the obligations of the same and it is further ordered that the plaintiff pay the Cost hereof forthwith.

3553 J. H. Hamilton vs Francis Baldwin et al.

This day this cause came on to be heard upon the Petition and exhibits of the Plaintiff, and the defendants still failing to answer or demur thereto and the Court being fully advised in the premises, do find that there is due the plaintiff on his said notes and mortgage, the sum of $967 12/100 with interest from January 5th 1880. and that there will be due on the second note, $700 on the 5th day of January 1881 with interest thereon from January 5th 1880. Whereupon it is adjudged by the Court that the Plaintiff recover of the Defendant Francis Baldwin said sum of $967 12/100 with interest thereon from Jan. 5th 1880 and further, that unless said judgment be paid within 10 days then that an order of sale issue from this Court directing the sheriff to advertise and sell the lands described in said Petition, as upon execution and bring the proceeds thereof into Court for further order in distribution.

Monday May 10. A.D. 1880.

536 The State of Ohio vs. Lucillas Shirk } Indictment for assault and battery

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is guilty. Whereupon it is ordered and adjudged by the Court that the said defendant Lucillas Shirk pay a fine of Ten Dollars and the costs of prosecution amounting to $

3632 P. R. Kerr vs. J. W. Scott, Thomas Baldwin & Winget Harriman } Cognovit.

This day came the Plaintiff by P. R. Kerr his attorney, and thereupon came J. M. Kennedy one of the Attorneys of Record of this Court, who by virtue of a warrant of Attorney duly executed, and now produced in open Court and duly proven, waived the issuing and service of process, and entered a appearance of said Defendants herein, and by virtue of the same warrant of attorney, confesses that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition, the sum of $ 201 50/100. It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $201 50/100 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8 per centum per annum. And by virtue of said warrant of attorney, all errors are released, and all right of appeal, and all right to file a petition in error are waived.

2610 John J. Gabriel et al. vs. Eli G. Piper Admr &c } This day again came the said parties, by their attorneys and also came the jury heretofore impaneled and sworn, and the trial proceeded. And the said jury having heard the remaining testimony, the argument and charge of the Court retired to their room in charge of the Sheriff for deliberation. And now come the said jury into open Court with their verdict in writing signed by their foreman and say: "We, the jury in this case, being duly impaneled and sworn do find and say that. "We find for the Plaintiff the sum of twelve hundred and thirty seven & 66/100 - $1237 66/100.

Henry Wheeler Foreman.

3272 A. H. McFarland et al vs. William Robertson } This day this cause coming on to be heard on the motion of plaintiff for judgment on the verdict heretofore rendered by the jury in this case, and the Court being fully advised in the premise, It is considered ordered and adjudged by the Court that the defendant recover of the plaintiffs A. H. McFarland and Geo B Archer the sum of $92.19 and his cost herein expended taxed to $-

Monday May 10. A. D. 1880.

3593 Nancy Higgins Guardian of Joseph C. Graham
vs.
Harrison Shaw and Ada May Reed

Now came the plaintiff herein by her attorney and her petition thereupon coming on to be heard, the Court find that all of the defendants have had due legal notice of the pendancy and demand of the said petition. and that they are in default for answer or demurrer and that the said petition is thereby confessed by them to be true. Whereupon the Court find that the said Joseph C. Graham Plaintiff is siezed of and has a legal right to the undivided one twenty fourth ($\frac{1}{24}$) part of the Estate described in the petition and is entitled to have partition made of said premises, and that the defendants are tenants in Common with the said plaintiff in the said premises in the following proportions to-wit: that Harrison Shaw has legal right to the undivided ($\frac{22}{24}$) twenty two twenty fourth part thereof. That Ada May Reed to the undivided twenty fourth ($\frac{1}{24}$) part. And no reason appearing why partition should not be made, It is therefore ordered adjudged and decreed that partition of said Estate be made and that an order issue to the Sheriff of said County of Union, Commanding him that by the oath of John Van Pearse, Stanley Bellue and John Brown three judicious and disinterested freeholders of the vicinity, he cause to be set off and divided to the said plaintiff and to each of the said defendants the part and proportion of the estate to which they are hereinbefore severally found entitled. And it is ordered that if in the opinion of said Commissioners said premises cannot be divided by metes and bounds without injury to the value thereof they appraise the same. And of his proceedings herein the Sheriff is ordered to make due return without unnecessary delay.

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3607 Isaac Jane, Plaintiff
vs.
Oliver Simpson & Mariah Simpson

Now came the plaintiff herein and the defendant being in default for answer and demurrer the Court find the allegations of the plaintiffs petition true, and that there is due to plaintiff from the defendant Oliver Simpson on said promisory notes set forth in the petition with interest to the first day of this term the sum of 663^{00}. The Court further find that in order to secure the payment of said notes the defendants Oliver Simpson and Mariah Simpson his wife executed and delivered to said Isaac Jane their certain mortgage as in the petition described. That said mortgage was duly recorded in the Records of mortgages of Union County Ohio, on the 19th day of August 1872 at 8 o'clock A. M. and is the first and best lien on said premises in the petition described.

It is therefore considered and adjudged that the Plaintiff recover of the defendants the sum of 663^{00} with interest at 8 per cent from the first day of this term of this Court or in default of said payment for ten days after the rendition of this judgment then the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of Union County directing him to sell said premises as upon execution and bring the proceeds into Court for further order

Monday, May 10. a. D. 1880.

3565 Raymond & Pittony
vs
Richard Spearman et.als.

This day this cause came on to be heard upon the motion of Defendant for security for costs and it was ordered by the Court that the Plaintiff give said security to the satisfaction of the Clerk of this Court within 40 days from the rising of said Court or said cause will stand dismissed.

3562 G. H. Lewis
vs.
Henry Wheeler

This day this cause came on to be heard upon the answer of the defendant and upon motion to dismiss this action of Plaintiff and the Court being fully advised in the premises. find that the plaintiff has failed to file his petition herein and to prosecute his action to final judgment according to law. It is therefore considered and adjudged that said action be dismissed without prejudice to a new action, at the costs of the plaintiff and that the defendant recover of the plaintiff his costs herein taxed to $ and execution is awarded for the same.

3600 Samuel Wise
vs.
Louisa Thompson et.als.

This day came the said Plaintiff by Carpenter & Brodrick his attorneys and the said defendant Louisa Thompson still failing to answer or demur to plaintiffs petition it is considered by the Court that the said Plaintiff is entitled to an account of the money due him in the premises and the Court, after hearing the evidence, do find that there is due to the said plaintiff, on the note and mortgage in said petition described the sum of Nine hundred and Nineteen Dollars and Ninety seven cents with interest from May 3d 1880. It is therefore considered and adjudged by the Court, that the said plaintiff Samuel Wise recover of the said defendant Louisa Thompson the said sum of Nine hundred and Nineteen dollars and Ninety seven cents, the sum so found due as aforesaid, with interest from the 3d day of May A. D. 1880 and also his costs taxed to $

And it is further ordered, adjudged and decreed, that in case the said defendant Louisa Thompson fails for ten days from the entry of this decree to pay to the said plaintiff the said sum of Nine hundred and Nineteen Dollars and Ninety seven cents, so as aforesaid found due with costs of suit and interest, an order issue to the Sheriff of said County Commanding him to cause the said lands and tenements in the petition described to be appraised, advertised and sold according to law and bring the proceeds into Court for further order herein. And also at the same time came the defendant H. C. Robinson and asked and obtained leave of Court to file answer and cross petition herein and also came Robinson & Robinson and asked and obtained leave of Court to be made parties defendants herein and file answer and cross petition

Monday, May 10. a. D. 1880

3601 George H. Kneisley & Co. vs Pelatiah Allyn et. al.

This day came the said plaintiffs by Carpenter & Brodrick their attorneys, and the said defendant Pelatiah Allyn still failing to answer or demur to plaintiffs petition it is considered by the Court that the said plaintiffs are entitled to an account of the money due them in the premises, and the Court, after hearing the evidence, do find that there is due to the said plaintiffs on the notes and mortgage in said petition described, the sum of seven hundred and six dollars and ninety eight cents with eight per cent interest from May 3d 1880. It is therefore considered and adjudged by the Court, that the said plaintiffs George H. Kniesly & Co recover of the said defendant Pelatiah Allyn the said sum of seven hundred and six dollars and ninety eight cents (with eight per cent interest from May 3d 1880) the sum so found due as aforesaid and also their costs taxed to $ And it is further ordered, adjudged and decreed that in case the said defendant Pelatiah Allyn and E. H. Allyn, his wife, fails for ten days from the entry of this decree to pay to the said plaintiffs the said sum of Seven hundred and Six and 98/100 Dollars so as aforesaid found due, with interest and costs of suit, an order issue to the Sheriff of said County Commanding him to cause the said lands and tenements in said petition described, to be appraised, advertised and sold according to law, and bring the proceeds into Court for further order herein.

3579 John M. Sanders vs Nancy Hill et. als. In the Court of Common Pleas, of Union County Ohio.

On motion of the Plaintiff and it appearing to the Court that the defendants Isaac Godfrey minor over 14 years, Also Maggie M. and Franklin P. Godfrey and W. A. Godfrey and Elizabeth Godfrey minors under 14 years and having been duly and legally served with summons herein and they having neglected for twenty days from the return of summons served upon them to apply for a guardian ad Litem, on motion of the Plaintiff herein John M. Brodrick is hereby appointed guardian for the suit for said minor defendants. And now comes the said John M. Brodrick and in open Court accepts said appointment.

No. 3579 John M. Sanders vs Nancy Hill et. als.

Now came the plaintiff herein by his attorneys and his petition thereupon coming on to be heard the Court find that all of the defendants have had due legal notice of the pendency and demand of the said petition and they are in default for answer and demurrer, and that the said petition is therefore confessed by them to be true and upon the issues joined by the said minor heirs defendant, the Court after hearing the testimony finds for the plaintiff and that the facts stated in said petition are true. The Court finds that said Isaac Godfrey Sr. died seized in fee simple of the lands and tenements in the petition described, that he left the Children and

grand children named in the petition his only heirs and legal Representatives, and that he died intestate. The Court further find that after his death the said John Godfrey purchased and obtained deeds in fee simple for the interest of Jackson Godfrey, Nancy Hill, Mahala Price, Mary Mastine, Mary E. Price: that this purchase was before the death of said Dibbie Godfrey and that said John Godfrey died siezed in fee simple of $\frac{183}{360}$ of said estate and that he died intestate leaving a widow Elemintina Godfrey and the following his only children and heirs at law to wit: Delila Dutton Almina Godfrey, Mary J. Godfrey, Elizabeth Godfrey and William B. Godfrey Jr. That said Elemintina Godfrey is entitled to dower in her late husbands share of said lands. The Court do further find that after the death of said Dibbie Godfrey the said plaintiff purchased and did obtain deeds in fee simple for the shares and interest of William A. Godfrey Sr. Anna Godfrey, Levi Godfrey, Sarah Flemmons, Letitia Tenan, Virginia A. Godfrey, James M. Price, Dora Patrick, Dibbie J. Price, Mahalia Price, Mary E. Price, Sarah E. Blue, Mary Mastine and that said plaintiff is now the owner in fee simple of said shares and interest amounting in all to $\frac{301}{720}$ of said premises and the Court find that said plaintiff is tenant in Common with said defendants in said premises and that he is entitled to hold his interest in severalty and that said Maggie M. Godfrey is siezed of the $\frac{1}{360}$ of said premises and that said Franklin P. Godfrey is siezed of $\frac{1}{360}$ thereof and said Isaac Godfrey Jr. is siezed of $\frac{1}{32}$ part thereof, and said Anna E. Price of $\frac{1}{40}$ part thereof and said Nancy Hill of $\frac{1}{72}$ part thereof. That the Children and heirs at law of John Godfrey are each entitled to $\frac{183}{1800}$ of said premises subject to the dower of said Elementina Godfrey.

It is therefor ordered, adjudged and decreed that the said Elemintina Godfrey be endowed of one full equal third part of $\frac{183}{360}$ of said Estate and that partition of said estate be made and that an order issue to the sheriff of the County of Union Commanding him that by the oaths of F. J. Sager, Lorengo Cheney and H. M. Hace, three judicious and disinterested free holders of the vicinity who are hereby appointed Commissioners for that purpose, he cause to be set off and divided to the plaintiff and to each of the said defendants the parts and portions of the said estate to which they are hereinbefore severally found entitled and that of the interest of which said John Godfrey died seized to wit $\frac{183}{360}$ of said Estate they set off and assign to Elemintina Godfrey her dower and that the said Children of said John Godfrey have their parts subject to said Dower. And if in the opinion of the said Commissioners said premises cannot be divided by metes and bounds without injury to the value thereof they appraise the same, both subject to and also free from dower of the said Elemintina Godfrey, and of his proceedings herein the sheriff is ordered to make due return without unnecessary delay.

Monday May 10. 1880.

2882 Mayerille Building & Loan Association, Plaintiff.
vs.
Hayes Spearman et.als.

On motion of plaintiff and on his producing the return of the Sheriff of the sale made under former order of this Court and the Court on careful examination of proceedings of the Sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this Court, it is ordered that the said proceedings and sale be and the same are hereby approved and confirmed. And it is further ordered that the said Sheriff convey to the purchaser Thomas Martin by deed in fee simple the lands and tenements so sold and the said purchaser is hereby subrogated to all the rights of the said lien holders in said premises so far as they may be paid herein for the protection of his title and a writ of possession is awarded to put said purchaser in possession of said premises. And the Court now coming to the distribution of the proceeds of said sale amounting to thirteen hundred and forty dollars, it is ordered that the Sheriff out of the money in his hands pay: First, the taxes on the said premises Amounting to $96 73/100
Secondly. The Costs of this action taxed to $65 10/100 Thirdly, To the said A. B. ~~Thomas Martin~~ Robinson as assignee of the decree in favor of the said Mayerille Building & Loan Association, ~~first assigned to A. B. Robinson and by said Robinson assigned to said Thomas Martin and amounting to~~ $209.87 being balance in full and Mayerille B. & L. association mortgage assigned to said Martin $302 80/100
Fourthly - To Wesley Amrine on his mortgage deed as set forth in his answer and cross petition the sum of $447 55/100 (Four hundred forty seven & 55/100 Dollars)
Fifthly. To the defendant Hayes Spearman under his claim of homestead the balance of said sum amounting to $218 19/100.

2570 Samuel M. Daugherty vs. A.J. Sterling et.als. Continued by consent.

2708 O. K. Reed Guardian vs. Robert F. Lee et.als. Continued.

2715 Ruben Freshwater vs. Abraham Freshwater et.als. Continued.

2816 Myron Gabriel vs. Eli G. Piper Admr. Continued.

2817 John J. Gabriel vs. Eli G. Piper Admr. Continued

2823 Thomas Moffitt vs. Elias Robertson et.als. Continued

2852 Catherine Driscal vs. William Driscal et.als. Continued

2930 & 2950 J. S. Stevens Admr. vs. Mt. Carmel Lodge F. A. M. Continued

Thereupon the Court adjourned until tomorrow morning at 8 1/2 o'clock.

Tuesday May 11. A. D. 1880

Court convened at 8 1/2 o'clock this morning pursuant to adjournment. The same offices being present as on yesterday.

3514 French G. Lockwood vs. Coon, Morse & Co

Now came the parties herein by their attorneys; also came the following named persons as jurors to wit: Asa Langstaff, Wm C. Thomas, Rowland Hill, Wm L. Robinson, Abraham Sager, L. H. Harbes, Thomas Wharton S. N. Paris regular jurors and J. C. Cline, George McVey, C. H. Gamble and John Pavey Talis jurors who were duly impanelled and sworn according to law. And the said jury having heard the evidence adduced in part and the hour of adjournment having arrived said cause was continued until tomorow morning at half past eight o'clock.

3249 Michigan Mutual Life Insurance Company vs. Francis Baldwin et al.

This cause came on for hearing on the motion of the plaintiff to set aside the sale of the real Estate in this action, and on consideration thereof, and good cause shown, that it is to the interest of both the plaintiff and the defendants, and the judgment debtor not objecting, it is ordered and adjudged by the Court that the said sale be and it hereby is set aside, and a new sale ordered under former order. To all of which the party purchasing said lands excepts.

2966 Eliza Hopkins vs. William Hopkins — Cause continued

2988 Lester Clark vs. John Epps et al. — Continued.

3012 Emma Cartwell vs. Benny Woodworth — Contd for service.

3013 Sarah Snodgrass vs. Joseph Coe — Continued.

3026 Eli G. Piper Admr vs. P. B. Cole — Continued

3027 Eli G. Piper Admr vs. P. B. Cole et al. — Continued.

3126 Nelson Davis vs. W. H. Davis — Settled and cost paid.

3147 Joseph E. Fouke vs. George Loar — Continued

Thereupon the Court adjourned until tomorow morning at 8 1/2 o'clock.

Wednesday May 12. a. D. 1880.

Court convened at 8 1/2 o'clock this morning pursuant to adjournment. The same offices being present as on yesterday.

3514 French L. Lockwood vs. Cook, Mose & Co.

This day came this cause to be further heard by the jury and the arguments of Counsel being completed and the charge of the Court given, the jury retired and after consultation returned their verdict in the words and figures following to-wit: We, the jury in this case, being duly impaneled and sworn do find and say that we find for the Defendants the sum of six hundred and twenty Dollars and 40/100 cts. ($620 40/100) J. C. Elmie Foreman.

And the Counsel of both parties as well as the parties themselves it was agreed by said parties and their Counsel that said verdict should be reduced to form by the Court so as to show that the jury find the right of property as well as possession, was in the defendants at the commencement of this action, which correction was then made by the Consent of the jury and order of the Court by Consent of all of said parties.

No. 3612 J. H. Robinson vs. Albert Wallace & Martha J. Wallace

This day came the plaintiff but the defendants came not but made default. Whereupon the plaintiff waived a trial by jury and this cause was submitted to the Court. Whereupon the Court find for the plaintiff and that there is due plaintiff from the defendants on said note as alleged, the sum of one hundred and four 50/100 Dollars $104 50 with interest from this date. It is therefore considered, ordered and adjudged by the Court that plaintiff recover of the defendants said sum of one hundred and four dollars and fifty cents and his costs herein expended taxed to $ 3496

3549 D. F. Elliott vs. Allen Lister

This day on motion of this plaintiff, leave is given him to file Amended Petition in thirty days from the rising of the Court and the cause Continued.

3550 John W. Haines vs. Bank of South Lewisburg

This day this cause was continued with leave to the defendant to file answer in thirty days from the rising of the Court.

Wednesday, May 12th. A. D. 1880

3587 James A. Robinson
vs.
Mary A. Sandrs r Streeter Sanders

This day came the plaintiff but the defendants made default, which defendants are sometimes called "Sanders" and sometimes called "Sandridge" and thereupon this cause was submitted to the Court, whereupon the Court find that due process of Summons was duly Served on said defendants and on said Malin Burris who also is in default. Whereupon the Court being fully advised in the premises do find for the plaintiff and that there is due him from said Mary A. Sandridge (Sometimes called Sanders) on the mortgage executed by her and said Streeter Sandridge her husband the sum of Eight hundred and seventy seven and 50/100 dollars with eight per cent interest from this date which is a lien on the land in said petition described as alleged. It is therefore considered, ordered and decreed by the Court that the defendant Mary A. Sandridge within ninety days pay said sum, with said interest and costs and in default of the payment to the plaintiff of the same, that an order of sale issue to the Sheriff of this County commanding him to appraise, advertise and sell said real estate according to law to satisfy the plaintiffs said claim and the Court further find that said Malin Burris came into possession of said land under lease from said Sandridge since said mortgage was duly recorded and with full knowledge thereof and therefore order that said land be sold clear of all claims of all of the defendants.

Peoples Bank
3496 vs.
J. A. Henderson et als.

This day this cause came on for hearing upon motion to confirm the interlocutory report of the Receiver heretofore appointed herein. On consideration whereof the Court find that said report is correct and that said Receiver is entitled to be paid out of the money in his hands the sum of Twenty five dollars for his services herein to this date. It is therefore ordered that all acts and things done by him as shown by said report be and they hereby are approved and confirmed; and the said John Riley receiver as aforesaid is ordered, out of the money in his hands, to-wit: $39.74 to pay the costs in this action to this date, taxed to $11.72 and of the residue to pay. 1st To the defendants Myers, Osborn & Co, the sum of $46.31 2d To the defendants Urbana Bow works the sum of $105.96. 3d To the defendants G. Deiner & Co. the sum of $30.83. 4th. To the defendants Morris Bros. the sum of $242.74. 5th To the defendants J. W. Robinson, George P. Croze and D. H. Henderson the residue of said money amounting to $397.18 to apply on the said claims of said defendants, pro rata according to the Chattle mortgage given them as alleged in the cross petition of J. W. Robinson, and this cause is continued for further report of said Receiver herein, as to any further collections of accounts & notes. of the $397.18 ordered to be paid to, Geo. P. Croze, D. H. Henderson & J. W. Robinson $123.25 is to apply on the note said Henderson & Robinson paid as surety and the $273.93 is to apply on the Peoples Bank claim paid by Croze & Robinson.
Whereupon this court adjourned until tomorrow morning at 8 1/2 o'clock.

Thursday May 13th A. D. 1880.

Court convened at 8 1/2 o'clock this morning pursuant to adjournment. The same Officers being present as on yesterday.

3588 J. A. Dickey Plaintiffs
vs.
John F. Fredrick, Clinton Butler, & James. Thompson Defts } Common Pleas, Union County O.

This cause coming on to be heard upon the demurrer of defendants to the petition of plaintiff, was argued by Counsel and submitted to the Court. Whereupon the Court being fully advised in the premises do overrule said demurrer, to which ruling of the Court in overruling said demurrer the defendants except. Defendant thereupon asked leave to withdraw the demurrer and file a motion which leave was denied by the Court, to which ruling the defendant Excepted. The defendant thereupon asked and obtained leave to file answer by the 17th day of May 1880.

2314 Nancy Fox
vs.
Charles Fox }

This day this cause came on to be heard and was dismissed at the Cost of the defendant. It is therefore considered and adjudged by the Court that the plaintiff recover of the defendant her costs herein expended taxed to $

3573 Emily C. Johnson
vs.
W. H. Johnson }

And now came the said Emily C. Johnson by D. W. Ayers her attorney and thereupon this cause came on for hearing upon the petition and testimony and was argued by Counsel: On consideration whereof the Court do find that due notice of the filing and pendancy of this petition was given to the said defendant according to law. And the Court do further find that the said defendant has been Wilfully absent from the said petitioner more than three years prior to the filing of the said petition, And that the defendant had another wife living at the time of his marriage to the said petitioner. It is therefor adjudged and decreed that the marriage relation heretofore existing between the said parties be and the same is hereby set aside and wholly Annulled, and the said parties wholly released from the same. And it is further ordered that the plaintiff be restored to her maiden name of Emily C. Cooder And that she pay the costs of this suit in ten days or that execution issue therefor.

534 State of Ohio
vs.
Thomas Gardner } Indictment for house breaking and Larceny.

And now the defendant being brought into Court in charge of the Sheriff and it appearing that he is in indigent circumstances and unable to employ Counsel, the Court at his request appoint Henry McDowell Esq. as Counsel for his defense.

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534 State of Ohio vs. Thomas Gardner

Now comes the prosecuting attorney on behalf of the State of Ohio, the defendant being brought into Court in custody of the Sheriff; thereupon said defendant retracts his plea of not guilty heretofore Entered, and for plea to said indictment saith he is guilty of housebreaking and Petit Larceny And Nolle Prosequi is entered as to the Felony part of said indictment. It is further ordered and adjudged by the Court that the said defendant Thomas Gardner pay a fine of Fifty Dollars. And that the said Thomas Gardner be imprisoned in the jail of Union County for the Term of thirty days. and that he stand committed to the jail of Union County until the amount of said fine and costs shall be paid.

3072 H. H. Woods vs. H. C. Barnett et.als.

This day came on this cause to be heard on the motion for the Confirmation of the sale of the lot No. 382 to J. W. Robinson and the Thompson lot so called to Wm H. Robinson and the Court being fully advised in the premises do sustain said motion and confirm said Sales of said two lots and order the Sheriff to convey to said purchasers respectively the said lots by lawful deed and deliver possession of the same to said purchasers and further it appearing that the purchase money for the Barnett Homestead lot has not been paid, the sale of said Homestead lot is set aside and further the Court order that out of the proceeds of the sale of said two lots so confirmed the costs of this case so far as it justly pertains to the said two lots, be first paid, and second that the taxes which are a lien on said two lots be paid out of said proceeds of said two lots respectively, and third that out of the lot No. 382 the mortgage lien due J. W. Robinson amounting to $ 124 42 be paid and the balance if any be paid to Steinberger & Hewes who also hold a mortgage lien junior to that of J. W. Robinson. Further the Court order that after paying the said Share of costs and the said tax lien on said Thompson lot, that the balance of said proceeds of said Thompson lot be applied as follows, viz: Nine hundred dollars be applied on the decree heretofore rendered in favor of W. H. Robinson and the balance is ordered to be held for further distribution to abide the result of the sale of said Homestead lot and whatever sum of money the Receiver may receive or have received for rent of said property, is to be hereinafter distributed and this cause as to all other matters this cause is continued under former order.

3145 Orlando Wells vs. Osmond H. Wells et.als.

Continued under former order and the Receiver J. B. Wheeley is ordered to file his report herein by the first day of the next term of this Court.

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No. 3604

Anna E. Esb Executrix
of Charles Esb, Plaintiff
vs.
David Watson, A. A. Woodworth

Now came the plaintiff herein and the defendants being in default for answer and demurrer, the Court find the allegations of the petition are confessed by them to be true, and find the defendants are indebted to plaintiff in the sum of $1100. It is therefore considered by the Court that the said plaintiff Anna E. Esb as such Executrix of Charles Esb, do recover from said Defendants David Watson and A. A. Woodworth the sum of Eleven hundred dollars and his cost herein expended taxed to $

No. 3540

Joseph McCombs
vs.
Frank McCombs & others

The Court being fully advised in the premises do find that during the last term of this Court the parties to this cause made an amicable partition of all the lands in said petition described and the widow of John McCombs sold and conveyed to said heirs her dower interest in the same and the partition so made and shown by the plat and description of F. J. Sager surveyor is just and fair to all parties, the Court order and decree that the said partition be and the same is confirmed and the several parties stand seized in severally of the parts of said premises set off in said plat and partition, to them respectively and said plat and partition be recorded and made binding on said parties. And further that said parties pay within ten days the costs of this proceeding including an Attorney fee of $ 100.00 to Robinson & Piper and Cameron & Benton as follows viz: $ 65.00 to Robinson & Piper and $ 35.00 to Cameron & Benton in the proportion to which he or she was entitled as heir of John McCombs in said land as alleged in plaintiffs petition and that the same stand a lien on the respective parcels till paid and if either of said parties fail to pay said costs in said proportions within ten days, that Execution issue for the same as upon judgments at law.

No. 3601

Geo. H. Kneidley & Co. Plaintiff
vs.
P. Allyn and others, Defendants

This cause came on for hearing on the petition of the plaintiff and the answer and cross petition of defendant Oliver Webster and upon the pleadings and evidence and the defendants and plaintiff being in default for answer and demurrer to the answer & cross petition of the said Oliver Webster, the Court find that the allegations of the cross petition of the said Oliver Webster are by other parties hereto confessed to be true that the said H. C. Moffitt and Cynthia Moffitt his wife executed and delivered to the said Lucius Webster the mortgage deed in cross petition of the said Oliver Webster set forth and on the premises therein described, that said mortgage was duly recorded in book 11 page 167 of said Union County and is the first and best lien on the premises described in the petition described in the petition - that said Oliver Webster is now the

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owner of the said note and mortgage. It is therefore considered and decreed that unless the said defendants Pelitah Allyn shall, within 10 days from the entry of this decree pay or cause to be paid to the Clerk of this Court the Costs in this Case and to said Oliver Webster the sum of three hundred fifty one & 36/100 Dollars ($351 36/100) with interest from the 13th day of May 1880 payable annually at 8 per cent per annum according to the terms of said mortgage deed the defendants equity of redemption be foreclosed and said premises shall be sold and that an order of sale shall issue therefor to the Sheriff of the County of Union directing him to sell said premises as upon execution and bring the proceeds into Court for further order.

3194 George Mast Plaintiff.
vs.
Ellen Cooperider, Elias Cooperider,
John T. McCullough, Hester McCullough,
Zenas McCullough, & Laura McCullough.

This cause came on for hearing on the petition, the answer of the defendants Ellen and Elias Cooperider, the reply of Plaintiff thereto and the answer of L. Pixley as guardian ad. Litem for the said Zenas and Laura McCullough minor children of Horatio McCullough deceased, and the answers of John T. McCullough and Hester McCullough individually for herself and as guardian of said minors - And the evidence, and was submitted to the Court without the intervention of a jury; on consideration whereof, the Court find on the issue joined between the plaintiff and the defendants Ellen & Elias Cooperider - for the said plaintiff and that the others of said defendants to wit: John T. McCullough Hester McCullough, Zenas McCullough and Laura McCullough have been duly brought into Court in accordance with the prayer of said Ellen and Elias Cooperider by Summons and Answer and that they neither have or claim any right or interest in said premises. And that said Ellen Cooperider defendant is indebted to the plaintiff in the sum of $ 309 17/100. It is therefore considered that the said plaintiff recover of the said defendant Ellen Cooperider the said sum of three hundred and nine & 17/100 dollars. The Court further find that in order to secure the prompt payment of said debt the defendants Ellen Cooperider and Elias Cooperider her husband Executed and delivered to said George Mast their Certain mortgage as in the petition described, on the same premises described in the petition, that said mortgage was duly recorded in Book 13 page 455 of the Records of Mortgages of Union County and is the first and best lien on the premises described in the petition.

The Court further find that the Condition of defeasance in said mortgage has been broken and that the said plaintiff is thereby entitled to have the defendants equity of redemtion foreclosed. It is therefore considered and decreed that unless the said defendants shall within ten days from the entry of this decree, pay or cause to be paid to the Clerk of this Court the Costs in this Case, and to said plaintiff the sum of three hundred and nine & 17/100 dollars with interest from the 3d day of May 1880 according to the terms of said mortgage deed the defendants equity of redemtion be foreclosed and said premises shall be sold and an order

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of sale shall issue therefor to the Sheriff of Union County directing him to sell said premises as upon execution, and bring the proceeds into Court for further order.

3573 Geo. Riddle vs. Wilson Brown et.al

This day this cause came on for trial and thereupon came a jury to wit: Alex. Gibson, J. A. Henderson, Asa Langstaff, Wm. T. Thomas Rowland Hill, H. L. Robinson, Abraham Sagers, E. H. Harbes, Thomas Wharton, J. N. Paris Regular jurors and Geo. McVey and J. W. Turner Talis jurors who were duly impannelled and sworn according to law.

After opening of case by agreement of parties, Asa Langstaff a regular juror was withdrawn and this case was settled by the parties- Plaintiff pays $21.00 on the costs and his own witnesses fees- The defendants pay the other costs

3494 Lytle & Co. vs. C. F. Gates et.als.

This day came on this cause to be heard by the Court, whereupon the Court order the report of the Reciever to be confirmed and the $1900. in his hands distributed as follows viz: 1st The costs of this case including $35 for the Reciver amounting to $49 65/100 and 2d the judgment of Legler, Barlow & Co. amounting to $622 15/100 and $5 11/100 the costs of same case in Montgomery County Court all owned now by Lytle & Co. 3d The judgment of J. R. McEntire & Co. amounting to $654 52/100 and $2 05/100 balance of costs in same. 4th The costs in the Lytle & Co. judgments of $9 15/100 and in the McKee, Weekly & Co. $3 05/100 and the balance pro-rata between the said three judgments of Lytle & Co. and said McKee, Weekly & Co. which gives to Lytle & Co. $413 45/100 and McKee, Weekly & Co. $140 87/100-

528 State of Ohio vs. Leb B. Mosier } Indictment for selling Intoxicating liquor to be drank on the premises.

Nolle prosqui is entered herein, by order of Court, at request of the prosecuting attorney.

537 State of Ohio vs. Leb B. Mosier } Keeping a place where Intox. liquors are sold contrary to law.

Now comes the prosecuting attorney on behalf of the State of Ohio, the defendant being brought into Court in custody of the Sheriff, thereupon said defendant retracts his plea of not guilty heretofore entered, and for plea to said indictment saith he is guilty of Keeping a place where intoxicating liquor is sold contrary to law. Whereupon the defendant Leb B. Mosier being present and not desiring to say anything further why sentence should not be passed, it is considered, ordered and adjudged by the Court that the State of Ohio, recover of the defendant Leb B. Mosier his fine in the sum of Fifty dollars together with the costs herein expended and taxed to $ And it is further ordered and adjudged by the Court that

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the defendant Leb B. Mosier also stand committed and be imprisoned in the jail of Union County for the period of ten days and further that he stand committed until said fine and costs are paid.

537 State of Ohio vs Leb B. Mosier — Keeping a place where intox. liq. are sold contrary to law.

This day came on this cause to be heard further. Whereupon the Court do order decree and adjudge, that the said place kept as stead to by the said defendant Leb B. Mosier is a nuisance under the Statute upon which indictment was found and should be abated and shut up. Whereupon the Court order the same abated and shut up according to law.

3586 George W. Sewell vs Edward O. Stevenson

This day came the parties by their attorneys and by consent of both parties this cause is continued.

3484 Wm M. Hardy vs. M. Lingree

This day came the parties and settled this cause at defendants costs. It is therefore considered and adjudged by the Court that the plaintiff recover of the defendant his costs herein expended taxed to $

3537 Richard Spearman vs. L. Stricklin

This day this cause was settled by the parties at the cost of the defendant. It is therefore considered and adjudged that plaintiff recover of the defendant his costs herein taxed at $ No record.

3138 H. S. Bosh vs. Sarah Kyle

This day this cause came on for hearing and was dismissed at plaintiffs costs. It is therefore considered and adjudged by the Court that the defendant recover of the plaintiff his costs herein expended taxed to $

Whereupon the Court adjourned until tomorrow morning at Eight and one half O'clock

May 4th A. D. 1880 (Friday)

Court met at 8 1/2 o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

432	The State of Ohio vs Thomas Forder	Leave off docket.	
465	The State of Ohio vs. William Hagen	Leave off docket.	
490	The State of Ohio vs Charles Spear	Leave off docket.	
491	The State of Ohio vs. U. S. Alden	Leave off docket	
509	The State of Ohio vs. Glouster Thornton & Melville Lingrel	Leave off docket	346
516	The State of Ohio vs. John Mahaffey.	Continued by consent.	
517	The State of Ohio vs. Gustavus Sparks.	Continued for arrest.	
518	The State of Ohio vs. Charles Spears	Leave off docket	
519	The State of Ohio vs. Benjamin Wood	Continued	
520	The State of Ohio vs. Scott Bronson	Leave off docket	
521	The State of Ohio vs. Als. Bronson	Leave off docket	346
522	The State of Ohio vs. U. S. Alden	Leave off docket	
523	The State of Ohio vs. Lycurgus Rose	Leave off docket.	
524	The State of Ohio vs. Wilson Brown	Leave off docket	
526	The State of Ohio vs. America V. Williams	Continued by consent	
529	The State of Ohio vs. Roe Diebolt	Continued for arrest	
532	The State of Ohio vs. William Brown	Continued for arrest	346
535	The State of Ohio vs. John Collumber	Continued by consent.	
460	The State of Ohio vs. Orrin Decker	Leave off docket.	

Thereupon the Court adjourned until tomorrow morning at half past eight o'clock

Saturday. May 15. A. D. 1880

3462 Catherine Joseph et.als. vs. Eli G. Piper et. als.

This day came the parties and submitted this cause to the Court on the demurrer of plaintiffs to the defendants answer. Whereupon the Court do overrule said demurrer. To which ruling of the Court on said demurrer the plaintiffs except. Whereupon the plaintiffs not desiring to reply, this cause is heard by the Court, a waiver of jury trial being made. Whereupon the Court finds for the defendants and it is considered and adjudged by the Court that defendants go hence without day and recover of plaintiffs their costs herein expended taxed to $

3463 Catherine Joseph et.als. vs. Eli G. Piper et.als.

This day came the parties and submitted this cause to the Court on the demurrer of plaintiffs to the defendants answer. Whereupon the Court do overrule said demurrer. To which ruling of the Court on said demurrer the plaintiffs except. Whereupon the plaintiffs not desiring to reply this cause is heard by the Court, a waiver of jury trial being made. Whereupon the Court finds for the defendants and it is considered and adjudged by the Court that defendants go hence without day and recover of plaintiffs their costs herein expended taxed to $

3464 Catherine Joseph et.als. vs Eli G. Piper et. als

This day came the parties and submitted this cause to the Court on the demurrer of plaintiffs to the defendants answer. Whereupon the Court do overrule said demurrer which ruling of the Court on said demurrer the plaintiffs except. Whereupon the plaintiffs not desiring to reply this cause is heard by the Court, A. waiver of jury trial being made. Whereupon the Court finds for the defendants and it is considered and adjudged by the Court that defendants go hence without day and recover of plaintiffs their costs herein expended taxed to $

3465 Catherine Joseph et.als. vs. Eli G. Piper et. als.

This day came the parties and submitted this cause to the Court on the demurrer of plaintiffs to the defendants answer. Whereupon the Court do overrule said demurrer to which ruling of the Court on said demurrer the plaintiffs except. Whereupon the plaintiffs not desiring to reply this cause is heard by the Court, A. waiver of jury trial being made. Whereupon the Court finds for the defendants and it is considered and adjudged by the Court that defendants go hence without day and recover of plaintiffs their costs herein expended taxed to $

May 15. a. d. 1880. (Saturday)

Isaac Waike
3390 vs.
David Joseph et.als.

This day this cause came on to be heard upon the demurrer of Oliford Reed to Plaintiffs petition and the Court being fully advised in the premises do sustain said demurrer to said petition - Plaintiff asked and obtained leave to amend his petition within 30 days from the rising of this Court, and thereupon this cause was continued -

The State of Ohio
534 vs
Thomas Gardner

Indictment for housebreaking and Larceny -

It is ordered by the Court that H. D. McDowell be allowed $15.00 for services as attorney for defendant in the above case.

French G. Lockwood
3514 vs.
Cook, Morse & Co.

This day came on this cause to be further heard on the motion of Plaintiff for new trial. Whereupon the Court being fully advised in the premises do overrule said motion and it is therefore considered ordered and adjudged by the Court that the defendants recover of the plaintiff the sum of six hundred and twenty and 40/100 dollars and their costs herein expended. And by order of the Court the defendants remit one hundred and twenty eight and 75/100 dollars being the sum of Goot promised by defendants to be said plaintiff in the trade between the parties leaving the sum of four hundred and ninety one and 65/100 dollars and costs for which judgment is rendered in defendants favor against plaintiff. 359.

To all of which rulings and judgments the plaintiff excepts and asks the Court to sign and seal his bill of Exceptions which is accordingly done. and ordered to be made part of the record -

Oliver Lockwood &
Erastus Lockwood
3239 vs Entry -
French Lockwood &
Angeline Lockwood

This day came the parties and thereupon this cause came on to be heard by the Court on motion of plaintiffs to have the defendants dealt with for contempt for violation of the injunction of the Court in this cause heretofore granted in cutting and selling timber. Whereupon the Court find the defendants guilty of violation of the injunction aforesaid but not of wilful disobedience and therefore discharge them on the payment of the costs of this proceeding - It is therefore considered and adjudged that the plaintiffs recover of the defendants the costs of this proceeding taxed $

Saturday. May 15. A. D. 1880

3581 P. R. Kerr, Plaintiff
vs.
M. D. Lyon. Defendant

On suggestion of the defendant herein that the transcript of the justice of the Peace of Claiborne Township in said County of Union sent up to this Court in this case is imperfect and defective it is on motion of the said defendant ordered that the justice of the peace do forthwith certify up to this Court a complete and perfect transcript of the record and proceedings aforesaid.

Said Complete and perfected transcript having been filed in accordance with the order of this Court and this cause then coming on to be heard upon the motion of the defendant to dismiss the appeal herein and it appearing to the Court that the judgment herein was rendered before the said justice of the Peace G. S. Gill on the 16th. day of February 1880 and in favor of the defendant herein and against the plaintiff herein for the sum of twenty five cents. That from said judgment the said plaintiff appealed, that on the 25th day of Februay 1880 the said plaintiff put in his undertaking for his appeal and that on the 18th day of March 1880 the said plaintiff filed his transcript with the Clerk of this Court the said filing being more than thirty days after the rendition of said judgment. It is therefore Considered by the Court after due consideration that the said appeal be and the same is hereby dismissed at the Cost of the appellant. It is therefore considered by the Court that defendant recover of plaintiff his costs herein expended taxed to $

3698 Nancy Higgins Guardian of Joseph C. Graham a minor
Against
Harrison Shaw and Ada May Reed a minor. Defendants

This day this cause came on for hearing upon the return of the Sheriff and the report of the Commissioners heretofore appointed herein and on the motion to confirm the same. And it appearing that said Estate can not be divided by metes and bounds without injury to the value thereof and that said Commissioners have made and returned their appraisement of said premises in the sum of $43 00 per acre being a total of $1827 00. The Court find the said return and proceedings in all respects correct and in conformity to law and do therefore approve and confirm the same. And it appearing to the Court that said Harrison Shaw has elected to take the said premises at their appraised value the same are therefore upon payment of the sum of $1827 00 adjudged to him and the Sheriff is ordered to Convey said premises by deed in fee simple. It is further ordered that of the proceeds of said sale the Sheriff pay. First to the Treasurer of County of Union $ taxes due on said premises. Secondly to the Clerk of this Court the Costs of this action including a Counsel fee of $38 66 to J. M. Kennedy his service herein taxed to $-67 34 3d And of the residue of the proceeds of said sale to the plaintiff Nancy Higgins as such guardian of Joseph C. Graham, one twenty fourth part of said balance of said Estate to wit the sum of $ And to Ada May Reed one twenty fourth part of the residue of said estate to wit: the sum of $

Saturday. May 15. A. D. 1880

No. 3617 G. H. Ballard, Plaintiff vs. L. M. Beebe and Emeline Beebe, Defendants } In foreclosure.

And now came the plaintiff herein and the defendants being in default for answer and demurrer the Court find the allegations of the petition are confessed by them to be true and that there is due to plaintiff from the defendant L. M. Beebe on the promissory note set forth in the petition with interest to the 17th day of May 1880 the sum of one hundred Eighty Six and 90/100 Dollars. The Court further find that in order to secure the payment of said note the defendants L. M. Beebe and Emeline Beebe his wife executed and delivered to the said L. P. Wimer their certain mortgage deed as in the petition described and on the premises therein described, that said mortgage was duly recorded in book 15 page 234 of the Records of Mortgages of said Union County and is the first and best lien on the premises in the petition described. It is therefore considered and adjudged that unless the defendant L. M. Beebe shall within ten days from the entry of this decree pay or cause to be paid to the Clerk of this Court the costs in this case and to the plaintiff herein the sum so found due as aforesaid with interest from the 17th day of May 1880 at eight per cent per annum that the defendants equity of redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of Union County this directing him to sell said premises as upon execution and bring the proceeds into Court for further order.

2183 Newton Case vs. C. C. Vansant et.al. Continued for service.

3177 Francis M. Oglesby vs. Charles Hobbs et.als. } This day came on this cause to be heard and was dismissed at the cost of the Plaintiff. It is therefore considered and adjudged by the Court that the defendant recover of the plaintiff his costs herein expended taxed to $

3205 Miller Charles F. vs. Jacob Krouskop et.als. Continued.

3312 James H. Reed vs. William M. Carr et.al. Continued.

3366 S. Walker vs. J. T. Lenax et.als. Continued.

3368 Solomon Walker vs. G. W. Cannon et.als. Continued

Thereupon the Court adjourned until Monday morning at 9 o'clock

502

Venire

Sheriff's return

Monday May 17 A. D. 1880

Court met at 9 o'clock this morning pursuant to adjournment. The same officers being present as on Saturday.

502 The State of Ohio vs. Amos H. Instreep — Indictment for Murder in first degree.

This day came the Prosecuting Attorney on behalf of the State of Ohio, the defendant Amos H. Instreep being brought into open Court in the custody of the Sheriff, his Counsel also coming. And the Venire Facias for the jury in this case heretofore issued according to law returnable this day was duly returned by said Sheriff with his indorsement thereon as follows:

Venire — The State of Ohio, Union County, ss. To the Sheriff of said County, Greeting We Command you that, without delay, you summon 1 J. H. Penhorwood of York Township. 2 George Eib of Union, 3 W. C. Henderson of Millcreek. 4 H. N. Amine of Paris. 5 Cornelius Vanosdle of Washington 6 Jerry Rinehart of Leesburgh. 7 J. T. Cunningham of Jerome. 8 J. R. Hutchinson of Millcreek 9. L. G. Monroe of York. 10 A. B. Stucker of Leesburgh. 11 D. W. Godman of Claibourne. 12 Samuel McNeil of York. 13 William Benson of Darby. 14 John Connor Jr. of Union. 15 Thomas Wharton of Paris. 16 Charles Bishop of Claibourne 17 William Jolliff of Taylor. 18 John M. Blue of Jackson. 19 John Park of Union. 20 John M. Roney of Dover. 21 Gregory Hawley of Paris. 22 S. Ford of Taylor. 23 S. S. McElroy of York. 24 John Weidman of Paris. 25 A. Wiley of Claibourne. 26 A. R. Showalter of Union. 27 C. F. Hickins of Paris. 28 William Howard of Union. 29 John Comey of Paris. 30 J. Ohara of Jerome. 31 John Kilberry of Darby. 32 Henry Marriott of Claibourne. 33 Frank Marriott of Claibourne. 34 W. H. Sidle of Claibourne, 35 D. S. Sneed of Leesburgh and 36 W. G. Davis of York Township to be and appear before the Court of Common Pleas within and for said County of Union, at the Court House in Marysville, in said County, on Monday the 17th day of May A. D. 1880 at nine o'clock in the forenoon, and so from day to day until discharged, then and there to serve as Petit Jurors in the case of the State of Ohio against Amos H. Instreep on an indictment for murder; and how you shall execute this writ make appear to our said Court on the thirtieth day of April, and have you then and there this writ. Witness my signature as Clerk of our said Court, at Marysville this 15th day of April A. D. 1880.

(Seal) W. M. Winget Clerk

Sheriffs return — "The State of Ohio, Union County, ss. Sheriff's Office, Marysville, On the following days of April, 1880. I served this writ on the within named persons, to-wit: 1 J. H. Penhorwood April 20th By delivering copy. 2 George Eib April 16th by delivering copy. 3d W. C. Henderson April 19th By delivering copy. 4 H. N. Amine April 17th By delivering copy. 5 Cornelius Vanosdle April 20th By delivering copy. 6 Jerry Rinehart April 20th by delivering copy. 7 J. T. Cunningham April 19th By delivering copy. 8 J. R. Hutchinson April 20th 1880 By leaving copy at usual place of residence. 9. L. G. Monroe April 20th By delivering copy. 10 A. B. Stucker April 23d By delivering copy. 11 D. W. Godman April 17th By delivering copy. 12 Samuel McNeil April 19th By delivering copy. 13 William Benson April 19th By delivering copy. 14 John Connor Jr. April 16th By delivering copy. 15 Thomas Wharton April 17th

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By delivering copy. 16 Charles Bishop April 17th By delivering copy, 17 William Jolliff April 20th By delivering copy, 18 John M. Blue April 22d By leaving copy at usual place of residence, 19 John Park, Not an elector of my County, 20 John M. Roney April 22d By delivering copy, 21 Gregory Hawley By delivering copy April 17. 22 S. Ford April 20th By delivering copy, 23 S. S. McIlroy Not an elector of my County, 24 John Weidman April 17th By delivering copy, 25 A. Wiley April 17th By delivering copy, 26 A. R. Showalter April 16. By delivering copy, 27 C. F. Wilkins April 17th By delivering copy, 28 William Howard April 16th By delivering copy, 29 John Homey April 17th By delivering copy, 30 J. Ohara April 19th By delivering copy, 31 John Kilbery April 19th By delivering copy, 32 Henry Marriott April 17th By delivering copy, 33 Frank Marriott April 17th By delivering copy, 34 W. H. Sidel April 17th By delivering copy, 35 D. S. Sneel April 20th By leaving copy at usual place of residence, 36 W. G. Davis April 20th By leaving copy at usual place of residence.

Sheriffs Fees, Fifteen dollars. J. J. Miller Sheriff of Union County Ohio.

And also the Alias Venire Facias heretofore issued according to law returnable this day was duly returned by said Sheriff with his endorsement thereon as follows:

2d Venire — The State of Ohio, Union County, ss. To the Sheriff of said County Greeting: We command you that, without delay, you summon / Adam Zuams of Jackson Township, 2d A. Sager of Taylor Township, 3d Ray G. Morse of Darby Township, 4 J. H. Kormer, of Jerome Township to be and appear before the Court of Common Pleas within and for said County of Union, at the Court House in Marysville, in said County on Monday the 17th day of May A. D. 1880 at 9 o'clock in the Forenoon and so from day to day until discharged, then and there to serve as petit Juors in the case of the State of Ohio, against Amos H. Snoke on an indictment for murder; and how you shall execute this writ make appear to our said Court on the first day of May, and have you then and there this writ. Witness my signature as Clerk of our said Court, at Marysville this 23d day of April A. D. 1880. W. M. Kinget Clerk.

Seal

Sheriffs return — The State of Ohio, Union County, ss. Sheriffs Office Marysville. On the following days of April 1880, I served this writ on the within named persons to wit: / Adam Zuams April 26th By leaving copy at usual place of residence. 2 A. Sager April 23d By delivering copy, 3 Ray G. Morse April 23d By delivering copy, 4 J. H. Kormer April 23d By delivering copy. J. J. Miller Sheriff

Whereupon the said Venire Facias and Alias Venire Facias being called in open Court all the persons named therein and above appeared and answered in person except Cornelius Vanosdle, John M. Roney and W. G. Davis, John Park and S. S. McIlroy and thereupon the defendant by his Counsel not demanding or desiring that any other or further juros be drawn from the box nor the issuing of any other or further Venire Facias for additional juros the Court directed that the panel of thirty six juros be completed by Summoning a sufficient number therefor from among the bystanders. Thereupon the Sheriff pow among the bystanders summoned and called W. W. Clevinger a person having the qualifications of a juror who was added to said panel making the same thirty six. And upon the further call of said Venire and said Alias Venire, for cause shown the said

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J. H. Penhorwood, W. C. Henderson, J. R. Hutchinson, L. G. Monroe, D. H. Godman, Samuel McSkal, Charles Bishop, Gregory Hawley, A. Wiley, C. F. Wierius, William Howard, J. Ohara were challenged and excused and the defendant by his counsel peremptorily challenged the said J. T. Cunningham A. B. Stucker, A. R. Showalter, John Homey, Henry Mariott, Frank Mariott, H. H. Sidle, Adam Zuams, A. Sager and J. H. Horner and S. Ford and the said plaintiff by its attorney peremptorily challenged said John Connor Jr. And thereupon the selection and impaneling of the jury not having been completed the Court adjourned until tomorrow morning at half past 8 o'clock.

3316 Mary M. Curry vs. Cordine Curry

This cause came on to be heard on the return of the Sheriff of the writ of execution issued herein with his report of his proceedings and sale of lands and tenements under said writ, And the Court having carefully examined the said proceedings being satisfied that the said sale has in all respects been made in conformity to the provisions of the statute in such cases made and provided finds the same to be legal and does therefore approve and confirm the same. It is further ordered that the Sheriff make to the purchaser T. B. Benton a deed in fee simple for the lands and tenements so sold to wit: Being the west half of Lot No. 237 in Marriott's addition to the town of Richwood Union County, Ohio. And the said purchaser is hereby subrogated to all the rights of any lien holder who shall be satisfied herein for the protection of his title and a writ of possession is awarded to put the said purchaser in possession of said premises. And the Court coming now to the distribution of the purchase money in the hands of the Sheriff orders that he pay: First, to the Clerk of this Court the costs of this action taxed at $ 34 45. Second to the Plaintiff Mary M. Curry the amount of the judgment herein rendered with interest to this date to wit: the sum of $171 08. And the purchaser is to pay the taxes on said premises.

3443 Francis S. Hoyt exec vs. W. S. Alden Continued by consent.

3448 Union Central Life Ins. Co. vs. James Williams Continued by agreement.

3452 Lucy V. French et.als. vs. John H. Preston et.als. Continued

3455 Lucy V. French et.als. vs. Benjamin Hill et.als. Continued.

Whereupon the Court adjourned until tomorrow morning 8 1/2 o'clock.

Tuesday May 18. 1880

Court met at 8½ o'clock this morning pursuant to adjournment- the same officers being present as on yesterday-

No. 502 — The State of Ohio vs. Amos H. Inskeep — Indictment for murder in the first degree.

This day again came the State of Ohio by her prosecuting attorney and the defendant also came in person in the custody of the Sheriff and with his counsel. And thereupon also came the persons named as jurors in said Venire Facias and said Alias Venire Facias not peremptorily challenged, nor excused for cause yesterday, and also came the said W. W. Clevinger and the further selection and empanneling of the jury continuing the said John M. Blue was excused for cause and thereupon the Sheriff from among the bystanders summoned and called J. S. Paris a person having the qualifications of a juror who together with said George Erb, H. S. Aurine, Jerry Rinehart, Thomas Wharton, William Jolliff, John Weidman, John Kilbery, D. S. Sneed, Ray G. Morse, W. W. Clevinger and William Benson were accepted empanneled and sworn to true and truly try and true deliverance make between the State of Ohio and the prisoner at the bar Amos H. Inskeep- And the parties by their counsel having stated their respective cases together with the evidence they expected to produce in support thereof respectively, the cause proceeded to trial and the State of Ohio having offered evidence in support of the accusation and charge made in her said Bill of Indictment rested and the defendant by his counsel offered evidence on his part and without concluding the Court after instructing the jury as to their duty during recess adjourned its sitting until tomorrow morning at half past 8 o'clock.

3530 — Elizabeth Wolford vs. George W. Poling et.als. — On motion of the plaintiff and on his producing the Return of the Sheriff of the sale made under the former order of this Court; and the Court on careful examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this Court, it is ordered that the said proceedings and sale be and they are hereby approved and confirmed and it is further ordered that the said Sheriff convey to the said purchaser Josiah Wellake by deed in fee simple the lands and tenements so sold and the said purchaser is hereby subrogated to all the rights of the said lien holders in said premises so far as they may be paid herein for the protection of his title and a writ of possession is awarded to put said purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale amounting to $475.00 it is ordered that the Sheriff out of the money in his hands pay. First the costs of this case taxed at $37.37 Second, To the Plaintiff Elizabeth Wolford the amount heretofore found due her with interest to wit: $175.82, Third. To the defendant Mary Harris the amount heretofore found due her with interest to wit, the sum of $175.82. Fourth. The balance remaining to Sarah J. Poling amounting to $

Thereupon the Court adjourned until tomorrow morning at 8½ o'clock.

Wednesday May 19. A. D. 1880.

Court met at 8 1/2 o'clock this morning - pursuant to adjournment. The same officers being present as on yesterday.

3374 Maria L. Reed et al. vs Ebin P. Hathaway et. als. This day came the defendants the Woodstock Bank by their attorneys and asked and obtained leave of Court to file herein an amended answer and cross petition and amended answer and cross petition filed.

502 The State of Ohio vs. Amos H. Inskeep } Murder in first degree.

Now comes the prosecuting attorney on behalf of the State of Ohio, said Amos H. Inskeep being brought into open Court in custody of the Sheriff, his counsel also coming and the examination of witnesses by said Amos H. Inskeep being still in progress, thereupon the Court adjourned until tomorrow morning at half past eight o'clock.

Thursday May 20 A. D. 1880

Court Convened at 8 1/2 o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

502 The State of Ohio vs. Amos H. Inskeep } Indictment for murder in first degree.

Now comes the prosecuting attorney on behalf of the State of Ohio, said Amos H. Inskeep being brought into open Court in custody of the Sheriff, his counsel also coming and the examination of witnesses by said Amos H. Inskeep being still in progress, thereupon the Court adjourned until tomorrow morning at half past eight o'clock.

3467 Francis M. Hubbard vs. Daniel M. Hubbard Continued

3488 State of Ohio vs. John Mayo Leave off docket.

3479 Albert B. Witter vs Luther Lane } This day came on this cause to be heard and was dismissed without prejudice at plaintiffs cost. It is therefore considered and adjudged by the Court that the defendant recover of the plaintiff his costs herein expended taxed to $

Whereupon Court adjourned until tomorrow morning at 8 1/2 oclock.

Friday, May 21st 1880

Court met at 8 1/2 o'clock this morning pursuant to adjournment. the same officers being present as on yesterday-

No. 502 The State of Ohio vs. Amos H. Inskeep } Indictment for murder in first degree.

Now comes the prosecuting attorney on behalf of the State of Ohio, said Amos H. Inskeep being brought into open Court in custody of the Sheriff, his counsel also coming and the examination of witnesses by said Amos H. Inskeep being still in progress, thereupon the Court adjourned until tomorow morning half past eight o'clock-

Saturday Morning May 22nd 1880.

Court met at 8 1/2 o'clock A. M. pursuant to adjournment- The same officers being present as on yesterday.

No. 3610 Samuel D. Laird Plaintiff vs. Louisa V. Wilcox, Stanton V. Wilcox Joseph Wilcox, Frederick A. Wilcox Orlando Wilcox, Charles E. Wilcox Limie Wilcox, Laura Wilcox Randolph Wilcox, Sarah Ellen Laird- Defendants- } Common Pleas, Union County Ohio.

Now came the plaintiff and the minor defendants herein by their attorney, and thereupon this cause came on to be heard upon the petition of the plaintiff, and the answer of the minor defendants Stanton V. Wilcox, Orlando Wilcox, Charles E. Wilcox, Limie Wilcox, Laura Wilcox, Randolph Wilcox, Joseph Wilcox and Fredrick A. Wilcox by their guardian ad litem and the evidence; on Consideration whereof the Court find that all of the defendants have had due legal notice of the pendency and demand of the petition and that the said Louisa V. Wilcox and Sarah Ellen Laird are in default for answer and demurrer And that the said petition is confessed by them (the said defendants in default) to be true. And the Court further find that the said Samuel D. Laird plaintiff is seized of and has a legal right to the undivided one third (1/3) part, and the said Sarah Ellen Laird his wife is seized of and has a right to the undivided one sixth (1/6) part thereof, of the premises described in the petition. That the said Louisa V. Wilcox is seized of and has a legal right to the undivided one third, and as widow of Charles E. Wilcox deceased is entitled to dower in the undivided one sixth part of the premises described in the petition, And that the said Samuel D. Laird Plaintiff is entitled to have partition made of said premises; and that the defendants are tenants in common with the said plaintiff in the proportions following to wit: The said minor heirs of Charles E. Wilcox deceased are seized of and have a legal right to the undivided one sixth part thereof (subject to such dower of the said Louisa V. Wilcox)

Saturday May 22d A. D. 1880.

The proportions of the other defendants are as herein before stated. And no reason appearing why partition should not be made; It is therefore ordered adjudged and decreed that partition of said estate be made, and that an order issue to the Sheriff of the said County of Union commanding him that by the oaths of James Harris and F. J. Sager, Darius Buxton three disinterested and judicious freeholders of the vicinity, who are not of kin to either party, and who are hereby appointed Commissioners for that purpose he cause to be set off and divided to the said plaintiff and to the said Louisa V. Wilcox and the heirs of Charles E. Wilcox the parts and proportions of the said estate to which they are hereinbefore severally found entitled. And it is ordered that if in the opinion of the said Commissioners said premises cannot be divided by metes and bounds without injury to the value thereof they appraise the same both subject to and also free from the dower of the said Louisa V. Wilcox in the undivided one sixth part thereof. And of his proceedings herein the said Sheriff is ordered to make due return without unnecessary delay.

502 The State of Ohio vs. Amos H. Inskeep } Indictment for murder in the first degree.

Now comes the prosecuting attorney on behalf of the State of Ohio, said Amos H. Inskeep being brought into open Court in custody of the Sheriff, his counsel also coming and the examination of witnesses by said Amos H. Inskeep being still in progress. Thereupon the Court adjourned until Monday morning at nine o'clock

3599 John F. Zimmer vs. James Leeper et al. } Settled & cost paid.

3481 Ellen Turpin vs. Thomas Turpin } Settled & cost paid.

3497 Ramsey Hannegan for the use of Daniel Kaltman vs. W. S. Douglass. Continued

3498 The State of Ohio for the use of Sarah E. Brown vs. Charles Snodgrass. Continued. For entry

3510 Emily L. Goff vs. A. T. Tallman et.als. Settled & cost paid. No record.

3523 Peter Grisell vs. T. P. Freeman et.al. Settled & cost paid. No record.

Whereupon the Court adjourned until Monday morning next at 9 o'clock.

Monday May 24. A. D. 1880.

Court met at 9 o'clock this morning pursuant to adjournment. The same officers being present as on Saturday-

802 The State of Ohio vs. Amos H. Inskeep } Indictment for murder in first degree.

-Now comes the prosecuting attorney on behalf of the State of Ohio, said Amos H. Inskeep being brought into open Court in custody of the Sheriff, his counsel also coming and the examination of witnesses by said Amos H. Inskeep being still in progress, thereupon the Court adjourned until tomorrow morning at half past eight o'clock. 360

3620 F. M. Drake vs. C. J. Haines & J. B. Haines }

And now comes the said F. M. Drake by Carpenter & Brodrick his attorneys and the said C. J. Haines and J. B. Haines having failed to demur or answer to the petition of the said F. M. Drake, it is considered that the said F. M. Drake ought to recover the said sum of $297.20 demanded in his petition together with the sum of $19.93 which the Court finds due as the interest thereon at 8% as prayed for in said petition. It is therefore considered that the said F. M. Drake recover against the said C. J. Haines and J. B. Haines the said sum of $316.93 with 8% interest thereon from May 3d A. D. 1880 together with his costs in and about his suit in this behalf expended taxed to $

3374 Maria L. Reed et al. vs. Eben P. Hathaway et als. }

This day this cause came on for hearing upon the amended answer and cross petition of the Woodstock Bank herein filed and the said defendant Catherine A. Brown still failing to answer or demur to said Amended answer and cross petition the Court find on the evidence that the said Catherine A. Brown executed the note and mortgage in said amended Answer and cross petition mentioned at the time and upon the Consideration therein stated, and that said mortgage was duly recorded at the time therein alleged, And the Court further find that the said Woodstock Bank is the legal owner and holder of the said note and mortgage and is entitled to an account of the money due it in the premises, and the Court do find that there is due to the said defendant the Woodstock Bank, from the said defendant Catherine A. Brown on the note and mortgage in said Amended Answer and cross petition described the sum of Sixteen hundred and forty Two and 49/100 Dollars with interest thereon from the 3d day of May A. D. 1880, which is a lien on said premises in said amended Answer and cross petition mentioned-

It is therefore considered, ordered, adjudged and decreed that in case the said defendant Catherine A. Brown fails for ten days from

Monday May 24. A. D. 1880

the entry of this decree to pay to the said defendant the Woodstock Bank the said sum of Nineteen hundred and Forty two and 49/100 Dollars so as aforesaid found due, with interest thereon from the 3d day of May A. D. 1880 and costs of suit, an order issue to the Sheriff of said County of Union, commanding him to cause the said lands and tenements in said Amended Answer and Cross Petition described to be appraised advertised and sold according to law, and apply the proceeds of said sale in satisfaction of the said sum so found due with costs of suit.

Samuel Harrison
vs.
3603 Margaret Harrison et.als.

This day came the plaintiff herein by his attorneys, and his petition thereupon coming on to be heard, the Court find that all of the defendants have had due legal notice of the pendency and demand of the said petition, and that they are in default for answer and demurrer; and that the said petition is thereby confessed by them to be true. Thereupon the Court find that the said Margaret Harrison, widow, was entitled to dower in said premises, but has by answer herein, waived the assignment of the same by metes and bounds and elects to take the reasonable value thereof in money and that subject to said dower interest, the said plaintiff and defendants are tenants in common in said premises the following proportions to wit:

II. To the said Samuel Harrison one undivided one eighth part thereof.
III. To the said Zebulon Harrison one undivided one eighth part thereof.
IIII. To the said John Harrison one undivided one eighth part thereof.
IV. To the said George W. Harrison one undivided one eighth part thereof.
V. To the said Sarah Dickinson one undivided one eighth part thereof.
VI. To the said Hannah Dickinson one undivided one eighth part thereof.
VII. To the said William H. Johnson one undivided one eighth part thereof.
VIIII. To the said William H. Harrison one undivided one eighth part thereof

And no reason appearing why partition should not be made, it is therefore considered, ordered, adjudged and decreed that the said Margaret Harrison, in lieu of her dower in said lands receive the reasonable value thereof in money and that partition of said estate be made; and that an order issue to the Sheriff of the said County of Union, commanding him that by the oaths of William Milligan, Elisha Wells and Henry Wheeler, three judicious and disinterested freeholders of the vicinity (who are not of kin to either party) who are hereby appointed Commissioners for that purpose he cause to be set off and divided to the said plaintiff and to each of the said defendants the part and proportion of the said estate to which they are herein before severally found entitled. And it is ordered that if, in the opinion of the said Commissioners said premises can not be divided by metes and bounds without injury to the value thereof, they appraise the same free from the dower of the said Margaret Harrison. And of his proceedings herein the said Sheriff is ordered to make due return forthwith at this term of the said Court.

Whereupon the Court adjourned until tomorrow morning at 8½ o'clock

Tuesday May 24th A. D. 1880

Court met at 8 1/2 o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

3502 State of Ohio vs. Amos H. Inskeep } Indictment for murder in first degree.

Now comes the prosecuting attorney on behalf of the State of Ohio, said Amos H. Inskeep being brought into open Court in custody of the Sheriff, his counsel also coming and the examination of witnesses by said Amos H. Inskeep being concluded, thereupon the Court adjourned until tomorrow morning at half past eight oclock. 3574

Wednesday May 26. 1880.

Court met at 8 1/2 o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

3502 The State of Ohio vs. Amos H. Inskeep } Indictment for murder in first degree.

Now comes the prosecuting attorney, on behalf of the State of Ohio, said Amos H. Inskeep being brought into open Court in custody of the Sheriff, his counsel also coming and the examination of witnesses by said State of Ohio being in progress, thereupon the Court adjourned until tomorrow morning at half past eight o'clock. 50

3519 Edward S. Thuchman vs. Jacob Rose } This day this cause was settled at Plaintiffs costs. It is therefore considered ordered and adjudged by the Court that the defendant recover of the plaintiff his costs herein expended taxed to #

3541 Ellen Beem vs. James M. Gaston Continued. 357

3551 Muriela Keith vs. Charles Keith Continued. 35

3554 Cornelius Mulvaine vs. Jonas Figley Continued by agreement. 35

3569 Emma Schofield vs. Thomas Schofield et als. Costs for service. 35
Thereupon the Court adjourned until tomorrow morning at 8 1/2 o'clock.

Thursday May 27. A. D. 1880

Court met at 8 1/2 o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

Henry M. Weaver and
Eliza B. Kimball partners as
H. M. Weaver & Co.
vs.
3574 John Leister, Defendant

Now come the plaintiffs by their attorneys and the said defendant though duly and legally notified of the pendancy and prayer of the petition herein comes not but makes default. And thereupon the defendant being in default for answer and demurrer. the Court find that the allegations of the petition are by him confessed to be true, and that the said defendant is indebted to the plaintiff upon the account stated in the petition in the sum of $967 78. It is therefore considered by the Court that the said plaintiffs recover of the said defendant the said sum of nine hundred and sixty seven and 78/100 dollars and his costs herein expended taxed to $63.41 And it is further ordered that the proceeds of the sale heretofore made in this case under the former order of the Court amounting to $800 00 be distributed as follows to wit: To the payment of the costs in this case $ 63.41 2d To the plaintiffs the balance of said proceeds amounting to $736.59 after paying costs. and that said balance be credited upon the judgment.

The State of Ohio
vs.
509 Amos H. Snoke } Indictment for murder in 1st degree.

Now comes the prosecuting attorney. on behalf of the State of Ohio, said Amos H. Snoke being brought into open Court in custody of the Sheriff. his counsel also coming and the examination of witnesses by said State of Ohio being in progress, thereupon the Court adjourned until tomorrow morning at half past eight o'clock.

3578 Lucy L. Glenn vs. William Glenn. Continued. No counsel responding.

3580 C. J. Wyeth vs. Thomas Moffit et.al. Continued.

3585 John Lamb vs. Benjamin Evans Continued by consent

George C. Welch
vs
3583 W. H. Contright } Continued with leave to defendant to answer in 40 day from the rise of the Court.

Whereupon the Court adjourned until tomorrow morning at 8 1/2 o'clock.

Friday May 28. A. D. 1880

Court met at 8 1/2 o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

502 The State of Ohio vs. Amos H. Inskeep } Indictment for murder in first degree.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, said Amos H. Inskeep being brought into open Court in Custody of the Sheriff, his Counsel also coming, and the examination of witnesses by said State of Ohio being concluded said Cause was Continued for argument on Monday morning next.

3627 B. F. Stahl vs. Washington Davis }

It appearing upon the affidavit of the defendant that Elizabeth A. Stahl, Thomas Moffit, Mary K. Robertson and Wyeth each make a claim to the subject of this action, and that he, the said defendant, is ready to pay the same as the Court may direct, it is hereby ordered that said defendant pay over the money in his hands to wit: the sum of $ the amount due on the note described in the petition so by the said Elizabeth A. Stahl, Thomas Moffit Mary K. Robertson and Wyeth claimed to the Clerk of this Court for the safe keeping thereof, until further order, And it is ordered that the said Elizabeth A. Stahl, Thomas Moffit, Mary K. Robertson and Wyeth severally appear within 60 days from the rising of this Court and maintain or relinquish their several claims against the defendant, and in default thereof that they be barred of all claim to said property.

3584 George C. Wech vs. W. H. Conwright Admr } Continued with leave to defendant to answer in forty days from the rising of the Court.

3589 H. C. Hamilton vs. James Cutler et al. Continued

3591 Eli Gibson vs. Thomas B. Benton Assignee. Continued.

3597 Thomas Snodgrass vs. Benjamin Lock Leave off docket.

Whereupon the Court adjourned until tomorrow morning at 9 o'clock.

Saturday May 29th A. D. 1880.

Court met at 9 o'clock this moming pursuant to adjournment. The same officers being present as on yisterday.

3348 Margaret Grant vs. John Moore et.als.

This day came on this cause to be heard on the pleadings and evidence. Whereupon the Court find the allegations of the Amended Answer of Cyrus Moore, Elizabeth Moore and Martha Ellen Moore filed January 10. 1880 are true and that the said parties by the said will of Margaret Moore dec'd are by a proper construction of said will and evidence entitled to the premises in said petition described subject to the payment of her debts. It is therefore ordered and decreed by the Court that the said Cyrus Moore, Eliz abeth Moore and Martha Ellen Moore legatees in said will be quieted in their said title and possession to said premises subject to the payment of said debts, and said others heirs of said Magdalene Moore decd are enjoined from further proceeding to obtain said premises. And as this decree is made on said Answer and for the benefit of said legatees, they are ordered to pay the costs of this proceeding within ten days and in default that execution issue for the same.

3603 Samuel Harrison vs. Margaret Harrison et.als.

On motion to the Court by Carpenter & Brodrick Counsel for said petitioner and upon producing the return of the Sheriff and the report of said Commissioners heretofore appointed and the same having been examined by the Court here and found in all respects correct and in conformity to law; it is hereby ordered that the said proceedings and report be, and the same are hereby approved and confirmed; and thereupon neither of the said parties electing to take the said premises at the said valuation, it is ordered that the said premises be sold at public sale by the Sheriff of said County of Union, according to law, and that he return his doings in the premises to the next term of this Court, to which time this cause is continued.

3622 George B. Tucker vs. J. W. Severe et.als.

Now comes the plaintiff by his attorneys and the defendant J. W. Severe being in default for answer and demurrer this cause came on for hearing on the petition and evidence. On consideration whereof the Court finds that said J. W. Severe is indebted to the plaintiff in the sum of one hundred and sixty seven and 57/100 Dollars in manner and form as in said petition alleged. It is therefore considered by the Court that the said plaintiff recover from the said J. W. Severe defendant impleaded herein with S. J. Campbell the said sum of $167 57/100 and his costs herein expended and as to said S. J. Campbell this cause is continued for service.

Saturday May 29. A.D. 1880.

3588 J. A. Dickey Plaintiff
vs.
John F. Fredrick
Clinton Butler and
James Thompson. Defendants
Common Pleas. Union County Ohio.

Now came the plaintiff herein and the said defendants John F. Fredrick and Clinton Butler being in default for answer this cause came on for hearing upon the petition and evidence. On consideration whereof the Court find the allegations of the petition to be true, and find that James Thompson and Ametta Thompson his wife executed and delivered to J. W. Knapp the mortgage deed in the petition described and on the premises therein described, that said mortgage was duly recorded in Book 14 Page 95 of the Records of mortgages of Union County and is the first and best lien on the premises described in the petition. The Court further find that the notes and mortgage described in the petition were duly assigned and transferred by the said J. W. Knapp to the plaintiff herein and that the said plaintiff is and was the legal owner and holder thereof as alleged in the petition and that there is due to the said plaintiff thereon the sum of Four hundred and thirty two and $\frac{83}{100}$ dollars ($432 $\frac{83}{100}$). The Court further find that the condition of defeasance in said mortgage has been broken and that the said plaintiff is thereby entitled to have the equity of redemption of the said John F. Fredrick and Clinton Butler in said lands foreclosed.

It is therefore considered that unless the said John F. Fredrick and Clinton Butler defendants shall within ten days from the entry of this decree pay or cause to be paid to the Clerk of this Court the Costs in this case and to said plaintiff the sum of Four hundred and thirty two & $\frac{83}{100}$ dollars with interest at 8 per cent from May 3. 1880 the first day of this term according to the terms of said mortgage deed, the said defendants equity of redemption be foreclosed, and said premises shall be sold and an order of sale shall issue therefor to the Sheriff of Union County directing him to appraise, advertise and sell said premises as upon execution and bring the proceeds into Court for further order.

Thereupon the said defendants John F. Fredrick and Clinton Butler gave notice of their intention to appeal this cause to the District Court and the Court fixed the bond for appeal at $400 ^{00}.

3602 M. E. Pyers vs. Selestine Pyers et al. Continued for service

3605 Edward E. Cole Assignee re. vs. Henry Sheridan et al. Continued

3609 Woodstock Bank vs. Catherine Brown et al Continued.

3613 The State of Ohio vs. Benjamin Lock Continued

Saturday May 29. A. D. 1880

2138 Richwood Union Building & Savings Association. Plaintiff vs. Ross Scott et. al. Defendants. } Union Common Pleas.

On motion of the defendants and good cause shown therefor, it is ordered that this cause be and it hereby is referred to J. H. Kinkade Esq. who is hereby appointed referee herein to take and state an account between said parties. And to report to the Court without unnecessary delay. It is further ordered that in said account the said referee state the total amount of the net earnings arising from the loans and other investments of the moneys of said association; 2d the total amount of the expenditures and losses thereof; 3d the total number of shares of stock in said Association; 4. the probable duration thereof; 5. the total premiums bid from the beginning, and 6th the total amount of interest accrued on loans. 7. the amounts and dates of all loans to defendants. 8. the premiums on which said loans were made. 9. the amount of the interest accrued thereon. 10. the amount of dues and interest paid by defendants and 11. the amount of fines paid. 12. the total amount received by plaintiffs from the sale heretofore made in this case. 13. the Pro rata share of the premiums bid by defendants for the time said loan was retained by him to this time. 13. the defendants, pro rata or relative share of the net earnings accrued to the association to date of said accounting. 14. The total amount necessary to adjust and pay off his indebtedness to said Association secured by said mortgage. 15 Total interest on amount paid to the plaintiff, under the former order of this Court in excess of the amount then found due. 16. And all other items necessary to ascertain the present value of said mortgage and the probable duration of said Association. Said referee will also report the evidence taken in writing.

3614 Riley Chapin vs. Elijah Mitchell Continued

3615 Albert Wallace et.al. vs. L. G. Monroe Continued.

3616 M. L. Stewart vs. Job E. Stevenson et.al. Continued

3621 Emma J. James vs. Ebenezer James Continued

3623 The State of Ohio vs. George Wolfert Continued.

3624 A. B. Robinson vs. Samuel Rayford et.al. Continued.

3625 Williams Stillings vs. James B. Cole Trustee &c. Continued

3626 H. H. Woods vs. Jeremiah Hoskins Continued

Whereupon the Court adjourned until Monday morning next at 9 o'clock

Monday May 31st A. D. 1880.

Court convened at 9 O'clock this morning pursuant to adjournment. The same Officers being present as on Saturday.

502 State of Ohio vs. Amos H. Inskeep } Murder in the first degree.

Now comes the prosecuting attorney on behalf of the State of Ohio, said Amos H. Inskeep being brought into open Court in custody of the Sheriff, his counsel also coming and the argument of counsel being in progress and the hour of adjournment having arrived said cause was continued until tomorrow morning at 8 1/2 O'clock.

Tuesday June 1st A. D. 1880.

Court met at 8 1/2 O'clock this morning pursuant to adjournment. The same Officers being present as on yesterday.

502 State of Ohio vs. Amos H. Inskeep } Indictment for Murder in first degree.

Now comes the prosecuting attorney on behalf of the State of Ohio, said Amos H. Inskeep being brought into Open Court in custody of the Sheriff, his counsel also coming and the argument of Counsel being in progress and the hour of adjournment having arrived, thereupon said cause was continued until tomorrow morning at 8 1/2 O'clock

Wednesday June 2d A. D. 1880

Court met at 8 1/2 O'clock this morning pursuant to adjournment. The same Officers being present as on yesterday.

502 State of Ohio vs. Amos H. Inskeep } Indictment for murder in the first degree.

Now comes the prosecuting attorney on behalf of the State of Ohio, said Amos H. Inskeep being brought into open Court in custody of the Sheriff, his counsel also coming and the argument of Counsel being in progress and the hour of adjournment having arrived, thereupon said cause was continued until tomorrow morning at 8 1/2 O'clock

Thursday June 3d 1880

Court met at 8 1/2 O'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

502 State of Ohio vs Amos H. Inskeep } Indictment for murder in first degree.

Thursday June 3d 1880

Now comes the prosecuting attorney on behalf of the State of Ohio, said Amos K. Inskeep being brought into open Court in custody of the Sheriff his Counsel also coming and the argument of Counsel being concluded and the hour of adjournment having arrived said cause was continued for the charge of the Court at 9 o'clock to morrow.

Friday June 4th. A. D. 1880.

Court convened at 9 o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

3639 Russell Company Plaintiffs
vs.
Morris Fozier, Henry Hill
& John Elliott & Henry Powell Defendants
} Cognovit.

This day came the Plaintiff by Robinson & Piper their attorneys and thereupon came M. C. Lawrence one of the attorneys of Record of this Court, who, by virtue of a warrant of attorney duly executed and now produced in open Court and duly proven, waived the issuing and service of process and entered a appearance of said defendants herein, and by virtue of the same warrant of attorney, confesses that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiffs petition the sum of $ 255.54. It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $ 255.54 so as aforesaid confessed to be due together with costs of suit herein to be taxed and with interest to be computed at the rate of seven per centum per annum payable annually. And by virtue of said warrant of attorney all errors are released, and all right of appeal, and all right to file a petition in error are waived.

3638 The Peoples Bank Plaintiff
against
Harman Patch Jr. and
Harman Patch Sr. Defendants
} Cognovit

This day came the Plaintiff by Carpenter & Brodrick Plaintiffs attorneys and thereupon came L. Piper one of the attorneys of Record of this Court, who, by virtue of a warant of attorney duly executed and now produced in open Court and duly proven waived the issuing and service of process and entered appearance of said defendants herein and by virtue of said warant of attorney confessed that there is due from said defendants to said Plaintiff as is alleged in said Plaintiffs Petition the sum of $ 528.03. It is therefore considered that said Plaintiff do recover of said defendants the said sum of $ 528.03 so as aforesaid confessed to be due, together with costs of suit herein to be taxed and with interest to be computed at the rate of Eight per centum per annum. And by virtue of said warant of Attorney, all errors are released, and all right of appeal, and all right to file a petition in error are waived

Friday June 4. A. D. 1880.

No. 502 State of Ohio vs. Amos K. Inskeep } Indictment for murder in first degree.

This day again came the Prosecuting Attorney on behalf of the State of Ohio at 9 o'clock A. M. and the said Amos K. Inskeep being brought into open Court in custody of the Sheriff his counsel also coming and also came the jury heretofore impaneled and sworn and having heard the argument and the charge of the Court retired to their room in charge of the Sheriff for deliberation. After due deliberation thereon the said jury returned the following verdict to-rit:

Verdict The State of Ohio. } In the Court of Common Pleas of said Co. May Term A. D. 1880.
Union County, ss }
The State of Ohio, Plaintiff
against
Amos K. Inskeep Defendant } Criminal action. No. 502.

We. the jury empanneled and sworn to well and truly try, and true deliverance make between the State of Ohio, and the prisoner at the bar Amos K. Inskeep do find the defendant Amos K. Inskeep not guilty of murder in the first degree in manner and form as he stands charged in the indictment but we find the defendant guilty of murder in the second degree as he stands charged in the indictment.

Thomas Wharton Foreman.

Whereupon at the request of the counsel for the defendant that Court ordered that the jury be polled. And upon each juror being called by name and inquired of if the verdict just read was his verdict each for himself separately in open Court answered "it is". Whereupon said defendant Amos K. Inskeep is ordered into the custody of the Sheriff to await sentence. Whereupon the Court adjourned until tomorrow morning at 9 o'clock

8682 The State of Ohio vs. Isaac Mummy and David Mummy } Peace warrant.

This day this cause was settled at the cost of the defendant. It is therefore considered ordered and adjudged by the Court that the Plaintiff recover of the defendants its costs herein expended taxed to $

3571 The State of Ohio vs. Rufus Fogle } Peace warrant

This day came the parties and settled this cause at the cost of the defendant. It is therefore considered and adjudged by the Court that the plaintiff recover of the defendant its costs herein expended taxed to $

Whereupon the Court adjourned until 9 o'clock tomorrow morning.

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