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Saturday June 5th A. D. 1880.

Court met at 9 o'clock this morning pursuant to adjournment. The same officers being present as on yesterday.

3061 Richwood Union Building and Savings Association, Plaintiff vs. Hyeas Sabine et.al. Defendants } In Foreclosure.

This day came on this cause to be heard on the motion of the defendant H. Sabine to set sale aside and was submitted to the Court and the Court being fully advised in the premises do overrule the motion and then on motion of the plaintiff and on this 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 they are hereby approved and confirmed.

And it is further ordered that the said Sheriff convey to the purchaser F. H. Thornhill 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 the purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale amounting to seven hundred and sixty eight Dollars ($768.00) it is ordered that the Sheriff out of money in his hands pay, First, the costs of this action taxed to $ Secondly. the Taxes on said premises including the taxes of 1880 amounting to $93 56/100 And the Court find that the present value of the amounts due on mortgage held by the plaintiff by reason of installments of interest dues and fines falling due since the decree was entered being 66 payments of — up to June 1st 1880 on the 12 Shares making in dues $198.00 in interest $102.96 fines $39.60 making total of $340 56/100 which with amount of former decree $407 56/100 and interest on same to this date $30.57 making total sum of $778.69 which the Court finds due thereon to this date June 1st 1880 under said mortgage and which said sum is the first and best lien upon the interest of the defendants in said premises, it is therefore ordered that said Sheriff pay Thirdly. all the balance of said proceeds amounting to $ to the plaintiff herein and as to sale of the remainder of said premises and all other matters this cause is continued.

3543 Eliza Benton vs. Orson Benton } This day came on this cause 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 his costs herein expended taxed to $

Saturday June 5th A. D. 1880.

3621 Samuel D. Laird Plaintiff
vs.
Louisa V. Wilcox, Stanton V. Wilcox
Joseph Wilcox, Fredrick A. Wilcox
Orlando Wilcox, Charles E. Wilcox
Lizzie Wilcox, Laura Wilcox
Randolph Wilcox and Sarah Ellen
Laird- Defendants. } Common Pleas, Union County Ohio.

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 examined by the Court, and found in all respects correct, and in conformity to law and the former orders of this Court, the said proceedings and report are hereby approved and confirmed. It is therefore ordered and decreed that the said Louisa V. Wilcox have and posess the lands so assigned to her as and for her reasonable dower in said premises and that the other 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 attorneys fee of $20.00 to P. B. Cole for attorneys for services herein taxed to $ be paid by the said parties in the following proportions to wit: one third by the plaintiff, one sixth by Sarah Ellen Laird defendant; one third by the said Louisa V. Wilcox one sixth by the said heirs of Charles E. Wilcox deed to be paid within ten days from the entry hereof and in default execution is awarded. 3184

2857 H. H. Baxter Plaintiff
vs.
T. H. Thieny and other Defendants } In foreclosure.

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 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 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 H. H. Baxter 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 the purchaser in possession of said premises. And the Court coming now to distribute the proceeds of said sale amounting forty Eight hundred Dollars ($4800.00) it is ordered that the Sheriff out of the money in his hands pay, First- the taxes on said premises including the taxes for the year 1880 amounting to the sum of $263.22 to be paid by H. H. Baxter Secondly- the costs in this action taxed to $187.80 Thirdly- the decree for alimony in favor of the defendant Addie F. Burnham which the Court finds to be the first and best lien upon said premises and which amounts to the sum of twelve hundred Dollars and interest on same from date of decree to this date (June 5th 1880) at 6% making sum of five hun- 2999 3000

Saturday June 5th A. D. 1880.

dred twenty six and 80/100 Dollars making the total Sum of $1726.80 as the entire balance of said decree in favor of said Addie F. Burnham which said Eva L. Chesney had assumed to pay. Fourthly. To the plaintiff the balance of said proceeds of said sale amounting to $2599.18 And there still remaining due to the said plaintiff W. H. Baxter the Sum of $1053.27 it is considered that he recover the same from the defendant T. W. Chesney and execution is awarded therefor against T. W. Chesney, and plaintiff asked the court on motion to allow award execution against the said Eva L. Chesney for said ballance which motion the court overruled to which ruling of the court plaintiff excepted that the court at his request entered said Exceptions on the Journal.

No 2 — State of Ohio vs. Amos H. Inskeep — Indictment for Murder in the first degree.

This day again came the prosecuting attorney on behalf of the State of Ohio and said Amos H. Inskeep being brought into open Court in the custody of the Sheriff, his Counsel also coming. Whereupon his said Counsel interposed a motion to set aside the verdict of the jury heretofore rendered in this case and for a new trial for reasons on file and at the request of the said defendant Amos H. Inskeep and of his Counsel the hearing of said motion for a new trial was postponed until Monday morning June 7th 1880 at 9 o'clock A.M. And the said defendant is ordered into the custody of the Sheriff to await sentence. Whereupon this cause is continued until Monday morning next at 9 o'clock A.M.

3184 — Ann E. Erb exec. vs. David Walton et.al.

This day came the parties herein and settled this cause at plaintiffs cost. It is therefore considered and adjudged by the Court that the defendants recover of the plaintiff their costs herein expended taxed to $

2999 — Anna E. Erb exec. vs. David Walton et.al.

This day came the parties herein and settled this cause at plaintiffs cost. It is therefore considered and adjudged by the Court that the defendants recover of the plaintiff their costs herein expended taxed to $

3000 — Anna E. Erb exec. vs. David Walton et.al.

This day came the parties herein and settled this cause 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 $

Saturday June 5th A. D. 1880.

3606 Israel Fuller
v.
James Julian

This day came the parties herein and settled this cause at the cost of the Plaintiff. It is therefore considered and adjudged by the Court that the defendant do recover of the plaintiff his costs herein expended taxed to $ and execution is awarded therefor.

3503 Josiah Carmell
v.
John B. Robinson

This day came on this cause to be heard on the verdict of the jury rendered at a former term of this Court. It is therefore ordered adjudged and decreed by the Court that the parties each pay half of the costs expended herein and execution is awarded for the same.

3560 Mathew Lingrel
v.
Caleb Haines

This day came on this cause to be heard and was dismissed 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 to $ and execution is awarded for the same.

No 3440 Alice Thompson
vs
Andrew J. Thompson

This day this Cause was dismissed by agreement of parties at the Cost of the defendant. It is therefore considered ordered and adjudged by the Court that the Defendant pay the costs herein taxed at $. No Record.

3438 Andrew J. Thompson
vs
Alice E Thompson

This day this Cause was dismissed by agreement of parties at the cost of Plaintiff. It is therefore considered ordered and adjudged by the Court that the plaintiff pay the costs herein taxed at $. No Record

Michigan Mutual Life Insurance Company.
vs.
3249 Francis Baldwin 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 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 Jonathan Bellcy 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 said 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 thirteen hundred and forty three and 76/100 dollars, it is ordered that the said purchaser Jonathan Bell pay all the taxes on said property amounting to $27876/100. And it is further ordered that the Sheriff out of the money in his hands pay, First the costs taxed $96 91/100. Secondly, To the plaintiff Michigan Mutual Life Insurance Company the balance of said money remaining in his hands to wit: the sum of Twelve hundred and fifty six and 65/100 dollars to be applied as a credit upon his judgment against the said defendant. And there still remaining due to the said Michigan Mutual Life Insurance Company the sum of seventy one and 90/100 dollars it is considered that he recover the same from the defendant Francis Baldwin and Bridget Baldwin with interest at ten per cent and execution is awarded therefor

Rogers, Keiger and Engle
vs.
2960 J. H. McCracken

This day this cause came on to be heard upon the motion of the Plaintiffs to set aside the appraisement heretofore made in this case. and grant a new appraisement. On consideration whereof the Court sustained said motion and it was ordered by the Court that said appraisement be and the same is hereby set aside, and a new appraisement is hereby ordered

Whereupon the Court adjourned until Monday morning next at 9 o'clock.

Monday June 7th A. D. 1880

Court met the morning pursuant to adjournment. The same officers being present as on June 5th 1880.

502 State of Ohio
vs.
Amos H. Inskeep } Indictment for murder in first degree.

This day again came the Prosecuting Attorney on behalf of the State of Ohio said defendant Amos H. Inskeep being brought into open Court in the custody of the Sheriff - his counsel also coming. Whereupon this cause came on to be heard on the motion for a new trial heretofore filed in this case and was argued by Counsel and the Court being fully satisfied in the premises do overrule the said motion. To which action of the Court in overruling said motion the defendant by his attorneys at time excepted And the said defendant Amos H. Inskeep having been heretofore convicted of murder in the second degree being in open Court in the custody of the Sheriff was informed by the Court of the verdict of the jury and was inquired of by the Court if he had anything to say why judgment should not be pronounced against him. And having nothing but what he hath already said it is therefore considered and adjudged by the Court that the said defendant Amos H. Inskeep 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 and during the term of his natural life. And it is further ordered that said defendant Amos H. Inskeep pay the costs of this prosecution for which execution is awarded. And the said defendant Amos H. Inskeep now giving notice of his intention to apply for a writ of error on his motion it is ordered that the execution of the sentence herein be suspended until the 3rd day of July A. D. 1880 and that the said Amos H. Inskeep be committed to the custody of the Sheriff to be imprisoned until such time as the said matter be disposed of. And thereupon the defendant presented by his attorneys his Bill of Exceptions taken on the trial of this action and the same upon examination being found in all respects correct is allowed Signed Sealed and ordered to be filed & made part of the record herein.

Monday June 7th A. D. 1880

3579 John M. Sanders vs. Nancy Hill 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 cannot be divided by metes and bounds without manifest injury to the value thereof and that said Clementina Godfrey has filed herein her request that her dower be not assigned by metes and bounds but that she elects to take her interest in money and that said Commissioners have appraised the said premises subject to said dower at $35.00 per acre in all at $665.00 and that they have appraised the said premises free from dower at $40. in all free from dower at $760.00. The Court finds the said return and proceeding in all respects correct and in conformity to law and therefore do approve and confirm the same. And thereupon came John Sanders one of the parties herein and elected to take the said premises at their appraised value free from dower To wit: at the valuation of $760.00. Therefore the said premises are upon payment by the said John Sanders of the said sum of $760.00 hereby adjudged to him and the Court finding no good reason to order otherwise, fix the manner of payment to be 1/3 cash 1/3 in one year and 1/3 in two years the deferred payments to be secured by mortgage on said premises, and upon making said cash payment and securing said deferred payment the Sheriff is ordered to convey said premises to the said John M. Saunders by deed in fee simple. It is ordered that the Sheriff out of the said first payment pay first, To the Treasury of Union County $3.41 being the taxes on said premises. Secondly, To the Clerk of this Court the Costs of this action including a counsel fee of $33.00 to Cameron and Benton for their services herein taxed to $64.06. Thirdly of the residue of said first payment he pay. To John M. Sanders $79.11 To Maggie Godfrey $.52 To Franklin P. Godfrey $.52 To Isaac Godfrey $5.91 To Anna E. Price $4.73, To Nancy Hill $2.62, To Clementina Godfrey in lieu of her dower $22.79 To Delila Dutton, Almina Godfrey, Mary J. Godfrey, Elizabeth Godfrey, William A. Godfrey each the sum of $14.61. And it is further ordered that the said Sheriff take and deliver to each of the defendants hereinafter to be named two notes of the amounts hereinafter to be stated, one note due in one year and one note due in Two years said notes to draw interest at 6% to wit: To Isaac Godfrey 2 notes $7.91 Anna E. Price 2 notes $6.33. Nancy Hill 2 notes $3.52 To Clementina Godfrey (in lieu of her dower) 2 notes $30.01. To Delila Dutton, Almina Godfrey, Mary J. Godfrey, Elizabeth Godfrey, William A. Godfrey each 2 notes of $19.56. And it is further ordered that said John M. Sanders shall execute a mortgage on said premises to secure said notes, it appearing to the Court that said John M. Sanders has paid said Maggie Godfrey and Franklin P. Godfrey in full no notes are ordered to them, And a writ of Restitution is hereby awarded to the said Sheriff to put the said John M. Sanders in possession of the said premises.

Monday June 7th AD. 1880.

No 3029

Thomas Stillings and Cornelia Stillings Pltffs
against
William C. Dynes. Polly Ann Powers
Edward Powers Eliza Hornbeck
Abraham Hornbeck Elizabeth Lee
Jacob C. Lee and M. C. Lawrence Defts

Union Common Pleas
Entry Confirming Sale & ordering Deed & Distribution.

3403.

On Motion of the plaintiffs and upon producing the return of the Sheriff of his proceedings and Sale to Elizabeth Elliott 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 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 Elizabeth Elliott in Fee Simple.

It is further ordered that out of the proceeds of Said Sale the Sheriff pay. 1st To the Treasurer of Senior County the Tax due June 1880. being $10.63
2d That he pay to the Clerk of this Court the cost including an Attorney fee to P. B. Cobb & Son of $20. Total $34.04
3d And of the residue of the proceeds of Said Sale he pay to the plaintiffs Thomas and Cornelia Stillings (1/5 One fifth of the Each proceeds being $78.00.

That he pay to Eliza Hoornbeck alike (1/5) being $78.00
To Elizabeth Lee 1/5 part being the Sum of $78.00
To Polly Ann Powers a like Sum of $78.00
And That he distribute to the Said parties Each one fifth of the Notes for the deferred payments. Viz To Each one note for $76.46 payable June 15th 1881. and one Note to Each for $88.93 payable June 15th 1882 all with interest from date. Except as relates to the Share of Wm C. Dynes both of Money and Notes. The Court finds that his interest in the Said real estate So Sold in this proceedings was Mortgaged to his two infant Children Ella, Charlotte, Nancy and William Dynes.

It is therefore ordered by the Court That the Share of the Money arising from Said Sale which belongs to Said Wm C. Dynes as well as his Notes for deferred Payments be placed in the hands of a Trustee and the Same put on interest and the interest paid to Said William C Dynes Annually. but the principal to remain unconsumed until Said Infants become of age or until the further order of this Court in that behalf.

No 3611

No 2610

John J. Gabriel and Sarah Gabriel
vs
Eli C. Piper Admr with the Will Annexed of the Estate of William Gabriel Deceased. Defendant

3272

This day came the Parties hereto by their attorneys and this cause came on to be heard upon the Motion of the defendant to Set aside the verdict and the Court on consideration thereof being fully advised in the premises do sustain Said Motion and the Said verdict is accordingly vacated and a new trial granted.

It is ordered and adjudged by the Court here that the said defendant pay all costs of this term of Court taxed to $ and this cause is Continued,

3403. Frank D. Weller Pltff
vs
Robert W. Thompson Deft

This day came the defendant herein and moved the court to order this cause Stricken from the dockets thereof and dismissed in accordance with a pretended written request of said plaintiff claimed to have been made in person filed therein heretofore and claimed to have been signed by said plaintiff. Which motion was overruled by the Court to which overruling the defendant then and there excepted.

Thereupon defendant asked and obtained leave to file Supplemental Answer in the said Cause within 35 days from the rising of this Court. And the court being Satisfied the plaintiff is a nonresident of this County on motion of the defendant ordered that said Plaintiff give Security for costs herein within 30 days from the rising of said Court to the Satisfaction of the clerk of this Court and in default thereof that said Cause Stand dismissed at plaintiffs Cost and be left off of the Dockets And 30 days is allowed to defendant in which to prepare and present his bill of Exceptions and said Cause is Continued.

No 3611 Eleanora Totten & Israel Totten
vs
Sarah M. Afline Lilley L. Afline and M. A. Afline.

This day this Cause came on for Hearing upon the petition of plaintiffs and the Evidence, the defendants being in default for answer or demurrer and was Submitted to the Court and the Court being fully advised in the premises do find the allegations in plaintiffs petition to be true and that while plaintiffs have fully done and performed all they were bound to do under their agreement that defendants have failed to perform their part of said agreement. It is therefore ordered adjudged and decreed by the court that said Contract and agreement be and it is hereby Set aside.

It is further ordered that plaintiffs deliver to the defendants said Note & Cancel said Mortgage described in their petition. And it is further ordered that the defendants Vacate the premises described in plaintiffs petition within ten days from the rising of this Court and give possession thereof to the plaintiffs or in default thereof that a writ of possession issue to the Sheriff of Huron County Ohio to put plaintiffs into possession of said premises. And it is further ordered that defendants pay the costs of this action taxed to $ within 10 days or in default thereof that Execution issue therefor.

3272 A. H. McFarland Et al
vs
William Robertson

This day this cause came on to be heard upon the Motion of plaintiff to arrest the Judgment heretofore rendered in the above case. Upon Consideration thereof the Court overrules said Motion. to which ruling and decision of the Court the plaintiff Excepts.

Cincinnati Hamilton

Cincinnati Hamilton &

Cincinnati Hamilton

Commercial Office,

Monday June 7th A.D. 1880.

3514 French & Lockwood
vs
Cook & Morse & Co

3546

And now comes the said French & Lockwood and presents to the Court here his bill of Exceptions to the overruling his Motion for a New trial. and the Same is Signed Sealed and allowed and ordered to be placed on file and made a part of the record in this Case-

2837 Samuel Turner
vs.
Mary Turner

This day this Cause Came on to be heard upon the demurrer of the plaintiff to the 2d ground of defence set up in the answer of Mary Turner and the same was argued by Counsel; Whereupon the Court did sustain said demurrer. To which ruling and decision of the Court the said defendant Mary Turner by her attorney then and there excepted. And thereupon this Cause Came on to be heard upon its merits. upon the evidence, records and exhibits, and was argued by Counsel; On Consideration whereof the Court do find for the defendant Mary Turner (the said John Barrick having left the premises) and that the sales of the lands and lots in the petition mentioned, for taxes are and were invalid. Whereupon the plaintiff by his attorney asked and obtained leave of the Court to so amend his petition within forty days from the rising of the Court as to Claim the money which he has paid, in the purchase of said lots and lands at tax sale, and in taxes since the said purchase paid by him. It is therefore Considered, ordered, and adjudged by the Court that the defendant Mary Turner recover of the plaintiff Samuel Turner her costs herein expended taxed to $ And this Cause is continued.

3628

3163 Charles N. Carter
vs.
Rosannah Carter et.als

This day this Cause Came on for hearing and by Consent of all parties herein this Cause is dismissed at Costs of plaintiff. It is therefore Considered and adjudged by the Court that this Cause be dismissed and that the defendants recover from the plaintiff their costs herein expended taxed to $

3619 H. C. Hopkins
vs
Samuel Scott et. als

This day Came the plaintiff and on his motion, and it appearing from the affidavits annexed to the petition that the names and residences of the heirs of the said Thomas Barcus William Barcus George Barcus John Barcus Richard Barcus are wholly unknown to the said plaintiff. It is ordered that as to them Service be made by publication for six Consecutive Weeks in the manner prescribed by Statute in case of non resident defendants

Monday June 7. 1880

3546 A. A. Woodworth
vs.
Cleveland, Columbus
Cincinnati and Indianapolis
Railway Company

The plaintiff has leave to make verbal amendments to his petition; and defendant has leave to withdraw its answer, and answer anew in thirty days from the rising of the Court, and this Cause is Continued.

3628 Stephen Cranston as Administrator of Phoebe Benton, Decd, Plaintiff
vs.
J. Smith Alexander and
C. A. Alexander. Defendants

Common Pleas. Union County.

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 there is due to plaintiff from the defendants (J. Smith and C. A. Alexander) on the promissory note set forth in the petition the sum of Two hundred and Seventy nine and $\frac{39}{100}$ dollars ($279 $\frac{39}{}$). That the defendants J. Smith Alexander and C. A. Alexander his wife executed and delivered to Hiram Benton, decd. the mortgage deed in the petition described and on the premises therein described, that said mortgage was duly recorded in Book 13 page 235 of the Records of mortgages of Union County and is a valid lien on the premises described in the petition. That said Hiram Benton has since died intestate leaving the said Phebe Benton his widow and sole heir at law. That after the decease of said Hiram Benton and the settlement of his estate and payment of all the debts thereof the said note and mortgage were by his Administrator and with her Consent delivered to said Phebe Benton as a part of her estate as sole heir of said Hiram Benton. That said Phebe Benton has since deceased, and that the plaintiff as her duly appointed and qualified Administrator has come into possession and is entitled to collect said Claim as part of her estate.

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 said defendants equity of redemption foreclosed.

It is therefore Considered and decreed that unless the said defendants shall within 180 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 & Seventy nine & $\frac{39}{100}$ dollars ($279 $\frac{39}{100}$) with interest from June 18. 1880 thereon 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.

Monday June 7th 1880

3206 — 2982

G. C. Pooler Plaintiff
vs
L. L. Pooler and others
Defendants
} In Foreclosure

This day this cause came on to heard upon the petition of plaintiff answer and cross petitions of E. E. Shedd and Company English. Miller & Company. The Dr Harter Medicine Company and the answer and cross petition of Lewis S. Evans and Nelson Evans surviving Partners of Wilkinson Evans & Company and was Submitted to the court, On consideration Whereof the court find that the defendant L. L. Pooler Executed and delivered to the plaintiff G. C. Pooler the Mortgage deed in the petition described and on the premises therein described, and that said Mortgage was duly recorded in book 14 on page 238 of the records of Mortgages of Union County and is the first and best lien on the premises in the petition described Except the liens hereinafter Mentioned -

The court further find that the conditions 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 ordered and decreed that unless the said defendant L. L. Pooler shall within ten days from the Entry of this decree pay or cause to be paid to the Clerk of this court the cost of this case and to the the Sum of $ with interest from the 5th day of May 1880 according to the terms of said Mortgage deed the said defendant L. L. Pooler's Equity of Redemption shall 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 3501 — 3405

And the Court further find that the said E. E. Shedd & Company English, Miller & Company & the Dr Harter Medicine Company are Entitled to thirty five per Cent of their respective Claims & that the said Wilkinson, Evans & Company are Entitled to fifty per cent of their claim, out of which sums said defendants are to pay their own Costs &c to

And it is therefore ordered adjudged and decreed by the court that the several claims of the said E. E. Shedd & Company, English Miller & company Dr Harter Medicine Company & Wilkinson Evans & Company be and the same are hereby made a lien on said premises prior and better than the lien of the plaintiff under his Mortgage for the said several sums. And that out of the proceeds of the Sale of said premises after the costs and taxes on the premises the liens of the said defendants shall be first paid and awaiting the Sale of said premises this Cause is continued with leave to any one of the parties to have an order of Sale issued to the Sheriff for the Sale of said premises -

Monday June 7. 1880

2982 Richwood Union Building and Saving Association
vs
Cordelia Thompson 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 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 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 George W. Courts 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 found 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 $101.00. It is ordered that the Sheriff out of the Money in his hand Pay, 1st The Taxes amounting to $42.46. 2d the costs of this action taxed at $41.09 3d To the Plaintiff $ being the full amount of the Mortgage When due. and if there is not a sufficient amount remaining after paying the taxes & costs to pay the Plaintiffs Judgment, then a writ of Execution May issue for the balance remaining unpaid.

John C. Phillicen & Lester Oliver admrs
vs
No 3501 John W. Newhouse et al consolidated with
the Case of
John C. Phillicen
vs
3405 Stiles Newhouse et als

The two above cases are consolidated & are both Settled by Defendants paying $275.00 and Each party paying one half of the costs, Except Plaintiffs paying the fees of Richey, Wilson, Smart & McAllister and the defendants paying the fees of Secy, Spilman & Albright. Thereupon the parties pay the costs Except said Witnesses fees, for which Witness fees Judgment is rendered accordingly.

Thereupon Court adjourned until Saturday morning July 3d 1880 at 9 o-Clock

Saturday July 3d 1880

Court met at 9 o'clock this morning pursuant to adjournment. The same officers being present as on Monday June 7. 1880.

State of Ohio, City of Columbus } Supreme Court of the State of Ohio. Of the Term of January A. D. 1880.

95 Daniel Anderson vs. Henry Taylor } Motion to dismiss cause No. 801 on the General Dock. Et. for non Compliance with the Statute in regard to printing the record,

Ordered, that the motion be and the same is hereby granted.

I. R. J. Fanning Clerk of the Supreme Court of the State of Ohio, do hereby Certify that the foregoing entry of dismissal is truly taken and correctly Copied from the records of said Court towit: from Journal No. 7 Page 241. In witness Whereof, I have hereunto subscribed my name and affixed the seal of said Supreme Court, this 1st day of July A. D. 1880. R. J. Fanning Clerk.

(Seal)

The State of Ohio vs. Charles Spears, Uriah S. Alden } 3173

Now comes the defendant Uriah S. Alden and moves the Court that he may be permitted to give bond as provided by the statute in such cases, and thereupon leave was granted by the Court to give bond according to law. And the defendant Uriah S. Alden with Thomas Martin and William Weber his sureties has this day given bond in Compliance with the order of the Court, and the same is hereby approved by the Court and the same is filed with the Clerk of this Court.

502 State of Ohio vs. Amos H. Inskeep } Indictment for murder in the first degree. 3367

Now comes the Prosecuting attorney on behalf of the State of Ohio also comes said defendant Amos H. Inskeep into open Court in the Custody of the Sheriff his Counsel also coming. And said defendant having been sentenced at a former day of the present term of this Court and said sentence having been then suspended on motion of the defendant, and it appearing to the Court that no writ of error upon said judgment and sentence has been allowed and that the time for which said sentence was suspended has expired. It is thereupon ordered and adjudged by the Court that the said sentence be now carried into execution. It is further ordered that the Sheriff be authorized and empowered to employ one guard to assist him in transporting said defendant to the Penitentiary of the State.

Thereupon the Court adjourned without day.

Saturday July 3d 1880. (In vacation)

J. F. Rief and Catherine Rief
vs.
J. O. Long. Defendant
} Court of Common Pleas, Union County.

On application of the said J. F. Rief and Catherine Rief. defendants, to the Probate Court, in the absence from said County of any Supreme or Common Pleas Judge for an injunction and upon producing their petition duly verified and it appearing therein that the plaintiffs are entitled to the relief demanded, it is ordered that on an undertaking being given in the sum of $100.00 with sureties to the approval of the Clerk, an injunction be allowed to issue herein as prayed for in said petition enjoining the said defendant from obstructing the alley therein described, running the whole length of in lot 50 Marysville, Ohio, from East Street to the public alley and being laid out on the South line of the north half of said in lot 50 in any wise whatever or interfering with the free and unobstructed use thereof by these plaintiffs or the public until the further order of the Court.

Escaed

John B. Coats
Probate Judge

3173 The Bank of North Lewisburgh
Against
James Carter et als
} July 18th 1880

This day came Fribee Administrator of the Estate of Alpheus Reed deceased and Fleck & Chapman. James Carter. W. E. Pilcher & Ann M. Pilcher And Waived the recording of so much of the proceedings and portions of the papers in this cause as relate Exclusively to the Claim of said Fribee and said Fleck and Chapman. and declare their agreement that said papers & proceedings shall not be recorded.

3367 John W. Collumbee
vs
Sarah E. Collumbee
}

On Motion of the defendant by her attorney and good cause being Shown it is hereby ordered that She be allowed the Sum of Twenty five dollars for the support and maintainance of herself and Expenses during the continuance of this action. It is therefore ordered that the said John W. Collumbee pay to the said Sarah E. Collumbee or her attorneys Cameron & Benton the Sum of Twenty five dollars immediately upon the Service of this order and for default of Such payment for three days Execution to issue therefor.

John L Porter Judge

July 21st A. D. 1880

The State of Ohio } In District Court, June Term. 1880. June 29th
Marion Countyss } Journal 2 P. 285.

Phoebe Baker Joseph O. Baker her husband
Catherine Joseph. David L. Joseph her husband
Adaline Reed and Olford H. Reed her husband
against
Eli C. Piper administrator with the Will
annexed of William Gabriel deceased
The Board of Foreign Missions of the Presby-
terian Church in the United States;
The Board of Home Missions of the Presby-
terian Church in the United States;
The Board of Church Erection of the
Presbyterian Church in the United States;
The Presbyterian church in Milford Center
Union County Ohio. Mary A. Joseph
William R. Joseph. Benjamine F. Joseph
Maud R. Joseph; Ada M. Reed; Francis D.
Lee; Hyrlas M Lee; Eva O. Lee. Elizabeth J.
Lee and Emma R. Lee.

Appeal

On change of venue from Union. County.

This day came the parties. by their attorneys and thereupon a Jury to-wit: James K. Gray. John A. Ragan, Hiram M. Ault. P. G. Harvey. Henry Cope. Harvey Peters. William H. Eckhart. Jacob F. Apt. W. P. Shew M. B. Wilson. J. W. Roberts & Thomas Hinds was duly impannelled and Sworn to try the issues joined between the parties and Say on their oaths Whether the paper writing, a copy of which is attached to the petition, is the true last Will and testament of William Gabriel deceased, and who having heard the evidence the arguments of Counsel and the charge of the court, did return in writing the following verdict. To-wit:- We, the Jury, upon our oaths Say that the instrument of writing purporting to be the last Will and Testament of William Gabriel deceased and now produced before us, is the last Will and testament of William Gabriel deceased. Marion June 29th 1880. Wm H. Eckhart Foreman of the Jury. It is therefore considered, ordered and adjudged by the court that the said paper Writing purporting to be the last Will and testament of said William Gabriel deceased, And thereupon the plaintiffs moved the court to Set-aside the said Verdict and Judgment and for a new trial; Whereupon by the Mutual Consent and agreement of parties and their Mutual Stipulations and in consideration that Plaintiffs agree to withdraw their said Motion for a new trial; which is now done; It is considered, adjudged and decreed by the court that there shall be paid to the defendants. the Boards of the Presbyterian Church of the United States and to the Presbyterian Church at Milford center Union County Ohio. Mentioned in said Will together the Sum of Twelve Thousand dollars on or before the first day of November 1880 in full Satisfaction and discharge of their Several Legacies and each of them and that they release and transfer to the heirs at Law of William Gabriel deceased in the proportions to which they would have been entitled under the Statute of descents. if William Gabriel had died intestate, the

3.676

And residue of their interest in or claim upon said Estate under said Will, and it is further considered and decreed by like consent of parties that the said legacy of One Thousand dollars by said Will given to Phoebe Baker, be paid ~~out~~ to her out of said Estate free of and discharged from the trust in said Will annexed thereto. It is further considered and decreed that the Costs of this proceeding be paid out of said Estate; and also by consent of the parties interested it is further decreed that the fees of Counsel for the Contestants shall be paid out of the residue of said Estate, Except that not exceeding Two Hundred dollars thereof shall be paid by Each of the Four Children of Catherine Joseph and by Phoebe Baker out of their respective legacies, and it is further ordered that this Cause be remanded to the Court of Common pleas of Union County Ohio Without further record in this Court to be recorded in said Court of Common Pleas of Union County Ohio, and for Carrying this decree into full force according to Law, and that the Clerk of this Court transmit certified copies of the Journal Entries in this case made in this Court with all the files and papers in this Cause".

The State of Ohio Marion County ss.}

I A.H. Hord Clerk of the District Court within and for said County and State, and in whose custody the files Journals and records of said Court are required by the Laws of the State of Ohio to be kept: hereby certify that the foregoing is truly ~~Copied~~ taken and correctly copied from Journal Vol 2 Page 285 of the proceedings of said Court within and for said County, and that said foregoing copy has been Compared by me with the original entry on said Journal and that the same is a correct transcript thereof.

In testimony Whereof, I do hereunto Subscribe my name Officially and affix the Seal of said Court, at the Court House in Marion in said County, this 15th day of July A.D. 1880.

A. H. Hord, Clerk

Seal

August 23d A.D. 1880

It is ordered by John L. Porter Judge of the 10th Judicial District in the 3d Sub division of the that the venire for the Petit Jury for the September Term of Commons Pleas Court within and for the County of Union be made returnable on Tuesday September 14th 1880 at 9 Oclock A.M.

3676 Catherine Weber Plff vs Christian W. Weber Defdt } Injunction in Vacation.

On application of the plaintiff Catherine Weber to Hon John L. Porter Judge of this Court at his office this day in vacation for an injunction against the said defendant it is ordered that the said application and injunction be and it is hereby allowed against the defendant as prayed for in the plaintiffs said petition and the plaintiff is not required to give bonds for the same.

August 23d 1880.

3676 Catherine Weber Plff
vs
Christian M. Weber Defdt

This 27th day of August 1880 being in the vacation of this Court, come on to be heard before the Hon John L. Porter Judge of Said Court the motion and application of the said plaintiff for alimony pending this suit and both parties being before the ~~court~~ Said Judge with their attorneys, and good cause being shown therefor, it is ordered by said Judge that the said defendant pay to the plaintiff for her sustenance and Expense pending this suit the sum of One hundred dollars, One half of said sum down and the remaining half in ten days from this date. and in default of such payment Execution is allowed to issue therefor.

3688 Eli G. Piper Admr &c
vs.
Brown Watson and Abraham Lewis

September 8th 1880, On motion of the plaintiff by his attorneys, and good cause shown therefor; it is ordered that on an undertaking being given in the sum of five hundred dollars ($500.00) with sureties to the approval of the Clerk, an injunction be allowed to issue herein enjoining the said defendants from trespass and damage as set forth in the plaintiffs petition, until the further order of this Court.

3520. James Williams
vs
America D. Williams
} In the Court of Common Pleas Union County Ohio.

Now came the Plaintiff herein and the Defendant being in default for answer demurrer, and this cause being presented to the Court upon the pleadings and evidence and the Court being fully advised in the premises 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 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 extreme cruelty and gross neglect of duty and that by reason thereof 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 James Williams & America D. Williams 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 children be until further order conducted to

the said James Williams. But it is hereby ordered by the Court that the said America V. Williams have the privilege of visiting said children at all reasonable times.

It is further considered by the court that the said plaintiff pay the costs of this proceeding and execution is awarded.

Monday - September 13th A. D- 1880-

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 Eighty held at the Court-House in the Town of Marysville. County and State aforesaid, was begun and held on the ~~second~~ first - Monday the 13th day of September A-D- 1880

Present - Hon John L. Portec. Judge of the Court of Common Pleas. of. Union County. Ohio
Morris J. Miller - Sheriff
R. L. Woodburn Prosecuting Attorney
W. M. Metzger - Clerk

The Venire facias for a grand Jury heretofore issued, and returnable this day at 9 Oclock Am. Was duly returned by the Sheriff, With his endorsements thereon, as follows, to-wit; The State of Ohio Union County Sheriffs Office Sep 2d 1880. I Served this writ on the within Named as follows. by delivering Copies to D. W. Godman Aug 26th 1880. L. L. Monroe Aug 27th 1880. Stanley Bellus Aug 27th 1880 Eli Norveil Aug 27th 1880. A. B. Stricker Aug 31st 1880. J. E. McCune Aug 28th 1880. N. T. Bennett Aug 28th 1880. Adam Beach Aug 28th 1880. and by leaving Copies at residence of the within Named as follows. Samuel McNeil Aug 27th 1880. S. Ford Aug 27th 1880. A. R Showalter - Aug 28th 1880. Benjamine Siddath Aug 30th 1880 W. H. Bonnett Aug 31st 1880 John Hoover Sep 1st 1880 William W. Williams Sept - 1st 1880.
J. J. Miller. Sheriff.

And upon calling the Same in open Court J. E. McCune - L. L. Monroe A. B. Stricker. D. W. Godman. Benjamine Siddath. John Hoover. Samuel McNeal. N. T. Bennett. Eli Norveil. Adam Beach. A. R. Showalter W. H. Bonnett Sr William W. Williams. S. Ford and Stanley Bellus. appeared in answer thereto; and for good cause Shown the Court Excused William W. Williams. and the panel being incomplete the Sheriff Summoned from among the bystanders, to Complete the Same. the following Named persons Who appeared in answer thereto to-wit; John A. Moodie. And the panel being full. the Court appointed L. L. Monroe 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 L. L. Monroe Foreman of the grand Jury - J. E. McCune A. B. Stricker. D. W. Godman. Benjamine Siddath. John Hoover Samuel McNeil. N. T. Bennett, Eli Norveil, Adam Beach A. R. Showalter - Wm H. Bonnett Sr Williams S. Ford. Stanley Bellus and John A. Moodie -

1998
3660
2715
3676
2803
2570
2610
3546

1998 A.C. Money vs. Tillman G. Goff. et als } Continued

3660 John Black vs. Adam Phillips } This day came the parties and setted this case and paid the costs, and by agreement there is to be no record.

2715 Reuben Freshwater vs Abraham Freshwater et als } Continued.

3676 Catharine Weber vs Christian W. Weber } This day came the parties and setted this case and paid the costs and by agreement there is to be no record and leave is granted to withdraw all papers in the case from the files

2803 Thomas Moffit vs. John W. Grindle et als. } Continued.

2570 Samuel Dougherty vs. A. J. Sterling et als. } Continued

2610 John G. Gabriel and Sarah Gabriel vs. Eli G. Piper Administrator &c } Reassigned for Thursday of the fourth week of the present term by agreement of counsel and same in cases No. 2816 & No. 2817

3546 A. A. Woodworth vs. The C.C.C & I. Ry. Co. } This day came the parties and it appearing to the Court that the petition filed in this case has been lost and there being no objection thereto by either party it is ordered by the Court that the plaintiff file a new petition in lieu thereof instanter which new petition is filed accordingly and the defendants has leave to plead thereto by Saturday, first week

Monday, September 13th 1880.

3374

3656 Mansfield Banking Co.
vs.
William W. Bales Admr et.als.
Leave granted to defendants to answer by Saturday, September 25th 1880

3657 Mansfield Banking Co.
vs.
Thomas Barrow et.als.
Leave granted to defendants to answer by Saturday, September 25th 1880.

3655 Elizabeth Hatcher
vs.
Henry Hatcher et.als.

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 said James Hatcher was, in his lifetime, seized in fee-simple of the real estate and premises described in the petition, and that the plaintiff is the widow of the said James Hatcher, deceased; and that she is entitled to have her dower in the said premises assigned and set off to her as prayed in her said petition.

It is therefore ordered, adjudged and decreed by the Court that the said plaintiff be endowed of one full equal third part of the premises described in the petition; and that a writ issue to the Sheriff of Union county, Ohio, commanding him that by the oaths of A.S. Mowry, Enos Cahill and Nathan Baldwin, three judicious, disinterested men of the vicinity, in the said county, who are not of kin to either of the parties, and who are hereby appointed commissioners for that purpose, he set off and assign such dower to said plaintiff, according to law. And that of such proceedings, together with the said commissioners' appraisement of the yearly net value of said real estate, estimated from the 28th day of July, A.D. 1880 to the day of such assignment of Dower; the said commissioners and the said Sheriff make return without unnecessary delay, at this term of Court.

3653

3692

3145 Orlando Wells
vs.
O.W. Wells et.als.
By consent of parties this cause is re-assigned for Friday of the fourth week of this term.

2003

Maria S. Reed et als.
3374 vs.
E. P. Hathaway et als.

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the motion of the said Catharine Brown to vacate and set aside the decree and order of sale heretofore on the 24th day of May, 1880, rendered in favor of the said Woodstock Bank against said Catharine Brown for reasons in the said motion and affidavit in support thereof stated and was argued by counsel and submitted.

On consideration whereof the Court being fully advised in said premises, do sustain said motion, and it appearing to the Court that there has been a sale made under said decree and order; on motion of the plaintiff the same is set aside.

It is therefore considered ordered and adjudged by the Court that the said decree and order, and the sale made thereunder, be and the same is hereby set aside and held for naught; and it is further ordered and decreed that the said Woodstock Bank pay all costs in this case made since the filing of said motion to set aside said decree, and in default thereof the execution issue therefor as upon judgement at law.

James A. Haycock
3653 vs.
William A. Reed.

And now comes the said defendant by his attorneys and moves the Court to order renewal of the appeal bond herein filed, for the reason that said appeal bond is insufficient in form, in this: That the surety therein mentioned signed said bonds at the top instead of the bottom thereof.

R. D. Connell
3692 vs
The Village of Richwood.

This day this case came on to be heard on the motion of the plaintiff for injunction, whereupon the court being fully advised in the premises, ordered that injunction as prayed for in the petition be allowed until further ordered, upon the plaintiff giving bond in the sum of $200 to the satisfaction of the clerk of said County, which was done accordingly.

Thomas Peacock
2003 vs
Jefferson Ford

Continued under former order.

Monday September 13th 1880.

3667 William Smith
vs.
Elijah J. Reese et als.

On motion to the Court by the defendant the plaintiff is required to secure the costs in this case by Wednesday of the first week of the term.

3194 George Mast
vs.
Ellen Cooperider et. als

This cause coming on for hearing on the motion to set aside the sale heretofore made therein of the real estate in the petition described, and on consideration thereof and by consent of the parties it is ordered that the said sale be and it hereby is set aside, and the Sheriff is ordered to pay back the purchase money to the purchaser.

3565 Raymond & Pettibone
vs.
Richard Spearman

This day this cause came on for hearing upon the motion of Defendant for security for costs, and the Court having heretofore made a peremptory order for security within 40 days from issuing of last Court and the same not being complied with by the Plaintiffs the same is herewith dismissed without prejudice at the cost of the plaintiff.

It is thereupon considered and adjudged that the defendants go hence without day and recover of plaintiff his costs at $

3666 William Smith
vs.
William Kerb et als

On motion of the defendant the plaintiff is required to secure the costs in this case by Wednesday of the first week of the term.

And thereupon the Court adjourned until to-morrow morning at nine o'clock.

This morning Court met at 9 o'clock pursuant to adjournment, The same officers being present as on yesterday.

2419 Samuel Myers
vs.
Edward Thomas et als.

This day This cause came on to be heard on demur of the defendants Frank Thompson and Edward Thompson to the amended petition, and the Court, being fully advised in the premises, do overrule said demur; whereupon this cause was continued until next term of this Court and the plaintiff has leave to file a supplemental petition during the term, and defendants have leave to answer in thirty days from rising of Court.

3395 William Smith
vs.
Joseph Lawson et als

Settled and Costs paid. No record.

3466 Osmond W. Wells
vs.
Hudson Haines et als.

Leave granted defendants to file an amended answer by Tuesday evening, September 14th.

3646 J. F. Reif and Catharine Reif
vs
J. O. Long

And now comes as well said plaintiffs by their attorney and thereupon this cause came on for hearing upon the issues joined between the parties; on consideration whereof the Court do find that the defendant was guilty of threatening to close up and obstruct the said alley, as the said plaintiffs have in their said petition alleged against him. It is therefore ordered and adjudged that the injunction heretofore granted in this action be, and the same is hereby made perpetual, and that the defendant is hereby perpetually enjoined from closing up or obstructing the alley in said petition described, by fences, gates or in any other way, that will hinder or prevent the free use and enjoyment thereof by the plaintiffs and public. And it is further considered that the said plaintiffs recover against the said defendant his costs in and about his suit in this behalf expended taxed to be.

Tuesday, September 14th 1880.

3588 J. A. Dickey
vs.
John F. Frederick, Clinton Butler et als.

This day this cause coming on to be heard upon the answer of the said David Chard filed in this case, leave being granted for this purpose upon the motion and was argued by counsel. And the Court being fully advised in the premises finds that the statement in the answer of the said David Chard are in all respects true, and that the said note so executed belongs to the said Chard, and that they are the next lien in privity after the said Dickeys. And coming on further to be heard upon the motion of the plaintiff to confirm sale and upon 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 said Sheriff, being satisfied that the same has 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 are hereby approved and confirmed. And it is further ordered that the said sheriff convey to the purchaser, David Chard, 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 Eleven Hundred Dollars, it is ordered that the Sheriff, out of the money in his hand pay,

First. The cost of this action taxed to $

Secondly. To the Treasurer of said county the taxes on said premises,

Thirdly. And it appearing that by error in computing the interest on the amounts found due by the Court heretofore to plaintiff, said amount with interest thereon was found to be $1132.53, when a correct computation shows $1140.38 then due. It is ordered that the said finding be and the same is hereby corrected. And that the Sheriff out of the money in his hands pay to the plaintiff, J. A. Dickey, the said sum of $1140.38 with interest thereon at 8 per cent. from the date, May 3. 1880. of the said decree in which said error was made, in all amounting to $1453.[illegible] September 13th 1880. It is ordered that the Sheriff pay,

Fourthly. To the said David Chard the residue if any he may have, of said money.

Thereupon Court adjourned until to-morrow morning at 9 o'clock.

3649

3600

Wednesday September 15th 1880.

This morning Court met at 9 o'clock pursuant to adjournment. The same Officers being present as on yesterday

J. W. Cummings Admr
3649 vs.
Samuel Waddle Etr

And now came on this cause to be heard upon the motion of the plaintiff herein for the appointment of a receiver herein. And the Court being fully advised in the premises find that the sale of the lands in the petition described will be insufficient to pay the mortgage lien herein. It is ordered that David T. Burr be appointed receiver of rents, issues and profits of said lands, with full power to rent said lands and collect the rent and to possess and control the said lands for that purpose. And it is ordered that before entering upon his duties as such receiver he execute to the defendants, David S. Ford, William M. Ford and Lucinda Ford, and another (name not known, an heir of said Literal Ford) an undertaking conditioned according to Law in the sum of five hundred dollars ($500.00). And now came the said David T Burr and presented his undertaking with J. F. Ruhlen and J. W. Cummings as sureties to the approval of the Court; and was duly sworn as such receiver.

Samuel Wise
3600 vs.
Louisa Thompson 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 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, W. L. Curry, 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 this 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 two thousand seven hundred and six and 67/100 dollars, it is ordered that the Sheriff, out of the money in his hands, pay

Wednesday September 15th 1880.

II. The cost of the action, taxed at $51.12
III. The taxes, which are a lien on said land, amounting to the sum of $272.55, to be paid by said purchaser.
IIII. To the plaintiff, Samuel Wise the amount heretofore found due to him with interest amounting to $939.92.
IIIV. To the defendant, W.S. Curry, the amount appearing due him with interest as shown by his answer and cross petition herein filed amounting to $1334.40.
IV. To the defendants Robinson & Robinson the remainder of said purchase money amounting to $108.20, to apply on their claim as the same appears from their answer and cross petition herein filed

3072

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 of Union, viz: J.E. McCune, L.G. Monroe, A.B. Stricker, D.W. Godman, Benjamin Suddeth, John Hoover, Samuel McNeal N. D. Bennett, Eli J. Norviel, Adam Baach, A.R. Showalter, W.H. Bonnett, Sr. S. Ford Stanley Billus, John A. Moodie, and presented their certain bills of indictment against Alford Kennedy, George Davis and William Knoff for injuring animals. John Mayo and Cyrus Crahood each assault and battery. Alexander Wright and Edward Jones, stoning train of cars, P.R. Kerr, altering a Public Record, each indorsed, "A true bill. Levi G. Monroe, Foreman of the grand jury. And there being no further business for the said jury, they were discharged finally.

3489

Jail Report

To the Court of Common Pleas, Union County Ohio:
We, the Undersigned Grand Jurors, having visited the jail, submit the following report:
First.- The water closets and privies are in a very unhealthy state - they want cleaning. Better ventilation and immediate alterations should be given in order to protect the health of the inmates. And we recommend that fire should be built in the hall part of the jail during these cool evenings. Otherwise we find every thing very comfortable and well cared for the prisoners.

2988

Levi G. Monroe, Foreman of the Grand Jury.

3670

Mrs. Kendra Bishop
vs
Jeanette D. Bishop

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 alimony pending this suit and was argued by counsel and submitted, on consideration whereof the Court do sustain said motion

and order that the plaintiff pay to the defendant as alimony pending this suit, the sum of thirty dollars, fifteen dollars thereupon in ten days and the ballance in 20 days, and in default of the payment of either sum at the times stated, that execution issue therefor as upon judgment at law

W. W. Woods
vs
3072 W. C. Barnett et als.

On motion of defendant, Enterprise Building and Loan Association, and on the production of 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 they are hereby approved and confirmed.

And it is further ordered that the said Sheriff convey to the purchaser, Moses Thompson, 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 as to the proceeds of this sale of said premises they shall await the further order of the Court.

Peter Latimer
vs.
3489 Sarah McCoy et als.

This day came the parties by their attorneys and by consent of both parties herein this cause is continued.

Lester Clark
vs.
2988 John Epps et als.

This cause now coming on to be further heard upon the distribution of the remainder of the proceeds of said sale undistributed (sum heretofore distributed being $847 22/100, leaving balance to be distributed $2002.78, proceeds of sale bringing in full the sum of $2850 00) it is ordered by the Court here that the Sheriff out of the said balance pay:

1st- The claim of the said G. W. Cummings, Admr. on the mortgage liens set forth in his answer and cross petition, set forth the sum of $2095 30/100 the amount due on said answer and cross petition, and sum not then due but including the accrued interest to the date of first distribution, to-wit: Feb. 4th 1879, all parties hereto agreeing that said note not then

Wednesday September 15th 1880.

nor yet due, may be settled up as if due, which said sum more than exhausts the balance to be distributed, leaving nothing to pay upon other liens in this case set up. It is hereby agreed and understood by and between the parties hereto that all questions as to homesteads and usury raised by the defendant John Epps are fully and forever settled to the full satisfaction of said defendant John Epps. And it is further agreed and understood that the said J. W. Cummings accepts the sum already received in full satisfaction of the said liens set forth in his answer and cross petition.

3390

Fullington Phelis & Woods
vs.
Jacob Ell et als. } 3437 3183

On motion to the Court by 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 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 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 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 now to distributed the proceeds of said sale, amounting to eight hundred and one dollars. It is ordered that the Sheriff out of the money in his hands pay:

First. The costs of this action taxed at $ 26.12

Secondly. The taxes on same including June taxes, 1880. $ 31.11 are assumed by the purchasers

Thirdly. That he pay to the plaintiffs the balance of the money remaining in his hands, to-wit: the sum of Seven hundred and forty-seven dollars & 29/100, to be applied as a credit on the judgment against the said defendant, and there still remaining due to the said Fullington, Phellis & Woods the sum of One Hundred & Ninety & 20/100 Dollars. It is considered that they recover the same from the defendants as execution is awarded therefor.

3390 3364

Mary J. Baker
vs.
Richard White et al. } 2079 3390 Continued.

Thereupon Court adjourned until to-morrow morning at 9 o'clock.

Thursday September 16th 1880.

This morning Court met at 9 o'clock pursuant to adjournment, the same Officers being present as on yesterday.

3390 Isaac Walke vs. David Joseph et als. }

This day came the plaintiff and dismissed Catharine Joseph, Adelia Reed, Phebe Baker from the further defense in this action without prejudice.

3183 Newton Case vs. C. C. Vansant et als. }

This day this cause was dismissed by the Court for want of prosecution, at the costs of the plaintiff, without prejudice to a new action herein. It is therefore considered and adjudged that the plaintiff pay the costs herein taxed, and in default thereof that execution issue therefor.

3390 Isaac Walk vs. David Joseph et als. }

This day came the parties and after the jury was called and sworn and after hearing the evidence and being satisfied that no cause of action existed against Olford Reed and David Joseph from this case, and no further charge or claim is made against them or either of them. It is therefore adjudged by the Court, with the consent of all parties, that said Olford Reed and David Joseph go hence without day and recover their cost herein expended taxed to $

3364 Finley M. Davis vs. Elijah Lister et als. } Continued.

3390 Isaac Walke vs. David Joseph et als } Now came the parties herein by their attorneys; also came the following named persons as jurors, to-wit: William Howard, Chas. Sharp, John C. Stubert, J. Ohara, John Horney, Samuel Sherwood and Henry Marriott, regular jurors, and J. W. Clark, G. G. Smith, J. W. Starr, A. Sager and James Dean Talis jurors, who were duly impanneled and sworn according to law.

Thursday, September 16th 1880.

and the trial proceeded. 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 impaneled and sworn, do find and say that we find for the plaintiff the sum of One Hundred and Forty one Dollars against Benjamin Joseph.

Charles W. Sharp, Foreman.

3696

3166 Wendell Helfrick
vs
W. W. Bales Administrator of the Estate of Wm Bales, dec'd. } Now came the

parties to this cause in person and by Attorneys, and submitted this cause to the Court, having waived a jury, whereupon the Court find for the plaintiff upon the issues joined between the parties and that there is due plaintiff from the estate of Wm Bales, deceased, on the paper contract described in plaintiff's petition, the sum of one hundred dollars with interest from June 20th 1877, amounting, principal and interest, to the sum of one hundred and nineteen dollars.

It is therefore considered and adjudged by the Court that the plaintiff recover of the defendant as Administrator of the estate of Wm Bales, deceased, the said sum, and that said defendant, as such Administrator, allow said claim as a valid claim against said estate, and that plaintiff recover of defendant as such Administrator the costs herein expended, taxed to $ And thereupon the defendant excepted to said findings, rulings, and decision of the Court and the judgment.

3174

2483 Mary M. Robertson
vs.
Elias Robertson } Continued.

2623 Maria Stickels
vs.
John Stickels } Continued

2823 Thomas Moffitt
vs.
Elias Robertson et als } Continued.

3483

Thereupon court adjourned until to-morrow morning at 9 o'clock.

Friday September 17th 1880.

This morning Court met at 9 o'clock, pursuant to adjournment, the same officers being present as on yesterday.

D. W. Godman and F. H. Thornhill, partners doing business under the firm name of Godman & Thornhill

36976 vs.

L. A Hedges.

This day came the plaintiffs by S S. Gardiner their attorney, and thereupon came A. H. Beighter, 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 legal process, and entered appearance of said defendant herein and by virtue of the same warrant of attorney confess that there is due from said defendant to said Plaintiffs as is alleged in said plaintiffs petition the sum of $106 25/100.

It is therefore considered that said plaintiffs do recover of said defendant the said sum of $106 25/100 so as aforesaid confessed to be due together with costs of said 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 rights to file a petition in error are waived.

H. C. Scott

3174 vs.

Rebecca Mone

This day this cause came on to be heard upon the demurrer of the plaintiff to the first defense of defendants answer and upon motion of plaintiff to strike certain portions of the third defense of said answer there from and in said motion specifically set forth, and were argued by counsel and submitted to the Court.

On consideration whereof the Court do sustain said motion, 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 twenty days after the rising of the Court and the defendant to answer in 20 days thereafter and cause continued.

Thomas Fox

3483 vs

Reuben Stults

Now came the parties herein by their attorneys; also came the following named persons as jurors, to-wit: Wm Howard, Charles Sharp, J. O'Hara Johnson Horney, Samuel Sherwood and Henry Marriott as regular jurors, and A. Sager, D. J. Elliott, Joseph Roff, G. J. Smith,

Friday September 17th 1880.

Eli. Norvil and D. J. Davis, as Talis jurors, who were duly impaneled and sworn according to law, and the trial proceeded And the said jury having heard part of the testimony, this Cause was continued until tomorrow morning at half past 8 O'clock.

3433

3312 James H. Reed vs. William M. Carrdals. } Continued.

3366 S. Walker vs. J. D. Sennett } Continued.

3368 S. Walker vs. G. W. Cannan et als. } Continued.

3498 State of Ohio for the use of Sarah E. Brown vs. Charles Snodgrass } Continued for service. 3585

3554 Cornelius Mulvain vs. Jonas Digley. } Continued 3605

3567 John Columber vs. Sarah E. Columber } Continued. 3622

3575 Maria O'Donnell vs. Patrick O'Donnell } Continued. 3674

3578 Lucy L. Glenn vs. William Glenn } Continued - No counsel answering. 2610

3313 William Evans vs. Joshua S. Gill et als. } Leave to make admr & heirs parties defendant in 30 days from rising of Court. Continued 2816

Thereupon Court adjourned until tomorrow morning at half-past eight o'clock.

Saturday, September 18th 1880

This morning Court met at half-past eight oclock pursuant to adjournment, the same officers being present as on yesterday.

3433 Thomas Dot vs. Reuben Stutts. } 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 Defendant. Wm Howard, Foreman.

It is therefore considered, ordered and adjudged that the defendant go hence without day and recover of the plaintiff his cost

3585 John Lamb vs. Benjamin Evans. } Continued. Taxed to $—

3605 E.E. Cole vs. Henry Sheridan etals. } Continued.

3622 George B. Tucker vs. J.W. Severe etals. } Continued.

3674 Francis Baldwin vs. J.H. Hamilton } Continued for service

2610 John and Sarah Gabriel vs. Eli G. Piper Admr. } Continued by Consent.

2816 Myron Gabriel vs. Eli G. Piper Admr } Continued by Agreement

Thereupon Court adjourned until Monday morning Sept. 20th at 9 o'clock.

Monday September 20th 1880.

This morning Court met at 9 o'clock pursuant to adjournment, the same officers being present as on Saturday, Sept. 18th 1880.

3669 Samuel Jewell vs. H. J. King et als

This day came the plaintiff by his attorneys, and the said defendants still failing to demur or answer to the petition of the said plaintiff and being in default.

This cause was submitted to the Court upon the petition and evidence. On consideration whereof the Court being fully advised in the premises, do find that the promisory note in plaintiffs petition described, was executed to the plaintiff by said H. J. King as principal and said Joseph King as surety, and that since making the same the said Joseph King has departed this life intestate, and said Charles Phillips, jr. is his duly qualified administrator.

The Court do further find that there is due to the plaintiff from the said H. J. King as principal, and from the estate of said Joseph King as surety upon the promisory note in the petition set forth, the sum of five hundred and twelve dollars and fifty cents, being the amount, principal and interest at 6 per cent. till the first day of this term of Court.

3466 Osmond W. Wells vs. Hudson Haines et als

Now come the parties herein, by their attorneys; also came the following-named persons as jurors, to-wit: J. C. Stubert, W. C. Wood, Wm Howard, Charles Sharp, Joseph Olivera, John Horney, Samuel Sherwood, Henry Marriott, A. Sager, D. J. Elliott, Joseph Roff and J. J. Smith, regular jurors, who were duly impaneled and sworn according to law, and the trial proceeded. And the said jury having heard the testimony, the argument, and charges of the Court, Adjournment having arrived, this cause was continued until to-morrow morning at 9 o'clock.

3443 Thomas Fox vs. Reuben Shults

On motion, and it appearing that the Clerk of this Court by mistake omitted to tax as a part of the costs of the last term of this Court in said cause the witness fees of Benj. Rogers and Lucy Ann Rogers, it is ordered and adjudged by the Court that the Clerk correct said mistake and tax said costs as of said term to be collected as part

2830 3012 3594 3615 3618 3621 3623 3642 3644

of the judgement in said cause of said last term.

2830 A.S. and C.S. Chapman vs. Justina D. Ruhlen et als. } On motion and it appearing that the clerk by mistake omitted from the Court Bill in this case the printer's fee for publication of the original notice in this case, which bill amounts to $9.50, it is ordered by the Court that the clerk retax said costs so as to include said printer's bill, and the same is ordered and adjudged to be paid in accordance with the order for payment of costs made herein at the disposition of the Court.

3012 Emma Cartmell vs Benny Woodworth } Continued for Service

3574 George Harriott vs Edward S. Churchman } Continued for Servicl

3615 Albert Wallace etals. vs. L.G. Monroe etals } Continued.

3618 Ann Warner vs Hezekiah Warner. } Continued by agreement.

3621 Emma J. Jones vs Ebenezer Jones } Continued.

3623 State of Ohio vs. George Wolfert } Continued

3642 Eli G. Piper admr &c. etals vs Elisha S. Hawkins } Continued.

3644 Martha Longuet vs Fieldan Longuet } Continued.

Thereupon Court adjourned until tomorrow morning at 9 o'clock.

Tuesday, September 21st 1880.

This morning Court met at 9 o'clock, pursuant to adjournment, the same officers being present as on yesterday.

3504 The Peoples' Bank vs. U. S. Alden et als. } This day came the parties by their attorneys, and thereupon the plaintiff asked and obtained leave of Court to file an amended petition herein in ten days from the entry of this decree, and the said defendants asked and obtained leave of the Court to file answers to said amended petition in twenty days from the rising of the Court, and cause continued.

3609

3668 William C. Hastings vs. Eliza A.C. Gill et als. } This day this cause came on for hearing upon for hearing upon the demurrer of the defendants to the plaintiffs petition herein filed, and the same was argued by counsel and submitted to the Court. On consideration whereof the Court do overrule said demurrer and the defendants not desiring to further plead, and the case coming on for hearing upon the pleadings and the evidence the court do find that there is due from the said defendants, Eliza A.C. Gill, Lewis D. Gill, Henry D. Gill, Joshua S. Gill, Thomas J. Gill, Charles D. Gill, and Edwin S. Gill, as the heirs and legal representatives of said Joshua S. Gill, deceased, the sum of Six hundred and Thirty-eight and 97/100 dollars with interest at eight per centum per annum thereon from the 13th day September A.D. 1880. The Court also finds that the said defendant Mary R. Haynes has a valid and subsisting lien thereon as claimed in her answer and cross-petitions herein filed. The Court further find that the said Joshua S. Gill and the said defendant, Eliza A.C. Gill, during the lifetime of the said Joshua S. Gill, executed and delivered to said plaintiff their mortgage deed to secure the payment of the above sum of money so as aforesaid found to be due said plaintiff, and that the same is a valid and subsisting lien on the premises described in said plaintiffs petition.

3671

3497

3648

It is therefore considered, ordered and decreed that in case the said defendants fail for ten days from the entry of this decree to pay to said plaintiff the said sum so found due as aforesaid, and to the Clerk of this Court the costs herein taxed, an order issue to the Sheriff of said county, commanding him to appraise, advertise and sell said premises in plaintiffs petition described, according to law, subject to the lien of the said defendant, Mary R. Haynes, and apply the proceeds, so far as the same may be necessary, of said sale, in satisfac-

3466

tion of the said sum so found due, with interest and cost of suit. To all of which rulings, orders and decrees of the Court, the defendants Eliza A.C. Gill and the heirs of Joshua S. Gill, except and give notice of their intention to appeal.

Woodstock Bank
vs.
Catharine Brown et als. } 3609

This day came this cause on to be heard upon the demurrer of the said E.P. Hathaway to the petition of the said plaintiff, and was argued by counsel and submitted to the Court. On consideration whereof the court sustains said demurrer and the plaintiff not desiring to prove further as to said E.P. Hathaway, it is ordered and adjudged that he go hence without day, and recover of the plaintiff his costs herein expended.

Eva L. Cheney
vs.
Justus J. Miller } 3671

On showing of plaintiff and on her motion this cause is continued at plaintiffs cost with leave to defendant to answer 30 days from rising of this court.

Ramsey Hanegan
vs
W.S. Douglas } 3497 Continued.

Charles Randall
vs.
Camp & Randall } 3648

This day this cause came on to be heard on the demurrer of the defendants to the plaintiffs petition, was argued by counsel, and the Court being fully advised in the premises, do sustain said demurrer as to first cause of demurrer and the plaintiff has leave to file amended petition in 30 days from rising of Court, and to make the Camp & Randall manufacturing Co. party defendant, and cause Continued.

Osmond W. Wells
vs.
Hudson Haines et als. } 3466

This day the jury being unable to agree on a verdict, the court discharged the jury and continued the cause with leave to defendants to file an amended answer within 30 days from the rising of this Court, and plaintiff to reply in 20 days after amended answer.

Tuesday, September 21st 1880.

3669

3609 Woodstock Bank vs. Catharine Brown etals. This day came this cause on to be heard upon the motion of the defendant Catharine Brown, to the petition of the plaintiff, on consideration whereof the Court do sustain said motion and request the plaintiff to make its said petition more definite as to said motive stated, thereupon the plaintiff asked and obtained leave to file an amended petition herein, by saturday of this week.

3645 Mary E. Stout vs. Samuel Stout } Continued

3651 W. W. Woods vs Reese Ballard } Continued

3670 Mrs Kendre Bishop vs. Jeannette D. Bishop } Continued

3677 Rachael Harriman vs. Amos Harriman } Continued

3680 P. R. Kerr vs. George Winters } Continued

3684 Nancy J. Snair vs Jacob Snair } Continued

3685 Eli G. Piper Admr &c vs John Parkinson, Samuel Harbert (surety) } Continued

3687 State of Ohio vs. William Walke } Continued.

3669

Samuel Jewell
vs
H. J. King Et. als.

This day came the plaintiff by his Attorneys and the said defendants still failing to demur or Answer to the petition of the said plaintiff and being in default. This cause was submitted to the Court upon the petition and evidence. On consideration whereof the Court being fully advised in the premises do find that the promissory note in the plaintiffs described was executed to the plaintiff by said H. J. King as principal and said Joseph King as Surety and that Since making the same the said Joseph King has departed this life intestate and said Charles Phillis Jr is his duly qualified Administrator.

The Court do further find that there is due to the plaintiff from the said H. J. King as principal and from the estate of said Joseph King as Surety upon the promissory note in the petition setforth the Sum of Five hundred & twelve dollars and fifty cents being the amount principal and interest at 6 per cent to the first day of this Term of Court

It is therefor Considered Ordered and Adjudged by the Court that the said plaintiff recover of the said H. J. King as principal and the said Charles Phillis as Administrator of the Estate of Joseph King Surety the said Sum of Five hundred and Twelve and $\frac{50}{100}$ Dollars ($512.50) the amount so as aforesaid found due together with his costs herein expended taxed to $

Wednesday, September, 22" 1880.

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

3453

5741 The State of Ohio
vs
Alexander Wright and Edward Jones } Indictment for Stoning a Train of Cars. 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. And it appearing that said defendant Edward Jones is in indigent circumstances and unable to employ counsel, the Court, at his request, assigns A. J. Carpenter as counsel to defend him.

3636 3643

3375

5740 State of Ohio
vs
John Mayo. } 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 "not guilty", and puts himself upon the country, 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 his request, assignes James B. Cole as counsel to defend him

3390 Isaac Walke
vs.
David Joseph et als. } This day this cause came on for judgment on the verdict of the jury heretofore had in this case, and the defendant, Benjamin Joseph waiving all questions of motion to new trial. It is therefore considered, ordered and adjudged that the plaintiff Isaac Walke recover of the defendant Benj. Joseph the sum of one hundred and forty-one dollars debt and the costs herein, taxed at $—

35834
3584 George C. Welch
vs.
W. H. Conkright, Admr &c. } Now came the plaintiff and moved the court therefor for leave to supply papers in there cases, and it appearing to the Court that the said papers have been lost. Leave of this Court is accordingly granted to supply the same.

3453 Melissa P. Hail et als. vs. William Mc Kitrick, et als. This day this cause came on to be heard on the motion of the plaintiffs asking leave to file their reply herein. On consideration whereof the Court does grant leave to plaintiffs to file a reply instanter, and same is filed.

3636 & 3643 Richard Jones vs Anna E. Jones } Dismissed at Plaintiffs Costs and Cost Paid.

3375 James Cutler assignee vs George W. Connor et als } Settled and cost Paid. No record

Thereupon Court adjourned until tomorrow morning at half-past eight o'clock.

Thursday September 23rd 1880.

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

3614 Riley Chapin vs. Elijah Mitchell

This day this cause came on to be heard and upon the motion of the plaintiff and with the consent of the defendant, this cause is by the Court continued.

3609 Woodstock Bank vs Catharine A. Brown et.als.

This day came the parties by their attorneys, and by consent of all parties hereto the said plaintiff has leave to file an amended petition herein in 20 days from the rising of the Court, and cause continued.

3699 E. M. Bruce and Maurice C. Stafford partners as E. M. Bruce & Co. vs S. A. Williams, John W. Williams & W. K. Rutland

This day came the plaintiffs by McLaughlin & Dow attorneys, and thereupon came A. J. Carpenter, one of the attorney's 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. S. A. Williams and John W. Williams, as principals and said W. K. Rutland, as endorsers, to said plaintiffs as is alleged in said plaintiffs' petition, the said sum of $603 33. It is therefore considered that said plaintiffs do recover of said defendants the sum of $603 33, 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 eight per centum per annum. And by virtue of said warrant of attorney all errors are released.

3655 B. W. Evans vs. Beverly Depp

Now come the plaintiff herein and the defendant being in default for demurrer and answer that Court find that the allegations of the petition are confessed to be true by the defendant, and the Court further find defendant is indebted to the plaintiff in the sum of thirty-one dollars and thirty cents ($31 30) the sum due Oct. 1st 1880. It is therefore considered by the Court that the said plain-

liff recover from the said defendant the said sum of $31.30 and his costs herein, tatedat $

3455 Lucy Virginia French et.als
vs.
John H. Preston et.als.

Now came the parties herein, by their attorneys; also came the following-named persons as jurors to-wit: J.C. Stubert, W.C. Wood, William Howard, Charles Sharp, Joseph Ohanra, John Horney, Samuel Sherwood, Henry Marriott, A. Sager, D. J. Elliott, Joseph Roff and G. J. Smith regular jurors, who were duly impaneled and sworn according to law, and the trial proceeded. 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 deliberations. And now came the said jury in 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 Plaintiffs.

G. J. Smith, Foreman.

540 State of Ohio
vs.
John Mayo.

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 assault and battery, which plea is accepted by the prosecuting attorney; and the court having heard the testimony adduced and being fully advised in the premises, and the said defendant being inquired of if he had anything to say why judgment should not be pronounced against him, and having nothing but what he hath already said;

It is therefore considered and adjudged by the Court that the said defendant, John Mayo, pay a fine of Ten Dollars and the costs of this prosecution, and that the said defendant, John Mayo, 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 execution is thereby awarded for the same.

526 State of Ohio
vs
Americus Williams

Now comes the prosecuting attorney and on his motion J.S. Cameron was appointed by the court to assist in the prosecution of said case.

Thursday September 23rd 1880.

3453. Melissa P. Hail et als.
vs.
Wm McKitrick et als.

Now came the parties herein, by their attorneys; also came the following-named persons as jurors, to-wit: J.C. Stubert, W.C. Wood, Wm Howard, Charles Sharp, John Horney, Samuel Sherwood, Henry Marriott, A. Sager, D.J. Elliott, Joseph Riff and G.J. Smith regular jurors and Hamilton Blue, Talis juror, who were duly impaneled and sworn according to law, and the trial proceeded. And the said jury having heard the testimony adduced in part said cause was continued until to-morrow morning at half-past 8 o'clock.

3453

3583 and 3584 George W. Welch
vs.
William H. Conkright Admr of the estate of Nicholas Money dec'd.

This cause coming on to be heard on motion of the defendant to strike out irrelevant and redundant matter from the petition of the plaintiff and the Court being fully advised in the premises do overrule said motion and thereupon this cause came on for further hearing and was submitted to the Court upon the petition and the evidence; on consideration whereof the Court find the facts and allegations of plaintiffs petition, if true, constitute a defense and do adjudge that the plaintiff herein who was defendant in cases numbered 3556 & 3557 in this Court has a valid defense therein, if said allegations are true, and that by reason of the facts set forth in the petition herein, he is entitled to have the judgment complained of set aside. It is therefore considered by the Court that the said judgment in cases numbers 3556 & 3557 of this Court be and the same hereby is set aside and held for naught, and the said action is continued for trial with leave for the defendant in said original case to answer in 30 days from the rising of the Court. It is further considered that the defendant in this case recover from the plaintiff his costs herein expended, taxed to $—

3455

3556 William H. Conkright Admr of the estate of Nicholas Money, dec'd.
vs
George W. Welsh

On motion of the defendant and for good cause shown it is ordered that this case and case numbered 3557 in this Court be and they hereby are consolidated; and that all further proceedings in said consolidated action be had in and under the numbers of 3556 & 3557

Thereupon Court adjourned until tomorrow morning at half-past 8 O'clock.

Friday, September 24th 1880.

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

3453 Melissa P. Hail et als. vs. William McKitrick et als

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 defendants.

Wm Howard, Foreman.

3455 Lucy V. French et als vs. Robert Hill et als.

This day this cause came on to be heard upon the motion and showing for a continuance on the part of the defendants. Whereupon continuance is granted by the Court upon such showing at the costs of the defendants. It is therefore considered by the Court that the plaintiffs recover of the defendants the costs of this term, and in default of payment thereof, execution issue therefor.

Thereupon Court adjourned until tomorrow morning at half-past 8 o'clock.

Saturday September 25th 1880.

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

3625 Wm Stillings
vs
Jas. B. Cole, Trustee.

This day came the parties and the defendants on motion and by leave of the court withdrew his demurrer to the reply herein filed a motion, by leave of Court, to strike from the reply as irrevalent, redundant and immaterial matter, the following portions thereof, to-wit: The last four lines on the 1st page and the 1st 3 lines on the 2d page of said reply. Which motion being submitted by counsel to the Court was by the Court sustained, and the said matter ordered to be stricken out of the reply.

3631 Joseph M. Kennedy
vs.
Osmond W. Wells et als.

This day came on this cause to be heard on the issues joined, whereupon the Court having heard the evidence and argument of the counsel find against the plaintiff on said issues and that the plaintiff hath no claim to said funds in the hands of J. B. Whelpley, Receiver, because his judgment was for services rendered for said Osmond W. Wells since the alleged fraudulent transfer of the property by the said Osmond W. Wells. It is therefore considered, ordered and decreed that the plaintiffs petition be, and the same is dismissed on said hearing at plaintiffs costs, taxed at $.

To all which the plaintiff excepted, and the Court find that the said judgment of Robinson & Piper, amounting to $643.35/100 is a valid claim on the said fund, The Court order and decree that out of said funds in his hands said J. B. Whelpley as said Reciver pay said sum of $643.35 to Robinson & Piper, and as to all other matters and things said J. B. Whelpley is ordered to pay said funds over to the several parties entitled thereto, as per the order and decree of this Court, in the case of Orlando Wells vs. Bank of North Senisburg et als, heretofore rendered.

The costs of cross-petition to be taxed by the Clerk against the parties filing the same. The cross-petition of Powell & Gill also dismissed on hearing.

3663

3616

3647

3663 Josiah Westlake
vs.
Lewis C. Peacock et als.

This day this cause came on for hearing upon the motion of the defendants to require the plaintiff to make his petition, herein filed, more definite and certain, and the same was argued by counsel and submitted to the Court. On consideration whereof the Court do sustain said motion, and at the same time came Moses Thompson by his attorneys, Robinson & Piper, and asked and obtained leave to file an answer and cross-petition herein. (answer filed) Also came Thomas Peacock by his attorneys, Carpenter & Brodrick, and asked and obtained leave to file an answer and cross-petition herein.

M. L. Stewart.
3616 vs
Job. E. Stevenson et als. } Continued.

Aulvilda Gardner
3647 vs.
George Gardner

Now came the plaintiff, and the defendant having been duly served with summons and a 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. That the plaintiff at the time of filing the 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 said County of Union and that said parties were married as in the said petition set forth. The Court further find that upon the evidence adduced that the said defendant has been guilty of gross neglect of duty to this plaintiff for more than three (3) years previous to filing the petition herein and that by reason thereof the plaintiff is entitled to divorce as prayed for. It is therefore ordered and adjudged by the Court that this marriage contract heretofore existing between the said Alvilda Gardner and George Gardner 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 Alvilda Gardner recover from the said George Gardiner her costs herein expended and execution is ordered for the same.

Thereupon Court adjourned until Monday morning Sept. 27th 1880, at 9 o'clock.

Monday, September 27th 1880.

This morning Court met at 9 o'clock, pursuant to adjournment, the same Officers being present as on Saturday, Sept 25th 1880.

3624

A. B. Robinson
vs
Samuel Rayford etals.

This day came the Plaintiff by his attorneys and the defendants came not, but made default herein, and thereupon this cause came on to be heard and was submitted to Court, and the Court being fully advised in the premises do find for the plaintiff and find that there is due plaintiff from the defendant Rayford the sum of One Hundred and Six + 79/100 dollars, with interest at eight per cent, and that said sum of money is a mortgage lien on the land described in plaintiff's petition and that said lands ought to be sold to pay the same. It is therefore ordered, considered and adjudged and decreed by the Court that said plaintiff recover of the defendants Rayford, the said sum of One Hundred and Six + 79/100 dollars and interest at eight per cent and costs herein expended, taxed at $ and that if said defendants fails for the period of ten days from the rising of this Court to pay said sum with the interest and costs, that an order of sale issue to the Sheriff of Union County, Ohio, who is made a Master Commissioner for that purpose, commanding him to sell the lands described in said petition according to law, and to report his proceedings herein to this Court.

3641

William Black
vs.
Margarette E. Black.

This day this cause came on to be heard upon the petition of the plaintiff, the defendant being in default for answer, do find for the plaintiff. It is therefore ordered and adjudged that the marriage relations heretofore existing between there parties be dissolved. And it is further ordered and adjudged that the costs of this cause be paid by the plaintiff, taxed at $—

3625

Wm Stillings
vs.
J. B. Cole, Trustee

This cause coming on to be heard was submitted to the Court upon the pleadings and evidence whereupon the court being fully advised in the premises, find for the defendant and that the mortgage described in the petition of the plaintiff is fraudulent and void as to the creditors of J. D. Leeper and as to the defendant as Trustee, and it is therefore considered ordered and

3679

3652

3650

adjudged that the defendant go hence without day, and that the plaintiff pay the costs of this suit taxed at $ No Record

3679 H. L. Green, Admr. &c. vs. John W. Southard, et als.

This day came the plaintiff by his Attorneys and dismissed this action at his own cost, without prejudice to a new action herein. No record.

3652 John A. Logsdon vs. J. H. Wall

This day came the parties herein by their attorneys, and thereupon this cause came on to be heard upon the answer of the defendant and upon the motion of said defendant to dismiss this action for want of prosecution, and the Court being fully advised in the premises do find that the plaintiff has failed to file his petition herein and to prosecute this action to final judgement according to law. It is therefore considered and adjudged by the Court that said action be dismissed at the costs of the plaintiff, and that the defendant recover of the plaintiff his costs herein taxed at $ and execution is awarded for the same. No record

3650 J. S. Howland vs. Sarah A. Clevinger and William Clevinger

This day came the defendants herein and filed a transcript of the proceedings and judgement of Nelson Cone, a Justice of the Peace in and for Union County, in a certain action between the above named parties, from which it appears that on the 29th day of June, 1880, a judgement was rendered by said Justice in favor of this plaintiff and against the defendant, William Clevinger for the sum of forty-two 69/100 and $ costs of suit, from which judgment the said defendants appealed. And now this cause came on for further hearing upon the pleadings and evidence and was submitted to the Court without the intervention of a jury, by agreement of the parties. On consideration whereof the Court find that the plaintiff recover from the defendants the sum of twenty-eight cents and $ costs that were made up to the time the tende of the said twenty-eight cents, which was made on the 19th day of June, 1880, before Nelson Cone, Justice of the Peace, and the Court find the amount of the cost to be $1 45/100 Dollars It is therefore con-

Monday September 27th 1880.

sidered by the Court that the said plaintiff recover from the said defendants the sum of 29/100 dollars and his costs taxed at $14.90/100 dollars. It is further ordered and considered by the court that the defendants recover from the said plaintiff the sum of Four + 75/100 dollars, being the amount of costs that was made before Nelson Cone, Justice of the Peace, after the said tender made by the defendants to the plaintiff. It is therefore considered by the court that the said defendants recover from the said plaintiff the said sum of Four and 75/100 dollars, and their costs herein expended, taxed at $ — No record.

3664 Eli G. Piper Admr etc.
vs.
Benjamin H. Williams etals.

This day came the plaintiff and moved the Court here for leave to make William P. Hopkins a party defendant by inserting his name in the original petition without filing an amended petition; it appearing that said Wm P. Hopkins holds a mortgage lien on a portion of the premises in the petition described, no one objecting, and the Court being fully advised in the premises, granted leave to make the change in the original petition, and make the said William P. Hopkins a party defendant.

3663

3577 John McAllister
vs
A. L. Breese

3603

This day came the parties and by mutual agreement consent agree to settle this case by this court affirming the judgment of the court below.

It is therefore considered, ordered and adjudged by the court that the defendant recover from the plaintiff the sum of $20.70 being the amount of his judgment and cost of the court below, and that the defendant recover from the plaintiff his cost in this court taxed at $ —

Thereupon Court adjourned to meet tomorrow morning at 9 o'clock.

3665

Tuesday September 28th 1880.

This morning Court met at 9 o'clock, pursuant to adjournment, the same officers being present as on yesterday.

David J. Ellis
vs
3665 Alex. J. Mahaffey et als.

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the demurrer of the defendant James T. Mahaffey to the petition of the plaintiff and was argued by counsel. On consideration whereof, the court being fully advised in the premises, overrules the same, to which ruling the said James T. Mahaffey excepted. On motion to James T. Mahaffey, leave was given him to answer 30 days from the rising of this Court.

Josiah Westlake
vs.
3663 Lewis C. Peacock et als.

This day came James B. Whelpley by his attorneys, Carpenter & Broderick, and asked and obtained leave of Court to be made a party defendant; file answer and cross-petition, and entering his appearance herein.

Samuel Harrison
vs.
3603 Margaret Harrison et als.

And now came the said Samuel Harrison by Carpenter & Broderick his attorneys 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 said proceedings and sale be and the same is 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 free and discharged of the dower interest therein of the said Margaret Harrison, the said defendant Margaret Harrison having waived the assignment of dower by metes and bounds and elected to take the reasonable value thereof in money; and it is further ordered that the said Sheriff, out of the money in his hands, pay:

I. The costs of this case, including a counsel fee of $14 45/100 to Carpenter & Broderick, and to Robinson & Piper of $14 45/100, taxed to $70 75/100.

II. To the said Margaret Harrison the sum of $40 25. That of the residue he pay:

III. To the said Samuel Harrison one equal one-eighth part.

IV. To the said John Harrison one equal one-eighth part.

V. To the said Zebulon Harrison one equal one-eighth part

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VII. To the said Hannah Dickerson one equal one-eighth part.
VIII. To the said Sarah Dickerson one equal one-eighth part,
IIIIIIII To the said William Johnson one equal one-eighth part.
IIX. To the said William H. Harrison one equal one-eighth part.
X. To the said George Harrison one equal one-eighth part.

And the said purchaser is required to execute his notes, secured by mortgage on said premises, to the said heirs and widows above mentioned, for the remainder of said purchase-money.

1839

Thereupon Court adjourned until Monday morning October 4th 1880 at 10 o'clock.

Monday October 4th 1880.

This morning Court met at 10 o'clock pursuant to adjournment, the following Officers being present: Hon. John McCauley Judge, Justus J. Miller, Sheriff, R. S. Woodburn, Prosecuting Attorney, W. M. Winget, Clerk.

Thereupon Court adjourned until tomorrow morning at half-past 8 o'clock.

Tuesday, October 5th 1880.

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

1839

Richard Brewster et als.
vs.
Nathan Bell et als.

This day came William H Taylor, Susan Taylor, George L. Talbot, Sarah L. Davis, Geo. Widger Felix Broome Margaret Chapman, Charles L. Bell, Robert Bell, Nellie Noland and Lillie Noland, Cecil Amos and Ellen Amos his wife, Stephen Noland and Elizabeth Noland his wife, by their counsel and this cause came on for hearing upon their motion to open the decrees heretofore made, and let them in to answer and defend. And the said plaintiffs appeared to said motion by Messrs. Robinson & Robinson their counsel, and the Court having heard said motion and the affidavits and evidence thereupon and the arguments of counsel, are of opinion that said motion is well taken and ought to be sustained. It is therefore ordered that said judgement and decrees be so far opened as that said moving defendants shall be let in to defend and that they have leave to file their answer in said original action, which is done accordingly.

It is further ordered that said moving defendants be and they are required to secure the costs, to be hereafter made in the case, on or before December 1st 1880, and that said plaintiffs have leave to reply or otherwise plead within the same time. And all questions as to part costs the question is reserved for future action. And the plaintiff excepts to said ruling and judgment of the Court, and the parties to said cause in open Court now agree that in the future hearing of this cause the depositions heretofore taken by any and all parties, so far as competent, may be read, and as to the testimony of any deceased witnesses who may have testified in this cause, the same rule shall apply as if said persons had originally all been personally served with process in the case.

Tuesday, October 5th 1880.

2090 Bank of North Lewisburg
vs.
Orlando Wells etals.

This day this cause came on further to be heard, and thereupon it appearing that neither of the defendants have filed any cross-petition, this cause is ordered by the Court to be left off of the docket. And it is further ordered by the Court that said Orlando Wells pay the costs of this proceeding within ten days, and in default thereof that execution issue therefor.

1825 Daniel Johnson
vs.
Harvey M. Haines etals.

This cause coming on to be heard on motion of the defendant J. Greenleaf & Co. to set aside the appraisements heretofore made of the land levied upon and ordered to be sold in this case. The Court, upon good cause shown therefor to-wit: That the land levied on in this case was appraised subject to the dower of Sephrona Sharp, whereas there was no such dower claim against said land. Therefore said appraisement is set aside and new appraisement ordered

1139 Kelton, Bancroft & Co.
vs
E. Hammond etals.

This day came on this cause to be heard on the motion of the plaintiff to confirm the sale made herein Jan. 24, 1880 to J. W. Robinson, and the court being fully informed in the premises do confirm said sale and order the Sheriff of this County to execute to said purchaser a deed for said premises viz: The west half of lot No. 17 & the east half of lot no. 16 in Newton of this county, being the Hammond Store House property 40 ft. front and extending to the alley. Further the court order that John C. Price pay over to the Clerk of this Court whatever sum he has received as receiver, less ten percent. for his trouble, and that the proceeds of said sale and said rents be applied first in satisfaction of the costs in this cause. - 2d in satisfaction of the tax claims and taxes mentioned in the answer of J. W. Robinson, amounting to $ 58.52 and third that the balance thereof be paid and applied upon the judgments of said Kelton Bancroft & Co. and said A. S. Scovill & Co in the proportion of one-sixth to said A. S. Scovill & Co and the other five-sixths to said Kelton Bancroft & Co. And further the Court find that J. W. Robinson is the owner by purchase from Kelton Bancroft & Co. and from said Maddox Bro & Co of the said two judgments mentioned in said pleadings in their favor and that there is still due on said Kelton Bancroft & Co's judgment after the application of said five-sixths of said sum of money the sum of $44.71 and on said Maddox Bro & Co's the sum of $317.67/100 making a total of $362.38 which is due said Robinson * [continued on next page.]

Thereupon Court adjourned until tomorrow afternoon at half-past one o'clock.

Wednesday, October 6th 1880.

This afternoon Court met at half-past one o'clock, pursuant to adjournment, the following officers being present: Hon. John L. Porter, Judge; Justus J. Miller, Sheriff; R. L. Woodburn, Prosecuting Attorney; W. M. Winget, Clerk.

3702 J. J. Kilbury, J. B. Samb & William Wagner vs Henry Samb

On application of the said J. J. Kilbury, J. B. Samb and William Wagner, John L. Porter, Judge of the Union County Common Pleas Court, for an injunction and upon producing their petition duly verified and it appearing therein that the plaintiffs are entitled to the relief demanded it is ordered that an undertaking be given in the sum of $200 with sureties to the approval of the Clerk, an injunction be allowed to issue herein as prayed for in said petition enjoining the said defendant from obstructing the road therein described, to-wit: On the north by the lands of Henry Samb; on the south by lands of B. H. Gordon and Peter Scott, and on the east by the lands of B. H. Gordon and George Woolford on the west and intersecting with the Marysville and California gravel road, in any wise whatever; or interfering with the free and unobstructed use thereof by the public until the further order of the Court.

* as said assignee and for which execution is hereby awarded by the Court against the said E. Hammond and as to all other matters and claims the said premises sold are free and clear; and the levies on said 42 acres by said judgment creditors are found by the Court to have been made after said Hammond had sold the same, and said levies thereon are ordered to be vacated and set aside and said 42 acres remaining free and clear from any incumbrance thereby, and any deed or other incumbrance of the lots sold as aforesaid to J. W. Robinson and for which said deed is ordered to be executed made since this petition has filed are decreed to be void & of no effect in law.

516 The State of Ohio vs John Mahaffey } Left-off docket by order of Prosecuting Attorney &c

Thereupon Court adjourned until Friday morning October 8th 1880 at half-past 8 O'clock

Friday October 8th 1880.

This morning court met at half-past 8 o'clock pursuant to adjournment, the same officers being present as on Wednesday Octo-ber 6th 1880.

543 The State of Ohio vs. Cyrus Crahood } Indictment for assault and battery.

542

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 Cyrus Crahood pay a fine of Ten dollars and costs of prosecution, and he stand committed to the jail of Union county until the amount of said fine and costs shall be paid

539

3692 R. D. Connell vs Village of Richwood. } This day came the parties hereto by their attorneys, and by agreement this case is set down for hearing in this court on Thursday October 14th 1880.

541 State of Ohio vs. Alexander Wright & Edward Jones } Now comes the prosecuting attorney on behalf of the State of Ohio, the defendants being brought into Court in custody of the Sheriff; thereupon said defendants retract their plea of not guilty heretofore entered, and for plea to said indictment says they are guilty of stoning a railroad car as alleged in said indictment, which plea is accepted by the prosecuting attorney. It is further ordered and adjudged by the court that the said Alexander Wright and Edward Jones pay a fine of Fifty dollars each 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. And it is further ordered by the court that the said Alexander Wright and Edward Jones be imprisoned in the jail of Union county for a term of Ten days each - and that they pay the costs of this prosecution, for which execution is awarded.

526

541 State of Ohio vs Alexander Wright & Edward Jones } It is therefore considered and ordered by the Court, after being fully advised in the premises that the

519

imprisonment part of the sentence of the said Edward Jones be and the same hereby is remitted.

542 State of Ohio vs. P. R. Kerr } This cause came on to be heard upon motion of the defendant to quash said indictment upon the grounds that said indictment did not show upon its face at whose request the testimony upon which bill was found was sent to the Grand Jury. The Court being fully advised in the premises did sustain said motion.

539 State of Ohio vs. Alfred Kennedy, George Davis William Knuff. } Nolle Prosequi is entered herein as to Alfred Kenedy by order of the Court at the request of the prosecuting attorney, and this cause is continued by consent of parties as to George Davis and William Knuff, and it is further ordered by the Court that the said defendants George Davis and Alfred Kennedy each enter into a recognizance with approved surety for the sum of seventy-five dollars each to the state of Ohio for their appearance on the first day of the next term of Court and continue from day to day until discharged by the Court.

526 State of Ohio vs. America V. Williams. } This cause came on to be heard upon showing of the defendants to continue said case, and the Court being fully advised in the premises considered said showing sufficient and said case is hereby continued. And the Court further ordered that the said America V. Williams enter into a recognizance to the state of Ohio in the sum of Five hundred dollars, with good and approved security, for her appearance on the first day of the next term of Court, and continue from day to day till discharged by this court, which recognizance with James Stewart surety, is accordingly given.

519 State of Ohio vs. Benj. Wood } Left off by order of Court.

Friday October 8th 1880.

517 The State of Ohio vs. Gustavus Sparks. } Left off by order of Court

532 The State of Ohio vs. William Brown } Continued for Arrest.

535 The State of Ohio vs John Culumber } Continued by consent
Left off by order of Court

Farmers Bank of Union County
3658 vs.
Hiram Roney et.als.

This day came on this cause to be heard on the demurrers of the several defendants to the petition, and the court being fully advised in the premises, overrule said demurrer of said defendants, except the demurrer of Mrs. Joseph Parthemore, which is sustained, whereupon the plaintiff dismissed as to her without prejudice and leave is given defendants to file answer by Monday, Oct. 11th 1880.

John W. Haines
3550 vs.
Bank of North Lewisburg

This day came the parties and by their consent the judgement rendered in favor of the Bank of North Lewisburg against John W. Haines and George Wyrick, described in said petition, be so far opened up as to allow said John W. Haines and George Wyrick to make defence to the petition filed against them in said cause wherein said judgement was rendered; and leave is granted them to file said answer within thirty days from the rising of this Court, and this cause is consolidated with said original action for disposition as to costs; and cause continued. 3673

Bank of North Lewisburg
3173 vs
James Carter et.als.

Now came the parties to this suit and it appearing to the court that W. A. West holds and owns a note of three hundred and fifty dollars as set forth in his answer, which the Court finds to be the first lien on the thirty acres of land in said petition described, in Survey No 4265. Beginning at the east corner of the 196 acres sold by James Hornbeck to George Stewart June 19th 1852 and in the east line of the survey; thence with the survey line N. 10. W. 3541 3558 529

82 poles to a stake and stone; thence S. 81. W. 58½ poles to a stake, thence S. 20. E 82 poles to a stake in the south line of the Stewart lot; thence to the beginning. The Court finds that W. W. Woods has paid $200 to said W. A. West Nov. 27th 1879 on said note, and to that extent claims a lien on said land, and the balance due on said note is $226 65/100 which is also the first lien on said 30 acres of land. Therefore it is ordered and decreed by the Court that said James Carter, within ten days pay to said W. A. West said sum of two hundred and twenty-six 65/100 dollars and interest from this date and costs of this branch of said cause, and in default thereof that an order of sale issue to the sheriff of this county commanding him to sell said 30 acres of land according to law and bring the proceeds into Court for distribution. And further that said Carter pay to said W. W. Woods said sum of $200. with interest from Nov. 27th 1879, within ten days, or in default that an order of sale issue on his demand commanding said Sheriff to sell said 30 acres according to law. And further it is ordered that if said Carter shall fail for ten days to pay the sum of $3052,13 with interest from Feb. 22nd 1878 and costs to the plaintiffs which this Court finds due said plaintiffs, as alleged in this petition, that an order of sale issue to said Sheriff commanding him to sell according to law said 30 acres and the lot No. 15 in the Village of Peoria as described in said petition and the proceeds bring into Court for distribution and as to all other matters this cause is continued

3673 John Vance et als vs. Joseph McCombs et als. } This cause is continued with leave to defendants to answer in 10 days from the rising of the Court.

3541 Ellen Beem vs. James W. Gaston } Continued

3558 Stephen Cranston et al vs Orson Benton et als. } Continued

Murilla Keith vs Charles Keith } Continued.

529 The State of Ohio vs Roe Debolt } Left off by order of Court

Friday October 8th A.D. 1880.

No 2837. Samuel Turner vs Mary Turner

This day came the parties by their attorneys and thereupon this Cause came on to be heard upon the pleadings of the parties and the evidence and was argued by Counsel and submitted to the Court. The court being fully advised in the premises do find that the said Mary Turner defendant is the owner of a life estate in the premises in the petition described and that she has been in the possession and enjoyment of the same for more than ten years last past. That She being the proprietor of said premises failed to pay the taxes thereon and that she suffered said lands to be sold for taxes and that the plaintiff bought said lands at tax Sale and received a deed therefor which Sale and deed has been held to be invalid on account of irregularity in the proceedings and of the officers having duties to perform in relation thereto.

The Court further find that said plaintiff has paid the purchase money at said tax Sale and has paid the taxes since To-Wit; That the amount paid as purchase money and taxes since with interest at 6 per cent till the first day of this term Paid on Lot No 4 as described in said pleadings is $163.78. That the amount paid as purchase money and taxes since with interest at 6 per cent till the first day of this term paid on said Lot No 9 is $8.07. That the amount paid as purchase money taxes since and interest at 6 per cent till the first of this term of Court is $69.56 (at the half half lot). That the amount paid on said Lands as purchase money at the time of said tax Sale was the amount of taxes and penalties legaly due at the time of said Sale. That said Sale was made and said taxes paid at the times in said pleadings Stated. The Court further find that the said amounts So paid are a lien on the respective lots and lands upon which said taxes were assessed and paid To-Wit; The said Sum of $163.78 is a lien upon said Lot No 4. and that said Sum of $8.70 is a lien upon said Lot No 9, and that said Sum of $69.56 is a lien upon said one half of an acre of Land described in the petition.

It is Therefor Considered ordered and adjudged by the Court that if the said Mary Turner defendant fail for five days to pay said Several Sums of Money found to be liens as aforesaid or any part thereof then that an order issue to the Sheriff of said county Commanding him to appraise advertise and Sell the defendant Mary Turner's Life Estate in said lots and lands or either of them upon which said payments is not made and that he bring the proceeds from said Sale into Court to await the further order thereof, and for the purpose of distributing the proceeds of said Sale this Cause is continued,

Persons appointed to Examine Co. accts

R.M. Henderson and Charles L. Chapman are hereby appointed and required in connection with the Prosecuting attorney of this County to investigate and Examine the financial proceedings of the County Commissioners for the year ending Sept 1st 1880 and report the result of their examination to the Auditor in the manner required by law,

Time fixed for hearing Court

Thereupon Court adjourned until Wednesday morning October 13th 1880 at 10 o'clock.

Wednesday October 13th 1880.

This morning Court met at 10 o'clock pursuant to adjournment the same Officers being present as on Friday, October 8th 1880.

3453 Melissa P. Hail etals. vs. Wm McKitrick etals.

This day came on this cause to be further heard by the Court on the motion for judgement on the verdict rendered in this cause, whereupon it is considered, ordered, and adjudged by the Court that the defendants go hence without day and recover of the plaintiffs their costs herein expended taxed to $

3443 Francis S. Hoyt vs. W.S. Alden etals

This day came the parties and by consent this cause is referred to James B. Whelpley as master commissioner to take the testimony to be submitted by all the parties and report his findings on the law and the facts in issue between the parties herein together with the evidence taken in the cause, before the commencement of the next term of Court, and either party may by reasonable notice to the other parties fix the time of such hearing this cause. And this cause is continued for said report

Alvah Smith vs. The Bank of Marysville

This day came the parties and thereupon it appearing that defendant has deposited with the Clerk of this Court the sum of $10268 71/100 for the plaintiff it is therefore ordered by the Court that said Clerk pay the said sum of money to the plaintiff, the receipt of same to be without prejudice of either party at the trial of the issues in the cause.

Time fixed for holding Courts.

Be it remembered 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 eleventh day of October, 1880, for the purpose of fixing the times of holding the Terms of the court of Common Pleas, be commenced at 8 o'clock A. M.

In Crawford county, on February 7- June 6- November 7.
In Hardin county, on January 10- May 3- September 19.
In Hancock county, on February 7- May 30- October 17.

Wednesday, October 13th 1880.

In Logan County, on February 7 - May 24 - October 18.
In Marion county, on January 18 - May 16 - October 12.
In Seneca county, on February 7 - May 30 - October 17.
In Union County, on January 10 - April 25 - September 12.
In Wood county, on January 10 - May 3 - September 19.
In Wyandot county, on January 3 - April 25 - September 5.

And that a Term of the District Court, be commenced at 8 o'clock a.m.

In Crawford county, on March 24. In Hardin county on March 17.
In Hancock county, on April 5. In Logan county on March 14.
In Marion county on March 7. In Union county on March 9
In Seneca county, on April 8. In Wood county, on March 28.
And in Wyandot county, on March 21st

Thomas Beer
John L. Porter
Henry H. Dodge
John McCauley, Judges

3686

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 three consecutive weeks according to law.

John L. Porter, Judge.

3613 The State of Ohio vs Benjamine Lock

This cause was settled by agreement of Parties on file at the cost of the Defendant: It is therefore considered ordered and adjudged that the plaintiff recover of the defendant Benjamine Lock the costs of this action taxed to $ and execution is awarded therefor,

3591

3661 The State of Ohio vs George Sager } "On Peace Warrant."

This cause being this day called for trial, and the prosecuting Witness Anne Smith failing to appear in person or by attorney the action is hereby dismissed at the cost of the said Anne Smith.

It is therefore considered ordered and adjudged that the Defendant pay the cost herein taxed at $ and Execution is awarded therefor,

Thereupon Court adjourned until to-morrow morning at 8 o'clock.

Thursday, October 14th 1880

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

Alvah Smith
3686 vs.
W. W. Woods et als.

Now came the parties herein, by their attorneys; also came the following-named persons as jurors, to-wit: Sylvester Grindle, Samuel Gamble, John Morrison, Arthur Liggett, George Erb, Henry Harington, J. W. Ford, Frederick McIlroy, John Gibson, Calvin Felkner, Alexander Gibson & Timothy Thomas, who were duly impaneled and sworn according to law. And the trial proceeded. 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:

Alvah Smith
3686 vs.
The Bank of Marysville

The jury will answer the following questions according to the facts:

1. Did the Bank of Marysville by its agent Henderson, tender to the Peoples Bank, about the 20th day of December 1879, the principle of said Certificates, and interest at 6 per cent. from the dates of the certificates respectively, making a total of $10.286.70?

Ans. Tender, Yes.

Timothy Thomas
Foreman.

Eri Gibson
3591 vs
Thomas B. Benton assignee &c

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the demurrer of the defendants to the petition of the plaintiff.

On consideration whereof the Court do Sustain said demurrer on the grounds that the Court has no jurisdiction and the case is ordered to be Stricken from the docket.

Thereupon Court adjourned until to-morrow morning at 9 o'clock.

Friday October 15th 1880.

This morning court met at 9 o'clock pursuant to adjournment; the same officers being present as on yesterday.

3589

3686 Alvah Smith
vs.
Bank of Marysville

This day the plaintiff having filed his motion for new trial and the same not being sufficient time to hear the same and complete the hearing of the case, said motion and cause is continued for further hearing.

3682 Solomon James et als. Trustees - Petition to sell church Property.

3691

This day this cause came on for hearing upon the petition and the evidence, and upon the hearing it appearing that such sale is desired by the members of said society, and that there is a necessity for the same it is hereby ordered and decreed by the Court that said petitioners as trustees are hereby authorized and empowered by the Court to sell the premises described in their petition at private sale, and to report their proceedings to this Court forthwith

3681 James Carpenter
vs.
Thomas Hornbeck

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 the court further find that the defendant is indebted to him in the sum of One hundred and ninety-three and 58/100 dollars. It is therefore considered by the Court that the said plaintiff recover from the said defendant the said sum of $193.58 with interest at 8 per cent. from October 15th 1880, and his costs herein expended and taxed $—

3654

2930 & 2950 M. S. Stevens, Admr. et als.
vs.
Mt. Carmel Lodge, et als.

This day this cause came on to be heard on motion of plaintiff to set aside the appraisement of the premises involved in this suit, and grant new appraisement. Was argued by counsel and the court being fully advised in the premises, do sustain said motion and it is ordered by the Court that said appraisement be set aside and that the Sheriff cause said premises to be re-appraised and offer for sale as upon former order.

Friday October 15th 1880.

3589 H. C. Hamilton vs. James Cutter et als.

This day came on this cause to be heard on the demurrer of the defendants to the plaintiffs amended petition, whereupon the Court being fully advised in the premises do sustain said demurrer. Whereupon the plaintiff asked and obtained leave to file amended petition in 30 days, making further parties to-wit the bondsmen of the assignees of H.C.H. mt

3691 H.C. Hoskins vs. Samuel Scott et als.

This day came the plaintiff by his attorneys and thereupon this cause came on to be heard upon the petition and evidence. The defendants being in default for answer or demurr. The Court being fully advised in the premises do find that due notice of the filing and pendancy of this suit has been given to the defendant according to law, and the Court do further find that the facts stated and allegations made in plaintiffs petition true and that the mortgage mentioned therein has been fully paid and ought to be cancelled for the reason, and the plaintiff quieted in his title. It is therefore ordered and adjudged that if the defendant fail for 3 days from this date to cancel said mortgages, then that this decree operate as such Cancellate, and it is ordered that said mortgage be, and the same is hereby canceled and wholly released from the record, and the title of the plaintiff quieted and put to rest. And it is further ordered that the plaintiff pay the costs herein.

3654 Joshua S. Gill, jr. vs. The Ohio Mutual Relief Association

This day came the parties by their attorneys and this cause came on to be heard upon the demurrer of the defendant to the plaintiffs petition. On consideration whereof the court being fully advised in the premises do overrule said demurrer to which ruling the said defendants except and leave is given to defendant to further plead in 30 days from the rising of the Court, and this cause continued.

Friday, October 15th 1880

3602	M. E. Pyers vs Selustine Pyers	Continued.
3688	Eli G. Piper Admr &c vs. Brown Watson Abraham Lewis	Continued.
3689	B. D. Bedford & Co vs. Dunn & Henderson et als.	Continued.
3139	Union Central Life Ins. Co. vs. W. M. Haines et als	Continued.
3691	Florence Vangorden vs Silas Vangorden	Continued.
3693	William Wilcot vs Asa Wilcot	Continued.
2474	John Blair vs. John Gotliff	Continued by Agreement.
2708	O. H. Reed, Guardian vs Robert F. See et al	Continued
2817	John G. Gabriel vs. Eli G. Piper, Admr	Continued by agreement.
2966	Eliza Hopkins vs William Hopkins	Continued
3026	Eli G. Piper Admr. vs P. B. Cole	Continued.

Thereupon Court adjourned until tomorrow morning at 9 oclock.

3682

3682

3377

3655

Saturday, October 16th 1880.

This morning Court met at 9 o'clock pursuant to adjournment, the same officers being present as on yesterday.

3682 James Tullington, Charles Phellis and W.W. Woods, Partners as Tullington Phellis & Woods
vs.
Jason M. Chapman, Jonathan Cheney and D.R. White.

This day came the plaintiffs by M.C. Sawrence Attorney, and thereupon came A.H. Kolleffel 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 plaintiffs as is alleged in said plaintiffs petition the sum of $260 22. It is therefore considered that said plaintiffs do recover of said defendants the said sum of $260 22 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 rights to file petition in error are waived.

3682 Solomon James et als. as trustees &c.

In accordance with the former order of the court in this case the undersigned Solomon James, Howard Chavous and John Evans as trustees of the First Anti-Slavery Church of Marysville, have sold the property described in their petition to W.S. Rogers for the sum of fifty dollars

3377 Robert Gibson
vs.
W.W. Woods

This cause is continued with leave to the plaintiffs to plead to the defendants answer in 30 days from the rising of the court.

3655 Elizabeth Hatcher
vs.
Henry Hatcher et als.

This day this cause came on for hearing upon the return of the return of the Sheriff and of the Commissioners herein, of their proceedings in the assignment of dower under the former order of this Court, and on the motion to confirm the same. And the Court being fully advised in the premises, find said proceedings and assignment in all respects in conformity to law and do hereby approve and confirm the same. It is therefore ordered and decreed that the said

Saturday, October 16th 1880.

Elizabeth Hatcher have and possess the lands so assigned, to-wit: "Situate in the counties of Union and Logan and State of Ohio, Part of Virginia Military Survey No. 9839. Beginning at a stone corner; thence S. 79½° W. 107⅓ poles to a water beech stump; thence S. 8¼° E. 16 poles to a stone; thence N. 79½° E. 107⅓ poles to a stone; thence N. 10° W. 16 poles to the beginning, containing ten acres and 120 poles, more or less, being the whole of the 2d tract in said writ described".

Also another tract described as follows; Situate in said Counties and Survey: Beginning at a stone, southeast corner to the lot above described; thence N. 79½° E. 24⅔ poles to a stone; thence N. 10° W. 38 poles to a stake; thence S. 79½° W. 8 2⅓ poles to a stake; thence S. 10° E. 22 poles to a stone in the north line of the ten acre lot above described; thence N. 79½° W. 58 poles to a stone; thence S. 10° W. 16 poles to the beginning, containing in both tracts Twenty-four and one-half (24½) acres, more or less. Also a right of way to and from the above described lot of land to and from the road on the north line of Survey No. 9893. Said right of way to be 2 poles wide and located on the route now used for the purpose aforesaid", as and for her reasonable dower in and to said premises; and it is further ordered that a writ of seizin issue to the said Sheriff commanding him to deliver to the said Elizabeth Hatcher full possession of said premises assigned to her as aforesaid.

*It is further ordered and decreed that of the costs of this suit taxed to $21,76 the said plaintiff pay the one-third thereof, to-wit $7,26 and the said defendants pay the two-thirds part thereof to-wit: $14,50 and in case default be made in the payment of any of the above sums for ten days, that an execution issue therefor as upon judgments

*It is further ordered and decreed that of the costs of this suit taxed to $21,76 the said plaintiff pay the one-third thereof, to-wit $7,26 and the said defendants pay the two-thirds part thereof to-wit: $14,50 and in case default be made in the payment of any of the above sums for ten days, that an execution issue therefor as upon judgments

3627

3683

A. B. Dequod
vs
H. C. Hoskins

This day this cause came on for hearing and thereupon came the parties hereto by their attorneys and by consent of both parties this cause is dismissed without prejudice to a new action herein, at the cost of the plaintiff. It is therefore considered and adjudged that the said cause be and is dismissed without prejudice to a new action herein and that said defendant do recover of said plaintiff his costs herein expended, taxed to $ —

2138

Richwood Union Building and Saving Association
vs
Ross Scott and Charlotte Scott

This cause came on to be heard upon the report of the referee to whom the same was heretofore referred (and there being no exceptions thereto) on consideration thereof the Court do order that the report and all the matters and things therein

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contained be, and they are hereby approved and confirmed. And the Court, upon said report and testimony find that the facts are as reported by the said referee, and that there is due the defendant, Ross Scott, from the plaintiff, the sum of $199.90

It is therefore considered, ordered and adjudged that the plaintiff within twenty days from the entry hereof pay to the defendant Ross Scott said sum of $199 90/100 with interest from Sept. 13th 1880, and it is further ordered that each party pay one-half the costs made since the confirmation of the sale herein including a fee of $ which the Court allow to said referee for his services herein, fixed at $ and in default of such payments it is ordered that execution issue therefor

B. J. Stahl

3627 vs.

Washington Davis, P. J. Wyeth, Thomas Moffit, Elizabeth A. Stahl, Mary H. Robertson

This day came the said plaintiff and the said defendants (excepting Elizabeth A. Stahl) by their attorneys and this cause coming on to be heard was submitted to the Court upon the pleadings, evidence, exhibits and arguments of counsel. Whereupon, the Court being fully advised in the premises do find that since the order of this Court requiring said defendants to appear and set up their claims if any in this case to the note described in the petition the said claims (excepting that of Elizabeth Stahl) have been settled, and that they now have no claim to said note and make none. As to said Elizabeth Stahl the Court find that all her claims to said note were disposed of by a settlement and that she was duly notified and a reasonable time has elapsed since said notice of the order of this court requiring her to set up any claim she might have in the premises and she makes no claim.

The Court further finds that said B. J. Stahl, plaintiff, was a party concerned in all of said settlements, and in consequence of said settlements is now entitled to recover of said Washington Davis the sum of three hundred and eighty-two 50/00 dollars upon the note described in his petition herein, with interest thereon from Oct. 15th 1880, and his claim thereto is undisputed.

It is therefore ordered, adjudged and decreed that the said Washington Davis pay to the said B. J. Stahl plaintiff, within 10 days from the entry hereof the said sum of $382 50 and interest and in default thereof such payment that execution issue therefor.

And it is further ordered that each party herein pay the costs made by himself or themselves and that Defendant, Washington Davis, pay the costs of the record, and execution, if any against him herein.

P. J. Wyeth is permitted to withdraw his answer.

Saturday, October 16th 1880.

3658 The Farmers Bank of Marysville, partner
vs.
Hiram Roney, Rilla G. Roney, Joseph Parthemore, Israel Slack & A. B. Robinson.

3206

This day came the parties and thereupon the Court being fully advised in the premises do find there is due to plaintiff from Hiram Roney as alleged in said petition by judgments the sum of $300 with interest at 8 per cent. from March 9, 1880 and $ - costs. Also the sum of $125 45/100 with 8 percent. from March 9, 1880 and $ -- costs. Also $125 20/100 with interest at 6 per cent. from March 27, 1880 and $ costs amounting to $574.42 October 9th 1880, besides said costs amounting to $ which sums are judgment liens on said 40 feet front of lot 32, and on said lot 147 in said petition describ-ed. Therefore it is considered, ordered and adjudged by the Court that unless said defendants pay said $574.57, with interest from Oct. 9, 1880 at 8 per cent. on $445 30/100 and at 6 per cent. on $129 27/100 and the costs aforesaid and the costs of this suit on or before Janu-ary 1. 1881 then that an order of sale issue to the Sheriff of this county commanding him to sell according to law, said part of lot 32 and all of said lot 147 in said petition described, and report at the next term of this Court, to which time all other matters in issue between the parties are continued

3072 W. W. Woods
vs
W. C. Barnett et als.

This day came on this cause to be heard on the motion to confirm the sale made herein by the Sheriff to Moses Thompson. Whereupon the court being fully advised in the prem-ises do find said proceedings and sale regular and lawful and do confirm the same and order the said sheriff to execute and deliver to said purchaser a deed in fee simple for said lot so sold. And out of said purchase money the said Sheriff is ordered to pay the share of costs herein properly taxable to said lot and also pay the taxes on said lot remaining a lien thereon and that the balance he pay over to E. Piper, who is appoint-ed Receiver to place in interest and hold until the Court shall order the same distributed and for the purpose of ascertain-ing the sum justly due and to be paid said Enterprise Loan Association. Leave is granted to said W. C. Barnett and wife to file answer and interrogations within 30 days and all matters not disposed of are continued for further order

3617

3027 Eli G. Piper Admr
vs.
P. B. Cole et al. } Continued.

Saturday, October 16th 1880.

3206 Z. C. Pooler vs. S. Z. Pooler etals.

On motion of the plaintiff and 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 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 is hereby approved and confirmed. And it is ordered that the said Sheriff convey to the purchaser Z. C. Pooler the lands and tenements so sold, and the said purchaser is hereby subrogated to 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 hereby awarded to put said purchaser in possession of said premises. And the Court coming now to distribute the proceeds of the 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 $ except the costs of E. E. Shedd and company, English, Miller and company and the Dr. Harles Medicine Company and Wilkinson Evans and company they are to pay their own cost up to the 7th day of June, 1880, amounting to $25.

Second, the tax on premises.

Third, to E. E. Shedd and company, English Miller and Company and the Dr. Harles Medicine company the sum of $131.60/100

Fourth, to Wilkinson Evans and company $140.38

Fourth, to Z. C. Pooler the amount heretofore found due him amounting to $

3617 Geo. W. Ballard vs. S. M. Beebe etals.

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 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, G. W. Sigler 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 two hundred and 30/100 dollars it is ordered that the Sheriff out of the money in his hands pay:

First. The cost of this action taxed at $

Second. The tax of 1880 on said premises 43 cents.

Saturday October 16th 1880.

Third. The ballance to the plaintiff to apply on his decree and judgment in the case amounting to $193 13/100 on the 15th day of October A.D. 1880

2685 Joshua S. Gill
vs
Lorenzo Sabins, M. Cramer Diana Kelsey and Richwood Building and Savings Association

This day this cause came on to be heard upon the supplemental cross-petition of Michael Cramer, all others being in default - for answer or demurrer, and was submitted to the Court. Upon consideration whereof the Court finds the allegations of said supplemental cross-petition all to be true and that the parties mentioned in said supplemental cross-petition have all entered their appearance in said cause and are now in default for answer or demurrer.
It is therefore ordered by the court that the said Michael Cramer have his order of sale upon the decree heretofore entered in this cause and that he have such proceedings thereon as by said decree he is entitled.

3586 George Sewell
vs.
Edward O. Stevenson.

This day this cause came on for hearing and was argued by counsel and submitted to the Court on the pleadings and evidence. On consideration whereof the Court do find that the claim for taxes as set forth in the defendants answer is a valid and subsisting claim on the premises described in plaintiffs petition and that there is due from said plaintiff to said defendant on said lien the sum of Four Hundred and Ninety-one and 45/100 dollars with interest at six per cent. per annum from the entry of this decree, and the Court do further find that the said plaintiff ought to have his said title to said premises quieted as against the said defendant or any one claiming under or through him, upon payment of the amount so as aforesaid found due him with interest.
It is therefore considered, ordered, adjudged and decreed that the said plaintiff pay to said defendant the said sum of Four Hundred and Ninety-one 75/100 Dollars and that in case default be made in the payment thereof for ten days from the entry of this decree, an order of sale issue to the Sheriff commanding him to appraise, advertise and sell said premises upon execution and bring the proceeds into Court for further order herein, and it is further ordered, adjudged and decreed, that upon the payment of said sum so as aforesaid found due, the title and possession of said plaintiff to all and singular the premises in the petition described be and the same hereby is, are hereby quiet-

ed as against the said defendant and all persons claiming under him. And said defendant and all persons claiming under him 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 plaintiff or in any manner interfering with his use and enjoyment of the same. It is further ordered and adjudged by the Court that of the costs herein taxed amounting to $8.72 the said plaintiff pay one-half thereof, to-wit: $4.36 and the said defendant pay one-half thereof, to-wit: $4.36 and execution is awarded for the same.

Eli G. Piper Administrator with will annexed of the estate of William Gabriel, dec'd.
vs.
Benjamin H Williams et als

Now came the plaintiff herein and the defendants Benjamin H. Williams, Ruhama M. Williams and John Williams, 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 equities in the case are in favor of the plaintiff and that there is due the plaintiff as the administrator with will annexed of the said estate of William Gabriel, dec'd from the defendant Benjamin H. Williams on said judgment in the petition set forth, on the first day of this term of this Court the sum of Three hundred and Sixty-five 98/100 dollars, with interest from that date at the rate of eight per cent. per annum, and the Court further find that by reason of the premises that the said sum of $365 98/100 is a lien on the premises in the petition described and took effect as such on the first day of the February term of this Court, A.D. 1878, to-wit: the 4th day of February, 1878. It is therefore considered, ordered and decreed that unless the defendant, Benjamin H. Williams shall within ten days from the entry hereof pay or cause to be paid to the plaintiff herein the said sum of $365 98/100 with interest at 8% from the first day of this term of this Court, together with his costs herein expended, taxed to $ that an order of sale shall issue to the Sheriff of said Union County for the sale of said premises, directing him to sell said premises and bring the proceeds into Court for further order; and as to all matters of priorities of liens and all other matters this cause is continued.

J. H. Hamilton
vs.
Francis Baldwin, Bridget Baldwin and Michigan Mutual Life Insurance Co.

This day this cause came on to be heard upon the motion of plaintiff to set aside the sale heretofore made by the Sheriff in

this case, by virtue of an order of sale therein issued, and upon good cause shown and the court being fully advised in the premises, the court does sustain said motion and set aside the said sale, and order that a new order of sale may be issued as has heretofore been ordered.

3403

3663 Josiah Westlake
vs
Lewis C. Peacock et al.

And now comes the said plaintiff by H. D. McDowell his attorney, and the said defendants Lewis C. Peacock and Rawson W. Peacock 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 the said plaintiff on the claim for taxes in said petition described (and on the premises described) the sum of ninety-seven dollars with interest from the 13th day of September, A.D. 1880, at six per cent. per annum, and on the note and mortgage in said petition described, the sum of Three Hundred and fifty-two and 78/100 dollars with interest thereon from the 13th day of September A.D. 1880 at the rate of ten per cent. per annum. It is therefore considered and adjudged by the said court here, that that the said plaintiff recover of the said defendants Lewis C. Peacock and Rawson W. Peacock, the said sum of Four Hundred and fifty-two dollars with six per cent. interest on ninety-seven dollars from the 13th day of September, A.D. 1880 and ten per cent interest on Three hundred and fifty-two and 78/100 dollars from the 13th day of September, A.D. 1880, the sums so found due as aforesaid and also his costs taxed to $ And it is further ordered and adjudged that in case the said defendants Lewis C. Peacock and Rawson W. Peacock fail for ten days from the close of this term of the court to pay to the said plaintiff the said sum of Four hundred and forty-nine 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 undivided one-half of the said lands in said petition described (and also the life estate of Thomas Peacock in said premises in said petition described) to be appraised, advertised and sold according to law and bring the proceeds of said sale in to court for further order herein.

3664

1783 Harvey M. Haines
vs
Walter Shaffer } This cause being this day called for trial and the plaintiff failing to appear in person or by Counsel the action is hereby dismissed at Plaintiffs cost. It is therefore considered ordered and adjudged that the defendant recover of the Plaintiff Harvey M. Haines his cost herein expended taxed at $

Saturday, October 16th 1880.

3403 Frank D. Weller
vs
Robert W. Thompson

This day came the plaintiff and dismissed this cause without prejudice to a new action It is therefore considered and adjudged by the Court that the defendant recover of the plaintiff his costs herein expended. His not to include cost already paid.

Eli J. Piper, Administrator with the will annexed of the estate of William Gabriel, deceased
3664 vs.
Benj. H. Williams, & Rhuhana Williams his wife, John Williams, A.V. Kennedy & George F. Morse, Executors of the estate of A.V. Morse, deceased, Farmers Bank and the Bank of Marysville.

This cause coming on for hearing was submitted to the Court upon the pleadings and evidence. On consideration whereof the court find that the defendants Benjamin H. Williams and Rhuhana Williams his wife, executed and delivered to the said A.V. Morse in his lifetime, the mortgage deed as described in the answer and cross-petition of A.V. Kennedy and George F. Morse as the executors of A.V. Morse, deceased, and 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 answer and cross petition of said defendants Kennedy & Morse, as Executors of the estate of A.V. Morse, Deceased. And the court further find that the condition of defeasance in said mortgage has been broken and that said executors of said A.V. Morse deceased are entitled to have the defendants equity of redemption foreclosed.
It is therefore considered and decreed that unless the said defendants Benjamin H. Williams and Rhuhana Williams 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 $1936.48/100 dollars with interest from the 8th day of October, 1880 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 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 as to all questions of usury this case is continued.

Saturday, October 16th A. D. 1880.

2823 Thomas Moffitt vs Elias Robertson et als } This day came the Plaintiff by his attorney and dismissed by the court this case, It is therefore considered ordered and adjudged, that the plaintiff pay the cost herein taxed at $ and in default thereof that Execution issue therefor, "No record".

2803 Thomas Moffitt vs John W. Grindle et al } This day came the parties by their attorneys and dismissed this action at the cost of the Plaintiff.

It is therefore considered ordered and adjudged by the Court that the plaintiff pay the cost of this action taxed to $ and in default thereof that Execution issue therefor. No Record,

2177 Mary H. Robertson vs Elias Robertson } This day came the parties by their attorneys and dismissed this action at the cost of the Plaintiff.

It is therefore considered ordered and adjudged by the Court that the plaintiff Pay the cost of this action taxed at $ and in default thereof that Execution issue therefor, "No Record".

2178 Mary H. Robertson vs John W. Grindle, Thomas Moffitt, Elias Robinson } This day came the parties by their attorneys and dismissed this action at the cost of the plaintiff.

It is therefore considered ordered and adjudged by the court that the plaintiff pay the cost of this action taxed at $ and in default thereof that Execution issue therefor, "No Record".

2H[illegible] 2H83 Mary H. Robertson vs Elias Robertson } This day came the parties by their attorneys and dismissed this action at the cost of the Plaintiff.

It is therefore considered ordered and adjudged by the Court that the plaintiff pay the cost of this action taxed at $ and in default thereof that Execution issue therefor No Record

3580 P. J. Wyeth vs Thomas Moffit et als } This cause is dismissed by Plaintiff at his costs without prejudice & without record with leave to withdraw papers

Saturday October 16th A.D. 1880.

2452 Lucy D. French et-al Pltffs
vs
John H. Preston et-al Defts } In ejectment-

This day the motion made and filed on Sep 24th 1880 for setting aside the verdict and for new trial, rendered in this cause Sep 23d 1880 came on to be heard; On consideration whereof the court overruled said motion for new trial. To which rulings and decisions of the court the defendants hereinafter named then and there excepted and asked the court to sign & seal their bill of Exceptions, and by consent the defendants were allowed 30 days from the rising of the court within which to prepare their bill of Exceptions, It is therefore considered and ordered by the Court that the said Lucy D. French et al recive against the said John H. Preston et al the one fifth portion of the several tracts of lands hereinafter stated for their respective terms yet to come of and in the tenements so described with the apurtenances together with their costs herein expended taxed to $.

And thereupon came the said John H. Preston and the other defendants hereinafter named and by Cole's their attorneys made application for the valuation of improvements and the assessment of damages under the Statute for the relief of occupying claimants upon the lands described in their respective Answers to-Wit; to the said John H. Preston Eighty Acres, Beverly Depp 3 tracts. One of Twenty 5/8 acres. 2d One of Twenty acres. 3d One of Thirty acres. Henry Hudson one Tract of Twenty five 1/4 acres 2d One of Ten acres. Thompson Bishop one Tract of Sixteen 72/100 acres William Butcher one Tract of Twelve acres. 2d one Tract of Forty acres. 3d Tract one of Sixteen acres. 4th Tract one of Twelve acres. Arthur F. McKitrick one Tract of Twenty 126/100 acres. Lucy White & Husband Lot No 5 in R Goodsell 17 3/4 acres 1/6 of S.W.d One half 111 sold by L. Starlin to Miles Depp 65 acres. Keziah Marchant & Husband A. Depp son of Amchelins Depp Rachel Depp Susan Callender Sixty-three acres Matilda Litchford & Blake Litchford her husband 1/6 of 1/2 of Sixty-three acres Walter Bird.

The said Six Shares last named are owned and possessed by in Common by the Six persons last named calling husband and wife one. and known as the South west one half of the tract of 111 acres conveyed by Layne Starlin to Miles Depp And the court having considered said application and being of opinion that the said John H. Preston and the said other Defendants are entitled to relief on that behalf. It is ordered that further proceedings be allowed in the premises agreeably to the provisions of said Statute. to Each of said defendants upon said Lands described in their answers herein of Each respectively. and this cause is continued for further proceedings under said Statute.

3548 D. L. Elliott
vs
Allen Leister } This day this cause came on to be heard upon the Motion and demurrer of the defendant to the petition of the plaintiff. On consideration whereof the court being fully advised in the premises do overrule said motion and demurrer. to which ruling and decision the defendant excepts. And leave is granted to the said defendant to further plead by 1st of day Jan 1881 and cause continued.

Saturday October 16th 1880

No 3682. Solomon James Et. als. Trustees. "Petition Sell Land"

And now came the said petitioners by Carpenter & Brodrick their attorneys and on their motion and on producing the report of the petitioners of their 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 and the former order of this court. It is ordered that the said proceedings and sale be and the same are hereby ~~approved~~ and confirmed; and the said petitioners are ordered by deed duly executed to convey said premises to the said purchaser W. S. Rogers in fee simple and it is further ordered that said petitioners out of the money in their hands pay the costs of this case taxed to $7.01 and that they hold or invest the balance of the proceeds of said sale in trust for said Church.

And thereupon Court adjourned without day.

John L. Porter Judge

3718

3719

3727

3482

3718 W. H. Baxter vs Thomas W. Chesney et al / Eva L. Chesney } Court of Common Pleas. Union County, Ohio.

This day it appearing that Hon John L. Porter Judge of the common pleas court is now absent from this county, and it appearing to me the Judge of the Probate Court of this county that a temporary injunction should be allowed as prayed for, it is ordered that an injunction be allowed as prayed for restraining defendants from interfering with the corn mentioned in said petition on plaintiffs giving bond as required by law in the sum of Three hundred dollars with Surety Satisfactory to the Clerk of said Court of Common Pleas.

November 18th 1880. John B. Coats Probate Judge (Seal)

3719 James W. McElroy vs William Milligan } Court of Common Pleas

On application to me in the absence of the Judge of Common Pleas court this motion for injunction was heard. Whereupon being fully advised in the premises do grant an injunction as prayed for in plaintiffs petition until further ordered on plaintiffs giving an undertaking in One hundred dollars with Surety Satisfactory to the Clerk of this said Common Pleas Court,

Nov 19th 1880. John B. Coats. Probate Judge

(Seal)

3727 Charles Green Plaintiff vs, The Commissioners of Union County Ohio and William M. Liggett Treasurer Union County Ohio Defendants } Court - Common Pleas Union County

This day this cause came on to be heard on the Motion of Plaintiff for temporary injunction in the above case before the Probate court of said County. the Judge of the Court of common Pleas being absent from said county and good cause being shown therefor it is ordered that on an undertaking being given in the sum of $300. with Surety to be approved by the Clerk an injunction be allowed to issue herein enjoining the said defendants from collecting the assessment levied against the plaintiff on the Perkins Gravel Road improvement until the further order of this court. Dec 2d 1880.

John B. Coats Probate Judge

3462 Leroy V. French et al vs John H. Preston et als } And now comes the said John H. Preston et al and presents to the court here their bill of Exceptions to the overruling of the Motion for a new trial and the same is Signed Sealed and allowed and ordered to be placed on file and made a part of the record in this case as of Nov 13th 1880.

Thos Martin
Deputy Sheriff

No 3740

Joseph E. Fonke } Before the Probate Judge. Union County
vs } December 15th 1880
Catherine Snodgrass } Motion for temporary injunction in the court of common pleas
Union County Ohio

And now on this 15th day of December 1880 came the plaintiff by Cameron & Benton his attorneys; and it being made to appear that there is at this time no Common pleas District or Supreme Judge within said County, the motion of the plaintiff for a temporary injunction came on and was heard upon the petition of the peaintiff therein filed and after hearing the argument of Counsel, and being fully advised in the premises, it is considered and ordered that a temporary injunction be, and the same hereby is allowed to restrain the said defendant as prayed for in said petition of peaintiff. It is further ordered that the clerk of the Court of Common pleas issue Summons in this case Endorsed injunction allowed on said Plaintiff, giving an undertaking to the said defendant, Conditioned according to Law with Security to be accepted by the said Clerk of the Court of Common Pleas, in the Sum of $100.00

John B. Coats Probate Judge

3738

Frances E. Hutchison }
against }
Holmes A. Hutchison }

On Plaintiffs application to Hon John L. Porter one of the Judges of the of the Court of Common pleas within and for the Tenth Judicial District of Ohio this motion for an injunction was heard at Chambers. Wherefore the Court do find that the said plaintiff is entitled to have an injunction granted herein, It is therefore considered ordered and adjudged that an injunction be granted herein as prayed for in said plaintiff petition until further order. Dec 11th 1880.

3747

Joseph J. Morelock }
vs }
Harvey S. Hood et al, }

On motion of the Plaintiff by his Attorneys and good cause being shown therefore before the Hon. John L. Porter Judge of this Court in Vacation, It is ordered that on an undertaking being given in the sum of $300 00 with Sureties to the approval of the Clerk an injunction be allowed to issue herein enjoining the said defendants as prayed for in the Plaintiffs petition until further order of this Court.

Thos Martin
Deputy Sheriff

On the 3d day of January A.D. 1881 John Hobensack Sheriff of Union County Ohio, appointed Thomas Martin as his deputy for the term of two years which appointment was duly approved by John L. Porter Judge of the Court of Common pleas of said County and District, and thereupon said Martin accepted said appointment and took the oath of office before John B. Coats Probate Judge of said County of Union according to Law.

Monday, January 10th A.D, 1881.

The State of Ohio } This separate session of the Court of Common
Union County ss } 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 one, held at the Court House in the town of Marysville,
County and State aforesaid was begun and held on the Second
Monday the 10th day of January A.D, 1881.

Present: Hon John. L. Porter, Judge of the Court of Common
Pleas of Union County Ohio.
John Wehnsack, Sheriff.
R. E. Woodburn, Prosecuting Attorney.
W. M. Winget, Clerk.

The venire facias for a grand jury, heretofore issued, and returnable
this day at 9. o'clock A. M., was duly returned by the Sheriff, with his
indorsement thereon, as follows, to wit=

The State of Ohio } Sheriffs Office Dec 28th 1880.
Union County ss } On the 13th day of December 1880, I received
this Venire and served the same on the several persons therein named as
follows= By leaving Copy at residence of within named as follows=
Salomon Walker, December 15th 1880; Jacob Hartman, Dec 23rd 1880;
By delivering Copies, as follows= J.D. Graham, Dec 15th 1880; T.J. Williams, Dec
16th 1880; Charles Adams, Dec 16th 1880; David Shinneman, Dec 24th 1880; Harvey
Burnham, Dec 17th 1880; Calvin Burgentine, Dec 18th 1880.
By reading, as follows= R. H. Bault, Dec 15th 1880; John H. Foreman Sr,
Dec 23d 1880; N. P. Thompson, Dec 14th 1880; George Piersol Dec 13th 1880; Ira Smith,
Dec 13th 1880; John H. Smith, Dec 16th 1880; and S. D. Boyd Dec 13th 1880.
J. J. Miller Sheriff.

And upon calling the same in open Court, Solomon Walker, J.D.
Graham, Jacob Hartman, T.J. Williams, R. H. Bault, John H. Foreman Sr.
N.P. Thompson, David Shinneman, Harvey Burnham, S.D. Boyd, George
Piersol, Charles Adams, Ira Smith, John H. Smith, & Calvin Burgantine. ap-
peared in answer thereto; and, for good cause shown, the Court excused
Salomon Walker and John H. Smith.

And the panel being incomplete, the Sheriff summoned from among
the by standers, to complete the same, the following named persons, who
appeared in answer thereto, to wit= Joseph Powers and W. M. Robinson.

And the panel being full, the Court appointed Harvey Burnham, fore-
man 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=

Harvey Burnham, foreman of the Grand Jury= J.D. Graham, Jacob
Hartman, T.J. Williams, R.H. Bault, John H. Foreman Sr., N.P. Thompson.
David Shinneman, S.D. Boyd, George Piersol, Charles Adams, Ira Smith,
Calvin Burgantine, Joseph Powers, and W. M. Robinson.

1998.
2483
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3027
3012
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3658.

Monday, January 10th A. D. 1881.

1998.	A. C. Doney vs Tillman. G. Goff	Continued
2483	Mary. M. Robertson vs Elias Robertson	Continued
2966	Eliza Hopkins vs William Hopkins	Continued.
2733	W. B. Thompson vs James Hoover	Continued
3026	Eli. G. Piper Admr &c vs P. B. Cole.	Settled and Costs paid. No record.
3027	Eli G. Piper Admr &c. vs P. B. Cole.	Settled and Costs paid. No record.
3012	Eu'a Cartmell vs Benny Woodworth	Continued for Service.
3364	Finly D. Davis vs Elijah Foster	Continued.
3554	Cornelius Mulvaine vs Jonas Figley	Continued.
3575	Maria. O'Donnel vs Patrick. O'Donnel	Continued.
3658.	The Farmers Bank vs Hiram Roney Et.als.	Settled and Costs paid. No record.

Monday, January 10th 1881

3656 Mansfield Banking Company
vs
William M. Bales Admr. et als

This day this Cause came on, and by agreement of parties, is continued. The answers of Defendants are considered filed, Leave to withdraw motion for continuance filed by Defendants, and leave to Plaintiff to file Replies, and the same filed.

3377 Robert Gibson
-vs-
William M. Woods

On motion to the Court by the Plaintiff, it is ordered that the Defendant make his answer more definite and certain as prayed for in said motion; To which ruling the Defendant excepts. And the Defendant takes leave to file his amended answer by Wednesday the 12th Inst.

3579 John M. Sanders
-vs-
Nancy Hill et als

This day came this Cause on to be heard upon the motion and application of Granville S. Robertson, Administrator of John Godfrey deceased to require the proceeds of the sale made in this Case of that portion of said premises belonging to said John Godfrey deceased, to be paid to him as such Administrator to the amount of $440. if so much there be for assets in said motion and the certificate of the Probate Court thereto attached stated. 3027

On consideration whereof, the Court being fully advised in the premises do sustain said motion. It is therefore, considered, ordered, and adjudged by the Court that the full amount of Cash receipts, and all the sale notes in the hands of said Sheriff belonging to the said heirs of John Godfrey deceased paid to said Administrator provided said amount does not exceed said sum of $440. and that out of said sum the said Robertson pay the Costs of this motion taxed to $. 3026 3734

2843 Hiram M. Riley
-vs-
F. M. Dicks et als

This day this Cause came on to be heard upon motion of Plaintiff to set aside the appraisement heretofore made of the real estate in this case, and to order a new appraisement, Being submitted to the Court upon the evidence and exhibits, and it appearing therefrom that said real estate has already been twice advertised, and twice offered for sale under the present appraisement, it is hereby ordered by the Court that the present appraisement be set aside, and a new appraisement of said real estate is hereby ordered. 3721 3697 3668.

3709

3709 Fleck & Chapman -vs- N. D. Degood et als

This day this cause came on for hearing, and the Defendants still failing to answer or demur to Plaintiffs petition herein filed the same was submitted to the Court on the pleadings and Evidence; on Consideration whereof the Court find that there is due to said plaintiff, from the Defendant N. D. Degood, on account of the materials furnished as set forth in the petition, the sum of One Hundred and Eighteen & 94/100 Dollars with interest from the 10th day of January 1881, and that the same is a lien on the premises described in the petition, by reason of the Mechanics lien therein described, and recorded in Book No 2, page 175 of the Union County Records of Liens; And that said Plaintiff is entitled to have the said lien enforced.

It is therefore considered and adjudged that, said Plaintiffs, Fleck & Chapman, recover from said Defendant, N. D. Degood, the said sum of One Hundred and eighteen & 94/100 Dollars, with interest thereon from the 10th day of January A.D. 1881, together with their costs herein expended, And it is further ordered, adjudged and decreed by the Court that, unless the said judgment is paid within ten days from the entry hereof, then an order may issue to the Sheriff of Union 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.

3027 E. G. Piper, Admr &c -vs- P. B. Cole et. al. } Settled and Costs paid. No record.

3026 E. G. Piper, Admr &c vs P. B. Cole. } Settled and costs paid. No record.

3734 John A. Hamilton -vs- Mathew F. Simmons et. al. } Settled and costs paid, No record.

3721 Eva Le. Cheney -vs- W. W. Baxter } Dismissed by Plaintiff and Costs paid.

3697 Mathew Engel -vs- E. G. Rogers } Settled and costs paid. No record.

3668. William C. Hastings -vs- Eliza A. C. Gill et. als. }

On motion of the said Plaintiff, by Carpenter & Broderick his attorneys, and on producing the return of the Sheriff of this County of a sale

Monday, January 10th 1881

3668 of Real Estate made by him on the 31st day of December A.D. 1880 To William C. Hastings on an order of Sale in this Case dated the 16th day of November A.D. 1880, 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 is, 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 hereby ordered that the Sheriff, out of the Money in his hands, pay=

1st The Costs of this action taxed to $32.45

2nd To the Purchaser the taxes now a lien on said land amounting to $31.45 it appearing that he is desirous of assuming the payment thereof=

3rd To the Plaintiff what is now due on his mortgage, amounting to $634.48.

4th And the balance remaining of $1.62 to Eliza A. Gill, Defendant=

Monday January 10th 1881.

Thereupon Court adjourned until tomorrow morning at 8½ o'clock.

Tuesday, January 11th 1881.

This morning Court met at 8½ o'clock pursuant to adjournment, the same Officers being present as on yesterday.

3738. Frances E. Hutchinson -vs- Holmes A. Hutchinson

This day this Cause came on for hearing upon the motion of Defendant to strike out the last clause of the fourth paragraph of Plaintiffs petition and was argued by Counsel and submitted to the Court, On Consideration whereof the Court do sustain said motion.

3665 David J. Eccio -vs- Alex. J. Mahaffey et al.

This day this Cause came on to be heard on motion of the Plaintiff to strike out the first defense contained in Defendants answer and was argued by Counsel.

On consideration whereof, the Court being fully advised in the premises sustains said motion; to which ruling of the Court, the Defendant, James P. Mahaffey, by his Counsel, excepts.

3174 Xenophon C. Scott. -vs- Rebecca Morse

This day this Cause came on for hearing upon the motion of the Plaintiff to strike out certain portions of the answer of said Defendant, herein filed, and the same was argued by Counsel and submitted to the Court. On consideration whereof the Court do sustain said motion as to the following portions of said answer, and they are by order of Court stricken out of said answer, to-wit.

All that part of said answer beginning with the tenth line of said answer and ending with the 1st "1878" in the twenty eighth line of said answer.

The words, "at the request of the Plaintiffs attorney" in the thirtieth and thirty first lines of said answer.

Beginning with the word "The" in the thirty fourth line and ending with the fifty first line of said answer.

Beginning with the eighty second line and ending with the word "loss" in the ninetieth line of said answer.

Beginning with the one hundredth line and ending with the one hundredth and eleventh line of said answer, as to all of which parts of said motion as sustained, Defendants excepts.

And as to all other matters in said motion the same is overruled by the Court To all of which ruling of the Court in overruling said parts of said motion, the Plaintiff excepts.

Thereupon came the Plaintiff by his attorneys and asked and obtained leave of the Court to file a reply to said answer as amended, in twenty days from the rising of the Court, and Cause continued by consent of both parties.

3553

3703

Tuesday January 11th 1881.

3583 J. H. Hamilton -vs- Francis Baldwin et als

This day this cause came on to be heard upon the motion of the Plaintiff for a decree upon the Second (2nd) note set forth and copied in the petition, as well as upon a motion to confirm a sale made by J. J. Miller the then Sheriff of Union County Ohio on the 18th day of December 1880.

On Consideration of the first motion the Court finds that there is due at this date from the Defendant, Francis Baldwin, to the Plaintiff, J. H. Hamilton, on the Second note set forth in the petition, the sum of Seven hundred and forty two & 70/100 Dollars. ($742.70/100); which sum the Court finds to be a lien upon the Forty Eight & 41/100 acres of land so sold by said then Sheriff Miller on the 18th day of December 1880. Which sum the Court finds to be a better and prior lien than the liens of any of the other Defendants who have filed answer and Cross-petitions upon the 48 41/100 acres of land.

And thereupon this Cause came to be heard upon the 2nd motion which was to confirm the sale made by the then Sheriff of Union County Ohio on the 18th day of December 1880; On Consideration whereof the Court do find the proceedings of the said Sheriff, and the sale by him made of the lands and tenements in the petition mentioned and described (after deducting fifty acres of said lands so mentioned and described, which had been sold previous to the sale herein mentioned and referred to) to be in all respects in due form of law.

It is therefore Considered, ordered, adjudged and decreed by the Court that the proceedings and sale of said 48 41/100 acres of land, so made by said then Sheriff, be in all things affirmed; and that the present Sheriff of Union County, Ohio, Marty Pres assignee of Execute and deliver to said purchaser, J. H. Hamilton, a deed for the lands and tenements so sold, as aforesaid, in fee simple, pursuant to the Statute in such case made and provided.

And on motion for an order of distribution; It is ordered by the Court that-

1st Of the proceeds of said sale, the said Sheriff pay the costs of this suit taxed to $

2nd That he pay the taxes on said 48, 41/100 acres of land so sold in the sum of $

3rd That the residue arising from said sale be retained by the Plaintiff, who became the purchaser, and be applied upon the Judgment heretofore rendered in this Case, and upon the decree this day rendered in his favor.

3703 Lucius Webster -vs- Sarah A. Webster et Als

This day came the said parties, Plaintiff and Defendants, and submit this cause to the Court, and the Court having heard the testimony, examined the Exhibits, heard the Arguments of Counsel, and being fully advised in the premises, find that the matters and things set up and allegations made in the answer of the Defendant Sarah A. Webster are true, and the allegations made in the petition of the Plaintiff are untrue, and that the Defendant, Sarah A. Webster did purchase the premises described in Plaintiffs petition from the said Defendant, Mary Parsons, that said Mary Parsons and her husband Dennis Parsons did Contract and agree to execute and deliver to said Sarah A. Webster a deed for said

Tuesday, January 11th 1881.

3703

premises; That said Sarah.A. Webster paid to said Mary Parsons the full consideration and agreed purchase price of said premises, and That said Mary Parsons and her said husband did execute and deliver to said Sarah. A. Webster a deed in due form of law Conveying to her the said premises in fee simple, which deed was by the said Sarah.A. Webster left for Record in the Recorder's Office of said Union County Ohio and from thence taken, before record, by said Plaintiff without the knowledge or consent of said Sarah. A. Webster as in her said Answer averred.

It is therefore by the Court Considered, adjudged, and decreed that the equity of this case is with the said Sarah.A. Webster, and that she is the owner in fee simple of the said premises described in Plaintiff's petition, and that her title thereto is hereby found and declared to be complete and perfect and the said Plaintiff, Lucina Webster, and the Defendants, Mary Parsons and Dennis Parsons her husband found to have no right, title, interest or estate whatever, in said premises.

It is by the Court further adjudged that the said Defendant, Sarah. A. Webster recover of the Plaintiff her costs in this behalf expended, taxed to $. And that the Plaintiff pay the residue of the Costs in this proceeding taxed at $

3635

3674

3448

3466

Thereupon Court adjourned until tomorrow morning at 8½ O'clock

Wednesday, January 12th 1881.

This morning Court met at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

3635 Benjamin W. Evans -vs- Beverly Depp

This day this cause came on to be heard upon the motion of the Defendant to vacate the judgment in favor of the Plaintiff, heretofore rendered in this Court in this cause, and after hearing of the Evidence and arguments of Counsel, and the Court being fully advised in the premises, do overrule said motion; to all of which ruling of the Court the Defendant excepts.

3674 Francis Baldwin -vs- J. N. Hamilton

This cause is this day dismissed without prejudice at the Plaintiffs Costs. It is therefore considered, ordered and adjudged by the Court that the Plaintiff pay the Costs in this case taxed to $ in ten (10) days, or in default thereof, that execution issue therefor.

3448 Union Central Life Ins Co: -vs- James Williams

In this case the verification having been signed since the last continuance, by the Clerk of this Court, said petition is now considered as filed as of today, and the Defendant has leave to answer by the 3d Saturday after this date, and cause continued.

3466 Osmond, W. Wells -vs- Hudson Haines et als

Now came the parties herein, by their Attorneys; Also came the following named persons as Jurors, to-wit: H. W. Barley, John A. Brown, J. M. Dayforth, Edwin Wilber, J. S. Gandy, A. W. Torrence, Daniel Cone, Milo Kimball, S. M. Landon, C. E. Corey, and J. B. Dondua, regular Jurors, and William Haines, talisjuror, who were duly impaneled and sworn according to law, and the trial proceeded. 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 virdict in writing, signed by their foreman, and say:

"The State of Ohio } January Term, A.D. 1881.
Union County S.S. } To wit: January, 1881.

No. 3466. Osmond. W. Wells -vs- Hudson Haines et als.

We, the jury in this case, being duly impanelled and sworn do find and say that, we find for the Defendant.

Daniel Cone, Foreman.

Wednesday, January 12th 1881.

3607 Isaac Jane
-vs-
Oliver Simpson et.al.

On motion of the Plaintiff, and on producing the return of the Sheriff herein 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 proceedings and sale be, and they are hereby confirmed.

And it is further ordered that the Sheriff convey to Ingham Wood assignee of the purchaser James M. Simpson, by deed in fee simple, the lands and tenements so sold, and that 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 $865.00, It is ordered that the Sheriff out of the moneys in his hands pay=

1st The costs taxed in this action at $

2nd To the Plaintiff the balance of said money to apply on what is heretofore found due him.

Thereupon Court adjourned until tomorrow morning at 8½ O'clock

3504

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3609

Thursday. January 13th 1881.

Court met this morning at 8 o'clock pursuant to adjournment, the same officers being present as on yesterday.

3504 The Peoples Bank
-vs-
U. S. Alden et. als.

This day this cause came on for hearing upon the demurrers of the Defendant Mattie Alden and the Defendant U. S. Alden, (to the 3d amended petition of said Plaintiff herein filed) and was argued by Counsel and submitted to the Court. On consideration whereof the Court do overrule the demurrer of said Defendant, Mattie Alden, and do sustain the demurrer of said Defendant, U. S. Alden. Thereupon came the Plaintiff and asked and obtained leave of the Court to file an amended petition herein by the 15th day of January 1881, and the Defendant asked and obtained leave to plead to said amended petition by the 24th day of January 1881. The Defendant Mattie Alden excepts to the overruling of the demurrer as to her. Also came the said Plaintiff and dismissed the said Defendant, David Watson from further answering herein, without prejudice.

3550 Bank of North Lewisburg
-vs-
John W. Haines et.al.

Now came the parties herein, by their Attorneys; Also came the following-named persons as jurors, to wit: H. W. Bayley, John A. Brown, J. M. Danforth, Edwin Wilber, J. S. Gandy A. W. Torrence, David Case, Milo Kimball, S. M. Landon, C. L. Coy, J. B. Dandeu, and William Waines, Regular Jurors, who were duly impanelled and sworn according to law, and the trial proceeded. 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 came 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.

3609 Woodstock Bank
-vs-
Catherine Brown et.al.

This day leave was granted to Nathan Howard to file answer and cross-petition in Thirty (30) days from the rising of the Court.

Thursday January 13th 1881.

3609 Woodstock Bank
-vs-
Catharine Brown et als

This day this cause came on for hearing and thereupon came the Plaintiff and asked and obtained leave to file their amended petition herein (and Amended petition filed) and also came the Defendant, Catharine Brown and asked and obtained leave to file answer to said amended petition in 20 days from the rising of the Court, and also came the Defendant, A. Smith Fairchilds and asked and obtained leave to file an amended answer and cross-petition herein in 20 days from the rising of the Court, and Cause Continued.

Thereupon Court adjourned until tomorrow-morning at 8½ o'clock.

3558.

3313

3567

Friday, January 14th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

3558. Stephen Cranston Jr et.als. vs Orson Benton et.als.

This day came the parties and thereupon this cause came on to be heard on the Demurrer of Orson Benton and others to the petition of Plaintiff as amended. On consideration whereof the same is overruled and said Demurrer except thereto.

Thereupon said Orson Benton, Lewis Benton and Daniel Benton on leave moved the Court to strike from said amended petition all that portion thereof which purports to set forth an agreement intered into between said Orson Benton and others on the one part and the Plaintiffs on the other part, subsequent to the death of the said Phebe Benton, and all matters relative to said subsequent agreement. On consideration whereof said motion is sustained and all said matter is stricken therefrom.

3313 William Evans -vs- Joshua. S. Gill et.al.

Now comes the Plaintiff and suggests to the Court, Joshua S Gill has died since the commencement of this action, and that Eliza A.C. Gill has been duly appointed and qualified as administratrix of the Estate of the said Joshua. S. Gill.

And the Court being fully satisfied thereof and all parties consenting, it is hereby, on motion of said Plaintiff, ordered that this action stand revived in the name of Eliza A.C. Gill as said administratrix and proceed against her. And further on motion of the Plaintiff leave is given to him to make Charles F. Gill a party defendant herein and to file an amended petition in 20 days, and cause continued.

3567 John. W. Columber -vs- Sarah. E. Columber

This day this cause came on to be heard upon the 2d amended petition of the Plaintiff and the Def- being in default for answer and on motion, and leave of the Court Plaintiff withdrew all the papers in the case heretofore filed, to wit- The original petition and first amended petition and the answer of the Defendant thereto, to which Counsel of Defendant agreed, And the Court being fully advised in the premises from the Evidence do find for the Plaintiff;

It is thereupon ordered and adjudged that the marriage relation heretofore existing between the Plaintiff, John. W. Columber, and the Defendant, Sarah E. Columber, be and the same is hereby dissolved and it is further ordered and adjudged that the Plaintiff pay the Costs of this action, taxed at $.

Friday. January 14th 1881.

3549 D. T. Elliott -vs- Allen Lister

Now came the parties herein, by their attorneys; Also came the following-named persons as jurors to-wit= 2419
H. W. Bayley, John, A. Brown, J. M. Dayforth, Edwin Wilbur, J. S. Gandy, A. W. Torrence, Daniel Cone, Milo Kimball, S. M. Landon, C. L. Cory, and J. B. Dondna regular jurors, and A. Sager talis juror; who were duly impaneled and sworn according to law, and the trial proceeded.

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= 3585

The State of Ohio, } January Term, A. D. 1881.
Union County S.S }

No. 3549. To wit= January 1881.

D. T. Elliott, Plaintiff -vs- Allen Lister, Defendant.

We, the jury in this case, being duly impaneled and sworn do find and say that we find for the Plaintiff, Seventy five Dollars with interest at 6% p.

J. M. Dayforth Foreman.

3621

Thereupon Court adjourned until tomorrow morning at 9½ o'clock.

Saturday, January 15th 1881.

Court met this morning at 8½ O'clock pursuant to adjournment, the same Officers being present as on yesterday.

2419 Emmet Myers -vs- Edward Thompson et;al

This day this cause came on to be heard on motion of the Plaintiff, for leave to file amended petition in above case instanter. And the Court being fully advised in the premises sustains said motion and leave is hereby granted to the Plaintiff to amend his said petition instanter, with leave to the Defendants to plead in Thirty days from the rising of the Court, And cause continued.

3585 John Lamb -vs- Benjamin Evans

Now come the parties herein, by their attorneys; also come the following-named persons as jurors, to wit= A. W. Barley, John A. Brown, J. M. Danforth, Edwin Wilber, J. S. Gandy, A. W. Torrence, Daniel Coe, Milo Kimball, S. M. Landon, C. E. Coy, and William Haines, Sequelor jurors, and S. J. Sterling Tales juror, who were duly impaneled and sworn according to law, and the Trial proceeded.

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=

The State of Ohio } January Term, A. D. 1881.
Union County ss. }

No. 3585. To wit= Jany, 1881.

John Lamb, Plaintiff -vs- B. W. Evans, Defendants.

We, the jury in this case, being duly impaneled and sworn do find and say that, we find for the Defendant.

A. W. Torrence, Foreman.

3621 Emma J. Jones -vs- Ebenezer Jones

This cause came on to be heard upon the petition of Plaintiff; and the Defendant being in default for answer or demurrer, and the Court being fully advised in the premises do find the prayer of the Plaintiffs petition to be true. It is therefore ordered and adjudged that the marriage relation heretofore existing between the parties to this action be dissolved, and that the custody, care and control of their child John Jones be decreed to the Plaintiff, and that the Defendant, Ebenezer Jones, be allowed to see him at all proper times; and that Plaintiff recover her Costs of the Defendant, taxed at $.

Saturday. January 15th 1881.

Jail Report.

H. C. Hamilton
—vs—
3589 James Cutler et als.

This day came the parties and submitted this cause to the Court on motion of the Defendant to strike the amended petition filed since the last term of this Court, from the files for the reason that the special leave granted by the Court to file amended petition did not authorize the filing of this amended petition, which makes no new parties, nor is it a suit on the assignees bond

Whereupon the Court being fully advised in the premises do sustain said motion, and order the same stricken from the files. To which ruling the Plaintiff Excepts.

Thereupon the Plaintiff asked leave to file said amended petition, which motion being fully heard, and it appearing that such amendment consisting of striking out a part of the matter in the original petition; and that the original petition contained a true history of the transaction, 3556 3557

Therefore the Court find that such amendment is not to the furtherance of justice, but would simply work delay; and therefore overrules said motion,

And thereupon this cause came on to be heard on the Defendants motion for judgement on the ruling of the Court sustaining the demurrer at last term, and the Plaintiff not giving any good cause for any further amendment to the Plaintiffs original petition, to the satisfaction of the Court. The motion for judgement is sustained.

Wherefore it is considered, ordered and adjudged by the Court that Defendants go hence and recover of the Plaintiff his costs herein expended taxed to $. To all of which the Plaintiff excepted and does now except.

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, viz: Harvy Burnham, J. D. Graham, Jacob Hartman, T. J. Williams, R. W. Bandy, John. W. Foreman Jr, N. P. Thompson, David Shineman, J. D. Boyd, George Pursel, Charles Adams, Ira Smith, Calvin Burgantine, Joseph Powers and W. M. Robinson, and presented their certain bill of indictment against — Robert Egenbetter for Burning Rail Road Bridge; John. H. Carlyle, Grand Larceny; George Raymond, Petit Larceny; P. R. Keir, Altering a Public Record; Dennis McGraw, Robbery; Saml. G. Buffington, Assault, and, Carrying Concealed weapons; George Bailey and Chas Winthrow, Disturbing a Meeting; Chas Winthrow, Being found in a State of Intoxication; Richard Cody, Assault and Battery; George Cook, Horse Stealing; Walter Sharp, Indecent exposure of Person; Lewis Richcreek, Being found in a State of Intoxication, and, Carrying Concealed Weapons; Edward Favor, Selling Intoxicating Liquor to be drank where sold; Eliza Downing, Keeping place for sale of Intoxicating Liquors in violation of Law; G. A. Chambers, Assault, and, Carrying Concealed weapons; George Bailey, Being found in a State of intoxication; Thomas W. Chesney, Assault with intent to Kill, and, Assault. Each indorsed, "A true Bill, Harvey Burnham. Foreman of the Grand Jury."

And there being no further business for the said Jury, they were discharged finally.

Saturday, January 15th 1881.

Jail Report. We the Grand Jury of Union County, Ohio, January Term of 1881, on examination of County Jail of said County, find=

1st The levers in door of Entrance, are out of order and should be attended to immediately-

2nd The protection, or grates on windows are not of sufficient Strength.

3rd The Sinks are out of Repair.

4th. The Heating Apparatus is out of order-

We the Grand Jury recommend that these repairs be attended - at once -

The prisoners are well satisfied with their treatment=

Harvey Burnham. Foreman of the Grand Jury.

William H. Conkright Admr &c
-vs-
George C. Welsh
{3556
{3557

This day came the parties in person and by Attorney and in open Court mutually agreed upon a Settlement of the Case as follows= It is mutually agreed that said Plaintiff as such administrator is entitled to a judgment upon the notes in the case mentioned for the sum of twenty two hundred and Seventy two 47/100 Dollars and no more; which judgment shall bear interest at 8% till paid, and that Defendant shall pay all the Cost in this case, except the Plaintiffs witness fees and his depositions, and all parties ask the Court to enter up judgment according to the terms of said Settlement, And the Court upon Consideration find the same to be reasonable and upon principles of Equity.—

It is therefore Considered, ordered, and adjudged, by the Court that the said Plaintiff as such Administrator recover of the said Defendant the said sum of $2272.47/100,- Dollars which sum shall bear interest at 8% till paid.

It is further adjudged that the said Plaintiff as such Admir, recover of the said Defendant, his cost herein expended, except the fees of Plaintiffs witnesses, and Plaintiffs depositions, which Plaintiff shall pay.

Thereupon Court adjourned until Monday morning January 17th 1881 at 9 O'clock.

Monday. January 17th 1881.

Court met this morning at 9 o'clock pursuant to adjournment the same Officers being present as on Saturday.

3742 George McVey vs Henry J. King } This day this cause came on to be heard and thereupon came the said plaintiff, George McVey, by Carpenter and Burdick, 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 Four hundred and twenty and 62/100 Dollars, with interest from the 10th day of January A.D. 1881.

It is considered by the said court here, that the said Plaintiff recover of the said Defendant, H. J. King, the said sum of Four hundred and twenty Dollars, and sixty two cents, with interest from January 10th 1881, 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 Entry of this decree, to pay to the said Plaintiff the said sum of Four hundred and twenty and 62/100 Dollars, with interest from the 10th day of January A.D. 1881, or 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.

2474 John Blair vs John Jolliff } Continued

1839 Richard Brewster et-als vs Nathan Bell et-als } Continued

2003 Thomas Peacock vs Jefferson Ford } Continued under former order of Referee

2079 Mary J. Bates vs Richard White et-als } Continued

Thereupon Court adjourned until tomorrow morning at 9 o'clock.

Tuesday. January 18th 1881.

Court met this morning at 9 o'clock pursuant to adjournment, the same officers being present as on yesterday.

3714 John McLaren -vs- Philip L. Coe.

This day this cause came on to be heard upon the motion of Defendant to require the Plaintiff, John McLaren, to secure the Cost in the above case, and was submitted to the Court upon Evidence. Upon Consideration whereof the Court do sustain said motion for the reason that, the said Plaintiff is a non-resident of Union County Ohio.

It is ordered by the Court that unless the said Plaintiff secure the costs in the above Case to the satisfaction of the Clerk of this Court, within 30 days from the rising of the Court, that this Cause be and is hereby dismissed at Plaintiffs Cost and Judgment entered accordingly.

3715 Moses Dickinson et.al. -vs- Melvin Middleton

This day came the Plaintiffs and dismissed this Cause without prejudice. It is therefore Considered, ordered and adjudged by the Court that Defendant recover of Plaintiffs his costs herein expended, taxed to $. No record.

3719 James McElroy -vs- Wm Milligan

This day came the parties and settled this Case by the parties each giving to the other a deed for the corners to square said lot by the line of the old fence, and the Plaintiff to pay the Costs; The deed to be made in ten days. And no record of this Cause to be made. It is therefore Considered ordered, and adjudged by the Court that Deft recover of Plff his cost herein expended taxed to $.

546 The State of Ohio. -vs- George Raymond } Indictment for 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 George Raymond be imprisoned in the Jail of the County of Union for the term of ten days, and pay a fine of $20.00 into the State of Ohio, and the cost of this prosecution, and that he stand committed until said fine and costs are paid.

2628 Maria Stickels vs John Stickels } Leave to file Supplemental Petition instanter and Continues with Leave to Defendant to answer in 30 days from Rising of Court

Thursday, January 18th 1881.

5-44 — The State of Ohio -vs- Robert Egunbelle } Indictment for Burning Rail Road Bridge.

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 it appearing that said Defendant is in indigent Circumstances, and unable to employ Counsel, the Court at his request assigns S.B. Fulton as Counsel to defend him.

5-45- — The State of Ohio vs John H. Carlyle } Indictment for Grand Larceny.

Now Came 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,

And it appearing that said Defendant is in indigent Circumstances, and unable to employ Counsel, the Court at his request assigns E.E. Cole as Counsel to defend him.

3698. — Harrison Washburn -vs- James D. Haines }

This day Came the parties and submitted this Cause to the Court on the motion to require Security for Costs by the Plaintiff.

Whereupon the Court being fully advised in the premises do find from the Evidence that plaintiff is a non-resident of the County of Union, do sustain said motion and order the Plaintiff to give Security for Costs in this Case, and thereupon the Plaintiff asked and obtained leave to file Security for Costs by the morning of Saturday of this week.

2788. — Alford H. Reed, Guardian -vs- Robert F. Lee et.als. } Dismissed at cost of Plaintiff, Judgment for Cost.

3614 — Riley Chapin -vs- Elijah Mitchell }

This day this Cause Came on to be heard upon the motion for Continuance and showing of the Plaintiff, and upon the argument of the same by Counsel, the Court do sustain said motion; And by the order of the Court the same is continued at the Cost of the Plaintiff.

It is therefore Considered, ordered and adjudged that the Defendant recover the Costs of this Continuance from the said Plaintiff. The amount of said Costs being taxed at $

Tuesday. January 18th 1881.

3204 Abram Sharp
-vs-
Lucius. B. Goff et.al.

On motion of Plaintiff and on his producing the return of the Sheriff as Special Master Commissioner heretofore herein appointed, of the sale made under the former order of this Court, And the Court on careful examination of the said Sheriff as said Special Master Commissioner, 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 as Special Master Commissioner convey to the purchaser Abram Sharp by deed in fee simple the lands and tenements so sold and the said purchaser is hereby subrogated to all the rights of the lien holders in said premises so far as they may be paid herein for the protection of his title.

And the Court now coming to the distribution of the proceeds of said sale amounting to thirty one hundred Dollars, it is ordered that the Sheriff as said Special Master Commissioner, out of the money in his hands pay=
1st The Costs in this action taxed to $-.

It is further ordered that the said purchaser pay taxes on said premises, and that he retain all the balance of said purchase money to apply on decree in his favor herein entered at a former term of this Court Amounting to $3779.44/100,

3644 Martha Songuet
vs
Fieldon Songuet

This day this cause came on for hearing and being made to appear to the court that said parties have since the filing of the petition herein resumed their marital relations and are now living together and cohabiting as man and wife it is considered that said cause ought to be dismissed without prejudice to a new action herein at cost of defendant,

It is therefore considered and adjudged by the court that this cause be dismissed without prejudice to a new action and that the defendant pay the costs herein and execution is awarded for the same. No Record

2930 & 2950 J. C. Stevens admr &c
vs
Mt Carmell Lodge F & M. No 103 } Continued

Thereupon Court adjourned until to morrow morning at 9. o'clock

Wednesday. January 19th 1881.

Court met this morning at 9 o'clock pursuant to adjournment the same Officrs being present as on yesterday.

3664 Eli G. Piper, Adm. -vs- Benjamin H. Williams et als.

This day this cause came on for hearing upon motion of Plaintiff to confirm a sale of the real Estate of the Defendants Benjamin H. Williams and Ruhamah M. Williams his wife, upon a former order of this Court, and upon the answer of said Ruhamah M. Williams filed herein since the allowance of said order of sale, and upon the Answer and cross-petition of A.V. Kennedy as executor of A. V. Morse, deceased; and the answer and cross-petition of William P. Hopkins: the other Defendants being in default for answer and demurrer although, as the Court finds from the evidence and exhibits, all of the Defendants herein have heretofore voluntarily entered their appearance herein, or been brought in by Summons regularly issued and regularly Served.

After hearing the evidence the Court finds as to the claim of title set up in the answer of Ruhamah M. Williams, whatever rights she might claim thereunder as to others, she has none as against any of the claims or liens set forth in this action, all of said mortgage and judgment liens being prior to and better than hers and that as against any and all the mortgage and judgment liens herein set forth, her said title is void and of no effect.

The Court further finds as to the answer of said Ruhamah M. Williams that she is entitled in lieu of her homestead, out of the proceeds of the sale of the premises herein made, as against all the liens except mortgage of A.V. Morse, and the mortgage of William P. Hopkins, which the Court finds was executed by said Benjamin H. Williams while an unmarried man, the full amount of Five hundred Dollars, if enough there remains after satisfaction of said mortgage liens.

And the Court on a careful examination of the proceedings of the said Sheriff being satisfied that said proceedings have been had in all respects according to law and the orders 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, Ruhamah M. Williams by and 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 her title. And the Court coming now to distribute the proceeds of said sale amounting to $3350.00, it is ordered that the Sheriff out of the money in his hands pay:

1st The Costs of this Action taxed at $ 95.45
2nd The taxes on said premises 94.92
3rd To Defendant William P. Hopkins on his mortgage 936.00
4th To A.V. Kennedy Ex. on A.V. Morse dec'd mtg. 1967.46
5th To Mrs Ruhamah M. Williams in lieu of her homestead the balance of 256.17
6th As to the judgment of Eli G. Piper Adm, Plaintiff; the judgment of A.V. Kennedy and G. F. Morse as executor of A.N. Morse dec'd; The judgment of the

3664
3761
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3664 Bank of Marysville O, and the Judgment of the Farmers Bank of Union County Ohio— the Court finds all of said Judgments to be subsequent to and postponed to the liens above ordered to be paid and that said last-named Judgment Creditors are none of them entitled to share in the proceeds of said sale now in the Sheriffs hands.

3761 Hiram D. Kimball —vs— D. L. Joseph et.al. }

December 19th 1881

This day came the Plaintiff by Robinsons & Piper, Attorneys, and thereupon came James S. McCampbell, 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 $607.74-2t is therefore Considered that said Plaintiff do recover of said Defendant the said sum of $607.74 or 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.

3657 Mansfield Banking Company —vs— Thomas. E. Barrows et.al, }

This day came the Plaintiff, but the Defendants having failed to answer or demur to the petition remain in default. Whereupon the Plaintiff waived trial by jury and neither party demanding a jury, this cause was submitted to the Court. Whereupon the Court being fully advised in the premises do find the allegations of the petition to be true, and find there is due the Plaintiff as alleged from said Thomas E, Barrows and from the Estate of Wm Bales dec'd the sum of One Thousand and five and 37/100 Dollars with interest on $319.30/ from Sep 16th 1876, and on $686.07/100 from Feby 6th 1878, amounting altogether at the Commencement of this term to the sum of Eleven hundred and Sixty seven and 22/100 Dollars $1167.22/100.

It is therefore Considered and adjudged by the Court that Plaintiff recover of the said W.W. Bales as administrator of the Estate of Wm Bales dec'd as a valid claim against said Estate; and recover of said Thomas. E. Barrows, the said sum of Eleven hundred and sixty seven and 22/100 Dollars due Plaintiff as aforesaid and the costs herein expended taxed to $. the judgment to bear Eight per cent interest.

3752 Daniel Butler —vs— R. B. Thompson } Settled and costs paid, No Record

Wednesday, January 19th 1881.

3455 Lucy. V. Trench et. al. / -vs- / Robert Hill et. al.

This cause is reassigned for Wednesday Feb. ruary 2nd 1881, at the request at the request of the Defendants and at their costs. It is therefore considered, ordered and adjudged by the Court that the Plaintiffs recover of the Defendants their costs of this term thus far made, taxed to $.

The Plaintiffs have leave to reply again for the reason that, several answers have been placed on file since the former reply was filed.

3753 Garrison Newlove / -vs- / Elizabeth Newlove

On motion of the said Elizabeth Newlove, Defendant herein by her Attorney, and good cause being shown, it is hereby ordered that she be allowed the sum of ($60) as alimony pendente lite in the above action.

It is therefore ordered that the said Garrison Newlove pay to the said Elizabeth. A. Newlove or her Attorney the sum of $25.00 immediately upon the service of this order and the sum of $25.00 within 20 days thereafter; And in default of any of such payments for three days, execution is allowed to issue therefor. 3717

3738. Frances. E. Hutchinson / -vs- / Holmes. A. Hutchinson

This day came on this cause for hearing upon the motion of the Defendant for continuance supported by Affidavit showing the absence of a material witness which being read the Court ordered the same to be continued at the cost of the Defendant.

It is therefore considered, ordered and adjudged that this cause be continued to the next term of this Court and that Plaintiff recover of Defendant the costs of this term. 3673

3072 W. W. Woods / vs / W. C. Barnett et. als } Continued

3145 Orlando Wells / vs / Osmond W. Wells et. als } Continued

Thereupon Court adjourned until tomorrow morning at 8½ O'clock

Thursday January 20th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same Officers being present as on yesterday.

On motion of R. L. Wordburn, Prosecuting Attorney of this County, to call a new Grand Jury, the Court find there is a necessity for a new Grand Jury to be called, and do sustain said motion, and do therefore order the Sheriff of this County to call together a new Grand Jury from the neighboring citizens, fifteen good and lawful men having the qualifications of a Grand Juror, whereupon the following named persons were called and appeared in answer thereto, to wit- D. T. Elliott, J. J. Miller, Dyer Reed, Delmore Snodgrass, E. L. Price, W. P. Anderson, Jeremiah Dunn, W. H. Robb, J. D. Radebaugh, B. W. Keyes, C. H. Ingman, Robert Sharp, W. C. Malin, Charles Fullington and James A. Henderson.

And the Court appointed W. H. Robb foreman of the said Grand Jury; and he with his fellow fellows took the oath according to law as in regular Grand Juries; And said Grand Jury being so duly sworn were charged by the Court, and returned under the charge of the Court for deliberation.

3717 D. M. Robinson -vs- The Pittsburg, Cincinnati & St Louis R. R. Co.,

This day came on this cause to be heard on the demurrer to the petition and the Court sustain the demurrer. Whereupon the Plaintiff asked and obtained leave to file amended petition by striking out of the petition that part which relates to the part of the ground fenced up by the wire fence and as to that and the loss of the use of oak mast the Plaintiff dismisses this cause without prejudice and leave is granted to file amended petition accordingly by Saturday morning of this week.

3673 John Vance et als -vs- Joseph McCourts et als

Now came the parties herein, by their attorneys; also came the following-named persons as jurors, to wit- H. O. Bayley, John A. Brown, J. M. Danforth, A. O. Torrence, Daniel Cox, Milo Kimball, C. L. Cox, J. B. Condua & Wm Haines, regular jurors; and Joseph Cox, Thos Wharton and A. Sager, talis jurors who were duly impanelled and sworn according to law, and the trial proceeded.

And the said jury having heard the testimony adduced in part, said cause was continued until tomorrow morning at 8½ o'clock.

Thereupon Court adjourned until to-morrow morning at 8½ o'clock

Friday, January 21st, 1881.

Court met this morning at 8½ O'clock pursuant to adjournment, the same officers being present as on yesterday.

3671. Eva L. Chesney -vs- Justus J. Miller

This day came the parties and the Court on the motion of the Defendant and of W. H. Baxter do order that W. H. Baxter be substituted as defendant in stead of Justus J. Miller the Sheriff, and leave is given to said W. H. Baxter to file answer this week.

3723 Eva L. Chesney -vs- Justus J. Miller

This day came the parties and the Court on the motion of Defendant and of W. H. Baxter do order that W. H. Baxter be and he is substituted as defendant instead Justus J. Miller the Sheriff, and leave is given to said W. H. Baxter to file answer this week.

3717 David M. Robinson -vs- The Pittsburg, C. & St. L. R. R. Co

The Court by request of Defendant, grant leave to Defendant to file answer to Amended petition during the 3rd week of this term of Court, and this cause is assigned for trial on Thursday of the 4th week of the term.

3673 John Vance et als -vs- Joseph McCombs et als

This day again came the parties, by their attorneys, and also came the jury heretofore impanelled 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.

3147 Joseph E. Fouke vs George Loar } Continued

Thereupon Court adjourned until tomorrow-morning at 8½ o'clock

Court met this morning at 8½ O'Clock pursuant to adjournment the same officers being present as on yesterday.

John Vance et.als
3673. -vs-
Joseph McCombs et.als

This day came the parties by their attorneys and thereupon this cause came on for hearing upon the demurrer of Defendant to petition of Plaintiffs, and was argued by Counsel and submitted to Court; On consideration whereof the Court do order that the said demurrer be reserved for decision until after hearing the Evidence in the cause, and that all rights of the said Defendants by reason of the said demurrer be preserved to them in as full a manner as if the cause had been decided before answer and trial.

And thereupon by order of the Court came the following-named persons as jurors, to wit- A.W. Darby, John. A. Brown, J.M. Dawforth, A.W. Torrence, Saml. Coe, Milo Kimball, C. L. Corey, J.B. Dondiager, Wm. Haines, regular jurors, and Joseph Coe, Thos. Wharton and A. Sager, talis jurors, who were duly impanelled and sworn according to law, and thereupon after hearing of the Evidence, Argument and Charge of the Court, and by direction of the Court Certain questions in writing being propounded to said jury for their determination, the jury retired to their room in charge of the Sheriff for deliberation.

And now come the said jury into open Court and by way of response to said questions return their Special finding of facts in writing- which said questions with the answers thereto are as follows-

John Vance et.al.
-vs-
Joseph McCombs et.al. } No. 3673.

The Court orders the following issues to be sent to, and tried by the jury, and the jury are required to consider, pass upon and answer the following questions of fact, to wit-

Question 1st.-

Was the deed from Thomas and Mary Vance to John McCombs for the premises in dispute obtained from the Vances by the false and fraudulent representations of said John McCombs?

Answer- No.

Question. 2nd.

Were the conditions of the re-conveyance of John McCombs and wife back to the Vances, reasonably complied with on the part of McCombs?

Answer- Yes.

Question. 3rd.

Was there any other consideration paid by John McCombs to the Vances for said land- except that contained in the conditions and provisions of said re-conveyance; and if so, what?

Answer- No.

John. A. Brown, Foreman

Saturday, January 22nd 1881.

3673 And thereupon the said Plaintiffs moved to set aside the said verdict and for a new trial, which upon hearing was overruled by the Court, to which ruling of the Court said Plaintiffs excepted. 3693

And thereupon in accordance with the Special finding and Verdict of said jury, it is considered and adjudged by the Court that the said Plaintiffs petition be dismissed at their costs, and that said Defendants recover of said Plaintiffs their costs herein expended, taxed to $

And thereupon the Plaintiffs gave notice of their intention to appeal this Cause to the District Court, and the Court fixed the Bond for the said Appeal at $500.00.

Joshua S. Gill
-vs-
2685 Lorenzo Sabins Etals

It appearing to the Court that the Real Estate included in the Answer and Cross-petition of Michael Cramer filed herein has been offered for sale by the Sheriff of this County twice by virtue of an order of sale to him issued and still remains unsold for want of bidders, Now on motion of Michael Cramer the appraisement heretofore made is set aside, and a new one ordered. 3693

P. R. Kerr
-vs-
3680 George E. Winters

Now Came the parties herein, by their attorneys; Also came the following named persons as jurors, to wit= A. W. Bayley, John A. Brown, J. H. Danforth, Edwin Wilber, J. S. Gandy, A. W. Torrence, Daniel Cone, Milo Kimball, C. L. Corey, J. B. Dondua, and William Haines, regular jurors, and Henry Wheeler, Talis Juror, who were duly impaneled and sworn according to law, and the trial proceeded.

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=

The State of Ohio } January Term, A.D. 1881.
Union County ss }

No. 3680. To wit- January 22d 1881.

P. R. Kerr Plaintiff -vs- George Winters, Defendant.

We the jury in this Case, being duly impaneled and sworn do find and say that we find for the Plaintiff Six Dollars, with interest from April 1st 1876 = $1.73, in all $7.73

Milo Kimball, Foreman

3762

Saturday. January 22nd 1881.

3693 William Wilcox
--vs--
Asa Wilcox.

Now Come the parties herein, by their attorneys; also came the following-named persons as jurors, to wit-
John A. Brown, Edwin Wilber, A.W. Torrence, S.M. Landon and William Haines, regular jurors, and R. Thompson, Robert Graham, S.S. McDevitt, Wm Smith, J.A. Henderson, Henry Wheeler, and Jesse Davis, talis jurors, who were duly impaneled and sworn according to law, and the trial proceeded-

3693 William Wilcox
-vs-
Asa. Wilcox

This day came the Defendant herein, and thereupon this cause came on for hearing upon enquiry into the right of property and right of possession of the said Defendant to the property taken by the said Plaintiff.

Also came the following-named persons as jurors, to wit=
John. A. Brown, Edwin Wilber, A.W. Torrence, S.M. Landon, and William Haines, regular jurors, and R. Thompson, Robert Graham, S.S. McDevitt, Wm Smith J.A. Henderson, Henry Wheeler and Jesse Davis, talis jurors, who were duly impaneled and sworn according to law.

And the Plaintiff failing to appear, either in person or by Attorney to prosecute his action, the case was submitted to the jury upon the Evidence and argument for the Defendant, and charge of the Court= And thereupon 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=

The State of Ohio } January Term A.D. 1881.
Union County ss }

To wit= January 22nd 1881.

William Wilcox, Plaintiff -vs- Asa Wilcox, Defendant=

We the jury in this case, being duly impaneled and sworn do find and say that we find for the Defendant, and that he had the right of property in said Goods and Chattels at the Commencement of this suit, and we assess damages to Defendant in the sum of Two Hundred, Two & 50/100 Dollars.

Edwin Wilber, Foreman.

It is therefore Considered and adjudged by the Court that the Defendant, Asa Wilcox do recover from the said Plaintiff William Wilcox the said sum of Two Hundred and Two and 50/100 Dollars, as assessed, together with his Costs herein expended taxed to $.

3762 Alfred V. McKennedy Ex.
-vs-
John Parkison et. al. } Settled and Costs paid. No record

Saturday. January 22nd 1881.

544. The State of Ohio
—vs—
Robert Egenbette

Now comes the Defendant by his Attorney F. B. Fulton, and upon motion to the Court ask to withdraw the plea of "Not guilty" and that the Defendant be allowed to demur to said indictment; All of which was granted by the Court.

Whereupon this cause coming on for hearing upon the demurrer to the said indictment, the Court on consideration thereof do sustain the same.

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, viz= D. S. Elliott, J. J. Miller, Dyer Reed, Delmore Snodgrass, E. E. Price, W. P. Anderson, Jeremiah Dunn, W. H. Robb, J. D. Radebaugh, B. W. Keyes, C. M. Ingman, Robert Sharp, W. C. Malin, Charles Fullington Sr, and James A. Henderson — And presented them three certain bills against Robert Gaines for murder, each indorsed, "A true bill, William H. Robb, Foreman of the Grand Jury" And also their certain other bill of indictment against Robert Egenbette for burning a rail road bridge, indorsed, "A true bill. William H. Robb Foreman of the Grand Jury, And also their certain other bills of indictment against Dennis McGraw for an assault, and against George Prichard for carrying concealed weapons, each indorsed "A True bill, William H. Robb foreman of the Grand Jury.

And there being no further business for the said jury, they were discharged finally.

3312 James H. Reed vs William M. Carr } Continued

3366 S. Walker vs J. T. Lenox } Continued

3368 S. Walker vs G. W. Cannan et-al } Continued

3443 Francis S Hoyt-Exec vs U. S. Alden } Continued

Thereupon Court adjourned until Monday morning at 9. o'clock

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Monday, January 24th 1881.

Court met this morning at 9 oclock pursuant to adfournment the same officers being present as on Saturday.

3732 James McCrory vs J. W. Young

This day came the Plaintiff by his Attorneys, Carpenter & Brodrick and asked and obtained leave of Court to file his petition herein instanter.

3698. Harrison Washburn vs James O. Haines

This day this cause came on to be heard upon motion of Defendant to dismiss Plaintiffs action for non-compliance with the former order of this Court requiring plaintiff to secure the costs herein by Saturday morning January 22nd and was submitted upon the Exhibits, and it appearing that Plaintiff has failed to comply with the former order of this Court herein, and still fails so to do; It is therefore ordered by the Court that this, the Plaintiffs action, be dismissed without prejudice, and at Plaintiffs costs. It is further ordered that if Plaintiff fails for five days to pay the costs of this action, taxed to $. — that Execution issue to the Sheriff against said Plaintiff therefor.

3702 T. T. Kilbury et. als. vs Henry Sand.

This day came the parties and submitted this Cause to the Court on the pleadings and evidence, whereupon the Court being fully advised in the premises do find for the Defendant; And thereupon it is considered, ordered, and decreed that the injunction heretofore allowed be dissolved, and this petition dismissed, and it is further ordered and adjudged by the Court that Defendant recover of the Plaintiffs his costs herein expended, taxed to $.

3497 Ramsey Hannegan vs William S Douglass } Continued

3498 State of Ohio for the use of Sarah E. Brown vs Charles Snodgrass } Continued

Thereupon Court adjourned until tomorrow morning at 8½ Oclock

Tuesday, January 25th 1881.

Court met this morning at 8½ o'clock Pursuant to adjournment, the same Officers being present as on yesterday.

3726 W.H. Baxter -vs- T.W. Chesney et als } 559

On motion of Defendants and on their showing, this cause is continued at costs of Defendant, with leave to Plaintiff to file amended petition in 20 days from the rising of the Court.

3654 Joshua S. Lee Jr -vs- The Ohio Mutual Relief Association } 3718.

This cause is continued with leave to Plaintiff to plead in 20 days from the rising of the Court.

556 The State of Ohio -vs- Walter Sharp } Disturbing Meeting.

Now comes the Prosecutor 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 in Consideration of said Defendants promise of information, it is ordered and adjudged by the Court that the Defendant pay a fine of $5.00 unto the State of Ohio, and the Costs herein expended, taxed to $. 3723

555 The State of Ohio -vs- Walter Sharp. } Indecent Exposure of his person.

Now comes the Prosecutor 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 in consideration of Defendants promise of information, it is ordered and adjudged by the Court that, The Defendant pay a fine of $5.00 unto the State of Ohio, and the Costs herein expended, taxed to $. 3739

3551 Murrilla Keith vs Charles Keith } Continued 3671.

Thereupon the Court adjourned until tomorrow morning at 9 o'clock.

Court met this morning at 9 o'clock pursuant to adjournment, the same officers being present as on yesterday.

559 The State of Ohio. -vs- Edward Fawn. } Selling Liquor to be drank where sold.

Now comes the Prosecutor 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 Fawn pay a fine of $25.00, unto the State of Ohio, and the Cost of this prosecution, and that he stand committed until said fine and cost are paid.

3718. W. H. Baxter -vs- Thomas W. Chesney et.als }

This day came the Defendants and moved the Court to continue this Cause on account of sickness of T.W. Chesney; Whereupon the Court grant the Continuance at the costs of the term against Plaintiff. Whereupon it is considered and adjudged by the Court that Plaintiff recover of the Defendants the Costs of this term.

3723 Eva. L. Chesney -vs- Justus J. Miller }

On motion of the Plff this Cause is continued at Plffs costs on account of sickness of T.W. Chesney.

It is therefore considered and adjudged by the Court that Defendant recover of the Plaintiff the Costs of the term taxed to #.

3739 Eva. L. Chesney -vs- W. H. Baxter }

This day came the parties, and the Plaintiff moved the Court to continued this Cause for the reason T.W. Chesney, an important witness is sick. Whereupon the Court order The Continuance at Plaintiffs Costs. Whereupon the Court consider and adjudge that Defendant recover of the Plaintiff the costs of the term and this Cause is continued.

3671. Eva. L. Chesney -vs- Justus J. Miller }

This day came the Plff, and moved the Court to allow a Continuance of this Cause on account of the Sickness of T.W. Chesney.

It is therefore Considered and adjudged by the Court That Defendant recover of Plaintiff the Costs of this term and this Cause is Continued.

Wednesday January 26th 1881

3569 Emma Scofield
-vs-
Thomas Scofield

This day this cause came on to be heard upon the petition of the Plaintiff filed herein praying for a dissolution of the marriage relation between the Plaintiff and Defendant Thomas Scofield, (the other issues in the case having been heretofore fully settled and argued upon, by and between the several parties to this suit as per agreement on file, (the same being filed Nov 8th 1880) and the Defendant Thomas Scofield, making no further answer to said petition And the said Defendant being in default for answer to said petition of the Plaintiff, And the Court having heard the testimony and allegations of the witnesses, and being fully advised in the premises, do find that the allegations in the petition of the Plaintiff are true; Therefore it is decreed by the Court, that the marriage relation heretofore existing between the Plaintiff Emma Scofield, and the Defendant Thomas Scofield, be, and the same is hereby dissolved and termination, and it is further ordered and adjudged by the Court that the Defendant pay the Costs in this action, taxed at $.

563

3594 George Harriott
-vs-
Edward S. Churchman Et als.

This cause coming on for hearing was submitted to the Court upon the pleadings and Evidence, for Consideration whereof the Court find that there is due to the Plaintiff from the Defendant Augustus A. Swearinger on the first three promissory notes described in the Plaintiffs petition, which were past due at this term of Court, the sum of three thousand, five hundred and fifty Dollars and Eighty five cents, And that the fourth note described in Plaintiffs petition is not yet due. The fifth note in said petition being paid by the Defendant Edward S. Churchman to the Plaintiff, George Harriott,
The Court further finds that in order to secure the payment of said promissory notes, the Defendants, Edward S Churchman and Hannah A. Churchman his wife executed and delivered to said George Harriott the Plaintiff, their certain mortgage as in the petition described; That said mortgage was duly recorded in Book No 13, Page 492, 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, Augustus A. Swearinger shall within three 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 10th day of January 1881, 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; And the said

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3594. Edward A. Churchman go hence without day and recover his reasonable costs.

552 The State of Ohio -vs- Charles Minthorn } Being found in a state of intoxication.

Now comes the Prosecutor on behalf of the state of Ohio, and the Defendant being brought into Court in custody of the Sheriff, and being arraigned upon said indictment, for plea thereto saith he is "guilty". Thereupon it is ordered and adjudged by the Court, that the said Charles Minthorn pay a fine of $5.00 into the State of Ohio, and the cost of this prosecution, and that he stand Committed until said fine and cost are paid.

563 The State of Ohio vs George Bailey } Being found in a State of intoxication

Now comes the Prosecutor on behalf of the State of Ohio and the Defendant being brought into Court in custody of the Sheriff, and and being arraigned upon said indictment, for plea saith he is "guilty." Thereupon it is ordered and adjudged by the Court that the said George Bailey pay a fine of $5.00 into the State of Ohio, and the Cost of this prosecution, and that he stand Committed until said fine and cost are paid.

3763 The Union County Bank -vs- J.H. Coleman }

This day came the Plaintiff by E.E. Cole their Attorney, and thereupon came James L. McCampbell, 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 $168.90/100. It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $168.90/100 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.

3728 Mary Pennington -vs- Orson Benton } This cause is continued by consent of parties.

Wednesday January 26th 1881.

3729 Mary Pennington -vs- Orson Benton } Now came the parties herein, by their attorneys; also came the following-named persons as jurors, to wit= John A. Brown, J. M. Danforth, Edwin Wilber Jr., S. Gandy, A. W. Torrence Daniel Coe, Ulic Kimball, S. M. Landon, C. E. Corey, and J. B. Dundua, regular jurors, and, Joseph Powers and William Smith, Talis jurors, who were duly impanelled and sworn according to law and the trial proceeded.

And 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.

The State of Ohio } January Term A. D. 1881.
Union County ss. }

No. 3729. To wit. January 26th 1881.

Mary Pennington Plaintiff vs. Orson Benton, Defendant.

We, the jury in this case, being duly impanelled and sworn do find and say that we find for the Defendant.

C. E. Corey, Foreman.

3504.

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3732. J. S. Rodgers -vs- Clark D. Rodgers et als } Now comes 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 and legal notice of the pendency and demand of the said petition, and that they are in default of answer and demurrer and that the said petition is thereby confessed by them to be true. Thereupon the Court find that said Ursula J. Rodgers, widow of the said Dacon Rodgers is entitled to dower in the premises, in the petition described, and that in his life time said Dacon Rodgers made to said Elon. E. Rodgers an advancement in law of the value of Sixteen hundred Dollars, which by the admission and Consent of said Elon. E. Rodgers is ordered by the Court to be brought in and made part of the said Estate. The Court further find that after said advancement is brought in and made part of said Estate, said Plaintiff J. S. Rodgers, is seized in fee-simple and has a legal right to the undivided one fourth part of the said estate, and that Clark D. Rodgers, Chloe A. Maddox, and Elon E. Rodgers have each one fourth part of said Estate subject to said dower, and that said Plaintiff is entitled to have partition made of said premises.

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And no reason appearing why partition should not be made, It is therefore ordered, adjudged and decreed that said Ursula J. Rodgers 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 Luther Liggett, Amon Baughman and George Weaver, three judicious and disinterested freeholders of the vicinity who are not akin of either party who are hereby appointed Commissioners for that purpose he set off and assign such dower to the said Ursula J. Rodgers according to law and that by the like oaths of the said named Commissioners he cause to be set off and divided to the Plaintiff and to each of the said Defendants the parts and proportions of the said Estate to which they are herein before severally found entitled, and of his proceedings herein the said Sheriff is ordered to make due return without unnecessary delay.

3578

And Thereupon Court adjourned until to-morrow morning at 8½ O'clock

Thursday, January 27th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment the same officers being present as on yesterday.

3504. The Peoples Bank -vs- U. S. Alden et. als

This day this cause came on for hearing upon the demurrer of the Defendant U. S. Alden, and the demurrer of the Defendant Mattie Alden to the fourth amended petition of the Plaintiff, and the same was argued by Counsel and submitted to the Court. On consideration whereof the Court to overrule both of said demurrers, to which ruling of the Court the said Defendants excepted.

3729 Mary Pennington -vs- Orson Benton

This day came the parties, and thereupon the Court on motion of the Defendant, entered judgement on the verdict of the jury. Whereupon it is considered, ordered, and adjudged, by the Court, that the Defendant go hence and recover of the Plaintiff his costs herein expended taxed to $.

3466 Osmond. W. Wells -vs- Hudson Haines et als

This day came this cause to be heard on the motion of Plaintiff for 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 Defendants go hence without day and recover of the said Plaintiff their costs herein expended taxed to $. To all of which Plaintiff excepted, and it is agreed that 30 days from the rising of this Court be allowed him to prepare the same.

3746 Hannah L. Bowen Exr -vs- Calvin Figley et. als.

Now came the Plaintiff herein, and the Defendants being in default for answer and demurrer, the Court find that Defendants are indebted to the Plaintiff in the sum of One hundred thirty Eight and 89/100 Dollars. It is therefore considered by the Court here, that the said Plaintiff recover from the said Defendants the said sum of One hundred thirty eight and 89/100 Dollars with interest at Eight per cent per annum from January 27th A.D, 1881, until paid together with her costs herein expended taxed to $.

3578 Lucy L. Glenn vs William Glenn } Continued

Thursday, January 17th 1881.

570 The State of Ohio
-vs-
Dennis McGraw
} Indictment for Threatening in a menacing manner.

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, (after hearing testimony, and being fully advised in the premises) it is ordered and adjudged by the Court that the said Dennis McGraw be imprisoned in the Jail of the County of Union for the term of Thirty days, and that he pay a Fine of $50.00 into the State of Ohio, and the Cost of this prosecution, and that he stand committed until said fine and cost are paid.

567 The State of Ohio
-vs-
Robert Games
} 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 puts himself upon the Country, and the Prosecuting Attorney doth the like.

568 The State of Ohio
-vs-
Robert Games
} 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 puts himself upon the Country, and the Prosecuting attorney doth the like.

571 The State of Ohio
-vs-
Robert Games
} 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 puts himself upon the Country, and the Prosecuting Attorney doth the like.

3602 M. E. Pyers
vs
Selustine Pyers
} }

This day came the plaintiff and dismissed this cause. Thereupon it is considered ordered and adjudged by the Court that the plaintiff pay the cost herein taxed at $# and Execution is awarded therefor. No Record

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2570 Samuel M. Doughty Exr. -vs- A. James Sterling et.als.

This day came the parties and by Consent of the parties the Court find there is due to John. H. Sterling from the Defendant A. James Sterling as the said John. H. Sterling claimed in his answer the sum of $800 which is the first lien on the premises in said petition described, and that the Plaintiff as Executor of Robert Watson dec'd has the second lien on said land for the sum of twelve hundred Dollars and which sums are severally due from said A. James Sterling.

It is therefore Considered, ordered, and adjudged, and decreed by the Court that the said A. James Sterling within ten days pay to said John. H. Sterling said sum of Eighteen hundred Dollars, and interest, and Costs, and in default thereof that an order of sale issue to the Sheriff of Union County Ohio, Commanding him to appraise, advertise, and sell said premises according to law and the proceeds bring into Court. And further it is ordered and decreed that said A. James Sterling, within ten days pay to said Plaintiff as executor of Robert Watson, said sum of twelve hundred Dollars 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 according to law said premises and the proceeds bring into Court.

And thereupon by agreement of said John. H. Sterling, and said Executor of Robert Watson dec'd between themselves the said claim of $1200. due to said executor shall have precedence of, and priority over the said $1800 claim of said John. H. Sterling, as to the distribution of said proceeds of the sale to be made under this order of the Court, As to all other matters this Cause is continued.

3680 P. R. Kerr. -vs- George Winters

This day came the parties to this suit, and thereupon came a jury, and was impaneled and sworn; and having heard the allegations of the parties, the testimony of the witnesses, the argument of Counsel and the charge of the Court, returned into Court and reported their verdict as follows, to wit= WE the jury in this case being duly impaneled and sworn, do find and say that we find for the Plaintiff six Dollars with interest from Apr 1st 1876 = $1.73, in all $7.73.

Milo Kimball, Foreman

Wherefore it is ordered and adjudged by the Court that the Plaintiff recover of the Defendant said sum of Seven 73/100 Dollars, and recover his Costs herein taxed at $. No Execution to be issued till after 20— from the date of this entry.

3605— E. E. Cole assignee vs Henry Sheridan Et-als Continued

Thursday, January 27th 1881.

3741 The State of Ohio -vs- Michael Blue

Now come Cannon and Benton, Attorneys on behalf of the State of Ohio, and also come Philip Bender Complainant and Michael Blue Defendant in accordance with the Conditions of the recognizance entered into by said Defendant before S.S. Gardner a Justice of the Peace, and filed in the Office of the Clerk of this Court.

And therefore upon full consideration of the Evidence it is Ordered and adjudged that the said Michael Blue do forthwith 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 Philip Bender 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, and the said Defendant and Henry Blue as his surety enter into recognizance required.

3614 Riley Chavis vs Elijah Mitchel — Continued.

3615 Albert Wallace adm vs L. G. Monroe — Continued.

3616 M Lo. Stewart vs. Job E. Stevenson et-al — Continued.

3618 Ann Barnes vs Hezekiah Warner. Continued

3622 George B Tucker vs J. W. Severe et-al Continued

3642 Eli C. Piper adm vs Elisha L. Hawkins. Continued

3645 Mary E. Stout vs Samuel Stout. Dismissed for want of prosecution

3648 Charles Randall vs D. W. Camp et-als Continued

3649 Joseph W. Cummings adm vs Samuel Waddle et-als Continued

3651 W. W. Woods vs Reese Ballard Continued

3670 McKendree Bishop vs Jannette D. Bishop Continued

3685 Eli C. Piper adm vs John Parkison et al Continued

Thereupon Court adjourned until tomorrow morning at 8½ o'clock

Friday. January 28th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

545 The State of Ohio. -vs- John. H. Carlyle } Indictment for Grand Larceny.

Now come 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 forenamed persons as jurors, to wit- John. A. Brown, J. M. Danforth, Edwin Wilbert, J. S. Handy, A. W. Torrence, Milo Kimball, C. L. Cory and J. B. Dondua, regular jurors, and Samuel McAllister, J. K. Clemmont, L. A. Wales, and Thomas Wharton, talls jurors who were duly impaneled and sworn according to law, and the trial proceeded. 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-

The State of Ohio } In the Court of Common Pleas of said County January Term A.D. 1881. No 1.
Union County ss. }

The State of Ohio, Plaintiff
No 545. against
John. H. Carlyle Defendant } Criminal Action

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, do find the defendant John H Carlyle guilty as he stands charged in said indictment.- And we assess the value of the property stolen at $33.00.

J. B. Dondua, Foreman.

Whereupon it is ordered and adjudged by the Court That the said John. H. Carlyle be imprisoned in the jail of the County of Union for the term of Thirty days, and that he pay a Fine of $25.00 into the State of Ohio, and the Cost of this prosecution, and that he stand Committed until said fine and Cost are paid.-

560 The State of Ohio -vs- Eliza Downey } Indictment for keeping place for sale of intoxicating liquors in violation of 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 she is "guilty". Thereupon it is ordered and adjudged by the Court That the said Eliza Downey pay a Fine of $50.00 unto the State of Ohio, And the Costs herein expended taxed to D- Also that she be imprisoned in the jail of Union County for the term of Twenty days. Said sentence of imprisonment is hereby suspended until the next term of this Court, in consideration of Defendants promise to quit entirely the sale of intoxicating liquors.

Friday. January 28th 1881.

3725 Elizabeth Longnecker et.als. -vs- J.W. Cummings } This day this Cause was Continued for Service of Summons on said Defendant

683 The State of Ohio. -vs- Richard Cody } 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 "not guilty" and puts himself upon the Country, and the Prosecuting Attorney doth the like.

Who also Come the following-named persons as jurors to-wit- Daniel Conn, N.M. Landon, William Kains, H.W. Barley, John A. Brown, J.M. Danforth, J.L. Gandy, A.W. Torrence, Milo Heimbach, and J.B. Dowdna regular jurors, and, A.D. Doolittle, and W.D. Leyon, talls jurors, who were duly impanneled and sworn according to law, and the trial proceeded. And the said jury having heard the testimony adduced, and the Argument in part said Cause was Continued until to-morrow-morning at 8½ o'clock

3686	Alvah Smith. vs W.W. Woods et-als	Continued	3713
3688	Eli G. Piper admr vs Brown Watson et-al	Continued	3716
3689	B.D. Bedford & Co vs Crum & Henderson	Continued	3720
	R.D. Connell vs Village of Richwood.		3731
3701	Fredrick J. Jager vs Alexander L. McCaig et-als	Continued	3740
3706	Fullerton. Phillis & Woods vs A.C. Pearson et-als	Continued	3744
3707	Viola W. Jones vs Alex J. Mahaffey et-als	Continued by Consent.	3747
3708	Bridget Keohan vs James D. Finley et-als	Continued	3750
3712	E.E. Hagen vs C.M. Blackford	Continued	3753

Thereupon Court adjourned until to-morrow-morning at 8½ o'clock

Saturday January 29th 1881

Court met this morning at 8½ o'clock, Pursuant to adjournment, the same officers being present as on yesterday.

553 The State of Ohio -vs- Richard Cody } Indictment for Assault and Battery.

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 argument of Counsel, 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=

No. 1. The State of Ohio -vs- Richard Cody } Common Pleas, Union County, Ohio. No. 553. January Term A.D. 1881. Indictment for Assault and Battery.

We, the jury in this case, find the Defendant, Richard Cody, Guilty, in manner and form as he stands Charged in the Indictment.

J. S. Gandy, Foreman.

3713 Wiley Berkley vs Arah Mayo et. als. Continued

3716 Powell & Lill vs The Board of Home Missions et als Continued

3720 Patrick Blake vs Hiram Kimball. Leave to amend appeal bond in 10 days. and Leave to file petition in 10 days thereafter.

3731 Benjamine Wood vs John Cowdy- Continued with leave to defendant to file answer in 30 days from the rising of Court—

3740 Joseph E. Fouke vs Catherine Snodgrass- Continued

3744 Mary Waye vs William Waye- Continued

3747 Joseph J. Morelock vs Harvey L. Wood- Continued

3750 Mary Kindall vs John W. Patterson et al Continued

3755 Leonard Colvice vs. John R. Owen. Continued

Thereupon Court adjourned until Monday morning the 31st inst at 9 o'clock.

Monday, January 31st 1881.

Court met this morning at 9 o'clock pursuant to adjournment the same officers being present as on Saturday.

3666 William Smith -vs- William Merto et al

On motion to the Court by the Plaintiff to strike out irrelevant and redundant matter from the answer of Defendants. It is ordered that same be stricken out as follows, to wit=

1st Beginning with the word "the", line 2, page 3, and ending with the word "derived" in line 1 Page 4.

2nd Beginning with line 5, page 4, And ending with line 19, Page 4.

3d Beginning with the word "which" in line 29, Page 4, and ending with line 18, Page 5,

4th Beginning with the word "that" in line 22, page 5, and strike out all the balance of page 5, page 6, Page 7, and first 8 lines of page 8,

5th Beginning with the word "that" in line 26, page 8, and ending with with the word "conveyance" in line 13, page 9,

To all of which ruling of the Court the said Defendants then and there excepted,

3667 William Smith -vs- Elijah T. Rue et al

On motion to the Court by the Plaintiff, it is ordered that the following irrelevant and redundant matter be stricken from the answer of the Defendant, to wit=

1st Beginning with the word "the" in line 4, Page 3, and ending with the word "denied" in line 3, page 4 of said answer.

2d Beginning with line 7, Page 4, and ending with line 23, on page 4

3, Beginning with the word "which" line 1, page 5, and ending with line 24, page 5,

4th Beginning with line 28, page 5, strike out balance of that page, the whole of page 6, the whole of page 7, and the first 14 lines of page 8,

5th Beginning with the word "that" in line 5, page 9, And ending line 23, page 9,

To all of which ruling the Defendant excepted.

548. The State of Ohio -vs- Dennis McGraw } Indictment for Robbery.

Nolle prosequi, is entered herein, by order of Court, At request of the Prosecuting Attorney.

Monday, January 31st 1881.

3663 Josiah Westlake -vs- Lewis C. Peacock et. als } This day this cause came on for hearing upon the motion of the Defendants to set aside the sale and appraisement heretofore made herein, and the same was argued by Counsel and submitted to the Court. On Consideration whereof, and after hearing the Evidence adduced in support of said motion, and on good cause Shown the Court do sustain said motion, and it is ordered by the Court that the appraisement and sale made herein, as aforesaid, be set aside and held for naught and a new appraisement and new sale of said premises is ordered herein.

569 The State of Ohio -vs- Robert Egenbette } Indictment for Burning Rail Road Bridge.

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.

526 The State of Ohio -vs- America V. Williams } Indictment for Arson, Burning a Dwelling House

Now comes the Defendant and upon her showing this Cause is continued.

And the Court further ordered that the said America V. Williams, enter into a recognizance to the State of Ohio, in the sum of Five hundred Dollars, with good and approved surety for her Appearance on the first day of the next term of Court, and continued from day to day till discharged by the Court.

532 The State of Ohio. -vs- William Brown } Indictment for Assault and Battery.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and presents to the Court the recognizance of William Brown the said Defendant taken before the Court of Common Pleas in Union County, and State of Ohio, on the 15th day of October A.D. 1880 in the sum of two hundred Dollars with Jas. Mitchell as surety.

Thereupon, the said Defendant, William Brown being three times solemnly called to appear and answer said charge as he agreed to do, and formerly so to do, and Jas. Mitchell 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 order that the said recognizance be, and the same hereby is forfeited, and leave by the surety to assoile the same by the next term of Court.

Monday, January 31st 1881.

3758 Harvey S. Woodehal. -vs- Leonard Camm } Settled and costs paid. No record.

3684. Nancy J. Suair -vs- Jacob Suair }

Now comes the Plaintiff and the Defendant having been duly served with summons and a 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.

And 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 the time a bona fide resident of the County of Union, and that the parties hereto were married as alleged in said petition

And the — 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 said Nancy J. Suair and Jacob Suair be, and the same hereby is, dissolved, and both parties are released from obligations of the same.

It is further ordered that the Custody, Care, Education, and Control of the said children of the parties, to wit: Elisha, aged 15 years, Flora A, aged 8 years and Clarissa E, Suair be until further ordered, confided to the said Nancy J. Suair Exclusively.

And the said Jacob Suair is hereby enjoined from interfering in any manner with either of said children or with the said Nancy J. Suair, in custody of them, but he is permitted to visit said children at such times as may be reasonable, and any violation of this privilege by either party may be reported to this Court

The Court find that there is certain — hold property in possession of the Plaintiff, and it is hereby ordered that she have and hold all the same as her own and the Defendant is enjoined from interfering with the same.

It is further considered, ordered by the Court the said Nancy J. Suair recover from the said Jacob Suair her costs herein expended.

Thereupon Court adjourned until tomorrow morning at 9 o'clock

Tuesday, February 1st 1880.

Court met this morning at 9 o'clock pursuant to adjournment, the same officers being present as on Yesterday.

3687 The State of Ohio -vs- William Walk }

Now comes the Prosecuting Witness by her Attorney, and Defendant by his attorney and agree that the above action may be dismissed at the Costs of the Defendant, without prejudice to the Trustees of Union Township, Union County Ohio, or to the Infirmary Directors of said County of Union.

It is therefore Considered by the Court that the said Plaintiff recover from the said Defendant the Costs herein expended taxed at $.

3748. Bank of Richwood -vs- S. M. Landon }

And now comes the said Bank of Richwood by their Atty and the said Deft still failing to answer or demur to said petition, it is considered that the said Plff is entitled to an acct of the money due them in the premises, And the Court after hearing the Evidence do find that there is due to the said Plff on the Note and Mortgage in said petition described the Sum of One Hundred & Eighty six & 85/100 Dollars with int at 8% from January 31st 1881.

It is therefore Considered by said Court here that the said Plff recover of the said Deft the said sum of One Hundred and Eighty six and 85/100 with 8% interest thereon from January 31st 1881 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 Deft fail for 5 days from the Close of this term of Court to pay the said Plff the said sum $186 85/100 and interest 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 -- as petition --- 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

3724 Jane Bancroft -vs- William Bancroft }

On motion of Defendant leave was granted him to withdraw answer and affidavit heretofore filed herein and same were withdrawn. Whereupon Plaintiff asked and obtained leave to withdraw reply, and reply withdrawn. 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 pendency of this petition

Tuesday, February 1st 1881.

3724 was given to the said Defendant according to law, And the Court do further find that the allegations of the Plaintiffs petition are true, and that Defendant has been guilty of gross neglect of duty, extreme cruelty, and habitual drunkenness for more than three years prior to the filing of Plaintiffs petition as therein alleged, It is therefore adjudged and decreed that the marriage relation heretofore existing between the said 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 Custody, nurture, Education, and care of the said Clement Bancroft aged 17 years, Gilberte Bancroft aged 9 years, and Bertell Bancroft Aged 9 years, be and the same is hereby given to the said petitioner and the said Defendant is hereby forever enjoined from interfering with, or disturbing the said petitioner, in the Custody, nurture, Education and care of the said above-named Children until the further order of the Court. The Defendant however, is to have the privilege of visiting said Children at proper times,

3754 C. Aultman & Co., —vs— J. B. Johnson et.als.

This day this Cause came on for hearing upon the pleadings and evidence, And was submitted to the Court the Defendant being in default for answer or demurrer, and find that the allegations of the petition are confessed by them to be true, and find that the Defendants to indebted to them in the sum of $244,00/100.

It is therefore considered by the Court that the said Plaintiff recover from the said Defendants the said sum of Two hundred and forty four Dollars & 00/100 with interest at 8% from the first day of this term and its costs herein expended, taxed at $.

3587 James. W. Robinson —vs— Streeter Sandridge and Mary Sandridge

This day came the parties plaintiff and defendants sometimes called "Saunders" and submitted the Cause to the Court on the motion to confirm sale and distribute proceeds, Whereupon the Court do find the sale made in all respects regular and lawful and do confirm the same and order the Sheriff of this County to execute and deliver to said purchaser a deed in fee simple for said land so sold and said purchaser is subrogated to all the rights of said Plaintiff under said mortgage, and said deed to convey all the title of said Defendants to said lands, as well as that of Franklin Burris tenant,

And the Court order that out of the proceeds of said sale the said Sheriff pay the Costs herein taxed to $40.88/100

3587 and 2nd The taxes which are a lien on said premises amounting to $23.67/100, and that the same due the Plaintiff on said Mortgage as found by the decree of this court with the interest thereon, subject to a credit of $30.00 paid by said Burris on note the 24th day of Dec 1880, leaving now due $886.93/100 and the balance if any remaining to said Mary Sandridge defendant=

David M. Robinson
-vs-
3717 The Pittsburg, Cin, & St Louis Railroad Company

This day came the Defendant and moved the Court to continue this cause on account of the absence of witnesses which Defendant is unable to have present=
Therefore it is considered and adjudged by the Court that this cause stand continued at the costs of the Defendant and that Plaintiff recover of the Defendants the costs of this term.

John J. Gabriel Et.al.
2610 -vs-
E. G. Piper Admr &c

This cause settled at Defts Costs, No record.

Myrm Gabriel
2816 -vs-
Eli G. Piper, Admr &c

This cause settled at Defts Costs, No record.

John J. Gabriel
2817 -vs-
Eli G. Piper Admr &c

This cause settled at Defts Costs. No record

R. O. Connell
3692 -vs-
Village of Richwood

On motion of Defendant leave was granted to Defendant to withdraw answer heretofore filed, Answer withdrawn. Thereupon leave was granted to plaintiff to file an amended petition within twenty days from the rising of the Court, And leave was granted to Defendant to plead in 10 days thereafter, and this cause continued.

Thereupon Court adjourned until tomorrow morning at 8½ o'clock.

Wednesday, February 2d 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same Officers being Present as on Yesterday.

569 The State of Ohio -vs- Robert Eqenbette } Indictment for Burning Rail Road Bridge.

This day again 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= H. O. Bayley, John A. Brown, John M. Dunforth, Edwin Wilber Jr. S. Gandy, A. C. Terrence, Daniel Coe, Milo Kimball, A. M. Loudon, C. L. Cory and J. B. Dondna, regular jurors, and C. M. Robinson, talis juror; who were duly impaneled and sworn according to Law, and the trial proceeded.

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=

The State of Ohio -vs- Robert Eqenbette } In Common Pleas, Union County, Ohio. No. 569, January Term A.D. 1881. Indictment for Burning Rail Road Bridge.

We, the Jury in this Case, find the Defendant, Robert Eqenbette, Guilty, in manner and form as he stands charged in each Count of the indictment. And we assess the value of said Bridge at $200.00.

H. O. Bayley, Foreman

And thereupon said Defendant is ordered into the Custody of the Sheriff to await sentence.

37433 J. L. Rodgers -vs- Clark D. Rodgers et als } This day came this cause on for hearing upon the return of the Sheriff and report of the Commissioners heretofore appointed therein and on motion to confirm the same; And it appearing to the Court that said Commissioners have assigned Dower in said premises to said Ezula J. Rodgers by metes and bounds; but that said premises can not be divided by metes and bounds without manifest injury to the value thereof. And that said Commissioners have appraised the said premises subject to said Dower at $4500.00, and said advancement to said Elon E. Rodgers at $1600.00; And the Court having carefully examined said report and proceedings, find them in all respects in conformity to law; do therefore approve and confirm the same; And the Court find that said advancement to said Elon E. Rodgers exceeds his share of said Estate, it is ordered that he be excluded from any further portion thereof.

It is further ordered and decreed that the said Ezula J. Rodgers have and possess the lands so assigned to her as and for her reasonable dower in said premises.

37433

37733

3733 And it further appearing to the Court that the said J.S. Rodgers and Clark. D. Rodgers have elected to take the said premises in said petition described at the appraised value thereof subject to said Dower the same are upon payment to the said J.S. Rodgers and Clark. D. Rodgers of the said sum of $1500.00 hereby adjudged to them and the Sheriff is ordered to convey said premises to them accordingly by deed in fee simple subject to said Dower which said payments are fixed by the Court at 1/3 cash 1/3 in one year, 1/3 in two year with interest on deferred payments, note and interest to be secured by Mortgage on said premises.

It is further ordered that the said Sheriff out of the proceeds of the said sale pay=

First= To the Clerk of this Court the costs of this action including a Counsel fee of $80.00 to Cameron & Burton for their services herein, taxed to $90.07

Second= Of the residue of the proceeds of said sale, To the Plaintiff J.S. Rodgers and said Clark D. Rodgers and Chloe A. Maidlow, each one third of the Cash proceeds, to wit the sum of $466 67/100

Also to each of the said J.S. Rodgers, Clark. D. Rodgers and Chloe. A. Maidlow, one third of the notes for deferred payments. And the said Sheriff may take the receipt of said J.S. Rodgers and Clark. D. Rodgers for their portion of said estate after paying Costs.

3743 Marcus. L. Negertee
-vs-
Negiah. M. Negertee

This day came the said parties by their attorneys, and thereupon this cause came on to be heard upon the petition of Plaintiff, answer and Cross-petition of Defendant and reply of Plff thereto and the testimony of Defendants witnesses, Plaintiff offering no testimony, and was argued by Counsel: On Consideration whereof the Court find that the said parties were married as in said pleadings averred and that said Plaintiff has been willfully absent from said Defendant for more than three years last past prior to the filing of 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 the said parties wholly released from the Obligations of the same; And it is further ordered that; the Custody, nurture, Education and care of the said Otte. A. Negertee aged 10 years Rebecca Negertee aged 8 years and Jennie Negertee aged 6 years, be and the same is hereby given to the said Defendant And the said Plaintiff is hereby enjoined from interfering with or disturbing the said Defendant in the custody, nurture, Education and care of the above-named children until the further order of this Court: It is further ordered that Plaintiff shall have the privilege of visiting and seeing said children at all proper times.

Wednesday, 1st February 2d 1881.

3455. Lucy, V. Faust et.al. / Robert -vs- Hill et.al. } Now came the parties herein by their attorneys; also came the following-named persons as jurors, to-wit= A.C. Bailey, John A. Brown, J.M. Danforth, Edwin Wilber, J.F. Gandy, A.C. Torrence, Daniel Cone, Ellis Kimball, S.M. Landon, C.L. Corey And P.B. Dondua, regular jurors, and J.W. Tracy talis juror who were duly impanelled and sworn according to law and the trial proceeded.

And the said jury having heard the testimony, and the argument in part, said cause was continued until to-morrow-morning at 8½ o'clock.

3455

3678- Eliza Snodgrass vs M. C. Lawrence and D. J. Grummons } This day came this cause on to be heard and it appearing to the Court that the name of said defendant Grummons is D.J. Grummons instead of D.L. Grummons, but that the name of said D. J. Grummons the maker of said note in the petition described as well as M.C. Lawrence who is surety thereon have been properly served with Summons thereupon by consent of all parties the Sheriffs return is amended so as to show the fact of proper service and the initial letter "J" in place of "L" is ordered to be inserted in the petition and Summons.

3677

Thereupon said defendants being in default for demurrer or answer to the Petition. It is considered by the court that the said plaintiff recover of said defendant D. J. Grummons as principal and said M.C. Lawrence as surety upon the note in the petition described the sum of $112.77 together with her costs herein expended taxed to $ -

Thereupon Court adjourned until tomorrow morning at 8½ o'clock

Thursday, February 3rd 1881.

Court met this morning at 8½ o'Clock pursuant to adjournment, the same Officers being Present as on Yesterday

3765 Lucy V. Trench et.al. -vs- Robert Hill et.al.

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 remainder of 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:

The State of Ohio } January Term A.D. 1881
Union County ss. }

No 3455. To wit: Febmary 3rd 1881

Lucy V. Trench et.als. Plaintiff -vs- Robert Hill et.als. Defendants

We, the jury in this case, being duly impaneled and sworn do find and say that we find for the Defendants.

Daniel Cone Foreman.

3677 Rachel Harriman -vs- Amos Harriman

This day this cause came on to be heard and the Defendant being in default for answer or demurrer, and the same being submitted to the court upon the evidence finds 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 been wilfully absent for more than three years before the Commencement of this action and that by reason thereof the Plaintiff is entitled to a divorce as prayed for. It is therefor ordered and adjudged by the Court that the marriage contract heretofore existing between the said Rachel Harriman and Amos Harriman be, and the same hereby is, dissolved and both parties are relieved from the obligations of the same. It is further considered by the Court that the said Rachel Harriman recover from the said Amos Harriman her costs herein expended taxed to $ and execution be awarded.

Thereupon Court adjourned until tomorrow morning at 8½ oclock.

Friday February 4th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same Officers being present as on yesterday.

Thomas. E. Powell as survivor of William P. Reid. doing business under the firm name of Reid Powell.
-vs-
3768. John. H. Coleman, Mary. C. Coleman and William. N. Coleman.

This day came the Plaintiff in his own 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 and service of process, and entered appearance of said Defendant herein, and by virtue of the same power of Attorney, confesses that there is due from said Defendants to said Plaintiff, as is alleged in said Plaintiffs petition, the sum of $756⁰⁰, It is therefore Considered that said Plaintiff do recover of the said Defendants the said sum of $756⁰⁰ 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 6 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.

Edward Caldice
3755 -vs-
John Owen

This day came the Plaintiff and asked and obtained leave of the Court to file petition in the above case within thirty (30) days from the rising of the Court.

P. R. Kerr
3700 -vs-
M. D. Lyon

This day this cause came on to be heard upon the petition of the Plaintiff - was argued by Counsel - and the Court being fully advised in the premises, do find that there was error in the proceedings and judgment of the Justice of the Peace as alleged in the said petition. Wherefore it is ordered and adjudged by the Court that said judgment of the Justice of the Peace in this Case be, and the same is hereby reversed, And said Case is hereby retained for trial in this Court as upon appeal and it is further adjudged by the Court that the Deft M. D. Lyon pay the costs of reversal, and the costs on the trial before said Justice of the Peace,

553

3706

Friday. February 4th 1881.

553 The State of Ohio } -vs- Richard Cody }

This day this Cause came on to be heard on the Motion of the Defendant herein for a new trial and was argued by Counsel; On consideration whereof, and for good Cause shown the Court do grant the same without conditions. The said verdict is accordingly set aside, and a new trial granted, and Defendant is ordered to enter into a recognizance in the sum of Three hundred Dollars for his appearance at the next term of Court; And thereupon Came the Defendant with John Cody his surety and entered into a recognizance accordingly.

3706 Fullington, Phillis & Woods, Partners } -vs- A. L. Pearson et. als. }

This Cause came on to be heard on the motion of Defendants to require the Plaintiffs to give a copy of the account on which they claim $11339.04/100 on account. Whereupon the Court sustain said motion, and order the Plaintiff to amend by attaching a copy of said account, and said cause is continued with leave to Plaintiff to file said Ammendment in ten days from the rising of the Court, Answer to be filed in rule afterwards.

Thereupon Court adjourned until to-morrow morning at 8½ oclock

Saturday, February 5th 1881.

Court met this morning at 8½ Oclock pursuant to adjournment, the same Officers being present as on yesterday.

3730 John. H. Blake
-vs-
Henry Moody

This day came the parties and submitted this Cause to the Court on the pleadings and Evidence; Whereupon the Court find for the Defendant on the issues joined between them.

It is therefore considered, ordered, and decreed, that Plaintiffs petition be, and the same is dismissed at Plaintiffs cost. And it is further ordered and decreed by the Court that the Plaintiff in thirty days pay the Costs of this Cause, taxed at $.

And in default of such payment, that Execution issue therefor as upon judgements at Law.

Thereupon the Plaintiff gives notice of his intention to appeal to the District Court and the Court fixed the appeal Bond at $200,00.

3601 George Knisely & Co,
-vs-
Peltiah Allyn et,als,

This day came the parties and by Consent the Entry made in this Cause May 13th 1880 in favor of Oliver Webster is set aside and this Cause came on to be heard on the Evidence and the issues joined in the pleadings, Whereupon at the request of all parties the Court states in writing the Courts Conclusions of the facts, separately from their conclusions of the law as follows, viz:- The Court from the Evidence finds

1 That J.F. and James.S. Winters were the owners in fee as shown by the Records of deeds of this County, and that the Premises then were improved and enclosed and had thereon a barn and a Store House in which goods were being sold,

2 That J.F. Winters conveyed by deed his half of this last to James.S. Winters,

3 That James.S. Winters conveyed by deed to Robert Davis and Wm Stoms, these premises who took and held possession under the same,

4 Robert Davis conveyed by deed his half to J.E. Toby who took possession

5 J.E. Toby conveyed by deed his half to Wm Stoms who held possession under the same.

6 None of these deeds have ever been recorded,

7. Wm Stoms sold these premises to one Tilton but no deed was made. Then Tilton sold to Lucius Webster these premises, but no deed was made, and Webster sold same to H.C. Moffit but no deed was made but possession was taken by each in turn.

3601, 8 By mutual consent of Fillon and Webster the deed for the premises was then made by Wm Storms directly to H.C. Moffit and he then made to Lucius Webster the Mortgage described in the Cross-petition of Oliver Webster for a part of the purchase money of the lot and which was recorded Oct 2d 1874 in Vol 11, Page 107 of Union County Record of Mortgages,

9 That H.C. Moffit sold and conveyed to J.F. Winters 1/2 of the premises and 1/2 to Pelliah Allyn, and thereupon Winters sold his half to Pelliah Allyn, and delivered back to H.C. Moffit his deed and requested Moffit to make the deed direct to Pelliah Allyn, and thereupon Moffit made deed for the whole to Pelliah Allyn and Pelliah Allyn made the Mortgage Winters for the purchase money, which is described in the Answer of W.H. Conkright in this case.

10 That said J.F. Winters when he took this Mortgage knew the whole history of these transactions as to sales, conveyances and possession of said premises but said Conkright and said Andrews George Knisely & Co,, did not have personal knowledge of these facts when they bought the notes and mortgage set up in their answers.

11 That none of the deeds have been recorded since the time J. F. and James S. Winters owned said premises.

On these findings of fact the Court find=

1 That said Moffit was seized in fee of the premises when he made the Webster mortgage, and that the said mortgage is a valid lien on the premises from the 2d of October 1874 when it was recorded,

2 That said Conkright and Andrews have a lien on said premises from the 3d of July 1877, but his lien is later and inferior to that of the said Webster mortgage.

To all of which findings of fact and law said W.H. Conkright and A. D. F. Andrews, Knisely & Co,, except.

It is therefore ordered and decreed by the Court that the said Pelliah Allyn within ten days pay to said Oliver Webster the sum of three hundred and forty nine 97/100 dollars with 8 per cent interest which the Court find to be due him on said Webster Mortgage on said Mortgage, and in default of the Defendants so paying the said sum and costs of this Cause for 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 bring the proceeds into Court= And the Court further order and decree that the proceeds of such sale be distributed as follows, viz=

First, The Costs of this proceeding.

2nd The taxes which remain a lien on the premises, and.

3d The said sum decreed to said Oliver Webster and interest and

4th The Note due to the said Wm H. Conkright which the Court finds amounts to the sum of $204, 80/100. and

5th The note to the said Andrews which the Court finds amounts to the sum of $340-60/100.

Saturday, February 5th 1881

3601. 6th. The Mortgage to the Plaintiffs amounting to $706.98/100 with interest from May 10th 1880 And the balance to the said Peleiah Allyn.

To all of which the said Corkright, and said Andrews, Geo Knisley & Co., except.

Also the said Corkright and the said Andrews give Notice of their intention to appeal to the District Court and the Court fix the appeal Bond at $.

507 The State of Ohio -vs- Lewis Rickcreek } Indictment for being Intoxicated.

This Cause is hereby Continued by the order of the Court for the arrest of the Defendant.

558. The State of Ohio -vs- Lewis Rickcreek } Indictment for Carrying Concealed Weapons.

This cause is hereby continued by the order of the Court for the arrest of the Defendant.

564 The State of Ohio -vs- Thomas. W. Chesney } Indictment for an Assault with intent to Kill.

This cause came on for hearing, and the Court do hereby order this Cause continued for the arrest of the said Defendant.

565 The State of Ohio -vs- Thomas. W. Chesney } Indictment for Assault.

This cause came on for hearing, and the Court do hereby order this cause continued for the arrest of the said Defendant.

549 The State of Ohio -vs- Samuel Buffington } Indictment for Assault

This day this cause came on to be heard upon the application of the Defendant for a continuance, which was granted by the Court. Thereupon the Defendant was ordered by the Court to enter into a recognizance in the sum of One Hundred Dollars for his appearance at the next term of this Court.

3751 Charlotte Bristly vs Henry Bristly } Settled and Costs paid. No record.

550 545 567 547 569 539

550 The State of Ohio -vs- Samuel Buffington } Indictment for Carrying Concealed Weapons

This day this cause came on to be heard upon the application of the Defendant for a continuance, which was granted by the Court. Thereupon the Defendant was ordered by the Court to enter into a recognizance in the sum of One hundred Dollars for his appearance at the next term of this Court.

545 The State of Ohio -vs- John A. Carlyle } Indictment for Larceny

for defending Court allow E. E. Cole a fee of Twenty Dollars the prisoner John A. Carlyle under assignment of Court

567 The State of Ohio -vs- Robert Garnes } Indictment for murder.

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 at his request appoint J. L. Cameron and P. B. Cole as Counsel for his defense. And upon motion of the Prosecuting Attorney therefor, James W. Robinson is hereby Appointed to assist in the prosecution of the Case. And it is further ordered by the Court that the above Case be set for trial on Monday of the third week of the next term of Court.

547 The State of Ohio -vs- C. R. Kerr } Indictment for altering Public Records.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and P. B. Cole on behalf of the Defendant and by mutual consent this Case is continued.

569 The State of Ohio, -vs- Robert Egenbette } Indictment for Burning Bridge.

Court allows L. B. Fulton a fee of Twenty Dollars for defending the prisoner Robert Egenbette under assignment of Court.

539 The State of Ohio -vs- Alfred Kennedy et als } Indictment for Injuring Animals.

And now comes the Prosecuting Attorney on behalf of the State of Ohio and presents to the Court the Recognizance of William Kroff one of the Defendants taken before the Court of Common Pleas on the 16th day of September

539 A.D. 1880 in the sum of One hundred Dollars with A. V. Kennedy as surety. Thereupon the said Defendant Wm Knopp being three times solemnly called to appear and answer said charge as he agreed to do, and failing so to do, and A. V. Kennedy 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 order that the said recognizance be, and the same hereby is, forfeited. with leave to respite the same by the next term of Court

3549 D. F. Elliott vs Allen Dieter

This day came this cause to be heard on the motion for new trial. Whereupon the Court overrule said motion, and consider and adjudge that Plaintiff recover of the Defendant the said sum of Seventy nine 50/100 Dollars, and his costs herein expended taxed at $.

To all of which ruling and judgment the Defendant excepted and asked the Court to sign and seal his Bill of Exceptions, which the Court order to be done and the same be recorded as a part of the record, and by Consent of parties ten days is given the parties to prepare the Bill of Exceptions to be signed and sealed and filed as of this term of Court according to law.

3169 Margaretta B. Lusk -vs- Jacob Lusk

This day came the parties and submitted to the Court this cause on the petition and supplemental petition, and the evidence in open Court, Whereupon the Court being fully advised in the premises do find for the petitioner and that Defendant hath been wilfully absent for more than three years prior to the filing of the supplemental petition, and that Defendant hath wholly neglected for more than four years said in the support and maintainance of the Plaintiff. Wherefore the Court order, decree and adjudge, that said Plaintiff be, and she is hereby divorced from the Defendant and their marriage relation dissolved and rendered null and void from this date.

3585 John Loamb vs Benjamine Evans

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.

569

560

3504

3736

569 The State of Ohio -vs- Robert Egenbette } Indictment for Burning Rail Road Bridge.

The Defendant herein having been heretofore convicted of burning a rail road bridge 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 whether he had anything to say why judgement should not be pronounced against him, and having nothing but what he hath already said.

It is therefore considered and adjudged by the Court that the said Defendant Robert Egenbette be imprisoned in the Penitentiary of the State, and be kept at hard labor for the period of four years, and that he pay the costs of this prosecution for which execution is awarded.

560 The State of Ohio -vs- Eliza Downey } Indictment for 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 the plea of the said Defendant Eliza Downey is a nuisance, And under the Statute upon which indictment was found, should be abated and therefore the Court order the same abated according to law.

3504 The Peoples Bank -vs- U. S. Alden et als. }

This day came the Defendant U.S. Alden and asked and obtained leave to file answer herein, answer filed, and this cause is continued for want of time to try.

3736 Ellen McGraw -vs- William McGraw }

This day this cause came on for hearing upon the motion of Plaintiff to make W.W. Woods, party defendant in 30 days from the rising of the Court and also upon the motion of the Defendant for leave to file answer herein in 20 days from the rising of the Court. On consideration whereof the Court do sustain both of said motions, and said Plaintiff has leave to make W.W. Woods party defendant in thirty days from the rising of the Court and said Defendant William McGraw has leave to file answer to Plaintiffs petition herein in twenty days from the rising of the Court, and Cause continued.

Saturday, February 5th 1881.

3715

3727 Charles Green
-vs-
Commissioners of Union County Ohio, et al

This day this Cause came on for trial before the Court upon the issues joined between the parties; On consideration whereof after hearing the Evidence and arguments, the Court do find that the said Defendants were not guilty of attempting to Correct illegal and arbitrary assessments and that said assessments made on said Plaintiffs land were not illegal and arbitrary, as said Plaintiff hath in his said petition declared against them. It is Therefore Considered that the injunction heretofore granted be, and the same is hereby dissolved; and it is further considered that the said Plaintiff pay one-half of the Costs herein taxed, and the said Commissioners pay the other half of said Costs out of the County Treasury of said County of Union, and State of Ohio, and Execution is awarded for said Costs. At the same time came said Plaintiff and gave notice of his intention to Appeal this Cause to the District Court and thereupon the Court fixed the amount of the appeal Bond herein at two hundred Dollars

3745 A. L. Williams
-vs-
W. W. Crary et. als

This day Came this Cause on to be heard upon the demurrer of Defendant to the petition of Plaintiff and was argued by Counsel and submitted. On Consideration Whereof the Court do sustain said demurrer as to the jurisdiction of the Court. And thereupon came the Plaintiff and asked and have leave to file amended petition within 30 days and Cause continued.

3749

2715 Ruben Freshwater
-vs-
Abraham Freshwater

This day Came the parties by their attorneys and by consent of parties the former order of Sale issued in this case is set aside and the third lot of 14 14/160 acres, and the fourth lot of 88 acres described in the petition having been heretofore withdrawn from the Case leaving remaining to be disposed of (exclusive of the 100 acre Dower lot, which is not hereby disturbed) only the 99½ acres lot, described as follows=
Situate in the County of Union, and State of Ohio, part of Survey No 5135. Beginning at a stake in the line between the original Survey 5135 and 3358, in the Center of the Marysville and Watkins Gravel road line between Paris & Dover Townships. Thence with the Center of said road N 82½ E 258 poles to the Center of Mill Creek. Thence up the Center of said Creek with the Meanders thereof to the South Easterly Corner of the Dower Estate of Sarah E. Freshwater as shown by the plat recorded in Law Record No. 15, Page No. 444 of this Court. Thence with the South line of

3715 Said Dower Estate S. 82½ W 298 poles to a stake in said Survey Line. Thence S 10½ E, 57.44/100 poles to the beginning, Containing 99½ acres more or less.

Thereupon came Ruben Freshwater and elected to take the above described 99½ acres of land at the Appraised value of forty five dollars per acre. The Court fix the payments to be one third Cash, one third in one year, and one third in two years from this date, with interest on the deferred payments to bear Rate at six per Centum per annum and to be secured by mortgage on said premises. Upon such payment and Security the same the Court adjudge said premises to the said Ruben Freshwater 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 of the said sale pay, first:-

To the Treasurer of said County the taxes on said premises amounting in all to $ 00.00, (Tax has all been paid),

Second:- To the Clerk of this Court the Cost of this proceeding including a Counsel fee of Sixty Eight Dollars to Robinson & Piper, and Cameron & Benton - amounting to $138,10.

Third:- Of the residue of the said Cash payment, he pay to the said Plaintiff and to said Abraham Freshwater, Mary Burns, Jane Cartmell, Sarah Hann, Susan Patrick, Anna E. Freshwater, Amanda Freshwater, Louisa Freshwater, David B. Freshwater, Edward Freshwater and Clark Freshwater, each, one twelfth part thereof.

Fourth:- And of the said notes for deferred payments that he pay to each of the said last above-named parties one twelfth part thereof.

All matters in regard to the said advancements is not herein adjudged, but left to be settled by the Executor of said will in his final Settlement with said Estate.

3749 N. M. Rice Admr &c. vs The Pittsburg, Cincinnati & St Louis Railway Co,

And now came on this cause to be heard upon the motion of the Defendant for an order from this Court requiring the Plaintiff to give Security for Costs herein, And the Court being fully advised in the premises do sustain said motion.

Thereupon Plaintiff asked and obtained leave to put in security for Costs within fifteen days from the rising of the Court, and to the Defendant was by said Court granted thirty days from same time to plead to Plaintiffs petition and this cause continued.

Saturday. February 5th 1881.

A. A. Woodworth
-vs-
3546 Cleveland, Columbus, Cincinnati and Indianapolis Ry. Co's,

This day this cause came on to be heard, and thereupon it was made to appear to this Court that the same was settled, by the parties thereto, upon the following terms, to wit=
That the Plaintiff was to, and had received Compensation for the mare killed as alleged in the petition; And that the Plaintiff was to pay- all the Costs of the action, except the fees of the employes of the said Railway Company, defendant which fees are not to be taxed-
The said employes are as follows= John Horn, Engineer; Arthur Morrow, Fireman; P. Peck, Conductor; and D. McLaren and James Noonan, Section Hands.
It is therfore considered, ordered, and adjudged by the Court that the, Defendant, the Cleveland, Columbus, Cincinnati and Indianapolis Railway Company recover of the Plaintiff A. A. Woodworth the Costs of this Action with the above exception taxed to ⸗.
No Record.

3601

Stephen Causton et.al.
-vs-
3538. Orson Benton et.als.

This day came on to be heard the motion of the Plaintiff to require the Defendants, Orson, David and Lewis Benton to make their answer herein more definite and certain. Upon consideration said motion was sustained by the Court, as prayed for in Plff's motion. And the Defts to have time to amend their answer in 20 days from the rising of the court- And the Plff 10 days thereafter to Plead.

Mary A. E. Green
vs
3711. George C. Green
In Divorce.

Now came the plaintiff and the defendant having been legally summoned by Publication 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 also 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 preceeding the same and was at the time a bona fide resident of this county of Union and that the parties thereto were married as in said petition set forth. The court further find upon the evidence adduced that the defendant has been guilty of disregarding his duties as a husband and been willfully absent- from the plaintiff for more than three years last past without any or justification therefor upon the part of the plaintiff and that by reason thereof the plaintiff is entitled to a divorce as prayed for.
It is therefore ordered adjudged and decreed by

Court here that the marriage contract heretofore existing between the said Mary A.E. Green and George C. Green 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 child of the parties hereto be until further ordered confided to the said Mary A.E. Green Exclusively, and the said George C. Green is hereby enjoined from interfering in any manner with said Child or with the said Mary A.E. Green in her custody of the said Child. It is further considered by the Court that the said Mary A.E. Green recover her costs from the said George C. Green herein expended

3601 George Kemisey & Co vs Peltiah Allyn et als

This cause came on to be further heard & thereupon the Court Set-aside the Sale made to H. C. Moffitt and thereupon the several defendants W. H Cowkright Geo P. Kemisey & Co Andrews & Others each for themselves gave notice of their intention to appeal to the district Court and the Court fix the appeal Bond for each applicant at $200. =

Thomas Stillings vs W. C. Dynes et als } On Motion Docket—

This day came on for hearing the Motion of the defendant W. C. Dynes for the appointment of a trustee to take & hold the proceeds of the Sale of the Share of Wm C. Dynes in the premises known as the Providence Dynes Homestead in Marysville Ohio & included in the proceedings in partition in this case as well as the Polly Ann Powers against the other heirs of James C. Dynes and it appearing that William C. Dynes hath Mortgaged Said premises which were Sold to Elizabeth Elliott, R. L. Woodburn & Henry Imrey to Secure the Children of Said Wm C. Dynes for their interest in Lands Sold under order of Court and it appearing that the Said proceeds are not bringing any income and Should be placed on interest for the use of the parties interested.

Therefore the Court do Sustain Said Motion and appoint

The Trustee of Said fund to receive from the officers who may have Said proceeds and from Said Elizabeth Elliott & from Said R. L. Woodburn and Henry Imrey and Receipt for the Same and cancelling Mortgage given on Said premises by Said W. C. Dynes and by Said other purchasers and hold Said funds for the benefit of Said Wm C. Dynes all of his Children and keep the Same on interest for their benefit and Said Trustee Shall make his report to the Probate Court as other Trustees from time to time according to Law. The Trustee before he acts under this appointment Shall give bond in $800,00 with Surety Satisfactory to the Clerk of this Court Conditioned that he will faithfully discharge his duties as Such Trustee and pay over to Said Wm C. Dynes & all of his Children the Said proceeds and interest as he Shall be required by Law.

Saturday February 5th A.D. 1881

3489 Peter Lattimer
vs
Sarah McCoy et al

This day came John Lattimer Harriet Marshall Elizabeth Streeter and Naomi J. Williams and suggested here to the court that the said Peter Lattimer has departed this life intestate since the last continuance of this action and that the said John Lattimer Harriet Marshall Elizabeth Streeter and Naomi J. Williams (with said defendant Sarah McCoy) are the sole heirs and legal representatives of said Peter Lattimer, and the Court being fully satisfied thereof and all parties consenting, it is hereby on motion of the said heirs, Except said defendant, ordered that this action stand revived in the name of said John Lattimer Harriet Marshall Elizabeth Streeter and Naomi J. William as said heirs and proceed in their favor,

3274 Joshua B. Haines
vs
Daniel Johnson et als

This day came the parties by their Attorneys and by consent of parties the Order heretofore made Consolidating this case with the case of Daniel Johnson vs Harvey M. Haines et als No. 1825 is set aside and held for naught

And the said Plaintiff not desiring to further amend his petition the Court award Judgment against him upon the demur and dismiss the cause at the plaintiffs costs

It is therefore considered Ordered and adjudged by the Court that the Defendant recover of the said Plaintiff their cost herein expended. Whereupon the plaintiff gave notice of his intention to appeal this case to the District Court fix the bond at $200

3753 Garrison Newlove
vs
Elizabeth A. Newlove

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 petition of the said Plaintiff to be made more definite and certain for reasons in said Motion Stated On consideration whereof the Court being fully advised in the premises do sustain said thereupon the plaintiff asked and had leave to file Amended Petition herein in 15 days and Cause Continued

3455

Lacy v. French et al
vs
Robert Hill et. al

January Term 188[illegible]

This day the Motion heretofore made in this cause for Setting aside the Verdict rendered herein on Thursday the 3d inst and for a new trial, came on to be heard, and was argued by counsel; On consideration whereof, it ordered and adjudged by the court that the said verdict be and the same is hereby set-aside; also that a new trial be had between the parties at the next term of this court; and it is further ordered that within 60 days the costs of the present term except the costs herein before at this term adjudged against the defendants be paid by the plaintiff. Leave is given to the defendants to amend their answer within 60 days from the rising of the court and this cause is continued.

John L Porter Judge

In Vacation March 23d/881

3800 James Wright-
vs
W. L. Curry et als

On Motion of plaintiff by his attorneys and good cause Shown therefor to Hon John B Coats Judge of the Probate Court within and for the County of Union and State of Ohio (the Hon John L. Porter Judge of the Court of Common Pleas within and for said County of Union being now absent from Said County) it is ordered that on an undertaking being given in the Sum of $800.00 with Sureties to the approval of the Clerk, an injunction be allowed to issue herein enjoining the said defendants from proceeding to let or contract the improvement of the McKee road, or from proceeding in any manner with Said improvement and enjoining them fully, as prayed for in Said plaintiffs petition until further order herein. John B. Coats Probate Judge-

Monday April 25", 1881.

The State of Ohio
County of Union } S.S.

This separate session of the Court of Common Pleas of the Third Sub-Division of the Tenth 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 eighty one, held in the Court-house, in the town of Marysville, county and state aforesaid.

Present:

Hon. John L. Porter
Judge.

John Hobensack
Sheriff

W. M. Winget
Clerk

Attest:
W. M. Winget
Clerk of the Court of Common Pleas 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:

On the 28" day of March 1881, I received this Venire and served the same on the several persons therein named, at the times and in the manner placed opposite their names endorsed thereon.

Conrad Weidman	April	6"	by delivering copy.
A. H. Dean	"	6"	by delivering copy.
J. Sweeney	"	7	by delivering copy.
James Cooley	"	6	by delivering copy
A. S. Chapman	"	6	by delivering copy
J. L. Borger	"	11	by delivering copy
J. B. Norris	"	9	by delivering copy
Simpson Price	"	6	by delivering copy
Solomon Walker	"	6	by delivering copy
W. H. Jordan	"	8	by delivering copy
George Harris	"	11	by leaving copy at usual place of residence
John Blair	"	7	by delivering copy
J. H. Tricker	"	11	by delivering copy
John M. Flew	"	7	by delivering copy

John Hobensack Sheriff
of Union County Ohio.

And upon calling the same in open court, and the panel being incomplete, the sheriff summoned from among the by-standers, to complete the same, the following named persons, who appeared in answer thereto, to wit: A. W. Torrence, James A. Henderson C. M. Hains, and the panel being full, the court appointed C. S. Chapman foreman of the Grand jury, and he, with his fellow jurors, took the oath in manner and form as prescribed by law;

Monday April 25th 1881.

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. S. Chapman foreman of the grand jury.
2. Conrad Weidman — 2 miles
3. A. H. Dean — 13 "
4. C. Sweeny. — 12 "
5. Jarvis Cooley — 15 "
6. C. S. Borger — 4 "
7. W. B. Norris. — 3 "
8. Simpson Price — 21 "
9. W. H. Jordan — 9 "
10. George Harris — 5 "
11. J. H. Tickey. — 7 "
12. John M. Blue — 23 "
13. A. M. Torrence
14. James A. Henderson
15. C. F. Haines — 18 "

3775

2570 Samuel M. Daugherty executor of the estate of Robert Watson deceased Plaintiff vs. A. James Sterling et als - Defts } No. 2570 Entry

On motion of the plaintiff and in his producing the return of the sheriffs sale made under the former order of this court, in carefully 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 the court it is ordered that the said proceedings and sale be, and they are hereby, approved, confirmed - And it is further ordered that the said sheriff convey to the said purchaser John Dgan 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 $2650.00 It is ordered That the Sheriff out of the money in his hands pay: First - The costs of this action taxed to $45.68.
Second - To the plaintiff Samuel M. Daugherty as exector &c $1200.00
Third - The balance to the defendant John A. Sterling to wit $1404.32.

2651

3793 Geo. B. Hamilton vs. Chas. A. Hill et als. } Settled and cost paid.

Monday April 25th 1881.

3775 — L. Aultman & Co. Plaintiffs vs L. H. Robins Catherine Robins and Hiram Roney Defts. — Entry No. 3775.

This day this cause came on to be heard on the Pleadings and evidence and the court being fully advised in the premises the court find that the defendant L. H. Robins & Catherine Robins are in default for answer or demur to said petition and that leave is granted the said Hiram Roney ten days to file his answer and cross petition.

And the court further find that there is due the plaintiffs from the defendant L. H. Robins on the promissory note set forth in the petition with interest to the first day of this term the sum of $358.60

The court further find that in order to secure the payment of said note the defendants L. H. Robins and Catherine Robins his wife executed and delivered to L. Aultman & Co. the plaintiffs their certain mortgage as in the petition described and on the premises therein described and said mortgage was duly recorded in book 16, page 79 of the records of mortgages of Union County and is the first and best lein on the premises described in the petition.

It is therefor considered and adjudged that unless the defendant L. H. Robins shall within two 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 plaintiffs herein the sum so found due with interest at 8% from the first day of this term 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.

Cameron & Benton
Attys for Plaintiffs.

2651 — Wm F. Swartz Lidia Swartz & Wm Williams pl. vs. Allen L. McArthur et al

This day this cause came on for hearing upon motion of plaintiffs to supply lost petition and was submitted to the court upon the exhibits and the evidence. And the court being satisfied that the original petition in this case has been mislaid or lost and that the petition proposed to be supplied is a literal copy of the original and motion is sustained and it is ordered that said petition be filed and treated in all respects as said original petition

Robinson & Piper & A. T. Carpenter
Attys for Plaintiffs.

Monday April 25th 1881.

3781 F. J. Sager
Plaintiff
vs.
Alexander L. McKaig et al
Defendants.

This day this cause came on to be heard upon the motion of the defendant Alexander L. McKaig to quash and set aside the summons and service of summons in this case which upon consideration thereof the court do sustain the said motion and order the said summons and service to be quashed. To which ruling of the court the plaintiff by his attorney excepts.

And thereupon the plaintiff amended his return heretofore made on the summons dated January 6th 1881 by adding after the name Alexander McKaig the word defendant.

T. E. B.
W. B. Sager

3774

3789 Sarah Marmon
vs
Isaac Cahill

This day this cause came on to be heard upon demurrer to Plaintiffs petition for the reason that there are a defect of parties and that said petition does not state facts sufficient to sustain a cause of action and other things therein contained and the cause was argued to the court by counsel on each side. And the court being fully advised on the premises do sustain said demurrer and on application of plaintiffs attorney leave was granted to amend his petition by Saturday May 1st 1881.

3810

3790 Cyrus Stamates
vs.
Isaac Cahill

This day this cause came on to be heard upon demurrer to plaintiffs petition for the reason that there a defect of parties and that said petition does not state facts sufficient to constitute a cause of action and other things therein contained and the same was argued by counsel on each side and the court being fully advised in the premises do sustain said demurrer and on application of plaintiffs attorney leave was granted to amend his petition by Saturday May 1st 1881.

3777

3791 D. S. Stephens
vs.
Joseph Gratty et als

This day this cause came on to be heard upon demurrer to plaintiffs petition for the reason that are a defect of parties and that said petition does not state facts sufficient to constitute a

cause of action and other things therein contained and the same was argued to the Court by counsel on each side and the court being fully advised in the premises do sustain said demurrer and on application of plaintiffs attorney leave was granted to amend his petition by Saturday May 1st 1881.
1881.

3774 D. M. Osborne & Co. vs. James D. Leeper et al

This day came the plaintiffs by attorneys and the said defendant still failing to demur or answer to the petition in this case but being in default this cause was submitted to the court upon the petition and evidence. On consideration whereof the court find that there is due to the said plaintiffs upon the fact stated in the petition from the said defendants James D. Leeper as principal and Ashail A. Woodworth as surety the sum of three hundred and two dollars and thirty four cents ($302 34/100) It is therefore considered and adjudged by the court that the said plaintiffs recover of the said James D. Leeper as principal and the said Ashail A. Woodworth as surety the sum of three hundred and two dollars and 34/100 dollars together with its cost herein expended taxed at $

3810 Walter Robinson & Woods vs. A. L. Smith et al.

This day this cause came on to be heard upon the motion to Plaintiffs petition asking the court to require plaintiffs to secure costs because they were non-residents of said county of Union and state of Ohio and the same being argued to the court by counsel and the court being fully advised in the premises do sustain said motion and leave was granted to plaintiffs to secure costs by Saturday May 8th 1881.

3777 C. Aultman & Co. Plaintiffs vs. A. L. South et als Defendants.

This day this cause came on to be heard upon the pleadings and evidence and the said A. L. South, C. S. South and Alfred South defendants, being in default for answer or demurrer and the court being fully advised in the premises on consideration find that the defendants admit the facts stated in said petition are true, that said defendants are indebted to plaintiffs in the sum of $177 00

It is therefore considered by the court that the said plaintiffs recover from the said defendants the sum of one hundred and seventy seven dollars at 8% from the first day of this term and its costs herein taxed at $

Monday April 25th 1881.

3725 Elizabeth Longnecker et als vs. J. W. Cummings

This day came John A. Longnecker, Elias Gibson and Samuel Gibson her husband and Albertus D. Longnecker (a minor over fourteen years of age) and Jane D. Longnecker (a minor under fourteen years of age) by their next friend and father George W. Longnecker and suggest here to the court that the said Elizabeth Longnecker has departed this life, intestate, since the last continuance of this action and that the said John A. Longnecker, Elias Gibson, Albertus D. Longnecker and Jane D. Longnecker are the sole heirs and legal representatives of said Elizabeth Longnecker.

And the court being fully satisfied thereof, and all parties consenting, it is hereby, on motion of the said heirs, ordered that this action stand revived in the name of said John A. Longnecker, Elias Gibson, Albertus D. Longnecker and Jane D Longnecker, as said heirs and procede in their favor. And at the same time came the defendant and asked and obtained leave to plead herein in thirty days from the rising of the court and cause continued.

3820 Wm. H. Dilsaver Plaintiffs vs. A. P. Westheimer & Walker Defendants

This day came the Plaintiffs by Carpenter & Brodrick his 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 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 $659 16/100. It is therefore considered that said Plaintiffs do recover of said Defendants the said sum of $659 16/100 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 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.

3489 Peter Latimer vs. Sarah McCoy et al

This day came all the parties hereto by their attorneys and by consent of all parties this case is continued.

3147 Joseph E. Fouke vs. Geo. Loar

Continued

Monday April 25th 1881.

30 12 Emma Cartmell vs. Benny Woodworth
Continued for service.

24 19. Lemuel Meyers vs. Edward Thompson et als
This day this cause came on for hearing and by agreement of all parties, herein and for good cause shown, it is ordered that this cause be, and the same hereby is referred to L. Piper Esq, who is hereby appointed a special master commissioner for that purpose, who shall forthwith, upon being duly qualified, proceed to hear all the issues arising upon the pleadings to take the testimony in writing, and report the same to the Court with the conclusion on the law and facts involved in the issues, without unnecessary delay. And it is further ordered that five days notice shall be given to both parties before the hearing thereof. The said special master commissioner to return his report at this term of the Court if possible, but if the same cannot be returned at this term, then said Commissioner to report at the next term hereof and if necessary this cause is continued to the next term hereof for said purpose.

3776 L. Aultman & Co. Plaintiffs vs. A. L. South et als Defendants.
This day this cause came on to be heard upon the pleadings and evidence and the said A. L. South, C. S. South & Alfred South defendants being in default for answer or demurrer and the Court being fully advised in the premises on consideration find that the defendants admit the facts stated in said petition are true that defendants are indebted to plaintiffs in the sum of $384 22/100. It is therefore considered by the Court that the said plaintiffs recover from the said defendants the sum of three hundred eighty four & 22/100 dollars at 8% interest from the first day of this term and its costs herein taxed at $

3613 Sarah Snodgrass vs. Joseph Lee
Continued.

3364 Finley D. Davis vs. Elijah Lister
Continued.

Monday April 25th 1881

3455 Lucy V. French et al
vs.
Robert Hill et al

This day suggesting was made to the Court of the death of one of the plaintiffs, Lucy V. French and it being shown to the Court that Walter P. French, Jesse V. French, and Mary L. French are her heirs at law, all being of the age of majority, it is ordered by the Court that they be substituted as plaintiffs instead of Lucy V. French and that this action proceed under the title of Walter P. French, John H. French et al - vs Robert Hill et al.

3802

Jeptha J. Hartley
vs.
Lydia Hartley
Viola A. Longberry
John Longberry
3796 Hannah A. Harger
Charles F. Harger
Amanda J. Hartley
Jesse A. Hartley
Frank A. Hartley
Garrison Longberry

And now came the said Jeptha J. Hartley by Carpenter & Broderick, 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 all of said defendants have waived, in writing, the issuing and service of summons in this case and have entered their appearance herein and that they are all in default for answer or demur although the time for them to answer or demur has passed. And the Court further find that that the plaintiff Jeptha J. Hartley has a legal right to and is seized in fee simple of the undivided one sixth part of the premises described in the plaintiffs petition, and the Court do finther find that the said Viola A. Longberry, Hannah A. Harger, Amanda J. Hartley, Jesse A. Hartley and Frank A. Hartley are tenants in common in said premises with the same Jeptha J. Hartley in the following proportions, to-wit: that the said Viola A. Longberry is seized of the undivided one sixth part thereof, the said Hannah A. Harger of the undivided one sixth part thereof, the Amanda J. Hartley of the undivided one sixth part thereof, the said Jesse A. Hartley of the undivided one sixth part thereof, and that the said Frank A. Hartley of the undivided one sixth part thereof, and that the said the said Lidia Hartley 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 Lorenzo Cheney, Harvey Mathews and F. J. Sager one full equal third part of said premises in said petition described, be set off and assigned to the said Lidia Hartley as her dower estate, and that by the like oaths of the said Lorenzo Cheney, Harvey Mathews, and F. J. Sager partition be made.

3765

of said lands subject to the said dower estate in the following proportions to-wit: To the said Jeptha J. Hartley one sixth part To the said Hannah A Harger one sixth part. To the said Amanda J. Hartley one sixth part. To the said Jesse A. Hartley one sixth part. To the said Frank A. Hartley one sixth part. And it is further ordered that the Sheriff return his proceedings in the premises forthwith.

Abraham Long
vs
Rebecca Johnson
3802 Addison Johnson
Margaret A. McMillen
Hylas Sabine

And now comes the said Abraham Long, by Carpenter & Brodrick, his attorneys, and the said defendants still failing to answer or demur to said petition, it 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 the said plaintiff on the note and mortgage in said petition described the sum of Four Hundred and Eighteen & 56/100 dollars ($418 56/100) and that the premises described in plaintiff's petition were mortgaged to secure the payment of said indebtiness as alleged in plaintiff's petition and that said mortgage is the first and best lein upon said premises and 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. And the Court further finds that there is due from the defendants to the plaintiff, on his second cause of action, the sum of One Hundred and Sixty Four & 93/100 Dollars ($164 93/100) for taxes paid by him on said premises as alleged in his petition and that plaintiff has a lein thereon for the payment thereof. And it is further ordered and adjudged that in case the said defendants fail for five days from this date (April 25th-1881) to pay to the said plaintiff the said sum of Four Hundred & Eighteen & 56/100 Dollars ($418 56/100) with interest from this date. And the further sum of One Hundred & Sixty Four & 93/100 Dollars ($164 93/100) with interest from this date - 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 discribed to be appraised, advertised and sold according to law, and apply the proceeds of said sale in satisfaction of the said sums so found due with costs of suit.

Araminta Jenkins
vs.
3765 Thos. W. Cox et als.

This day this cause came on for hearing on notice of defendants to quash the service of summons herein made on the defendant Thomas W. Cox and the same was submitted to the Court. On consideration whereof

Monday April 25th 1881.

the Court do sustain said motion, and at the same time came the plaintiff by her attorney and asked and obtained leave to continue the case for service of summons herein.

1825	Dan. M. Johnson vs. Harvey M. Haines et. als.	Continued.
2474	John Blair vs John Jolliff	Continued,
1839	Richard Brewster et als vs. Nathan Bell et als.	Continued,
1998	A. C. Doney vs. Tillman G. Goff.	Continued,
2003	Thos. Peacock vs. Jefferson Ford	Continued,
2076	Mary J. Baker vs. Richard White et als	Dismissed.
2733	W. B. Thompson vs. W. B. Hoover	Continued.
2958	Richard W. McCarney	Continued,
3140	James Carter vs. Bank North Lewisburg.	Continued
3147	Joseph E. Fouke vs. George Doar	Continued.
3366	L. Walker vs. J. L. Dennox	Continued.
3367	L. Walker vs. J. L. Dennox et als	Continued.
3368	L. Walker vs. G. W. Cannon et als.	Continued,
3498	State of Ohio for the use of Sarah E. Brown vs. Chas S. Snodgrass	Continued.
3514	French Lockwood vs. Cook, Morse & Co.	Continued,
3556	John W. Haines vs. Bank of North Lewisburg	Continued
3551	Murilla Keith vs. Charles Keith	Continued,
3575	Maria Odonnell vs. Patrick Odonnell	Continued

Thereupon Court adjourned until tomorrow morning at 8½ o'clock.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

2837 Samuel Turner Plaintiff
vs.
Mary Turner Defendant

It appearing to the Court that the Real Estate 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 plaintiff the appraisement heretofore made is hereby set aside and a new one ordered.

3732 James McCrory
vs.
J. W. Young

This day this cause came on for hearing upon the demurrer of the plaintiff to the answer of said defendant herein filed and the same was argued by counsel and submitted to the Court. On consideration whereof the Court do sustain said demurrer and thereupon the defendant by his attorneys asked and obtained leave to file an amended answer herein by Thursday April 28th 1881.

This day appeared at the bar of this court the grand jury heretofore impanelled and sworn in, and for the body of the county aforesaid, viz: 1. A. S. Chapman, 2. Conrad Weidman, 3. A. H. Dean, 4 J. Sweeny, 5. James Cooley, 6. J. S. Borger, 7. J. B. Norris, 8. Simpson Price, 9. W. H. Jordon, 10. George Harris, 11. J. H. Tricky, 12. John M. Blue, 13. A. W. Torrence, 14. J. A. Henderson, 15. C. F. Kains, and presented their certain bill of indictment against David Brooks for disturbing meeting. And also their certain other bill of indictment against O. B. Mathers for living in fornication. And also their certain other bill of indictment against Louisa Merrell for adultery. And also their certain other bill of indictment against William Wilcox for assault and battery. And also their certain other bill of indictment against C. M. Wheeler for robbery, each endorsed "A true bill. A. S. Chapman forman of the grand jury."

To the Hon. The Court of Common Pleas for Union Co. Ohio.
The Grand Jury take leave to report that it made an examination of the Jail and that its condition for the safe-keeping of prisoners is not good. That the gratings to the windows need some repairs and to be more securely fixed. And that the sanitary condition thereof is not good - which to a great degree may be relieved by the repairing of the plumbing apparatus of the prison which is almost wholly out order. We also think that the Sheriff should require the occupants of the prison to keep it in a neater, or at the least, a more cleanly condition. And for the reasonable comfort of the unfortunate occupants of the prison we recommend the prison should be painted white and that the marring of the walls be prevented. Albert S. Chapman forman of the Grand Jury."

Marysville Ohio
Apr. 26th 1881.

Tuesday April 26th 1881.

and there being no further business for the said jury, they were discharged finally.

3313 W. Evans vs. Joshua S. Gill et al

Leave granted to Defendants to answer instanter and case set for hearing on Thursday of this week.

3558 Stephen Cranston et als vs. Orson Benton et als

By leave of the court the plaintiffs withdraw their motion to strike out part of Defendants answer and reply instanter to the new matter inserted in said answer.

3690 B. D. Buford & Co. vs. J. M. Dunn & J. A. Henderson

Now comes the plaintiff by his attorney and the defendant being in default for answer and demurrer the court find that there is due upon this petition of the plaintiff the sum of $110.63/100, That the said defendants are indebted to the plaintiff in the said sum of One Hundred and Ten Dollars and Sixty three cents. It is therefore considered by the court that the said plaintiff recover from the said defendants the said sum of One Hundred and Ten Dollars and Sixty three cents, and his costs herein expended.

3455 Walter S. French et al. vs. Robert Hill et al.

This day leave was granted by the court to the plaintiffs to file a supplemental petition setting forth the names &c. of the heirs of Lucy V. French, Dec'd. Supplemental petition filed and cause continued.

3578 Lucy L. Glenn vs. William Glenn. Continued.

3614 Riley Chapin vs. Elijah Mitchel Continued.

3618 Ann Harris vs. Kezekiah Warner Continued.

3648 Charles Randall vs. D. N. Camp et als. Continued.

Thereupon court adjourned until tomorrow morning at 8½ o'clock.

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3274

Wednesday April 27th 1881.

Court met this morning this morning at 8½ o'clock pursuant to adjournment the same officers being present as on yesterday.

3654	Joshua S. Gill Jr. vs. Ohio Mutual Relief Association.	Continued.
3666	William Smith vs. William Moertz et als	Continued
3689	R. D. Buford & Co vs. Dunn & Henderson et als.	Continued.
3787	Viola W. Jones vs. Alex J. Mahaffey et als	Continued.
3708	Bridgit Keehan vs. James T. Finley.	Continued.
3712	E. E. Hazen vs. G. M. Blackford.	Continued.
3731	Benjamin Wood vs. John Cowdy et al	Continued
3756	Harrison C. Russell vs. J. W. Parrish	Continued.
3757	State of Ohio vs. Cordine Curry	Continued.
3767	Cyrus Moore vs Winger Harriman et al.	"
3769	Bridget Keeshan vs Michael Keeshan	Continued.
3770	Wm. A. Felkner by his friend vs. Winger Harriman	Continued.
3780	Lewis A. Ellis vs. Alex J. Mahaffey et als	Continued.
3795	Mary E. Rodgers vs. Sidney A. Rodgers	Continued.
3797	George Goins vs Rosella Goins	Continued.
3808	Elijah Mitchell vs. Marion Dockum	Continued.
3814	James S. Smith vs. Uriah Jolly et als	Continued.
3816	Louisa Merritt vs. Chas. D. A. Merritt	Continued.
3817	Henry K. Fuller vs. Ann B. Sargant et als.	Continued.
3274	Joshua B. Haines vs. Daniel M. Johnson et als	Continued

Thereupon Court adjourned until tomorrow morning at 8½ o'clock.

Thursday April 28th /881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

Sammie Gamble
vs
3822 Benj. Rodgers
Robert Gamble.

This day came the Plaintiff by A. H. Brightler 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 alleged in said Plaintiff's petition, the sum of $184 11/100. It is therefor considered that said Plaintiff do recover of said Defendant the said sum of $184 11/100 so as aforesaid confessed to be due, togither 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 Atty, all errors are released, and all right of appeal, and all right to file a petition in error are waived.

Ettinger & Arnold, Plaintiffs
3735 vs.
J. W. Wilcox, Defendant.

And now came the plaintiffs herein, and the defendant being in default for answer and demurrer: the Court find that the alligations of the petition are confessed by him to be true and the defendant J. W. Wilcox is endebted to the plaintiffs in the sum of One Thousand twenty & 98/100 Dollars ($1020 98/100) with intrest from April 25th /881. It is therefor considered by the Court that the said plaintiffs recover from the said defendants the said sum of One Thousand twenty and 98/100 Dollars ($1020 98/100) with intrest from April 25th /881, and their costs herein expended taxed to $

Squire and Homer
3760. vs
James Tanner et als.

This day this cause came on to be heard upon the petition of the plaintiffs Squire & Homer and the answer and cross petition of the defendants Keppes and Brenneman, and the defendants John Tanner, James Tanner and Sirenia Tanner and Martha E. Tanner being in default for answer or demurrer to said plaintiffs petition- The Court after hearing the evidence and being fully advised in the premises do find the facts plated in said plaintiffs petition were true, and that there is due said plaintiffs on the note marked "A" in said petition the sum of $287 07/100 with intrest thereon at 8% from the 16th day of Oct. /880, and that there will be due them upon the

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sale of the property in said petition described on said note marked "B" in said petition the further sum of $290.00 with interest thereon at 8% interest from the 1st day of August/879. It is therefore considered by said Court here that the plaintiffs Squire & Konner recover of the defendants John Tanner, James Tanner and Serina Tanner the sum of $299.30/100 the sum so found due with interest at 8% and also their costs taxed. And it is further ordered and adjudged by said Court that in case said John Tanner, James Tanner and Serina Tanner fail for five days from the close of this term of Court to pay to said plaintiffs the sum as aforesaid found due with costs of suit an order issue to the Sheriff of said County commanding him to cause said land and tenements in said petition described to be appraised, advertised and sold according to law, and that he bring the proceeds of the sale of the same and also the balance (after satisfying plaintiffs judgment) of the proceeds of sale of said personal property in said petition described into this court, then to remain subject to the further order of the Court-

W. W. Woods
vs.
3872 W. C. Barnett

This day came on this cause to be heard on the motion of W. C. Barnet to refer this cause to a referee to report on the facts and the law upon the issues joined between said Barnet & the Enterprise Building & Loan Association, and the Court being fully advised in the premises do order the same to be so referred to C. S. Chapman Esq. to report during this term of Court his findings of fact and law upon the issues joined between said Loan Association and said W. C. Barnet together with the evidence which said parties may submit in the premises.

Thereupon Court adjourned until 8½ o'clock tomorrow morning.

3615- Albert Wallace et al vs. L. G. Monroe. Continued.

3642 Eli G. Piper Admr. vs. Elisha L. Hawkins Continued.

William Smith vs. Elijah K. Pace Continued.

2076 Mary J. Baker vs. Richard White et als Continued.

3145- Orlando Wells vs. Ormond W. Wells et als Continued.

Friday April 29th/881.

Court met this morning at 8½ o'clock pursuant to adjournment the same Officers being present as on yesterday-

Friday April 29th /881.

Union Central Life Insurance Company vs. James Williams. 3448 } Union Common Pleas April 27th /881 Judgt $78.04 and int 8% from April 25th /881.

This day this cause came on to be heard, and neither party requiring a jury, the same was by the consent of both parties, submitted to the Court upon the pleadings and evidence, and was argued by counsel, with a request by the parties, that the Court make a special finding of the at issue on conciderations whereof the Court do find, as follows:

1st. That the policy was accepted by the defendant, and premium note given.

2nd. That the policy was binding on the Insurance Company.

3rd. That the risk of the Company, attached, on delivery of the policy, and execution and dilivery of the note.

4th. The acceptance of the note by the Company as payment, was same as cash payment.

5th. The abstract of title was not complete: at least no fault is shown to be on the Company.

6th That there was due from the defendant to the plaintiff on the note set forth in the petition, on the first day of this term, to wit: April 25th /881 the sum of Seventy eight 4/100 dollars, ($78.04) which sum bears interest at Eight per cent per annum.

Whereupon the defendant moved this Court to set aside said finding and grant a new trial for reasons stated in said motion, which motion the Court overruled the which ruling of the Court the defendant excepted.

It is therfor considerd, ordered, and adjudged, by the Court, that the plaintiff recover of the defendant - James Williams, the said sum of Seventy eight dollars and four cents, ($78.04) with interest from April 25th /881 at 8% per annum, so found due, together with its costs herein expended taxed to $

D. S. Stevens, Administrator &c. Plaintiff
vs
2950 The Mount Carmel Lodge No. 303, Free and accepted mason and others, Defendant. }

The Court this day on motion of M. C. Lawrence, Attorny for one of lein holders in the above action, having examined the proceedings of the Sheriff, and a sale by him made upon the order of sale issued in this cause, in favor of George B. Hamilton, and against said Mt. Carmel Lodge No. 303, Free and accepted masons; and being satisfied that said sale has in all respects been made in conformity to the provisions of the statute in such case made and provided, do order the Clerk of this Court to make an entry on the Journal, that the Court is satisfied of the legality of the sale: and that he also enter an order on the Sheriff to make to purchaser George W. Court a deed for the premises so sold

Friday April 29th/881.

in fee simple; All of which is entred accordingly.

And on further motion to the court, for an order of distribution of the proceeds arising from said sale, the court orders the same to be distributes as follows. 1st. That the Sheriff pay the costs in the case herein above mentioned, as well as the costs in the case of George B. Hamilton vs Mt. Carmel Lodge No. 303, free and accepted masons, No. 2930, which came into this case by consolidation, (not including any costs made by any of the parties in this action before Justices of the Peace) taxed to $

2d - That George W. Court retain and pay to the Treasurer of Union County all taxes and assessments now a lein on the premises so sold, which will be due and payable in June 1881, in the sum of $392.69.

3d - That the residue arising from such sale be applied and credited upon a judgment in favor Wm. Lowe - on Execution docket "K" of this Court, page 404, which the Court has heretofore found in this case to be the first best and prior lein on the premises so sold.

Thereupon Court adjourned until 8½ o'clock tomorrow morning.

Saturday April 30th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment the same officers being present as on yesterday.

5-72 State of Ohio vs. L. M. Wheeler.

Now comes the defendant by his attorney and moves the Court to discharge the sureties on the recognizance of the defendant. Further, That said recognizance was not forfeited at the next term of the Court or any order made by the Court. Therefore the Court being fully advised in the premises do hereby sustain said motion and order the sureties released.

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3700 P. R. Kerr vs. W. D. Lyon

This day this cause came on to be heard upon the motion of defendant to plaintiffs petition to make the same more specific and certain, and the same being argued to the Court and the Court being fully advised in the premises, do sustain said motion and leave was granted plaintiff to amend his petition instanter.

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3554 Cornelias Mulvain vs. Jonas Digby, Defendant.

This day this cause is dismissed without prejudice for want of prosecution at plaintiffs costs. As record. It is therefore considered and adjudged by the Court that defendant recover of ~~defendant~~ recover of plaintiff his costs herein expended taxed at $

3688 Eli G. Piper Admr. &c. vs. Brown Watson et al.

Now came on this cause to be heard by the Court and it appearing to the Court that the said injunction was rightfully allowed, and that the defendants since said injunction was allowed, condemned the said gravel to public use and thereby secured payment for the damage according to law, the Court find the defendants should pay the costs of this cause. Thereupon it is ordered and adjudged that plaintiff recover of the defendants the costs of this case, and if they fail for ten days to pay same that execution issue thereon. As record.

3671

Thereupon Court adjourned until 9 o'clock Monday morning, May 2nd 1881.

Monday May 2nd 1881.

Court met this morning at 9 o'clock pursuant to adjournment the same officers being present as on last Saturday.

3720 Patrick Blake Plaintiff
vs.
Hiram Kemball Defendant

This day came the parties by their attorneys, and this cause came on to be heard upon the motion of the defendant to dismiss this action because the appeal bond in this case is not in proper form, and also for the further reason of want of prosecution of the case, and the Court thereupon being fully advised in the premises do grant the plaintiff thirty days from rising of Court to put the appeal bond in proper form by amendment, and forty days from rising of Court to file petition, and if not then done the case shall stand dismissed.

3723 Eva L. Chesney
vs.
Justus J. Miller.

This day came the parties by their attorneys and the defendant asked and had leave of the Court to withdraw his answer, and thereupon the defendant being in default for demurrer or answer the plaintiff waived the calling and empannelling a jury and submitted this cause to the Court upon the petition and evidence. On consideration whereof the court find that at the commencement of this action the right of property and right of possession of the goods and and chattels in the petition described was in the plaintiff and the Court with the consent of parties do assess the damages of the plaintiff by reason of detention thereof at one cent. It is therefore considered and adjudged by the Court that the said plaintiff recover of the defendant the said sum of one cent and his cost herein expended taxed to $ and by agreement there is to be no record.

3671 Eva L. Chesney
vs.
Justus J. Miller

This day came the parties by their attorneys and the and the defendant asked and had leave of the Court to withdraw his answer and thereupon the defendant being in default for demurrer or answer the plaintiff waived the calling and empannelling a jury and submitted this cause to the Court upon the petition and evidence. On consideration whereof the Court find that at the commencement of this action the right of property and right of possession of the goods and chattels in the petition described was in the plaintiff and the Court with the consent

Monday May 2nd 1881.

of parties do assess the damages of the plaintiff by reason of detention thereof at one cent. It is therefor considered and adjudged by the Court that the said plaintiff recover of the defendant the said sum of one cent and his cost herein expended taxed at $ and by agreement there is to be no record.

3739 Eva L. Chesney vs. W. H. Baxter.

This day came the parties by their attorneys and the defendant asked & had leave of the Court to withdraw his answer and thereupon the defendant being in default for demur or answer the plaintiff waived the calling and empannelling a jury and submitted the cause to the Court upon the petition and evidence.

On consideration whereof the Court find that at the commencement of this action the right of property and right of possession of the goods and chattels in the petition described was in the plaintiff and the Court with the consent of parties do assess the damages of the plaintiff by reason of detention thereof at one cent. It is therefor considered, ordered and adjudged by the Court that the said plaintiff recover of the defendant the said sum of one cent and his cost herein expended taxed to $ and by agreement there is to be no record.

3692 R. D. Connell - Plaintiff vs. Village of Richwood Defft.

This day this cause came on for hearing upon the demurrer of said defendant to plaintiffs petition herein filed and the same was argued by counsel and submitted to the Court.

On consideration whereof the Court do sustain said demurrer, and thereupon came the plaintiff by his attorneys and asked and obtained leave of the Court to file an amended petition herein, in Thirty days from the rising of the Court, and cause continued.

3377 Robert Gibson vs. W. W. Woods, Continued,

3655 E. E. Cole Assignee vs. Henry Sheridan et als Continued.

Whereupon Court adjourned until 8½ o'clock tomorrow morning.

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Tuesday May 3" 1881.

Court met this morning at 8½ o'clock pursuant to adjournment the same officers being present as on yesterday.

3785 Asa Wilcox vs. Wm. Wilcox et al

This day this cause came on for hearing and it appearing that the petition in this case has been lost, or is withheld from the files of the Court, on motion, it is ordered that the plaintiff be allowed to substitute a copy thereof; and that the same be in all respects received instead of such original petition.

3717 David M. Robinson Plaintiff vs. Pittsburg, Cincinnati & St. Louis Railway Company Deft.

Now came the parties herein, by their attorneys; also came the following-named persons as jurors, to wit:

1. David Cochran, 2. Shepird Clark. 3. A. J. Ferguson, 4. Dyer Reed, 5. Oliver Lincoln, 6. R. Maryfield, 7. Jerome Richey, 8. Jerome McMahon, 9. James Kennedy, 10. Walter Bucher, 11. William Hall, 12. Jarred Clement, and L. H. Warbes, talis juror, who were duly impaneled 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 impaneled and sworn do find and say that we find for the Plaintiff for Horse $140.00. For Heifer $1.00. For Hog $4.00. Total $145.00.

A. J. Ferguson, Foreman.

3749 H. M. Rouse, Adm. &c. vs. The Pittsburg, Cincinnati & St. Louis Rail Way Co. Dft.

This cause came on to be heard on demurrer to plaintiff's petition and was argued by counsel and on consideration whereof the Court do sustain the same and thereupon at the plaintiff's request leave was granted him to file amended petition by Saturday May 7" and cause continued.

Thereupon Court adjourned until 8½ o'clock tomorrow morning.

Wednesday May 4th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment the same officers being present as on yesterday.

3732 James McCrory vs. J. W. Young.

This day this cause came on for hearing, and thereupon came the attorneys for each of the parties herein, and the Court having heretofore, at this term of this court, sustained a demurrer of said plaintiff to the answer of said defendant heretofore filed herein, and said attorneys for said defendant being satisfied that said answer contained all the facts which said defendant could allege as a defense to the allegations of said plaintiffs petition, and the Court on deciding said demurrer, and at the request of said defendants attorneys, having fixed the 28th day of April A.D. 1881, as the time in which said defendant was to file an amended answer herein, and said defendant being in default for answer and demurrer, the Court find upon the petition and evidence, that at the commencement of this action the plaintiff had the right of possession, and the right of property in the property described in the petition, and and that the defendant unlawfully withheld the same; and the defendant not waiving any rights as to his claim against the plaintiff, withdraws all papers herein filed and dismisses his part of the case without prejudice. and the plaintiff waiving all damages for the said detention, it is therefore considered and adjudged by the court that the said plaintiff do recover from the said defendant his costs herein expended taxed to $

3760. Mary Kindall, Plaintiff vs. John W. Patterson et al Defendants. } In Equity.

This day came the parties to this cause by their attorneys, and the plaintiff with the consent of all other parties, and by leave of the Court, dismisses this action without prejudice and no record.

3740. Joseph E. Fauke. vs. Catherine Snodgrass }

This day came the parties and settled this case by agreement of parties and plaintiff is to pay the cost made by him, and the defendant is to pay the costs made by her, and by agreement there is to be no record. It is therefore adjudged by the Court that the plaintiff pay the cost made by him taxed to $ and the defendant pay the cost made by her taxed to $

Joshua S. Gill Plaintiff.
vs.
2685 Lorenzo Sabine, M. Cramer,
Diana Kelsey and Richwood
Building and Savings Association,
Defendants

This day this cause came on to be heard on the return of the Sheriff, on an order of sale to him issued herein, March 5th 1881 upon a decree in favor of the defendant Michael Cramer rendered upon the answer and cross petition of said Cramer, together with the report of the sheriff of his procedings and sale of lands and tenements under said writ. And the Court, having carefully examined the said procedings, being satisfied that the said sale has, in all respects, been made in conformity to the statute in such cases made and provided, finds the same to be legal and does therefor approve and confirm the same. It is further ordered that the sheriff make to the purchaser M. W. Hill, a deed in fee simple for the lands and tenements so sold to wit:

Situate in the village of Richwood, Union County, Ohio being in Virginia Military Survey No. 6307 and bounded and described as follows: Beginning at the S. E. corner of Gills Addition to to the town of Richwood, thence southerly far enough to reach a new street now being laid out by J. S. Gill through his farm a distance of about 210 feet. Thence with said street parallel with the old corporation line to a proposed extention of Fulton street same course as in the old corporation line. Thence northerly along said street to the S. W. corner of Gills Addition to the town of Richwood. Thence along said southern boundery to the place of beginning including the homestead of J. S. Gill, excepting therefrom a certain part or parcel of said lands heretofore sold and conveyed to Lorenzo Sabine by J. S. Gill and wife which part or parcel is described as follows: Fifty front on Franklin Street of the north side of the Gill homestead lot No. 568 extending westward to the extention of the alley running northward along the west end of lots No. 322, 323, and 324 in Gills second addition to the town of Richwood, Union County, Ohio a plat of which is duly recorded in the records of the Recorders office at Marysville, Union County, Ohio.

And the Court comming 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 $83.82. Second, to the clerk of this Court the costs of this action taxed to $86.13. Third, to the defendant Michael Cramer the amount of the judgment herein rendered with the interest to April 25th 1881. as called for in his decree to wit the sum of $980.85.

Wednesday May 4th 1881.

Mary Pennington Plaintiffs.
vs.
3728 Orson Benton Deft

Now came the parties, twin by their attorneys; also came the following-named persons as jurors, to wit: David Cochran, Shepherd Clark, A. J. Ferguson, Dyer Reed, Oliver Lincoln, R. Mayfield, Jerome Richey, Jerome McMahon, James Kennedy, Walter Beecher, William Hall, Jarrad Clement and L. H. Marbes talesman who were duly impaneled 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 impaneled and sworn do find and say that we find for the defendant.

A. J. Ferguson, Foreman.

Benjamen Wood.
vs.
3731 John Gandy and D. P. Foltz.

This day this cause came on to be heard on the motion of plaintiff for leave to file petition and the court being being fully advised in the premises, sustain said motion, thereupon leave was granted the plaintiff to file petition within thirty days from rising of the court and defendants to answer within the code rule thereafter.

Mary Pennington Plaintiffs.
vs.
3728. Orson Benton Defendant.

The jury in this action, having rendered a verdict for the defendant, and no motion for a new trial have been made: 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.

Thereupon court adjourned until 8½ o'clock tomorrow morning.

3760

Thursday May 5th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment the same officers being present as on yesterday.

3760 Squire and Horner vs. James Tanner et als } In foreclosure.

And now comes the defendants Kopper and Brenneman by their attorneys and the defendants James Tanner Sirenia A. Tanner his wife, John Tanner and Martha E. Tanner his wife, being in default for answer and demurrer to the answer and cross-petition of the defendants Kopper and Brenneman, the Court find that the allegation of the said cross-petition are confessed by them to be true and that the defendants James Tanner Sirenia A. Tanner his wife executed and delivered to the defendants Kopper & Brenneman the mortgage deed in their cross-petition described and on the premises described, that said mortgage was duly recorded in said county of Union in the mortgage records thereof, and is a lein upon the premises in the petition described.

The Court further find that the condition of defeasance in said mortgage has been broken and that there is due on the notes in the petition set forth, the sum of $269.24/100 with 8% interest from April 25th 1881 and that the defendants Kopper & Brenneman are thereby entitled to have the equity of redemption of the defendants James Tanner & Sirenia A. Tanner be foreclosed. It is therefore considered & decreed that unless the defendants the said James Tanner & Sirenia A. Tanner his wife, & James Tanner or either of them 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 the case and to the said defendants Kopper & Brenneman the said sum of $269.24/100 with interest at 8% from the 25th day of April A.D. 1881, 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.

Thereupon Court adjourned until 9 o'clock tomorrow morning.

Friday May 6th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment the same Officers being present as on yesterday.

3785 Asa Wilcox
vs.
Wm. Wilcox.

This day this cause came on for hearing and thereupon came the plaintiff by his attorneys, and the defendant still failing to answer or demur to the petition of said plaintiff herein filed, the cause was submitted to the Court upon the petition and evidence. On consideration whereof the Court do find all the allegations of said petition to be true, and that said plaintiff Asa Wilcox is entitled to recover from said defendants William Wilcox and Thomas J. Wilcox the said sum alleged by said plaintiff to be due, to-wit: the sum of Two Hundred and Seventy Seven Dollars and six cents, with six per cent interest thereon from the 25th day of April A.D. 1881. It is therefore considered and adjudged by the Court that said plaintiff do recover from said defendants the said sum of Two Hundred and Seventy Seven 6/100 Dollars with interest from the 25th day of April A.D. 1881, at the rate of six per cents. per annum, and execution is awarded therefor. And the original papers herein having been found since the last entry herein the substituted papers are herewith withdrawn from the files.

3779

3810 Witter Robinson and Wood
vs.
A. L. Smith et. als.

This day this cause came on to be heard upon the motion of plaintiff for additional time for security for costs and by the order of the Court the said plaintiff is granted 30 days after the rising of the Court to secure the the costs and cause continued.

Almina Huffman Plaintiff.
vs.
Dora A. Huffman
Hamer D. Huffman
3779 Bertis Huffman.
Eldon Huffman.
and Mary D. Huffman,
minor heirs of John
Huffman, deceased: Defendants.

Now came said cause for hearing on the application of plaintiff for the appointment of guardian ad litum for said minor defendants, on consideration whereof the Court find that said defendants have been duly served with summons herein, and that said Hamer D. Huffman, Eldon Huffman, Bertis Huffman and Mary D. Huffman are minors under the age of fourteen years, and said Dora A. Huffman is a minor over the age of fourteen years and that she has failed to make application for appointment of guardian for this suit. It is therefore ordered by the

Court that W. A. West Attorney at law be and he is hereby appointed guardian ad litem for this suit for each and all of said defendants.

Almina Huffman, Plaintiff.
vs.
Dora A. Huffman,
Hamer P. Huffman
3779 Bertis Huffman, 2nd
Mary P. Huffman
minor heirs of John
Huffman, deceased: Defendants.

And now came the said parties by their Attorneys and thereupon this cause came on for hearing upon the petition, answer and testimony: on consideration whereof the Court find that said petitioner was married to said John Huffman as she has in her petition set forth, and that during said coverture the said John Huffman was seized of an estate of inheritance in and to said premises, and that the said John Huffman is now deceased and that said defendants are in possession of said premises claiming the estate of said John Huffman thereon and that said plaintiff is entitled to dower in said premises. It is therefore adjudged and decreed that the said plaintiff be endowed of one equal one-third part of the lands and tenements in said petition described: and it is further ordered that a writ issue to the Sheriff of said County of Union commanding him that by the oaths of William Plotner, Wesley Southard and Amos P. Harvey three judicious disinterested men of said County who are not of kin to either party and who are hereby appointed by the Court to be Commissioners for said assignment, that he cause such dower to be set off and assigned to said plaintiff according to law, and that he return his proceedings in the premises forthwith.

Thereupon Court adjourned until 8½ o'clock tomorrow morning.

Saturday May 7th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment the same Officers being present as on yesterday.

3787 W. L. Harrison
vs.
Elon Rodgers.

This day this cause came on for hearing upon the motion of the plaintiff to dismiss the appeal herein and on motion for complete transcript herein, and on consideration the Court do overrule the motion to dismiss the appeal, and on suggestion of the plaintiff herein, that the transcript of the Record of the Justices court sent up to this court in this case is imperfect and defective, it is, on motion of the said plaintiff ordered, that the said Justice (Samuel Sherwood) do within ten days upon the service of this order, certify up to this court a complete and perfect transcript of the record and proceedings aforesaid.

3742 George McVay
vs.
Henry J. Kingitals.

This day this cause came on for hearing 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 the plaintiff, the appraisement heretofore made herein is hereby set aside, and a new one ordered.

3794 Henry C. Ford.
vs.
Isaac Gray.

This day this cause came on to be heard upon the petition, exhibits and the evidence and was argued by counsel. Whereupon the Court do find the allegations of the petition to be true and that the notes described therein have all been paid and the conditions of the mortgage fully satisfied. It is therefore considered, ordered and adjudged by the Court that the defendant Isaac Gray enter a cancellation and release upon said mortgage and deliver the same to the plaintiff within five days from the entry of this decree or in default thereof that this decree have the same force and effect and be in all respects as available as such cancellation and release. And that the plaintiffs title to the premises described in the petition be and the same is hereby quieted as against said mortgage and all persons claiming under it. It is further ordered and adjudged that the defendant Isaac Gray pay the costs of this action taxed to $ within five days from the entry of this decree or the default thereof that execution issue against him therefor.

3747 Joseph J. Moorlock
vs.
Harvey S. Wood et al

Settled and cost paid.

Saturday May 7th 1881.

David M. Pence
vs.
3826 Commissioners
of Union County et ad

This day this cause came on to be heard upon the application of the plaintiff for a temporary injunction herein, on consideration whereof the Court being fully advised in the premises grants a temporary injunction herein against said defendants as prayed for in said petition until further notice, upon said plaintiff entering into a bond of Two Hundred Dollars condition according to law.

Albert E. Morse
vs
3805 S. B. Fry et als

This day came the plaintiff & the defendants S. B. Fry and Samantha A. Fry remained in default. Whereupon this cause is submitted to the Court & Thereupon the Court find there is due plaintiff from said S. B. Fry & Samantha A Fry the Sum of Five hundred dollars principal & One Hundred & Eighty dollars interest May 26th 1881. Secured by Mortgage as aforesaid & the first lien on the land in said petition described.

It is therefore considered & decreed that unless said defendants shall within twenty days pay plaintiff said Sum of Six hundred & Eighty dollars with interest from May 26th 1881 & costs that an order of Sale issue to the Sheriff of this County commanding him to sell said land according to law to pay said claim

And thereupon the cause came up for hearing on the the cross petition of A. B. Robinson & the Court find there is due him as alleged the Sum of five hundred and Sixty dollars with interest from March 26th 1880 Secured by Mortgage as alleged. It is therefore ordered and decreed that unless said Sum & interest are paid within thirty days with costs that an order issue in favor of A. B. Robinson for the Sale of said premises. & as to the claim of J. D. Bryton this cause is continued. & thereupon on motion the court appoint Thomas Martin Receiver to rent & receive & collect the rent of said premises until they can be Sold & bring the Same into Court for application upon said liens

Thereupon Court adjourned until 8 1/2 o'clock next Monday morning.

Monday May 9th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment the same Officers being present as on last Saturday.

567 State of Ohio. vs. Robert Barnes. } Indictment for murder in the first degree.

This day came the prosecuting attorney on behalf of the State of Ohio, the defendant Robert Barnes, being brought into court in custody of the Sheriff, and his counsel also coming.

And the venire facias for the jury in this case heretofor issued according to law, returnable this day, was duly returned by said Sheriff, with his endorsement thereon as follows:

The State of Ohio. Union County. ss. } Sheriffs Office, Marysville, 1881.

Received this writ on the 4th day of April 1881, I served this writ on the within named:

A. G. Boring	April	9th	1881,	by delivering copy.	
Philip Rupright	"	"	"	"	"
John Sanderson	"	"	"	"	"
Benjamin Pearse	"	"	"	"	"
Daniel Miller	"	"	"	leaving copy at usual residence.	
Moses Laird	"	11th	"	"	delivering copy.
Warret Owens	"	"	"	"	"
H. M. Wright	"	7th	"	"	"
Asa Langstaff	"	6th	"	"	"
A. L. Moffitt	"	7th	"	"	"
Samuel Johnson	"	14th	"	"	"
Martin Johnson	"	5th	"	"	"
L. M. Fairbanks	"	8th	"	"	"
L. D. Warbles	"	14th	"	"	"
A. L. Smith	"	6th	"	"	"
David Watson	"	7th	"	"	"
L. D. Wright	"	8th	"	"	"
James D. Hains	"	6th	"	"	"
Adam Philips	"	14th	"	"	"
David Moss	"	11th	"	"	"
H. H. Liggett	"	11th	"	"	"
George McPeck	"	6th	"	"	"
J. F. Wood	"	9th	"	"	"
Adam Snider	"	9th	"	"	"
John Weaver	"	9th	"	"	"
D. A. Rea	"	7th	"	"	"
George Harris	"	11th	"	"	leaving copy at usual place of residence
A. Wiley	"	7th	"	"	delivery copy.
W. L. James	"	7th	"	"	"
George Coleman	"	7th	"	"	"
Henry Morse	"	8th	"	"	"
Henry C. Ford	"	14th	"	"	"

Monday May 9th 1881.

W. D. Wood, J. D. Marriott, G. W. Baldwin, James H. Vaughan were not found in my county.

John Hobensack
Sheriff of Union County, Ohio.

And it appearing that the following named persons did not answer to their names viz: W. D. Wood, J. D. Marriott, G. W. Baldwin, James H. Vaughan the Sheriff returned an alias ~~vernin~~ venire facias hitherto issued according to law with his endorsement thereon as follows:

State of Ohio,
Union County SS. } Sheriff's Office, Marysville, 1881.

Received this writ on the 15th day of April 1881, & served this writ on the within named persons as follows April 1881.
J. M. Sanders April 20th 1881 by delivering copy
Lora C. Ford " 19th " " " " "
Henry Crottinger " 21 " " " " "
A. F. Minthorn " 21st " " " " "
Samuel Turner " 19th " " " " "
John Flesher " 18th " " " " "
R. E. Garnes " 18th " " " " "
H. Inskeep " 18th " " " " "

John Hobensack, Sheriff.

And said alias venire facias being called in open court all of the above-named persons appeared in answer thereto, and the panel being complete, the following named persons having been tried and accepted, to wit: John Vanderau, Daniel Miller, Warren Owen, Asa Langstaff, Samuel Johnson, Martin Johnson, Adam Philips, D. A. Rea, Henry Moser, J. M. Sanders, Samuel Turner, R. E. Garnes, were duly impanneled and sworn to well and truly try, and true deliverance make, between the State of Ohio and the prisoner at the bar, Robert Garnes. And the trial proceeded. And thereupon the adjourned the case until tomorrow at 8½ o'clock.

Jeptha J. Hartley
vs
3796 Lidia Hartley et als.

On motion to the Court by the plaintiff and upon producing the return of the sheriff and the report of the Commissioners heretofore appended herein, and the same having been examined by the Court, and found in all respects correct, and in conformity to law and the former orders of this Court the said proceedings and report is hereby approved and confirmed. It is therefore ordered and decreed that the said Lydia Hartley have and posses the lands so assigned to her as and for her reasonable dower in said premises and that the other said parties hold in severalty the parts and premises so set off and assigned to each respectfully. And it is further ordered that the costs of this action, including a counsel fee of $ 77.23 to Carpenter and Brodrick for services herein, taxed herein at $120.00, be paid by the said parties in the following proportions to wit: Jeptha J. Hartley 1/7 or $ 17.85 5/7. Lydia Hartley 1/7 or

Monday May 9th 1881.

$17.85 5/7. Viola A. Longberry 1/7 or $17.85 5/7 Hannah A. Harger 1/7 or $17.85 5/7 Jesse A. Hartley 1/7 or $17.85 5/7 Frank A. Hartley 1/7 or $17.85 5/7 and said costs shall be a lien upon said lands and if not paid within ten days from this order execution may issue therefor.

3803

3803

Thereupon Court adjourned until 8 1/2 o'clock tomorrow morning.

Tuesday May 10th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

3803 Charles Wilkinson Pltff. vs. Richard Wilkinson et als. Defts. } Acceptance of Appointment.

It appearing to the Court that the defendants Richard Wilkinson and William Wilkinson are minors over fourteen years of age, and have neglected for twenty days from return of summons served upon them to apply for a guardian ad litem, and that the defendants Harry Wilkinson and Minnie Wilkinson, are minors under the age of fourteen years and have been duly and legally served with summons herein: and that the defendant Fredrick Wilkinson is an imbecile and has been duly and legally served with summons herein, on motion of the plaintiff James S. McCampbell, Esquire is herein appointed guardian for the suit for said minor defendants and trustee for the suit for said imbecile defendant. And now comes the said James S. McCampbell, Esquire, and in open court, accepts said appointments.

3803 Charles Wilkinson Plaintiff. vs. Richard Wilkinson et als. Defts. } In partition.

Now came the parties herein by their attorneys whereupon this cause came on to be heard upon the petition, the answers of Richard Wilkinson, William Wilkinson, Harry Wilkinson, and Minnie Wilkinson minor defendants by James S. McCampbell Esq. their guardian ad litem, the answer of Fredrick Wilkinson an imbecile defendant by James S. McCampbell Esq. his trustee, and the evidence on consideration whereof the Court find that the said plaintiff Charles Wilkinson, is seized of and has a legal right to undivided one sixth 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 said premises in the following proportions to wit: that the said Richard Wilkinson is seized of and has a legal right to the undivided one sixth part thereof, and each of the other named defendants is seized of and has a legal right to an undivided one sixth part thereof.

And no reason appearing why partition should not be made it is therefore ordered, adjudged, and decreed that the partition of said estate be made, and that an order issue to the Sheriff of said County of Union, commanding him that by the oaths of William P. Anderson, Samuel McCampbell and Hiram Roney three judicious and disinterested 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 each of the said defendants the part and proportion of the said estate to which they are heretofore severally

Tuesday May 10th 1881.

found entitled. And it is ordered that if in the opinion of the said Commissioners, said premises can not be divided by mites 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.

567 The State of Ohio vs. Robert Garnes. } Indictment for murder.

Now comes the prosecuting attorney on behalf of the State of Ohio, said Robert Garnes being brought into open Court in the custody of the Sheriff, his counsel also coming, and the examinations of witnesses by said State of Ohio being still in progress, and thereupon the Court adjourned until tomorrow at o'clock.

3798 Thomas W. Kuzzta Pltff. vs. William B. Hamilton & John Hamilton Defts } 3788

Now comes 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 said defendants William B. Hamilton & Lucinda Hamilton are indebted to the plaintiff in the sum of $120.00. It is further found by the Court that at the time of incurring said liability the said Lucinda Hamilton intended to and did charge her separate property described in the petition and all her separate property and estate with the payment of the same. It is therefor considered by the Court that the plaintiff recover of the said William B. Hamilton and Lucinda Hamilton the said sum of $120.00 together with his costs in this behalf expended. And the said indebtedness is decreed and adjudged to be a charge and lien upon the lands of the said Lucinda Hamilton described in the petition. And it is ordered and decreed that if the said sum can not be made of said William B. Hamilton by execution, and upon a return to that effect, and a failure of payment of said sum so found due for ten days after such return, and order of appraisement and sale as upon execution at law issue to the Sheriff of said County of Union commanding him to appraise, advertise and sell said lands of said Lucinda Hamilton and bring the proceeds of said sale into the Court for further order.

567 The State of Ohio vs. Robert Garnes } Indictment for murder.

Now comes the prosecuting attorney on behalf of the State of Ohio, said Robert Garnes being brought into open Court, in the custody of the Sheriff, his counsel also coming and the examinations of the witnesses by said state of Ohio, being still in progress and thereupon Court adjourned until tomorrows morning at 8½ o'clock.

Wednesday May 11th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

3788 McClure Davis et al
vs.
Zachariah Baker et al

This day this cause came on for hearing upon the motion of said plaintiffs for the appointment of a guardian "ad litem" for the infant defendants named in the said petition. On consideration whereof, and the Court being fully advised in the premises, do appoint as such guardian "ad litem"

3788 McClure Davis et al
Mary Jane Davis, David Baker
Frederick Wagoner, Richard
Wagoner, Nathaniel Baker
Sarah Ann Grey, Amanda
Jones Belaida Jones. Ptffs.
vs.
Zachariah Baker, Henry Baker
David Showalter Eda Showalter
Samuel Baker, James Baker
Jackson Baker, Joseph Roan
Eda Roan Jefferson Baker,
(a minor Eleven years of age)
James Harlan, Myrtle Harlan,
Francis Harlan (Fourteen years
of age) Jan Harlan 17 years of
age, Samuel Harlan and
Daniel Harlan minors, John
Bault, Elizabeth Pooler and
— Pooler husband of Elizabeth
Pooler whose first name is unknown
Edee Burson and — Burson husband
of Edee Burson whose first name is
unknown — Dfendants.

And now came the said plaintiffs by R. M. Campbell and F. C. Semple their 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 due notice of the pendancy of this action has been given for more than forty days prior to the first day of this term of this Court and the Court do further find that the said: Mary Jane Davis, David Baker, Rachael Wagoner, Nathaniel Baker, Sarah Ann Gray, Belinda Jones, Zachariah Baker, Henry Baker, Samuel Baker, James Baker, have a legal right to each respectfully, and are seized in fee simple of one thirteenth part (1/13) of the premises described in said plaintiffs petition. That Jackson Baker, Edee Roan,

Wednesday May 11th 1881.

Jefferson Baker have a legal right and are each respectfully seized in fee simple of one thirty ninth (1/39) part of the premises described in said plaintiffs petition subject to the dower interest of Elizabeth Baker, mother of said parties, and wife of John Baker deceased. That Myrtle Harlan, Frances Harlan, James Harlan, Samuel Harlan, and Daniel Harlan have a legal right to and each respectively seized in fee simple of one sixty fifth (1/65) part of the premises described in said plaintiffs petition, subject to the curtesy of James Harlan, surviving husband of Agnes Harlan deceased. That Elizabeth Pooler, and Edee Burson have a legal right to, and are each respectively seized in fee simple of one twenty sixth (1/26) part of the premises described in said plaintiffs petition. subject to curtesy of John Bauer surviving husband of Susan Bauer deceased. It is therefore ordered and decreed that a writ of partition issue to the Sheriff of said County of Union commanding him that by the oaths of J. J. Miller, J. V. Mahaffey and W. H. H. Pitts partition be made of said lands pursuant to the findings as made by the court and it is further ordered that the Sheriff return his proceedings in the premises forthwith.

3781

Chas Wilkinson Plaintiff
vs.
Richard Wilkenson
3803 William Wilkenson
Harry Wilkinson
Minnie Wilkinson.
Frederick Wilkenson, Defts. } Order of Confirmation and Sale.

This cause came on for hearing upon the return of the Sheriff and the report of the Commissioners as 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 appraisements of said premises in the sum of $3260.00. 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 thereupon neither of said parties electing to take the said premises at their appraised value, on motion of Plaintiff it is ordered that said premises be sold at public auction & that an order issue therefor to the Sheriff of Union County. And the said Sheriff is ordered to return his proceedings to this court without unnecessary delay.

567

Wednesday May 11th 1881.

3781 John L. Thurston vs. William W. Kile & Carrie L. Kile his wife & S. L. P. Stone, Assignee of William W. Kile.

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 the Court finds that defendant William W. Kile is indebted to said plaintiff in the sum of $248 97/100. It is therefor considered by the Court that the said plaintiff recover from the said defendant the said sum of $248 97/100 dollars together with interest at 8% Eight per cent from April 21st 1881. And his costs herein expended taxed at dollars.

And the Court further find that in order to secure the prompt payment of said note, the defendants William W. Kile and Carrie L. Kile his wife executed and delivered to said John L. Thurston the plaintiff this certain mortgage as in the petition described and on the premises therein described and that said mortgage was duly recorded in Book 15 page 255 of the records of mortgages of Union County Ohio and is the first and best lien on the premises described in the petition. It is therefor considered and adjudged that unless the defendant William W. Kile 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 herein the sum so found due as aforesaid with interest thereon from April 21st 1881 at Eight per cent, 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.

567 State of Ohio. vs. Robert Garnes

Now comes the prosecuting attorney on behalf of the State of Ohio, said Robert Garnes being brought into Open Court, in the custody of the Sheriff, his counsel also coming, and the examinations of the witnesses by said State of Ohio, being still in progress and thereupon Court adjourned until 8½ o'clock tomorrow morning.

Thursday May 12th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

567 State of Ohio vs. Robert Games. } Indictment for murder. 576

This day again came the prosecuting attorney on behalf of the State of Ohio, the defendant being brought into court in custody of the Sheriff; also came the jury hitherto empaneled and sworn, 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 impannelled and sworn to well and truly try, and true deliverance make between the State of Ohio and the prisoner at the bar Robert Games, do find the defendant not guilty of murder in the first degree, but we find the defendant guilty of murder in the second degree as he stands charged.

R. E. Games, Foreman. 575

3341 Ellen Beem vs James M. Easton } This day this cause was dismissed by order of court at the cost of the plaintiff. It is therefore considered ordered and adjudged by the court that the plaintiff pay the costs herein taxed at $ and Execution is awarded therefor.

2076 Mary J. Baker et al Pltffs vs Richard White & others Defts } On Motion to the Court and it appearing that the original pleadings in this case have been lost, by consent of the parties, it is ordered and leave is hereby given to substitute in lieu thereof copies of said original pleadings. 568

Thereupon Court adjourned until 8½ o'clock tomorrow morning. 571

Friday May 13th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

576 State of Ohio. vs. David Brookes

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 disturbing a meeting which plea is accepted by the prosecuting attorney. It is therefore ordered by the court that the said defendant David Brookes pay a fine of ten dollars and that he be imprisoned in the jail of Union County for the period of five days, and that he stand committed to the jail of Union County until the amount of said fine, costs shall be paid.

575 State of Ohio. vs. Wm. Wilcox

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 assault and battery which plea is accepted by the prosecuting attorney. It is therefore ordered by the court that the said defendant William Wilcox pay a fine of twenty-five dollars and costs of this prosecution. It is further ordered by the court that the said defendant William Wilcox be imprisoned in the jail of Union County for the period of ten days, and that he stand committed to the jail of Union County, and that he stand committed until the amount of fine and costs shall be paid.

568 State of Ohio vs. Robert Garnes

Now comes the prosecuting attorney and the above case being called by the court, and the court upon its own motion do order the said cause continued till the next term of court, for want of time to try said cause.

571 State of Ohio vs. Robert Garnes

Now comes the prosecuting attorney and the above case being called by the court, and the court upon its own motion do order the said cause continued till the next term of court, for want of time to try said cause.

Friday May 13th 1881.

State of Ohio.
567 vs.
Robert Garnes.

Whereupon, upon the motion of the Sheriff the Court do hereby order one guard to be appointed to assist the Sheriff in conveying the the defendant Robert Garnes to the Penitentiary of the State of Ohio.

Stephen Evanston et al
3558 vs.
Orson Benton et al.

This day this cause came on to be heard and thereupon came the parties by their attorneys and the said cause was heard upon the pleadings and evidence and argued by counsel and submitted to the Court and the Court having carefully considered the same and being fully advised in the premises do find that the allegations of said plaintiffs petition are not true and that the answer of the said defendants Orson Benton Lewis Benton and Daniel Benton and the allegations thereof are true. It is therefor considered by the Court here that the equities of the case are with the said defendants Orson Benton, Lewis Benton and Daniel Benton and that the said plaintiffs petition be dismissed at their costs and thereupon the said plaintiffs and the said defendants Mary Pennington and the heirs of Amanda Houston did each and all give notice of their intention to appeal their case to the District Court and the Court do allow said appeal and do fix the amount of the bond to be given by the said parties, jointly or severally to perfect their appeal at the sum of $500. And it is further ordered by the Court here by consent of all parties that the said plaintiffs have leave to amend their petition herein and the said defendants Mary Pennington and the heirs of Aminda Houston have leave to file answer and cross-petition herein within within forty days from the rising of the Court.

State of Ohio.
567 vs. } Indictment for murder.
Robert Garnes

This day came the prosecuting attorney on behalf of the State of Ohio said Robert Garnes being brought into open court in custody of the sheriff and his counsel also present. Thereupon this cause came on to be heard on the motion for new trial in this cause and counsel submitted said motion to court without argument and the court being fully advised in the premises do overrule said motion. And the said defendant Robert Garnes having heretofore been convicted of murder in the second degree being in open court in custody of the sheriff was informed by the court of the verdict of the jury, was inquired of by the court if he had any thing to say why judgment should not be pronounced against him, and having nothing but what he hath already said. It is therefor considered

Friday May 13th 1881.

and adjudged by the court that the said defendant Robert Gaines 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 and during the term of his natural life. And it is further ordered that the defendant Robert Gaines pay the costs of this prosecution for which execution is ordered.

Thereupon Court adjourned until 8½ o'clock tomorrow morning

Saturday May 14th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday

3778 Eliza C. Stahl vs. Elmer Richard

This case is settled and costs paid and parties are permitted to withdraw papers from the files. So record.

3792 J. N. Lewis vs. Henry Wheeler

This cause is continued with leave to plaintiff to reply in 30 days from the rising of the court.

3786 Henry Fox vs. John Liggett

This day came on this cause to be heard on the application of plaintiff to continue this cause for the reason of absence of material matter in court, which cause being found sufficient this cause is continued at the plaintiffs costs. It is therefore adjudged by the court that defendant recover of plaintiff the costs of this term and this cause is continued

3799 State of Ohio. vs. John Mays.

And now came the said defendant, and confessed in court that the charge of the plaintiff herein is true. It is therefor adjudged by the court, that the defendant John Mays is the reputed father of the said child, and that he stand charged with the maintenance thereof in the sum of One hundred dollars, and that he pay said sum as follows to Anna Maloney the mother of said child, Twenty dollars on or before the First day of June 1881. Twenty dollars on or before the First day of September 1881. Twenty dollars on or before the First day January 1882. Each payment being six per cent interest from May 14th 1881. and also that he pay the costs of this proceeding for all of which execution is awarded. It is further ordered that the said defendant give security to the acceptance of the court for the performance of this order and in default of such payment or security, that he be committed to the jail of the county, there to remain until he shall comply with the required order.

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3804 Christian M. Graham vs. John Kirkland et al. This cause came on this day to be heard upon the pleadings and proofs, and the court having carefully considered the same and being fully advised in the premises find, that John Kirkland and Mary Kirkland his wife made delivery and executed a warranty deed to Robert Black for the premises described in plaintiffs petition some time during the Jan'y 1863. The court further find from the testimony that the said John Kirkland received full consideration for the premises above described. It further appears from the evidence that said deed above referd to is not on record and the same is destroyed by fire or lost. It is therefore and adjudged by the court that said deed referd to in said petition be and the same is hereby supplied. to invest to Robert Black a good and perfect title to said lands described in plaintiffs petition. It is hereby ordered and decreed that the possession and title of the lands described in plaintiffs petition is hereby granted against the heirs of John Kirkland deceased, who were made party defendants to this proceeding. It is further ordered that the cost of this proceeding be paid by the plaintiff and execution is awarded.

564 State of Ohio vs. Thos. W. Cheney } Assault with intent to kill.

This cause came on for hearing and by consent of parties this cause was continued, And it was ordered by the court that the defendant enter into a recognizance with approved security in the sum of One hundred dollars for his appearance at the next term of court which is accordingly done.

565 State of Ohio. vs. Thos. W. Cheney } Assault.

This cause came on for hearing and by consent of parties the same was continued, and it was ordered by the court that the defendant enter into his recognizance with approved security in the sum of One hundred dollars for his appearance at the next term of court which is accordingly done.

563 State of Ohio vs. Richard Cody.

This day this cause came on for hearing and the same being continued by consent of parties, It was ordered by the court that the defendant enter into his recognizance with approved security in the sum of Two hundred dollars for his appearance at the next term of court—

Saturday May 14th 1881.

which is accordingly done.

526 State of Ohio vs. Americus V. Williams } Arson.

This day this cause came on for hearing, and the same being continued by consent of parties, It was ordered by the court that the defendant enter into her recognizance with approved security in the sum of Five hundred dollars for her appearance at the next term of Court which is accordingly done.

567 State of Ohio vs. Robert Garnes } Indictment for murder in the first degree.

Court allows P. B. Cole and J. L. Cameron each a fee of One hundred dollars for defending the prisoner Robert Garnes under assignment of Court, and to James W. Robinson a fee of Two hundred dollars for assisting the the State in the prosecution of this case.

Thereupon Court adjourned until next Monday morning May 16th 1881. 8½ o'clock.

3819
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Monday May 16th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on last Saturday, May 14th 1881.

H. L. Green et als.
3819 vs.
The Board of Commissioners of Logan Co.
The Board of Commissioners of Union Co.
This day came the parties and by leave of the Court the Commissioners of Union County are allowed to file their demurrer and withdraw their answer and the cause is set down for hearing on the day of this term.

State of Ohio
547 vs.
P. R. Kerr
Continued by consent of parties, to be heard on motion.

State of Ohio
561 vs.
G. A. Chambers
Nollie prose-qui is hereby entered in this case by order of the Court at the request of the Prosecuting Attorney.

State of Ohio
562 vs.
G. A. Chambers
Nollie prose-qui is entered in the case by order of the Court at the request of the prosecuting Attorney.

State of Ohio
557 vs.
Lewis Richcreek
Continued for service.

State of Ohio
558 vs.
Lewis Richcreek
Continued for service.

State of Ohio
572 vs.
C. M. Whitler
Continued for service.

½ o'clock

State of Ohio
573 vs.
O. B. Mathers
Continued for service.

Monday May 16th 1881.

State of Ohio
5 3 2 vs.
James Mitchell

This cause came on to be heard upon motion to make the recognizance of the defendant William Brown and the surety James Mitchell, that was forfeited at the last term of court and leave by the surety to respite to the next term of court to be forfeited absolutely. Whereupon the court being fully advised in the premises do order the forfeiture of the said recognizance of the surety James Mitchell made at the last term of court and then respited to this term absolute, the same as is made absolute at said last term of the court.

Hattie M. Long Plaintiff
3773 vs
Charles A. Long Deft.

Now came the plaintiff herein, and the defendant being in default for answer and demurrer this cause came on for hearing and was submitted to the court upon the petition and evidence, on consideration whereof the court find that that the allegations of the petition are true. 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 named as in said petition set forth. The court further find upon the evidence adduced that the defendant has been guilty of adultery and wilful abondonment and neglect of duty as alleged in the petition. And that by reason whereof the plaintiff is entitled to a divorce as prayed for. It is ordered and adjudged by the court that the marriage contract heretofore existing between the said Hattie Mary Long and Charles A. Long 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 child of the parties hereto, be until further order confided to the said Hattie M. Long, exclusively, and the said Charles A. Long is hereby enjoined from interfering in any manner with said child, or with the said Hattie M. Long in her custody of it, and from visiting said child until further order of court. It is further considered by the court that the said Hattie M. Long recover from the said Charles A. Long her costs herein expended.

Thereupon court adjourned until 8½ o'clock tomorrow morning.

Tuesday. May 17th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on last Monday.

3766 State of Ohio vs. William Wilcox } Peace Warrent.

Now come the prosecuting attorney on behalf of the State of Ohio, and also came Susan Wilcox the complaintant, and William Wilcox the defendant in accordance with the condition of the recognizance entered into by said defendant, before James Robinson a Justice of the Peace and filed in office of the clerk of this court and thereupon, upon full consideration of the evidence, it is ordered and adjudged that the said William Wilcox do forthwith enter into recognizance in the sum of Two 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 Susan Wilcox for the term of one year next hereafter, And in default of 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 ordered.

539 State of Ohio. vs. Alfred Kennedy, George Davis, William Knopp. } Indictment for injuring animals.

This cause came on to be heard upon motion to make the recognizance of William Knopp and A. V. Kennedy his surety that was forfeited at the last term of Court and leave to respite the same to the next term of court to be made absolute. Whereupon the court being fully advised in the premises do order the forfeiture of the said recognizance of the said William Knopp and his surety A. V. Kennedy his surety made at the last term of court and that respited to this term absolute, the same as if made absolute at said last term of the Court.

551 State of Ohio vs. George Bailey and Charles Minthorn }

This cause came on for hearing and was continued by the order of the court for want of time to hear said cause at this term of Court.

554 State of Ohio vs. George Cook }

This cause continued for arrest.

Tuesday May 17th 1881.

3816 Nancy J. Connel vs. Holmes Hutchison

And now comes the said Nancy J. Connel and the said Holmes Hutchison having failed to answer or demur to the petition of the said Nancy J. Connel, it is coneidered that the said Nancy J. Connel ought to recover the said sum of $381.23 as demanded in her petition together with the sum of $90.10 which the court finds due as the interest thereon as prayed for in said petition. It is therefore coneidered that the said Nancy J. Connel recover against the said Holmes Hutchison the said sum of $291.33 together with her costs in and about her suit in this behalf expended taxed to-

3784 The Commissioners of Union Co. Ohio. vs. Elizabeth Wells et al.

The jury in this case being first duly impannelled and sworn made actual view of the premises under the order of the court and after hearing the evidence and charge of the court do assess the amount of compensation due to the defendants Elizabeth Wells and Orlando Wells for the gravel appropriated by said Commissioners as described in said petition for making and improvement at 7 3/4 cents per cubic yard and do assess the damages that will accrue to said owners injury over this said lands to remove said gravel at the sum of ten dollars, and do find and ascertain that the remaining portion of said property will not be of any less value by reason of said appropriation.

D. R. Cochran, Jerome Ricksy, Dyer Reed, S. Clark, Jas. Kennedy, Charles Pullington, S. H. Clement, W. Beecher, O. E. Lincoln, R. Mayfield. William Hall. A. J. Ferguson, Foreman.

Thereupon Court adjourned until 8½ o'clock tomorrow morning.

3650

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3738

Wednesday May 18th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

Mansfield Banking Company
of Mansfield Ohio.
3656 vs.
Wm W. Bales & Wm W. Bales as Administrator
of estate of Wm Bales, deceased.

This day came the parties and submitted this cause to the court whereupon the court by consent of parties do find there is a balance due the plaintiffs upon the note mentioned in said petition from the said Wm. Bales estate & Wm W. Bales the sum of $2863 32/100. It is therefor considered, ordered and adjudged by the court that the plaintiffs recover of the said Wm W. Bales as principal, and said Wm W. Bales as administrator of the estate of Wm Bales deceased, as surety on said note the said sum of twenty eight hundred and sixty three and 32/100 dollars, together with their costs herein appended taxed to $

John Caldwell
3831 vs.
John J. Stuart &
Wm. R. Ports.

This day came the plaintiff by S. S. Gardner Attorney, and thereupon came L. Pipin one of the attorneys of record of this court, 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 $188 25/100. It is therefor considered that said plaintiff do recover of said defendant the said sum of $188 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 attorney, all errors are released, and all right of appeal, and all right to file a petition in error are waived.

Francis E. Hutchison
3738 vs.
Holmes A. Hutchison

This day this cause came on for hearing upon the petition of plaintiff and the evidence, all other pleadings having been withdrawn by the parties - and was submitted to the court. On consideration whereof the court do 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 extream cruelty and

Wednesday May 18th 1881

3753

gross neglect of duty as alleged 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 Francis E. Hutchison and Holmes A. Hutchison 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 Harry Hutchison the child of the parties hereto be confided to the said Francis E. Hutchison exclusively and the privilege of said Holmes A. Hutchison visiting him at reasonable periods until further orders. And the said Holmes A. Hutchison is hereby enjoined from interfering in any manner with said child or with said Francis E. Hutchison in her custody of him. And the court find that the plaintiff, Francis E. Hutchison, is the owner in fee simple in her own right and as her sole and separate property of the following real estate, situate in the County of Union, State of Ohio, and in the Village of Marysville to wit: The west half of Pr lot No. 291 and the west half of Pr lot No. 292. It is therefore ordered and decreed that the defendant Holmes A. Hutchison be forever divested of all and every claim, title or interest, legal or equitable, by the curtesy, 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 the rights, and from setting up any claim of interest in said real estate. It is further ordered and adjudged that the plaintiff do have and possess as her reasonable alimony all the household furniture and effects of the parties hereto. together with all defendants rights, legal or equitable in the above described real estate, and the said defendant is hereby enjoined from in any manner interfering with any of said property. It is ordered that the petitioner pay the costs of this proceeding.

3665 David J. Ellis Pltff.
vs.
Alex J. Mahaffey et Als.

Now came the parties herein, by their attorneys; also came the following named persons as jurors, to wit: David Cochran, Shepherd Clark, A. J. Ferguson, Dyer Reed, Oliver Lincoln, R. Mayfield, Jerome Richey, James Kennedy, Walter Beecher, William Hall, Jarred Clement and Thos. Wharton talesmen, 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 impannelled and sworn do find and say that we find for the plaintiff the sum of ninety dollars.

A. J. Ferguson, Foreman.

3753 Garrison Newlove Pltff
vs
Elizabeth A. Newlove Deft

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 Forty Dollars as and for expenses in conducting this action and her defense therein. This allowance is additional to what has heretofore been allowed in the case. It is therefor ordered that the said plaintiff pay to the defendant or her attorneys the sum of Forty Dollars, one half immediately upon the service of this order, the balance in 20 days, and in default of such payment for three days, execution is allowed to issue therefor.

Thereupon Court adjourned until 8½ o'clock tomorrow morning.

Thursday - May 19th 1881.

Court met this morning pursuant to adjournment at 8½ o'clock, the same officers being present as on yesterday.

3670. Mc. Kendree Bishop
vs.
Jeanette D. Bishop

Now came the parties herein and thereupon this cause came on for hearing on the petition of the plaintiff and cross petition of the defendant and the evidence. On consideration whereof the court do find that the parties were married as stated in the petition. 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 herself as a good and faithful wife and the said petition is therefore dismissed. And thereupon this cause came on to be heard on the cross petition of the said defendant and the evidence. On consideration whereof the court find that the plaintiff has been guilty of gross neglect of duty and misconduct as charged by said defendant in her said cross 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 held for naught, and both parties released from the obligations of the same, and it is further ordered that said defendant be restored to her maiden name of Jeanette D. Richards, and it is further ordered that the plaintiff pay the cost of this procuding taxed to $

3809. Laura Jones Pltff.
vs.
Marlin L. Jones Deft.

Now came the plaintiff and the defendant having been legally summoned by publication, and having failed to appear, the court find him in default for answer and demurrer to the petition of the plaintiff herein, and that the allegations thereof are confessed by him to be true, And the court also 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 from the evidence adduced that the defendant has been guilty of wilful absence from the plaintiff for more than three years last passed, and that the plaintiff is entitled to a divorce as prayed for. It is therefor ordered and adjudged by the court that the marriage contract heretofore existing between the said Laura Jones and Marlin L. Jones be and the same hereby is, dissolved, and both parties are released from the obligations of the same. It is further ordered that the care, custody, education and control of the said children of the parties hereto be, until further order confided to the said Laura Jones exclusively, And the said Marlin L. Jones is hereby enjoined from interfering in any manner with either of said children or with the plaintiff in her custody of them, and from visiting said children until further order of the court. It is further considered by the court that the

Thursday May 19th 1881.

defendant pay the cost of this proceeding and execution is awarded.

3819. Henry L. Grunet als. vs. Commissioners of Logan Co. et als. } Continued.

3745 A. L. Williams vs. W. H. Crary. } This day this cause came on to be heard on the motion of the plaintiff- See next page.

Thereupon Court adjourned until 8½ o'clock tomorrow morning-

Friday May 28th 1881.

Court met this morning at 8½ o'clock pursuant to adjournment the same officers being present as on yesterday.

3745 A.L. Williams vs. W.H. Gray.

This day this cause came on to be heard on the motion of the plaintiff to open up the continuance heretofore granted by the court in the above action and to dismiss the above case without prejudice to a new action and was submitted to the court whereupon the court do sustain said motion. It is therefore considered, ordered and adjudged that the above case be and the same is hereby dismissed without prejudice to a new action at the cost of the plaintiff. It is therefore adjudged that the defendant recover of the plaintiff his costs herein expended.

3443 Francis S. Hoyt Exct vs. A. S. Alden

This day came on this cause to be heard on exceptions to masters report whereupon the court confirm the said report in all points except the question of improvements, upon which latter point the report is set aside and the court refers to said master said cause as to said improvements and he is directed to value the same not simply as to the costs of the same on one side, not what they are worth for saloon purposes merely on the other but what they are worth for the purposes for which they were made and used and he is directed to report accordingly without further evidence at this term and defendant excepts as to so much of this order as confirm this report.

3716 Powell & Gill vs. The Board of the Presbyterian Church.

This cause is settled and costs paid.

3726 W.H. Baxter vs. T.W. Chesney.

This day came on this cause to be heard by the court, a jury being waived and the court being duly advised in the premises do find for the defendant, to which plaintiff excepts, and thereupon the plaintiff filed his motion asking the court to set aside said finding and grant him a new trial for reasons on file in said motion, which motion the court overruled, to which ruling of the court plaintiff excepted and asked the court to sign and seal his bill of exceptions and order the same recorded in this case, and thereupon it is considered, ordered and adjudged by the court that defendants recover of the plaintiff their costs herein expended taxed to $ and this court by consent of parties order the

Friday May 20th 1881.

Journal to be left open thirty days for the purpose of preparing the bill of exceptions and signing and sealing and filing the same.

C. Aultman & Co. }
vs. }
3812 J. F. Wells }

This day this cause came on to be heard upon the pleading and evidence and the defendant being in default for answer and demurrer and the court being fully advised in the premises find that the defendant J. F. Wells is indebted to the said Aultman & Co. in the sum of $388.10 It is therefore considered by the court that said plaintiffs recover from the said defendant the sum of Three hundred & Eighty eight & 10/100 dollars at 8% from the 1st day of this term and their costs herein expended taxed at $ for which execution is ordered.

Richwood Union Building & Saving association }
vs. } In foreclosure.
John M Tucker et als }

This day came on this cause to be heard upon petition of plaintiff the answer & cross petition of defendant John A. Cook and the Reply of the defendant John A. Cook the Exhibits & testimony and was argued by Counsel and; Thereupon the Court being fully advised in the premises do find that while the Mortgage of the defendant John M. Tucker Alice S Tucker. George B. Tucker & Sarah A Tucker given to the defendant John A. Cook was left for Record and was recorded by the Recorder of Union County Ohio prior to and before the Mortgage given to the plaintiff by the said defendants John M Tucker George B. Tucker & their wives Alice & Sarah was so left for Record, Yet; that there was an agreement between the plaintiff and the defendant John A. Cook whereby the Mortgage given to the plaintiff was to be a prior & better lien upon said premises than the said Mortgage given to said John A Cook and that the Equities of the case are in favor of the pltff herein & it is therefore ordered adjudged & decreed by the court herein that that the Mortgage given to the plaintiff in this case be & the same is hereby made a lien on said premises prior to and better than the lien of the Mortgage given to the said John A. Cook. And this cause coming on now to be further heard upon the motion of plaintiff to confirm Sale heretofore made of the premises in the petition described & on producing the return of the Sheriff as to said Sale & the court on careful examination of the proceedings of the said Sheriff being satisfied that the same has been had in all respects in conformity to law & the orders of the court it is ordered that the said proceedings & Sale be and the same are hereby approved & 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 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 the court now coming to distribute the funds arising from said Sale amounting to $473.66. it is ordered that the Sheriff out of the money in his hands pay. First the costs of this action taxed to $53.23. Second, To the plaintiff the amount heretofore found due it by decree entered Feb 24th 1879 with interest on same to wit the sum of $282.23. and also the further sum to the plaintiff which the court finds has fallen due since the entry of said decree to this date To wit 116 weekly instalments of States dues on 5 shares $145.00. 116 Weekly instal of interest of 43 cts each $49.80 116 Weekly fines of 25 cents each $29.00 Making to tal of $223.80 and a total sum now due to the plaintiff herein $506.13. to the payment of which the balance of proceeds of said Sale shall be applied after paying costs of this action and it is further ordered that the purchaser pay the taxes on the premises.

Saturday May 21st 1881.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

3787.

3497 Ramsey Hannegan Pltff. vs. William S. Douglas Defr.

This day came the plaintiff by his attorneys and moved the court here to dismiss the cause without prejudice to a new action & the court being fully advised in the premises do dismiss this said action without prejudice.

3764

2685 Eli G. Piper Admr. vs. John Parkison et al.

Settled and cost paid.

3861 State of Ohio. vs. Holmes A. Hutchison

Peace Warrant.

Now comes Cameron & Benton on behalf of the State of Ohio and also Harrison W. Snolove the complainant and Holmes A. Hutchison the defendant in accordance with the condition of the recognizance entered into by said defendant bfor H. 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 Holmes A. Hutchison do forthwith enter into recognizance in the sum of One hundred dollars with good and sufficient security to be of good behavior and keep the peace with all persons and particularly with the said Harrison W. Snolove for the term of one year next hereafter and 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 ordered.

3717

3706. Fullington, Phillis & Woods partners &c. vs. A. L. Pierson et al.

3003

This day the motion to require plaintiffs to amend their account heretofore filed was sustained, and leave was granted to plaintiffs to file a new account and to withdraw the one first filed and to attach said new account to said petition, said new account to be filed within ten days from the rising of this court and leave is given to defendants to plead thereto 25 days thereafter and to plaintiffs to reply in 10 days after expiration of time to defendants to plead & cause continued.

Saturday May 21st 1881.

3787. W. L. Harrison vs. Elon Rodgers.

This day the motion to dismiss the appeal in the above case was continued by the court for want of time to hear the same.

3764 Wm. H. Wolford vs. James B. Whelpley et als

This day came on this cause to be heard by the court and thereupon the court find for the plaintiff and those filing the cross petition and thereon it is considered, ordered, and decreed that the said commissioners be enjoined from issuing any further bonds and the Auditor from placing on the tax-duplicate of the county any assessment on the lands of said petition and said cross petition, and that all of said defendants be and they are enjoined from doing any of said acts under said order of the commissioners in regard to said road improvement. And thereupon the defendants each and all give notice of their intention to appeal this cause to the district court, and the court at their request fix the bond for appeal at $200.—

3717 David M. Robinson Pltff. vs. Pittsburg, Cincinnati & St. Louis Rail Way Co. Deft.

This day this cause came on to be heard on motion of the said defendant to set aside the verdict of the Jury and for new trial herein - on consideration whereof the Court does overrule said motion to which the defendant excepts - and thereupon on motion of the said defendant it is ordered that the minutes of this term be kept open for thirty days to enable said defendant to prepare and present its bill of exceptions herein.

3003 A. Humphreys Pltff. vs. L. M. Beck, Deft.

On motion of the defendant by her attorney it is ordered that the clerk retax the costs in this case, charging to the plaintiff the jury fee paid by defendant — and that execution issue accordingly.

Saturday May 21st 1881

Continued from page 209

3788 Mc Clure Davis et al
vs.
Z. Baker et al.

On motion of the court by R. M. Campbell and F. C. Sempel counsel for said petitioners and upon producing the return of the sheriff, and the report of said commissioners heretofor 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 thereupon neither of said parties electing to take the said premises and 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.

3665 David J. Ellis.
vs.
A. J. Mahaffey

This day this cause came on to be heard upon the motion of the defendant James T. Mahaffey for a new trial herein, on consideration whereof the court being fully advised in the premises, overrules the same, to the overruling of which said James T. Mahaffey at the time excepted. It is therefor considered and adjudged by the court that the said David J. Ellis recover of the said James T. Mahaffey the sum of Ninety Dollars the amount of the verdict heretofor rendered by the jury in this action, and that each party pay their own costs taxed to $ and in default of payment of judgment and costs that execution issue, to all of which ruling and judgement the defendant excepted. Leave is given to defendant James T. Mahaffey 30 days from the rising of this court to prepare his bill of exceptions and the records of this court are kept open for that purpose.

3741 State of Ohio.
vs.
Michael Blue

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the motion of the plaintiff to set aside so much of the entry made at the former term of this court as shows that said defendant gave bond as required by said entry. And the said entry is to stand in full force except as hereby set aside.

2419 Lemuel Meyers
vs.
Edward Thompson et als

This day came the defendants and asked and obtained leave of the court to file an amended answer herein in 20 days from the rising of the court and cause continued in accordance with the last entry herein

Saturday May 21st 1881.

3764 William H. Wolford
James B. Whelpley et al

This day leave was given to all parties to supply pleadings in this action heretofore lost. And thereupon came the said parties & supplied the said pleadings accordingly.

3779 Almina Huffman Pltff
vs.
Dora A. Huffman et al Deft

On motion to the court by Geo. W. Emerson of counsel for the plaintiff and upon producing the sheriffs return and the assignment of dower herein, under the former order of this court and the same being found by the court to be in all respects in conformity to law, it is ordered that the said proceedings and assignment of dower be and the same is hereby approved and confirmed, and that the said Almina Huffman hold and possess the lands so assigned as and for her reasonable dower in the premises aforesaid; and it is further ordered that a writ of seizin issue to the said sheriff commanding him to deliver to the said Almina Huffman full possession of the premises assigned to her as aforesaid; and it is further ordered that the said plaintiff pay the costs of this suit taxed to the sum of $ within ten days and in default thereof, that an execution issue therefor as upon judgement.

3609 Woodstock Bank.
vs.
Catherine A. Brown et als

This day this cause came on for hearing and thereupon came the defendant Catherine A. Brown, by her attorneys, and made a motion and showing for continuance by reason of the sickness of said defendant Catherine A. Brown and the same was submitted to the court. On consideration whereof the court do sustain said motion and this cause is continued.

3811 Job S. Dillon, Pltff.
vs.
Geo. B. Hamilton Deft.

This day this cause came on to be heard upon the motion of defendant for leave to plead to the petition within thirty days from the rising of the court, and upon consideration whereof the court do sustain said motion. And thereupon this cause stands continued.

3686 Alvah Smith
vs.
W. W. Wood et als

This day came on this cause to be heard by the court on the evidence, pleadings and motion to set aside the verdict of the jury on the special issue sent to the jury by consent of parties, do find that the said

Saturday May 21st /881.

certificates of deposits should be reformed so as to clearly express the agreement and intention of the parties thereto as prayed for in said petition and the same is so reformed. And thereupon the court find specially at the request of defendants, as a matter of law that under said certificates the depositors had the right to demand and receive payment of said sums deposited at any time after the money was deposited and if they did so before two months, they could not require any interest and if they demanded before twelve months they coued require only six per cent from this date. But if the depositor did not demand payment before twelve months, and the defendants against the wish of the depositors offer to pay the same, before two months they must pay interest at six per cent from date of certificates and if they offer to pay the same after two months but before twelve months they must pay interest at Eight per cent from this date. The court find 2nd as a matter of fact by the verdict of the jury that the tender was made after two months from the date of the deposites and for six per cent interest only whereas the court find 3rd as a matter of law that the defendants should have tendered interest at Eight per cent instead of six per cent, and therefor the tender was insufficient in amount. The court find there is due to plaintiff from the defendants on said certificates the sum of Five thousand dollars with Eight per cent from June 26th /878, and the further sum of Five thousand dollars with interest from July 2nd /878 subject to a payment of $1286 70/100 made Oct. 13th /880, leaving a balance of $772 yet unpaid and due. Therefor it is considered, ordered and adjudged by the court that the plaintiff recover of the defendants said sum of Seven hundred and seventy two dollars with his costs herein expended taxed to $ and the judgement to draw Eight per cent interest till paid.

To all of which rulings, orders and judgements the defendants except and pray the court to sign and seal his Bill of Exceptions and by consent of parties 30 days from the rising of the court are allowed the defendants in which to prepare their Bill of Exceptions and for that purpose the journal is to be kept open 30 days. #

David M. Robinson.

vs.

3717 Pittsburg Cincinnati & St. Louis Rail Way Co.

This day came on this cause to be further heard on the motion for new trial by defendant. Whereupon the court being fully advised in the premises do overrule said motion to which defendant excepted. Therefor it is considered, ordered and adjudged by the court that the plaintiff recover of the defendant said sum of One hundred and forty-five dollars found due by the jury as aforesaid, and the plaintiff's costs herein expended taxed to $ to all of which defendant excepts, and asks the court to grant him his bill of exceptions and by consent of parties, the court order the journal of the court to remain open for thirty days for the purpose of preparing and filing said bill of exceptions.

3850

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3772

No 3443

Court to sign & seal his Bill of Exceptions, which is accordingly done, the plaintiff in this cause-to the defendants exception to the same & the Journal is kept open for that purpose & the same be entered as of this term.

And thereupon the defendants filed their written motion for a new trial of this cause for reasons stated in said motion which motion which motion was argued by counsel and submitted to the court, on consideration whereof the court do overrule said motion to which ruling & decisions of the court the defendants by their attorneys duly excepted.

Saturday May 21st 1881.

3850 James Wright vs. W. L. Curry et als

Settled and costs paid.

3713 Willy Berkley vs. Arah Mayo et al

Leave given to Frank Mitchell to withdraw his answer and cross petition.

3541 Ellen Reem vs. James W. Gaston

This ~~cause being this~~ day called for trial, and the plaintiff failing to appear in person or by attorney, this action is hereby dismissed at plaintiffs cost without prejudice.

3755 ~~Leonard Goldice~~ vs. John R. Owen

Continued by consent with leave to defendant to plead in 30 days from the rising of the court.

3772 Angeline Finley et als. vs. Florence Mitchell et als

dismissed at plaintiffs costs without prejudice

Richwood Union Building & Savings Association, Pltfs. vs. Rose Scott et als

On motion of the said Rose Scott defendant, by his attorney, and good cause shown therefor it is ordered that the Clerk of said court relax the costs herein, allowing the Sheriff poundage only on the excess of the proceeds of the sale therein, over and above the plaintiffs claim, and conforming the other items of said Sheriffs cost bill referred to and complained of in the defendants motion and itemized statement attached, with the statute, and that execution issue accordingly, and that said Rose Scott pay the costs of this motion.

No 3443 Frances S. Hoyt Exec vs A. S. Alders

This day this cause came on to be heard on the Report of the Master to whom this cause was referred wherupon the court

Saturday May 21st A.D. 1881

do confirm said report to which both parties except.

Thereupon the court being fully advised in the premises do order and decree that the bequest to said defendant of the title to the real estate in said petition described & bequeathed to him on certain conditions in said will named be and the same is declared forfeited and that the title to said real estate be and the same is hereby quieted in said Executor subject to the lien thereon in favor of the defendant as hereinafter mentioned. It is therefore ordered and decreed that the said plaintiff as said Executor proceed according to law and said will to appraise advertise and sell said premises according to law at public sale and out of the proceeds pay to U.S. Alden in full satisfaction of his claim against said estate for the improvements made thereon and for his care & attention of said Elizabeth Mann dec'd & of medicine furnished her as shown by said report, the sum of Ten hundred and Eighty One dollars, and if said Executor fail for 60 days from the rising of this court to pay said defendant said sum, the court order on his application that an order of sale issue to the Sheriff of this county commanding him to appraise, advertise and sell said premises to satisfy said sum and the one half of the costs herein.

And the court order that the costs of this proceedings including a fee of Fifty dollars to J.B. Whelpley as Master shall be paid one half by plaintiff and one half by defendant and in default for thirty days Execution issue therefor as upon judgments at law. Thereupon the plaintiff gave notice of appeal and the Court fix his appeal Bond at $200. And the defendant gave notice of his intention to appeal and the court fix his appeal Bond at $200.

2843

3304

The Peoples Bank
vs
U. S. Alden
Mattie Alden &
Frances S. Hoyt Exec of the will
of Elizabeth Mann Dec'd

This day came on this cause to be heard by the court on the pleadings, Exhibits, Evidence & arguments of Counsel,

Thereupon the court being fully advised in the premises do find for the plaintiff on the issue joined & find that the conveyance to Mattie Alden of the premises mentioned in said petition as conveyed to her was without consideration and that the same is liable to the payment of the Ten Hundred dollars on the note executed by U. S. Alden to the plaintiff the 18th of April 1877 with interest thereon from the date of the last renewals, viz January 12th 1878. To-wit the sum of Twelve hundred dollars, and the Court further find there is coming and due to said U.S. Alden from Frances S. Hoyt Exec of the will of Elizabeth Mann dec'd the sum of Ten hundred Eighty one dollars as decreed in this court at this Term in Case No 3443 in which said Executor is plaintiff and said Alden is defendant.

It is therefore considered ordered and decreed by the court that said conveyance to said Mattie Alden be set aside so far as it effects the rights of the plaintiff in said sum of twelve Hundred dollars & that unless said Mattie Alden shall pay or cause to be paid said Twelve hundred dollars with interest within thirty days, that an order of Sale be issued to the Sheriff of this county Commanding him to appraise advertise & Sell as upon judgments at Law said premises conveyed to her to Satisfy said $1200. and interest as aforesaid, And it is further ordered and decreed that the Ballance of the judgment of the plaintiffs against said U.S. Alden amounting to five hundred and fifteen dollars with 8% from May 20th 1878 & $18.20 original cost & the increase Costs on said judgment subject to a payment of $70. made Sept 29th 1879 said Ballance amounting to $475. at this date be paid out of the sum due and to be paid by said Executors to said U.S. Alden & when so paid by him to be a credit on the Sum due him from said estate & it is further ordered that the costs in this case be also paid by said Executor and credited upon the sum which is due to said Alden from said estate.

And Thereupon said Mattie Alden gave notice of her intention to appeal to the District Court, and the court fix her appeal bond at $500.00 — And the said U.S. Alden Excepts to the finding and ruling of this court in his behalf and gives notice of his intention to appeal to the District Court, and the court fixes his appeal bond at $500, and said Hoyt Exec gives notice of his intention to appeal to the District Court and the court fix his appeal Bond at $500.

2843 Hiram W. Riley
vs
F. M. Dicks 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 said Sheriff, being Satisfied that the same has been in all respects in conformity to law and the rules of this court, it is ordered that the said proceedings and Sale be, & they are hereby approved & confirmed. And it is further ordered that the said Sheriff convey to the purchaser Hiram W. Riley by deed in fee Simple the lands and tenements so sold & 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 $1140.00, It is ordered that the Sheriff out of the money in his hands pay, First, The taxes now due upon said premises amounting to $167.96.
Secondly. The costs of this action taxed to $
Thirdly. The court find that since the original judgment herein, the 3d, 4th & 6th Notes in the petition set forth have become due and are unpaid & that there is due the plaintiff [redacted] with interest thereon to the present day May 21st 1881 the Sum of $793.40. It is therefore considered by the court that the plaintiff Hiram W. Riley recover of the defendant F. M. Dicks, L. Frank Gill and Thomas P. Gratty the said Sum of $793.40 so found due with interest at 6 per cent from May 21st 1881. And the court find that F. M. Dicks & L. Frank Gill are principals in said.

Saturday May 21st A. D. 1881

judgment, and that Thomas P. Gratty is a guarantor or Surety therein, and it is ordered that the Sheriff out of the proceeds of said Sale pay to said plaintiff Hiram W. Riley the amount herein and in the former decree found due and owing him with interest to wit the Sum of $1128 66/100 Dollars.

And upon Motion of the defendant-Royal S. Fisk he has leave to file an amended answer & Cross petition by the 15th day of June 1881 & this cause and the further order of distribution is continued to the next term of this court,

3784 Commissioners of Union County vs Elizabeth Wells et ae } Continued on Motion for New Trial

3771 James Delaven vs David Watson } Continued with leave to answer in 30 days.

3666 William Smith vs William Keets et als } ..

This day came the parties by their attorneys and thereupon by consent of the parties the entry setting aside certain parts of the answer made at a former term and recorded on Journal 12 Page 128 is set aside and held for naught and said motion to reform the defendants answer is withdrawn.

Thereupon this cause was submitted to the court upon the demurrer of the plaintiff to the answer of said Williams Keets as originally made and was argued by counsel and submitted. On consideration thereof the court do overrule said demurrer to which ruling Said demurrer the plaintiff by his counsel Except. Thereupon the Plaintiff asked and had leave to file Reply in 10 days from rising of court and cause continued.

3667 William Smith vs Elijah T. Reese et als }

This day came the parties by their attorneys and thereupon by consent of parties the entry in this case striking out certain parts of the answer made at a former term and recorded on Journal 12 page 128 is set aside and held for naught and said motion to reform the defendants answer is withdrawn. Thereupon this cause was submitted to the court upon the demurrer of plaintiff to the answer of said Elijah T. Reese as originally made and was argued by Counsel and submitted. On Consideration whereof the court do overrule said demurrer to which ruling of the court in overruling said demurrer the said plaintiff by his Counsel excepts. Thereupon plaintiff asked and had leave to file reply in 10 days and cause continued.

3686

3726

3274

Alvah Smith Plaintiff
vs
3686 W. W Woods Charles Phelps
& James Fullington partners
in name of Marysville Bank Defts

Journal Entry allowing bill of Exceptions

Now comes the defendants by their attorneys and present to the court their certain bill of Exceptions herein which being found by the court to be true, is allowed Signed and Sealed, and on motion is hereby ordered to be made, and is made part of the record of this Case. June 16th 1881,

W. H. Baxter
3726 vs
Eva L. Chesney & A. R. Bigelow

Now comes the defendants by their attorneys and present to the court their certain bill of Exceptions herein which being found by the court to be true is allowed Signed and Sealed and on Motion is hereby ordered to be made, and is made part of this case. June 18th 1880.

Joshua B. Haines Plaintiff.
3274. vs.
Daniel Johnson

May 21st 1881.

This cause is continued with leave to all parties in default to file pleadings in 30 days from the rising of the Court.

Marysville Ohio June 22d 1881.

To Hon. John L Porter
3d Sub-Division 10th Judicial District.

Sir.

I do hereby certify, that I have appointed, and do hereby appoint Will E. Winget of Marysville Union County, Ohio. Deputy Clerk of the Court of Common Pleas and other Courts of greater jurisdiction than the Probate Court, in and for said County of Union, Ohio. subject to your approval, which I respectfully request.

Very Respectfully. W. W. Winget - Clerk.

Approved. John L Porter, Judge.

Thereupon said Will E. Winget appeared and the oath of Office was administered to him by W. L. Lawrence, a Notary Public, in and for said County, June 22d 1881.

John L. Porter Judge

David J. Ellis
vs
Alexander J. Mahaffey et al

3665

And now comes the said James L. Mahaffey and presented his certain Bill of Exceptions taken on the trial of this cause and the same is allowed and Signed and ordered to be placed on file with the pleadings and made a part of the record of this case. May 23d 1881.

U. S. Alden Plaintiff
vs
The Peoples Bank and
John Hobensack Defendants

In Union County Court of Common Pleas

In Vacation.

On application of the plaintiff to the Hon John L. Porter Judge of said court in vacation and good cause shown, it is ordered that on an undertaking being given in the sum of Two hundred dollars with sureties to the approval of the Clerk, an injunction be allowed to issue herein enjoining the said defendants from interfering with the plaintiffs property upon Execution or otherwise against the plaintiffs property by reason of the matters set up in plaintiffs petition in this case and that Defendants each be enjoined as prayed for in the plaintiffs petition until the further order of the court in this behalf.

Supreme Court of the State of Ohio.

The State of Ohio City of Columbus. January Term. A. D. 1881.

Andrew McLaughlin et al }
vs } Error to the district-court of Union County
Belle Stults }

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 ordered that the defendant in error recover of the plaintiffs in error their costs herein expended taxed at $.

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 Dwight Crowell 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 1st day of July A. D. 1881.

(Seal) Dwight Crowell. 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 Andrew McLaughlin et al vs Belle Stults, into execution, the petition in Error therein and heretofore granted to the contrary notwithstanding.

Witness Dwight Crowell Clerk of our said Supreme Court of Ohio at Columbus, this 1st day of July 1881.

(Seal) Dwight Crowell. Clerk.

Clerk's costs $2.00

3826. Jesse A. White as guardian of Susannah Chapman vs. Julia A. Benedict } In Vacation

On application of the Plaintiff herein for an injunction in this case, it is ordered that and, until the further order of Court a restraining order is allowed as prayed for in the Petition upon the Plaintiff giving an undertaking according to law in the sum of $200.

August 15th 1881.

3870 A H. McCampbell vs Joseph Cole and Dolph Cole } In Vacation

This day came on this cause to be heard on plaintiffs Motion for the allowance of an injunction. Whereupon being fully advised in the premises John L. Porter Judge do allow an injunction in this cause as prayed for in plaintiffs petition until further order on his giving an undertaking in $200.00 with security according to law.

August 22d 1881.

3873 A. B. Woodburn vs Joseph Cole Dolph Cole & Harvey McKitrick } In Vacation

This day came on this cause to be heard on plaintiffs Motion for the allowance of an injunction Whereupon being fully advised in the premises John L. Porter Judge allowed an injunction in this case as prayed for in plaintiffs petition until further ordered on plaintiff giving an undertaking in $200.00 to defendants with Security according to law.

Aug 23d 1881

3691. Florence Vangordon vs. Silas Vangordon. }

This day this cause came on to be heard and the Defendant being in default for answer or demurrer and the Court upon hearing the evidence 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 the County of Union and that the parties hereto were married as in said Petition set forth. The Court

3886.

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 divorce as prayed for. It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Florence Vangordon and Silas Vangordon be and the same hereby is dissolved and both parties are released from the obligation of the same. It is further ordered and adjudged by the Court that the said Florence Vangordon recover from the said Silas Vangordon her costs herein expended taxed at $- and execution is awarded.

Jan. 24th 1881.

3886. Margaret A. Johnson vs. John B. Johnson

This 9th day of September 1881 come the parties before the Hon John L Porter Judge of this Court at the Clerk's Office in the Court House in Marysville pursuant to notice and submitted this cause to the Court upon the motion of the Plaintiff for alimony pending this suit. On consideration whereof it is ordered and adjudged that the Defendant pay to the Plaintiff as her alimony pending suit the sum of fifty dollars to be paid one half in ten days from this date and the balance in 30 days from this date and in default that execution issue therefor as upon judgment at law. This allowance may be increased if proper showing is made.

Monday September 12th 1881

The State of Ohio }
County of Union } ss.

This separate session of the Court of Common Pleas of the Third Sub-Division of the Tenth 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 & Eighty One held in the Court House in the town of Marysville County and State aforesaid.

Present:
Hon John L. Porter.
Judge.
John Hobensack Sheriff.

Attest:
W. M. Winget.
Clerk of the Court of Common Pleas of Union Co. Ohio.

The Venire Facias for a Grand Jury, heretofore Issued, and returnable this day at 8½ o'clock A.M. was duly returned by the Sheriff with his Endorsements thereon as follows; to-wit:

On the 15th day of August 1881 I recvid this Venire and served the same on the several persons therein named, at the times and in the manner placed opposite their names endorsed thereon.

Bolver Hayes.	August 20th	By Copy.	11 mi.
John W. Smith	August. 15th "	" "	10 miles
Solomon Butz.	August. 16th "	" "	
Perry Buck	August 17th "	" "	8 mi
W. C. Marriott	August. 17th "	" "	8 mi
Martin Benjamine	August. 22nd	" "	20 miles
Anthony Trickey	August. 16"	" "	12 Miles
Joshua Keller	August. 18"	" "	16 miles
S. A. Funks	August 17th "	" "	9 miles
J. R. Bigger	August. 22d	" "	4 miles
Henry Poling	August. 16th "	" "	8 "
William Bambridge	August 20th	" "	1 miles

Thomas Miller — August 20th — By Copy.
Joseph Martin — " 17th " — " "
Casper Ruhl. — " 26th " — " "
W. C. Stamats — " 20th " — " "
A. D. Doolittle — " 17th " — " "
A. B. Stucker — " 16" — " "
William Blue — " 24th " — " "
James Goddeman — " 23th " — " "
Wm C. Lee — not found in my county.
Richard Tyler. — August 20th — By copy.
Adam Wrath. — not found in my county.
Wm A. Godfrey. — August. 27th — By Copy.
Harlan Wood. — " 22d. — " "
Samuel Arahood. — " 19" — " "

3844

J. M. Brannon August 18th By Copy.
John Hobensack Sheriff.

And upon calling the same in open Court and the same being incomplete the Sheriff summoned from among the bystanders to complete the same the following named persons who appeared in answer thereto. to-wit: Stephen Shirk. Jos Joseph Powers. And the panel being full the Court appointed J. M. Brannon Foreman of the Grand Jury and he with his fellow Jurors took the oath in manner and form 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 J. M. Brannan Foreman of Grand Jury.
2 Thomas Miller.
3. Joseph Martin.
4. Casper Ruhl.
5 W. C. Stamates
6. A. D. Doolittle
7 A. B. Stricker.
8. William Blue.
9. James Eddleman.
10 Joseph Powers.
11 Richard Tyler.
12 Stephen Shirk.
13. William A. Godfrey.
14 Harlan Wood.
15 Samuel Orahood.

3844. Columbus W. Burgoon } vs. Julia A. Benedict et al. }

Now comes the Plaintiff herein by Cannon & Benton his attorneys and his petition thereupon coming on to be heard the Court finds that all of the Defendants to have had due and legal notice of the filing, 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. Therefore the Court find that Julia A. Benedict widow is entitled to dower in the premises described in the petition and that subject thereto the said Columbus W. Burgoon is seized of and has a legal right to the undivided 7/12 of said premises in fee The said Margaret Burgoon has a legal right to and is seized in fee of the undivided 3/12 thereof. The said William H. Benedict has a legal right to and is seized in fee of the undivided 1/12 thereof and the said Arthur J. Benedict has a legal right to and is seized in fee simple of the undivided 1/12 thereof. That all of the said parties interests are

Monday, September 12th 1881.

subject to the dower of said Julia A. Benedict and that said Margaret Burgoon, William H. Benedict and Arthur F. Benedict are tenants in common with the plaintiff in said premises. The Court further find from the evidence that a gravel road extends east and west through said premises and that the said plaintiff at his own expense has made improvements thereon on the south side of said road by erecting buildings thereon and that he is entitled to the value of said buildings in making partition of said lands. No good cause appearing why partition should not be made. It is ordered, adjudged and decreed by the Court that the said Julia A. Benedict 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 Audrey S. Mowry, Lorenzo Cheney and David R. White three judicious and disinterested freeholders of the vacinity who are hereby appointed commissioners for that purpose, he set off and assign to such dower to the said Julia A Benedict 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 parts and proportions of the said estate to which they are hereinbefore severally found entitled. And it is further ordered that in making said assignment of dower and partition the said plaintiff in addition to his share is entitled to the value of the building erected by him on the south side of the said road and that partition be made accordingly. And of this proceedings herein the said Sheriff is ordered to make due return without unnecessary delay.

3643. George Sewell. vs. William Sewell et al.

It appearing to the Court that the Defendants Emma Thompson, Clyde Thompson, Lulu Sewell and Harry Sewell are minors under the age of fourteen years and have been duly and legally served with summons herein, on motion of the Plaintiff. R. L. Woodburn is hereby appointed guardian for the suit for said minor defendants. And now comes the said R. L. Woodburn and in open Court accepts said appointment. 3844.

3843. George Sewell. vs. William Sewell.

This day this cause came on to be heard and thereupon came the plaintiff by his Attorneys Carpenter and Brodrick and the Court find that all of the defendants have had due and legal notice of the pendency and demand of the said petition and that they are in default.

for answer or demurer; and that the said petition is thereby confessed by them to be true. Thereupon the Court find that the said plaintiff George H. Sewell is seized & 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 William Sewell is seized of and has a legal right to the undivided one eighth part thereof. The said Catharine Foreman to the undivided one eighth part thereof. The said Celesta Thompson to the undivided one eighth part thereof. The said Hannah Fossey to the undivided one eighth part thereof. The said Elizabeth Henderson to the undivided one eighth part thereof. The said Emma Thompson to the undivided one eighth part thereof. The said Clyde Thompson to the undivided one sixteenth part thereof. The said Lyle Sewell to the undivided one sixteenth part thereof. The said Harry Sewell to the undivided one sixteenth part thereof. And no reason appearing why partition should not be made. It is therefore considered, ordered, adjudged & 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, commanding him that by the oaths of J. P. Shields, R. L. Shunnel and W. H. Elson, 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 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. And of his proceedings herein the said Sheriff is ordered to make due return without unnecessary delay.

A. V. Kennedy, as executor of the Last Will & Testament of Alfred Morse dc.
vs.
David Watson & A. A. Woodworth. } 384/J.

Thisday 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 the allegations of the petition are confessed by them to be true, and that they are indebted to the plaintiff as such executor as aforesaid in the sum of One Thousand & Seven 57/100 Dollars with eight per cent interest thereon from the 12th day of Sept. 1881. It is therefore considered & adjudged by the Court that the said plaintiff as such executor as aforesaid recover of said Defendants the said sum of One Thousand & Seven 57/100 Dollars with eight per cent interest thereon from the 12th day of Sept 1881. and for his costs herein expended taxed to $. and execution is awarded, thereof

Monday. September 12th 1881.

3132. Cornelia A. Taylor. vs. Hugh McFadden & George Coder.

This day this cause came on for hearing. and thereupon came the Plaintiff by her attorneys Carpenter & Broderick 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 Four hundred and Seventy Eight & 83/100 Dollars with eight percent interest thereon from the 12th day of September A.D. 1881.

It is therefore considered and adjudged by the Court that the said plaintiff recover from the said Defendant the said sum of Four Hundred & Seventy eight & 83/100 Dollars with eight percent interest thereon from the 12th day of September A.D. 1881 and her costs herein expended, taxed at $. and execution is awarded thereon.

3749. W. M. Roush vs. Pittsburgh Cincinnati & St Louis Ry. Co.

The Defendant having filed his answer out of rule the Plaintiff elects to continue & file Reply in 30 days from the rising of the Court. It is therefore ordered the cause be continued & leave given to Plaintiff to reply in 30 days. 3765.

3514. French Lockwood, vs. Cook, Morse & Co.

By consent of parties this cause is to be left off of the docket until further order to await the decision of the Supreme Court of Ohio. in the premises

3469. Peter Latimore vs Sarah McCoy et als. Continued

3140 James Carter, vs. The Bank of North Lewisburg. Continued.

3012. Emma Cartmell vs Benj. Woodworth. Continued. for service.

3013. Sarah Snodgrass vs Joseph Coe. Continued.

3147. Joseph E. Fouk. vs. George Doar Continued.

3615. Albert Wallace, vs. L. J. Monroe, Continued.

3608. Elijah Mitchell vs. Marion Dockum. Continued

3821 Anson K Smith, vs. A. K. Whitham Dismissed & Cost paid.

3853. U. S. Alden vs. Peoples Bank. Continued

Monday. September 12th A.D. 1861.

3832. Rachel Pheasant. vs. Hiram Tyler, et als.

This day came this cause on to be heard upon the demurrer of the Defendant to the petition of said Plaintiff and was argued by counsel and submitted. On consideration whereof the Court do sustain said demurrer. Thereupon the plaintiff asked and obtained leave to file amended petition herein by Saturday of this week.

This day came E.L. Parthemore, A.G. Warner, A.P. Stickney and W.S. Guy. and in Open Court and acknowledged themselves each to owe and stand indebted unto the State of Ohio in the penal sum of One Hundred Dollars each, to be levied on our goods and chattles, 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 29th day of Sept. A.D. 1861 at 8 o'clock A.M. of said day and not depart the Court without leave then this obligation shall be void otherwise to remain in full force.

3765. Arminta Jenkins vs. Thomas H. Cox, et al.

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the petition the answers of Milton Beem, a minor by M.C. Lawrence his Guardian ad litem and the evidence and it appearing from said answer of Milton Beem that he admits the truth of Plaintiff's Petition and consents that partition be made of the premises in the petition described, and that the other Defendants Thomas H. Cox and Phoeba Lyndsley have had due legal notice of the pendency and demand of said petition and that they and each of them are in default for answer or demurrer and that said petition is thereby confessed by them to be true. Thereupon the Court find that the said Plaintiff Arminta Jenkins is seized of and has a legal right to one undivided Sixth tenth part of the estate in said petition described. and is entitled to have partition made of said premises. That the Defendants Thomas H. Cox & Milton Beem are tenants in common with the said Plaintiff in said premises in the following proportions to-wit: The said Thomas H. Cox is seized of and has a legal right to the undivided 7/8 seven eighth part thereof the said Milton Beem the undivided six tenth part thereof and the said Phoeba Lyndsley as the late widow of Jacob Beem Sr. is entitled to dower in the said interests in said premises of the said Arminta Jenkins & Milton Beem to-wit. the undivided one eighth part thereof But has assigned her said dower right to the said Thomas H. Cox. And no reason appearing why partition should not.

Monday. September 12" 1881.

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 oaths of George B. Hamilton, Simon Baker & F. J. Sagen 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 said plaintiff and to each of said defendants Thomas H. Cox and Milton Beem the part and proportions of the said estate which are hereinbefore severally found entitled and that he cause by said commissioners the dower interest of the said Phoeba Lindsley in said ½ part of said premises and by her assigned to said Thomas H. Cox to be appraised and assigned to said Cox in the form of a life annuity and made a charge upon the portions of said estate set off and divided to the said Arminta Jenkins & Milton Beem in like proportions and of his proceedings herein the said Sheriff is ordered to make due return without unnecessary delay.

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3132. State of Ohio. vs. Edward Cramer et al } This day came on this cause to be heard upon the motion and showing of the defendant for continuance of this cause. On consideration whereof the Court being fully advised in the premises do overrule the said motion.

3720. Patrick Blake vs. Ziam Kimball } This day this cause came on to be heard upon the motion of the Defendant to dismiss for want of prosecution and the same upon the court being fully advised in the premises do dismiss this action and the same is hereby dismissed at the costs of the plaintiff without prejudice.

3835. B. M. Fry. vs. W. M. Wright et al. } This day this cause came on to be heard on motion of the plaintiff to quash the appeal for the reason, that the Transcript was not filed in this court within 30 days from the rendering of judgment of the Justice and was argued by counsel and the Court being fully advised in the premises do sustain said motion and it is therefore ordered and adjudged that the appeal in this case be quashed and plaintiff recover of the Defts. the costs herein taxed at $2.65.

3826. David M. Pence vs. James B. Whelpley et al. } This day came the defendants and asked

Monday, September 12th A.D. 1881.

and obtained leave to file answer. Answer filed.

2076. Mary J. Baker et al. vs. Richard White et al. } This day came the defendant Sarah A. Green & asked and obtained leave to file her answer & cross petition herein and answer and cross Petition filed.

1998 A. C. Dorsey vs Tillman B Goff } Continued

2003 Thomas Peacock vs Jefferson Ford- Continued

2419 Lemuel Myers vs Edward Thompson- Continued

2623 Maria Stickels vs John Stickels- Continued

2733 W. B. Thompson vs James Hoover - Continued

2958 Richard W. McCamey vs James McIlvain. Continued with leave to the defendant to give Security for cost in 30 days from the rising of this Court-

3145 Orlando Wells vs Osmond W. Wells et-als- Continued

3313 William Evans vs Joshua L. Gill } Settled as per written agreement at plaintiffs cost- It is therefor considered ordered and adjudged that the plaintiff pay the cost herein taxed at $ — & Execution — is awarded therefor It is therefore considered ordered and adjudged the that-

3364 Finley B. Davis vs Elijah Lister. Continued

3366 S. Walker vs J. T. Lenox - Continued

3367 S. Walker vs J. T. Lenox et-al Continued

3368 S. Walker vs S. W. Cannan et-al Continued

Thereupon Court adjourned until 8½ oclock tomorrow morning.

Tuesday September 13th 1881.

This morning Court met pursuant to adjournment.
Present: John Macauley,
Judge.
John Hobensack Sheriff.
W. M. Ringet. Clerk.

2837. Samuel Turner }
vs. }
Mary Turner. }

This day came this cause on to be heard upon the motion of the plaintiff to confirm sale in this case And on consideration whereof the Court on examination find the said Sale to have been irregular because the sale was made after the order of sale had expired and do overrule said motion, and order the said sale to be and the same is hereby set aside and held for naught.

3846. Elizabeth McElderry }
vs. }
George R. Toby, et als. }

Now comes Lolie J. Adams who is a minor of the age of fourteen years and having been served with process herein makes application for a Guardian ad litem and thereupon it is ordered That M.C. Lawrence be and he hereby is appointed guardian for the suit for the said minor Defendants. And now comes the said M.C. Lawrence and in open court accepts said appointment

3846. Elizabeth McElderry }
vs. }
George R. Toby et al. }

Now came the Plaintiff herein by her Attorney and her petition thereupon coming on to be heard the Court find that all 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 plaintiff Elizabeth McElderry is seized of and has a legal right to the undivided one third 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 said premises in the following proportions, to-wit: the said Lolie J. Adams is seized of and has a legal right to the undivided one third part thereof And the said George R. Toby has a life estate in the undivided one third 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 Huron commanding him that by the oaths of F. J. Sagers, James Cooley and W. T. Fulton

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three judicious and disinterested freeholders of the vacinity who are not akin to either party and who are hereby appointed commissioners for that purpose be caused to be set off and divided to said plaintiff and to each of the said defendants the part and proportion 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 that they appraise the same. And of his proceedings herein the said Sheriff is ordered to make due return without unnecessary delay.

2238 Buck & Stultz. vs. Andrew McLaughlin et als

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the motion of the plaintiff to confirm the sale of Real Estate heretofore made in this case as well as upon the motion of the said defendant to set aside said sale and was argued by counsel and submitted. On consideration whereof the Court find there is insufficient description of the said property as well as mistake in the said appraisment. It is considered, ordered and adjudged by the Court that the said motion to confirm said sale be and the same is hereby overruled, And it is further ordered that the motion to set aside said sale be sustained and thereupon by reason of the insdescription in said levy as well as mistake in said appraisment. The Court with the consent of said plaintiff order that the levy made upon the said Real Estate as well as the appraisment thereof be and the same is hereby set aside and held for naught.

3789. Sarah Mannon vs. Isaac Cahill et als

This day this cause came on to be heard upon the motion of Defendants to strike Plaintiffs amended Petition from the file for the reason that the same was not properly verified and the same was argued by counsel on both sides and the Court being fully advised in the premises do sustain said motion and said petition is hereby stricken from the file and the by her attorney asked and obtained leave of the Court to verify and refile the same petition

3498 State of Ohio for the use of Sarah E. Brown. Continued for service.

John W. Haines vs Bank of North Lewisburgh

3550 Cause continued at the cost of Plaintiff. It is therefore considered ordered and adjudged that the defendant recover of the plaintiff John W. Haines the cost of this September term taxed at $

Tuesday. September 13th 1881.

3663. Josiah Westlake vs Lewis C. Peacock et al. This cause came on for hearing upon the motion of the defendant to set aside the sale made in this case on the 3d day of September A.D. 1881. by the Sheriff of this County and was argued by counsel on consideration whereof said motion is overruled and it is ordered by the Court that the said sale be confirmed.

3557 Murrilla Keith vs Charles Keith. Continued

3575 Maria Odonnell vs Patrick Odonnell. Continued

3605 E. E. Cole assignee vs Henry Sheridan et als Continued

3611 Riley Chapin vs Elijah Mitchel Continued

3616 M L. Stewart vs Job E. Stevenson et al Continued

3618 Ann Harnes vs Hezekiah Warnes Continued

3642 E. G. Piper adm vs Elisha B. Hawkins Continued

3648 Charles W. Randall vs D. W. Camp et al Continued

3654 Joshua S. Hill vs Ohio Mutual Relief association. Continued with leave to to pleintiff to file amended petition in 30 days from the rising of Court.

3689 R. D. Buford & Co vs Dunn & Henderson et al Continued

3700 P. R. Kerr vs M D. Logan Continued by consent of parties

3708 Bridget Kershaw vs J. D. Finley Plaintiff Dismissed without prejudice at cost of

3713 Wiley Berkley vs Ziah Mays et als. Continued

3731 Benjamine Wood vs John Cowdy et al Continued

3736 Ellen McGraw vs William McGraw. Continued

3755 Leonard Coldice vs J. R. Owen. Leave granted to plaintiff to file amended petition in 30 days from the rising of Court- Cause Continued

Thereupon Court adjourned until 8½ oclock tomorrow morning.

Wednesday. September 14th 1881.

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

3707. Viola N. Jones vs. Alex. J. Mahaffey } This day this cause came on to be heard upon the demurrer of plaintiff to first defense in the answer stated and was argued by Counsel on consideration whereof the Court being fully advised in the premises sustains the same, to which ruling said James J. Mahaffey excepts. On motion leave was given plaintiff to reply to other defenses in said answer stated.

3753. Garrison Newlove. vs. Elizabeth A. Newlove. } This coming on to be heard upon the motion of Defendant for leave to file Answer & Cross Petition herein was submitted to the Court upon said motion. On consideration whereof the Court do sustain said motion & grant said leave. And said answer and cross-petition is accordingly filed.

1839. Richard Brewster et,als. vs. Nathan Bell et,als. } This day came the Plaintiffs and withdrew their motion to make Defendants answer more certain & the Cause came on to be heard on the motion for Bond to secure costs. Whereupon the Court find the bond filed for that purpose is defective in form. It is ordered that the defendants file new Bond to secure the costs in accordance with former order herein and thereupon the bond is filed instanter and this cause is reassigned for hearing on Tuesday September 27th 1881.

3827 Thomas Wharton vs. Cleveland, Columbus Cincinnati and Indianapolis Ry Co, } This day this cause came on to be heard upon the motion of the Defendant to require Plaintiff to reform his petition and thereupon the Plaintiff asked and was granted leave to withdraw petition and file new petition by Oct. 10th 1881 and cause continued.

Wednesday. September 14th 1881

3869. Lucinda Ford vs. Rhoda Ford

This day came this cause on to be heard upon the motion of the Defendant to require the plaintiff to make her motion more definite and certain. On consideration whereof the Court do overrule said motion and the defendant has leave of the Court to answer by Saturday Sept. 17th 1881.

3847. Lucinda Ford. vs. David Ford.

This day came this cause on to be heard upon the motion of the Defendant to require the Plaintiff to make her petition more definite and certain. On consideration whereof the Court do overrule said motion and the defendant has leave of the Court to answer herein by Saturday Sept. 17th 1881.

2474. John Blair vs. John Jolliff et al

Now came the parties hereto by their attorneys, and this cause is by mutual agreement of the parties in writing produced to the Court. Settled as follows. 1st The line between Plaintiff and Defendant John Jolliff is to be changed by starting at the South East corner of the land in said Jolliff's possession and running straight & ending two poles west from the north East corner of said land giving said plaintiff said strip to straighten his line and the fence is to be set over by both parties as a line fence. 2d Said Jolliff is to pay $13 dollars to said Blair and he said Jolliff is to keep all the land in dispute except said first named strip. 3d Each party is to pay his own costs made in this cause except the part already paid by John Cramer is to remain as settled irrespective of this settlement. No full record of the case is to be made and said Cramer is to pay besides the above ten dollars, as sent to said Blair. It is now therefore by consent and agreement of the parties in open court considered and decreed by the Court that the said John Blair recover from the said John Jolliff the real property included between the said line as established by said settlement and the line fence between the parties as it now stands to-wit the east line of the land claimed in the petition and also the said sum of $13 dollars from said Jolliff defendant and the said sum of $10 dollars from the said John Cramer deft. and it is further ordered that the said Blair pay his own costs in this case except what has been paid by said John Cramer & John Jolliff pay the costs made by them but no full record is to be made of the cause. And it is ordered that a writ issue to the Sheriff.

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Wednesday. September 14th 1881.

of Union County commanding him to put the said plaintiff in possession of the said premises.

3811 Job. S. Dillon vs George. B. Hamilton } Leave is granted to the defendant to file demurrer to the petition instanter. Demurrer filed.—

This day appeared at the bar of this Court the Grand Jury heretofore impannelled and sworn &c. and for the body of the County aforesaid, viz: J. M. Brannon Foreman of Grand Jury. Thomas Miller Joseph. Martin. Casper Ruhl. M. C. Stamates. A. D. Doolittle. A. B. Slicker William Blue. James Eddlemon Richard Tyler. Joseph Powers. Stephen Shirk. William A Godfrey. Harlin Wood. Samuel Crahood. and presented their certain bills of indictment against. Johne Williams for Grand-Larceny. Oscar Cramer & John H. Andrews for Arson. Frank Allen for House breaking & Grand Larceny. James Lefridge. Pitts Parker. David Young. & George Mayo for Burglary & Petit Larceny. Wm H. Parker for Burglary and Petit Larceny. James Lefridge for Burglary & Grand Larceny, each. endorsed "A True Bill" J. M. Brannon Foreman of Grand Jury. And there being farther business for said Grand Jury they retired to their room for farther deliberation.

3837. Jane Shanks vs. Joseph B. Shanks. } Settled and costs paid. No Record.

3850. A. L. Williams. vs. W. H. Craig et al. } On application of the defendant the Court grant him until Wednesday Sept. 21st to file answer.

Thereupon Court adjourned until 8½ o'clock tomorrow morning.

Thursday, September 15th 1881.

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

3793. J. W. Lewis vs Henry Wheeler } Leave is given plaintiff to file reply instanter. Reply filed and cause continued.

3830. Samuel H. Ruggles vs Wm M. Haines et. al. } Settled & Cost paid

3756 Harrison C. Russel vs J. M. Parish. Continued—

3767 Cyrus Moore vs Winget-Harriman et al Continued

3771 James Delaven vs David Watson — Continued

3780 Lewis A. Ellis. vs Alex J Mahaffey et als Continued with Leave to Parties to Plead

3784 Commissioner of Union County vs Elizabeth Wells. Continued

3786 Henry Fox vs John Liggett et als. Continued

3795 Mary E Rodgers vs Sydney Rogers. Continued

3797 George Somes vs Rosella Somes Continued

3810 Witter, Robinson & Wood A. L. Smith et al et als Continued

3819 Henry L Green et als vs Chas C. Cockerton et als Continued

3823 Mast Foos & Co. vs Thos B. Fuller assignee Continued on showing of Plaintiff at their cost

It is therefore considered ordered & adjudged that the plaintiff pay the cost of this Term taxed at $ & in default that execution issue therefor

3825 C. Aultman & Co. vs C. W. South Continued

3828 } Village of Milford Center vs Elijah Witter Continued
3829 }

3833 William Flemming vs Wilson Flemming - Continued

3834 Andrew Spratt vs Edward Cramer - Continued

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Thursday September 15th A.D. 1881

3836	Rachel Pleasant vs Hiram Dyer -	Continued
3840	Horace Watts vs John Kobensack	Continued
3854	M. P. Rice vs John Kovack et als	Continued
3856	Alonzo Chesley vs Leora Chesley	Continued
3859	Lucinda Ford vs Rhoda Ford	Continued with leave to plead to answer in 30 days after the Rising of Court-
3860	Susan Adams vs James Raines et als	Continued
3862	Jesse A. White guardian vs Julia A. Benedict-	Continued by agreement-
3863	Newhouse McCain & Co et als	Continued
3864	Lucinda Webster vs R. J. McAllister	Continued
3865	Emily Goff vs Henry Goff et als	Continued
3866	John C. Price vs E. H. Reed	Continued
3868	S. B. Robinson vs Jas B. Whelpley et als-	Leave given to Defendants to answer in 30 days from the rising of Court & cause Continued
3870	A. H. McCampbell vs Joseph Cole et als	Continued
3872	Trupton Ford vs Josiah Carr et al	Continued
3873	A. B. Woodburn vs Joseph Cole et als	Continued
3875	Geo Z Hughes vs Susan Adams	Continued

The Grand Jury being in session, and there being no business before the Court, it took a recess until Saturday morning at 9 o'clock,

Saturday. September 17th 1881.

This morning Court met pursuant to adjournment the following Officers being present.

John L. Foster Judge.
John Robenstack Sheriff.
A. W. M. Wright Clerk.

3725. Elizabeth Longnecker et al vs. J. H. Cummings. This day this cause came on for hearing upon the demurrer of the Defendants to Plaintiffs, and was argued by counsel and submitted to the Court. Whereupon the Court do overrule said demurrer. Thereupon came the Plaintiffs and asked and obtained leave of the Court to amend their petition within ten days from the rising of the Court and the defendant asked and obtained leave of the Court to plead thereto within ten days thereafter and cause continued

3455. Walter D. Franck et al. vs. Robert Hill et al. At the request of the counsel for the Defendants the trial of this case is postponed to Thursday morning September 22d 1881

3843. George W. Sewell vs. William Sewell et al. 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 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 $2800 the Court find the said return and proceedings in all respects correct and in conformity to law and do therefore approve & confirm the same. And thereupon 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 Ohio. And the said Sheriff return his proceedings to this Court without unnecessary delay

3877 Millard Langstaff vs John McAllister Continued

Saturday, September 17th 1881.

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 viz: Thomas Miller, Joseph Martin, Casper Ruhl, W.C. Stamates, A.D. Doolittle, A.B. Stucker, William Blue, James Coddleman, Joseph Powers, Richard Tyler, Stephen Shirk, William A. Godfrey, Harlin Woods, Samuel Oakwood, T.M. Brannon, and presented their certain bills of indictment against Hiram Tyler. Keeping place for sale of intox. liquors in violation of law, Hiram Tyler, For selling intox. liquors to be drunk on the premises where sold, Hiram Tyler same, Hiram Tyler same, Hiram Tyler same, Hiram Tyler permitting minors under 18 years to be and remain in a Billiard Saloon, Frank Godfrey for Disturbing meeting, Same Severe for selling intoxicating liquor to be drunk on the premises where sold, Fielding Tongnet, Same, James Mitchel same, J.S. Bump. Forgery, Susan Adams Assault & Battery, George W. South, Selling mortgaged property with intent to defraud, Thomas Eakin Selling liquor on Sunday, George Stahl & John Stahl, Assault & Battery, each indorsed, "A true Bill" Jos. Sayre Foreman of Grand Jury.

Jail Report. To the Court of Common Pleas Union County Ohio. We the Grand Jury, visited the Jail, and the Prisoners well cared for, and cleanly. We would recommend that all of the water pipes connected with the water closet be repaired, think they are not in a healthy condition. We would recommend that the interior of the Jail be painted white, and that a new stove be furnished at once for the Hall East of the Jail, And also recommend that the out side gates be made more secure. Thomas M. Brannon Foreman of Grand Jury.

And then being no further business for the said Jury, they were discharged fidally.

3803 Charles Wilkinson vs Richard Wilkinson } On motion of the plaintiff and upon producing the return of the Sheriff, of his proceedings had 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 deed duly executed to convey said premises to the purchaser John Fulrod in fee simple.

It is further ordered that out of the proceeds of said sale the Sheriff pay. First. to the Treasurer of Union County. dollars being the taxes and penalty due on said premises. Secondly. to the Clerk of this court the costs of this action (excepting the costs of the first order of sale herein which are hereby taxed to) taxed at $6.75 including

Saturday, September 17th 1881

a counsel fee of $20.00 to D.B. Cole & Son for their services herein. Fourthly. And of the residue of the proceeds of said sale, to the plaintiff Charles Wilkinson one sixth of the cash proceeds to-wit: the sum of $44.47 and to each of the said defendants the one sixth of the the cash proceeds, to-wit: the sum of $44.47. 3897.

3878. James Ketch Exr. vs Thomas Brown et als. } Settled and cost Paid.

3880 Marysville Building & Loan Association vs Clarissa Alexander et. al. Continued

3881 Ann P. Anderson vs Thomas T. Anderson. Continued-

3882 Willard Langstaff vs John McAllister Continued-

3884 Thomas Moffitt vs P. J. Wyeth. Continued-

3885 Theodore A. Lane vs Delmore Snodgrass- Continued-

3886 Margaret A. Johnson vs John B. Johnson. Continued

3888 C. F. Haines vs Leroy S. Dennison. Continued 3692.

3889 William McGinnis vs Jas B. Whelpley et als Continued

3890 Andrew McNeil vs Jas. B. Whelpley et als Continued

3891 State of Ohio vs H. D. Gill Continued

2805.

Thereupon Court adjourned until Nine o'clock Monday morning.

Monday. September 19th 1881.

This morning Court met pursuant to adjournment the same Officers being present as on Saturday.

3897. Shipley, Crain & Co. vs. N. P. Rushheimer

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 Defendants herein, and by virtue of the same warrant of Attorney, confesses that there was due from said Defendant to said Plaintiffs as is alleged in said Plaintiffs petition the sum of $118 25/100. It is therefore considered that said plaintiffs do recover of said Defendant the said sum of $118 25/100 so as aforesaid confessed to be due together with the 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.

3692. R. O. Connell vs Village of Richwood

This day this cause came on for hearing upon motion of Plaintiff to file a second amended petition herein and the same was argued by counsel and submitted to the Court. On consideration whereof the Court do sustain said motion and thereupon the defendant asked and obtained leave to plead to second amended petition within thirty days from the rising of the Court and cause continued.

2805. Aultman, Taylor & Co. vs Edward L. Judd et al

The motion to set aside sale in the above case having been entered on the 14th day of September and a motion to confirm sale having been entered this day. Both motions are now passed by the Court until monday the 26th inst.

Thereupon Court adjourned until 9 o'clock to morrow morning.

Tuesday. September 20th 1881.

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

On motion the following Resolution was unanimously adopted by the bar & the officers of the Court, viz: Whereas the nation is this morning in mourning over the death of its beloved President, therefore Resolved, that this court in respect to his memory adjourn until tomorrow morning & that the Court appoint a Committee of this Bar to prepare suitable resolutions to be entered in the Journal of this Court. Whereupon the Court adjourned until tomorrow morning at nine o'clock & the following committee was appointed under the resolution viz: J. K. Robinson, S. B. Fulton, P. B. Cole, J. L. Cameron, A. S. Carpenter, & R. L. Woodburn, which committee Reported the following resolutions

Whereas, The members of the Bar have heard of the death of the President of the United States, of which event they deem it appropriate to take some public notice; therefore. Resolved, 1st That as we cannot the language express the deep sorrow & grief of our hearts in view of this National calamity, we bow in reverance & humility before this mysterious and, to us dark Providence whereby in the prime of his manhood at the commencement of his Presidential Administration, and at a time of general hope and confidence of all sections of the country, that he would be the means of great good to the country James A. Garfield has been, without cause, suddenly stricken down by the hand of a miserable vagabond. Resolved 2d. That for his greatness and magnanimity of soul, his brilliancy of intellect, his exalted and sincere patriotism, and devotion to the welfare of the whole country, we will honor him and ever cherish his memory, and will pray that his blood may cement us as a people, and that all sections of the country may be drawn in closer sympathy and confidence with each other as they gather together in mourning over this great National bereavement. And we unite in the Nation's prays that the God of the widowed and fatherless may sustain his dear family in this their terrible sorrow.

James K. Robinson
P. B. Cole.
R. L. Woodburn.
S. B. Fulton.
J. L. Cameron
A. S. Carpenter.
Committee.

which the Court ordered to entered on the Journal ~~of this Court stands adjourned till tomorrow morning at 9 o'clock.~~

Thereupon the Court adjourned until tomorrow morning at 9 o'clock

Wednesday September 21st 1881.

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

3578. Lucy L. Glenn. vs. William Glenn.

This day this cause came on to be heard and the original Petition and papers being lost. leave was taken to supply Petition, the defendant being in default for answer and the same being supplied said cause was heard upon testimony. And the court being fully advised in the premises do find and decree that the marriage relation heretofore existing between William Glenn and Lucy L. Glenn be dissolved and that the said Lucy Glenn divorced from the said William Glenn and that she be restored to her maiden name of Lucy Lamay and that she recover her costs herein taxed at $-

583 State of Ohio. vs. Hiram Tyler

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being brought into open court in custody of the Sheriff and arrainged upon said indictment for plea thereto saith he is guilty and remanded by the court to appear September 27th 1881 and remain from day to day until discharged by the court.

587. State of Ohio. vs. Hiram Tyler

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 arrainged on said indictment for plea thereto saith he is Guilty, and is ordered by the Court to appear Oct 4th 1881 at 8½ o'clock A.M. and remain from day to day until further ordered by the court.

585 State of Ohio. vs. Hiram Tyler

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. And is required by the court to appear Oct 3d 1881 and remain from day to day until further ordered by the court.

586. State of Ohio. vs. Hiram Tyler

Now comes the Prosecuting attorney on behalf

Wednesday. September 21st. 1881.

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 and is remanded to appear before the Court of Common Pleas on Oct. 3d 1881 and remain from day to day until further ordered by the Court.

584. State of Ohio. vs Hiram Tyler

Now comes the Prosecuting Attorney on behalf of the State of Ohio and the Defendant coming into court and arraigned upon said indictment for plea thereto saith he is guilty and is by the Court ngnired to appear Oct. 3d 1881 at 8½ o'clock A.M. and remain from day to day until discharged by order of the Court.

596. State of Ohio vs George Stahl John Stahl.

Nolle Prosequi is entered herein by order of the Court at request of the Prosecuting Attorney as to John Stahl. And the Defendant George Stahl being brought into Court and arraigned upon said indictment for plea thereto saith he is guilty. It is therefore ordered by the Court that the said Defendant George Stahl pay a fine of ten dollars and 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

2076. Mary J. Baker et al. vs. Richard H. White et al

This cause is continued with leave to the Defendant Richard H. White to amend his cross petition in 30 days from the rising of the Court and to make new parties. Also leave to Sarah Green to amend in like time making new parties

3609. Woodstock Bank. vs. Catherine Brown et al.

This cause is continued with leave to all parties to amend pleadings in 30 days from the rising of the Court

Thereupon Court adjourned until tomorrow Morning at 9. o'clock.

595.

3858.

3857.

Thursday, September 22d 1881.

This morning Court met pursuant to adjournment. The same Officers being present as on yesterday.

595. The State of Ohio. vs. James Mitchel } And now comes the Prosecuting attorney on behalf of the State of Ohio, and the Defendant being brought into Court, at his own request and arraigned upon said indictment for plea thereto saith he is guilty and is ordered by the Court to appear on the 3 day of October 1881 and appear from day to day till further order from the Court.

3858. Eliza A. Hopkins vs. William Hopkins } This day came this cause on to be heard upon the petition and evidence. On consideration whereof the Court do find from the evidence that due notice of the filing and pending of this petition has been given to the Defendant as required by law for more than six weeks prior to this date.
The court further find from the evidence that the defendant has been willfully absent from the plaintiff for more than three years prior to the filing of the petition in this case, that the facts stated in said petition are true. It is therefore decreed by the Court that the marriage relation heretofore existing between the said parties be and the same is annulled and both parties released from the obligations of the same and that the plaintiff be restored to her maiden name Eliza A. Warley and that the defendant pay the cost.

3857. Olive Smith vs. Francis H. Smith } This day came this cause on to be heard upon the petition and evidence. On consideration whereof the Court do find that due and legal notice has been given the Defendant of the filing and pendency of this petition for more than six weeks prior to this date. The Court do further find that the allegations of the petition are true that the said defendant has been willfully absent from the said plaintiff for more than three years prior to the filing of this petition. It is therefore decreed by the Court that the marriage relation heretofore existing between said parties be and the same is hereby annulled and both parties are released from the obligations of the same, and that the Defendant pay the cost herein expended.
Thereupon Court adjourned until tomorrow morning at 9 o'clock.

Friday. September 23d 1881.

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

3876. Iverson Smith vs Mary E. Hamiestal } This day this cause came on for hearing was continued for service, the time for answer was extended to November 15. 1881 and for reply to Answer & Cross petition to December 1st. 1881.

3823. Mast Foos & Co. vs. Thomas B. Fulton } This day this cause was continued on application and showing of plaintiff and at their cost taxed at $— for which Judgment is given and execution awarded.

582 The State of Ohio. vs. John Williams } Indictment for 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 guilty, and is remanded to the custody of the sheriff until sentence. 577.

590. The State of Ohio. vs. J. S. Bumps. } Indictment for Forgery. 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.

579. The State of Ohio. vs. William H. Parker } Indictment for Burglary & Petit Larceny. Now comes the prosecuting attorney on behalf of the State of Ohio, and the Defendant being brought into open 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 it appearing that said defendant is in indigent circumstances and unable to employ counsel the court at his request appoints O. W. Ayers as Counsel to defend him.

Friday. September 23d 1881.

580. The State of Ohio. vs. Frank Allen. } Indictment for Housebreaking & Grand Larceny.

Now comes the Prosecuting Attorney on behalf of the State of Ohio. and the Defendant being brought into open court in custody of the Sheriff and arraigned upon said indictment for plea thereto, saith he is guilty and is remanded to the custody of the Sheriff until sentenced.

578. The State of Ohio. vs. James Lefridge } Indictment for burglary & Grand Larceny.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into open 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 it appearing that said defendant is in indigent circumstances and unable to employ counsel, the Court, at his request, appoints. O. W. Ayers Counsel to defend him

577. The State of Ohio. vs. James Lefridge et.al's } Indictment for Petit. Larceny.

Now comes the Prosecuting Attorney on behalf of the State of Ohio. and the Defendants James Lefridge, Peter Parker, & David Young. 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. And it appearing that the said James Lefridge, Peter Parker, & David Young are in indigent circumstances and unable to employ counsel and the Court at their request, assign O. W. Ayers as counsel to defend them, and on application of the prosecuting attorney therefor J. L. Cameron is hereby appointed to assist in the prosecution of the case.

Thereupon Court adjourned until 9 oclock Tuesday morning

Tuesday September 27th 1881

This morning Court met pursuant to adjournment the same Officers being present as on Friday

3649. Joseph H. Cumming adm. Robert Smith Dec'd. Plaintiff. vs. Samuel Waddle Admr. Liderial Ford. et als.

This day came the Plaintiff by his attorneys and the Defendants being in default for Answer and Demurrer the Court find that the allegations of the Petition are by them confessed to be true. that the said Liderial Ford and Cris cilla Ford his wife are dead. That said Samuel Waddle was duly appointed his Administrator. he has made full settlement of all matters of said Estate with Probate Court of said County of Union and that so far as this case is concerned he as such administrator is dismissed therefrom, that the said Daniel S. Ford, Wm M. Ford, Lucinda Ford. and Lone Armstrong are the heirs and only heirs at law of the said Liderial Ford & Priscilla Ford, now Dec'd and that they as such heirs and Defendants in this case have been duly served with process in this case. And the Court further find that the first note in said petition set forth is full due on the 19th day of April A.D. 1881 together with all the interest on the entire sum in said note set forth and that the Defendant Daniel S. Ford as one of the joint makers of said notes is indebted to the Plaintiff in the sum of Eighteen Hundred Eighty five 44/100 Dollars ($1885 44/100) being principle of 1st note & int. on all to Oct 19th 1881. It is therefore considered by the Court here. that the said Plaintiff recover from the said Defendant Daniel S. Ford the said sum of $1885 44/100 his costs herein expended taxed to $. subject however to credit of whatever sum may be collected from sales of premises in the petition described upon which the mortgage therein described was given by the said Liderial Ford & Priscilla Ford to secure the payment of said notes. 3765.

The Court further find that the said Liderial Ford and Priscilla Ford his wife in their lifetime executed and delivered to the Plaintiff Joseph H Cumming as administrator of Estate of Robert Smith Dec'd. the mortgage deed in the petition described and on the premises therein described, That said Mortgage deed was duly recorded in Book 14 Page 193. of the records of Mortgages of said County of Union and is the first lein on the premises in the petition described. Court further find that the condition of defeasance in said Mortgage has been broken and that said Plaintiff is thereby entitled to have defendants equity of redemption foreclosed. It is therefore considered that unless the defendants within thirty 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 this sum of $1885 4/ with interest from the 19th day of October 1881 payable annually at 8% per annum according to the terms of said mortgage deed the defendants equity redemption be foreclosed and said premises shall be sold and an order of sale shall issue therefore to the Sheriff of said Union County Ohio. directing him to sell said premises as upon execution and bring the proceeds into Court for further order and as to the notes not due and all other matters this cause is continued

3765. Arminta Jenkins. vs Thomas H. Cox et al.

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 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 (free from the dower of the said Rheoba Lindsley) in the sum of $1422.6 cts The Court find the said return and proceedings in all respect correct and in conformity to law and do therefore confirm the same, And the said Commissioners having returned that Dower could not be set off in said 1/3 part of said premises, without manifest injury and have appraised the same at the sum of $125. cts which the Court find to be the just and reasonable value thereof. And it appearing to the Court that the said Thomas H. Cox has elected to take the premise at their appraised value, the same are therefore upon payment of the said sum of $1422.6 cts adjudged to him and the sheriff is ordered to convey said premises to him by deed in fee simple free from dower. It is further ordered that out of the proceeds of said sale the Sheriff pay. First to the Treasurer of Union County $112.50 being the taxes due upon said land. Secondly, to the Clerk of this Court the costs of this action including a counsel fee of $258 cts to R.C. Kerr for his services Thirdly to said Rhoeba Lindsley widow, or her assignee, said sum of $125 cts as and for her full dower interest in said premises. Fourthly And of the residue of the proceeds of said sale to the plaintiff Arminta Jenkins, $80.59 one third cash, one third in one year and one third in two years, with 6% interest and to the said Milton Bunn the sum of $80.59 one third in cash, one third in one year and one third in two years with 6% interest the deferred payments to be secured by mortgage upon said premises.

Tuesday. September 27th 1881.

3871. Cynthia A Eastman
vs.
Simpson Price et al.

Now comes the Plaintiff in this case and submits the same to the Court upon the pleadings and evidence and the Defendant Simpson Price being in default for demurrer or answer to said petition and the Court being fully advised in the premises do find that the Defendant Simpson Price is indebted to the Plaintiff in the sum of $736 23/100. It is therefore considered and adjudged by the Court that the said Plaintiff recover from the said Defendant Simpson Price the sum of Seven Hundred and thirty six 23/100 Dollars with interest at 6% from Sept. 12th 1881. and her costs herein expended taxed at $. It is also considered by the Court that this case is dismissed as to Levin Price one of the Defendants.

3874.

3594. George Harriott.
vs.
Edward Churchman 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, 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 Harriott, 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 Eighteen Hundred and Fifty five Dollars it is ordered that the Sheriff out of the money in his hands pay. First, the costs of this action taxed at - - Secondly. To the Plaintiff George Harriott, the balance of the said money remaining in his hands, to-wit: the sum of $ Dollars. To be applied as a credit upon his judgment against the said Defendant Augustus H. Swearingen. And there still remaining due to the said George Harriott, the sum of Dollars. It is considered that he recover from the Defendant Augustus H. Swearingen, and execution is awarded therefor.

3601.

3874. Samuel B. Woodburn Admr. vs. Martin L. France et. al.

Now came the plaintiff herein and the defendant being in default for Answer and demurrer the Court find that there is due to plaintiff from the Defendant Martin L. France. on the promisory notes set forth in the petition with interest to the 26th day of September of this term 1881 the sum of Four Hundred and Eighteen Dollars and Twenty one cents. The Court further find that in order to secure the payment of said note the Defendant Martin L. France executed and delivered to John Case on said S. B. Woodburn Administrator the plaintiff their certain Mortgage in the petition described, and on the premises therein described, that said mortgage was duly recorded in Book N P— of the Records of Mortgages of Union County and is the first and best lein on the premises described in the petition.

It is therefore considered and adjudged that unless the Defendants Martin L. France shall 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 so found due as aforesaid with interest from the 26th day of Sept= 881 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.

3601. George W. Knisely & Co. vs. Peter Allyn et. als

On motion of counsel for the Defendant Oliver Webster and on his producing the return of the Sheriff of 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 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 Pennwood by deed in fee simple the lands and tenements so sold & the 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.

Thereupon Court adjourned until 8½ oclock tomorrow morning.

Wednesday September 28th 1881

This morning Court met pursuant to adjournment the following Officers being present.
Hon. John W Manly
Judge.
John Hobenpack Sheriff.
W. M. Knight Clerk.

1839. Richard Bowster et als. vs. Nathan Bell et als } Evidence taken, Trial progressing.

3846. Elizabeth McElderry. vs. George R. Foby et als. } 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 examined by the Court and found in all respects correct and in conformity to law and the former order of this court the said proceeding and report are hereby approved and confirmed.
It is therefore ordered and decreed that the said George R Foby have and possess during his natural life time the lands assigned to him. And that the other said parties hold in severally the parts and premises so set off and assigned to each respectively. 3814.
And it is further ordered that the costs of this action including a counsel fee of $18.15. ~~$69.15~~ for services herein taxed to $ be paid by the said in the following proportions to-wit:

592. The State of Ohio. vs. George W South. } Continued

3818 John P. Ledley. vs. James F. Ledley et als } Settled and cost paid

Thereupon Court adjourned until 8½ o'clock tomorrow morning.

Thursday, September 29th 1881.

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

1839. Richard Brewster et,als. vs. Nathan Bell etals.

This day came on this cause to be heard by the Court on the pleadings & evidence between the plaintiffs and the Defendants W. H. Taylor & others who filed their answer herein on the 6th day of Oct. 1880 whereupon the Court find from the evidence in favor of the plaintiffs and against said Defendants and that the allegations of the plaintiffs amended petition and Supplemental Petition are true. and the allegations of said answer are not proven. It is therefore considered ordered and adjudged by the Court that the title & possession of said Real Estate in said petition described be quieted in the said plaintiffs as prayed for in said petition. And that plaintiffs recover of said defendants the costs herein expended taxed to $. Thereupon said Defendants give notice of their intention to appeal this cause to the District Court and the Court fix the appeal Bond at $200.

3814. James S. Smith vs Uriah Jolley et,als.

This day this cause came on to be heard upon the petition of the plaintiff and the evidence & was argued by counsel. Whereupon the Court being fully advised in the premises do find that the allegations of the plaintiffs petition are true and that all of the notes secured by the mortgage described in said petition have been fully paid and that all of the conditions of said mortgage have been fully complied with & satisfied. Whereupon the Court does order that the said mortgage be and the same is hereby released and cancelled and the title of plaintiff to the premises described in the petition is hereby quieted as against said mortgage and all claims or demands arising thereunder as fully as though the grantees of said mortgage had cancelled & released the same and plaintiff is ordered to pay the costs of this action within 10 days from the rising of the Court or in default thereof that execution issue therefor.

Thereupon Court adjourned until 9 o'clock tomorrow morning.

Friday. September 30th 1881.

This morning Court met pursuant to adjournment the following officers being present.

Hon John L. Porter Judge.
John Hobensack Sheriff.
W. M. Wright Clerk.

394. The State of Ohio
vs.
Thomas Eakins

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 & adjudged by the Court that the said Thomas Eakins pay a fine of 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.

590. The State of Ohio
vs
J. S. Bumpf.

And now the Defendant being brought into Open 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 J. L. Cameron as counsel for his defense.

3851. Dwight Webb.
vs.
Hannah Converse et al.

This day this cause came on for hearing upon the Demurrer of the Defendant Hannah Converse to the Amended petition of said Plaintiff herein filed. And thereupon the said defendant asked and obtained leave of Court to withdraw the demurrer and the said Plaintiff asked and obtained leave of the Court to file a second amended petition herein within thirty days from the rising of the Court and cause continued.

3802. Abraham Long.
vs.
Rebecca Johnson 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 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 they are hereby approved and confirmed. And it is further ordered that the said Sheriff convey to the purchaser, Abraham Long by deed in fee simple

the lands & 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 proceeds of said sale amounting to Fourteen Hundred & fifty Dollars. it is ordered that the Sheriff out of the money in his hands pay, First the costs of this action taxed at $33.35. Secondly The taxes now a lein on said premises viz: $12.13. Thirdly. To the plaintiff Abraham Long the amount heretofore found due him with interest to wit: the sum of $598.66 Fourth. To Rebecca Johnson the money value of her dower interest in balance of proceeds of sale, to wit: $207.26
Fifth. To Margaret Mc Millen the balance to wit: $598.60

3377 Robert Gibson vs. William H. Woods

This day came the parties by their attorneys and neither party requiring a jury the same was waived and this cause submitted to the Court upon the pleadings and evidence. On consideration whereof the Court being fully advised in the premises do find for the plaintiff and assesses the amount the plaintiff ought to recover by reason of the premises at fifty Dollars. It is therefore considered and adjudged by the Court that the said plaintiff recover of the said Defendant the said sum of fifty Dollars so as aforesaid found due and his cost expended taxed at $. To which judgment & decree of the Court the Defendants except.

2495 Orlando Wells vs. Robert Gibson

It appearing to the Court that on the 13th day of July 1877. there was an injunction granted in this case restraining the said Defendant as prayed for in Plaintiff's Petition. And that the Clerk omitted to enter the same on the Journal or make record thereof. It is therefore ordered by the Court that an entry and record of said injunction forthwith be made

2495. Orlando Wells vs. Robert Gibson

July 13th 1877.

On motion and application by the Deft. and good cause being shown therefor to the Hon John L. Porter Judge of this Court in vacation. It is ordered that an undertaking being given in the sum of Two Hundred Dollars with sureties to the approval of the Clerk an injunction be allowed to issue herein as prayed for in the plaintiffs petition until the further order of this Court.

Thereupon Court adjourned until 9 o'clock Monday morning.

Monday. October 3d 1881.

This morning Court opened pursuant to adjournment the same officers being present as on Friday

3900 Maria O'Donnell vs. Patrick O'Donnell } 581.

This day came on this cause to be heard by the Court on motion for temporary injunction. Whereupon the Court do allow said injunction as prayed for until further order of the Court & no injunction Bond required

3883. Robert D. Finley vs. Orlando Wells et al }

This day came the Plaintiff by his attorneys and the said Defendant Orlando Wells and Elizabeth Wells being still in default for demurrer or answer to the petition, this cause was submitted to the Court upon the petition and evidence. On consideration whereof the Court being fully advised in the premises do find the facts stated in said petition are true and that the said Defendants are indebted to the plaintiff in the sum of $135.29. as in said petition alleged. It is therefore considered, ordered and adjudged by the Court that the plaintiff recover of the Defendant the said sum of $135.29 and his costs herein expended taxed to $. 3817

581. State of Ohio vs. Oscar Cramer }

It appearing to the Court that the prisoner Oscar Cramer is in indigent circumstances and not able to employ counsel, therefore P. B. Cole is appointed such counsel who appeared in open court and excepted said appointment.

Thereupon Court adjourned until 9 o'clock tomorrow morning.

Thursday. October 4th 1881.

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

State of Ohio. }
vs. } Indictment for Arson.
581. Oscar Cramer }

Now came the prosecuting Attorney on behalf of the State of Ohio and the defendant with his counsel and also came the following named persons as Jurors, to-wit: Bolivar Hayes, Perry Buck Solomon Butz, Anthony Fickey, Joshua Keller, S.A. Innes, J.K. Berger, Henry Poling, & Jonas Kline. Vincent Bowie, Thomas Wharton & George Gibson Talis Jurors, who were duly impannelled 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.

Henry K. Fuller et al }
vs. }
3817 Ann B. Sargent et ad }

This cause came on for hearing on the petition of the plaintiff and the answer and cross petition of F. Newman, J.M. Stewart & C. H.D. Stewart partners as Stewart and Son, the Defendant Ann B. Sargent being in default for answer and demurrer, and the evidence, and was submitted to the Court, on consideration whereof the Court find on the issue joined between the defendants Stewart & Son and the Defendant Ann B. Sargent, for the said Defendant Stewart & Son and find the allegations of the answer & cross Petition of said Stewart and Son confessed as against the Defendant Ann B. Sargent and that the Defendant Ann B. Sargent is indebted to the said Stewart & Son the sum of $1000 with interest thereon from May 20" 1880 at 8% which is the first and best lein on the premises mentioned in plaintiffs Petition

And the Court further find on the issue joined between the plaintiff and the defendants Ann B. Sargent, for the Plaintiff and find the allegations of the petition confessed as against the Defendant Ann B. Sargent; and that said defendant is indebted to the said plaintiff in the sum of $213.97 with interest thereon at 8% from the 6" day of Sept. 1880 which is the next best lein on the premises mentioned in plaintiffs petition.

It is therefore considered and decreed that unless the said Defendant Ann B Sargent 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 Plaintiff the sum of $213.97 with interest thereon from the 6" day of Sep. 1880 at 8% and to the defendants

Tuesday Oct. 4th 1881

Stewart & Son the sum of $1000 with interest thereon from May 20 1880 at 8% the premises mentioned in the plaintiffs petition, an undivided one half interest in the following described premises to-wit: Situate in the County of Union and State of Ohio, and in the Village of Plain City, viz: commencing at the northeast corner of J. Hunts lot; thence west with said Hunts line 191 feet to a stone in said line; thence in a northerly direction One Hundred & Eighty one feet (181 ft), to a stake or stone thence in an easterly direction One hundred and Eighty two feet (182 feet) to a stone in the center of the Pike, thence in a southerly direction with the center of said Pike two Hundred fifteen (215 feet) to the place of beginning, 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 and apply the same to the discharge of the liens thereon according to the priorities thereof as herein found due by the Court and that he bring the balance of said proceeds into Court for further order. 572. 588. 589.

3748. Bank of Richwood vs S. M. Landon } This day this cause came on to be heard upon the motion of the Defendant to set aside the sale made in this case, and was argued by counsel, and the Court being fully advised in the premises, do find that the property described in the order of sale was not advertised as the law requires. It is therefore considered ordered and adjudged that the said sale be and the same is hereby set aside and held for naught and a new one is hereby ordered. 591. 593.

3838. Joseph N. Hines vs Sterling McElroy. et al } This day came the plaintiff by his attorneys and the said Sterling McElroy still failing to demur or answer to the petition of the said plaintiff, this cause was submitted to the Court upon the petition and testimony, or consideration whereof, wherefore the Court being fully advised in the premises do find that the facts stated and allegations made in the foregoing plaintiffs petition are true and that said Sterling McElroy is individually liable for the whole amount of the notes described in plaintiffs Petition and the Court finds the amount due to plaintiff from said Sterling McElroy upon said notes to the first day of this term. is $506 20/100 It is therefore considered, ordered & adjudged by the Court that the plff recover of the said S. McElroy the sum of $506 20/100 found due and his costs herein expended taxed at $ As to the other Defendants this cause is continued. 526. 551. 553.

Thereupon Court adjourned until 9 o'clock tomorrow morning. 554.

Wednesday Oct. 5th 1881.

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

572. State of Ohio vs. C.M. Wheeler } Indictment for Robbery.

Nolle Prosequi is entered herein, by order of the Court at request of the prosecuting attorney.

588. The State of Ohio vs. Frank Godfrey } Indictment for disturbing meeting.

Continued for arrest.

589. The State of Ohio vs. Hane Severi } Indictment for Selling Intox. Liquor

Continued for arrest

591. The State of Ohio vs. Susan Adams } Indictment for Assault & Battery.

Continued By agreement

593. State of Ohio vs. Fielding Jongnet. } Indictment for Selling Intox Liquor.

Continued for arrest.

526. The State of Ohio vs. America V. Williams } Indictment for Arson

Left off. Docket.

551. The State of Ohio vs. George Bailey et al. } Indictment for Disturbing Meeting.

Left off. Docket.

553. The State of Ohio vs. Richard Cody } Indictment for assault & Battery

Left off Docket.

554. The State of Ohio vs. George Cook. } Indictment for Horse Stealing.

Left off. Docket.

Wednesday October 4th 1881

557 The State of Ohio vs Lewis Richcreek } Indictment for being found in a State of Intox. Left off Docket.

558. The State of Ohio. vs Lewis Richcreek } Indictment for carrying Concealed Weapons Left off Docket.

566. The State of Ohio. vs. George Pickard. } Indictment for carrying Concealed Weapons. Left off Docket.

568. The State of Ohio. vs. Robert Garnes } Indictment for murder Left off Docket.

571. The State of Ohio. vs Robert Garnes } Indictment for murder Left off Docket.

✓ 547. The State of Ohio. vs. P. R. Kerr. } Indictment for altering public Records Left off Docket.

565. The State of Ohio vs T. W. Chesney. } Indictment for assault.

Now comes the prosecuting attorney on behalf of the State of Ohio, and the Defendant being brought into court in custody of the Sheriff, saith he is guilty. The court having heard the testimony addduced and being fully advised in the premises, and the said defendant being inquired of if he had any thing to say why judgment should not be pronounced against him and having nothing but what he had already said. It is therefore considered and adjudged by the court that the said defendant Thomas W. Chesney pay a fine of Ten dollars and 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

Thereupon Court adjourned until 8 o'clock tomorrow morning

Thursday October 5th 1881.

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

364 State of Ohio. vs. Thomas W. Chesney } Now comes the Prosecuting Attorney on behalf of the State of Ohio and enter his Nolle Prosequi as to the intent to kill in said Indictment, and the defendant being brought into Court in custody of the Sheriff and arraigned upon said Indictment as now stands ajed for Plea thereto says he is guilty. The Court having heard the testimony adduced and being fully advised in the premises, and the said deft being inquired of if he had any thing to say why Judgment should not be pronounced against him, and having nothing but what he already said. It is therefore considered and adjudged by the Court that the said Defendant Thomas W. Chesney pay a fine of Twenty Dollars and 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

Garrison Newlove. vs. Elizabeth Newlove. } This day came on this cause to be heard upon the pleadings of the said parties and the evidence. On consideration whereof the Court being fully advised in the premises do find that neither of said parties have been guilty of adultery and that charge is ordered to be stricken out of both the petition and cross-petition. The Court further finds that the said Plaintiff has not been guilty of either extreme cruelty or gross neglect of duty as charged in Defendants cross petition. The Court do further find from the evidence that the Plaintiff has been a resident of the State of Ohio and the County of Union for more than the year last past. That the defendant Elizabeth A. Newlove has been guilty of gross neglect of duty as charged in the Plaintiffs petition and on that account the Plaintiff is entitled to a divorce. It is therefore considered, ordered and decreed by the Court that the marriage relation heretofore existing between the parties be and the same is hereby set aside, annulled and held for naught and both parties released from the obligations of the same. It is further decreed by the Court that the care and guardianship of the said child Manilla is be and the same is given to the Plaintiff with the privilege of Defendant visiting him at all reasonable times. And as to all questions regarding alimony this case is opened for further evidence

3702. D. F. Parsons vs Belle A Stultz

This day came on this cause to be heard on the motion of the Plaintiff for the allowance of a temporary injunction at Chambers before Thomas Beer Judge of this Court whereupon the court being fully advised in the premises do allow said injunction as prayed for requiring the Defendant to stay proceedings under the execution & said judgment in the petition described, on the Plaintiffs giving an undertaking according to law in $1000 with security satisfactory to the Clerk of this Court.

October 7th 1881

3844.

3704. Catherine Robbins vs. Orion Robbins

On motion and application of the Plaintiff and good cause being shown. It is ordered that a temporary injunction be and the same is hereby allowed restraining the said Defendant from interfering with or disturbing the Plaintiff in the control of her children Harry Willie and Clide and enjoining him from taking the said children or either of them from the control of the Plaintiff until the further order in this behalf, and no bond is required to be given

Done at Chambers this 12th day of October 1881.

3824.

3703. Rachanda Price vs. John C. Price

This day came on this cause to be heard on the motion of the Plaintiff for the allowance of a temporary injunction. Whereupon the Court being fully advised in the premises do allow said injunction as prayed for until further order of the Court without bond.

October 11th 1881.

579.

3815. W. H. Baxter vs Eva L. Chaney et al

This day came on this cause to be heard on the application of the allowance of an injunction as prayed for in Plaintiffs Amended petition and the Defendants also came and submitted this cause on said motion and the Cause being fully heard on said application the court do allow the injunction as prayed for in said amended petition on the Plaintiffs giving undertaking according to law in the sum of $600.00 with surety satisfactory to the Clerk of this Court this cause is continued as to merits

Oct. 13th 1881

Thursday October 13th 1881.

This morning Court met pursuant to adjournment the same officers being present as on the 5th

3844. Columbus W. Burgoon vs Julia A Benedict et als. } 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 examined by the Court and found in all respects correct and in conformity to law and the former orders of this Court the said proceedings and report are hereby approved and confirmed. It is therefore ordered and decreed that the said Julia A. Benedict have and possess the lands so assigned to her as and for her reasonable Dower in said premises and that the other said parties hold in severalty the parts and premises so set off and assigned to each respectively And it is further ordered that the cost of this action including a counsel fee of $10.00 to Cameron & Benton attorneys for services herein taxed & ff. be paid by the said parties in the following proportions to-wit: Julia A. Benedict 3/15. Columbus W Burgoon 5/15. Margaret Burgoon 3/15. Arthur F. Benedict 3/15. William H. Benedict 1/15. and in default of such payment for three days that execution issue therefor as in other cases.

3824. Giles O Griswold vs Daniel W Camp } On motion to the Court by Gardner Clark & York who claim an interest in the property described in the petition they have leave to file answer and cross petition instanter which answer and cross petition is filed.

579. The State of Ohio vs William H. Parker } Indictment for Burglary. 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 burglary which plea is accepted by the prosecuting attorney. The Court then inquired of the said defendant if he had anything to say why judgment should not pronounced against him and having nothing but what he hath already said. It is therefore considered and adjudged by the Court that the said defendant

Thursday. October 13th 1881.

William H. Parker. be imprisoned and confined in the Penitentiary of the State and kept at hard labor but without any solitary confinement for a period of One Year, that he pay the costs of this prosecution for which execution is awarded.

3889.

Thomas B. Fulton assignee
3906. vs
P. C. Adams

This day came the Plaintiff by Powell & Jolliffe his attorneys 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 $153.06. It is therefore considered that the said plaintiff do recover of said Defendant the said sum of $153.06 so as aforesaid confessed to be due together with the 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.

582.

W. L. Harrison
3787. vs
Elon Rogers

This day this cause came on for hearing upon the motion of the plaintiff to dismiss the appeal herein and was argued by Counsel and submitted to the Court. On consideration whereof the Court do sustain said motion and it is considered and adjudged by the Court that said appeal be dismissed at the cost of the said Defendant Elon Rogers and execution is awarded therefor.

580.

The State of Ohio.
579. vs
William H. Parker

Indictment for Burglary.

Court allow D. W. Ayers a fee of $20 00 for defending the prisoner William H. Parker under assignment of Court.

Andrew McNeil
3890. vs.
Commissioners of Union Co.

On motion leave is granted by the Court to the Defendants to plead within thirty days from the rising of the Court.

Thursday October 13th 1881.

3887. William McGinnis vs. James B. Whelpley. et al. } On motion leave is granted by the Court to the Defendants to plead within thirty days from the rising of the Court.

582. The State of Ohio vs. John Williams } Indictment for Grand Larceny.

The Defendant herein having on a former day of this term entered a plea of guilty to the charge of the indictment in this case, was this day brought into court in custody of the Sheriff and the Court having heard the testimony adduced and being fully advised in the premises and the said defendant being inquired of if he had any thing to say why judgment should not be pronounced against him and having nothing but what he hath already said. It is therefore considered and adjudged by the Court that the said Defendant John Williams be imprisoned and confined in the penitentiary of the State and kept at hard labor, but without any solitary confinement for the period of one year and that he pay the cost of this prosecution for which execution is awarded.

580. The State of Ohio vs. Frank Allen } Indictment for House Breaking & Grand Larceny.

The Defendant herein having on a former day of this term entered a plea of guilty to the charge of the indictment in this case was this day brought into Court in custody of the Sheriff and the Court having heard the testimony adduced and being fully advised in the premises, and the defendant being inquired of and having nothing but what he had already said. It is therefore considered and adjudged by the Court that the said Defendant Frank Allen 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 he pay the cost of prosecution for which execution is awarded.

Thereupon Court adjourned until tomorrow morning at 9 o'clock.

Friday, October 14th A.D. 1881.

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

590 The State of Ohio }
vs
J. S. Bump }

Now comes the prosecuting Attorney on behalf of the State of Ohio. the Defendant being brought into open 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 Forgery, which plea is accepted by the prosecuting attorney. The Court then inquired of the said Defendant if he had any thing to say why judgment should not be pronounced against him and having nothing but what he hath already said. It is therefor considered and adjudged by the Court that the said Defendant J. S. Bump be imprisoned and confined in the Penitentiary of the State, and kept at hard labor, but without any solitary confinement for the period of one year and that he pay the cost of this prosecution for which execution is awarded. 3845. 3666.

590. The State of Ohio }
vs
J. S. Bump }

The Court doth hereby allow J. L. Cameron Twenty Dollars ($20.00) for defending the prisoner J. S. Bump under the assignment of Court.

3072 W. W. Woods }
vs
W. C. Barnett et al }

3667.

On motion of Defendants the report of Referee is set aside and the cause referred back for hearing & report by C. S. Chapman under former order of reference.

2837. Samuel Sumner }
vs
Mary Sumner et al }

3760.

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 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 sale and proceedings be and they are hereby approved and confirmed. And it is further ordered that the said Sheriff convey to the purchaser Samuel Sumner by deed conveying the life estate of said Mary Sumner in the lands and tenements so sold, and a writ of possession is awarded to put the purchaser

no possession of said premises. And the Court coming now to the distribution of the proceeds of said sale amounting to $152.00. It is ordered that the Sheriff out of the moneys in his hand pay. 1st The cost of this action taxed to $. 2d The taxes that may be due upon said premises. 3d That he pay the residue to said plaintiff to apply on the amount found due him. And there still remaining due to the said plaintiff the sum of $. execution is awarded therefor.

3845. The State of Ohio vs Asa W. Wilcox

This day came the prosecuting attorney. On behalf of the State of Ohio. and also came the Defendant Asa Wilcox, in accordance with the conditions of the recognizance entered into by said defendant. before James Robinson a Justice of the Peace. and filed in the office of the Clerk of this Court, and the said complainant failing to appear. to prosecute his said complaint. the said Asa Wilcox is hereby discharged from his said recognizance

3666. William Smith vs William Kurtz et al.

This day came this cause on to be heard upon the demurrer of the Defendant to the reply of the Plaintiff. On consideration whereof the Court being fully advised in the premises do sustain said demurrer and the Plaintiff has leave to file an amended Reply in 30 days from the rising of the Court. cause continued.

3667. William Smith vs. Elijah J. Reese. et al.

This day came this cause on to be heard upon the demurrer of the Defendant to the reply of the plaintiff. On consideration whereof the Court being fully advised in the premises do sustain said demurrer and the Plaintiff has leave to file an amended Reply in 30 days from the rising of the Court. cause cont.d

3760. Squire & Hosier vs James Summers et al.

It appearing to the Court that the real estate in the petition herein described has been twice advertised & offered for sale and still remaining unsold for want of bidders on motion of Hosper & Brennan the appraisement heretofore made is hereby set aside and a new one ordered

Friday, October 14th 1881

3742. George W. Vay. vs Henry J. King et ux. } This day this cause came on for hearing 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 the plaintiff, the second appraisement heretofore made herein is hereby set aside and a new appraisement and new sale of said premises are ordered. 586. 583

3853. Cornelia J. McIntire vs Thomas Eakins et al. } This day this cause came on to be heard on motion of the plaintiff to continue the case, and for leave to amend her petition generally and also by making new parties plaintiff to-wit: the minor Children of said plaintiff, on consideration whereof the the court sustained said motion, and said case is heaby continued and the Plaintiff has leave to amend her petition as aforestated in 30 days from the rising of Court, and defendants to plead within 20 days thereafter 584.

526. The State of Ohio. vs America V. Williams } Indictment for arson.

Court allow L. Piper a fee of thirty dollars for defending the Prisoner America V. Williams under assignment of Court.

3869. Marysville B. & L. Association vs Lydia J. & Wm L. Smith et al. } This cause coming on for hearing upon motion of Defendant to reform Plaintiffs petition. It is ordered by the Court that reformation thereof be made by striking out copies of notes & mortgages therein contained so that petition will show only the substance of the same. 595 3824

587. The State of Ohio. vs Hyram Tyler. } Continued for sentence.

585. The State of Ohio. vs. Hyram Tyler } Continued for sentence.

Friday October 14th 1881.

586. The State of Ohio. vs. Hiram Tyler. } Continued for sentence

583 The State of Ohio. vs. Hiram Tyler }

The Defendant herein having on a former day of this term entered a plea of guilty to the charge of this indictment in this case. was this day brought into Court in custody of the Sheriff and being inquired if he had any thing to say why judgment should not be pronounced against him. and having nothing but what he had already said. It is therefore considered and adjudged by the Court that the said Hiram Tyler pay a fine of Fifty Dollars unto the State of Ohio. and the costs herein expended taxed to $. Also that he be imprisoned in the Jail of Union County for the term of ten days. said sentence of imprisonment is hereby suspended until the next term of this Court in consideration of defendants promise to omit entirely the sale of intoxicating liquors in Union County.

584. State of Ohio. vs Hiram Tyler }

The Defendant herein having on a former day of this term entered a plea of guilty to the charge of the indictment in this case was this day brought into court in custody of the Sheriff and being inquired if he had any thing to say why judgment should not be pronounced against him. and having nothing but what he hath already said. It is therefore considered and adjudged by the Court that the said Defendant Hiram Tyler pay a fine of $20 ⁰⁰ 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

595 State of Ohio. vs James Mitchell. } Continued for sentence

3824. Giles O. Griswold vs Daniel W. Camp. et al } On motion to the Court and by consent of parties Charles W. Randall is made a party Defendant with leave to file answer and cross petition instanter

Thereupon Court adjourned until 9 o'clock tomorrow morning.

Saturday. October 15th 1881.

This morning Court met pursuant to adjournment and same Officers being present as on yesterday.

3781. John L. Thurston. vs. William W Kile. } 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 Morris W. Hill. 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 dollars. It is ordered that the Sheriff out of the money in his hands, pay. First. the costs of this action taxed at dollars & Secondly to the plaintiff John L Thurston the balance of the money remaining in his hands. to-wit the sum of dollars. And there still remaining due the said plaintiff the sum of dollars. It is considered that he recover the same from the Defendants Wm W. Kile. & Harriet L Kile. his wife. and Execution is awarded therefor.

589.

589.

3816.

F. W. Marriott. Executor &c. vs. John P. Marriott et al. } And now comes the Plaintiff F. W. Marriott. and makes this his report of a sale of a lot of one & one fifth acres of land in the petition described and upon an order of the Court herein before made for a sale of said premises at private sale. And said Executor further reports that said sale was made to J. W. Woodruff and for more than appraised value of the same to-wit. the sum of Eighty Seven and 50/100 Dollars. ($87 50/100)

F. W. Marriott. Executor &c. vs. John P. Marriott et al. } This day this cause came on to be heard upon the motion of the plaintiff to confirm the sale made of one & one fifth acre of land in the petition described to one J. W. Woodruff. The Court on carefull examination of the report and finding that the said sale is regular and in conformity to the Statute in such case made and provided and in accordance with the orders of the Court heretofore made do confirm said sale and the said F. W. Marriott. as said executor is hereby instructed

1873.

to make a deed in fee simple of said premises so as aforesaid sold and herein confirmed to the purchaser J. W. Woodruff.

387. The State of Ohio vs Wane Lewis } Continued for arrest.

389. The State of Ohio. vs Wane Lewis }

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 the said Defendant Wane Lewis pay a fine of Twenty 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.

3816. Louisa Merritt. vs. Charles D. A. Merritt }

This cause coming 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 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 habitual drunkenness for over three years past. prior to the filing of Plaintiff's petition. 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 Louisa Merritt and Charles D. A. Merritt. 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 as prayed for in said Plaintiffs petition, of the parties hereto be, until further order, confided to the said Louisa Merritt. exclusively until further order of Court.

1873. Wilkinson & Evans vs Levi Hill et. als. }

This day came on this cause to be heard on the motions confirm sale & distribute proceeds of sale, whereupon the Court do confirm said sale and order the Sheriff of this County to execute deed according to law, and it

appearing that the purchaser of the land at said sale was assignee to L.S. Chapman said land the Court order the deed to be made direct to him. The Court order the proceeds of sale to be distributed as follows 1st Pay all costs of this procuding. 2d All the taxes on the land. 3d All the claim due the Defendant W.W. Blanchard in whose favor a decree was rendered herein March 5th 1877. 4th If any balance remains that it be paid to the party holding the equity of redemption.

577. The State of Ohio. vs James Lefridge et.al. } Indictment for Burglary.

Now comes the defendants by their attorney D. W. Ayers and upon his motion and showing this cause was continued till the next term of this Court. It was further ordered by the Court that each one of the said Defendants enter into a recognizance in the amount of Three Hundred Dollars each with good and sufficient surety for his appearance at the next term of this Court to answer the charge against them in said indictment and in default thereof that they be committed to the Jail of the County.

578. The State of Ohio. vs James Lefridge. } Indictment for Burglary.

Now comes the Defendant by his attorney D. W. Ayers and upon his motion and showing this cause was continued till the next term of this Court. It is further ordered that the said James Lefridge with good and sufficient surety, enter into his recognizance in the sum of Four Hundred Dollars for his appearance at the next term of this Court and in default thereof that he be committed to the Jail of the County.

382½ Giles O. Griswold vs Daniel W. Campbell et al } This cause is continued with leave to plaintiff to reply to answer & cross-petition in 30 days.

Allowance to Sheriff

No 3701 Friedrich J Sager vs Alex L. McCraig et al } Cause dismissed at Pltffs cost- No Record

It is therefore considered ordered & adjudged that the plaintiff pay the cost of this action taxed to $ - for which execution is awarded-

Allowance to Ex-Sheff Miller

The Ex-Sheriff. J.J. Miller is allowed twenty five Dollars for services in Cases where the State failed to Convict and defendants prove insolvent from Sept 1st 1880 to January 1st 1881-

Be it remembered 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 10th day of October 1881 for the purpose of Fixing the Times of holding the Terms of the Court of Common Pleas, and the District Courts for the year A.D. 1882. It is ordered, That a Term of Court of Common Pleas, be commenced at 8 o'clock A.M.

In Crawford County on February 13th, June 5th November 6th
In Hardin County on February 6th May 29th October 16th
In Hancock County on January 9th May 1st September 11th
In Logan County on February 13th May 29th October 16th
In Marion County on January 23d May 15th October 11th
In Seneca County on January 9th May 1st September 18th
In Union County on January 9th May 1st September 11th
In Wood County on February 6th May 29th October 16th
In Wyandot County on January 2d May 1st September 18th

And that a Term of the District Court be commenced at 8 o'clock A.M. In Crawford County March 8 In Hardin County March 23d In Hancock County March 27th In Logan County March 20th In Marion County March 13th In Union County March 16th In Seneca County April 4th In Wood County on March 30th And In Wyandot County March 6th

Thomas Beer.
Henry H. Dodge.
Jotyn McCauley.
John L Porter Judges.

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 published in said County

John L Porter Judge.

Allowance to Sheriff

The Sheriff is allowed $225.00 for services in criminal cases where the State fails to convict and defendants prove insolvent for the year ending Sept 1st 1881.

I appoint J. L Harmon & W. M. Kenton who together with the Pros. Atty. will examined the Commissioners Report under the Statute for the year ending Sept. 1st 1881.

J. L Porter Judge.

Saturday. October 15-th 1881

3377. Robert Gibson vs W. W. Woods

This cause coming on for hearing upon the motion of the Defendant to set aside the finding & judgment of the Court therein and for a new trial for the reasons following, viz:
1st The said finding and judgment of the Court are not sustained by sufficient evidence. 2d The said finding of the Court is contrary to law. Was argued by counsel & submitted whereupon the Court overruled said motion. To which overruling of said motion the Defendant then & there excepted and presented his bill of exceptions and prayed that the same be allowed signed & sealed and made part of the record, and by consent of the Defendant 30 days was allowed from the rising of this Court to the Defendants in which to prepare bill of exceptions and it is ordered that the Journal be kept open for that purpose and the same be entered as of this term.

3848.

3773 C. Aultman & Co. vs C. H. Robbins 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 W. C. Sefton 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 distribution of the proceed of said sale amounting to Three Hundred & Fifty Dollars it is ordered that the Sheriff out of the money in his hands pay.
1st The taxes $42.27. Second The costs of this action Taxed at $27.30
Third to John Weaver $63.04 who has a prior lein. 4th To the Plaintiff C. Aultman & Co. $214.33 being the remainder of the purchase money.

526.

3609

3763

3848. A.V. Kennedy. Exr &c. vs George Caldwell.

This day this cause came on for hearing and thereupon came the Plaintiff by Carpenter & Brodrick his Attorneys and the said Defendant still failing to answer, or demurer to Plaintiffs Petition herein filed. It is considered that the said Plaintiff A.V. Kennedy as executor of the Last Will & Testament of Alfred V. Morse deceased, ought to recover of the said Defendant George Caldwell the said sum of Twenty four Hundred Dollars together with the interest thereon at per cent per annum from the day of A.D. 18— as prayed for in said petition. It is therefore considered and adjudged that the said Plaintiff A.V. Kennedy as Executor of the Last Will and Testament of Alfred V. Morse, deceased do recover of the said defendant George Caldwell the said sum of Dollars, with interest thereon from the 12" day of September A.D. 1881. together with the costs herein expended the said Pff

526. State of Ohio. vs America V. Williams

The Court allow J.L. Cameron a fee of Thirty Dollars for assisting the State under the appointment of Court.

3609 Woodstock Bank vs Catherine Brownlals.

On motion of Plaintiffs leave was granted them to file a 2d amended Petition within thirty days from the rising of the Court, And thereupon this cause was continued.

3753. Garrison Newlove vs Elizabeth A. Newlove } Court of Common Pleas. Union County, Ohio.

This cause coming on to be heard upon the questions in regard to alimony and the evidence on that subject was argued by counsel & submitted to the Court. On consideration whereof the Court find: That the defendant was at the commencement of this suit and had been for more than three years a bona fide resident of said County of Union. And that the cause of complaint arose in this County, and that she is entitled to alimony out of the estate of her husband the said plaintiff. It is ordered and adjudged that the plaintiff pay to the Defendant as her reasonable alimony in money the sum of Two Hundred & fifty Dollars payable as follows. viz:

Saturday October 15" 1881.

Fifty Dollars in cash immediately, (Oct. 14" 1881) and fifty Dollars at the commencement of each Six months thereafter until the whole $2,50 is paid. to-wit: $50cr April 14" 1882, $50cr Oct. 14, 1882. $50. April 14" 1883. $50. Oct. 14" 1883. and the same is without interest until due. And is hereby made a lein upon all of the real estate of the said Garrison Newlove. And in default of each payment for three days execution is allowed to issue therefor

It is further ordered that the said Garrison Newlove Plff. pay the costs herein taxed at $— within five days, or that execution be allowed to issue therefor. Whereupon the said Garrison Newlove Plff. gave notice of appeal in this case to the District Court and the Court fixed the bond for appeal at $200cr; And the said Elizabeth A. Newlove gave notice of her intention to appeal this cause to the District Court

3663. Josiah Westlake vs Lewis C. Peacock et.als } In the Court of Common Pleas Union County, Ohio,

On motion of the said plaintiff by H. D. McDowell. his Attorney and on producing the return of the Sheriff of this County, of a sale of real estate made by him on the 3d day of September A.D. 1881. to Josiah Westlake on an order of Sale issued in this case and dated the 1st day of August A.D. 1881. and the Court on examination of said proceedings being satisfied that the said sale of the real estate described in said order of Sale has been made in all respects in conformity to law. It is ordered that the said sale and proceedings be, and the same is hereby confirmed and the said Sheriff is ordered to make to the purchaser Josiah Westlake a deed for the lands and tenements so sold; it being the undivided one half of the premises described in plaintiff's Petition. and that plaintiff be allowed his proper credits out of the purchase money as found due him in a former hearing of this Court, & thereby paying the costs of this proceedings. And it is ordered that the motion of J. B. Whelpley to set said sale aside be and the same is overruled & refused

3377. Robert Gibson vs W. W. Woods } November 14th 1881.

Now comes the defendant 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,

3914

3936

3788.

X & David Harlin 65 feet each - Elizabeth & Edw. Burson 56 feet each. Dec. 19" 1881.

3418 Thomas Covogile Plaintiff } Union Common Pleas
vs } Before Hon John L. Porter Judge at Chambers,
Wallace W. Druffin Defendant }

This Cause being heard at Chambers on the motion of the plaintiff for the appointment of a Receiver, the pleadings and evidence, said motion was overruled but on motion of plaintiff it is ordered that the defendant be and he is enjoined until the next term of Court from selling removing or disposing of any and all of the property enumerated in the petition in this case and still on the Covogile farm and on motion of defendant the injunction bond is fixed in amount at $200.00. And it is ordered that the plaintiff give a bond for said injunction in the sum of $200. with Security to Satisfaction of the Clerk. Nov 23d 1881.

3436 Samuel Newhouse }
vs }
Miles Gregory et al }

This day came Samuel Newhouse in vacation before the Hon John L. Porter Judge of the Court and made application for an injunction to issue herein. On consideration Whereof and good Cause being shown it is ordered by said Judge that an injunction be & the same is granted until the further in this behalf, restraining the said defendants in all respects as prayed for in the petition of the said plaintiff upon the plaintiff executing an undertaking to the Satisfaction of the Clerk in the sum of Two Hundred dollars. Dec 2d 1881.

3788. McClure Davis et al }
vs }
Zachariah Baker et al. }

And now comes the said McClure Davis et al. by R.M. Campbell & H. Semple their attorneys and on their 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 proceeding and sale be, and the same is hereby approved and confirmed, and the Sheriff is ordered by deed 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 money in his hands pay, first, the costs in this case, including a counsel fee by agreement of parties amounting in all to $300 00 Second the taxes on said premises amounting to $; And that of the residue he pay to the said Mary J. Davis 1/3 part, David Baker 1/3 part, Rachael Wagoner 1/18 part, Nathaniel Baker 1/3 part; Sarah A. Gray 1/18 part; Belinda Jones 1/3 part, Zachariah Baker 1/3 part, Henry Baker 1/3 part; Edie Showalter 1/3 part; Samuel Baker 1/3 part, James Baker, Jackson Baker, Eden Rosen & Jefferson Baker 1/52 part each.- Myrtle Harlan, Francis Harlin, Jane Harlan, Jewel Harlan

* & David Harlin 1/3 part each - Elizabeth & Edward Burson 1/26 part each.

Dec. 19th 1881.

Oct 29th 1881

3903 Bethania Price vs John C. Price } Divorce and Alimony.

This day came on this cause to be heard on the motion for alimony pending suit and the appointment of a Receiver

Whereupon the court by consent of parties order and decree that the defendant within ten days pay the plaintiff sixty one dollars. being twenty to pay Expenses incurred already by her attorneys and $41.00 for house rent & $30.00 for fuel & provisions for the Family, and thirty days thereafter $66.00 being $41.00 for house rent & provisions & $25.00 for Expenses in preparing case for hearing. and in thirty days thereafter forty one dollars for rent & provisions for the family & in default of payment that the Receiver hereinafter appointed shall pay the same out of any funds in his hands.

It is further ordered that Luther Liggett be appointed Receiver to close out within reasonable time the partnership business mentioned in plaintiffs petition and hold the proceeds thereof for further order Except he is authorized to pay out of the same to defendant $20.00, one third every thirty days. No bond by consent of parties, required of Receiver

3971.

D. F. Parsons Plaintiff } State of Ohio, Union County ss.
vs } In the Court of Common Pleas
Bell. A Skilts, Defendant } Motion to Vacate Temporary injunction.

This day came the parties by their attorneys before the Hon John L. Porter Judge of the said Court and Submitted this Cause to him at Chambers upon the Motion of defendant to vacate the temporary injunction heretofore granted in this case. On consideration whereof the said motion is granted and Sustained and said injunction is vacated and dissolved by order of said Judge. Thereupon plaintiff gave notice of his intention to appeal from said order to the District Court of said County and said Judge fixes the appeal bond at $500.

Done at Chambers December 7th 1881.

Oct 15th 1881.

3839. Nancy M. Eakin vs Thomas Eakin } In the Court of Common Pleas Union Co. Ohio.

This day came the Plaintiff herein, and the defendant being in default for answer and demurrer and the case being presented to the Court upon the pleadings and the evidence therein and the Court being fully advised in the premises do 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 preceeding 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 the petition set forth. The Court further find upon the evidence produced that the

Defendant has been guilty of gross neglect of duty, extreme cruelty & habitual drunkness, for three years last past, 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 Nancy M. Eakin & Thomas Eakin 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 Nancy M. Eakin. But it is further ordered that the said Thomas Eakin have the privilege of visiting said children at all reasonable times. It is further coinsidered by the court, that said Nancy M. Eakin Recover from said Thomas Eakin her costs herein expended and execution is awarded therefor.

Dec. 28th 1881.

John L. Porter Judge

3971. Dennis F. Parsons vs Belle A. Stultz } In Vacation.

This day came the plaintiff by his Attorneys and on his motion it is ordered that the Defendant be and she hereby is, enjoined and restrained from collecting or in any way attempting to collect or enforce the payment of the money due on a judgment rendered in this Court at the September term 1877. to-wit: on the 12th day of ~~October~~ 1877. for the sum of Two Thousand Dollars and costs of suit. in a civil action then determined in this Court. wherein Belle A Stultz was plaintiff and this Plaintiff and one Andrew McLaughlin were defendants. until the further hearing of this cause and until the further order of this Court. or some Judge thereof herein. upon the execution by the plaintiff Dennis F Parsons. of a Bond. to the acceptance of the Clerk of this Court for the sum of Two Hundred Dollars conditioned according to law.

This 6th day of January 1882.

Filed Jan. 6th 1882.

John McCauly Judge

Monday January 9th 1882.

The State of Ohio.
Union County ss.

This seperate session of the Court of Common Pleas of the Third Subdivision of the Tenth 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 & Eighty two. held in the Court House in the town of Marysville, County and State aforesaid.

Present:

John L. Porter Judge
John H. Obensack Sheriff.

Attest
W. M. Winget, Clerk of the Court of Common Pleas
Union County, Ohio.

The Venire Facias for a Grand Jury heretofore issued, and returnable this day, at 8½ o'clock A. M. was duly returned by the Sheriff with his endorsements thereon as follows, Towit.

The State of Ohio. Union County ss. Sheriffs Office Dec. 5th 1881.
On the 5th day of December 1881. I received this Venire and served the same on the several persons therein named at the times and in the manner placed opposite their names endorsed thereon;

1 John Woodburn,	Dead.	
2 Charles M. Campbell.	Dec. 17th	By leaving at residence
3. Hamilton Blue,	Dec. 10th	Personal Service.
4 N. C. Welch	Dec. 7th	Personal Service
5 G. A. Rausch.	Dec. 10th	" "
6. Philip Bender	Dec. 10th	" "
7 A. Gill.	Dec. 6th	" "
8 Henry N. Annin	Dec. 10th	" "
9 B. N. Evans	Dec. 10th	" "
10 David McClure,	Dec. 16th	" "
11 F. J. Hale.	Dec. 12th	" "
12. J. C. Jenkins.	Dec. 7th	" "
13 Sylvester Styer.	Dec. 7th	" "
14 William Fish.	Dec. 12th	" "
15 L. C. Burkpile	Dec. 7th	" "

John H. Obensack Sheriff.

And upon calling the same in open Court, and the same being incomplete, the Sheriff summoned from among the by standers to complete the same the following named persons who appeared in answer thereto, to-wit: Ralph Bonnett, and John Van Pearse, and the panel being full the Court appointed A. Gill, foreman of the Grand Jury, and he with his fellow Jurors took the oath in manner and form prescribed by law

Monday, January 9th 1882.

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 A. Gill, Foreman of Grand Jury.
2 Charles McCampbell.
3 Hamnilton Blue.
4 N. G. Welch.
5 G. A Rausch.
6. Phillip Bender
7 H. N. Aurins
8. B. F. Evans.
9. T. J. Hale.
10 J. C. Jenkins.
11 Sylvester Styer.
12. William Fish.
13 L. C. Burkepile.
14 Ralph Bonnett, called
15 John VanPearse. called.

3706. Fullington, Phelps & Wood vs. A. G. Pearson et al } This day on motion leave was given to Defendants to file answers herein instanter

3833 William Fleming vs Nelson Fleming } Court of Common Pleas, Union County, Ohio.

This cause came on this day for hearing and by agreement of the parties to this action is hereby settled by the Defendant Nelson Fleming paying to the Plaintiff One Hundred Dollars, and Ten Dollars to J. M. Kennedy atty, And the Plaintiff does hereby agree that said settlement shall be full and complete of all matters of account and debts or obligations between the said William Fleming and Nelson Fleming and Wilson Fleming and the said Defendants do hereby agree to pay the costs in this action - and no record. 3786. 2733. 3140.

3938. W. M. Knight vs. James M. Wilsh et. als. } This day this cause came on for hearing upon the Petition of Plaintiff and answer of J. W. Robinson and the answer of R. L. Woodburn Esq. guardian ad litem for the infant Defendant Emma Wilsh, the Defendant. 3864. 3455.

James M Welsh. being in default for demurrer or answer, and was submitted to the Court. Thereupon the Court being fully advised in the premises finds that the plaintiff is entitled to an account of the money due him in the premises, and that the Defendant J W Robinson is also 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 $340,05 and that the plaintiff has the first and best lein on said premises, and the Court finds there is due to the Defendant J W Robinson on the note and mortgage in his answer and cross petition described the sum of $400,57 and that the said J W Robinson's claim is the second lein on said premises.

It is therefore ordered and adjudged by the Court that in case said Defendants fail for one day to pay to said plaintiff the said sum of $340,05 with 6% int from Jan 9th 1882, and to the Defendant J W Robinson said sum of $400,57 with 8% int from Jan. 9th 1882. the sums so aforesaid found due to said plaintiff and Defendant J W Robinson, with costs of suit, an order issue to the Sheriff of said County commanding him to cause the said land and tenements in said petition described, to be appraised, advertised and sold according to law and apply the proceeds of said sale first to the satisfaction of the sum so found due plaintiff with costs of suit, and secondly in satisfaction of the sum found due to defendant J W Robinson and that the balance of the proceeds of said sale be held by said Sheriff subject to the further orders of the Court herein.

3786. Henry Fox. vs John Liggett. This cause came on to be heard on motion of plaintiff to strike out & said motion is sustained

2733. William B. Thompson vs. James Hover. Continued

3140. James Carter vs. Bank of North Lewisburg Continued

3864. Finley D. Davis. vs Elijah Lister et als Continued

3455. Lucy V. French vs. Robert Hill et als. Continued

Monday Jan. 9th 1882.

3909. John C. Southard vs. Jonas Figley

Motion having been made to set aside Judgment taken in default the motion being heard the same is sustained and the Judgment is hereby set aside and the Defendant Jonas Figley has leave to answer and the same is filed and the case is continued by agreement.

3933.

3771 James Dehaven vs. David Watson

Leave is given to Plaintiff to file reply in 30 days from the rising of this term and cause continued.

3575 & 3900. Maria O'Donnell vs. Patrick O'Donnell.

By consent of parties the above named two causes are consolidated into one cause and thereupon the parties have by their written agreement settled between themselves the questions of alimony & property as follows viz: The Plaintiff is to have two horses, "Nell & Pet" One yearling colt two cows in Fullingtons Pasture, 34 bushels of wheat in Elliots Mill One double set of harness, One sewing machine, the new carpet, and One Hundred and twenty dollars in cash. But she is to pay James Fullingtown $10 Pasture bill. But all the other property of said parties is to belong to Defendants and the real estate he is to have & to hold clear of any right of dower by Plaintiff which settlement of property, the Court find to be reasonable & therefore it is ordered & decreed by the Court that said settlement be, and the same is hereby confirmed by the Court. And as to the question of divorce & custody of the children this cause is set down for hearing during this term of the Court.

3933. William Chellis et al. vs. Catherine Belle et al.

Now comes Silas Belle, Mary Belle and William A Belle who are minors of the age of fourteen and having been duly and legally served with summons herein and having neglected for twenty days from return of Summons served upon them to apply for a guar-

dian Ad litem. On motion of Plaintiff by his Attorney, J. Cameron is hereby appointed Guardian for the suit of said minor defendants. And now comes the said J. Cameron and in open Court accepts said appointment.

William Chellis. et al.
3933. vs
Catherine Belle et als

Now comes the plaintiff herein by their attorney, and their 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 demurer and that the said petition is thereby confessed by them to be true.

Thereupon the Court find that the said Catherine Belle widow is entitled to dower in the premises described in the petition. The said Plaintiff and Hannah Chellis is seized and has a legal right to the undivided one fourth part of the estate described in the petition and is entitled to have partition made of said premises That the Defendants Silas Belle, Mary Belle and William Alvi Belle 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 Catherine Belle, the said Silas Belle is seized and has a legal right to the undivided one fourth part thereof, the said Mary Belle to the undivided one fourth part thereof. And the said William A. Belle to the undivided one fourth part thereof. And no reason appearing why partition should not be made.

It is therefore ordered, adjudged and decreed that the said Catherine Belle 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 Luther Liggett, Harvey Owen and A.S. Mowry, three judicious and disinterested freeholders, of the vicinity (who are not akin to either party), who are hereby appointed Commissioners for that purpose, they set off and assign such Dower to the said Catherine Belle according to law, and that by the like oath of the said named Commissioners they cause and do set off and divided to the said plaintiff and to each of the said Defendants, the part and proportion of the

Monday, Jan. 9th 1882.

said Estate to which they are herein before severally found entitled, And of this Proceedings herein the said Sheriff is ordered to make due return without necessary delay.

3742.

3876. Reverson Smith vs Mary E. Haines et als. } This day leave was granted to A.T. Carpenter Admr of W.H. Lawrence to file his answer & Cross Petition. Also to all Defendants to file answers & Cross Petitions in this case. & that J.W. Robinson be admitted to file answer as a defendant. Answers all filed this 9th day of Jan. 1882,

Ex. parte, P. Ray Kerr. } It having come to the knowledge of Hon John D. Porter Judge of the Court of Common Pleas of Union County, Ohio. that P. Ray Kerr, Esq. an Attorney at law practicing in said Court was probably guilty of misconduct in Office, and of unprofessional conduct, involving moral turpitude the said Court do appoint. J. M. Brodrick, Pros. Atty. of said County, and J.W. Robinson, J.L. Cameron, D.F. Ayers and T.B. Fulton Esqrs all members of the Bar of said Court. as a committe to investigate the matters of Complaint above referred to, and in the event of their finding said complaint to be true to report charges thereof to said Court in accordance with the Statute in such case made and provided.

3810 Witter, Robinson & Woods vs A. L. Smith et als } Now comes the plaintiff and dismiss their action at their cost. It is therefore considered by the Court that the peaintiffs pay the cost of this action taxed at $8

3843.

Thereupon Court adjourned until 9 o'clock Tomorrow Morning.

Tuesday January 10th 1882.

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

George McVay
vs
Henry J. King et al. } In the Court of Common Pleas, Union Co O.

3742.

This day this cause came on for hearing on the motion of Plaintiff to confirm the sale heretofore made herein 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 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 John Mitchell by deed in fee simple the lands and tenements so sold and the said ~~Sheriff~~ purchaser is hereby subrogated to all the rights of the said Plaintiff in said premises, so far as he 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 ~~Dollars~~ ninety Four and 07/100 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 the residue of said money amounting to the sum of $. And it appearing that there is still due said Plaintiff on his said Judgment and decree herein the sum of Dollars. it is ordered that all rights of said Plaintiff under the judgment heretofore rendered herein are hereby reserved.

George Sewell.
vs
3843. William Sewell et als. }

This day this cause came on for hearing on motion of the Plaintiff to confirm sale heretofore made herein, and upon his producing the return of the Sheriff of his proceedings and said sale under a former order of this Court, and the Court being satisfied on careful examination that the same have been had in all respects according to law, the said sale and proceedings are hereby approved and confirmed. And the said Sheriff is ordered, by deed duly executed to convey said premises to the purchaser, Andrew Taylor, in fee simple.

It is further ordered that out of the proceeds of the said sale, the one third amounting to 100 00/100 Dollars the

Tuesday, January 10th 1882

Sheriff to pay: 1st To the Treasurer of Union County, Ohio $3,70 Being the taxes due on said premises.
2d To the Clerk of this Court the costs of this action, including a counsel fee of Ten Dollars to Carpenter & Brodrick for their services herein taxed at Fifty three 60/100 Dollars.
3d And the residue of the proceeds of sale to the plaintiff George W. Sewell, and to the Defendant William Sewell Catherine Foreman, Celeste Thompson, Hannah Tossey, and Elizabeth Henderson, each one eighth of the cash proceeds, to-wit: the sum of Five 20/100 Dollars and also one eighth of the notes for the defered payments. To the said Defendants, Emma Thompson, Clyde Thompson, Lulu Sewell and Harry Sewell, each one sixteenth of the cash proceeds to-wit: Two 60/100 Dollars, and also one sixteenth of the notes for the defered payments.

3851

3382. Bank of North Lewisburg vs. J. W. Haines et al

3937

3550. J. W. Haines et al, vs Bank of North Lewisburg

These two cases Nos. 3382 & 3550. are consolidated together and put down as No. 3382 under the title of the Bank of North Lewisburg. agains. J. W. Haines & Geo. W. Warrick.

3832. The Bank of North Lewisburg vs. John W. Haines & Geo. W. Warrick.

This day came the parties and settled this cases as follows and the Defendants agree to pay Plaintiff Three Hundred & thirty six dollars & half the costs and Plaintiff pay half the costs & Judgment to be rendered accordingly. Therefore it is considered and adjudged by the Court that Plaintiff recover of said Defendants J. W. Haines & George W. Warrick, said sum of Three Hundred & thirty six Dollars & half of the costs in this consolidated case & Defendants recover of Plaintiff the other half of said Cost taxed at $

3692. R. O'Connell vs Village of Richwood

This day this cause came on to be heard upon the demurrer of defendant to the 2d amended Petition

of Plaintiff and was argued by counsel and submitted to the Court. On consideration whereof the Court being fully advised in the premises do sustain said demurrer. To which the Plaintiff excepts.

Dwight Webb.
3851 vs.
Hannah Converse et.als.

This day this cause came on to be heard upon the demurrer of Defendant, Hannah Converse to the Plaintiff's Petition and was argued by counsel and submitted. On consideration whereof the Court being fully advised in the premises do overrule said demurrer and thereupon said defendants asked and had leave to file Answer by Saturday of this week.

James Maloy
3937 vs.
Myron Gabriel et al.

This day came on this cause to be heard upon the motion of the Defendants to require Plaintiff to separately state and number his causes of action. On consideration whereof the Court do overrule said motion to which ruling of the Court in overruling said motion the said Defendant then and there excepted.

Thereupon Court adjourned until 8 o'clock Tomorrow morning.

Wednesday. January 11th 1882.

This morning Court met pursuant to adjournment, same Officers present as yesterday

3925. George Harriott vs. John H. Haskell et,als.

And now came the said George Harriott by his attorneys and thereupon this cause came on to be heard upon the petition of the plaintiff and answer of C. H. & D. Stewart (the other defendants failing to demur or answer), and the 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 George Harriott has a legal right to and is seized in fee simple of an undivided one half of said premises; and the Court do further find that the said John H. Haskell is tenant in common with the said George Harriott in said premises and that he is seized of one undivided one half thereof subject to the liens thereon of the defendants Stewart & Son (now C. H. & D. Stewart) and the Fuller Buggy Company

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, George Lemson, and Robert McCoy Partition be made of said premises in the following proportions, to wit; To the said George Harriott one half part thereof, and to the said John H. Haskell one half part thereof. And it is further ordered that the Sheriff return his proceedings in the premises forthwith.

3749. W. M. Rouse Admr. vs. The P. C. & St. Louis Rail Road

On application of the plaintiff and at his costs this cause is continued.

3072.

3649. J. N. Cummings Admr. vs. Samuel Waddle. Admr &c. etal.

Entry

On motion of plaintiff 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 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. Whitney and C. Huston, 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 the Court coming now to distribute the proceeds of said sale amounting to Thirty one hundred Dollars. 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 land including simple tax of 1881 and assessments & Gravel road tax due in Dec. 1881 & June 1882. but no more, amounting in all to $444.28 Thirdly; The Court find that in addition to the judgment herein on the first note in the petition set forth, that the second and third notes in the petition set forth, are not due, and that there is owing thereon to the said plaintiff the sum of Nineteen Hundred and fifty three & 52/100 Dollars. ($1953 52/100) with interest at 8% from Oct. 9th 1881 which the Court find the plaintiff is entitled to received out of the proceeds of said sale by virtue of his lien on the property sold,

It is therefore ordered that the Sheriff pay the plaintiff, J.W. Cummings, as said Administrator the amount in the former decree found due and the interest on same at 8% and that the balance of said money be also paid to said plaintiff to be credited on said notes not due and it is further ordered that as to the report of the receiver heretofore appointed & the un-paid balance on notes not due and all other matters this cause be continued.

3072. W.W. Woods vs W.C. Barrett et,als.

On motion the Court give the Defendant Wm. H. Robinson leave to file an amended Answer & supplemental cross Petition against the Enterprise Building and Loan Association this day, which answer he filed instanter,

Entry Wallace W. Sniffin vs Thomas Cowgill.

On motion leave was granted to defendant to plead to petition in thirty days from rising of Court to case continued

Thereupon Court adjourned until tomorrow morning at 9 o'clock

Thursday, Jan 12th 1882.

This morning court adjourned pursuant to adjournment, same officers present as yesterday.

3786. Henry Fox. vs. John Liggett et als. } This day came this cause to be heard on the Plaintiffs demurrer to the 3d defense in the answer. Whereupon the court sustain said demurrer to which ruling & judgment of the court defendants excpt.

3872. Buxton Ford. vs. Josiah Carr et.als. } The residence and names of the heirs of Josiah Carr being to plaintiff unknown & it being unknown to plaintiff whether Josiah Carr be living or not, the court order the plaintiff to publish for six consecutive weeks a notice of the pendency of this petition in this court. Said notice to be published in the Marysville Tribune of Union County, Ohio & this cause is continued for service of said notice

3943. Phoebe Romine. vs. George B. Romine et als. } This cause came on for hearing on the petition the answer of the infant defendants by their guardian, ad litem and the evidence and was submitted to the court; On consideration whereof the court find that the said Jacob M. Romine was in his life time, seized in fee simple of the said real estate and premises described in the petition, and that the plaintiff is the widow of the said Jacob M. Romine deceased and that she is entitled to have her dower in the said premises, assigned & set off to her as prayed in her said petition.

It is therefore ordered, adjudged & decreed by the court, that the said plaintiff be endowed of one full equal third part of the premises described in the petition; and that a writ issue to the Sheriff of Union County, commanding him that that by the oaths of A.S. Mowry, Henry Habargric & Boanarges Green, three judicious, disinterested men of the vicinity, in the said County, who are not of kin to either of the parties and who are hereby apponted Commissioners for that purpose he set off and assign such dower to said plaintiff according to law. And that in such proceeding the said Commissioners and the said Sheriff

2843.

3496.

3731.

make return without unnecessary delay.

3731. Benjamine Wood vs. John Gowdy etal. } This day this cause came on to be heard upon the motion of the defendant D. T. Foster, for a continuance in this case and the Court being fully advised in the premises do find for said continuance, and it is hereby ordered that the same be continued at the cost of defendand D. T. Foster.

2843. Hiram N. Riley vs F. M. Dicks etals. } This cause came on for hearing on the amended answer and cross petition of Royal S. Fish, and the evidence and was submitted to the Court. On consideration whereof the Court find that there is firstly due to Royal S. Fish, from the defendants F. M. Dicks & L. Frank Gill as principals and from Thomas P. Keratty as indorser and guarantor, on the notes set up in said Royal S. Fish answer, the sum of One Thousand Dollars together with Three Hundred & Sixty one & 33/100 Dollars, which the Court finds due as the interest thereon @ 6% to the first day of the present term of the Court as prayed for in the amended answer & cross Petition of said Royal S. Fish. It is therefore considered by the Court that the said Royal S. Fish recover of said F. M. Dicks & L. Frank Gill as principals and the said Thomas P. Keratty as surety, the said sum of Thirteen Hundred & Sixty one & 33/100 Dollars as aforesaid found to be due with int at 6% from the first day of the present term of Court, to gether with the costs in this behalf expended, taxed to #

3496. The Peoples Bank vs. J. A. Henderson etals } The Receiver in this case John Wiley having filed his second and final report as Receiver, this cause came on to be heard on motion to confirm the same & the Court being fully advised in the premises do find the same correct and do order the same to be confirmed. And it appearing that there is in his hands a balance of $160 82/100 including a note of M. Thompson for $53 90/100 given to said Receiver, it is ordered by the Court that he pay any costs remaining unpaid in this cause & retain the further sum of five dollars for his compensation as Receiver and the balance amounting to $155 32/100 he pay to J. W. Robinson, J. H. Henderson and

Thursday January 12th 1882

George P. Cross as follows viz 41/99 parts to J. H. Robinson and ~~D. H. Hughes~~ one in equal parts & 29/99 parts to J. H. Robinson & George P. Cross in equal parts. being the proportion which they paid as security for Shuman & Henderson, on the notes secured by chattle mortgage making to J. H. Robinson altogether $77 66/100 to. D. H. Henderson altogether $34 85/100 and to George P. Cross. altogether $46 81/100. It is further ordered that all books and notes & accounts not collected by said Receiver, which he in his report described as probably uncollectable be delivered to J. A. Henderson, and the Receiver is discharged.

3689.

3937.

3874.

Thereupon Court adjourned until 9 oclock tomorrow morning.

This morning Court met Pursuant to adjournment same officers present as yesterday.

3689. R.O. Buford & Co. vs. Dunn & Henderson et als.

This day came the parties and waived a trial by Jury & submitted this cause to the Court upon the issues joined between the plaintiffs and the said A.B. Robinson & Templeton Liggett, whereupon the Court find for A.B. Robinson & Templeton Liggett & it is therefore considered, ordered & adjudged by the Court that the said A.B. Robinson & Templeton Liggett & go hence without day and recover of plaintiffs their cost herein expended taxed to $. And the said Dunn & Henderson still remaining in default & there being due the plaintiff from said Dunn & Henderson as alleged in said petition the sum of One Hundred & twenty one & 75/100 Dollars. It is considered, ordered & adjudged by the Court that the said plaintiff recover of the said Dunn & Henderson said sum of $121 75/100 & their cost herein expended taxed to $

3737. James Maloy. vs. Myron Gabriel et al.

This day this cause came on to be heard upon the motion of the plaintiff to reform the answer of Defendant. On consideration whereof the Court being fully advised in the premises do overrule said motion.

3874. Samuel B. Woodburn. vs. Martin L. France 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 Samuel B. Woodburn 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 Fourteen Hundred Dollars, it is ordered that the Sheriff out of the money in his hands pay, First the costs of this action taxed at $45 3/11 Secondly the Taxes assessed against the said Property sold and due and to S. B. Woodburn, amounting to Eighteen & 6/100 Dollars. Thirdly To the Plaintiff Samuel B. Woodburn the sum of Four Hundred and Twenty five and 38/100 Dollars, being the amount found due him on his petition with interest. Fourthly. The Court find that the defendant M. L. France has failed to pay to the Defendant the Enterprise Building & Loan Association the weekly installments of dues and the interest as in the petition set forth and that there is due to the said Enterprise Building & Loan Association as dues to the date of this decree Jan. 13th 1882 the sum of $164.00 the sum of $186 17/111. The Court further find that there is due the said defendant the Enterprise Building & Loan Association from this Defendant M. L. France as and by way of fines for non payment of said dues as in the petition alleged the sum of $30 5.0/100 making in all for dues interest and fines the sum of Three Hundred Eighty & 67/100 Dollars ($380 67/100). 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 Martin L. France and M. L. France his wife executed and delivered to the said Enterprise Building & Loan Association their certain mortgages, in the petition described and on the premises therein described. The Court further find that the present value of the installments of dues & interest hereafter to become due amounts to the sum of Six Hundred & 27/100 Dollars which in addition to the sum now due makes sum of Nine Hundred Eighty & 8/100 Dollars as the total present value of the said mortgages in the petition set forth, and that said sum is a lein on said premises second only to the lein of plaintiff in this case. It is therefore ordered that the said Sheriff pay to the said Enterprise Building & Loan Association the said sum of Nine Hundred Eighty & 8/100 Dollars ($980 8/11) or all balance of said Purchase money if there be not sufficient remaining in the hands of said Sheriff to pay all said claim in full

To the Honorable John L Porter Judge of the Court of Common Pleas Union County, Ohio. The Grand Jury of the Court of Common Pleas of said County, of the Jan Term 1882. beg leave to report that they have been in session five days, and herewith return to the Court the Indictments presented by said jury. We have carefully examined into all such matters as have legitimately came to our notice, having examined over Eighty witnesses, covering forty cases and presented fourteen bills and ignored twenty six cases considered by us. The business has been transacted in as expeditious a manner as possible.

During our session we have visited the County Jail and made a complete examination thereof, and find that the rules prescribed by the Court for the care thereof and for the government of its inmates have been carried out and properly enforced. We find the water closets & privy vaults in bad condition owing to the pipes leading from the same into the main sewer being too small and becoming clogged up. We consider the bars across the windows unsafe and we recommend that the windows be protected by perforated boiler iron on the out side of the windows, and we recommend that the privy vaults and water closets be renovated and the pipes be taken out and larger ones putin, as the present condition is unhealthy by reason of the condition of the same.

Respectfully submitted

Jan 13th 1882. Andrew Gill Foreman.

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:

1. Charles McCampbell.
2 Hamilton Blue.
3 N.C. Welch.
4 G. A Rausch,
5 Philip Bender,
6. A. Gill. Foreman.
7. H. N. Gunsine,
8. B. W. Evans.
9. J. D. Hale.
10 J. C. Jenkins,
11 Sylvester Styer
12 W. Allan Rush
13 L. C. Burkepile.
14 Ralph Bonnett. called
15 John VanPearse. "

and presented their certain bills of indictment against Howard Osgood, for Horse Stealing & Grand Larceny.

Friday January 15th 1882.

Thomas Armentrout, Grand Larceny.
Harvey Burris & William Smith for House breaking & Grand Larceny.
Essex Vangordon for Petit Larceny.
John Ross for Disturbing Meeting.
B. M. McKenne & Joseph A. Culbertson for Resisting Officer & Assault and Battery. 3932
John Stout for keeping a place for sale of intox. Liquor in violation of law.
John Stout for selling intox. liquors to be drunk on premises where sold.
John Stout " " " " " " " " " .
John Stout, for selling intox liquors to a minor.
John Stout " " " " " " " .
B. M. McKenne for being found in a state of intoxication.
Joseph A Culbertson " " " " " " " " .
George Atheron for selling intoxicating liquor to a person intoxicated, each indorsed "A True Bill" signed A Gill. Foreman of Grand Jury.

And there being no further business for the said Jury they were discharged finally.

Do 3896

Thereupon, Court adjourned until tomorrow morning at 9 oclock.

This morning, Court met pursuant to adjournment the same Officers being present as on yesterday.

3932. Joseph H. Cummings, Admr. &c. vs Michael St John et als.

And now came the Plaintiff herein and the Defendants Michael St John, Mary St John and John St John being in default for demurrer & answer the Court find that the allegations of the Petition are confessed by them to be true and find that the Defendant Michael St John is indebted to the said Plaintiff in the sum of Seven Hundred Eighty Nine 84/100 Dollars $789 84/100. It is therefore considered by the Court that the Plaintiff recover from the said Michael St John the Defendant the said sum of $789 84/100 with interest at 8% per annum from the 12th day of January 1882. and his costs herein taxed to $ And the Court further find that the defendants Michael St John & Mary St John his wife executed and delivered to A.S. Mowry the Mortgage deed in the Petition described and on the Premises therein described which was duly recorded as therein set forth, and that the same is a first lien on said Premises. 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 & decreed by the Court that unless the said Defendants Michael St John & Mary St John shall within ten days from the entry hereof pay or cause to be paid to the Clerk of the Court the Costs herein taxed and to the Plaintiff herein the said sum of $789 84/100 with 8% per annum from January 12th 1882. according to the terms of said mortgage deed the said Defendants equity of Redemption be foreclosed the said Premises be sold and the same hereby ordered to be sold by the Sheriff of said County as upon execution and that he bring the proceeds into Court further order.

No 3896 Marysville Building and Loan Association vs Lezdia J. Smith et als. Settled & Cost Paid. No Record

Thereupon Court adjourned until 9 o'clock on Monday morning. &

Monday, January 16th 1882.

This morning Court met Pursuant to adjournment the same & Jurors being Present as on Saturday.

3957. A.T. Carpenter vs N.D. Degood et,al.

And now comes the said A T. Carpenter and the said N.D. Degood, Amanda Jane Degood & H.H. Liggett, having failed to answer or demurr to the petition of the said A.T. Carpenter it is considered that the said A.T. Carpenter, ought to recover of the said N.D. Degood & Amanda Jane. Degood as makers and of the said H.H. Liggett as indorser the said sum of One Hundred Dollars so demanded in his petition together with the sum of Nine & 09/100 Dollars which the Court finds due as interest thereon @ 8% to the 9th day of January A.D. 1882. (the first day of the present Term of this Court.) as prayed for in said Petition, It is therefore considered that the said A.T. Carpenter recover against the said N.D. Degood & Amanda Jane Degood. as Principals and against the said H.H. Liggett, as indorser, that said sum of One Hundred & Nine & 09/100 Dollars, with 8% interest from January 9th A.D. 1882 together with his costs in and about his suit in this behalf expended taxed to $

3770.

3963. S.H. Smith et,al vs C.J. Monroe et,al

This day came the defendants and Paid $164 23/100 in money & Trade Rec'ts $29 12/100 in full of claim in this case and also all the costs herein taxed & and this case is dismissed, No Record.

3770. William A. Felkner vs Winget Harryman.

Now came the Parties hereto by their attorneys & also came the following named persons as jurors, to-wit: Frank Skidmore, William Goff, Geo, Bucher, Wm Jolliff, Philip Ruperight, Wm Hall, Wm Howard, David Burr, Isaac Bowersmith. W.H. Robb. D.S. Clement & G.S. Baldwin called, who were duly impannled & sworn according to law, And the said Jury having heard the testimony in part, said cause was continued until tomorrow morning at 9 oclock,

Thereupon Court adjourned until 9 oclock to morrow morning,

2076

3770.

Verdict

597

Tuesday, January, 17th 1882.

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

2076. Mary J. Baker et.als. vs Richard H. White et.als. } Appearing to the Court that the Defendants William Green, Annie Green, Lew Green and Lillie Green, are minors over fourteen years of age and that they each have neglected for more than 20 days from the return of the summons served upon them to apply for the appointment of a guardian for this suit. On motion of Richard H. White one of the parties hereto, R. L. Woodburn is hereby appointed guardian for the suit for said minor defendants.

And now comes the said R. L. Woodburn and in Open Court accepts said appointment.

3770. William A. Felkner vs Knight Harriman. } This day again came the said parties, by their attorneys, and also came the jury heretofore impannelled and sworn, and the trial proceeded. And 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;

Verdict The State of Ohio, Union County ss. Jan. Term A.D. 1882. To-wit: Jan 1882, Wm. A. Felkner by his next friend vs. Knight Harriman. We the Jury in this case being duly impannelled and sworn do find and say that we find for the Defendant. N. H. Robb, Foreman.

597. The State of Ohio. vs Howard Degood } Indictment for Horse Stealing & Grand Larceny.

This day came 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 it appearing that said Defendant is in indigent circumstances and unable to employ counsel, the Court at his request assign

Tuesday Jan. 17th to 11th 1882.

F.B. Fulton, as counsel to defend him.

598. The State of Ohio. vs. Thomas Armentrout. } Indictment for Grand Larceny.

This day came 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 it appearing that said Defendant is in indigent circumstances and unable to employ counsel the Court at his request, assign F.B. Fulton as counsel to defend him.

599. The State of Ohio. vs. Harry Burns and William Smith } Indictment for House Breaking and Grand Larceny.

This day came 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.

And it appearing that said Defendants are in indigent circumstances and unable to employ counsel, the Court, at their request, assign R.D. Woodburn as counsel to defend them.

3786. Henry Fox vs. John Diggett et als }

Now came the parties herein, by their attorneys; also came the following named persons as jurors to-wit: John Kilbery, Joseph Price, Frank Skidmore, Wm Goff, Geo Bucker, Wm Jolliff, Philip Ruppright, Wm Howard, David Burr, Wm Hall, C.S. Baldwin, Talisman, Isaac Bowersmith Talisman who were duly impannelled & sworn according to law. And said jury having heard the testimony addduced in part, said cause was continued until tomorrow morning at 9 o'clock.

Thereupon Court adjourned until 9 o'clock tomorrow morning.

Wednesday, January 18th 1882.

This morning Court met Pursuant to adjournment the same Officers being Present as on yesterday;

3786. Henry Fox vs John Liggitt 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 said jury having heard the remaining testimony. And the hour of adjournment having arrived the Court discharged the jury until tomorrow morning at 8½ oclock.

Thereupon Court adjourned until 8½ oclock tomorrow morning.

Thursday Jan. 19th 1882.

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

3888. G. F. Haines vs Leroy S. Dennison et al.

This day came the plaintiff by his attorneys and the said defendant still failing to demurrer or answer to the Petition in this case the same was submitted to the Court upon the petition exhibits & testimony. On consideration whereof the Court do find that due and legal notice has been given to the said Defendant of the filing & pendency of the petition in this case. The Court do further find that the facts stated in the Plaintiffs petition are true. The Court do further find that there is due to the plaintiff from the said Defendant Leroy S. Dennison upon the first note described in the petition the sum of fifty One & 33/100 Dollars, and that the same is a lien upon the Premises described in the plaintiffs petition. The Court do further find that the second note is not due but that it is secured by the mortgage mentioned in the petition.

It is therefore considered, ordered and adjudged by the Court that if the said Defendant fail for three days to pay the said sum of $51,33 with costs of this suit then that an order issue to the Sheriff of said County commanding him to appraise, advertise, and sell the real estate in the petition described to wit: Situate in Union County Ohio, in the town of Summerville Bounded and described as follows, No 19 in Range 20 on the corner of main and cross streets. That the Sheriff bring the proceeds of said sale into Court to await the further order hereof and as to the note not due this cause is continued. 3786. 3767.

3974 George T. Castes vs. C. J. Monroe et al.

This day came the Plaintiff by L. S. Gardner Attorney, and thereupon came C. Pipes 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, waives the issuing and service of process, and enters 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 alleged in said Plaintiff's petition, the sum of $325.50. It is therefore considered that the said Plaintiff do recover of said Defendant the said sum of $325.50 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.

3786. Henry Fox vs. John Diggett et al

This day came 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 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;

The State of Ohio, Union County ss. Court of Common Pleas, to wit: January Term A.D. 1882. January, 1882. Henry Fox vs John Diggett et al. We the Jurors in this case, being duly impannelled and sworn do find and say that we find for the Defendants.

Isaac Bowersmith Foreman

3767. Cyrus Moore vs. Wright Harriman et al

Now came the Parties hereto, by their attorneys; also came the following named persons as Jurors, to-wit: A.D. Doolittle, Moses Thompson, Ralph Bonnet, B. F. Cameron, J.J. Morelock, John Mitchell, Luther Diggett, J. Van Pearse Talis Juror, William Smith Talis Juror, John Gibson Talisman, J.B. Vaughn Talisman, J.N. Clark Talisman, and the said Jury having heard the testimony adduced in part said cause was continued until tomorrow morning at 8½ oclock.

Thereupon Court adjourned until tomorrow morning at 8½ oclock.

Friday, January 20th 1882.

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

3876 Neverson Smith vs. Mary C. Haines et.als.

This day came all the Parties herein & agreed to submit this cause to the Court on the Papers without evidence & in the event the case should be appealed to the District Court by either Party from the decree which shall be rendered herein that such case when appealed shall be consolidated with case No 18 pending in said District Court wherein M.C. Lawarence Trustee plaintiff and Henry Bartlow others are Defendants & be heard at the next term of said District Court as one cause.

Whereupon the Court on said Papers find for the Defendants and against the plaintiff on the merits and therefore it is ordered, adjudged & decreed by the Court that the plaintiffs petition be dismissed & the Defendants recover of this plaintiff their costs herein expended taxed to $\frac{1}{11}$ And thereupon the plaintiff gave notice of his intention to appeal this cause to the District Court and prayed the Court to fix the appeal Bond and thereupon the Court fix the appeal bond at $\frac{1}{11}$100.00

3823. Mast. Foos & Co. vs Thomas B. Fulton Assignee

Now, came the said Parties herein by their attorneys; also came the following named persons as jurors, to-wit. William Goff, A.D. Doolittle, Joseph Price, Frank Skidmore, George Beecher, William Wolff, Philip Rupright, David Burr, William Hall, C.S. Baldwin, Isaac Bowersmith & Luther Loggett. who were duly impannelled and sworn according to law. And the said Jury having heard the testimony, argument and charge of the Court, retired to their room for deliberation

3618. Ann Karnes vs Hezekiah Warner

Now came the Parties herein by their attorneys; also came the following named persons as jurors, to-wit: Ralph Bonnett, J.J. Moreland, John Mitchell Jr, J. Van Pearse, William Smith, John Gibson, J.H. Vaughn, J.A. Henderson Talisman, W.H. Robb, Talisman,

Friday, January. 20th 1882.

John Ford Talisman. John Carder Talisman. A. W. Torrence. Talisman. who were duly impanneled and sworn according to law, and the said Jury having heard the testimony the argumnt and charge of the Court. retired to their room in charge of the Sheriff. for deliberation.

Saturday, January 21st 1882

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

Mast. Foos & Co.
3823. vs.
Thomas B Fulton assignee

This day came the said parties by their attorneys; also came the jury heretofore impannelled and sworn, into Open Court and say 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.

Ann. Karnes
3618. vs.
Hezekiah Karnes.

This day came the said parties by their attorneys. And now came the 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, with leave to defts to file amended Answer within 30 days from the rising of the Court.

William R Kons Admr.
3943. vs
Eveline Sharp. etal

This day came the Plaintiff by his attorneys and thereupon this cause came on to be heard upon the petition of the Plaintiff and the answer of Samuel Sherwood administrator of the Estate of Cornelius C. Sharp. dec'd, and the evidence all the other Defendants although duly served with a summons herein and being properly before the Court, having failed to answer, demurer or otherwise object to the petition of plaintiff. On consideration whereof the Court find that the said Eveline Sharp, widow, is entitled to dower in the premises described in the petition and that subject thereto the said plaintiff William M. Kons as Guardian of James M. Sharp 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 Delford Sharp William Sharp, Norman Sharp, David Sharp, Eveline Kenston, Lucinda Orme and Lydia M. Drake, are tenants in common with the said plaintiff and is each seized of and has a legal right to an undivided

one eighth part of said premises described in the ~~petition~~ subject to the Dower Estate of the said Eveline Sharp therein, and no reason appearing why Partition should not be made. It is therefore considered, adjudged & decreed that the said Eveline Sharp 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 Huron commanding him that by the oaths of George M. Peck, William M. Haines and Fredrick J. Sager three judicious freeholders of the vacinity, 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 Eveline Sharp 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 hereinbefore severally found entitled. And it is ordered 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 both subject to and also free from the dower of the said Evelnie Sharp. And of his proceedings herein the said Sheriff is ordered to make due return without unnecessary delay.

3870. A. H. McCampbell vs Joseph Cole et al } Settled & Cost Paid.

3871. Dwight Webb vs Hannah Converse et al. }

Now came the Parties herein by their attorneys, also came the following named persons as jurors, to-wit: Wm Goff, A. D. Doolittle, Joseph Price, Frank Skidmore, George Beecher, William Jolliff, Philip Ruperight, David Burr, Wm Hall, G. S. Baldwin, Luther Liggett & Isaac Bowersmith, 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 for deliberation. And now came the said jury into open Court with their verdict in writing, signed by their foreman and say: The Jury will pass upon and answer

Saturday. January 21st 1882.

from the evidence the following questions of fact to-wit: Question I. Did the Plaintiff Dwight Kellogg purchase this note before due, in good faith and in the usual course of trade for fair value, & without notice of equities against it? Ans. Yes. Question II. Was there a want or failure of consideration for said note when executed to W.Y. Root. by Hannah Converse.? Ans. No.

Luther Doggett. Foreman.

3836. Rachel Pheasant. vs Hiram Tyler et al.

This day came the parties and settled this cause and by agreement, the plaintiff is to pay her cost and the Defendant to pay the cost made by them and there is to be no record, It is therefor considered ordered and adjudged, that each party pay their own cost & exception is awarded thereto

The State of Ohio. vs John Ross } Indictment for Disturbing Meeting.

This day came the Prosecuting Attorney on behalf of the State of Ohio. and the Defendant being brought into Court in the Custody of the Sheriff, and arraigned upon said indictment for plea thereto

Thereupon Court adjourned until 8½ oclock on monday morning.

Monday, January 23d 1882.

This morning Court met pursuant to adjournment the same Officers being present as on ~~Saturday~~ day.

601 The State of Ohio. vs John Ross } Indictment for disturbing meeting.

This day came the Prosecuting Atto my 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 by the Court that said John Ross pay a fine of Five Dollars and the costs of this prosecution, and execution is awarded.

3755. Leonard Goldice vs John Owen }

Now came the Parties herein, by their ~~Attorneys~~; also came the following named persons as Jurors, to-wit: John Zulberry, Ralph Bennett, John Mitchel, J Van Pearse, Williams Smith, John Gibson, J. A. Vaughn, Wm Goff, A. D. Doolittle, Joseph Price, Frank Skidmore, William Jolliff, who were duly impannelled 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,

3976. The State of Ohio. vs P. R. Kerr. }

The Committee to which the petition of Citizens of Union County, Ohio. was referred relating to the conduct of P. R. Kerr as an atty. at Law, having reported to the Court recommending an order upon the Prosecuting atty. to file charges against said P. R. Kerr, It is therefore by the Court here ordered that J. M. Brodrick. Pros. Atty. of said County. file an information against said Kerr. preferring charges against him for misconduct in office and unprofessional conduct involving moral turpitude, giving proper specifications by law required.

Thereupon Court adjourned until tomorrow morning at 8½ oclock.

Tuesday. January. 24th 1882.

This morning Court met Pursuant to adjournment. the same officers being Present as on yesterday.

3765. Leonard Goldice vs John Owen. } This day came the said Parties, by their attorneys, and also came the Jury heretofore impannelled and sworn, and the trial proceeded. and the Jury having heard the remaining testimony the 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: The State of Ohio Union County ss. Jan. Term A.D. 1882 In-Vac Jan. 1882. No 3765: Leonard Goldice vs John Owen. 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 Dollar.

A. D. Doolittle Foreman.

3869. Lucinda Ford vs Rhoda Ford } Now came the parties herein by their attorneys; also came the following named persons as jurors, to wit: J. J. Morlock, George Beecher, Philip Ruperight, Wm Hall, C. S. Baldwin, Isaac Bowersmith R B Thompson, Talis. A W Torrence Talis, Israel Sluck, Tales R D Partridge, Talis Joseph Powers, Talis. Walter Beecher who were duly impannelled 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.

3929. Mary Osborne vs George A. Osborne } This day came the Plaintiff by her attorneys and thereupon this cause was submitted to the Court upon the petition and evidence. On consideration whereof the Court do find that due and legal Notice has been given to the Defendant. The Court do further find that the defendant has been guilty of gross neglect of duty as charged in the plaintiffs said petition.

It is therefore adjudged and decreed by the Court that the marriage relation heretofore existing between said parties be and the same is hereby annulled and set aside and both parties released from the obligations

of the same. It is further ordered that the said plaintiff be restored to her former name Mary Lonerson.

3808. Elijah Mitchell vs Marion Dockum } The plaintiff made a showing for continuance on account of the absence of two important witnesses. Whereupon the Court sustains the plaintiff's application for continuance at plaintiff's cost. Whereupon it is ordered and adjudged by the Court that the Defendant recover of the plaintiff the costs of this term taxed to. #

3977. J. W. Robinson vs. Robert B. Smith } This day came the Plaintiff by J. W. Robinson 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 Defendant herein, and by virtue of the same warrant of Attorney, confesses that there is due from said Defendant to said plaintiff as alleged in Plaintiff's petition the sum of $127 50/100. It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $127 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 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.

3975. The Peoples Bank. vs. S. S. McIlroy. et als. } This day came the plaintiff by A. J. Carpenter, Attorney, and thereupon came Jas S. McCampbell, 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

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Plaintiff as is alleged in said Plaintiff's petition the sum of $112,70. It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $112,70 so aforesaid confessed to reclue together with the 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. 3826

597. The State of Ohio. vs Howard Degood.

This day came 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 as charged in the indictment herein; And the said Defendant is remanded to the custody of the Sheriff until sentence. 3955

Thereupon Court adjourned until 8½ oclock to-morrow morning.

Wednesday. January 25th 1882.

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

3826. Jesse A White Guar.&c vs. Julia A. Benedict

This day came on this cause to be heard on the Award of Jonathan Kinney, Thomas P. Gratty, & Harvey Mather Arbitrators chosen by the parties & the Court being fully advised in the premises do confirm said award of said arbitrators and order the said parties to cancell said contract of lease mentioned in said Petition & that on the Defendants securing fifty Dollars annually during the life of Sisannah Chapman, to said Guardian one half each July & January while she lives, the said Guardian shall release to defendant all further claim on said land as provided in said award. & the plaintiff is ordered in pursuance of said award to pay the costs of this proceeding taxed to. $ and pay the taxes on the land June 1882.

3955 Peleg Granston Admr. vs Samuel H. Hensley et als

And now comes the Plaintiff herein and the Defendants being in default for answer and demurer, the Court find that the Defendants Samuel H. Hensley and Edgar M. Horn are indebted to the Plaintiff as said Administrator in the sum of one Hundred ten & 24/100 Dollars. ($110 24/100) with interest from January 15th 1882. It is therefore considered by the Court here that said plaintiff as said Administrator recover from the said Defendants Samuel H. Hensley & Edgar M. Horn the said Sum of One Hundred ten & 24/100 dollars and his costs herein expended to $

The Court further find that in order to secure the payment of said note the Defendants Samuel H. Hensley executed and delivered to the Defendant Edgar M. Horn his certain mortgage Deed with said note as in the petition discribed and on the premises therein described. That said mortgage was duly recorded in Book 12 on Page 175 & 176 of Record of Mortgages of said County and is the first & best lien on the premises in the petition described. The Court also find the conditions of defeasance in said mortgage has been broken & that defendants equity of redemption should be foreclosed for plaintiff. It is therefore considered and adjudged that unless the Defendants

Wednesday January 25th 1882

Samuel H. Hensley and Edgar M. Horn. or either of them shall within ten days from the entry of this decree pay or cause to be paid the sum so found due as aforesaid with interest from the 15th day of January 1882. & the costs of this suit herein taxed to which 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 Union County Ohio. directing him to sell as upon execution and bring the proceeds into Court for further order.

3859. Lucinda Ford vs Rhoda Ford.

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 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: The State of Ohio. Union County ss. Jan. Term A.D. 1882. To wit. Jan. 1882. No. 3859. Lucinda Ford vs Rhoda Ford. 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 $100.00

R. L. Partridge Foreman.

3943. Phebe Romine. vs George B. Romine et als.

This cause came on for hearing upon the return of the Sheriff and the commissioners herein of their proceedings in the assignment of Dower under the former order of this Court and on the motion to confirm the same. And the Court being fully advised in the premises find said proceedings and assignment in all respects in conformity to law. and do hereby approve and confirm the same. It is therefore ordered and decreed that the said Phebe Romine have and possess the lands so assigned to-wit Situate in the County of Union & State of Ohio. and part of Virginia Military Survey No 13592 Beginning at a stone in the center of Grassy Run Road and South East corner to Elizabeth Greenland. thence with South line of said land N. 88° W. 100 Poles to a stake and stone North East

corner to the John Brannon farm; thence with the east line of said farm S. 9½° W 47 pole to a stake; thence S. 88° E. 114 40/100 Poles to a stake in the center of said Grassey Run Road; thence with the center of said Road N. 7° W 49 Poles to the beginning containing 31½ Acres more or less as and for her reasonable dower in said premises And it is further ordered that the said Phebe Romine pay one third of the costs of this suit. and that the defendants, George B. Romine, Forest J. Romine, Lillie M. Romine and Fandele C. Romine, shall pay two thirds of said cost. in equal proportions.

Thursday. January. 26th 1882.

591	The State of Ohio vs. Susan Adams.	This morning comes not pursuant to adg'mt same Officers pres as on yesterday. Left off Docket by order of Court.
587.	The State of Ohio. vs Hiram Tyler	Left off Docket.
586.	The State of Ohio. vs Hiram Tyler	Left off Docket.
585.	The State of Ohio. vs. Hiram Tyler.	Left off Docket.
593.	The State of Ohio. vs. Fielding Jonquet.	Left off Docket.
602	The State of Ohio. vs. B. M. McCune et al.	Left off Docket.
609	The State of Ohio. vs J. A. Culbertson.	Left off Docket.
688.	The State of Ohio. vs B. M. McCune	Left off Docket.
607.	The State of Ohio vs. John Stout	Continued for arrest.
606.	The State of Ohio. vs. John Stout	Continued for arrest.
605.	The State of Ohio. vs John Stout	Continued for arrest.
604	The State of Ohio. vs John Stout	Continued for arrest.

Thursday, Jan. 26th 1882.

603. The State of Ohio vs John Stout } Continued for arrest.

588. The State of Ohio vs Frank Godfrey } 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 after hearing the testimony and being fully advised in the premises, it is ordered and adjudged by the Court that said Frank Godfrey pay a Fine of $5,00 and the costs of this Prosecution and Execution is awarded.

577. The State of Ohio vs James Lefridge &c. } On application of the Prosecuting Attorney, the Court do hereby appoint R. Woodburn Atty to assist in the further Prosecution of this case.

578 The State of Ohio vs James Lefridge } On application of the Pros. Atty, therefor R. Woodburn is hereby appointed to assist in the further Prosecution of the case.

599. The State of Ohio vs Harry Burns and William Smith. } Indictment for House Breaking & a Grand Larceny. On application to the Court by the Defendants, the Court orders that a Separate trial be had of each defendant herein, and thereupon the Prosecuting Attorney elected to try the said Defendant William Smith first. Thereupon came the Prosecuting attorney on behalf of the State of Ohio, and the said defendant William Smith with his counsel; also came the following named persons as jurors, to-wit: David Burns, John Kilbourn, John Mitchell, William Smith,

Thursday, January. 26th 1882.

John Gibson, J. A. Vaughn, William Goff, A. D. Doolittle, Joseph Price, Frank Skidmore, William Jolliff, J. J. Morelock, who were duly impannuled and sworn according to law.
And the said jury having heard the testimony addduced by the parties, the argument of counsel, and the Charge of the Court. after deliberation thereon returned the following verdict, to-wit;
The State of Ohio. Union County ss. In the Court of Com. Pleas of said Co. Jan. Term A. D. 1882.

The State of Ohio.
vs.
No. 599. William Smith. } We, the jury impannuled and sworn to well and truly try, and true deliverance make between the State of Ohio and the prisoner at the bar, William Smith, do find the Defendant guilty as he stands charged and we assess the value of the property stolen at $35.55.

John Mitchel Foreman.

And thereupon said defendant is ordered into the custody of the Sheriff to await sentence, And thereupon came the prosecuting Attorney on behalf of the State of Ohio the said 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 as charged in said indictment and thereupon said defendant is remanded to the custody of the Sheriff until sentence.

The State of Ohio.
vs.
598. Thomas Armentrout. } Indictment for Grand Larceny.

This day came the prosecuting attorney on behalf of the State of Ohio and the said Defendant with his counsel appearing in open Court. this cause was continued upon the showing of said defendant. and upon request of said Defendant to affix the amount of recognizance herein the said Court do fix the amount thereof at Three Hundred Dollars. Thereupon came into open Court Thomas Armentrout, Gorton Russel, G. W. Mackling, and Wright Harriman 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 respective goods and chattles lands and tenements, if default be made in the following condition, to-wit: That the said Thomas Armentrout be and appear before the Court of Common Pleas

of said County of Union, on the first day of next term thereof to be holden to answer unto the State of Ohio for Grand Larceny 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.

Thereupon Court adjourned until tomorrow morning at 8½ oclock.

Friday January. 27th 1882.

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

3927. Josiah Westlake vs Samuel N. Peacock et al } Court of Com. Pleas Union County Ohio.

And now comes the Plaintiff and Defendants by their attorneys and order the proceedings in this case dismissed without prejudice and no record. And it is further ordered that Plaintiff pay the cost of this action taxed at. $

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3925. George Harriott vs John Haskell et al } Court of Com. Pleas. Union County Ohio.

On motion leave is hereby given to Francis E. Stuart to be made a party Defendant in this case with leave to file her answer to the petition of the Plaintiff forthwith. and answer by way of Cross Petition filed.

3911.

3847. Lucinda Ford vs Daniel Ford } This cause is continued with leave to the Plaintiff to file an amended petition herein in 30 days from the rising of Court.

577

3896. C. Aultman & Co. vs Wilson Brown. } This day came the Plaintiff by its attorneys and the said Defendants still being in default for demurrer or answer this cause was submitted to the Court upon the petition and on due consideration whereof the Court do find the Statements and allegations of the petition are true and that the defendant executed and delivered the note described in the petition and that the said Catherine Brown at the time of executing said notes was the owner of a separate Estate

Friday January 27th A.D. 1882.

and that there is now due to the Plaintiff from said defendant upon said several notes the sum of Eight Hundred and Twenty five 87/100 Dollars including interest to the first day of this term. The Court further find that the Defendant Catherine Brown at the time of signing said Notes and incurring said liability intended to and did charge her separate property and estate with the payment thereof. It is therefore considered and adjudged by the Court that the Plaintiff C. Aultman & Co recover from said Defendants Wilson Brown and Catherine Brown the said sum of Eight Hundred and Twenty five 87/100 with 8% interest until paid, and its costs herein expended and execution is awarded against the separate property and Estate of the said Defendant Catherine Brown therefor. As to Samuel Stricklin and J. M. Dunn this cause is dismissed without prejudice.

3911. George Harriott. vs Ann B. Sargent et al.

On motion of Plaintiff this action is dismissed without prejudice at cost of Plaintiff & no record. It is therefore considered, ordered & adjudged that Plaintiff pay the costs herein expended taxed to $ within ten days or in default thereof that execution issue therefor.

577. The State of Ohio. vs James Lefridge

Now came the parties herein, by their attorneys; also came the following named persons as jurors, to-wit: George Bucker, Philip Rupright, William Hall, G. S. Baldwin, Isaac Bowersmith, John Kellberg John Mitchell, John Gibson, J. A. Vaughn, William Goff, Joseph Price, Frank Skidmore, who were duly impannelled and sworn according to law. And the said jury having heard the testimony and the argument in part. And the hour of adjournment having arrived the court discharged said jury until to-morrow morning at 8½ o'clock.

Thereupon Court adjourned until tomorrow morning at 8½ o'clock.

Saturday, January 28th 1882.

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

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 qualifications of Grand Jurors, Whereupon the following named persons were called, and appeared to answer thereto, to-wit; D. R. White, John F. Kiff, John F. Sabonie, R. H. Graham G. W. Fish, Jacob Kershie, George Goins, John Ford, Ashley Lightlinger, Jackson Wright, Michael Groenes, Delmore Snodgrass, D. S. Porter, W. H. Robb, Foreman, J. A. Henderson. And the Court appointed W. H. Robb, foreman of the said grand jury, and he with his fellow jurors took the oaths in manner and form 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

581 The State of Ohio vs. Oscar Comer } Now came the Parties hereto by their attorneys; also came the following named persons as jurors to-wit, William Jolliff, David Burr, Ralph Bonnett, J. J. Morelock, William Smith, H. Roney, Talisman, A. W. Torrance, Talisman, G. M. Robinson, Talisman, J. S. Rodgers, Talisman, Adam Groenes, Talisman, Wm. McDaniel, Talisman, George Fox, talisman who were duly impannelled and sworn according to law. And the said jury having heard the testimony in part, the Court discharged said jury until 9 o'clock Monday morning.

3908. Clemena E. Youkin vs. William Youkin } And now came the said Clemena E. Youkin by her attorneys and thereupon this cause came on for hearing upon the petition and testimony and was argued by counsel; On consideration whereof the Court find that due notice of the filing and pendency of this petition was given to the said Defendant, according to law, and the Court do further find that said Defendant has been willfully absent from the said petitioner more than three years prior to the filing of

said petitioner 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 the said parties wholly released from the obligations of the same, and it is further adjudged and decreed that the said Defendant do pay to the said plaintiff, for her reasonable alimony the sum of Four Hundred Dollars and in case said sum remain unpaid for ten days, an execution may issue against said Defendant in favor of the said plaintiff to collect the same, and it is further ordered that the said Defendant pay the costs of this suit in ten days, or that execution issue therefor.

581, The State of Ohio. vs. Oscar Cramer et al. } Indictment for Arson

On application of the Prosecuting Attorney therefor, R. L. Woodburn is hereby appointed to assist in the further prosecution of this case.

Monday Jan. 30th 1882.

This morning Court met pursuant to adjournment the same Officers being present as on Yesterday.

3926. William Graham vs Ohio Farmers Ins. Co. } Settled & Cost paid. No Record

611.

Grand Jury Report. This day appeared at the bar of this Court the new Grand Jury heretofore impannelled and sworn in, and for the body of the County aforesaid, D. R. White, John F. Rief, John F. Sabine, R. M. Graham, G. W. Fisher, Jacob Kershie, George Goins, John Ford, Ashley Knightlinger, Jackson Wright, Michael Swegman, Delatore Snodgrass, O. S. Porter, W. H. Robb, J. A. Henderson, and presented their certain bills of indictment against George Mayo for Perjury, & against Albion Jeffries & Cora Jeffries for Assault and battery each indorsed, "A True Bill" W. H. Robb foreman of Grand Jury. And there being no further business for the said jury, they were discharged finally.

581. The State of Ohio. vs Oscar Cramer. } This day again came 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 testimony, the argument ~~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.

The State of Ohio, Union County ss. In the Court of Common Pleas of said Co. Jany Term A.D. 1882. The State of Ohio vs Oscar Cramer. We the jury impannelled and sworn to well and truly try, and true deliverance make between the State of Ohio, and the prisoner at the bar Oscar Cramer do find the Defendant guilty as he stands charge, and we assess the value of the Barn burned at $400 00

R. S. Bonnett, Foreman.

577. State of Ohio. vs George Mayo } Indictment for Burglary.

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 and it appearing that said Defendant is an indigent

circumstances and unable to employ counsel the Court at his request assigned C. W. Portin Esq. as counsel to defend him

611. State of Ohio. vs. George Mayo.

Thereupon Court adjourned until 8½ o'clock tomorrow morning

Tuesday. January. 31st 1882.

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

611. State of Ohio. vs George Mayo. } Indictment for Perjury.

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 J H Kinkade Esq. as counsel for his defense.

612. The State of Ohio. vs Albion Jeffreys. & Lora Jeffreys. } Indictment for Assault & 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 guilty. thereupon after hearing testimony and being fully advised in the premises, it is ordered and adjudged by the court that the said Defendants Albion Jeffreys and Lora Jeffreys each pay a fine of Ten Dollars and that they pay the costs of this Prosecution and that they each be confined in the Jail of said County of Union for the period of Twenty days and that they stand committed to the Jail of Union County until the amount of said fines and costs shall be paid.

611 The State of Ohio. vs George Mayo. } Indictment for Perjury.

Court allow J. H. Kinkade Esq. a fee of Ten Dollars for defending the prisoner. George Mayo. under assignment of Court.

599 The State of Ohio. vs Harry Burns & Wm Smith. } Indictment for House breaking & Grand Larceny

Court allow. R. L. Woodburn Esq. a fee of Fifteen Dollars. for defending the prisoners Harry Burns & William Smith. under assignment of court.

597 The State of Ohio. vs Howard Degood. } Indictment for Horse stealing & Grand Larceny

Court allow J B. Fulton a fee of Ten Dollars for defending the Prisoner Howard Degood under assignment of Court.

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Tuesday January 31st A.D. 1882.

581 The State of Ohio. vs Oscar Cramer et al. } Indictment for Arson

Court allow P.B. Cole Esq. a fee of Fifty Dollars for defending the prisoner Oscar Cramer under assignment of Court.

581 The State of Ohio. vs Oscar Cramer } Indictment for Arson

Court allow R.L. Woodburn Esq a fee of Fifteen dollars for assisting the Prosecution under assignment of Court.

577 The State of Ohio. vs. James Lefridge et al. } Indictment for Burglary & Grand Larceny.

Court allow E.W. Porter Esq. a fee of Ten Dollars for defending one of the prisoners George Mayo under assignment of Court.

3933 William Chellis. et al vs Catherine Bell et al. }

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 examined by the Court, and found in all respects correct, and in conformity to law; and the former orders of this Court, the said proceedings and report are hereby approved and confirmed. It is therefore ordered and decreed that the said Catherine Bell have and possess the lands so assigned to her, as & for her reasonable dower in said premises; and that the other 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 of Fifty Dollars to R.L. Woodburn attorney for services herein taxed at # be paid by the said parties in the following proportions to wit: The said Catherine Bell pay one third of said cost and the said William Chellis, Silas Bell, Mary Bell and William Alvi Bell each one fourth part of the two thirds of said cost.

Thereupon Court adjourned until 9 oclock tomorrow morning.

Wednesday, Febmary, 1st 1882.

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

3692. R. D. Connell vs Village of Richwood } This day this cause came on for hearing upon motion of Defendant to dissolve the injunction heretofore granted in this case and to dismiss this action and was argued by counsel and submitted to the Court. On consideration whereof the Court being fully advised in the premises does sustain said motion as dissolving the temporary injunction heretofore allowed in this action and the said injunction is hereby dissolved, And the plaintiff declining further to amend his petition it is ordered and this action is hereby dismissed and it is further ordered that the plaintiff pay the cost of this action taxed to # within ten days or in default thereof that execution issue therefor To all of which the plaintiff excepts,

3868. S. B. Robinson vs. Com. of Union Co. } This day came the parties by their attorneys and submitted this cause to the Court upon the demurrer of the Defendants to the Petition of the Plaintiff and was argued by Counsel and submitted. On consideration whereof the Court being fully advised in the premises do sustain said Demurrer To which ruling of the Court the plaintiff excepts and the Plaintiff not desiring to amend his petition this cause is dismissed without prejudice at the cost of said plaintiff. It is therefore adjudged by the Court that the Defendant recover of the Plaintiff their costs herein expended.

3819. Henry L. Green vs. Charles C. Cookston et al. } This day came on this cause upon the demurrer to the petition Whereupon the Court sustain said demurrer Whereupon the plaintiff not desiring to amend, this cause is dismissed at Plaintiffs cost & by consent of parties no record is to be made.
It is therefore considered and adjudged by the Court that the Defendants recover of the Plaintiff their cost herein expended taxed to #

2733. William B. Thompson vs Henry Hoover. This day this cause came on to be heard thereupon the parties settled & paid the cost & the cause is dismissed without Record.

3902. Dennis F. Parsons vs Belle A. Stultz. This day came the parties by their attorneys and thereupon this cause came on for hearing upon the demurrer of the said Defendant to the petition of said Plaintiff and was argued by Counsel and submitted. On consideration whereof the Court do sustain said demurrer, to which ruling of the Court the said Plaintiff excepts, and thereupon the said Plaintiff not desiring to further amend his petition this cause is dismissed at the cost of the Plaintiff without prejudice It is therefore considered and adjudged by the Court that the Defendant recover of the Plaintiff her cost herein expended taxed to $ to which judgt. Plaintiff excepts.

3072. W. W. Woods vs W. & Barnett etals. This day came on this cause to be further heard upon the issues joined between the said Wm H Robinson and said Loan Association whereupon it appearing that the said Robinson & said Association have settled between themselves, it is ordered that L Pope who was appointed Receiver in this case be & he is ordered to pay $ 70 33/100 of the sum he received of said Sheriff back to said Wm H. Robinson & that he pay $ 300 thereof to said Loan Association & that said Loan Association release all claim on the said premises sold by the Sheriff to him the said Robinson in this cause & as to all other matters herein this cause is continued, and to which distribution was excepted to by defendant & Exceptions

3966. H. H. Wright etal vs etal. This day this cause came on to be heard upon the demurrer of the defendants to Plaintiffs Petition and was argued by counsel & submitted to the Court; On consideration whereof the Court does

Wednesday February 1st 1882.

sustain said demurrer, and the Plaintiff
declining to amend his petition this action is dismissed
And it is ordered that the Plaintiff pay the costs of
this action taxed at $. and that no record be made
of Petition & demurrer.

3976. The State of Ohio
vs
P. R. Kerr

This day this cause was continued
by agreement for want of time to hear.

2419. Samuel Myers.
vs
Edward Thompson et al.

This day this cause came on
for hearing upon motion of the Defendants to confirm
the report of the Referee herein filed and upon exceptions
of Plaintiff to said Report and the first ground of said excep-
tions was argued by counsel and submitted to the Court
On consideration whereof the Court do sustain the said
report and do overrule the said first ground of exceptions
and the Court do find that the said George B. Hamilton
is a necessary party defendant in this action and
the Court further find that said George B. Hamilton has
heretofore been served with summons herein and is now
a party Defendant to said 2d amended Petition of said
Plaintiff. And this cause is continued by said Court
as to all other matters for want of time to hear the same

3784 Commissioners of Union Co.
vs
Elizabeth Wells et als.

This day came on this cause
to be heard on the motion by Plaintiff to set aside the verdict
of the Jury & grant a new trial. Whereupon the Court
being fully advised in the premises do find that
said verdict is excessive in amount & order that unless
defendants will remit One cent per year from the verdict that
said motion will be sustained. Whereupon Defen-
dants refused to remit said sum & therefore it is con-
sidered & adjudged by the Court that said verdict be
set aside & a new trial granted in this cause & the
cause is thereupon continued

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3952. Peleg Cranston Admr. vs Levi Winters et al

And now come the parties by their attorneys and this cause came on to be heard on the motion of the Plaintiff to require the Defendants to make their answers more definite & certain. The Court being fully advised in the premises do sustain said motion & the Defendants asked and obtained leave of the Court to withdraw his answer from the files & file his new answer within 30 days from rising of Court and cause continued.

3953. Peleg Cranston Admr &c. vs Levi Winters et al

And now came the parties by their attorneys and this cause came on to be heard on the motion of the Plaintiff to require the Defendants to make their answers more definite and certain. The Court being fully advised in the premises do sustain said motion & the defendants asked and obtained leave of the Court to withdraw his answer from the files & file his new answer within 30 days from rising of Court, and cause is continued.

3954. Peleg Cranston Admr &c. vs Levi Winters et al

And now come the parties by their attorneys and this cause came on to be heard on the motion of the Plaintiff to require the Defendants to make their answers more definite and certain. The Court being fully advised in the premises do sustain said motion & the defendant asked and obtained leave of the Court to withdraw his answer from the files & file his new answer within 30 days from rising of the Court and cause continued.

3366. S. Walker vs J. S. Lenox & Sons

By order this case is left off Docket with the privilege reserved to the Plaintiff at any time to file motion to redocket the same, and it is further ordered that the plaintiff pay the costs accrued in this action taxed at $

Wednesday. February. 1st 1882.

3367. S. Walker vs J. T. Lenox & Sons } By order this case is left off Docket with the privilege reserved to the plaintiff at any time to file motion to redocket the same and it is further ordered that the Plaintiff pay the costs accrued in this action taxed at $

3368. S. Walker vs J. T. Lenox & Sons } By order this case is left off Docket with the privilege reserved to the plaintiff at any time to file motion to redocket the same and it is further ordered that the Plaintiff pay the costs, accrued in this action taxed at $

3770. William A. Felkner by his Guar. vs Knight Harriman. } The Jury at a former day of this term having found a verdict for the defendant and the said Plaintiff having filed a motion for a new trial this cause came on to be heard upon said motion for a new trial and was argued by counsel and submitted. On consideration whereof the Court do overrule said motion and thereupon awarded judgment upon said verdict for cost in favor of Defendant It is therefore considered, ordered and adjudged by the Court that the said Defendant recover of the Plaintiff his cost herein expended taxed to $ To which rules of the Court in overruling said motion for a new trial and awarding judgment upon said verdict for cost the Plaintiff by his counsel excepts.

2076. Mary J. Baker et als. vs Richard White et als. } On motion of the Defendant Richard White and it appearing from the pleadings filed herein that there is controversy as to the title to the premises described in the petition of Plaintiff and in the answer and cross-petition of Richard White which ought to be settled before said lands are or will be sold on the order of partition heretofore made in this case, it is now ordered by the Court that said order of partition be and the same is hereby set aside

Wednesday, February. 1st 1882.

3789. Sarah E. Graham vs Joseph Poling } Settled & Cost paid No Record.

3790. Cyrus Stamats vs Isaac Cahill et al. }

? This day came the parties to this suit by their Attorneys and the same coming on to be heard on motion of the plaintiff for leave to amend his petition by making J.J. Anderson party Defendant and on consideration whereof the Court sustain said motion and leave was therefore granted to so amend his petition in 30 days from rising of Court and cause continued

3789. Sarah Marmon vs Isaac. Cahill et al. }

This cause came on to be heard on motion of the Plaintiff, for leave to amend his petition making J.J Anderson a party defendant and the Court on consideration whereof do sustain said motion and leave was granted to the Plaintiff to so amend his petition in 30 days from rising of Court and cause continued.

3791. D.S. Stephens adm. vs. Joseph Crafty et al. }

This day this cause came on to be heard on motion of the pladitiff for leave to amend his petition by making A. Baker a party Defendant and the same was argued by counsel and the Court on consideration thereof sustain said motion and the Plaintiff was granded leave to so amend his petition in 30 days from the rising of Court and cause continued.

3792. Fullington, Phillis & Wood. vs. N.D. Osgood et al's. }

This day came the Plaintiff by Robinson & Piper their attorneys and 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 the Defendants to said Plaintiff as is alleged in said Plaintiff's Petition, the sum of $113,04, It is therefore considered that the said Plaintiff do recover of said Defendant the said sum of $113,04 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.

611. The State of Ohio. } Indictment for Perjury.
vs
George Mayo. }

This day came the Prosecuting Attorney on behalf of the State of Ohio, and the Defendant being brought into Court in custody of the Sheriff. And the defendant being arraigned for plea to the indictment in this case saith he is guilty as charged in said indictment.

And on application of the Defendant by his counsel the Court proceeded to hear testimony the Court find the following facts, to-wit: 1st That the Defendant was born in Union County, Ohio, on the 27th day of July A.D. 1866 That the Defendant was of the age of 15 years on his last birth day, to-wit: July 27th A.D. 1881, and that the Defendant will arrive at the age of Twenty one years, on the 27th day of July A.D. 1887. 2d That at the January A.D. 1882 Term of the Court of Common Pleas of Union County, Ohio, the Jurors of the Grand Jury of said County, duly impanneled, sworn and charged, found and presented an indictment against said Defendant for Perjury. and at the January A.D. 1882 Term of said Court of Common Pleas of Union County, Ohio, the said Defendant was arraigned and for plea to said indictment said that he was guilty, and the punishment thereof in its whole, confinement in the Penitentiary.

The Court after hearing all testimony do, therefore, in lieu of ordering the said Defendant to be confined in the penitentiary, order and adjudge that the said Defendant George Mayo be committed to the Ohio, Reform School, situate in the County of Fairfield and State of Ohio, until he arrives at the age of Twenty one years, unless he be sooner reformed and discharged said Reform School under the Rules & Regulations governing said School.

Wednesday, February. 1st 1882.

578. The State of Ohio. vs. George. Mayo. } Indictment for Burglary & Petit Larceny.

This day came the Prosecuting Attorney on behalf of the State of Ohio, and the Defendant being brought into Court in the custody of the Sheriff. And the Defendant being arraigned for plea to the indictment in this case saith he is guilty as charged in said indictment And on application of defendant by his counsel the Court proceed to hear testimony upon which testimony the Court finds the following facts, to-wit:
1st That the Defendant was born in Union County Ohio, on the 27th day of July A.D. 1866. That the Defendant was of the age of 15 years on his last birthday, to-wit: July 27th A.D. 1881 and that the Defendant will arrive at the age of Twenty one years on the Twenty seventh day of July A.D. 1887 2d That at the September A.D. 1882 Term of the Court of Common Pleas of Union County Ohio, the Jurors of the Grand Jury of said County duly impanneled, sworn and charged, found and presented and indictment against said Defendant for breaking and entering the store house of one Sherman M Blake situated in said County of Union and State of Ohio, in the night season of the 13th day of February A.D. 1881 and stealing, taking and carrying away therefrom certain personal property of said Sherman M Blake, of the value of Twenty Six Dollars And at the Janu. A.D. 1882 Term of the Court of Common Pleas of Union County Ohio, the said Defendant was arraigned and for plea to said indictment said that he was guilty, and the punishment therefor is in the whole, Confinement in the Penitentiary. The Court after hearing all the testimony do, therefore, in lieu of ordering the said Defendant to be confined in the Penitentiary, order and adjudge that said Defendant George Mayo be committed to the Ohio Reform School situate in the County of Fairfield and State of Ohio, until he arrives at the age of Twenty one years, unless he be sooner reformed and discharge from said Reform School under the Rules & Regulations governing said School.

Wednesday. February. 1st 1882.

Richwood Union
Building & Saving Association.
3061. vs
Hyglas Labrue et.al.

On motion of the Plaintiff and upon 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 said Sheriff being satisfied that the same have been in all respects had in conformity to law and the orders of this Court it is ordered that said proceedings and sale 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 the Court now coming to distribute the proceeds of said sale. amounting to thirty Dollars it is ordered that the Sheriff out of the money in his hands pay, First, the costs of this action taxed to $. 14.96 Secondly, the tax on the Premises amounting to $ 5.29 Third. The balance to the Plaintiff to apply in payment of dues interest & fines fallen due since the commencement of this action.

Ella G. Piper Admrx
3960 vs
O. L. Hammond et al

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, that said note was drawn at ten per cent per annum but that said Plaintiff is entitled to Principal of said note with interest at six percent per annum and that said defendants are indebted to the said Plaintiff as said Administrator in the sum of two Hundred Eighty two & 30/100 Dollars ($ 282 30/100)

It is therefore considered by the Court that the said Plaintiff as said Administrator recover from said Defendants O. Hammond the said sum of $ 282 30/100 & his costs herein expended taxed to $

The Court further find that in order to secure the payment of said note the Defendant O. L. Hammond executed and delivered to the said Plaintiff as said administrator his certain mortgage deed & on the premises therein described that said mortgage was duly recorded in Book 16 on Page 340 of the record

& mortgages & said County & that the same is the first and best lien on the premises in the petition described. It is therefore considered & adjudged that unless the Defendants O. L. Hammond & C. Hammond, or either of them shall within ten days from the entry of this decree pay or cause to be paid the said sum of $202 30/100 the sum so found due as aforesaid together with the cost in this case, that defendants equity of redemption be foreclosed & said premises be ordered to be sold & that to that end an order of sale shall issue therefor to the Sheriff of said County directing him to sell said premises as upon execution & bring the proceeds into court for further order

Thereupon Court adjourned until 9 o'clock tomorrow morning.

Thursday. February 2d 1882.

This morning Court met pursuant to adjournment the same Officers being Present as on yesterday.

3755. Leonard Coldice vs John Owen.

The Jury in this action having on a former day of this term rendered a verdict for the Plaintiff and assessed the damages at $1 00/100 and no motion for a new trial having been made.
It is therefore considered and adjudged by the Court that the said Leonard Coldice recover from the said John Owen the sum of One Dollar to gether with the costs herein expended taxed to $ 3824.

3859. Lucinda Ford vs Rhoda Ford.

This day this cause came on to be heard upon the motion of the Defendant for a new trial and was argued by counsel and submitted to the Court. On consideration whereof the Court do sustain said motion upon condition that the Defendant Rhoda Ford consents to a judgment against her for the costs of this term of Court. And the said Defendant having consented that Judgment be rendered against her for costs of this term of Court it is ordered by the Court that a new trial herein be granted to the Defendant. It is considered ordered and adjudged by the Court that the Plaintiff recover from the defendant the costs of this Term of Court taxed to $. Leave is given Plaintiff to file Amended Petition in 30 days from the rising of the Court. 3767.

3642. Eli S. Piper Admr etal. vs Elisha L. Hawkins.

This day came on this cause to be heard upon the Petition in error of the said Eli S. Piper and was argued by counsel and submitted to the Court. On consideration whereof the Court fully advised in the premises do find there is no error in the record and pleadings of said Justice of the Peace and it does not appear from the record of said Justice of the Peace that any Bill of exceptions was taken on the trial of this cause before him nor does any sealed bill of exceptions appear among the Papers in the case. Therefore

the Court do affirm said Judgment with cost.
It is therefore considered & adjudged by the Court that the said judgment of said Justice of the Peace be and the same is hereby affirmed and that the said Defendant in error recover of the said Plaintiff in error his cost in this Court expended and that the Clerk of this Court certify this decision to said Justice of the Peace so that the said Judgment may be carried into execution as if no Proceedings in error had been taken to all of which Plaintiff in error excepts no record to be made in this Court.

3824. Giles O. Griswold. vs. Daniel H. Camp. et.als } The Defendants having answered, the Plaintiff has leave to Reply to day answers now replied to in 30 days & cause continued

3767. Cyrus Moore vs Wright Harriman } The Jury at a former day of this term having rendered a verdict in favor of the Plaintiff and assessed his damages at five cents, and a motion for a new trial being overruled by the Court. On motion of the Plaintiff judgment is rendered upon said verdict. It is therefore, considered, ordered and adjudged and decreed, by the Court that the Plaintiff recover of the said Defendants the said sum of five cents his damages ~~assessed~~ together with his cost herein expended taxed to P. To which judgment overruling said motion for a new trial the defendants excepted & asked the Court to allow, sign and seal his Bill of Exceptions No 1 & No 2. in ruling out the Chattle mortgage & in overruling said motion for new trial which is accordingly done by the Court & said Bill of Exceptions No 1 & No 2. are ordered to be recorded as part of the record of this cause.

Thursday. February. 2d 1882.

Alice Thomas
vs.
3944. George Thomas

Now came the Plaintiff, and the Defendant having been legally summoned by publication & having failed to appear, the Court find him in default for answer or demurer to said petition, and that the allegations thereof are confessed by him to be true. The Court also 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 were married as in said petition set forth. The Court further find upon the evidence adduced that the Defendant has been guilty of habitual drunkenness for more than three years last past. and has also been guilty of Gross Neglect of duty to-wards said Plaintiff & that by reason thereof said Plaintiff is entitled to a decree as Prayed for in said petition. It is therefore adjudged and decreed by the Court that the marriage Contract heretofore existing between the said Alice Thomas and George Thomas be and the same is hereby dissolved and the parties are hereby released from the obligations of the same. It is further adjudged and decreed that the custody, care & education & control of the said child John & the parties hereto be until further order confirmed to the said Plaintiff Alice Thomas and the said George Thomas is hereby enjoined from interfering with said child, or with the custody of him and is allowed to visit him only at reasonable times until further order of Court. It is further considered by the court that the said Alice Thomas as Plaintiff recover from said Defr George Thomas her costs herein laid & funded and execution is awarded therefor.

Mary A. Stout.
vs
3945. Samuel Stout.

Now came the Plaintiff, 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 demurer to said petition and that the allegations thereof are confessed by him to be true. This Court also find that the Plaintiff

3832

3918.

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 thereto were married, as in said petition set forth. The Court further find, upon the evidence adduced, that the Defendant has been guilty of habitual drunkenness for more than three years last past before the filing of said petition, and of gross neglect of duty and that by reason thereof the plaintiff is entitled to a divorce as prayed for. It is therefore considered adjudged & decreed by the Court that the marriage contract heretofore existing between the said Mary A Stout and Samuel Stout be and the same is hereby dissolved, and both parties are released from the obligations of the same, and that she be returned to her maiden name Mary A. Evans It is further considered and adjudged by the Court that the said plaintiff do recover of the said Defendant Samuel Stout her costs herein expended taxed to $ and execution is awarded therefor.

3832 State of Ohio. vs Edward Cramer } This day came the parties by their attorneys and thereupon this cause came on to be heard upon the motion of the defendant to continue this cause for reasons in said motion stated. On consideration whereof the Court on consideration that said defendant secure the costs of this term sustain said motion. Thereupon came the defendant and elected to secure the cost of this term and continue as upon his showing. It is therefore considered, ordered & adjudged by the Court that the plaintiff recover of the defendants the cost of this term to court taxed $ — Which judgment for costs is to be secured by said Defendant.

3918. Thomas Cowgill. vs William Sumffin. } Now came the parties hereto, by their attorneys; also came the following named persons as jurors to wit; Ralph Bonnett, J. J. Worlock, William Shuttz, J. VanPearse, J. A. Vaughn, John Gibson, John Mitchel, George Beecher, John Kilbery, William Hall.

Thursday. February. 2d 1882

Isaac Bowers sinith Joseph Powers. Talisman. 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 9 oclock.

3864 Lucius Webster }
vs }
B. F. McAllister } Cause dismissed Without Record. at Cost of Defendant And Cost Paid

599.

599.

581.

Thereupon Court adjourned until 9 oclock to morrow morning

Friday. February 3rd 1882.

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

599. The State of Ohio. vs Harvey Burns & a. William Smith. } Indictment for House breaking & a Grand Larceny.

The Defendant Harry Burns having on a former day of this term entered a plea of guilty to the charge of the indictment in this case was this day brought into Court in the custody of the Sheriff, and said defendant being inquired of if he had any thing to say why judgment should not be pronounced against him; and having nothing but what he hath already said. It is therefore considered and adjudged by the Court that the said Defendant Harry Burns 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 one year, and that he pay the cost of this prosecution, for which execution is awarded.

599. The State of Ohio. vs Harry Burns & a. William Smith. } Indictment for House breaking & a Grand Larceny.

The Defendant William Smith herein having been heretofore convicted of House breaking and Grand Larceny, 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 any thing to say why judgment should not be pronounced against him; and having nothing but what he hath already said. It is therefore considered & adjudged by the Court that the said defendant William Smith be imprisoned and confined in the penitentiary of the State of Ohio and kept at hard labor, but without any solitary confinement, for a period of One year. and that he pay the costs of this prosecution for which execution is awarded.

581. The State of Ohio. vs Oscar Cramer } Indictment for Arson.

This day this cause was heard on motion for new trial, the prisoner having been brought into Court in custody of the Sheriff. On consideration whereof the Court do overrule said motion

Friday. February 3rd 1882.

581. The State of Ohio. vs Oscar Kramer } Indictment for Arson

The Defendant herein having been heretofore convicted of Arson 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 any thing to say why judgment should not be pronounced against him and having nothing but what he hath already said. It is therefore considered, ordered and adjudged by the Court that the said Defendant Oscar Kramer, be imprisoned in confined in the Penitentiary of the State of Ohio, and kept at hard labor, but without any solitary confinement, for the period of Three years; and that he pay the costs of this prosecution for which execution is awarded

597. The State of Ohio. vs Howard Degood. } Indictment for Horse Stealing & Grand Larceny.

The Defendant herein having on a former day of this term entered a plea of guilty to the charge of the indictment in this case, was this day brought into Court in the custody of the Sheriff; and said Defendant being inquired of if he had any thing to say why judgment should not be pronounced against him; and having nothing but what he hath already said.

It is therefore considered and adjudged by the Court that the said Defendant Howard Degood be imprisoned & 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 he pay the costs of this prosecution for which execution is awarded.

578. State of Ohio. vs James LeBridge } This day this cause came on to be heard upon the motion of the defendant James LeBridge to reduce the amount of his recognizance heretofore ordered; and it is ordered by the Court that the same be fixed at ~~$~~ $300 ^{00}/_{100}$

577.

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Friday, Febmary. 3d 1882

577. State of Ohio. vs James L. Fridge. } This day this cause came on to be heard upon the motion of the Defendant James L. Fridge to reduce the amount of his recognizance heretofore ordered, and it is ordered by the Court that the same be reduced to $200 00,

3961. Jacob C. Irwin vs James H. Gaston et al. } And now comes the said Jacob C. Irwin by Powell & Fulton his attorneys and thereupon this cause came on to be heard upon the petition of the plaintiff and the answer & cross petition of the defendants David H. Jones and Reese H. Jones the other defendants, although duly served with summons herein, failing to answer, demurr or otherwise object to plaintiffs petition. And no reason being stated in the answer & cross petition why plaintiff is not entitled to the judgment and relief asked in the 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 to the said plaintiff on the note and mortgage in said petition described the sum of Six Hundred and three Dollars and eighty cents and that the same bear interest from the 25th day of January 1882. It is therefore considered by said Court that the said plaintiff recover of the defendant James H. Gaston the said sum of Six Hundred and Three & 80 Dollars and his cost taxed at $ And it is further ordered and adjudged that in case the said defendant fail from ten days from the close of this term of Court to pay to the said plaintiff the said sum of $603,80 so as aforesaid found due together with the interest thereon from the 25th day of Jan. 1882 with the 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 sum so found due with costs of suit.

Friday February 3rd 1882

3666. William Smith vs William Kerts et als

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the answer & cross petition of the Defendant William Kerts and the reply of the Plaintiff and the evidence

On consideration whereof the Court being fully advised in the premises do find that the statements and allegations of said answer are true and that the statements and allegations in said reply are not true. The Court further find that the statements and allegations of the said answer constitute a complete defense to the said Plaintiffs petition

It is therefore adjudged and decreed by the Court that the defendants title to said premises in the petition described be and the same is hereby declared to be a good and sufficient title as against the said Plaintiff and all persons through or under him that said Defendants title is hereby quieted and put at rest and said plaintiff is enjoined from interfering with said Defendant in the possession and enjoyment of said premises. It is further adjudged that the Defendant recover of the said Plaintiff their cost herein expended taxed to $. Thereupon said plaintiff gave notice of his intention to appeal this case to the District Court, and the Court fix the bond for appeal at One Hundred & fifty dollars.

3667. William Smith vs Elijah T. Reese et als

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the answer & cross petition of the Defendant Elijah T. Reese and the reply of the Plaintiff and evidence

On consideration whereof the Court being fully advised in the premises do find that the statements and allegations of the said answer are true and that the statements and allegations of the reply are not true. The Court further finds that the statements and allegations of the said answer constitute a complete defense to the said plaintiffs petition. It is therefore adjudged and decreed by the Court that the defendant title to said premises in the petition described be and the same is hereby declared to be a good and sufficient title against the said plaintiff and

3948

and all persons claiming through or under them that said Defendants title is hereby quieted and put at rest and said Plaintiff is enjoined from interfering with said Defendant in the possession and enjoyment of said premises. It is further adjudged that the Defendant recover of the said Plaintiff their costs herein expended taxed to $.

Thereupon said Plaintiff gave notice of his intention to appeal this case to the District Court and the Court fix the Bond for appeal at One Hundred & fifty dollars.

William M. Koons. Guard'n
vs
3948. Eveline Sharp. 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 motion to confirm the same And it appearing that the said Commissioners have set off and assigned to the Defendant Eveline Sharp as and for her dower in the whole of said premises described in the petition, the East and ~~pro~~ portion of said described premises (Described) in the return of said Commissioners and shown by the plat thereof returned with said writ. It is therefore ordered & decreed that the said Eveline Sharp have & possess the lands so assigned to her as and for her reasonable dower in said premises. And it further appearing from the said report that the remainder of the said premises after the assignment of said dower cannot be divided by metes and bounds without manifest injury to the value thereof And that the said Commissioners have made and returned their appraisement of the remainder of said premises free from said dower estate of the said Eveline Sharp to-wit the tract of 10½ acres at $38.00/100 per acre being $ 3847,00 The tract of 28¼ acres at $48.00/100 per acre being $1356,00 the whole appraisement being $ $5.203 To 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 whether 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 free from the dower

Friday, February 3d 1882.

of said Eveline Sharp and that an order issue therefor to the Sheriff of said Union County Ohio and that said Sheriff return his proceedings into this Court without unnecessary delay.

2003.

3663.

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

2003. Thomas Peacock. vs Jefferson Ford. } This day this cause came on to be heard upon the motion to confirm the report of the referee A.H. Beightler heretofore appointed at the February Term of the Court of Common Pleas of Union County Ohio. And the Court being fully advised in the premises does hereby confirm said report and orders judgment to be entered thereon.

It is therefore ordered and adjudged that the Plaintiff Thomas Peacock recover of the Defendant Jefferson Ford the sum of ($835.72.) Eight Hundred & thirty five & 72/100 dollars and costs herein taxed at $ including a fee to the said A.H. Beightler as said referee of $20.00

3663. Josiah Westlake vs Lewis C. Peacock. et.als } This day this cause came on for hearing on motion of the defendant J.B. Whelpley to redocket said cause for the purpose of distributing the proceeds of the sale of the premises heretofore made herein and was argued by counsel and submitted to the Court. On consideration whereof the Court do sustain said motion. It is therefore considered by the Court that said cause be reinstated on the General docket of said Court and this cause is submitted

3969 James Gardner vs E. C. Chavous } This day this cause came on to be heard upon the motion of defendant for leave to file answer in 30 days from rising of Court which leave was granted

3880 Marysville B & L. A. vs Clarinda Alexander } Settled. Cost Paid.

No Record.

Saturday. February 4th 1882.

3786. Henry Fox vs John Liggett et.al. } This day came on this cause to be further heard on the motion of the plaintiff to set aside the verdict of the jury & grant a new trial in this cause. Whereupon the Court being fully advised in the premises do overrule said motion to which ruling the plaintiff excepts. Thereupon on motion of Defendants for Judgment on said verdict it is considered, ordered and adjudged by the Court that defendants go hence without day & recover of Plaintiff their costs in this cause taxed to ff. To all of which rulings and judgments plaintiff excepts & ask the Court to allow, sign & seal his Bill of Exceptions which is accordingly done & the same ordered to be recorded as a part of the record of this cause.

3882. Milland Langstaff vs John McAllister. } This day this cause was continued until next term of this Court.

3877. Milland Langstaff vs John McAllister } This day this cause was continued with leave to Plaintiff to file petition within 20 days from the rising of the Court & cause continued.

3795 The State of Ohio vs James Mitchel } Left off of Docket by order of Court

3792 The State of Ohio vs George W. South } Left off of Docket by order of Court

Thereupon Court adjourned until 9 o'clock Monday morning.

Resolution
Passed by
the Bar.

Monday Febmary. 6th 1882.

This morning Court met pursuant to adjournment the same Officers being present as on Saturday

Resolutions Passed by the Bar.

We the undersigned Committee appointed at a meeting of the Bar of Union County, Ohio. to take action in reference to the death of Col. M. C. Lawrence, held at the Court House in Marysville Ohio. on the 16th day of December A.D. 1881 submit the following, tributs of respect to the memory of the deceased.

Whereas. An afflictive dispensation of Providence to whose decree we must all submit with due reverence and resignation, Col. M. C. Lawrence, late a worthy citizen Marysville, his native place, and an honored member of the bar of this Court, has been suddenly removed by death from this bar and Court, to the Bar & Court of the eternal world. Therefore,

Resolved. That in the death of M. C. Lawrence the citizens of his native town and County have lost a true hearted, honest citizen, and this bar one of its honorable. able and valued members.

Resolved. That we. his surviving professional brethren of the bar, recognize in Col M. C. Lawrence as a Lawyer, in all the relations he sustained to the profession a man of sound and discriminating, judgment good ability and of unimpeachable integrity, never betraying a trust reposed in him, nor ever guilty of a disreputable act, in his professional intercourse with his fellow members of the profession, so well marked was his character in all the varied relations in life, both at the bar and Elsewhere for courtesy, urbanity, sincerity and unswerving integrity that we feel that we can truthfully affirm He lived and died without an enemy.

Resolved. That his Official relations both Civic and Military, Col Lawrence was governed by the same high and noble principles and characterized his Private and professional life as a Representative from his County, and as a Senator from his District in the General Assembly of the State of Ohio he sustained the reputation of an able, industrious and useful member, ever ready to labor, to the extent of his ability, to advance the interest of his constituents, and of the State, As a soldier he was patriotic, brave cool and self possessed. and both in the command of a company and at the head of a regiment in Battle where it was his fortune to be placed in numerous hard contested fields. he won both the admiration and commendation of his Superior Officers, and also the confidence and regard of

of the soldiers of his command who cherish his memory as a brave, able, kind and generous commander.

Resolved, that we the members of this bar express our unfeigned sorrow, in the death of our friend and brother in the profession, and will cherish his memory with tender regard

Resolved. That in this afflictive bereavement the immediate family of Col. Lawrence, have sustained a loss to them, inpreparable. They mourn the departure of a loving husband and father his mother and surviving brother one who was dutiful kind and affectionate.

Resolved That we hereby tender to the bereaved family and relatives of the deceased, our heartfelt sympathy in this the day of their deep affliction.

Resolved. That we request, that these resolutions be recorded on the Journal of this Court the same be published in the County newspapers, and that copies there of be presented to the family of the deceased.

J. B. Cole,
John B. Coats,
J. W. Robinson
J. K. Cameron } Committe.

3871. Marysville B't L. A. vs James B. Cole et als. } Settled & Cost Paid. No Record.

3915. Wayne Agricultural Co. vs James Mulvaine. }

This day this cause came on for hearing and thereupon came the Plaintiff by Carpenter & Broderick its attorneys, and the defendant being in default for answer & demurrer the Court find that the allegations of the petition are confessed by him to be true, that since the filing of said petition said defendant has paid to said Plaintiff the sum of $100.00 and that said defendant is still indebted to said Plaintiff in the sum of $129.33. It is therefore considered and adjudged by the Court that the said Plaintiff recover from the said Defendant the said sum of One Hundred and Twenty Nine and 33/100 Dollars, with six per cent interest from the 9th day of January A.D. 1882. and its cost herein expended and execution is awarded therefor.

3980.

207.

P.B. Cole. }
3980. vs }
Benjamine Wilson }

This day came the Plaintiff by Coles 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 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 said Defendant to said Plaintiff as alleged in said Plaintiffs petition the sum of $141.84 It is therefore considered that said Plaintiff do recover of said Defendant the said sum of 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.

Mary J. Baker et al. }
2076. vs. }
Richard White et als. }

This day this cause came on to be heard upon the answer and cross petition of the Defendant Richard White, the answer and cross petition of the Defendant Sarah A. Green, the answer and cross petition of the Defendant Ashley Knightlinger, the answer and cross petition of Ebenezer Rosebery and others as heirs at law of Jane Knightlinger, deceased, and the evidence and was argued by counsel and submitted to the Court, on consideration whereof the Court do find that due notice of the filing and pendency of the said answer and cross petition of the said Richard White, and of this cause, has been given to all the defendants according to law And the Court further find from the evidence that the defendant Richard White, since the filing of the petition of said plaintiffs in this case, has purchased the entire interest of said plaintiffs in the premises described in the said plaintiffs petition and the answer and cross petition of the said Richard White ~~as~~ as he has in his said answer and cross petition alleged and that he is entitled to the relief therein prayed for. And the Court further find as to the claim of the said Defendant Ebenezer Rosebery and others claiming title to a portion of said premises as heirs of Jane Knightlinger, deceased, that the title to the portion of said premises

formerly owned by said Jane Kiglitlinger came to the said Jane Kiglitlinger by purchase during her coverture with her husband William Kiglitlinger that she died intestate and without issue and that her title to said lands descended to and vested in fee simple in the said William Kiglitlinger his heirs and assigns forever. and that the said Ebenezer Rosebery dud others claiming title to said lands as heirs at law of said Jane Kiglitlinger, dec'd, have no right, title, interest or claim or demand legal or equitable in the said premises, or any part thereof. The Court further find from the evedence that the paper writing purporting to be a deed, executed by the said Defendant, Sarah A. Green to her said children, as named in her said answer and cross petition, herein filed, was executed during the life time of the husband of Sarah A. Green, and that her said husband did not join with her in executing the same, and that said pretended deed was made without any consideration whatever and was obtained from said Defendant Sarah A. Green by false and fraudulent representations, and means, and the said pretended deed is hereby declared by the Court to be void and of no effect either in law or equity and is hereby set aside and held for naught.

It is therefore considered, ordered, adjudged and decreed by the Court that the respective titles of each of said defendants, Richard White, Sarah A. Green & Ashley Kiglitlinger to the premises, and every part and parcel thereof, described in plaintiff's petition and the answer and cross-petition of the said Defendant Richard White be forever quieted as against the claims of the said Defendants, Ebenezer Rosebery and others claiming title thereto under the said Jane Kiglitlinger deceased, and against the said Defendants the children of the said Sarah A Green claiming title under the said pretended deed of said Sarah A Green, as set forth in her said answer and cross petition herein. And it is further ordered, adjudged and decreed by the Court that each and all of the said defendants, the said Ebenezer Rosebery and others claiming title to said premises as heirs of said Jane Kiglitlinger, deceased, and the said Children of said Sarah A Green claiming title thereto under and by virtue of said pretended deed from said Sarah A. Green are hereby perpetually enjoined from setting up any claim or demand to any part of the title or possession to said premises by reason of such heirship, or of said pretended deed. The court further find that said Defen-

dant. Richard White has the legal title to, and is seized in fee simple of all that portion of said premises described in his said answer and cross petition, and that the said Defendant Sarah A. Green has the legal title to and is seized in fee simple of all that portion of said premises set forth in her said answer and cross petition, and that the said Defendant Ashley Kiglitlinger has the legal title to, and is seized in fee simple of all that portion of said premises set forth in his said Answer and cross petition. And the Court further find that the said Defendants Richard White, Sarah A. Green and Ashley Kiglitlinger while holding the title to said premises as tenants in common in the proportions set forth in their respective Answers and cross petition herein filed, have by mutual consent and agreement and long acquiescence, held, occupied, enjoyed and improved the respective portions owned and occupied by each and by reason of such acquiescence they are all and each estopped from claiming any part of said premises other than the portion now occupied by each of said defendants above named, and that they are entitled to have partition made thereof, in accordance with said use and occupation, And no writ of Partition having issued to the Sheriff of said County since this decree the said Defendants, Richard White Sarah A. Green and Ashley Kiglitlinger came into open court and mutually agreed upon an amicable partition of said lands and tenements giving and granting to each the said respective portions thereof now held and occupied by each of said defendants and in the following described portions thereof, viz:

To Ashley Kiglitlinger. A lot of land described as follows; Situate in the County of Huron and State of Ohio and part of Survey No 3694. Beginning at a stake in the center of the road running east and west, on the North side of Bokes Creek, and in the east line of a lot of land containing 100 acres conveyed by Caldwell Williamson, to Isaac White on the 28th day of March, 1828. Thence with said line S. 8½° W. 16 20/100 poles to a stake; Thence N. 81½° W. 20 60/100 poles to a stake in the East line of Richard White's land; Thence with said line N. 8½° E. 16 20/100 poles to a stake in the center of said road. Thence S. 81½° E. 20 60/100 poles to the beginning containing 2 Acres and 15 poles more or less.

To Sarah A. Green, A lot of land described as follows Situate in the County of Huron and State of Ohio and part

Monday, February, 6th 1882.

of Survey No. 3694. Beginning at a stake and two beeches North East corner to a lot of land containing 100 Acres conveyed by Lucewell Williamson to Isaac White on the 28th day of March 1828. and in the North line of said Survey No. 3694. Thence with said line N. 81 W. 20 68/100 poles to a Stake corner to said Richard H. White's land. Thence with the east line of said land as now fenced S. 8½ W. 252 poles to a stone and brick on the North bank of Bokes Creek. Thence same course S. 8½ W 1 40/100 poles to the center of said creek; Thence down the Creek and with the present channel thereof to the lower corner on the Creek to the above mentioned 100 Acre lot of land, Thence with the last line of said land N 8½ E 250 60/100 poles to the beginning containing 32 Acres and 100 poles more or less. Excepting therefrom 2 Acres and 15 poles assigned to Ashley Keglitlinger leaving balance in the above described tract 30 Acres & 85 poles more or less.

To Richard H. White. A lot of land described as follows, Situate in the County of Union and State of Ohio, and part of Survey No. 3694. Beginning at a stake in the center of Bokes Creek, original corner to Thomas Lusk's land, and in the westerly line of said Survey Thence with said Survey line N. 9° E. 129½ poles to the center of the Marion Road; Thence with the center of said Road N. 26½° E. 119 poles to a stake in said road and in the north line of the survey, Thence with said line S. 81° E. 13 52/100 Poles to a Stake North west corner to Sarah A. Green's land, Thence with the west line of lands of Ashley Keglitlinger and Sarah A. Green, as now fenced S. 8½° W. 252 Poles to a stone and brick on the north bank of Bokes Creek. Thence same course S. 8½° W. 1 40/100 Poles to the center of said Creek. Thence up the creek with the present channel thereof to the beginning containing 63 Acres & 100 poles more or less.

Also another lot of land situate in said County & state and in Survey No. 3693. Beginning in the center of Bokes Creek, on the east line of lands formerly owned by Francis Scott, at the old bridge on the Marion Road, Thence down said creek with the meanders thereof to a stake in the original east line of said survey; Thence with said line N. 9° E. to Joseph Whites Corner; thence on a straight line to the beginning containing 2 Acres more or less.

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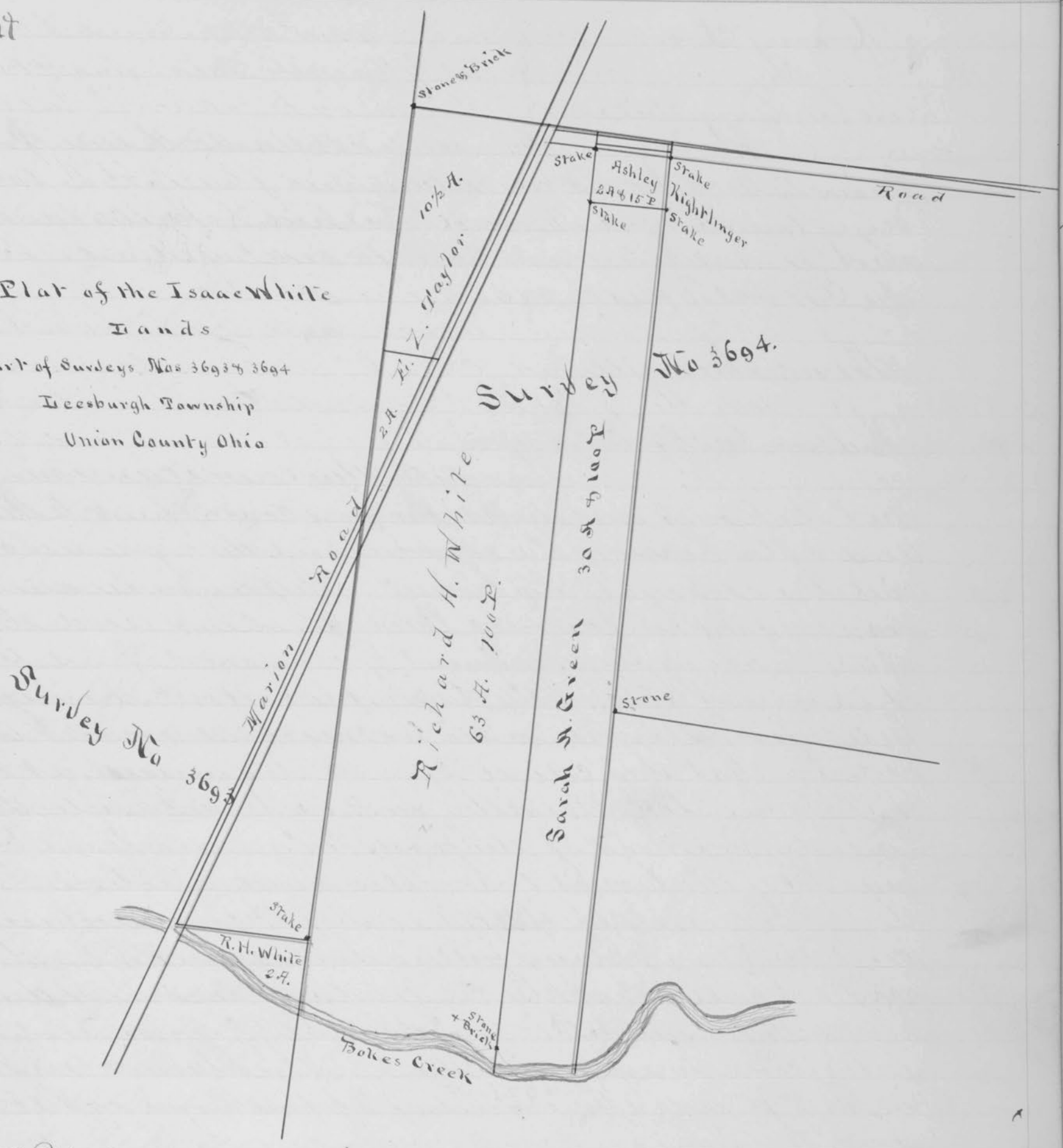
Plat

Plat of the Isaac White Lands
Part of Surveys Nos 3693 & 3694
Decesburgh Township
Union County Ohio



X Which amicable Partition so made by said Parties is approved & confirmed by the Court and it is ordered that said Ashley Kightlinger, Sarah A. Green & Richard H. White each stand seized in fee in severally of the parts and portions so set off to them by said Amicable Partition and the same is ordered to be recorded.

It is further ordered that the costs of this proceedings including a counsel fee of Forty Eight Dollars to J. L. Cameron, #15.00 to Carpenter & Broderick and #15.00 to Robinson & Piper be paid by said last named parties in the following proportions to-wit: Said Ashley Kightlinger 2/97. Said Sarah A. Green 30/97 and Richard H. White 65/97 and that their said lands stand charged with their respective proportion of said cost.

Monday. February 6th 1882.

3786. Henry Fox vs John Liggitt et al } Now comes the said Henry Fox 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 motion is hereby made part of the Record of this case. 3946.

3918. Thomas Cowgill vs Wallace Sniffin } This day this cause came on for trial and the Court submitted the questions of fact to the Jury and after hearing the evidence and the agreement of Counsel and the charge of the Court; They answer said questions of fact in favor of the Defendant and the Court after hearing the argument of counsel do find the questions of law in favor of the Defendant, and the injunction heretofore allowed is now dissolved and it is further ordered that this cause stand dismissed at the cost of the Plaintiff. And the motion to set aside the findings and the verdict of the Jury for a new trial being heard by the Court overrules said motion To which ruling the Plaintiff then and there excepted and the Court being fully advised in the premises find and adjudge that the Defendant recover of the Plaintiff his costs taxed to $— Plaintiff gave notice of his intention to appeal to the District Court and the Court fixed the amount of Appeal Bond at $200. 3605. 3964. 3811.

3890. Andrew McNeil vs Com. of Union Co. } This cause being heard on the demurrer to the petition, the Court does on consideration overrule the same. Which ruling was excepted to by the Defendants. And on motion the Defendants are allowed to answer within 30 days from the rising of the Court. 3786.

3889 William McGinnis vs James B. Whelpley et al } This cause being heard on the demurrer to the petition, the Court does on consideration overrule the same which ruling was excepted to by the Defendants. And on

motion the Defendants are allowed to answer within 30 days from the rising of the Court.

3946. J. P. Coatline vs L. Converse et al. } Settled & Cost Paid. No Record

3605. Edward E. Cole. assignee vs Henry. Sheridan et al } Settled & Cost Paid. No Record

3964. George Holycross vs John McKitrick } This day came the Parties by their attorneys & compromised this action and plaintiff dismissed this suit at his own cost. Due cost paid. Papers withdrawn. No Record.

3811. Job. S. Dillon vs George B. Hamilton } This day came the Parties by their Attorneys and compromised this action the cause of action and the Defendant has paid the Plaintiff his full satisfaction for the same It is therefore considered and adjudged by the Court that the defendant go hence without day and recover of the Plaintiff his cost herein expended taxed to $-- Papers withdrawn No Record.

3786. Henry Fox vs John Liggett. et als. } The Jury in this action having on a former day of this term rendered a verdict for the defendants and the cause coming 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 do overrule the same It is therefore considered by the Court that the said defendants go hence without day and recover from the said plaintiff their costs herein expended taxed to $. To all of which ruling order and judgment the plaintiff then in open

Monday, February 6th A.D. 1882.

Court excepted. and did pray the Court to allow sign and seal his bill of exceptions all of which was accordingly done. and ordered to be made a part of the record in this case.

3706. Fullington Phillips & Wood
vs
A. G. Pearson et als.

This day came the parties & on motion this cause is referred to F. J. Arthur as referee to decide all questions of pleadings, to take testimony on reasonable notice to the parties & report his findings of fact and law in the case. & report also the evidence taken in the cause, said referee to allow all further necessary pleadings to make up the issues between the parties, & report at the next Term of Court to which time this cause is continued.

3925 George Harriott
vs
John Haskell 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 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 the sum of $6000 & 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 thereupon neither of said parties electing to take the said premises at their appraised value, on motion of Plaintiff it is ordered that said premises be sold at Public auction and that an order issue therefor to the Sheriff of Union County.

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In vacation

State of Ohio }
Union County } S.S.

I hereby certify that I have this day appointed W. M. Wingett Deputy clerk of the Court of Common Pleas and District Court within and for said County of Union. Witness my hand and seal of said Court of Common Pleas this 9th day of Feby A.D. 1882

J. L. Burgner
Clerk of Court of Common Pleas
of Union County, Ohio

I do hereby approve the above appointment this 9th day of Feby A.D. 1882

John L. Porter
Judge, Court of Common Pleas
of Union County Ohio

Thereupon W. M. Wingett appeared and took the oath of Office before me J. L. Burgner Clerk of the Court of Common Pleas
of Union County Ohio

The State of Ohio.
Union County, SS.

I hereby certify that I have this day appointed Tabor Randall Deputy Clerk of the Court of Common Pleas within and for said County of Union. Witness my hand and the Seal of said Court this 27th day of June A.D. 1882.

J. L. Burgner, Clerk, Court of
Common Pleas, Union County, O.

I do hereby approve the above the above appointment this 27th day of June A.D. 1882

John A. Price, Judge of the
Court of Common Pleas,
Union County, Ohio.

Thereupon Tabor Randall appeared and took the oath of Office before me this 29th day of June A.D. 1882

J. L. Burgner Clerk

3923 Minerva Sharp
v. s.
David Sharp } In vacation

Union County Court
of Common Pleas

In pursuance of the motion and notice heretofore given this cause came on to be heard before the Hon. John A. Price Judge of the Court of Common Pleas of Logan County Ohio at the Court House in said County and was submitted upon affidavits and testimony and argued by Counsel and the Court being fully advised in the premises do find for the Plaintiff and allow her alimony pending said suit in the sum of Fifty Dollars. It is therefore considered ordered and adjudged that the Plaintiff recover of the Defendant said sum of Fifty Dollars so allowed and in default of the payment thereof for twenty days from this date that execution be issued therefor. Done at Bellefountaine Ohio the 15th day of Feb. 1882

State of Ohio
vs
Andrew Spratt } In vacation. Probate Court.
Application to admit to bail.

Be it remembered that at a Court of Probate within and for said County, held on the 29th day of March 1882 before John B. Coats Judge of said Court, came Andrew J. Spratt and made application to be admitted to bail, whereupon it was ordered by the Court that a special warrant issue to the Sheriff of County, commanding him to bring the body of the said Andrew J. Spratt before the said Probate Court, on the 29th day of March 1882, to the end that the said Andrew J. Spratt may be admitted to bail according to law. And that thereupon on the 29th day of March A.D. 1882 a special warrant was issued to the said Sheriff, and by the said Sheriff returned according to the command thereof, with the body of the said Andrew J. Spratt and it appearing to the Court by the return of the said Sheriff that the said A. J. Spratt was committed to the Jail of said County by H. M. Wright a Justice of the Peace within and for the County of Union and State of Ohio on the 29th day of March A.D. 1882, on a charge of assaulting and beating W. T. Jones while in the discharge of his duty as Marshal of the incorporated Village of Richwood in default of bail in the sum of four hundred Dollars, ordered by the said H. M. Wright said Justice of the Peace to be by said A. J. Spratt given. And that thereupon the said Court being fully advised in the premises, ordered that the said Andrew J. Spratt enter into a recognizance in the sum of two hundred Dollars with approved sureties, conditioned according to Law that the said A. J. Spratt be and appear before the Court of Common Pleas, in and for said County, on the 1st day of the next term thereof,

to answer to said charge and that thereupon the said A. J. Spratt entered into recognizance accordingly with R. R. Kerr James Hughes & Wright Harriman sureties, which said recognizance is approved and the said A. J. Spratt discharged from the custody of said Sheriff.

4021

Order of Injunction.

Before the Probate Judge
Union County Ohio

Martha Jenkins
vs
Joseph Jenkins

In Vacation.

Motion for temporary injunction, in the Court of Common Pleas, Union County Ohio

And now this 7th day of April 1882 came the plaintiff by J. L. Cameron her Attorney, and it being made to appear that there is at this time no Common Pleas, District or Supreme Judge within said County, the motion of the Plaintiff for a temporary injunction came on and was heard upon the petition of the plaintiff and the affidavit therein filed and after hearing the argument of counsel, and being fully advised in the premises it is considered and ordered that a temporary injunction be and the same hereby is allowed in this case to restrain the said defendant from in any way interfering with the plaintiff in the possession and enjoyment of her property named in her petition or from preventing or interfering with the plaintiff in taking her said Wagon or buggy or from taking other property named in the petition and defendant is enjoined from doing any act or thing to annoy the plaintiff or deprive her of the free use and enjoyment of her said property, and enjoined from taking any other property from her said premises, or from interfering with or preventing her from getting the possession of said horse and buggy and the said Wagon and is enjoined in every way as prayed for in the said Plaintiffs petition as prayed for in said petition of plaintiff. It is further ordered that the Clerk of the Court of Common Pleas issue summons in this case endorsed injunction allowed and no bond is required of the said plaintiff, it being deemed a proper case to not require bond.

John B. Coals, Probate Judge

Order of Injunction

4021

James A. McAllister
vs
William H. Folk

In vacation.

Before the Probate Judge
Union County, Ohio

Motion for temporary injunction, in the Court of Common Pleas Union County, Ohio. And now on this 14th day of April 1882 came the plaintiff, by J. M. Kennedy his attorney; and it bring made to appear that there is at this time no Common Pleas, District or Supreme Judge within said County, the motion of the plaintiff for a temporary injunction came on and was heard upon the petition of the plaintiff James A. McAllister and the thereinfiled, and after hearing the argument of counsel, and bring fully advised in the premises, it is considered and ordered that a temporary injunction be, and the same hereby is allowed in this case to restrain the said Defendant William H. Folk until further ordered from in any manner selling disposing of or in any way interfering with any of brick or any other thing of value that may be on the premises described in the plaintiffs petition or that was on the same at the time he took possession of the same as prayed for in said petition of plaintiff. It is further ordered that the Clerk of the Court of Common Pleas issue Summons in this case endorsed injunction allowed on said plaintiff, giving an undertaking to said defendant, conditioned according to law with security to be accepted by the said Clerk of the Court of Common Pleas, in the sum of $200.00

Signed John B. Coats, Probate Judge.

Monday May 1st 1882

The State of Ohio
Union County ss.

This separate Session of the Court of Common Pleas of the 3rd division 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 two, held in the Court House in the town of Marysville Ohio County and State aforesaid.

Present

Hon. John A. Price Judge

John Habrusack Sheriff

Attest J. L. Brugner

Clerk of the Court of Common Pleas
Union County O.

The venire facias for a Grand Jury heretofore issued and returnable this day at 8½ O'clock A.M. was duly returned by the Sheriff with his endorsements thereon as follows, to-wit;

The State of Ohio
Union County S. S. (

Sheriffs Office Apr. 3rd 1882

On the 3rd day of April A.D. 1882 I received this Venire and served the same on the several persons therein named, at the times and in the manner placed opposite their names endorsed thereon.

James Cooley	Apr. 6th 1882	By Copy	Summons	
A.K. Minthorn	" 9 "	"	"	"
W.C. Malin	" 3 "	"	Personal	
C.A. Ferguson	" 6 "	"	"	
James McCleand	" " "	"	Copy	"
D.H. Henderson	" 5 "	"	"	"
Edward Stillings	" 3 "	"	Personal	
L.S. Bonnett	" 8 "	"	"	
T.J. Kilbury	" 12 "	"	"	
John Carr	" 10 "	"	Copy	"
George Trapp	" "	"	"	"
George P. Cross	" 4 "	"	Personal	
Abner Liggett	" " "	"	"	
Uriah Cook	" 5 "	"	Copy	"
C.L. Cox	" 13 "	"	"	"

John Habrusack Sheriff

And upon calling the same in open Court and each Juror in person answering to his name and upon proper reasons being presented L.S. Bonnett was excused from serving on the Grand Jury. The Sheriff summoned from among the bystanders Jeremiah Danforth and the Panel being then full the Court appointed W.C. Malin Foreman and he with his fellow

1998

4029

Jurors took the oath in form and manner prescribed by law and the said Jury being then instructed by the Court in relation to their duties were conducted to their room by the Sheriff for deliberations.

The following named persons compose the Grand Jury, to-wit:

1 James Cooley
2 N. K. Smithorn
3 W. C. Malin — Forman
4 C. A. Ferguson
5 James McCloud
6 D. A. Henderson
7 Edward Stillings
8 F. F. Kilbury
9 John Carr
10 George Trapp
11 George P. Cross
12 Abner Liggett
13 Uriah Cook
14 P. L. Cox
15 Jeremiah Danforth, called

1998 H. C. Doney vs Tillman G. Goff & Henry C. Goff } Money only

Now came the plaintiff herein and the defendants bring in fault for answer and demurrer the Court find the allegations of the petition are confessed by him to be true and that the defendants are indebted to the plaintiff in the sum of One hundred and seventy three and 75/100 Dollars.

It is therefore considered by the Court that the said plaintiff recover from the said defendants the sum of One hundred and seventy three and 75/100 Dollars and his costs herein expended taxed to $.

4024 Sarah F. Jennings vs John A. Jennings }

This day came Sarah F. Jennings by her Attorneys and made application for a writ of Habeas Corpus for the body of her infant daughter Effie M. Jennings, and it being made to appear to the Court that said Effie M. Jennings is detained by John A. Jennings and John Jennings without any legal authority. It is therefore ordered that a Writ of Habeas Corpus be allowed to issue on behalf of the said Sarah F. Jennings for the body of Effie M. Jennings to the Sheriff of Union County this returnable according to law.

Findley D. Davis vs Elijah Lister } Continued by agreement

3749 H. M. Rouse Admr
v.s
P. C. & St Louis Railway Co. } Continued by agreement.

3808 Elijah Mitchell
vs
Marion Dockhund }

This day came the plaintiff and dismissed without prejudice. It is therefore considered and adjudged by the Court that the defendant recover of the plaintiff his costs herein expended taxed to $. No record.

3616 M L. Stewart
vs
Job. E. Stephenson } Continued by agreements.

3140 James Carter
v.s
The Bank of North Lewisburg } Continued by agreement.

3908 Clemenia E. Younkin
v.s
William Younkin }

This cause came on to be heard on the return of the Sheriff of Perry County Ohio, of the writ of execution issued herein to him, with his report of his proceedings and sale of lands and tenements of said Writ. And the Court having carefully examined the said proceedings, being satisfied that 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 of said Perry County Ohio, make to the purchaser Eli Younkin a deed in fee simple for the lands and tenements so sold, to-wit; Situate in Perry County Ohio, and being the one undivided eleventh part of one hundred acres off of the South East quarter of section (11.) Eleven, the west half of the South West quarter of section twelve (12.) and the North East quarter of section fourteen (14.) all in Township Thirteen (13) of Range Fourteen (14) containing 380 acres more or less. Subject however to the dower estate of Margaret Younkin widow of John Younkin Dec'd. 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 to $. Second. to the plaintiff the amount of this Judgment herein rendered with interest to this date to-wit= the sum of $1107 46 Third the residue to the defendant Wm Younkin to-wit. the sum of $.

E. Aultman & Co.
vs
George W. South

This day came the parties by their Attorneys and waived the calling and empanelling of a jury and by consent submitted this cause to the Court upon the pleadings and evidence, on consideration whereof the Court find for the plaintiff and assess the amount of his damages of plaintiff by reason of the detention of said plaintiff at one cent. It is therefor considered and adjudged by the Court that the plaintiff recover of the defendant the sum of one cent his damages so found due together with his costs herein expended taxed to $1

Kate Ellies
vs
Hugh Houston & Co. Wm. W. Johnson. T. P. Johnson.
James D. Miller, J. M. Shannon Shannon & Amos Clingerman

Now comes the said Kate Ellies by A. B. Johnson her attorney and files her petition against the said Hugh Houston & Co. Wm. W. Johnson. T. P. Johnson. James D. Miller J. M. Shannon and Amos Clingerman defendants, And thereupon J. L. Cameron one of the Attorneys of this Court appeared in open Court, in behalf of said defendants, and by virtue of a Warrant of attorney for that purpose executed and now produced to the Court duly proved waived the issueing and service of process and confessed that said Defendants do owe to the said defendants the said sum of $20.99 72 as the said plaintiff hath in her said petition set forth. It is therefor considered that the said Kate Ellies do recover of the said Hugh Houston & Co. Wm. W. Johnson. T. P. Johnson. James D. Miller. J. M. Shannon and Amos Clingerman the said sum of $20.99 72 so confessed to be due, and also her costs taxed at $ and by virtue of the said Warrant of attorney all Error is released and all right of appeal waived by said Hugh Houston & Co. Wm. W. Johnson. T. P. Johnson. James D. Miller, J. M. Shannon and Amos Clingerman Defendants.

And thereupon Court adjourned until tomorrow morning at 8½ o'clock.

Tuesday, May 2nd A.D. 1882

This morning Court met pursuant to adjournment at 8½ o'clock, the same officers being present as on yesterday.

3924 W. W. Snuffin vs Thomas Cowgill } This cause coming on to be heard on the motion of defendant to strike the petition from the files for want of verification was submitted whereupon the Court do sustain said motion.

3147 Joseph E. Fouke vs George Loar } On motion leave is granted plaintiff to file ~~petition~~ instanter. Petition filed.

3924 W. W. Snuffin vs Thomas Cowgill } On motion leave was granted to plaintiff to file petition in this case instanter. To which ruling of the Court the defendant excepted.

3654 Joshua S. Gill vs The Ohio Mutual Relief Association } On motion leave is given to plaintiff to file an amended reply instanter and the same is filed. 3959

3827 Thomas Wharton vs C. C. C. & I. Ry Co. This day this cause came on to be heard upon the motion of defendants to require plaintiff to reform petition and the Court being fully advised in the premises do sustain said motion thereupon plaintiff asked and obtained leave to amend his petition within 20 days from rising of Court and cause continued

3012 Emma Cartmell vs Benny Woodworth } Continued.

3853 U. S. Alden vs The Peoples Bank } Continued.

3938

3938 W. M. Winget vs James W. Walsh 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, on careful examination of the proceedings of the said Sheriff being satisfied that the same have been made in all respects according 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 Aaron B. 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 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 twelve hundred and Sixty five Dollars ($1265.00) 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 now a lien on said premises = $.16.25 Third. to the plaintiff the amount heretofore found due him with interest to-wit = the sum of $346.37. Fourth. to the defendant J. W. Robinson the amount heretofore found due to him with interest to-wit = the sum of $410.53 That the balance remain in the hands of the Sheriff until the further order of the Court in this case and leave is given to J. W. Walsh to file answer in one week.

Lucinda Ford

3959 vs Continued.

Rhoda Ford

Now comes Lucinda Ford plaintiff and suggests to the Court that the said Rhoda Ford defendant has died since the commencement of this action and that Daniel S. Ford has been duly appointed and qualified as executor of the last will and testament of the said Rhoda Ford and the Court being fully satisfied thereof and on motion it is hereby on motion of the said Lucinda Ford ordered that this action stand revived in the name of Daniel S. Ford as said executor and proceed against him. Leave is also given to plaintiff to file an amended petition instanter which amended petition is filed and cause continued, with leave to defendant to plead in 20 days from the rising of the Court

Julia A. Benedict vs Continued.

Jason N. Chapman

Tuesday May 2nd A.D. 1882

Lucinda Ford

3847 vs

Daniel Ford et. als

Now comes Lucinda Ford and suggests to the Court that the said Rhoda Ford has died since the commencement of this action and that Daniel Ford has been duly appointed and qualified as executor of the last will and testament of the said Rhoda Ford, And the Court being fully satisfied thereof and all parties consenting it is hereby on motion of the said plaintiff ordered that this action stand revived in the name of Daniel Ford as said executor and proceed against him. Leave is also granted to the plaintiff to file an amended petition making the ~~said~~ devisees of the said Rhoda Ford defendant which amended petition filed and this cause is continued with leave to defendants Daniel Ford as such executor to plead in thirty days from the rising of the Court. 4029

David J. Ellis

3665 vs

Alexander J. Mahaffey et. als

This day came the parties by their Attys and thereupon to try the issues joined between the parties came a jury to-wit: C. L. Corry, Wm Harris, R. B. Thompson, Phillip Snyder, Isaac Brodrick, John M. Blue, F. L. Beard, Adam Richey, Egra Hodges, Alexander Crist, Benson Bowie, & James A. Henderson, who were duly impannelled and sworn according to Law, and the Jury having heard the testimony, arguments of counsel and charge of the Court retired to consult of their verdict and afterward brought into open Court the following verdict:

Verdict The State of Ohio Union County, S.S. May Term, A. D. 1882. To-wit: May 2nd 1882. David J. Ellis vs. Alexander J. Mahaffey et. als 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 One Hundred Dollars.

Signed, Phillips Snyder, Foreman.

And thereupon Court adjourned until tomorrow morning at 8½ o'clock

Wednesday May 3rd A. D. 1882

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

State of Ohio Union County ss. Before the Court of Common Pleas

4029

Sarah F. Jennings on behalf of Effie M. Jennings Pltff
-vs-
John H. Jennings and John Jennings Defts

Now comes the Sheriff of said County and made return of the writ of Habeas Corpus heretofore issued in this case and also brought the body of the said Effie M. Jennings before the Court and made return that he served the said John H. Jennings and John Jennings with a true copy of the writ of Habeas Corpus commanding them to forthwith appear and show cause of said unlawful caption and detention and neither the said John H. Jennings or John Jennings making any return this cause came on to be heard upon the evidence and the Court do find upon the hearing that said Sarah F. Jennings is a fit and proper person to have the custody and control of said child and that she is entitled to the custody thereof, and was so entitled and was so entitled at the time of issuing the said writ and that she was unlawfully deprived of the custody of said child by the said John Jennings and John H. Jennings and was said unlawfully restrained by them. It is therefore ordered that Effie M. Jennings forthwith be restored to the custody of the said Sarah F. Jennings and be free from said unlawful restraint and that the custody and control of said Effie M. Jennings be and the same is hereby given to the said Sarah F. Jennings and permission is granted to said John H. Jennings to visit said child at proper times until the further orders hereof. And it is further ordered that the cost of this proceedings be paid out of the treasury of said County upon the warrant of the County Auditor.

Wednesday, May 3rd A.D. 1882

3948 William M. Koons Guardian &c
vs
Evrline Sharps et. als

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 has 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 first parcel of the premises described in the order of sale being 10 1/2 acres to John M. Drake and Lemuel Crowson the purchasers, for said parcel, in fee simple, and the said sheriff is ordered by deed duly executed to convey the second parcel of the premises described in said order of sale being 2 3/4 acres to Aaron Coleman and David Logan the purchasers for second parcel, in fee simple.

It is further ordered that the Sheriff out of the proceeds of sale, pay
First. To the Clerk of this Court the costs herein including a fee of $94.30 to plaintiffs Attorneys, and the taxes, $244.00 that are a lien
Second. That remainder of the hand money be equally divided between William M. Koons as guardian of James M. Sharp, Delford Sharp, William Sharp, Norman Sharp, David Sharp, Evrline Crowson, Lucinda Orme, and Lydia M. Drake.
Third. That the Sheriff take a Mortgage to himself in trust for the said parties on said premises for the payment of the other two thirds of said purchase money as the statutes directs. And when the administrator of the estate of said Cornelius C. Sharp shall furnish to the Sheriff the amount that will be needed to pay off all the debts of the said Cornelius C. Sharp deceased certified to by the probate Court, then the said Sheriff shall pay to said Administrator said amount and take his receipt therefor and distribute the balance equally between the said parties described.

Report of Grand Jury

To the honorable John A. Price Judge of the Court of Common Pleas of said County, of the may term, 1882, beg leave to report that they have been in session three days, and herewith return to the Court the indictments presented by said Jury; We have carfully examined into all such matters as have legitimately come to our notice, having examined over Sixty witnesses, covering Sixteen cases and presented five bills and ignored Eleven cases considered by us. The business has been transacted in as expeditious a manner as possible. During our session we have visited the County Jail and made a complete examination thereof, and find that the rules prescribed by the Court for the care thereof and for the government of its inmates, have been carried out and properly enforced and that the sanitary condition thereof so far as it is in the power of the Sheriff is good, but we find that the pipes leading from the water closets therein are in a bad condition, almost amounting to a nuisance, and this

and this condition exists although the same complaint has been sent in by former Grand Juries, and now we ask that the attention of the County Commissioners be called to the matter in such way that they cannot longer ignore the same. We believe that the ordinary rules governing mankind demand that our jail be kept in at least a decent condition. We also recommend that the windows of the Jail be fixed in the manner reported by the Grand Jury at the January session of this Court.

Respectfully submitted.

William C. Malin, Foreman.

Marysville Ohio, May 3rd A.D. 1882.

This day appeared at the bar of this Court the Grand Jury heretofore impaneled and sworn and for the body of the County aforesaid viz:

James Cooley, A. K. Minthorn, William C. Malin
C. A. Ferguson, James McCloud, D. H. Henderson,
Edward Stillings, T. F. Kilbury, John Carr,
George Trapp, George P. Cross, Abner Liggett
Uriah Cook, P. L. Cowgill, Jeremiah M. Dautforth, called

And presented their certain bills of indictment against

Peter Mayo and Jessie Mayo, for Burglary & Grand Larceny
John Atherton for Burglary & Petit Larceny
Wm. Fist and David Beard, for throwing a glass bottle at a Railroad Train.
Frazer Lown for shooting at a Railroad Train.
Lawson B. Harvey, for seducing girl under 18 years of age, under the promise of marriage.

Wm. C. Malin, Foreman.

Attest J. L. Burgner Clerk

Wednesday, May 3rd 1882

Court of Common Pleas Union County Ohio.

Walter S. French, Jessie V. French, May L. French and John H. French et. als
vs
Robert Hill et. als

3618

This day came the parties by their Attorneys and thereupon came a Jury to wit: William Harris R. B. Thompson, Phillip Snyder, Isaac Brodrick, John M. Blue, T. L. Beard, Adam Richey, Ezra Hedges, Charles Lyons, Ezra Kendall, Jacob V. Nash and C. M. Robinson who being duly ~~impannelled~~ sworn the truth to speak upon the issue joined between the parties in this suit, upon their oaths do say, that they find for the plaintiffs and that the plaintiffs have a legal estate in and are entitled to immediate possession of the land described in the petition and that the defendants unlawfully keep them out of the same in manner and form as the said plaintiffs have in their petition set forth.

2623 Mariah Stickles vs John Stickles — Continued by agreement.

3012 Emma Cartwell vs Benny Woodworth — Continued for service.

3364 Finley D. Davis vs E. Lister — Continued by agreement.

And thereupon Court adjourned until tomorrow morning at 8½ o'clock

Court met this morning pursuant to adjournment. The same officers being present as on yesterday.

Ann Karnes

3618 vs

Hezekiah Warner

(May 3rd 1882) 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 F. Swarner	F. P. Shields
Jacob Hauser	George Lyons
C. L. Corey	James Cooley
Edward Stillings	Eli Norvill
Wm Goff	John Clark
George Weaver	Jeremiah Dautforth

who being duly impannelled and sworn present the following

Verdict

The State of Ohio Union County S. S. May Term A.D. 1882
To-wit: May 3rd 1882 Anna Karnes vs Hezekiah Warner
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 $30.00

J. M. Dautforth, Foreman.

And thereupon Court adjourned until tomorrow morning at 8½ o'clock

Friday May 5th 1882

Court met this morning pursuant to adjournment, the same officers being present as on yesterday.

3700 P. P. Kerr vs M. D. Lyons } 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;

3731

John M. Blue, Isaac Broderick, Ezra Hedges,
Adam Richey, George Weaver, Phillips Snyder,
Robert Robinson, John Liggett, P. P. Shields,
Wm Harris, F. L. Beard, R. B. Thompson

who were duly impannelled and sworn according to law, presented the following

Verdict.

The State of Ohio Union County, ss. May term, A.D. 1882.
To-wit May 4th 1882 P. P. Kerr Plaintiff vs M. D. Lyons Defendant.
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 $2.20
(Two 20/100 Dollars)

Signed Isaac Broderick, Foreman.

3618 Ann Karnes vs H. Warner } May 24th A.D. 1882

This 24th day of May 1882 this cause came on to be heard upon the motion of the Defendant for a new trial herein and was argued by counsel upon consideration where of the Court overruled said motion to which decision of the Court the defendant excepted. It is therefore considered ordered and adjudged by the Court that the plaintiff recover from the Defendant the sum of Thirty Dollars, The sum so found by the jury herefore impannelled together with the costs herein taxed to $. and in default thereof that execution issue therfor within ten days from this date.

Friday. May 5th 1882

3731 Benjamin Wood
vs
John Goudy et. als

This day this cause came on to be heard upon the motion of the defendant to file an amended answer and the Court being fully advised in the premises do sustain said motion. Thereupon said amended answer was filed and this cause continues with leave to reply to answer in 20 days from rising of Court.

Mast Foos & Co.
vs
Thomas B. Fulton, Assignee

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:

C. L. Corey. James Cooley. J. M. Danforth.
Edward Stillings. Jacob Houser. George Lyons.
John M. Blue. Isaac Brodrick. Ezra Hedges.
Adam Richey. George Weaver. Robert Robinson

who were duly impannelled and sworn according to Law presented the following Verdict.

The State of Ohio Union County ss. May Term A.D. 1882
To-wit= May 5th 1882 Mast Foos & Co. Plaintiffs vs Thomas B. Fulton, Assignee, Defendant, We, the Jury in this case, being duly impannelled and sworn do find and say that We find for the plaintiffs, and assess their damages at ten cents,

"Signed". Isaac Brodrick. Foreman

Friday May 5th 1882

Wiley Berkley
vs
Arah Mayo et als } Court of Common Pleas, Union County, Ohio.

Upon hearing of motion to substitute I. N. Bowersmith as plaintiff in said action and it appearing to the Court that the said plaintiff Wiley Berly has transfered all his interest in the land of which partition is demanded and his interest in said to said I. N. Bowersmith the Court orders that said I. N. Bowersmith be substituted as plaintiff in this action in the ~~said~~ of said Wiley Berkley.

I. N. Bowersmith
vs
Arah Mayo, Hunnietta Jackson, Lewis Mayo and Warner Mayo } Court of Common Pleas Union County O.

Now came the plaintiff herein by his attorney and his 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 said petition and that they are in default for answer and demurrer, and that the said petition is thereby confessed or ~~the~~ true. Thereupon the Court find that the said Arah Mayo, Widow, is entitled to dower in the premises described in the petition and that subject thereto the said plaintiff I. N. Bowersmith is siezed of and has a legal right to the undivided one fourth part of this estate described in the petition and is entitled to have partition made of said premises; that the defendants are tenents in common with the said plaintiff in the said premises in the following proportions to, wit: that sujject to such dower of the said Arah Mayo the said Warner Mayo is sieged of and has a legal right to the undivided one fourth part thereof, the said Lewis Mayo to the undivided one fourth part thereof and the said Hunnietta Jackson to the undivided one fourth part thereof. And no reason appearing why partition should not be made. It is therefore ordered adjudged and decreed that the said Arah Mayo be endowed of one full equal third part thereof of said premises and that sujject 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 Phillip Snyder Wasley Gorrard and Alf Scott three judicious and disinterested freeholders of the vicinity who are not of kin to either party who are herby appointed commissioners for that purpose he caused 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 metes and bounds without injury to the value thereof then appraise the same both sujject to and also free from the dower of the said Arah Mayo. And of his proceedings herein the said Sheriff is ordered to make and return without unnecessary delay.
and thereupon Court adjourned until tomorrow morning at 8½ o'clock

Saturday May 6th 1882

Court met this morning pursuant to adjournment. The same officers being present as on yesterday.

And thereupon Court adjourned until Monday May 8th at 1½ o'clock P.M.

Monday May 8th 1882

Court met today pursuant to adjournment, The same officers present as on Saturday.

State of Ohio
vs
Edward Cramer

On the 2nd day of May came the parties and thereupon this cause came on to be heard upon motion of the defendant to quash the proceedings herein for the reasons therein stated, And thereupon on motion of plaintiff and it being made to appear that the Justice before whom this action was commenced was present in Court with the original affidavit and examination and was given to plaintiff to have said Justice attach his certificate to said transcript and to file the affidavit and original examination of the complainant had before said Justice to which defendant excepted and thereupon said Court did overrule said motion of defendant to quash to which ruling of the Court the defendant also excepted.

3893

4010

State of Ohio
vs
Ed Cramer

This day came the parties and the said defendant Edward Cramer being present in Court for his plea says he is not guilty.

4010

615

The State of Ohio
vs
Wm Fist and David Beard

Indictment for throwing glass bottle at Railroad train.

This day came the Prosecuting Attorney on behalf of the State of Ohio, and the said defendants William Fist and David Beard being brought into Court in custody of the Sheriff and at their request and by their assent, their attorneys being present and advising them, said defendants were both arraigned upon said indictment and for plea thereto they both say they are not guilty, and put themselves upon the Country, and the Prosecuting Atty doth the like, And at the request of said defendants the Court fix the amount of recognizance herein which the Court fix at Five hundred Dollars each, Thereupon came the said Wm Fist with J. N. Fist & Mathew Siegrel as his sureties and entered into recognizance before the Court in the sum of Five hundred Dollars, conditioned for his appearance in said Court on the 18th day of May A.D. 1882, to answer said charge, And the said David Beard failing to enter into recognizance was remanded to the custody of the Sheriff to await trial.

3875

And thereupon Court adjourned until tomorrow morning at 8½ o'clock

Court met this morning pursuant to adjournment, the same officers being present as on yesterday.

3893 Matilda Dilsaver
vs
Susan Swartz

Continued on motion and showing of the defendant and at her costs. It is therefore considered that the defendant pay the costs of this term taxed to $.

4010 A. J. Hickman
v.s
F. F. & W. L. Hagen

This day this cause came on to be heard upon the Demurrer of defendants to plaintiffs petition and was argued by Counsel and submitted to the Court whereupon the Court being fully advised in the premises overruled said Demurrer. To which ruling and decision of the Court defendants excepted.

4010 A. J. Hickman
vs
F. F. Hagen & W. L. Hagen

And now comes the said A. J. Hickman and the demurrer of the said F. F. Hagen & W. L. Hagen having been overruled and they declining further to plead to the petition of A. J. Hickman it is considered that the said A. J. Hickman ought to recover, on the notes set up in his said petition the said sum of $1562 25/100 so demanded in his petition, together with the sum of $29 69/100 which the Court find due as the interest thereon as prayed for in said petition up to the 1st day of May A.D. 1882. It is therefore considered that the said A. J. Hickman recover against the said F. F. Hagen and the said W. L. Hagen the said sum of $1592 94/100 with 6 % interest thereon from May 1st 1882, together with his costs in and about his suit in this behalf expended taxed to $.

3875 George Hughes
vs
Susan Adams

This day this cause came on to be heard upon the motion of defendant for continuance and upon her showing and the Court being fully advised in the premises do sustain said motion, And upon further consideration adjudged the costs of this continuance against the defendant. It is therefore considered ordered and adjudged that the Plaintiff recover of the defendant the costs of this term taxed at $.

Tuesday May 9th A.D. 1882

3855 Cornelius J. McIntire
v.s
Nancy Eakin

This case is dismissed at the cost of the plaintiff and without prejudice. It is therefore considered and adjudged by the Court that the defendant recover of the plaintiff her costs herein expended taxed to $. no record.

State of Ohio
v.s
Edward Cramer

This day came the parties by their Attorneys and thereupon came a jury to-wit= C. L. Corey, Wm. Harris R.B. Thompson Isaac Brodrick, F. L. Ruard, Adam Richey, John F. Gaertner, John Liggett, Geo. Lyons, J.M. Danforth, George Weaver and Jacob Hauser, who to speak the truth upon the issues joined between the parties do upon their oaths say; They find the defendant guilty.

It is therefore adjudged by the Court that the defendant Edward Cramer is the reputed Father of said child and that he stand charged with the maintenance thereof in the sum of Six hundred Dollars and that he pay said sums to Minnie Spratt mother of said child as follows, two hundred Dollars within fifteen days from this date, Two hundred Dollars within one year from this date and two hundred Dollars within Eighteen months from this date, Said sums due within 15 days to bear interest from the time it is due and said other sums to bear interest from this date at 6 p/c. It is further adjudged that he pay the cost of this proceeding taxed to $ for all of which execution is awarded. It is further ordered that the said defendant give security to the acceptance of this Court for the performance of this order, And in default of such payment or security that he be committed to the jail of the County there to remain until he shall comply with the requirements of the Court or be discharged by due course of Law.

3850 N. L. Williams
v.s
W. H. Cory et.als

This day this cause was called and was passed until tomorrow morning at the costs of the plaintiff.

It is therefore adjudged by the Court that the plaintiff pay the cost occasioned by said delay.

And thereupon Court adjourned until tomorrow morning at 8½ o'clock

Court met this morning pursuant to adjournment. The same officers present as on yesterday.

4005 John P. Bailey vs Elliott Young and Harriott Young

Wednesday May 10th A.D. 1882

This day this cause came on to be heard upon the separate demurrers of both defendants to plaintiffs petition and was argued by counsel and submitted to the Court and the Court being fully advised in the premises sustained said demurrers. Thereupon plaintiff dismissed his action as to the defendant Elliott Young in his own right without prejudice to a new action and judgment for costs made against him in his individual capacity is awarded against plaintiff. Thereupon plaintiff asked and obtained leave to file an amended petition within thirty days from the rising of the Court and cause continued.

John K. McIntire & Co. vs Hylas A. Whelpley

This day came the plaintiffs by their Attorney but the defendant came not, and the defendant being in default for demurrer or answer, this case was submitted to the Court upon the petition and evidence, and the Court being fully advised in the premises find that there is due to the plaintiff from the said defendant on the first day of this Court upon the promissory note mentioned in the petition the sum of Four Hundred & Seventy five Dollars. It is therefore considered and adjudged by the Court that the plaintiff recover of the said defendant the said sum of Four hundred and Seventy five Dollars together with its costs herein expended taxed to $.

A. L. Williams vs W. A. Craig et. als

This day came the said parties, by their Attorneys; also came the Jury heretofore impannelled and sworn to-wit: James Cooley, Robert Robinson, T. P. Shields, Edward Stillings, Phillip Snyder, John M. Blue, Ezra Hudgens, C. L. Carey, William Harris, T. L. Beard, Adam Richey and John T. Jurors, who 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.

Wednesday May 10th A. D. 1882

3866 John C. Price
vs
Elnathan A. Reed

3665

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: George Lyons, John Liggett, J. M. Danforth, Jacob Hauser, Isaac Brodrick, N. Freemond, Benjamin James, J. R. McDowell Wm Gaff, Lewis Poling, Joseph Powers & A. M. Vaughn, whowere duly impannelled and sworn according to law presented the following Civil Action Verdict

The State of Ohio
Union County ss. May Term, A. D. 1882. To-wit= May 10th 1882
John C. Price vs Elnathan A Reed. We, the jury in this case, being impanelled and sworn do find and say that we find for the plaintiff in the sum of $42.00

Signed, Isaac Brodrick.
Forman.

3866

3700 P. R. Kerr)
vs
M. D. Lyons)

The jury in this case having on a former day of this term rendered a verdict for the Defendant and assessed his damages at $2.00 It is therefore considered ordered and adjudged by the Court that the said M. D. Lyons recover of the said P. R. Kerr the said sum of $2.00 together with his costs herein expended taxed to $.

And thereupon Court adjourned until Friday at 1 o'clock P.M.

Court met pursuant to adjournment, the same officers present as heretofore.

3665 David J. Ellis v.s Alex. J. Mahaffey et.als

This day this cause came on to be heard upon the motion of James T. Mahaffey for a new trial herein for the reasons therein stated and was argued by counsel. On consideration whereof and the Court being fully advised in the premises overrules the same, to the overruling of which the said defendant James T. Mahaffey at the time excepted. It is therefore considered and adjudged by the Court that the said David J. Ellis recover of the said defendant James T. Mahaffey the sum of One hundred dollars the amount of the ver- "dict heretofore rendered by the jury in this action at this term of Court and his costs herein taxed at $, And that said defendant pay his own costs taxed at $, for all of which execution is awarded. To all of which ruling of the Court the defendant James T. Mahaffey excepts;

3866 John C. Price v.s E. A. Reed

The Jury in this case having on a former day of this term rendered a verdict for the plaintiff and assessed his dam- "ages at $42 26 and no motion for a new trial having been made, It is therefore considered by the Court that the said John C. Price recover of the said Elnathan A. Reed the said sum of $42 26 ~~together~~ to gether with his costs herein expended.

Fullington Phillis and Woods v.s A. C. Pierson et.als

This day came the parties by their Attorneys and it appearing that no proceedings had been had before the referee heretofore appointed, by the consent of all parties the said former order of reference is hereby set aside and held for nought.

And thereupon Court adjourned until tomorrow at 8 o'Clock A. M.

Saturday May 13th 1882

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

3815

3832 State of Ohio
vs
Ed Cramer

This day came Edward Cramer and com" "plied with the former order of this Court made at this term.

It is therefor considered and adjudged that said Edward Cramer be released from the Custody of the Sheriff and be allowed to go hence without day.

616 The State of Ohio
vs
Frage Lawn
) Indictment for shooting at Railroad Train.

This day came the Prosecuting Attorney on behalf of the State of Ohio, and the defendant bring brought into Court in custody of the Sheriff, and arraigned upon said indictment for plea thereto, saith he is not guilty; and by consent of all parties this cause is continued for sentence.

3923

617 The State of Ohio
v.s
Lanson P. Harvey
) Indictment for seduction of Girl under eighteen years of age, under promise of marriage.

This day came the prosecuting attorney on behalf of the State of Ohio, and the defendant bring brought into Court in custody of the Sheriff, and bring 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 Court do fix the amount of recognizance herein at Five hundred Dollars, And thereupon came the defendant, and with N.P. Harvey as his surety, entered into recognizance befor the Court in the sum of Five hundred Dollars, continued for his appearance in said Court on the 18th day of May A. D. 1882, to answer said charge.

Homer B. Loveland
vs
Eliza Johnson et, als

This day this cause came on to be heard upon the demurrer of Eliza Johnson and Edward Johnson to the petition of plaintiff and after the cause bring argued by council and the Court bring fully advised in the premises do sustain said demurrer and leave was granted for the plaintiff to amend his petition in 30 days from the rising of Court.

W. H. Baxter

3815 v.s.

Eva L. Chesney et. als

This day came on this cause to be heard on the pleadings and agreed statement of facts as evidence and was argued by council whereupon the Court find that Eva L. Chesney has a right to have and to hold said $317.50 owing by Charles Phillis Jr as exempt from application in payment on said Judgment against her under the exemption laws of Ohio in lieu of a homestead notwithstanding her husband had his set-off as stated in said agreement of facts and therefore find in her favor and dismiss the plaintiffs petition. Whereupon the plaintiff moved the Court for new trial for reasons stated in said motion, whereupon the Court overrule said motion to which plaintiff excepted and asked the Court to sign and seal his Bill of Exceptions which is accordingly done and thereupon the Court do order and decree that said defendants go hence without day and recover of the plaintiff their costs herein expended taxed $. and the Court signed and sealed the plaintiffs Bill of Exceptions marked "A," and ordered the same to be recorded as part of the record of this cause.

Minerva Sharp)

3923 vs)

David C. Sharp)

This day came the parties and on motion of plaintiff leave was granted her to file her supplemental petition. Whereupon this cause came on to be heard on the application for injunction as prayed for in said supplemental petition, Whereupon the Court being fully advised do allow temporary injunction as prayed for restraining the Sheriff John Habrusack and the defendant David C. Sharp from disposing of said notes in said petition described restraining said Habrusack from delivering to said David C. Sharp ~~any of the notes~~ or proceeds of said lands sold in said cause of partition remaining now in his hands.

This order to remain in force until further order of the Court without the Plaintiff giving bond.

And thereupon Court adjourned until Monday Morning at 8½ O' clock

Monday May 15th 1882

Court met this morning pursuant to adjournment, the same officers present as heretofore

600 The State of Ohio
vs
Essex Vangorden

This day came 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 says he is "guilty"; thereupon it is ordered and adjudged by the Court that the said defendant Essex Vangorden pay a fine of $5.00 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.

Elijah Mitchell
vs
The Pittsburgh Cincinnati & St Louis Railway Co

This cause is by consent and agreement of parties, settled and compromised on the following terms to-wit= The Defendant is to pay to the plaintiff the sum of One hundred and seventy six & 50/100 ($176.50) Dollars, within 30 days from this date, and the said plaintiff is to pay the costs herein. It is therefore considered ordered and adjudged that the Deft herein recover of the Plaintiff his costs, taxed to &

George Coleman
v.s
J. M. Durrner

This day came the said George Coleman, by his Attorneys, and the said J. M. Durrner having failed to answer or demur to the petition of the said plaintiff, it is considered that the plaintiff ought to recover of the defendant the sum of Five hundred and Twenty nine & 68/100 Dollars as the plaintiff hath in his petition demanded against him, And the Court finds that $216.33 of said amount should draw interest at seven per-cent, and $313.35 should draw interest at six per-cent. It is therefore considered and adjudged that the said George Coleman recover of the said J. M. Durrner, the said sum of Five hundred and twenty nine & 68/100 Dollars, and that $216.33 of said amount draw interest at seven per-cent, and $313.35 draw interest at six per-cent, and that plaintiff recover of defendant his costs, in this behalf expended taxed to &.

Hiram Myers
vs
Mathew Lingrell

On motion of the Plff he has leave to amend his petition by the 25th day of June, and this cause is continued at cost of plaintiff.

3884

2419

Monday May 15th 1882

Thomas Moffitt
3884 vs
P. J. Wyeth

This day this cause was submitted to the Court whereupon the Court find for the Defendant on the issues joined and dismiss Plaintiffs petition. It is therefore considered ordered and adjudged by the Court that plaintiffs petition be dismissed and that defendant recover of the plaintiff his costs herein expended taxed to $.

Lemuel Myers
2419 vs
Ed Thompson et. als

This day this cause came on to be heard on motion of the plaintiff to modify the report of the master heretofore made and was argued by counsel, and the Court being fully advised in the premises, and upon due consideration of the report of the master of the law and the facts the Court find that the master erred in not allowing the plaintiff the proportion of the taxes paid upon the Richwood and Pharisburg gravel road which should be paid by the owners in fee of the lands described in the petition and that said report should be so modified as to make the amount of plaintiffs recovery on said road $170 70/100, and also that the report should be so modified as to make the amount of plaintiffs recovery on the Haskins and Ottaway roads $267 55/100, and the plaintiff has leave to file reply to defendants 2nd ground of defense, Whereupon it is adjudged by the Court that the plaintiff recover of the defendants the sum of Four Hundred and Thirty Eight and 25/100 Dollars, ($438 25/100) with costs including a fee of $25 00/100 to L. Piper as Special Master Commissioner, To all of which ruling of the Court the defendants by their attorneys then and there excepted. And the said defendants thereupon gave notice of their intention to appeal this cause to the District Court of said County of Union and the Court do fix the amount of the appeal bond herein at Nine Hundred Dollars.

J. D. Gamble
vs
Benjamin Rodgers

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- James Corley Robert Robinson Ed Stillings J. M. Blue Egra Hedges J. M. Danforth, Jacob Hauser, Isaac Brodrick, L. J. Kental, Geo. Nichols, Thomas Burrows & Benj. James, who were duly impannelled and sworn according to law present the following verdict. The State of Ohio Union County ss. May Term A. D. 1882, To-wit- May 15th 1882. J. D. Gamble vs Benj. Rodgers. We, the jury in this case, being duly impannelled and sworn do find ~~to find~~ and say that we find for the Defendant. Signed Egra Hedges Foreman

and thereupon Court adjourned until tomorrow morning at 8 1/2 o'clock

Tuesday, May 16th 1882

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

3917 S. A. Foulke vs Wm Hickock Admr

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; James Cooley, Robert Robinson, Charles Corry, J. M. Danforth, Phillips Snyder, John Liggett Wm Harris, George Weaver, John Gwinner, Adam Richey, Edward Stillings & L. Beard who were duly impaneled and sworn according to law, present the following civil verdict. The State of Ohio Union County ss. May term, A. D. 1882, to wit; May 16th 1882 S. A. Foulke vs Wm Hickock Admr. 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 Twenty One Dollars and twenty cents. Signed, John Liggett, Foreman.

2419

3455 Lucy V. French et. als vs Robert Hill et. als

May 9th 1882

614

This day this cause, again came on to be heard upon the motion of the Defts for a new trial in said cause and was argued by counsel, upon consideration upon consideration whereof the Court do overrule said motion, to which ruling and decision of the Court the defendants excepted and asked the Court to sign and seal their bill of exceptions which the Court allowed and ordered that the same be made a part of the record of this cause. It is therefore considered and adjudged by the Court that the said plaintiffs recover of the said defendants the premises in their petition described; in the manner and form as the plaintiffs in their said petition hath demanded the same and also that said plaintiffs recover their costs in this behalf expended taxed to $. And thereupon the said Robert Hill and all the other defendants hereinby P. B. Cole & J. W. Robinson their Attys and made application to the Court for the valuation of improvements and assessment of damages under the Statute for the relief of occupying claimants upon the lands described in their respective answers to-wit:- to the said Robert Hill fifty six acres & 6 poles To Jacob Wallam Eighty one acres. To John Wallam One hundred & Sixty one acres. To Israel Wallam Fifty acres. To Geo. Wallam Forty two & ½ acres. To Elizabeth Long thirty acres. To Peter Wallam one hundred & One acres. To James W. Wells Forty one acres. To John Cayler twenty acres to Nea Hill twenty four acres. To Franklin Holmes the land as described in said answer. That the said Robert Hill and the said other defendants are entitled to relief in that behalf. It is ordered that further proceedings be allowed in the premises agreably to the provisions of said statutes to each of said defendants upon said lands described in the answer herein of each respectively and that Jury report at present Term.

613

And thereupon Court adjourned until tomorrow morning at 8½ o'clock A. M.

Wednesday, May 17th 1882

Court met this morning pursuant to adjournment, the same officers being present as on yesterday.

Wm. Kitelinger
vs
C. C. C. & I. R'y Co. } This cause is continued for want of time to try, with leave to defendant to answer by the 15th of July 1882.

2419 Samuel Myers
vs
Edword Thompson et. als }

This day this cause came on for hearing upon the motion of defendants for a new trial herein and the same was argued by counsel and submitted to the Court. On consideration whereof the Court do overrule said motion. To all of which ruling the said defendants by their counsel then and there excepted and tendered their bill of Exceptions to the Court and asked him to sign the same which is accordingly done.

614 The State of Ohio
vs
John Atherton } May 12th 1882

This day came 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 it appearing that said defendant is in indigent circumstances and unable to employ counsel, the Court at his request assigns J. L. McCampbell Esq, as counsel to defend the said John Atherton.

613 The State of Ohio
vs
Peter Mayo & Jessie Mayo }

This day came the Prosecuting Attorney on behalf of the State of Ohio, and the defendants both 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. And it appearing that said defendants are in indigent circumstances and unable to employ counsel, the Court at their request assigns N. H. Beightler Esq, as counsel to defend the said Peter Mayo and E. E. Cole Esq, as counsel to defend the said Jessie Mayo

And thereupon Court adjourned until tomorrow morning at half past Eight o'clock

Thursday May 18th A.D. 1882

Court met this morning pursuant to adjournment. The same officers present as on yesterday.

6-98

615 The State of Ohio vs William Fist Et al / David Beard — Indictment for throwing a glass bottle at a railroad train,

This day came the Prosecuting Attorney on behalf of the State of Ohio, and the prisoners being brought into Court in custody of the Sheriff, and also being represented by their counsel herein, this cause came on to be heard on the motion and showing of the Prosecuting Attorney to continue this cause to the next term of this Court, and the same was argued by counsel and submitted to the Court. On consideration whereof the Court do sustain said motion and this cause is continued to the next term of this Court. Thereupon the defendants by their said Attorneys requested the Court to fix the amount of recognizance herein, and after being advised in the premises, the Court do fix the amount of the recognizance of the said William Fist at Five Hundred Dollars, and the amount of the recognizance of the said David Beard at Three Hundred Dollars. Thereupon came the said William Fist with J. A. Fist and Mathew Lingrell as his sureties and entered into recognizance before the Court in the sum of Five Hundred Dollars, conditioned for his appearance in said Court on the first day of the next term thereof to answer to said charge,

5-77

Mast Foos & Co. vs Thomas B. Fulton Assignee — 3823

This day came the parties by their Attorneys and this cause came on to be heard upon the motion of said defendants for a new trial for reasons in his said motion stated. 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 defendant excepts.

It is therefor considered and adjudged by the Court that the plaintiff recover of the said defendant the sum of ten cents the damages assessed by the Jury together with the cost herein expended taxed to $.

5-78

614 The State of Ohio vs John Atherton — Indictment for burglary and filit larceny.

This day came the Prosecuting Attorney on behalf of the State of Ohio, and the prisoner being brought into Court in custody of the Sheriff and being also represented by counsel heretofore appointed herein, this cause came on for hearing upon the motion and showing of the defendant to continue this cause to the next term of this Court, and the same was argued counsel and submitted to the Court. On consideration whereof the Court do sustain said motion and this cause is continued until the next term of this Court. Thereupon the defendant by his attorney requested the Court to fix the amount of recognizance herein & after being advised in the premises the Court do fix the same at Five hundred Dollars.

Thereupon the Court adjourned until tomorrow morning at 8½ O'clock.

Court met this morning pursuant to adjournment, the same officers being present as on yesterday

5-98 The State of Ohio vs Thomas Armentrout } Indictment for grand larceny.

This day came the prosecuting Attorney, on behalf of the State of Ohio, and presented to the Court the recognizance of said defendant taken before this Court on the 26th day of January A.D. 1882, in the sum of Three Hundred Dollars with Gordon Russell, G. W. Machling and Wright Harriman as sureties. Thereupon the said defendant being three times solemnly called to appear and answer said charge, as he agreed to do, and failing to do so, and Gordon Russell, G. W. Machling and Wright Harriman the sureties being three times solemnly called to produce the body of said defendant, as they agreed to do, and failing to do so, the Court orders that the said recognizance be, and the same hereby is forfeited and the said forfeiture is respited until the next terms of this Court.

5-77 The State of Ohio vs James Lefridge et. als }

This day came the prosecuting Attorney on behalf of the State of Ohio, and presented to the Court the recognizance of said defendant James Lefridge taken before the Probate Court of Union County Ohio on the second day of march in the year of our Lord One Thousand, Eight Hundred and eighty two, in the sum of Two Hundred Dollars with Walter S. Dilatush and Samuel W. Bonnett as sureties. Thereupon the said defendant James Lefridge being three times solemnly called to appear and answer said charge, as he agreed to do, and failing so to do, and Walter S. Dilatush and Samuel W. Bonnett the sureties being three times solemnity called to produce the body of said defendant James Lefridge, as they agreed to do, and failing so to do, the Court orders that the said recognizance be, and the same hereby is forfeited, and the said forfeiture is respited until the next term of this Court.

5-78 The State of Ohio vs James Leftridge }

This day came the prosecuting Attorney, on behalf of the State of Ohio, and presented to the Court the recognizance of said defendant taken before the Probate Court of Union County, Ohio, on the second day of March in the year of our Lord, One Thousand, Eight Hundred and Eighty two, in the sum of three Hundred Dollars with Walter S. Dilatush and Samuel W. Bonnett as sureties. Thereupon the said defendant James Lefridge being three times solemnly called to appear and answer said charge, as he agreed to do, and failing so to do, and Walter S. Dilatush and Samuel W. Bonnett the sureties being three times solemnly called to produce the body of said defendant James Lefridge, as they agreed to do, and failing so to do, the Court orders that the said recognizance be, and the same hereby is forfeited, and the said forfeiture is respited until the next terms of this Court.

Friday May 19th 1882

613 The State of Ohio
vs
Peter Mayo & Jessie Mayo

This day came the prosecuting attorney on behalf of the State of Ohio, and the defendants both being brought into Court in custody of the Sheriff, and also being represented by their counsel heretofore appointed herein; also came the following named persons as jurors, to-wit; 1=C. L. Corey, 2, Wm Harris, 3, F. L. Beard, 4, Adam Richey, 5, J. F. Garner 6, Robert Robinson, 7, John Liggett, 8, Ben. Rodgers, 9, Geo. Lyons, 10, Ezra Hedges, 11, B. V. Keyes 12, N. D. Doolittle, who were duly impanneled 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 Peter Mayo & Jessie Mayo guilty in manner and form as they stand charged in the indictment; B. V. Keyes, Foreman." And thereupon said defendants are ordered into the custody of the Sheriff to await sentence.

615 The State of Ohio
vs
Wm First & David Beard
Indictment for throwing a glass bottle at a railroad train.

This day came the prosecuting Attorney on behalf of the State of Ohio, and the defendant David Beard was brought into Court in custody of the Sheriff. Thereupon came the said David Beard with Jane H. Ferrill as his surety and entred into recognizance before the Court in the sum of three Hundred Dollars conditioned for his appearance in said Court on the 1st day of the next term thereof to answer to said charge.

1875 Franklin W. Marriott Ex. &c
vs
Joshua P. Marriott et. als

This day this cause came on to be heard upon the motion of Plaintiff to confirm sales made of several lots in the petition described and to several different purchasers and the Court on careful examination of the report of said sale and finding that said sale is regular and in conformity to Statute in such case made and provided and in accordance with the orders of the Court heretofore made do approve and confirm the said sales and the same is hereby approved and confirmed. And the said F. W. Marriott as said Executor, Plaintiff herein, is ordered and directed to execute and deliver to the said several purchasers at said sale proper deeds for the real estate so by him sold as aforesaid.

4013

3923

3784

4013 Justin P. Johnson vs Eliza Johnson

This day this cause came on to be heard upon the separate demurrer of Eliza Johnson and Edward Johnson to the plaintiff petition and the same being argued by counsel and the Court being fully advised in the premises do sustain said demurrer and leave was granted plaintiff to file amended petition within thirty days from the rising of Court and cause continued.

3923 Minerva Sharp vs David C. Sharp

This day this cause came on to be heard upon the petition of the Plaintiff and the testimony thereupon submitted to the Court being fully advised in the premises do find for the plaintiff. It is therefore ordered and decreed that the matrimonial relation heretofore existing between the said David C. Sharp and Minerva Sharp be dissolved, and that the plaintiff Minerva Sharp be restored to her maiden name of Minerva Watterman and that the temporary injunction heretofore granted in this action be continued until the further order of this Court and the Plaintiff pay the costs of this action before this Entry is made upon the Journal of this Court and that the Plaintiff have a Judgment against the said Defendant for said costs herein expended, And that the Sheriff of Union County be and he is hereby ordered to pay and apply so much of the money arising from the sale of the lands in the case of William Koons Guardian of James M. Sharp vs Evaline Sharp and others including the said David C. Sharp Defendant, as may be necessary to pay off her Judgment for alimony pending this suit of $50.00 and her additional alimony of $50.00 here allowed by the Court as well as all costs herein taxed at $. Said money being held in trust by the said Sheriff for the said Defendant David C. Sharp and others herein named as to the said last named allowance of alimony alone the Defendant gives notice of appeal and the Court fixes the bond therein at $100.00

3784. Commissioners of Union County, O. vs Elizabeth Wells et. als

The above cause is settled and compromised. The Plaintiffs have paid Defendants Four hundred and One & 95/100 Dollars in full and plaintiffs are to pay the costs. It is therefore considered ordered and adjudged that the Defendants recover of the Plaintiffs their costs herein expended taxed to $.

and thereupon Court adjourned until Monday a.m. at 8 o'clock a.m. May 22-82

Monday May 22nd A. D. 1882

Court met this morning pursuant to adjournment the same officers being present as heretofore.

3998

3910 J. D. Gamble vs Ben. Rodgers

The jury on a former day of this term having found a verdict in favor of the defendant and no motion for a new trial having been made; it is considered ordered and adjudged by the Court that the said defendant recover of the plaintiff his costs herein expended taxed to $.

3992 C. C. Shedd & Co. vs William Richter

Money only.

Now came the plaintiffs herein and the defendant to bring in default for answer and demurrer the Court find that the defendant is indebted to him, in the sum of Four Hundred fifty six and 46/100 Dollars ($456 46/100) It is therefore considered by the Court here that the said plaintiff recover from the said defendant the sum of Four Hundred fifty six 46/100 Dollars (being the sum principle and int. at eight per-cent per annum due on the 1st day of this term of Court) with interest at eight per-cent per annum from the 1st day of this term of Court to-wit May 1st 1882 and the costs of the plaintiff herein expended taxed to $.

4023

Thomas P. Cratty Admr &c. vs Geo. N. Woods and M. W. Hill

3984

And now comes the said Thomas P. Cratty Administrator of the Estate of Lewis Lake deceased and the said G. N. Woods & M. W. Hill or either of them having failed to demur or answer to the petition of the said Thomas P. Cratty Admr. it is considered by the Court here, that the said Thomas P. Cratty as said Administrator ought to recover the said sum of Sixteen Hundred Ninety two 15/100 Dollars ($1692 15/100) so demanded in his petition, together with the sum of One hundred nine 99/100 Dollars ($109 99/100) which the Court finds due as the interest thereon as prayed for in said petition It is therefore considered that the said Thomas P Cratty as said Administrator, recover against the said G. N. Woods and M. W. Hill or either of them the said sum of Eighteen hundred two 14/100 Dollars ($1802 14/100) with interest from the first day of this term of Court together with his costs in and about his suit in this behalf expended taxed to $.

4014 Morgan Savage vs Michael Cody and Wife

This cause is continued for want of time to try it with leave to plaintiff to file reply in 10 days and with the agreement that defendants may pay the sums coming due on the notes due without prejudicing the matters in dispute as set up in defendants answer.

3998 Village of Milford Clermont O. vs W. G. Roots et. als

It appearing to the Court that the defendants John Kennedy and William Kennedy are minors of the age of over fourteen years, and have neglected to apply for guardian ad-litem, on motion of the plaintiff A. H. Beightler Esq. is hereby appointed guardian for the suit for said minor defendants. And now comes the said A. H. Beightler Esq in open Court and accepts said appointment.

The State of Ohio vs Wm Davis

This day came the parties by their attorneys and it being shown to the Court that the said Sarah Beaver is not yet delivered of her said bastard child, it is therefore ordered by the Court that this cause stand continued until the next term of this Court

4023 J. B. Lippincott & Co. vs George Keckley et. als

This day this cause came on for hearing upon the motion of the defendants to require the plaintiff to furnish security for costs herein and the same was submitted to the Court, on consideration whereof the Court do sustain said motion. It is therefore considered by the Court that the said plaintiff furnish security for costs herein by the 15th day of July A. D. 1882 And this cause is continued.

3984 The Bank of North Lewisburg vs Daniel S. Ford et. als

This day this cause was continued by agreement of parties with leave to plaintiff to file reply to answer of defendant Wm M. Ford by the 15th day of July A. D. 1882

D. A. Faulke v.s Wm Hickok Admr

May 24th 82 This cause settled & costs paid. No record.

And thereupon Court adjourned until to-morrow morning at 8½ o'clock

Tuesday May 23rd 1882

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

4034 Bank of Richwood vs D. Beem et al P. G. Wynegar

This day came the plaintiffs by L. S. Gordinier 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 issueing and service of process, and entered an 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 $825 52 It is therefore considered that said plaintiff recover of said defendants the said sum of $825 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.

617 The State of Ohio vs Lawson B. Harvey

This day came the prosecuting Attorney on behalf of the State of Ohio and the defendant bring present in Court with his counsel this cause came on to be heard on the motion and showing of the defendant and the same was argued by counsel and submitted to the Court.

On consideration whereof the Court do sustain said motion. It is therefor adjudged by the Court that this cause be continued on the motion and showing of said defendant. Thereupon the defendant requested the Court to fix the amt of recognizance herein, and the Court do fix the same at Eight Hundred Dollars. And thereupon came the defendant with N. P. Harvey as his surety, entered into recognizance befor the Court in the sum of Eight Hundred Dollars conditioned for his appearance in said Court on the first day of the next term of this Court, to answer said charge.

613 The State of Ohio vs Peter Mayo & Jassie Mayo — Indictment for Burglary & Grand Larceny

The Defendant, Peter Mayo, herein having been heretofore convicted of Burglary and Grand Larceny, 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 having nothing but what he hath already said, It is therefore considered and adjudged by the Court that the said Defendant Peter Mayo be imprisoned and confined in the penitentiary of the State of Ohio, and kept at hard labor, but without solitary confinement, for the period of five years; and that he pay the costs of this prosecution, for which execution is awarded.

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613 The State of Ohio vs Peter Mayo & Jassie Mayo } Indictment for Burglary & Grand Larceny

The Court this day allow A. A. Beightler Esq. a fee of Twenty five Dollars for defending the prisoner Peter Mayo, under assignment of Court. And at same time allow E. E. Cole Esq. a fee of Twenty five Dollars for defending the prisoner Jassie Mayo, under assignment of Court.

613 The State of Ohio vs Peter Mayo & Jassie Mayo } Indictment for Burglary & Grand Larceny

The Defendant Jassie Mayo, herein having been heretofore convicted of Burglary and Grand Larceny, 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 having nothing but what he hath already said: It is therefore considered and adjudged by the Court, that the said defendant Jassie Mayo be imprisoned and confined in the Penitentiary of the State of Ohio, and kept at hard labor, but without solitary confinement, for the period of Eighteen months; and that he pay the costs of this prosecution for which execution is awarded.

Wm Valentine vs Elijah Mitchell }

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: Isaac Brodrick, James Cooley, J. M. Danforth, Ed. Stillings, George Weaver, Jacob Hauser, Elias Thomas, C. L. Corry, Adam Richey, J. F. Zwirner, Ezra Hedges & F. L. Beard who were duly impannelled and sworn according to law, present the following Civil Verdict.

The State of Ohio Union County ss. Mayter'm A.D. 1882 to-wit May 23-1882

Wm Valentine vs Elijah Mitchell. We, the jury in this case, being duly impannelled and sworn do find and say that we find for the plaintiff and assess his damages at $10.00

Signed, John F. Zwirner, Foreman.

Samuel Newhouse vs Miles Gregory et. als }

This day on motion leave was granted Defendant to withdraw his answer heretofore filed herein and file a demurrer which was accordingly done.

And thereupon Court adjourned until tomorrow morning at 8½ o'clock.

Wednesday May 24th 1882

Court met this morning to adjournment the same officers being present as on yesterday.

5-77 — The State of Ohio vs James Lefridgett, als

Indictment for Burglary and Grand Larceny.

The Court do allow R. L. Woodburn Esq a fee of Twenty five Dollars for assisting the Prosecuting Attorney in prosecuting this case against the defendants David Young and Peter Parker, under former appointment of the Court herein. And at same time the Court do allow D. K. Ayars, Esq a counsel fee of Twenty five Dollars for defending said prisoners David Young and Peter Parker under former appointment of the Court herein.

3988 — W. M. Wright vs James M. Walsh et. als

This day this cause came on further to be heard upon the answer of said James M. Walsh and the reply of the Guardian of Emma D. Walsh, touching the disposition of the moneys remaining in the hands of the Sheriff after the liens of W. M. Winget and J. F. Robinson the taxes and the costs are all paid, In consideration whereof the Court do find the equity of the question to be with said James M. Walsh and that he is entitled to the balance of said money so remaining in the hands of the Sheriff. It is therefore ordered that said Sheriff pay said balance of money to said James M. Walsh.

3794 — Geo. Goines vs Rosella Goines

This day this cause came on to be heard upon the pleadings in this case and the evidence by the parties submitted to the Court and the Court being fully advised in the premises do 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 this 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 George Goines and Rosella Goines, be and the same hereby is dissolved and both parties are released from the obligations of the same. and it is further considered by the Court that the said George Goines pay the costs of this action for which execution is awarded.

James Gardiner vs E. C. Chavous et. als

This day came on this cause to be heard on the defendants motion to order plaintiff to make his petition more specific and certain whereupon said motion is overruled by the Court and on defendants request leave is given to file their answer instanter.

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4025 Martha A. Sanborne vs John C. Ramsey et.als

This day came the parties and this cause came on to be heard upon the motion of the defendant to require the plaintiff to make her petition more definite & certain in the manner in said motion stated. On consideration whereof the Court do sustain said motion and thereupon the plaintiff asked and obtained leave to file an amended petition by July 1st and cause continued

4022 Velasco J. Case vs Clinton W. Case et.als

This cause came on to be heard on demurrer of part of defendants and on motion to strike out the account set up in said petition and the prayer for Judgment thereon whereupon Court sustain said motion and overrule said demurrer. Whereupon Plaintiff asked and obtained leave to separately docket said cause against said Pelrg Cranston as such Administrator as to said account against estate, the copy of which account is attached to said petition and Plaintiff has leave to detach said copy of said account from said petition so as to attach the same to a new petition to be filed against said Administrator on the same to which new petition said Administrator enters his appearance. Leave to answer by July 15th 1882

4000 Alfred B. Beck vs Henry Highbargain & Eli Hildebrand Executors of John Hildebrand Dec'd

This cause is continued with leave to defendants to amend their answer by July 15th next

Samuel Newhouse vs Miles Gregory et.als

This day on motion leave was granted defendants to withdraw his answer heretofore filed herein and file a demurrer which was accordingly done

3877 Millard Langstaff vs John McAllister

This day came the parties and submitted this cause to the Court, Whereupon the Court being fully advised in the premises orders and adjudges that this cause be dismissed at Plaintiffs costs. It is therefore considered and adjudged that the Defendant recover of Plaintiff his costs herein expended taxed to $. No record.

James A. McAllister vs Wm H. Folk

This day this cause was dismissed at costs of plaintiff. It is therefore ordered and adjudged that the Plaintiff pay the costs herein taxed at $. No Record

Wednesday May 24th A. D. 1882

3882

4002 J. I. Case Threshing Machine Co.
vs
Andrew J. Heathcock, als

This day came the Plaintiff and the Defendants came not but made default whereupon the Court being fully advised in the premises do find for the Plaintiff and against the Defendants and that there is due Plaintiff on said Mortgage in said petition described the sum of One hundred and fifty Eight & 00/100 Dollars. It is therefore ordered and decreed that said Defendants fail for ten days from the 26th of May 1882 to pay said sum of $158.00 with the interest thereon from date and the costs of this proceeding. That an order of sale issue for the sale of said premises in said petition described commanding the Sheriff of this County to appraise advertise and sell said premises according to law to satisfy said plaintiff in said sums and for the purpose of such sale this cause is continued.

3884 Wm. McGinnis
vs
James B. Whelpley

3877

Now comes the parties by their Attorneys and by agreement this cause is continued till the next term of this Court with leave for the Defendants to answer within thirty days from the rising of the Court.

Wm. Valentine
vs
Elijah Mitchell

895

It is therefor considered ordered and adjudged by the Court that the Plaintiff recover from the Defendant herein the said sum of Ten Dollars, and the costs herein taxed at $. and in default of payment within ten days from this date execution issue therefor.

Andrew McNeil
vs
3890 James B. Whelpley et. als

3953

Now comes the parties by their Attorneys and by agreement this cause is continued until the next term of this Court with leave for the Defendants to answer within thirty days from the rising of this Court.

W. W. Snuffin
vs
Thomas Cowgill

This cause continued generally.

3882 Millard Langstaff vs John McAllister

This day came the parties and submitted this cause to the Court on an agreed written statement of facts and waived the right to try by Jury whereupon the Court on said agreed statement of facts found for the Defendant John McAllister on the issues joined and find that Defendant at the time of the commencement of this action had the right of possession and right of property of the wheat mentioned in said petition and the Court under said agreement find for Defendant in the sum of $99.20 with int. from August 31st 1881 amounting altogether to $103.27 The Plaintiff thereupon moved the Court to grant him a new trial for reasons therein stated which motion the Court overruled and the Plaintiff excepted to said finding on said statement of facts and excepted to the ruling of the Court overruling said motion for new trial. It is therefore considered and adjudged by the Court that the Defendant recover of the Plaintiff said sum of One Hundred and Three 27/100 Dollars and his costs herein expended taxed to $,

3877 Millard Langstaff vs John McAllister

This day came the parties and submitted this cause to the Court. Whereupon the Court being fully advised in the premises orders and adjudges that this cause be dismissed at Plaintiffs costs. It is therefore considered and adjudged that the Defendant recover of Plaintiff his costs herein expended taxed to $. no record.

3952 Peleg Cranston Admr etc. vs Levi Winters et. als

By consent of parties this cause is refered to John L. Porter Esq. as Referee to take testimony in this cause and state his findings on the law and facts on the issues joined between the parties and the evidence on which he finds the facts. Either party to fix the time of hearing this cause by giving reasonable notice to the referee and the adverse party, Cause continued for report.

3953 Peleg Cranston Admr etc. vs Levi Winters et. als

By consent of parties this cause is refered to John L. Porter Esq. as Referee to take testimony in this cause and state his findings on the law and facts on the issues joined between the parties and the evidence on which he finds the facts. Either party to fix the time of hearing this cause by giving reasonable notice to the Referee and the adverse party. Cause continued for report

Wednesday May 24th A.D. 1882

Giles O. Griswold

3824 vs

Daniel K. Camp et. als

This action comes on to be tried to the Court upon the Pleadings, viz; the petition of the plaintiff, the several answers of the First National Bank of Warren Ohio, The Trumbull National Bank of Warren, Ohio, The Hubbard National Bank of Hubbard Ohio, Charles Smith, Daniel K. Camp and the reply of the plaintiff to said last mentioned answers, the answer and cross-petition of Gardner Clark and York, and the reply of plaintiff thereto, the answer of Chas Randall and the several replies of plaintiff and Gardner Clark and York, thereto. The proofs and exhibits of the parties, and is argued by counsel for the respective parties and submitted to the Court: the other defendants being in default. Upon consideration whereof the Court finds the issues and equities in favor of the plaintiff, and that the allegations of his petition, and of the several answers of said National Banks and Charles Smith are true, and that the two mortgages and notes refered to said petition create and are the first lien upon the premises and property in said mortgages and petition described, and that there is due plaintiff upon 3925
said two notes and mortgages, Upon the first day of this term of Court the sum of Nineteen Thousand Eight hundred and Twenty nine Dollars and Eighty One cents ($19,829.81) which is to bear interest at the rate of Eight per centum until paid. It is therefore considered ordered and adjudged that in default of payment to said plaintiff of said sum so found due him, and interest, as aforesaid, within ten days from this day of May 1882, said premises and property, in said mortgages and petition described, be sold by the Sheriff as upon execution, according to law, and the proceeds applied toward such payment. It is further ordered that the defendants except said National Banks and Charles Smith and the Camps and Randall Manufacturing Company pay the costs herein and that execution issue to collect the same. The defendants Camps and Randall, Gardner Clark and York and Charles Randall severally give notice of intention to appeal to the District Court which appeal the Court finds allowable and allows the same and fixes the amount of the undertaking to be given for such appeal at $200.00 in each case of appeal.

George W. Vastal Plaintiff

3994 vs

Martha Tilley, Catherine McBride, Eva Wright, George Ann Vastal, Jennie Cornish, Elizabeth Vastal, O. M. Callister and David Vastal Defendants

Now came the plaintiff herein by his Attorney and this petition thereupon coming on to be heard the Court find that all 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 George W. Vastal plaintiff is seized of and has a legal right to the undivided one third part of the estate described in the petition and is entitled to have partition made of said premises.

That the defendants are tenents in common with the said plaintiff in the said premises in the following proportions to-wit: That the said Martha Tulley is entitled to the undivided one third part of said premises, The said Catherine McBride, Eva Wright, George Ann Vastal, Jennie Corsh Elizabeth Vastal, O. M. Callister and David Vastal each one undivided twenty first part in fee 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 an order issue to the Sheriff of said County of Union commanding him that by the oaths of Ezra Hedges A. J. Blake and T. P. Crotty three judicious and disinterested freeholders of the Vicinity who are hereby appointed Commissioners for that purpose, he cause to be sett off and divided to the said plaintiff and to each of 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 any dower estate whatever. And of his proceedings herein the said Sheriff is ordered to make due return without unnecessary delay forthwith.

3925 George Harriott vs John H. Haskell et. als

And now comes the said George Harriott by his Attorneys 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 in all respects according to law, it is ordered that said proceedings and sale be and the same is hereby approved and confirmed, and the said Sheriff is ordered by deed duly executed to convey said premises to said purchaser, George Harriott, in fee simple; and it is ordered that said Sheriff out of the moneys in his hands pay first the costs of this case including a counsel fee of $85.00 to Carpenter and Brodrick taxed to $156.35 And the said George Harriott assumes the payment of the taxes on said land amounting to $70.98. The Court find that of the remainder to-wit: $3773.67 the sum of $1886.84 belongs to the said George Harriott and that by his purchase of the premises he need not account to the Sheriff for that portion of the proceeds of said sale, And the Court find that there would be due the said John H. Haskell the sum of $1886.83 but the said Defendants Francis E. Stuart and C. W. D. Stuart having filed answers and cross-petitions herein setting both their respective liens on the part of said premises owned by said Haskell, the Court order that the Sheriff pay out of the said portion of said proceeds going to said Haskell the said liens as follows; II, To the said Francis E. Stuart the sum of $242.47 being the amount of his said claim and the interest thereon. III, To the said C. W. D. Stewart the sum of $116.80 being the amount of his claim and the interest thereon and IIII, To the Clerk of the Court of Common Pleas of Union County, Ohio, ~~and III, To the said Defendant John H. Haskell the remainder of his part of said proceeds to-wit $439.62~~ the sum of $46.74 being the costs in the case of the Fuller Buggy Company vs Sargent et. als, in the said Court of Common Pleas of Union County Ohio, and IIV, To the said defendants John H. Haskell the remainder of his part of said proceeds to-wit= $439.62 ,

Wednesday May 24th A.D. 1882

4017 Cornelia A. Taylor vs George Coder et. als

And now come the said parties by their Attorneys and thereupon this cause came on for hearing upon the petition and answer and was argued by counsel; On consideration whereof the Court do find that the said Cornelia A. Taylor obtained the judgment as she has in her petition alleged and that there is now due on the same the sum of $478.83 with interest thereon at 8 o/o from Sept. 12 A. D. 1881 and costs of suit - which judgment, interest and costs became a lien on the premises described in plaintiffs petition on the 9th day of Sept. A. D. 1881. And that the Union Central Life Insurance Company of Cincinnati Ohio holds as it has in its answer set forth a mortgage on said premises and that the same became a lien on said premises on the 14th day of Aug. A.D. 1878 on which mortgage there is owing and unpaid the sum of $2300.00 with interest thereon from January 1st 1882 @ 8 o/o payable annually. And that Joseph Russell holds as he has in his answer alleged a mortgage on said premises and that the same became a lien on said premises on the 23rd day of July A. D. 1881 on which mortgage there is owing and unpaid the sum of $1075.80 with 8 o/o interest from July 18th 1881 payable annually. It is therefore considered by the Court that unless the said claim in favor of the Plaintiff, together with interest and costs, is paid within three days from this 26th day of May 1882. Then that the Sheriff do proceed to cause the said lands and tenements in said petition described to be appraised, advertised and sold according to law and that he bring the proceeds arising from said sale into Court subject to the further orders of the Court.

3442 D. D. McCracken vs D. W. McCracken et. als

This day this cause came on for hearing on motion of the cross-petitioners herein to redocket the same and the same was argued by counsel and submitted to the Court, on consideration whereof the Court do sustain said motion. It is therefore considered and adjudged by the Court that this cause be redocketed on the trial Docket of said Court. And thereupon the said cross-petitioners asked and obtained leave of the Court of file amended answers and cross-petitions herein by the 20th day of June A.D. 1882

4006 Elisha L. Hawkins vs Eli G. Piper et. als

Now come the parties by their attorneys and thereupon this cause came on to be heard upon the motion of the Defendants to require the plaintiff to make his petition more definite and certain as in said motion stated, On consideration whereof the Court overrule said motion and thereupon the Defendant has leave to answer in 30 days from this date.

Wednesday May 24th A.D. 1882

3954 Pelag Crauston Admr &c. vs Levy Winters et. als

By consent of parties this cause is refered to John L. Porter as Referee to take testimony in this cause and state his findings on the law and facts on the issues joined between the parties and the evidence on which he finds the facts. Either party to fix the time of hearing the cause by giving reasonable notice to the Referee and the adverse party. Cause continued for report.

4035 W. F. Wilcox Surviving Partner of W. F. Wilcox & Co. vs F. D. Keller

This day came the plaintiff by Carroll & Fulton his Attorneys and thereupon came James S. McCampbell 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 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 $117 54/100. It is therefore considered that the Plaintiff do recover of the said Defendant the said sum of $117 54/100 so aforesaid confessed to be due, together with costs of suit herein, to be taxed and with int. 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.

3969 James Gardner vs E. C. Chavous & James Chavous

This day came on this cause to be heard and the Defendants still remaining in default the Plaintiff waived a trial by Jury and submitted this cause to the Court whereupon the Court find for Plaintiff and that there is due him from Defendants on the note in petition described the sum of One Hundred and Eleven 32/100 Dollars with Eight per cent interest from May 20th 1882. It is therefor considered and adjudged by the Court that the Plaintiff recover of the Defendants said sum of $111 32/100 with his costs herein expended taxed to $. and judgment to bear interest at 8% per annum.

Richard McCanney vs James Mulvaine } Continued by agreement

Thereupon Court adjourned until tomorrow morning at 8 o'clock.

Thursday May 25th 1882

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

D. A. Bowersmith
vs
Arah Mayo 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 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 Arah Mayo in the sum of Eighty Dollars (80.00) per acre bring. 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 therefor the said Arah Mayo and the said D. A. Bowersmith having both elected to take said premises at their appraised value on motion of the Plaintiff it is ordered that said premises be sold at public auction at the door of the Court House of said County free from the dower of said Arah Mayo and that an order issue therefor to the Sheriff of Union County. John Hobensack is appointed receiver to take charge of said premises with power to rent the same upon the consent of both being given.

James Fullington & Charles Phellis
surviving partners of the firm of
Fullington Phellis and Woods
vs
David Watson and A. A. Woodworth

This day came the Plaintiffs by Porter and Porter their Attorneys and thereupon came John M. Broadrick 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 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 $4,911.30
It is therefor considered that said Plaintiff do recover of said Defendant the sum of $4,911.30 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.

603
604
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3958
2623
3012
3013
3072
3170

603	State of Ohio vs John Staut	Leave off Docket.
604	State of Ohio vs John Staut	Leave off Docket.
605	State of Ohio vs John Staut	Ordered to be left off Docket.
606	State of Ohio vs John Staut	Leave off Docket.
607	State of Ohio vs John Staut	Leave off Docket.
	State of Ohio vs A. Spath	No Indictment found
3958	Richard H. McCamey vs James Mulvaine	Cont'd
2623	Maria Stickels vs John Stickels	Cont'd by agreement
3012	Dennis Cartmel vs Benny Woodworths	Continued for service
3013	Sarah Snodgrass vs Joseph Cox	Cont'd
3072	W. W. Woods vs W. C. Barnett et al	Cont'd
3170	James Carter vs Bank of Nth Lewisburg	Cont'd

Thursday May 25th 1882

3998 Village of Milford Center O. vs W. Y. Roots et, als

This day this cause came on to be heard upon the application for an inquiry into and assessment of compensation by a Jury of the property sought to be taken in this proceeding as well as damages resulting to the lands or property of the defendants. And therefor came a Jury to-wit=

1. Phillip Snyder. 2. Isaac Brodrick. 3. Egra Hedges. 4. Geo. Weaver.
5. Adam Richey. 6. Jacob F. Hauser. 7. James Cooley. 8. Jno. F. Gwinner.
9. C. L. Corry. 10. J. M. Danforth. 11. Edward Stillings. 12. Robt Robinson.

Who were duly impaneled and sworn according to the Statute in such cases made and provided and on application of the said Village the Court issued an order to the Sheriff of Union County to conduct the Jurors aforesaid to view the said premises in the application described in the premises of John Van Pearse on the part of the Village and C. S. Lee on the part of said defendants, who were appointed by the Court for that purpose. And said Jury having viewed the premises aforesaid returned to the Court room and heard the evidence introduced on behalf of defendants and on behalf of said Village and were charged by the Court and returned their verdict in writing and signed by each of said Jurors which verdict is in the following words and figures, to-wit:

verdict 3998

Village of Milford Centre O. vs W. Y. Roots et. als

Court of Common Pleas Union County O.

The jury in this case being first duly impaneled and sworn made actual view of the premises under the order of the Court and after hearing the evidence and charge of the Court do assess the amount of compensation due to the defendants herein for the land appropriated by said Village as described in said petition for making said improvement as follows=

C. C. C. & D. Railway Co. = $150.00 To the A. V. Morse heirs & devisees = $45.31
To Elijah Miller = 88.12 " James V. Finley = 1.00
" W. Y. Roots = 23.32 " the Dixon Mitchell heirs & devisees = 4.00

And we do assess the damages that will accrue to the remainder of said defendants premises by reason of said appropriation as follows=

To the C. C. C. & D. Railway Company = $50.00 To the A. V. Morse heirs & devisees = $20.00
To Elijah Miller = $54.00 To James V. Finley = $4.00
To the Dixon Mitchell heirs & devisees = 2.00 To W. Y. Roots = $22.00

signed 1. Phillip Snyder 2. Isaac Brodrick 3. Egra Hedges 4. Geo. Weaver
5. Adam Richey 6. Jacob F. Hauser 7. James Cooley 8. John F. Gwinner
9. C. L. Corry 10. J. M. Danforth 11. Edward Stillings 12. Robt Robinson.

It is therefore considered ordered and adjudged by the Court that the applicant the Incorporated Village of Milford Centre Ohio pay to the owners of the lands so appropriated the compensation and damages so as aforesaid found due to them to-wit. To W. Y. Roots the owner of a strip of land 5 0 feet wide by 347 feet long, the sum of $45.32 To the C. C. C. & D. Railway Company, the owners of a strip of land 50 feet wide by 305 feet long, the sum of $200.00. To the A. V Morse

3829

verdict 3829

signed

heirs and devisees, who owns a strip of land 5.0 feet wide by 324 feet long, the sum of $76.31
To Elijah Witter, the owner of strip of land 5.0 feet wide by 5.16 feet long, the sum of $1.42,
To James V. Finley, the owner of a strips of land 5.0 feet wide by 5 feet long the sum of $5.00 To Celecta Mitchell who owns an interest in a strips of land 5.0 feet wide by 25 long for her interest therein the sum of $2.00. To Matilda Mitchell for her interest therein the sum of $1.65 and to Anna M. Scott for her interest therein the sum of $1.65
It is further ordered by the Court that payment of said sums be made to said parties named as entitled thereto within six months from this date and that upon such payment being made to said several parties or upon said several sums being secured to said parties to their satisfaction it shall be lawful for said Incorporated Village of Milford Centre Ohio 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 Milford Centre Ohio pay the costs of this prosecution taxed to $.

3829 Village of Milford Ohio vs James B. Finley & Elijah Witter

This day this cause came on to be heard upon the application for inquiry into and an assessment of compensation by a jury of the property sought to be taken in this proceeding as well as damages resulting to the lands or property of the defendants and thereupon came a jury to-wit:
1. Phillip Snyder 2. Isaac Brodrick 3. Egra Hedges 4. George Weaver
5. J. M. Danforth 6. Adam Richey 7. James Cooley 8. Jacob F. Hauser
9. John F. Gwynner 10. C. L. Corey 11. Edward Stillings 12. Robt Robinson
Who were duly impaneled and sworn according to the Statute in such cases made and provided, and on application of the said Village the Court issued an order to the Sheriff of Union County to conduct the jurors aforesaid to view the said premises in the application described in the presence of John Van Pearse on the part of the Village and C. S. Lee on the part of said Defendants who were appointed by the Court for that purpose. And said jury having viewed the premises aforesaid returned to the Court room and heard the evidence introduced on behalf of said defendants and on behalf of said Village and were charged by the Court and returned their Verdict in writing signed by each of said Jurors which Verdict is in the following words and figures to-wit:

Verdict 3829 Village of Milford Centre Ohio vs James B. Finley et. al } Court of Common Pleas Union County O.

We the Jury in this case being first duly impannelled and sworn made a actual view of the premises under order of the Court and after hearing the evidence and charge of the Court do assess the amount of compensation due to the defendants James B. Finley & Elijah Witter for the land appropriated by said Village as described in said petition for making said improvement as follows=
To James B. Finley =$50.00 To Elijah Witter =$41.25
and we do assess the damages that will accrue to the remainder of said defendants premises by reason of said appropriation as follows=
To James B. Finley =$41.00 To Elijah Witter =$24.00

signed 1. Phillip Snyder, 2. I. Brodrick 3. Egra Hedges 4. Geo. Weaver 5. J. M. Danforth 6. Adam Richey
7. James Cooley 8. Jacob F. Hauser 9. John F. Gwynner 10. C. L. Corey 11. E. Stillings 12. R. Robinson

Thursday May 25th 1882

It is therfore considered ordered and adjudged by the Court that the applicant the Incorporated Village of Milford Centre Ohio pay 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 James B. Finley the owner of a strip of land 50 feet wide by 132 feet long the sum of $91.00 To Elijah Miller the owner of a strip of land 51 feet wide and 239 feet long the sum of $66.25 It is further ordered by the Court that payment of said sums be made to said James B. Finley and Elijah Miller or upon said sums being secured to said James B. Finley and Elijah Miller to their satisfaction It shall be lawful for said Incorporated Village of Milford Centre Ohio 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 Milford Centre pay the cost of this proceeding taxed to $.

Village of Milford Centre Ohio
3997 V.S
Matt Miller, Sarah Bell, W. Y. Roots
Celecta Mitchell, Martha Mitchell, Anna M. Scott

This day this cause came on to be heard upon the application for an inquiry into and assessment of compensation by a Jury of the property sought to be taken in this proceeding as well as damages resulting to the lands or property of the defendants= Thereupon came a Jury to-wit= 3996

Jurors 1. Isaac Brodrick 2. Ezra Hedges 3. George Weaver 4. Adam Richey
5. James Easley 6. Jacob F. Hauser 7. John T. Turner 8. C. L. Corey
9. J. M. Danforth 10. Edward Stillings 11. Robt Robinson 12. Phillip Snyder

Names

who were duly impannelled and sworn according to the statutes in such cases made and provided and on application of said Village the Court issued an order to the Sheriff of Union County to conduct the Jurors aforesaid to view the said premises in the application described in the presence of John Van Pearse on the part of the Village and C. S. Lee on the part of said defendants, who were appointed by the Court for that purpose. And said Jury having viewed the premises aforesaid returned to the Court room and heard the evidence introduced on behalf of defendants and on behalf of said Village and 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=

verdict 3997
Village of Milford Centre O.
V.S
Matt Miller et. als
Court of Common Pleas, Union County, O.

Verdict 3996

The Jury in this case being first duly impanelled and sworn made actual view of the premises under the order of the Court and after hearing the evidence and charge of the Court do assess the amount of compensation due to the different defendants herein for the land appropriated by said Village as described in said petition for making said improvement as follows=

To Matt Miller = $25.00, To Sarah Bell = $25.00
To W. Y. Roots = $25.00, To Dixon Mitchell's heirs Devisees = $25.00

And we do assess the damages that will accrue to the remainder of said defendants premises by reason of said appropriation as follows=

To Matt Miller = $28.00 To Sarah Bell = $58.00
To W. Y. Roots = $14.00 To the Dixon Mitchell heirs devisees = $14.00

Signed

1. Isaac Prodrick 2. Egra Hedges 3. George Weaver 4. Adam Richey 5. James Cooley 6. Jacob F. Hauser 7. John F. Gorrner 8. C. L. Corry 9. J. M. Danforth 10. Edward Stillings 11. Robt Robinson 12. Phillips Snyder

It is therefor considered ordred and adjudged by the Court that the applicant the Incorporated Village of Milford Centre Ohio pay to the owners of the lands so appropriated the compensation and damages so as aforesaid found due to them to-wit: To Matt Miller, the owner of a strip of land 25 feet wide by 132 feet in length the sum of $53cc To Sarah Bell the owner of a strip of land 25 feet wide by 132 feet in length the sum of $83cc To W. G. Roots, the owner of a strip of land 25 feet wide by 238 feet long, the sum of $49cc To Celecta Mitchell for her interest in a strip of land 25 feet wide by 238 feet long, the sum of $13cc To Martha Mitchell for her interest therein the sum of $12cc To Anna M. Scott for her interest therein the sum of $12cc It is further ordred by the Court that payment of said sums be made to said parties named as entitled thereto within six months from this date and that upon such payment being fully made to said several parties or upon said several sums being secured to said several parties to their satisfaction it shall be lawful for said Incorporated Village of Milford Centre Ohio 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 Milford Centre Ohio pay the cost of this proceeding taxed at $1.

3996

Village of Milford Center O.
v.s
C. C. C. & I. Railway Company

This day this cause came on to be heard upon the application for an inquiry into and assessment of compensation by a Jury of the property sought to be taken in this proceeding as well as damages resulting to the lands or property of the defendant- and thereupon came a jury to-wit=

NAMES

1. Phillips Snyder 2. Robert Robinson 3. Edward Stillings 4. J. M. Danforth 5. C. L. Corry 6. John F. Gorrner 7. Jacob F. Hauser 8. Adam Richey 9. James Cooley 10. George Weaver 11. Egra Hedges 12. I. Brodricks

who were duly impaneled and sworn according to the Statute in such cases made and provided: and on application of the said Village the Court issued an order to the Sheriff of Union County commanding him to conduct the Jurors aforsaid to view the said premises in the application described in presence of John Van Pearse on the part of the Village and C. S. Lee on the part of the said defendants, who were appointed by the Court for that purpose- and said Jury having viewed the premises aforsaid returned to the Court room and heard the evidence introduced on behalf of said Village and on behalf of defendants and were charged by the Court and returned their Verdict in writing signed by each of said Jurors which verdict is in the following words and figures to-wit=

Verdict

3996

Village of Milford Centre O.
v.s
Cleveland, Columbus, Cincinnati and Indianapolis Railway Company

Court of Common Pleas, Union County, O.

The jury in this case being first duly impaneled and sworn made actual view of the premises under the order of the Court and after hearing the evidence and the charge of the Court do assess the amount of compensation due to the defendant, the C. C. C. & I. Railway Company

for the land appropriated by said Village as described in said petition for making said improvement at = $150.00 and we do assess the damages that will accrue to the remaining portion of said defendants premises by reason of said appropriation at $150.00

Signed

1. Phillips Snyder 2. Robert Robinson 3. Edward Stillings 4. J. M. Danforth
5. C. L. Corey 6. John F. Gwynne 7. Jacob F. Hauser 8. Adam Richey
9. James Corley 10. George Weaver 11. Egra Hedges 12. D. Brodricks.

SIGNED

It is therefore considered ordered and adjudged by the Court that the applicant the Incorporated Village of Milford Centre Ohio pay to the owners of the lands so appropriated the compensation and damages so as aforesaid found due to them to-wit = To the Cleveland, Columbus, Cincinnati and Indianapolis Railway Company the owners of a strip of land 50 feet wide by 239 feet long the sum of $300.00 It is further ordered by the Court that payment of said sums be made to said C. C. C. & I. Railway Company within six months from this date and that upon such payment being fully made to said C. C. C. & I. Railway Company or upon said sum being secured to said C. C. C. & I. Railway Company to its satisfaction it shall be lawful for said Incorporated Village of Milford Centre Ohio to enter upon and take possession of the premises so appropriated for the purpose for which the same were appropriated. And it is further ordered that the said Village of Milford Centre Ohio pay the cost of this proceeding taxed to $.

3649

Village of Milford Centre Ohio)
vs)
3823 Elijah Miller)

This day this cause came on to be heard upon the application for an inquiry into and an assessment of compensations by a jury of the property sought to be taken in this proceeding as well as damages resulting to the remaining of the lands, or property of the defendants and thereupon came a jury to-wit =

Names

1. Phillips Snyder 2. Robert Robinson 3. Edward Stillings 4. J. M. Danforth
5. C. L. Corey 6. Jno. F. Gwynne 7. Jacob F. Hauser 8. Adam Richey
9. James Corley 10. George Weaver 11. Egra Hedges 12. Isaac Brodrick

who were duly impaneled and sworn according to the Statute in such cases made and provided and on application of the said Village the Court issued an order to the Sheriff of Union County to conduct the ~~said~~ Jurors aforesaid to view the said premises in the application described in the presence of John Van Pearse on the part of the Village and C. S. Lee on the part of the said defendant who were appointed by the Court for that purpose. And said Jury having viewed the premises aforesaid returned to the Court room and heard the evidence introduced on behalf of defendant and on behalf of said Village and were charged by the Court and returned their Verdict in writing signed by each of said Jurors which Verdict is in the following words and figures to-wit =

VERDICT

Village of Milford Centre O.)
vs)
3828 Elijah Miller) Court of Common Pleas. Union County, Ohio,

The Jury in this case being first duly impaneled and sworn made actual view of the premises under the order of the Court after hearing the evidence and charge of the Court do assess the amt of compensation due

to the defendant Elijah Witter for the land appropriated by said Village as described in said petition for making said improvement at $41.25 And we do assess the damages that will accrue to the remainder of said defendants premises by reason of said appro„priation at $24.00

SIGNED 1. Phillip Snyder 2. Robert Robinson 3. Edward Stillings 4. J. W. Danforth 5. C. L. Covey 6. John F. Gwynne 7. Jacob F. Hauser 8. Adam Richey 9. James Cooley 10. George Weaver 11. Ogra Hedges 12. D. Brodrick

It is therefore considered ordered and adjudged by the Court that the applicant the Incorporated Village of Milford Centre Ohio pay to the owner of the land so appropriated the compensation and damages so as aforesaid found due to him by the Jury to wit = the sum of $65.25 It is further ordered by the Court that payment of said sum be made to Elijah Witter within Six months from this date and that upon such Payment being made to said Elijah Witter, or upon such sum being secured to said Witter to his satisfaction It shall be lawful for said Incorporated Village of Milford Centre O. 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 Milford Centre pay the cost of this proceeding taxed at $.

J. N. Cummings Admr
vs
Samuel Waddle Admr
} Money Only

3649

Now came the Plaintiff herein and the Defend„ants being in default for answer and demurrer the Court find that the alle„gations of the Petitions are by them confessed to be true and that there is due to Plaintiff from D. S. Ford as one of makers of note in the petition described and D. S. Ford, William M. Ford, Lucinda Ford and Dora Armstrong as the heirs at Law of the said Lideral Ford Deceased the sum of Three Hundred and Eighty Seven Dollars (387.00) bring full amount due April 19th A.D. 1882 including all interest on all notes to that date and including balance of Principal unpaid on note falling due that day. Said three hundred and eighty Seven Dollars ($387.00) to draw interest from the said 19th day of April 1882 at Eight per„cent per annum payable annually. It is therefore considered by the Court that the said Plaintiff recover of the said D. S. Ford as Maker and said D. S. Ford William M. Ford Lucinda Ford and Dora Armstrong as heir and the only heirs at Law of said Lideral Ford Deceased the said Sum of three hundred and Eighty Seven Dollars ($387.00) with interest from April 19th A.D. 1882 at Eight per cent per annum payable annually and also his costs herein expended taxed to $. And as to note not yet due the report of receiver and all other matters this cause is continued.

Thursday May 25th 1882

3976 State of Ohio ex-rel-&c vs. P. R. Kerr } Court of Common Pleas, Union County O.

This day this cause coming on to be heard upon the information of the Prosecuting Attorney of this County filed herein, the Plea of the Defendant, the testimony of witnesses on the part of the State and on the part of the Defendant and the argument of the Counsel.

The Court find upon consideration whereof that the Charges and Specifications Nos 1, 2, 4, 5, in said information contained are wholly unsustained by the testimony and that Charge and Specification No. 3. in said information are proven by the State and admitted by the Defendant to be true in fact but upon due consideration of the circumstances under which said acts were done, the Court is of the opinion that said acts do not call for so severe a penalty as removal from office, nor for suspension from the priviliges of an Attorney at Law-

Wherefore it is considered and adjudged by the Court that of said Charges in said information contained be and the same are hereby dismissed and that the Defendant go hence without day.

And thereupon Court adjourned until One O'clock P. M. Tuesday June 27-1882.

404 7

404 5

In Vacation

4047 Jacob Johnston vs Cyrus Staunates Margaret Staunates & Benjamin Green } Order of Injunction

Before the Probate Judge, Union County O. May Term, A. D. 1882. Motion for temporary Injunction. In the Court of Common Pleas Union County O.

And now on this 17th day of June 1882 came the Plaintiff, by J. L. Cameron his Attorney; and it being made to appear that there is at this time no Common Pleas, District, or Supreme Judge within said County, the motion of the Plaintiff for a temporary injunction came on and was heard upon the petition of the Plaintiff Jacob Johnson and the affidavit thereto therein filed, and after hearing the argument of Counsel, and being fully advised in the premises, it is considered, ordered that a temporary injunction be, and the same hereby is allowed in this case to restrain the said Defendants from placing any obstruction in the lane leading from the Plaintiff's land out to the Summitsville and Miller road or from molesting any bridge or Culvert in said lane or from digging any trench or ditch across said lane or from doing any act or thing that will render said lane less convenient as a road out from said Plaintiff's lane to said Summitsville and Miller road and to restrain said Defendant from removing any bridge or Culvert or part thereof or preventing any ditch from being filled up that may interfere with the free and easy passage to and from said Summitsville and Miller road to said plaintiffs land and in all things to restrain said Defendant and each of them as prayed for in said petition of plaintiff. It is further ordered that the Clerk of the Court of Common Pleas issue Summons in this case endorsed Injunction allowed, on the plaintiffs giving bond to the acceptance of the Clerk of Common Pleas Court in the sum of $100.00 John B. Coats Probate Judge

4045 Thomas Fitzgerald Piff in Error vs James Malay Deft in Error } Motion to file Pet. in Error

This day this matter came on to be heard before the Probate Court of Union County Ohio and both parties being present and represented by Counsel E. E. Cole for Deft in Error and J. M. Kennedy for Piff in Error and the Court being fully advised in the premises does sustain said motion and allow the said Piff in Error to file his petition in Error in the Court of Common Pleas upon the executing of a good and sufficient bond to be approved by this Court and the Clerk of the Court of Common Pleas in the sum of $100.00 conditional according to Law Signed John B. Coats Probate Judge

June 27-1882.

Tuesday June 27th A. D. 1882

Court met this day at one o'clock P.M. pursuant to adjournment.
Present Hon. John A. Price Judge
John Habensack Sheriff
Attest J. D. Burgner, Clerk, Court Common Pleas Union County O.

3988

3365 David J. Ellis
vs
Alexander J. Mahoffey

This day came the said Defendant James T. Mahoffey and consented that the records of the Court be kept open for the purpose of signing and sealing a bill of exceptions in this case and the Court order that the record be kept open for that purpose for the period of thirty days so that a bill of exceptions can be signed and sealed and when so signed and sealed the same is to be filed and recorded as of this term of Court.

3989

3455 Lucy V. French et-als
vs
Robert Hill et-als

The Court order that the Journal remain open for thirty days for the purpose of preparing signing and Sealing the bill of exceptions in this case.

3882

3790 Cyrus Stanwater
vs
Isaac Cahill et-als

This day this cause was heard upon motion of Plaintiff for leave to file amended Petition and the Court on consideration whereof granted leave to Plaintiff to file amended Petition by Aug-1st 1882 and cause continued.

4053

Geo. W. Vastal
vs
Martha Tilley et-als

On motion to the Court by J. M. Kennedy one of the 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 thereupon, neither of said parties elected to take the said premises at 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 terms of this Court to which time this action is continued

Tuesday June 27th A. D. 1882

3988 Benjamin Norris vs C. C. C. & D. Ry Co.

This day came the parties by their Attorneys and thereupon this cause came on to be heard upon the motion of said Defendants to require the said Plaintiff to make his Petition more definite and certain as in said motion stated and was argued by counsel and submitted. 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 said Defendant excepts.

3989 Orrin Hammond vs C. C. C. & D. Ry Co.

This day came the parties by their Attorneys and thereupon came this cause on to be heard upon the Demurrer of the Defendant to the said Plaintiffs Petition. On consideration whereof the Court being fully advised in the premises do overrule said Demurrer. To which ruling of the Court in overruling said Demurrer the Defendants excepts.

3882 Millard Langstoff vs John McAllister

This day came the said Millard Langstoff Plaintiff and presented his certain bill of exceptions taken on the trial of this cause: and the same is allowed and signed and ordered to be placed on file with the pleadings and made a part of the record in this case.

4053 C. Aultman & Co. vs Charles Parrott Jr, J. J. Edwards & S. Stricklin

In the Court of Common Pleas, Union County, O.

This day came the Plaintiff by T. B. Benton Attorney, and thereupon came E. M. Porter 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 Defendants to said Plaintiff as is alleged in said Plaintiffs Petition, the sum of $286.20 It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $286.20 so as aforesaid confessed to be due, together with the costs herein, to be taxed 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 are waived,

Tuesday June 27th A.D. 1882

4054 C. Aultman & Co. vs Charles Parrott Jr & J. James Edwards & J. B. Stricklin

This day came the Plaintiff by T. B. Benton & E. H. Porter 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 $288.00 It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $288.00 so as aforesaid confessed to be due, together with costs of suits 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.

3665

4018

4009 Lydia A. Stills (Baker) vs D. M. Blake Admr et. als

This day came the parties by their Attorneys and thereupon this cause came on to be heard upon the demurrer of Defendants to the Petition of Plaintiff. On consideration whereof the Court, being fully advised in the premises do sustain said Demurrer. The Plaintiff not asking to amend her Petition it is therefore considered ordered and adjudged by the Court that this cause stand dismissed and the Defendants recover of Plaintiff their costs herein taxed at $. To which ruling of the Court Plaintiff excepts.

3442

3971 D. F. Parsons vs Belle A. Studtz

This day this cause came on to be heard and by the consent of parties was dismissed at Plaintiffs costs. It is therefore ordered and adjudged that Defendant recover of Plaintiff her costs herein expended taxed to $.

3995 Belle A. Studtz vs D. F. Parsons

This day this cause came on to be heard and by consent of all parties it was dismissed at Defendants costs.

It is therefore considered and adjudged that Plaintiff recover of Defendants her costs herein expended taxed to $.

Tuesday June 27th A.D. 1882

3665 David J. Ellis Plaintiff
vs
Alexander J. Mahaffy Et Als. Defendants

This day came the said James T. Mahaffy and presented to the Court his true Bill of Exceptions and the same being found in all respects correct is Allowed by the Court and the same duly Signed and Sealed by the Judge hereof. And it is Ordered that said Bill of Exceptions be filed and recorded as part of the record in this case as of the May Term of this Court A.D. 1882. The Records of said Court Still being Open for that purpose

4018 Lucinda Ford vs David S. Ford

This cause is settled by parties at cost of Defendant. It is therefore considered ordered and adjudged by the Court that the Plaintiff recover of Defts her costs herein expended taxed to $. Its record

3442 D.D. McCracken vs I. W. McCracken et-als

And now comes the said Defendants Hale and Frost and the Defendant W.H. Ferguson by their Attorneys respectively and the said Defendants still failing to answer or demur to the answer and cross petition of said Hale and Freet or to the answer and cross-petition of said W.H. Ferguson it is considered that said Hale and Freet and said W.H. Ferguson are, each, 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 Hale and Freet on the note and Mortgage in their answer and cross-petition described to June 27th 1882, the sum of Three hundred and Eighty five 0/100 Dollars- And that there is due to W.H. Ferguson on the notes and Mortgages in his answer and cross-petition described to June 27th 1882 the sum of Four Hundred & fifty one and 50/100 Dollars. It is therefore considered by the said Court here that the said Hale and Frost recover of the Defendant Isaac W. McCracken the said said sum of Three Hundred and Eighty five 0/100 Dollars the sum so found due as aforesaid and also his costs taxed to $. And it is further ordered and adjudged that in case said Isaac W. McCracken fail for 5 days from the 27th day of June A.D. 1882 to pay to said Hale and Frost said sum of Three hundred Eighty five and 0/100 Dollars and to said W.H. Ferguson said sum of Four hundred Fifty one and 50/100 Dollars 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 answers and cross-petitions described to be appraised, advertised and sold according to law and that he bring the proceeds of said sale in the Court subject to the further order of the Court and to the distribution thereof.

Tuesday June 27th a.D. 1882

C. F. Haines
v.s
Savoy S. Dennison

This day came the Plaintiff by his Attorney and produced to the Court here the return of the Sheriff of a Sale made by him under the former order of this Court, and the Court having examined the same and found it in all respects correct and in conformity to law. It is ordered that said proceedings and the sale be and they hereby are approved and confirmed and the said Sheriff is ordered to execute to the purchaser at said Sale a deed for the said premises. It is further ordered that out of the proceeds of said Sale the said Sheriff pay the costs of this proceeding and the taxes on said premises and that he hold the remaining proceeds of said Sale until the next term of this Court, to which time this cause is continued for further order of distribution.

3706

Pullington Phillis Ed Woods
v.s
A.C. Pearson et. ale

This day came the parties by their Attorneys and thereupon this cause came on to be heard upon the motion of the plaintiff for an order to strike out certain parts of the answer of R. L. Woodburn on consideration whereof the Court being fully advised in the premises do sustain said motion except as to the 7th paragraph and as to interrogations 4 & 5. It is ordered by the Court that the following portions of the answer of said R. L. Woodburn be stricken out to-wit: Beginning with the clause "He says further that no settlement was ever made" on the first Page thereof and to and including the words "Payment of indebtedness" on the 3rd page of said answer also all that part beginning with the clause "He says further that he admits that said Pearson Ed Shearon are insolvent" on the 3rd page to and including the words "Indebtedness of said Co" on the 4th page of said answer. Also all that part beginning with the words "This Defendant further that on or about" on the 4th page of said answer to and including the words "collected from said Woods" on the 5th page. Also all that part beginning with the clause "He further says he is informed" on the 5th page to and including the words "Items of claims so brought" Also all that part beginning with the words "He further says he is informed" on 5th page and to and including the words "unable to state" on said 5th page.

Also the following interrogations No. 1, 2, 3. As to the 7th paragraph of said motion and to said interrogations No 4, & 5. the said motion is overruled, to which ruling of the Court in sustaining said motion the said R. L. Woodburn excepts and to the overruling of the same as to said paragraph and interrogations the said plaintiff excepts. Thereupon this cause came on to be further heard upon the motion of said Plaintiff to strike out certain portions of the answer of Delmorn Woodgrass Defendant. On consideration whereof the Court being fully advised in the premises do sustain said motion and it is ordered that the following parts of said answer be stricken out, to-wit= beginning with the clause "Defendant says that the said plaintiff W. W. Woods" on the first page to and

including the words "on the part of said Woods" on the 4th page. To which ruling of the Court the Defendant Delmore Snodgrass excepts. Also this cause came on to be further heard upon the motion of the said Plaintiff to strike out certain parts of the answer of Valaris Turner Alvin Thompson John Axman D. V. Henderson and Wm. M. Liggett. On consideration whereof the Court sustain said motion except as to the interrogations 3. 4. & 5; and as to said interrogations said motion is overruled. It is ordered by the Court that the following portion of said last named answer be stricken out to-wit; beginning with the clause "they say said pretended Judgments" on the first page of said answer to and including the words; "not of the plaintiff" on the 3rd page of said answer, also interrogations 1 & 2. To which ruling of the Court so far as it sustains said motion and struck out from said answer the said Defendant making said answer excepts, in so far as said motion was overruled the said plaintiff excepts. Also came on to be further heard upon the motion of said plaintiff to strike out certain portions of the answer of said Robinsons, Defendant and the Court being fully advised in the premises do sustain said motion and it is ordered that the following part of said answer be stricken out to-wit: Beginning with the clause "They further say the coquovit notes" on the 1st page to and including the words, "To obtain a change" on the first page except the words "these Defendants" To which ruling of the Court in sustaining said motion the said J. V. & N. B. Robinson except.

This cause came on to be further heard upon the motion of the said Plaintiff to strike out certain portions of the answer of said L. Piper. On consideration whereof the Court do sustain said motion and it is ordered by the Court that the following portion of the answer of said L. Piper stricken out to-wit: Beginning with the words "that at the time the said Butler Tub" on the 3rd page to and including the words "of said corporation" on the 5th page of said answer. Also beginning with the clause "this Defendant further says that the said Woods" on the 6th page to and including the words of the said company on the 6th page, also all of interrogatory "A" to said answer. To which ruling of the Court in sustaining said motion the said Defendant Leonidas Piper excepts and thereupon on application of said Defendants they each have leave to file an amended answer herein by the 20th day of July, and by agreement the time for the Defendant Leonidas Piper to file his amended answer is extended to the 10th day of August next. And thereupon on motion this cause is referred to F. T. Arthur as referee to decide all questions of pleadings to take testimony on reasonable notice to the parties and to report his findings of fact and law in the case and report also the evidence taken in the cause, said referee to allow all further necessary pleadings to be filed to make up the issues between the parties and to report at the next term of this Court to which time this cause is continued.

Hiram Myers
vs
Mathew Lingrell

May 16th 1882

On motion of the Plaintiff he has leave to amend his petition by the 20th day of June 1882 and this cause is continued at costs of Plaintiff.

Tuesday June 27th 1882

#3145 Orlando Wells vs Osmond W. Wells, Harry G. Partridge, Isaac Brake, William Brake, John Rheiner & A.D. Palmer Defts | Court Common Pleas, Union Co. O. | 3364

This day came the parties to this cause except said Osmond W. Wells, who is in default for ans. and demurrer, and thereupon on motion of the Plaintiff and by consent and agreement of the parties in Court as aforesaid the receiver heretofore appointed in this case is discharged from all further responsibility therein, and his undertaking given as such receiver is cancelled and vacated, and said cause is dismissed at the costs of Plaintiff, but without prejudice to a new action. It is therefore considered ordered and adjudged the Defendants recover of Plaintiff their costs herein taxed to $. | 3615 3616 3707

3455 Lucy V. French et. als vs Robert Hill Et. als | 3780

A Jury having been drawn in this case to assess the value of the lasting and valuable improvements as well as waste and nett annual rent and also the value of the several tracts claimed by Defendants in a state of nature and having made their report to the Court. Whereupon the Plaintiff elected to take the several tracts of lands and pay for the lasting and valuable improvements to which the Defendants severally objected. Whereupon the several Defendants move the Court to set aside verdict and the assessment by the Jury of the lasting and valuable improvements as well as the waste and nett annual rents of the said tracts for alleged reasons in writing put on file by the Defendants, Whereupon the Court continued all further proceedings upon the motion of Defendants and the election of Plaintiffs for want of time to hear the same | 3789 3791 3792

3456 Lucy V. French et. als vs John N. Preston et. als | 3826

The Jury drawn in this case to assess the value of the lasting and valuable improvements on the several tracts of land claimed by the Defendants respectively. Also to assess the nett annual rents and waste as well as the value of the land in a state of nature and having made their report to the Court whereupon the Plaintiff elected to take the several tracts of land and pay for the lasting and valuable improvements except the tract claimed by the Defendant. N. F. McKitrick in that case the Plaintiff offered to receive the value of the land in a state of nature to which Defendants then and there objected. Whereupon the several Defendants moved the Court to set aside the verdict and the several assessments of improvements and rents and waste of each tract of said land for alleged reasons put on file by said Defendants. And thereupon the Court continued all further proceedings on the motion of Defendants, and the election of Plaintiffs for want of time to hear the same. | 3834 3864 3862

Tuesday June 27th 1882

3364	Finley D. Davis vs Elijah Lister	Continued by agreement.
3615	Albert G. Wallace vs L. G. Monroe	Cont'd
3616	M. L. Stewart vs Job E. Stephenson	Cont'd
3707	Violia M. Jones vs Alex J. Mahaffey et.als	Cont'd
3780	Lewis A. Ellis vs Alex. J. Mahaffey et.als	Cont'd
3789	Sarah Morrison vs Isaac Cahill et.als	Cont'd
3791	D. S. Stephens vs Joseph Gratty et.als	Cont'd
3792	J. W. Lewis Surviving Partner &c vs Henry Wheeler	Cont'd
2826	David M. Pence vs James B. Whelpley et.als	Cont'd
3834	Andrew Spratt vs Edword Cramer	Cont'd
3864	M. P. Rice et.al vs John Knock et.als	Cont'd by agreement
2862	Newhouse McLean & Co. vs	Continued

Tuesday June 27th A.D. 1882

3894 Victoria Peterson vs Theo. Peterson

This day this cause came on to be heard upon the pleadings in this case and the evidence being submitted to the Court and the Court being fully advised in premises do 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 this time a bona fide resident of the 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, habitual drunkenness and wilful absence and that by reason thereof the Plaintiff is entitled to divorce as prayed for. It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Victoria Peterson and Theo. Peterson be and the same is hereby dissolved and both parties are hereby released from the obligations of the same and that the said Victoria Peterson be restored to her maiden name of Victoria ——— and that the said Victoria Peterson pay the costs of this action before the Entry is made on the Journal for which execution is awarded.

3872 Truxton Ford vs Josiah Carr et. als } Continued

3891 State of Ohio vs N.D. Gill } Dismissed for want of prosecution, by order of Court

3895 Harry O'Horra vs The Village of Unionville Centre } Continued

3903 Archania Price vs John C. Price } Continued

3904 Robbins vs Robbins } Continued,

3909 John E. Southard vs Jonas Figley } Continued

3919 Maria Hornbeck vs Zachariah Hornbeck } Continued

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Tuesday June 27th A.D. 1882

3921	Isaac J. Walker et. als vs Margaret J. Abrahams	Continued
3935	William H. Hamilton vs Peter Sells	Continued
3942	Clementina Godfrey vs Jacob Hartman et. als	Continued.
3947	J. P. Catlin vs Alex- Snodgrass et. als	Cont'd
3951	McCall L. B. vs Temple John H.	This day this cause came on to be heard and upon request of Defendant leave was granted, by the Court, to answer in 20 days from rising of Court & cause continued.
3956	Florence Robins vs Monroe J. Robins	Cont'd
3968	Jonah Lauer vs Laura E. Lauer	Cont'd
3972	Edward O. Stephenson vs Mathew Lingrell	Cont'd
3973	Mary Ramsey vs John W. Ramsey	Continued
3978	Cyrus Staunates vs Jacob Johnson	Cont'd
3981	Willis Goodnow vs Sarah S. Goodnow	"
3982	Joseph Nelson vs Thomas Irwin	"

Tuesday June 27th A.D. 1882

3985	Norman N. Demmand vs Sarah Demmand	Continued	State of Ohio vs Geo. Atherton	Left off Docket by order of Court	4033
3986	Maggie Swartz vs William Hildreth	"			4037
3987	Richard H. White vs Elias Johnson et.als	"			4038
3990	Melissa Snodgrass vs Alex- Snodgrass	"			4039
3993	William B. Baker vs Rosina Baker	"			4040
4003	Charles Gaier vs Matilda Gaier	"			4041
4020	Lucinda Ford vs William Ford et.als	"			4042
4026	Elizabeth Spears vs James Spears	"			3913
4027	John R. Taylor ex-re vs Isaac Jolliff et.al	"			
4020	Benedict Finch vs S.S. & A.J. Davis et.als	"			3771
4031	George M. Rickard vs James B. Whelpley et.als	"			
4032	Mattie J. Lockhart vs C.D. Sidle ex-re	"			

4033	Washington Amarine vs W. H. Fergnson	Continued
4037	F. H. & W. Otte vs Mintie C. Hawkins	"
4038	W. F. Wilcox vs P. C. Adams et al	"
4039	A. W. Thompson vs Geo. Jordan et. als	"
4040	Joshua James vs Hugh Perry	"
4041	John R. McDonald vs James B. Whelpley	"
4042	Perry Douglas et. als vs James B. Whelpley et. als	"
3913	The State of Ohio vs Wright Harriman	

This day this cause came on for hearing on application of Defendant for a continuance and upon his showing was continued at his costs. It is therefore ordered that this cause be continued and that Defendant pay the costs of the term and in default that execution issue therefor.

3771	James Dehaven vs David Watson	

This day this cause came on to be heard and on application of Defendant leave was granted to answer in thirty days from rising of Court and cause continued.

	James N. Myers vs William Longbrake	

This day this cause came on to be heard and on application of Plaintiff leave was granted to file a petition in thirty days from rising of Court and cause continued.

Tuesday June 27th A.D. 1882

Eli G. Piper Admr & Ct
4015 vs
William T. Walson et. als

This day this cause came on to be heard and on application of Defendant leave was granted to file an amended answer in thirty days from the rising of Court and cause continued.

Lucy V. Frelich et. als
vs
Robert Hill et. als

Now come the Defendants and present to the Court their 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. July 20th 1882.

Theodore A. Larowe
3885 vs
Delmore Snodgrass

This day this cause came on to be heard and upon showing of the Defendant it is ordered continued at his costs for the term. It is therefore ordered and adjudged by the Court that the Plaintiff recover of the Defendant his costs expended herein this
(Term)
May A. D. 1882

D. D. McCracken
3442 vs
Isaac W. McCracken et. al

And this cause came on further to be heard on the cross-petition of William N. Ferguson and thereupon the Court being fully advised in the premises do find that there is due 4077
to said Ferguson on the note and Mortgage first mentioned in said cross-petition the sum of One hundred and Eight Dollars on the Mortgage given by Isaac W. McCracken & Wife for the purchase money of lot #212 in said petition described and recorded Jan. 16th 1871.

Further that there is due to said Ferguson on said Mortgage in said cross-petition described as record on lot 212 & part of lot 211 described in said cross-petition the sum of three hundred & forty three & 45/100 Dollars which Mortgage signed by Isaac W. McCracken & his wife Margaret McCracken Feb. 21st 1877 and recorded Feb. 21st 1877 as alleged in said cross-petition.

It is therefore ordered and decreed that if said Isaac McCracken & Margaret McCracken fail for twenty days from the rising of this Court to pay said sum of money with int. from the 27th June 1882 and the costs of this proceeding then an order of sale issue on the demand of said Ferguson directed to the Sheriff of this County commanding him to appraise advertise and sell according to law the said premises in said petition described and the proceeds thereof bring into Court to await the further order of the Court distributing said proceeds among the parties and for that purpose this cause is continued

And thereupon Court adjourned without day.

Attest. J. L. Bruguer. Clerk.

4060

4060 Lucinda Ford vs Daniel S. Ford } Order of Injunction. Before the Probate Court, Union County, Ohio.

Motion for temporary injunction in the Court of Common Pleas Union Co. O.
And now this 2nd day of July 1882 came the Plaintiff by J. L. Cameron her attorney; and it being made to appear that there is at this time no Common Pleas, District or Supreme Judge within said County. The motion for a temporary injunction by the Plaintiff came on and was heard upon the Petition of the Plaintiff Lucinda Ford and the affidavit thereto therein filed, and after hearing the argument of counsel and being fully advised in the premises It is considered and ordered that a temporary injunction be, and the same hereby is allowed in this case to restrain the said Defendant Adam Wolford and Daniel S. Ford from any further proceeding upon a suit in forcible Entry now pending the said Adam Wolford as Justice of the Peace where said Lucinda Ford is Defendant and said Daniel S. Ford is Plaintiff and to restrain said Daniel S. Ford from any further proceeding at law to disturb the Plaintiff in her possession of the premises described in the Petition in this case, until this suit and case No. 3847 in this Court are fully heard and to restrain said Daniel S. Ford from interfering with the Plaintiff in her possession of said premises until this suit and said suit No 3847 are fully determined and to fully restrain with said parties as prayed for in said petition. It is further ordered that the Clerk of the Court of Common Pleas issue Summons in this case endorsed injunction allowed on said Plaintiff giving an undertaking to said Defendant, conditioned according to law with surety to be accepted by said Clerk of the Court of the Court of Common Pleas, in the sum of $100.00 (Seal)

Signed "John B. Coats Probate Judge"

4077 Dorcas Mulvain vs David Mulvain } In vacation. Order of Injunction. Before the Probate Judge Union County O.

Motion for a temporary injunction, in the Court of Common Pleas Union County, Ohio. And now on this 9th day of August A.D. 1882 came the Plaintiff by C. R. Kew her attorney, and it being made to appear that there is at this time no Common Pleas District or Supreme Judge within the said County, the motion of the Plaintiff for a temporary injunction came on and was heard upon the Petition of the Plaintiff and the Petition therein filed, and after hearing argument of counsel, and being fully advised in the premises, it is considered and ordered that a temporary injunction be, and the same hereby is allowed in this case to restrain the said Defendant from selling encumbering or disposing of in any manner the property described in said petition, to-wit: One horse and buggy and one 12 acres of growing corn as prayed for in said petition of Plaintiff. It is further ordered that the Clerk of the Court of Common Pleas issue summons in this case endorsed injunction allowed without said Plaintiff giving undertaking to said Defendant.

Signed John B. Coats Probate Judge (Seal)

application to admit to bail

In Vacation

The State of Ohio vs Alfred Evans } Probate Court. State of Ohio. Union County. SS.

Be it remembered that at a Court of Probate within and for said County, held on the 7th day of August 1882 before John B. Coats Judge of said Court came Alfred Evans and made application to be admitted to bail, whereupon it was ordered by the Court that a special warrant issue to the Sheriff of said County, commanding him to bring the body of the said Alfred Evans before the said Probate Court on the 7th day of August 1882 to the End that the said Alfred Evans may be admitted to bail according to law. And that thereupon on the 7th day of August A.D. 1882 a special warrant was issued to said Sheriff, and by the said Sheriff returned according to the command thereof with the body of the said Alfred Evans and it appearing to the Court by the return of the said Sheriff that the said Alfred Evans was committed to the Jail of said County by J. W. Kinkade, Mayor of the incorporated Village of Marysville Ohio, on the 2nd day of August 1882 on a charge of carrying concealed about his person, a dangerous weapon, to wit, a loaded revolver, in default of bail in the sum of One Hundred Dollars ordered by the said J. W. Kinkade, said Mayor to be by the said Alfred Evans given and that thereupon the said Court being fully advised in the premises, ordered that the said Alfred Evans enter into a recognizance in the sum of One hundred Dollars with approved sureties conditioned according to law, and that the said Alfred Evans be and appear before the Court of Common Pleas in and for said County on the first day of the next term thereof, to answer unto said charge and that thereupon the said Alfred Evans entered into recognizance accordingly, with sureties, which said recognizance is approved, and the said Alfred Evans was discharged from the custody of said Sheriff

Recognizance

The State of Ohio vs Alfred Evans } In the Probate Court. Union County, Ohio.

Personally appeared before me John B. Coats Probate Judge in and for said County Alfred Evans the Defendant named above, who with Wiley Divins and Stephen Boon entered into the following recognizance. to-wit: The State of Ohio. Union County. SS. Be it remembered, that on the 7th day of August A. D. 1882, personally appeared before me John B. Coats, Probate Judge in and for said County Alfred Evans, Wiley Divins and Stephen Boon who jointly and severally acknowledge themselves to owe to the State of Ohio the sum of One Hundred Dollars to be levied of their goods and chattels and chattels, lands and tenements, if default be made in the conditions following. The above obligations is such, that whereas the above bound Alfred Evans was on the 2nd day of August A.D. 1882 committed to the Jail of said County of Union on a charge of carrying concealed about his person a dangerous weapon, to wit, a loaded revolver. Now if the said Alfred Evans shall be and appear before the Court of Common Pleas in and for said County on the 1st day of the next term thereof, then and there to answer unto said charge of carrying

concealed about his person a dangerous weapon, to wit: a loaded revolver, and abide the decision of said Court, and not depart without leave of the same, then this obligation to be void, otherwise to be and remain in full force and virtue in law.
Signed "Alfred Evans Wiley his X mark Irvins Stephen his X mark Boon" (Seals)
I, John B. Coats, Probate Judge, within and for said County, do hereby certify the foregoing recognizance was duly taken, signed and acknowledged before me, and by me approved this 7th day of August A.D. 1882 John B. Coats Probate Judge (L.S.)
The State of Ohio. Union County, ss. I, John B. Coats, Judge of the Probate Court within and for said County, do hereby certify that the foregoing is a correct transcript of the proceedings had before and of its orders made by the said Probate Court, and that the foregoing recognizance was duly entered into before said Court by said Alfred Evans.
In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Marysville Ohio, this 7th day of August A. D. 1882 John B. Coats Probate Judge (L.S.)

Order of Injunction before the Probate Judge Union County Ohio. In Vacation.

Mariah Parish
vs
Anthony Parish et. al

Motion for a temporary injunction, in the Court of Common Pleas.

Union County, Ohio.

And now on this 4th day of Sept. A.D. 1882, came the plaintiff by J.L. Cameron her Attorney and it being made to appear that there is at this time no Common Pleas, District or Supreme Judge within said County, the motion of the plaintiff for a temporary injunction came on and was heard upon the petition of the Plaintiff and the affidavit therein filed, and after hearing the argument of counsel, and being fully advised in the premises, it is considered and ordered that a temporary injunction be, and the same is allowed in this case to restrain the said Defendant Anthony Parish from disposing note or Mortgage executed by the said William Davidge to him or from disposing of any of the proceeds of the sale of said land by said Davidge said to him either in notes or money, And to restrain said Davidge from paying or delivering any other payment or proceed of said land until the final hearing hereof, and in all things to restrain both the said Anthony Parish and said William Davidge as prayed for in said petition in the above entitled case as prayed for in said petition of Plaintiff.
It is further ordered that the Clerk of the Court of Common Pleas issue Summons in this case endorsed injunction allowed on said Plaintiff giving an undertaking to the said Defendant, conditioned according to law with security to be accepted by the said Clerk of the Court of Common Pleas, in the sum $100.00
Signed "John B. Coats." Probate Judge

In Vacation

Order of Injunction before Probate Judge, Union County, Ohio.
Isaac Barnesmith
vs.
Christian Schultz
Henrietta Schultz & Isaac Grubb
In Vacation.
Motion for temporary injunction in the Court of Common Pleas, Union County, Ohio.

And now on this 9th day of September A.D. 1882, came the Plaintiff by Porter & Porter his Attorneys: and it being made to appear that there is at this time no Common Pleas, District or Supreme Judge within said County, the motion of the Plaintiff for a temporary injunction came on and was heard upon the Petition of the Plaintiff therein filed, and after hearing the argument of the counsel, and being fully advised in the premises, it is considered and ordered that a temporary injunction be, and the same hereby is allowed in this case to restrain the said Defendant Christian Schultz from cutting down, selling, removing or in any way meddling with any valuable timber or standing timber on the land described in Plaintiffs petition and from removing or destroying any of the rails or fences on said land as prayed for in said petition of Plaintiff. It is further ordered that the Clerk of the Court of Common Pleas issue Summons in this case endorsed injunction allowed on said Plaintiff giving an undertaking to the said Defendant conditioned according to law with security to be accepted by the said Clerk of the Court of Common Pleas, in the sum of $200.00 John B. Coats Probate Judge.

Geo. M. Richard
vs.
Jas B. Whelpley Nathan Howard & Uriah Cahill as Board of Comrs of Union Co. O. W. L. Curry as auditor of Union Co. O. & F. J. Sager as Engineer,
4031
In Vacation.
Before Probate Judge, Mo. for temporary injunction in the Court of Com. Pleas Union Co. O.

And now on this 28th day of July A.D. 1882, came the Plaintiff by Parrell & Fulton his Attys and Defendants by Porter & Porter their Attys; and it being made to appear that there is at this time no Com. Pleas, District or Supreme within said County, the motion of Pltff for a temporary injunction came on and was heard upon the petition of the Pltff & after hearing the argument of Counsel, and being fully advised in the premises, it is considered & ordered that a temporary injunction be, and the same hereby is allowed in this case to restrain the said defendants and that they be restrained from taking any further steps or proceedings in the matter of the said proposed road mentioned in the petition so far as the same relates to the laying out and constructing a new road from taking any further steps or proceedings whatever in the matter of running the said proposed road through the lands of plaintiff or from taking or appropriating any of his lands for the purpose of constructing said road or from locating, building or constructing said proposed road through or across any of his said lands and that each and all of said defendants be restrained from taking any further steps in the matter of building said road through or across his said lands or for that purpose or from placing any assessment upon the duplicate of said County against him or his said lands for the purpose of building said proposed new road through or across the lands of said plaintiff, and affecting no other matter or thing or person in relation to said road improvement as prayed for in said petition of plaintiff. It is further ordered that the Clerk of the Court of Com. Pleas issue summons in this case endorsed injunction allowed on said plaintiff giving an undertaking to said defendants, conditioned according to law with security to be approved by the Clerk of the Court of Common Pleas, in the sum of $250.00

John B. Coats Probate Judge (Seal)

Monday Sept. 11th A.D. 1882

The State of Ohio.
Union County, SS.

This separate session of the Court of Common Pleas of the 3rd division 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 Eighty two was begun and held on Monday September the 11th A.D. 1882 in the Court House in the town of Marysville, County of Union, and State of Ohio.

Present Honorable John A. Price Judge

John Hobensack Sheriff. Thomas Martine Deputy.

Attest. J. L. Bumgner, Clerk, Court of Common Pleas, Union County, Ohio.

The venire facias for a Grand Jury heretofore issued returnable this day at Eight O'clock in the forenoon was duly returned by the Sheriff with his endorsements thereon as follows; to-wit:
The State of Ohio. Union County, SS.
Sheriff's Office, August 20th 1882.

On the 14th day of Aug. A.D. 1882 I received this venire and served the same on the several persons therein named at the times and in the manner placed opposite their names endorsed thereon.

1 Thomas Hogan. Served by Copy of Summons.
2 Isaac Shirk " " " " "
3 J. P. Marriott " " " " "
4 Enos Bell " " " " "
5 John A. Morrow " " " " "
6 Mathew Lingrell " " " " "
7 John Law " " " " "
8 William McElroy " " " " "
9 Hugh Munn " " " " "
10 L. O. Clemons " " " " "
11 W. F. H. Pennington " " " " "
12 C. O. Bishop " " " " "

Monday, Sept. 11th A.D. 1882

13 Nesbit January — By Copy of Summons

14 Luther Turner — " " " "

15 Martine Eirick — " " John Habersack Sheriff.

and upon calling the same in open Court and the same being incomplete, the Sheriff summoned from among the bystanders to complete the same, the following named persons who appeared in answer thereto to wit: W. H. Robb, George Edwards and L. R. Forbes; and the panel being full, the Court appointed W. H. Robb Foreman of the Grand Jury and he with his fellow Jurors took the oath in manner and form 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 Thomas Hogan
2 Isaac Shirk
3 J. P. Marriott
4 Enos Bell
5 John A. Morrow
6 Matthew Lyndell
7 W. H. Robb
8 Hugh Moore Jr.
9 L. D. Stemmons
10 W. T. H. Pennington
11 Geo Edwards
12 Nesbit January
13 Luther Turner
14 Martin Eirick
15 L. R. Forbes

And thereupon Court adjourned to Sept 12th 1882 at 8½ o'clock A.M.

Dolora Mulvain
vs
David Mulvain

This cause is dismissed at Plffs costs. It is therefore considered that the plaintiff pay the costs herein taxed at $.

4075
3893
3854
4078
3616
3442

Tuesday Sept 12th A.D. 1882.

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

William A. Leggett Pltff
4075 against
David Mulford Defendant } This day Sept 12th came the Defendant David Mulford in open Court - the plaintiff by his attorney being present - he, defendant offered to Confess Judgment in this cause for the sum of Sixty five dollars, 50 cents which offer of confession of Judgment the plaintiff refused to accept.

Martha Dilsaver Pltff
3893 vs.
Swan Swartz } This day came the parties by their attorneys and it being made to appear to the Court that the plaintiff is a non resident of said County of Union, it is ordered that said plaintiff shall give security for cost in this case, to be accepted and approved of by Court by the first day of December next and in default of such security being given that this cause be dismissed.

M. P. Rice
3854 vs.
Jno. Knock } This day came the partie and settled this cause of action upon the following terms: Defendant John Knock is to pay to plaintiff the sum of Twenty Five Dollars and plaintiff is to pay all the costs in the case. It is therefore considered and adjudged by the Court that the Plaintiff recover of the defendant the said sum of Twenty Five Dollars and that Plaintiff pay all the costs in this action and in default of such payments that execution issue.

M. L. Stewart
3616 vs.
Jos E. Stevens et als } Continued

S. S. McCracken
3442 vs.
J. W. McCracken et als } Continued under former order

Tuesday Sept 12th A.D. 1882

3140	James Carter vs Bank of North Lewisburg	Continued by agreement.
3959	Jules A. Benedict vs Jason Chapman	Continued with leave to file petition in 30 days from rising of the Court.
3364	Finley S. Davis vs Elijah Lister et als	Continued by agreement.
4073	Union Biblical Seminary vs Stephen Granston Adm.	Leave to answer by Saturday of this week.
4074	Otterbein University vs Stephen Granston Adm.	Leave to answer by Saturday of this week.
4006	Elisha L. Hawkins vs Eli G. Piper	Default of defendants opened and leave granted to answer the 14th of Sept 1882
4046	Margaret C. Hamilton vs R. H. Heiss	Leave to the defendant to answer by the 4th day of the term.
3952	Edward O. Stevenson vs Matthew Lingrel	Continued
3872	Truxton Ford vs Joseph Carr et als	Continue for publication of notice
3649	J. W. Cummins Admr. vs Saml Waddle et als	Continued
3749	H. M. Rouse Admr Estate of John McGuire Decd Plaintiff vs The Pittsburg Cincinnati & St Louis Railway Co Defendants	This day this cause came on for trial, and thereupon a jury to wit, Z. R. Thornton, Samuel McAdow, David Skid-

3847

more, Isaac Cahill, James Cooley, J. F. McCullough Wilber Degood, Ham Thompson, C. Houston, Robert Hill, John Lane, John E. Harriman was called, duly empanneled, and sworn, and the plaintiff having introduced all of his testimony and evidence and rested his case thereupon the Defendant moved the Court to withdraw the case from the Jury and dismiss the same at the costs of said plaintiff for the reason that said plaintiff having introduced all of his testimony and rested his case had wholly failed by his proof to sustain the averments of his petition and had wholly failed to introduce any proof showing or tending to show that the death of said John McGuire was caused by reason of the negligence or carelessness of the defendant and for the reason that the plaintiffs own testimony and evidence showed that the accident resulting in the death of said John McGuire was brought about by reason of his own carelessness and negligence, and thereupon after agreement of counsel and consideration of the motion the Court does sustain the same, and directs that a Juror be withdrawn and the Jury discharged, and the case dismissed at the costs of the said plaintiff, to which ruling and finding of the Court the said plaintiff by his counsel excepted.

It is therefore ordered and adjudged by the Court that the defendant recover of the said plaintiff his costs herein taxed $ and that in default thereof for five days execution issue therefor, & thereupon the Court suspended execution until the Bill of Exceptions during the term can be prepared and duly signed.

3847 Lucinda Ford vs Daniel S Ford et als } On motion to the court by the plaintiff and it being made to appear that the defendants Ada May Ford, Mary E. Ford and Lewis A Ford, are all minors under 14 years of age, and that they have each neglected to apply to the Court for the appointment of a guardian for this suit,

It is ordered that D W Ayers be and he is hereby appointed guardian for the suit for Ada May Ford, Mary E Ford and Lewis A Ford, and thereupon came the said D W Ayers and accepted said ap-

Tuesday Sept 12th A.D. 1882.

pointment and filed his as required by law.

Lucinda Ford.
vs
3859 Daniel S Ford
Extr of Rhoda Ford

This day came the parties and the said Daniel S. Ford entered his appearance herein and the plaintiff asked and had leave to amend his petition instanter which by court was done by interlineation and this cause is continued with leave to the defendant to answer in 30 days from the rising of the court. 3903 4107

Lucinda Ford Pltff
vs
3847 Daniel S Ford et als Defts

This cause came on to be heard upon the motion of the plaintiff to make the defendants reply more definite and certain. On consideration whereof the Court overrule said motion. 4105

And thereupon Court adjourned til Wednesday morning Sept 13th 1882 at 8½ o'clock.

Wednesday Sept. 13th A.D. 188-

Court met this morning pursuant to adjournment, at 8½ o'clock, the same officers present as on yesterday.

3903 Ruhama Price vs John C Price } This cause is dismissed without prejudice.

4107 John C Lee James M. Brown & Reynolds R Kincade vs Honora Burnes ux et John Burnes } Now comes the plaintiffs by Lee Brown and Lee their Attorneys; also came one of the attorneys of this Court on behalf of the defendants Honora Burnes and John Burnes and by virtue of a warrant of Attorney for that purpose duly executed by the said Honora Burnes and John Burnes, and now produced to the court, waived the issuing and service of process and with the assent of the plaintiff confessed that the said Honora Burnes and John Burnes are justly indebted to the plaintiffs in the sum of Two Hundred Sixty Three 28/100 Dollars as claimed in their petition, with interest at 8% per annum. It is therefore considered by the Court that the Plaintiffs recover of the said Defendants Honora Burnes and John Burnes the sum of Two Hundred and Sixty three 28/100 Dollars with interest at 8% per annum, together with their costs herein expended and taxed at

4105 Isaac Bowersmith vs James Grow } This day came the plaintiff by his attorneys and moved the Court for a temporary injunction in this cause against the defendant! In consideration whereof the court do allow said temporary injunction as prayed for by the plaintiffs enjoining and restraining the defendant from cutting down or removing or in any way meddling with any timber whether standing on premises described in plaintiffs petition or whether it is down timber. That the defendant be further restrained from removing, controlling, or meddling in any way with the timber that he has hauled or caused to be hauled from said premises and on to the premises of one John Taylor and to the saw mill of Alonzo Cherry and to the saw mill of W. F. Wilcox & Co, or elsewhere, and from in any

Wednesday Sept. 13th A.D. 1882.

way committing further waste upon the premises described in the plaintiffs petition.

3771 James. De. Haven. vs David Watson. } This day came the Defendant and filed his amended answer in this case and thereupon plaintiff asked and obtained leave to file reply in 30 days from the rising of the Court, and this cause is continued. 4108

3955 Peleg. Comston Admr Pltff vs Samuel K. Hensley et als Defendants } On motion of the plaintiff and on his producing the returns of the Sheriff of 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 in all respects in conformity to law and the orders of this Court. ist is ordered that the said proceedings and Sale be and the same are hereby approved and confirmed 4110

And it is further ordered that the said Sheriff convey to the purchaser Sylvanus Taylor 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 one hundred and Seven dollars ($107 00/100) it is ordered that the Sheriff out of money in his hands pay

First: The costs of this action taxed at $

Second: Pay the plaintiff the balance of said sum to apply on decree rendered in this case at Jany term 1882 amounting then to $110 24/100 which with the interest to this date $4.41 make sum of $114 65/100 now due 4109

And thereupon Court adjourned until tomorrow morning

Thursday Sept. 14th A.D. 1882

Court met this morning at 8½ o'clock the same officers being present as on Yesterday.

4108 Ruhama Price vs John C. Price } Const of Common Pleas Union County Ohio

This day came the plaintiff by her attorneys and moved the court for a temporary injunction in this case against the defendant. In consideration whereof the Court do allow said temporary injunction as prayed for. by the plaintiff, enjoining and restraining the defendant from selling or disposing of any of the real Estate, Cattle Sheep. Hay, Wood and Horse and Buggy - and any further waste of property as described in plaintiffs petition, until further order of Court.

4110 Tillington Phillis & Woods vs John C. Price O. M. Scott R. T. K. Allister } This day came the plaintiff by their attorneys 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 defendant to said plaintiff as is alleged in said plaintiff's petition, the sum of $1525 66/100 as aforesaid It is therefore considered that said plaintiff do recover of said defendant, the said sum of $1525 66/100 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.

4109 The Farmers Bank vs John C. Price } This day came the plaintiff by John M. Brodrick, attorney and thereupon came A. H. Leightler 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 defendant herein and by virtue of the said warrant of Attorney confessed that there is due from said de-

Thursday Sept 14th A.D. 1882

fendant to said plaintiff as is alleged in said plaintiff's petition the sum of Five Hundred and Thirteen & 45/100 dollars. It is therefore considered and adjudged that said plaintiff do recover of said defendant the said sum of Five Hundred and Thirteen & 45/100 dollars, 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 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.

6 vv.

Report of Grand Jury

This day appeared at the bar of this Court, the Grand Jury heretofore impannelled and sworn and for the body of the Court aforesaid: viz:

Thomas Logan	Mathias Lingrel	Geo Edwards
Isaac Shick.	W. H Robb.	Nesbit January
J. B. Marriott	Hugh Moore Jr.	Luther Turner.
Enos Bell	L. O. Flemmons	Martin Eizich
John A Morrow.	W. F. Pennington	L. H Warbes

and presented their certain bills of indictment against

Albert Smith, for Grand Larceny

John Silverthorn Kelley. Burglary and petit larceny

Alfred. Evans for carrying concealed weapons

Tobias Wammy. Same.

Mary Jane Gordon. Assault and Battery

Hugh J. Perry. Same

Lucinda Ford Same.

Each endorsed. "a true bill" and signed "W. H Robb Foreman of Grand Jury." and also reported further as follows

"We earnestly recommend a radical change in the drainage of the Jail sink as well as in the ventilation of the prison." Respy submitted, W. H Robb, Foreman

And there being no further business for the said Jury they were discharged finally.

2419 Lemuel Myers vs. Ed Thomson } This day this cause came on to be heard on motion of the plaintiff to redocket the case and amend the journal entry of last term as prayed for in the motion, and upon consideration whereof said motion was sustained and it is ordered and adjudged that the journal entry of the May term of Court 1882 be amended as follows towit That the judgement shall be against the defendants Edward Thomson Frank Thomson, W. E. Hazen and Kate

Nolen instead of against the defendants generally.

6 vv.

The State of Ohio
vs.
Mary Jane Gordon

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 being also represented by counsel and arraigned upon said indictment, for plea thereto, saith she is guilty; thereupon being fully advised in the premises, it is ordered and adjudged by the Court that the said Mary Jane Gordon pay a fine of Five Dollars and the costs of this prosecution, and execution is awarded and that she stand committed to the Jail of Union County, Ohio, until the amount of said fine and costs shall be paid.

William Dial
vs
J. J. Woodruff et. al

This day this cause came on to be heard, whereupon the Court being fully advised in the premises doth dismiss Plaintiffs Petition without prejudice. It is therefore considered ordered and adjudged by the Court that the Plaintiff pay the costs herein taxed to &. and in default of which execution is awarded.

And thereupon Court adjourned until tomorrow morning at 8 1/2 o clock.

Friday Sept. 10th A.D. 1880.

Court met this morning at 8½ o'clock the same officers being present as on yesterday.

4111 Marion County Bank vs Richard Fahey — This day came the plaintiffs by Johnston and Fisher their attorneys 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 $321.35. It is therefore considered that that said plaintiff do recover of said defendant the said sum of $321.35 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 eight per centum per annum. And by virtue of said warrant of Attorney, all errors are released, and all right of appeale, and all right to file a petition in error are waived.

3875 James Hughes by P.R. Kelly Guardian vs Susan Adams — This day this cause came on to be heard upon the motion of defendant to require the plaintiff to secure the costs because he is the guardian of an infant the same being argued by Counsel, and the Court being fully advised in the premises, the court overrules said motion

To which ruling, the defendant then and there excepted.

3875 James Hughes. by his guardian Ad. Litem vs Susan Adams. — This day this cause came on to be heard upon the demurrer to plaintiffs petition, and the same being argued by counsel, and the court being fully advised in the premises, the Court therefore overruled said demurrer, to which ruling, the defendant, then and there excepted,

3713 D.N. Bowersmith vs Isah Mayo et als — This day came all the parties herein and submitted this cause to the court on motion to confirm sale & distribute proceeds thereof. Whereupon the Court being fully advised in the premises do find said Sale & pro- 4088

ceedings in all respects regular and do confirm said sale and order the Sheriff to execute to said purchaser James K. Roney, a deed for the same according to law. And further the Court find that Arah Mayo is entitled to dower in said premises & the value thereof is One Hundred Dollars as valued by the appraisers, and all parties are willing she should have that sum in lieu of her dower, whereupon the Court order, that out of the said proceeds, One Hundred Dollars be paid her in lieu of her dower. The Court further order that out of said proceeds the sum of $15.00/100 be paid Abram. Morey for Coffin for burial of dec. Jesse Mayo dec'd. & $5.00/100 to Dr. D. A. Hamilton for doctor bill last sickness of said Jesse Mayo dec'd. & that the costs of this proceeding including an Attorney of $20.00 to E E Cole, be next paid out of said proceeds & the taxes, which are now a lien on said lands be also paid out of said proceeds and the balance be divided equally between the four heirs of Jesse Mayo dec'd, viz Ai Mayo, Lewis Mayo, Henrietta Jackson, and Warren Mayo, and it appearing that Ai Mayo has conveyed to said Wiley Berkley & by him to J. A. Bowersmith, & that Henrietta Jackson and Lewis Mayo have conveyed their shares to Arah Mayo, therefore it is ordered, that said purchasers stand in the stead of such heirs, and it appearing that Frank Mitchell hath a mortgage lien on said land against said Arah Mayo, by set up in the answer of Frank Mitchell & the sum due thereon is $38.70/100, and further that Graham Dewell hath a Judgment on the execution docket of Union County Ohio against Arah Mayo, for $8.25/100, debt, $13.70/100, plaintiffs costs & $3.46/100, increase costs which are a lien on said lands against said Arah Mayo. Therefore the Court here order that out of the share of said Arah Mayo, the said lien of Frank Mitchell be paid and also the Judgment lien of said Graham Dewell for $26.73/100 and the balance of her share amounting to $40.49 be paid her & the court find that she has already rec'd from J. N. Roney on said land $150.00 leaving $ her due, which the Court order paid to her & the remaining fourth due said Warren Mayo be paid to him his heirs or assigns

4088 Nancy L. Overfield vs. Gabriel & Munroe Admin's } This day came the defendants John Gabriel and L. P. Munroe in open Court, the plaintiff by his attorney being present, they defendants offered

Friday Sept. 15th A.D. 1882.

the confess. Judgment, in this cause for the sum of Twenty five Dollars, which offer of confession of Judgment the plaintiff refused to accept.

4112. Peoples National Bank of Bellefontaine vs J. W. Griffin — This day came the plaintiff by Dest & Walker & Dest its attorneys and thereupon came John M. Goodrich 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 $314.$^{55}/_{100}$. It is therefore considered that said plaintiff do recover from said defendant the said sum of $314 $^{55}/_{100}$ 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.

3875

3944 George W. Vestal Plaintiff vs Martha Shelley et als. Defendants

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 proceedings and sale are hereby approved and confirmed, and the said Sheriff is ordered by deed duly executed to convey said premises to Abraham B. Butler Theodore F. Wilson and Perry Hoskins purchasers the portions of said premises purchased by them respectively in fee simple.

It is further ordered that out of the proceeds of said Sale the Sheriff pay;

First; To the Treasurer of said County $ 2013 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 Twenty Eight-$^{40}/_{100}$ dollars to Martin Donnell for his services herein taxed at $

Thirdly, and of the residue of the proceeds of said Sale to the plaintiff George W. Vestal One Third of the cash proceeds

4080

to-wit; $40 Cts and also one third of the Notes for the defered payments. To the defendant- Martha Tulley One fourth of the Cash proceeds to-wit; the Sum of $40 Cts. and also one third of the notes for the defered payments. To the defendants Catherine McBride, Eva Wright; George Ann Vestal Jennie Vorst, Elizabeth Vestal, O. M. Collister and David Vestal. One twenty first part each, of the Cash proceeds of said Sale to-wit; The Sum of $3.71 and also one twenty first of the notes for the defered payments each,

3875 George Hughs
vs
Susan Adams

This day this cause came on to be heard upon the Petition of the plaintiff and answer of the defendant and thereupon came a jury to-wit; Z. R. Thornton, Samuel McAdow, David Skidmore James Cooley, J. T. McCollough, Wilber Degood, John Lane John E. Harriman, John A. Morrow regular jurors and L. H. Warbes N. Freeman and Jarred Clemmert talis jurors, who being duly impannelled and sworn, and upon hearing the proofs and allegations of the parties, the argument of Counsel and the Charge of Court retired to their room for deliberation and afterward, to-wit; on the same day the jury returned into Court and reported in writing their Verdict as follows; George Hughs by his Guardian Plaintiff

vs

Susan Adams Defdt—

We the jury in this case being duly empannelled and Sworn do find and say that we find for the Plaintiff and assess his damages at $50.00

D. Skidmore. Foreman

4080 D. B. Core
vs
Jas McAllister

This cause is settled at cost of Defendant

It is therefore considered ordered and adjudged by the Court that the Plaintiff recover of the Defendant his costs herein taxed to $.

Thereupon Court adjourned until tommorrow morning at 8½ oclock A.M.

Saturday September 16th A.D. 1882

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

Sheriff's allowance

No 3827

To Honorable John A. Price Judge,
Union County, To John Hobensack Sheriff Dr
To anual Allowance. Allowed by Law $300.00
See Section 1231 Revised Statutes of Ohio.
Dated Sep 10th 1882. John Hobensack, Sheriff

The above is allowed, and Clerk will make proper Entry on the Journals.
Sep 16th 1882. John A. Price,
Judge.

4081

No 3885

Theodore A. Larne
vs
Delmore Snodgrass

This day came the parties, also came the following named persons, as jurors. to-wit;- H. Thompson, Z. R Thornton, Samuel McAdow, David Kidmore, John. Lane. John G Harriman John. A. Morrow. Howard Vosberg N. Freeman, B.W. Keyes as regular jurors and Thomas Keegan and Kirk Thomas Talis jurors were duly impanneled & Sworn, who after hearing the Evidence, argument of Counsel and Charge of the Court- retired to their Room in charge of the Sheriff for consultation. And now come the jury into open Court- with their Verdict in writing which reads as follows We the Jury in this case, being duly impaneled & Sworn do find for the defendant- B. W. Keyes. Foreman.

4005

Thereupon Court adjourned to meet Monday September 18th 1882 at 9 oclock A.M.

Monday. September 18th A. D. 1882.

This day Court Met at 9 o'clock A.M. pursuant to adjournment the same officers being present as on Saturday.

No 3827 Thomas Wharton vs Cleveland, Columbus, Cincinnati & Ind. Railway

This day this cause came on to be heard upon the demurrer of the defendant to Plaintiffs amended petition filed May 3d 1882, and the Court being fully advised in the premises does overrule said demurrer, To which ruling & decision of the Court said defendant excepts, and asks leave to answer by day of Sep 1882.

4081 Pauline M. Pooler vs Lawson L. Pooler et al

Now came the plaintiff herein, and the defendants still failing to answer or demur the Court finds from the pleadings and the evidence that the said L. L. Pooler was in his lifetime seized in fee simple of the real estate and premises described in the petition, and that the plaintiff is the widow of the said L. L. Pooler deceased and that she is entitled to have her dower in the said premises assigned and set-off to her as prayed in her said petition.

It is therefore ordered, adjudged and decreed by the Court that the said plaintiff be endowed of one full equal third part of the premises described in the petition; and that a writ issue to the Sheriff of Union County, commanding him that by the oaths of A. S. Mowry, George Brecher and P. J. Wyeth three judicious disinterested men of the vicinity in the said County, who are not of kin to either of the parties and who are hereby appointed commissioners for that purpose, he set-off and assign such dower to said plaintiff according to law and that of such proceedings (together with the said commissioners appraisement of the yearly Net Value of said real estate) the said commissioners and the said Sheriff make return to this Court forthwith.

4005 John P. Bailey vs Elliott Young, Henrietta Young

This day came on this cause to be heard on the Motion of plaintiff to correct the journal Entry made herein in this case so as to conform to the order of this Court Made in this cause and thereupon the Court Sustain said Motion & order an entry to be made as of that term correcting said Entry so as to read as follows, viz: This day came on this cause to be heard on the demurrer to the petition Whereupon the Court being fully advised in the premises do Sustain said demurrer and dismiss so much of said cause as charges the said Elliott Young with his own wrongs without

Monday September 18th A. D. 1882.

prejudice to another action against him, but he remains defendant with his wife so far as the petition charges her with wrong against the plaintiff, and leave is given plaintiff to file amended petition in 30 days.

4016

4005 John P. Bailey
vs
Elliott Young et als

This day came the parties & submitted this cause to the court upon the motion of the plaintiff to do correct the entry on the journal of the last term as to show that the defendant Elliott Young was dismissed from this action only so far as it relates to his separate & personal wrongs & remain in the case, so far as it relates to the wrongs of his wife & also upon the Motion of the defendant to dismiss the petition for reasons stated in the Motion, Whereupon the court sustain the Motion of plaintiff to correct the journal Entry of the last term of this court & do overrule the Motion to dismiss the petition and give leave to plaintiff to file amended petition by the 25th day of September 1882. Deft excepts to the above rulings of the court.—

No 3863 Newhouse, McClain & others.
Petition to vacate Alley &c

This day came the petitioners & made proof of due public notice of the pendancy of this petition, and thereupon the defendants who had filed an answer withdrew their opposition and the court having heard the evidence of witnesses do find that the vacation of said alley as prayed for in said petition will conduce to the general interests of said village and that no injury will be done to anyone by reason of such vacation,

It is therefore considered ordered and decreed by the court that said alley be and it is hereby vacated as prayed for, and the court further in pursuance of the written agreement on file in this case and ordered to be made a part of the record, does decree and ordered that the land in said alley become by said agreement the property of the several owners of land abutting on said alley each to hold to the center of said alley reference being had to said agreement for a full description thereof, and further the court order the petitioners to pay the costs herein in ten days in default thereof that execution issue therefor.

Thereupon Court adjourned until tomorrow morning at at 8½ o clock.

Tuesday. Sept. 19th A.D. 1882.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

4016 The State of Ohio
vs
William Davis

This day came the parties by their Attorneys and thereupon the death of Margaret Beaver, the mother of the child was suggested and the child proved to be living, and Peter Beaver was appointed Guardian ad-li-tem and thereupon the Defendant appeared in open Court by his counsel and confessed that the accusation as alleged is true and plead guilty thereto. It is therefore adjudged by the Court that the Defendant William Davis is the reputed father of said child and that he stand charged with the maintenance thereof in the sum of Two hundred Dollars and that he pay said sum to Peter Beaver as Trustee of said child as follows: Fifty Dollars within thirty days from this date, Twenty five Dollars within three months from this date; Twenty five Dollars within Six months from this date; Twenty five Dollars within nine months from this date; Twenty five within twelve months from this date: Fifty Dollars within fifteen months from this date. It is further ordered that said Peter Beaver be authorized to pay the funeral expense, and the last expense of her last sickness out of the first money paid. It is further ordered that he pay the costs of this prosecution taxed at $. For all of which execution is awarded.

It is further ordered that the ~~said Defendant give security~~ to the acceptance of this Court for the performance of this order and in default of such payment or security that he be committed to the Jail of the county there to remain until he shall comply with the requirement of the Court or be discharged by due course of law.

W. F. Wilcox & Co.
vs
P. C. Adams & D. J. Case

This day this cause came on to be heard upon the petition of Plaintiff and the evidence, the Defendants though duly served with summons having failed to answer or demur or otherwise object to said petition. On consideration whereof and the Court being fully advised in the premises finds that there is due to said Plaintiff from the said P. C. Adams as principal and the said D. J. Case as surety on the note described in said petition the sum of One hundred and five and $\frac{03}{100}$ Dollars. It is therefore considered and adjudged by the Court that the said Plaintiff recover of the said P. C. Adams as principal and the said D. J. Case as surety said sum of One hundred and five and $\frac{03}{100}$ Dollars with interest from the first day of the present term of this Court and his costs herein expended and that in default of payment execution issue therefor.

Mattie Lockhart
vs
C. D. Dille Admr &c

This day came the parties by their Attorneys and this cause was continued by agreement.

Tuesday, Sept. 19th A.D. 1882.

W. W. Snuffin
vs
Thomas Cowgill

This day came the parties by their Attorneys and this cause came on to be tried; and thereupon came a jury to-wit= J. R. Thornton, Samuel McAdow, David Skidmore, James Cooley, Wilbur De Good, N. Thompson, J. P. McCullough, John Lane, John E. Harriman, John A. Morrow, T. P. Freeman and Kirk Thompson who being duly impannelled and sworn to well and truly try the issue joined between the parties in this cause, and a true verdict render according to the evidence, under withdrawn by consent of parties in this cause or discharged by the Court, and after hearing the testimony, arguments of counsel and charge of the Court, the said jurors, retired to their room to deliberate upon their verdict and after due deliberation returned into open Court and presented their verdict in writing in the words and figures following, to-wit= Civil Action Verdict. The State of Ohio, Union County, ss. Sept. Term, A.D. 1882, to-wit= Sept. 19th A.D. 1882 W. W. Snuffin vs Thomas Cowgill. 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 ($106 50/100) One Hundred and Six and 50/100 Dollars. James Cooley, Foreman. 4005 4082 4100

Thereupon the Plaintiff gave notice of motion for a new trial. 4102

J. P. Kritline
vs
Alex. Snodgrass et. al

This day came the parties by their Attorneys, and this cause came on to be tried; and thereupon came a jury to-wit= 4103
J. R. Thornton, Sam'l McAdow, David Skidmore, Isaac Cahill, James Cooley, Wilbur De Good, N. Thompson, Robert Hill, John Lane, John E. Harriman, John A. Morrow & T. P. Freeman who, being duly impannelled and sworn to well and truly try the issue joined between the parties in this action and a true verdict render according to the evidence, unless withdrawn by consent of parties, or discharged by the Court, and after hearing the evidence, arguments of counsel, and charge of the Court, the said jurors retired to their room to deliberate upon their verdict, and after due deliberation returned into open Court and presented their verdict in writing in the words and figures to-wit= Civil Action Verdict. The State of Ohio, Union County, ss. Sept. Term A.D. 1882, to-wit= Sept. 19= 1882 J. P. Kritline Plaintiff vs Alex. Snodgrass et al Defts. We, the jury in this case, being duly impannelled and sworn do find and say that we find for the Defendant E. Mitchell, Robert Hill, Foreman.

And thereupon Court adjourned until to-morrow morning at 8 1/2 o'clock.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

4005 John P. Bailey vs Elliott Young and Wife } On motion of defendants for time to plead to the amended Petition the Court order that the Defendants have till Monday Sept. 25th to answer said amended Petition.

D. B. Coyle vs Jas A. McAllister } This cause is settled at Defendants costs.

It is therefore considered ordered and adjudged by the Court that the Deft recover of the Defendant his costs herein expended taxed to $.

4082 J. O. Long vs C. O. C. & S. Ry Co. } This cause is continued with leave to answer in 20 day from the rising of this Court.

4100 Phila M. Harris vs Jonah Blue — Continued

4102 Elizabeth Walden vs J. A. Culbertson — Continued

4103 Miles and Bancroft vs J. J. Stewart et. al — Continued

Union Biblical Seminary vs Stephen Cranston Admr — This cause is continued with leave to file answer in sixty days from the rising of this Court.

Otterbein University vs Stephen Cranston Admr — Continued with leave to Defendant to file answer in Sixty days from the rising of the Court.

And thereupon Court adjourned until to morrow morning at 8½ o'clock.

Thursday Sept. 21st A.D. 1882

Court met this morning at 8½ o. clock pursuant to adjournment the same officers being present as on yesterday.

James Malay
vs
Myron Gabriel et.al

This day came the parties by their Attorneys, and this cause came on to be tried; and thereupon came a jury, to-wit= E. R. Thornton, Samuel McAdam, David Skidmore, Charles Tobey, Wilbur DeGood, Ham. Thompson, Robert Hill, John Lane, John E. Harriman, John A. Morrow, T. P. Freeman & C. M. Graham who, being duly impannelled and sworn to well and truly try the issue 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, retired to their room to deliberate upon their verdict, and after due deliberation returned into open Court and presented their verdict in writing, in the words and figures following, to-wit = Civil Action Verdict, The State of Ohio. Union County. SS. Sept. Term A.D. 1882. To-wit = Sept. 21st A.D. 1882. James Malay Plaintiff vs Myron Gabriel et. al Defendants. We the Jury in this case being duly impannelled and sworn do find and say that we find for the Plaintiff and assess his damages at ($100.00) One Hundred Dollars

John A. Morrow Foreman

Divorce

Willis Goodnow
vs
Sarah M. Goodnow

This day this cause came on for hearing, and was submitted to the Court, upon the pleadings and evidence: On consideration whereof, the Court finds, that the Plaintiff, at the time of filing his petition, has 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 thereto were married as in said petition set forth. The Court further finds, upon the evidence adduced that the defendant has been guilty of Wilful absence from the Plaintiff for more than three years last past, and that by reason thereof the Plaintiff is entitled to a divorce as prayed for. 4084

It is therefore ordered and adjudged by the Court, that the marriage contract heretofore existing between the said Willis Goodnow and Sarah M. Goodnow, be and the same hereby is dissolved, and both parties are released from the obligations of the same. 4087

It is further decreed and ordered by the Court, that the Plaintiff pay the costs of this proceeding.

Thereupon Court adjourned until tomorrow at 8½ o'clock A.M.

L. B. McCall vs John A. Temple } This morning Court met pursuant to adjournment at 8½ o'clock. The same officers present as on yesterday.

This day came the parties by their Attorneys, and this cause came on to be tried; and thereupon came a jury, to-wit: P. R. Thornton, Samuel McAdow, Isaac Cahill, James Cooley, Wilbur De Groot, Hamm. Thompson, Robert Hill, John E. Harriman, John A. Merran, T. P. Freeman, George Cross and Ben- James who, being duly impannelled and sworn to well and truly try the issue, 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 retired to their room to deliberate upon their verdict, and after due deliberation returned into open Court and presented their verdict in writing in the words and figures following, to-wit: Civil Action Verdict. The State of Ohio, Union County, Ss. Sept. Term A.D. 1882, to-wit: Sept. 22nd A.D. 1882 L. B. McCall Plaintiff vs John A. Temple Defendant. We, the jury in this case, being duly impannelled and sworn do find and say that we find for the Plaintiff and assess his damages at ($105.00) One hundred and five and 00/100 Dollars

Isaac Cahill, Foreman.

James M. Robinson vs O. Holmes et. al — Contd

M. K. Robertson vs Elias Robertson — Contd

The State of Ohio vs William White — Contd

D. B. May vs Mary L. May — Contd

John P. Bailey vs Elliott Young — Contd

Jessie Biggs vs Mary Biggs — Contd

David Mulford vs Wm. A. Prouty et. al — Contd

Ellen Hayden vs Saml Hayden — Contd

4084 Rosa W. Wilson vs Harry F. Wilson — Contd

D. McElheran vs Wm. Bell et. al — Contd

4087 Elizabeth Harris vs Jessie Harris — Contd

Phida M. Harris vs Wm. H. Moore et. al — Contd

Thereupon Court adjourned until tomorrow at 8 o'clock A.M.

Saturday Sept. 23rd A.D. 1882

Court met this morning at 8, o'clock pursuant to adjournment the same Officers being present as on yesterday.

618 The State of Ohio vs Albert Smith } Indictment for grand larceny.

This day came the Prosecuting Attorney on behalf of the State of Ohio and the defendant failing to appear as by his recognizance he was bound to do, one of the sureties George H. Smith voluntarily appeared in open Court and waived a forfeiture of said recognizance and paid to the Prosecuting Attorney the amount of said recognizance, to wit= Two Hundred Dollars, by transfering assigning and delivering to the said Prosecuting Attorney two certain promissory notes dated April 1st 1882, due respectively in two and three years from date, calling for One Hundred Dollars each, with six per cent interest from date and signed by Freeman Charles and David Cushman, also a certain Mortgage deed securing the payment of said notes, dated April 1st 1882 conveying fifteen acres of land part of Virginia Military Survey No 6211 in Lasbury Township, Union County, Ohio, and recorded in Vol. 18 Page 422 Records of Mortgages of said Union County, Ohio. And said Prosecuting Attorney then and there accepted said notes and Mortgages in full payment of said recognizance.

Sarah Goff vs Martine Goldsberry } This cause is continued with leave to amend with 20 days from the rising of Court.

V. J. Case vs P. Cranston Admr } This cause is continued with leave to answer within thirty day from rising of the Court.

4067 William Roberts vs William L. Curry & Wm M. Liggett } This cause is continued by agreement.

Thomas Martin vs Oscar Gregg. This cause is continued.

Thereupon Court adjourned until Monday next, at 7½ o'clock Sept 25th A.D. 1882

1885

4017

4049

Monday Sept. 25th A.D. 1882

Court met this day at 7/4 O. clock P.M. pursuant to adjournment, the same Officers being present as on Saturday.

1885 Theodore A. Larowe vs Delmore Snodgrass } This jury in this case having on a former day of this Term of Court upon an inquiry of Damages for the Plaintiff, rendered a verdict in favr of the Defendant: It is therefore considered, ordered & adjudged by the Court that the Defendant Delmore Snodgrass recover of the Plaintiff Theodore A. Larowe his costs & expended herein taxed to $.

4017 Cornelia A. Taylor vs George Coder et. al } Contd

Phoenix Fitzgerald vs James Maloy } Contd

Velasco J. Case vs Clinton W. Case } Contd

Lucy Kilfian vs Thomas Kilfian } Contd

John R. Taylor et. al vs Isaac J. Jolliff et. al } Contd

State of Ohio vs John S. Green } Contd

Benedict Fink vs D. Davis and A. J. Davis et. al } Contd

Lucinda Ford vs Daniel S. Ford et. al } Contd

Mattie J. Lockhart vs C. D. Sickle et. al } Contd

James M. Hastkins vs James B. Whelpley et. al } Contd

Washington Amarine vs W. H. Ferguson } Contd

Fanny J. Harris vs Edmond Harris } Contd

F. H. and W. Otte vs Minnie C. Hawkins } Contd

State of Ohio vs A. T. Mathew } Contd

4043 Frank Andrew vs Lewis G. Andrews } Contd

Oscar Gregg vs J. M. Dunn } Contd

Thereupon Court adjourned until tomorrow morning at 8/2 o clock,

In Tuesday Sept. 26th A.D. 1882

Court met this morning pursuant to adjournment at 8 1/2, O'clock the same officers being present as on yesterday.

4094 Elza C. Davis Plaintiff
vs
James E. H. Davis, and others Defendants

It appearing to the Court that the defendants Mary M. D. Hines and Effie E. Hines are minors under the age of fourteen years and have been duly and legally served with summons therein,

On motion of Robinsons and Piper and the Court being fully advised in the premises, it is thereupon ordered by the Court that J. S. McCampbell be and he is hereby appointed guardian for the suit for the said minor defendants.

And now comes the said James S. McCampbell and in open Court accepts said appointment,

4094 Elza C. Davis Plaintiff
vs
James E. Davis and others Defendants

And now came the plaintiff Elza C. Davis by Robinsons and Piper, his attorneys, and thereupon this cause came on to be heard upon the petition of the said Elza C. Davis 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 to all of the defendants herein prior to the date of this order and that they are in default for answer and demurrer, and the Court do further find that the said Elza C. Davis has a legal right to and is seized in fee simple of one undivided fourth part of said premises and the Court do further find that the said Jas E. W. Davis, George L. Davis, Mary M. D. Hines and Effie E. Hines are tenants in common in said premises with the said James E. H. Davis in the following proportions to wit,

That the said James E. H. Davis is seized of one undivided one fourth part thereof; the said George L. Davis is seized of one undivided one fourth part thereof; the said Mary M. D. Hines is seized of one undivided eighth part thereof; the said Effie E. Hines is seized of one undivided eighth part thereof, and that the said Mary Ellen Davis is entitled to dower therein in pursuance of the agreement set forth in the plaintiff's petition in one equal third part of the said premises in acres without reference to the money value thereof. and

617

to include the homestead of the said Eliza H. Davis deceased. And no reason appearing why partition should not be made, 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 John H Sterling, Samuel McNeal and D. J Sager, three judicious disinterested freeholders of the Vicinity and not of Kin to any one of parties hereto. one full equal third part of said premises in acres without reference to value in money and to include the old Homestead of the land in petition described, be set off and assigned to the said Mary Ellen Davis as her Dower estate and that by the oaths of the said John H Sterling, Samuel McNeal, and D. J. Sager partition be made of said lands subject to said Dower Estate, in the following proportions towit:

To the said Eliza A. Davis, one undivided fourth part; to the said James E. W. Davis, one undivided fourth part; to the said George S Davis one undivided fourth part; to the said Mary M. I. Haines one undivided eighth part; and to the said Effie E. Haines one undivided eighth part, and it is further ordered that the Sheriff return his proceedings in the premises forthwith.

617 The State of Ohio vs Lawson B. Harvey } This day came the Prosecuting Attorney on behalf of the State of Ohio. and the defendant being present in court with his counsel, this cause came on to be heard on the motion and showing of the defendant and the same was argued by counsel, and submitted to the Court. On consideration whereof the Court do sustain said motion. It is therefore adjudged by the court, that this cause be continued on the motion and showing of said defendant. Thereupon the defendant requested the Court to fix the amount of Recognizance herein, and the Court do fix the same at Eight Hundred Dollars. And thereupon came the defendant and with Amos P. Harvey as his surety entered into recognizance before the Court, in the sum of Eight Hundred Dollars, conditioned for his appearance in said Court on the first day of the next term of this Court, to answer said charge.

Tuesday Sept 26th A D 1882.

6,1 The State of Ohio vs. Lawson B. Harvey. } This day came the prosecuting Attorney on behalf of the State of Ohio, and the defendant being present in Court with his counsel this cause came on to be heard on the motion and showing of the defendant and the same was argued by counsel and submitted to the court.

On consideration whereof, the court do sustain said motion. It is therefore adjudged by the Court that this cause be continued on the motion and showing of said defendant. Thereupon the defendant requested the Court to fix the amount of recognizance herein, and the Court do fix the same at Eight Hundred Dollars And thereupon came the defendant, and with A P Harvey as his surety entered into recognizance before the Court in the sum of Eight Hundred Dollars, conditioned for his appearance in said Court on the first day of the next term of this Court, to answer said charge.

620 The State of Ohio vs. Alfred Evans. } 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, says he is not guilty, and puts himself upon the country, and the prosecuting Attorney doth the like

The State of Ohio vs. John Silverthorne Kelley } 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 says he is not guilty and puts himself upon the country 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 his request, assigns W. F. Hoops as counsel to defend him.

V655

4000 Lucinda Ford Plff. vs. William Ford et al } This day came the said plaintiff by her attorney, and the said defend-

ant came not, but made default. Thereupon this cause came on to be heard upon the petition of the said plaintiff and the evidence. On consideration whereof the Court do find that the said plaintiff in the lifetime of of the said Lideral Ford, worked for him and for his wife and took care of them for several years before their death and that the said Lideral Ford was largely indebted to her for said services and that in order to pay for said services in part, said Lideral Ford gave to the plaintiff the lands in the petition described and that she took possession of the same in part payment for her said services, and the said Lideral Ford, promised and intended to make her a deed therefore, but was by reason of his sickness and death prevented from making said deed. The Court do further find that said plaintiffs services to her father and mother were reasonably worth more than said lands, and that there was good and meritorious consideration in said Lideral Ford, giving her said land in part payment for said services.

The Court do further find that in consideration of said land, said plaintiff made and executed no claim against said Estate of Lideral Ford, and that said plaintiff being now in possession of said land is entitled in equity to have her said title quieted and put at rest.

It is therefore considered, ordered and decreed by the Court that the said plaintiff's title to said lands be and the same is hereby ordered to be quieted and put at rest, and that a record of these proceedings be made, forever quieting the title to said lands to the plaintiff. And said William Ford and Dora Armstrong are hereby forever bound and enjoined from interfering with the plaintiff, or those under or through her, in her possession and enjoyment of said premises, and by the consent of the Plaintiff, the said Samuel Waddell is dismissed without prejudice with his cost. It is further ordered that the Plaintiff pay the cost of these proceedings stayed to #

Riley Evans
vs
Sidney Rodgers et al

No 655

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 17th day of Aug A.D. 1882, to Wm H. Lyons on an Alias order of sale issued in this case and

Tuesday Sept. 26th A.D. 1882.

dated the 13th day of July A.D. 188[illegible]: 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 and proceedings be, and the same is 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 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 towit: $6.81 Second: To the Clerk of this Court, the costs of this action taxed to $55.81 Third To the plaintiff, the amount of the Judgement therein rendered, with interest (if enough remains for that purpose) towit: the sum of $22.62

3615 Albert Wallace vs L.G. Monroe and George P. Black } This day came this cause upon to be heard upon the petition of the said plaintiff to answer: towit Monroe and the evidence: On consideration whereof the Court being fully advised in the premises do find from the evidence that said George P. Black has been duly notified of the filing and pendency of this petition, both by publication in the manner provided by law, and also that he has been personally notified by a copy of the paper containing the publication of said notice, sent to him through the mail, and that he has had due and legal notice of the pendency of the proceedings for more than the year last past, and that he has neglected to make any defense. 4002

The Court do further find from the evidence that the several statements and allegations in the plaintiff's said petition contained are true. The Court further find that said George P. Black, did at one time have a deed for said land, but that he sold, and by deed of general warrant, duly executed, acknowledged and delivered and conveyed said land to one Hiram McCarns and that said deed has been lost after its delivery and before the same was recorded.

The Court do further find that the said Samuel Wallace, and said John. Lewis, have and held the open, notorious, peaceful continued, adverse possession and enjoyment of said premises for more than twenty one years next before he sold, same to said Monroe, and that the said Monroe has held the

same kind of possession and enjoyment of said premises ever since

The Court do further find the said George B. Blackhath no estate or interest in said premises, either legal or equitable and that the said Samuel Wallace in his lifetime and the said L.G. Monroe ever since hath had and held the legal and equitable title to said premises and that the said title should be quieted and put at rest.

It is therefore Considered, ordered and decreed by the Court that the title to said lands be and the same is hereby ordered to be quieted and put at rest and that the said George B. Black be forever and perpetually enjoined from interfering, hindering or disturbing the said L.G. Monroe in the possession and enjoyment of said premises and it is further ordered that a record of thy proceedings be made to supply the lost link in the record evidence of title to said lands and that said title be and the same is hereby put at rest.

Thereupon came said L.G. Monroe and paid to said plaintiff the sum due upon said mortgage and said mortgage is duly cancelled by order of the Court. It is further ordered that the plaintiff pay the costs of these proceedings Taxed at $

4002	J.I. Case Threshing Machine Co vs Andrew J. Heath et. al	Continued
	Charles Gaines vs Matilda Gaines	Continued
	Nowell B. Loveland vs Eliza Johnson	Continued with leave to answer by Nov. 1st 1882
	Justin P. Johnson vs Eliza Johnson et. al	Continued with leave to answer by Nov. 1st 1882

Thereupon Court adjourned until tomorrow at 8½ O. Clock A.M.

Wednesday Sept. 27th A.D. 1882.

Court met this morning at 8½ o'clock pursuant to adjournment the same officers being present as on yesterday

4031 William C. Hoskins vs Caroline Hoskins } 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 due legal notice of the pendency and demand of the said petition and that they are in default for answer and demurrer; and that said petition is thereby confessed by them to be true. Thereupon the court find that the said Mary Hoskins widow of William Hoskins deceased, is entitled to dower in the premises described in the petition and the same is subject thereto; the said Plaintiff William C. Hoskins is seized of and has a legal right to the undivided one third part of the estate described in the petition; and is entitled to have partition made of said premises; that the defendants Caroline Hoskins and Lucy Kilfin are tenents in common with the said Plaintiff in the said premises in the following proportions to wit; that subject to such dower of the said Mary Hoskins, the said Caroline Hoskins is seized of and has a legal right to the undivided one third part thereof; the said Lucy Kilfin to the undivided one third part thereof, and no reason appearing why partition should not be made. It is therefore ordered, adjudged and decreed that the said Mary Hoskins be endowed of one equal third part of said premises and that subject thereto partition of each estate be made; and that an order issue to the Sheriff of said County of Union commanding him that by the oaths of A.S. Moory, Isaac Slofer, & Lester Webster, three Judicious and disinterested free holders of the vicinity who are not of kin to either party and are hereby appointed commissioners for that purpose, to set off and assign such dower to the said Mary Hoskins according to law and cause to be set off and divided to said Plaintiff and each of said defendants the part and proportion of the said Estate to which they are hereinbefore severally found entitled. And it is ordered that 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 both subject to, and also free from dower of the said Mary Hoskins. And of this proceeding, herein, the said Sheriff is ordered to make due return without necessary delay.

4081

4001 Wm Lightlinger vs C.C. & I. R.R. Co } Continued upon showing of Defendant, with leave to plead by Nov 1st 1882.

Pauline M. Pooler. }
vs } This cause came on for hearing upon
4081 Lawson S. Pooler et al } the return of the Sheriff and of the
Commissioners thereof of their proceed-
ings in the assignment of dower under the former or-
der of this Court; and on motion to confirm the same.

And the Court being fully advised in the premises
find said proceedings and assignment in all respects
in conformity to law and do hereby approve and
confirm the same.

It is therefore ordered and decreed that the said
Pauline M. Pooler have and possess the lands so assign-
ed, to wit: Situate in the Townships of Taylor, Coun-
ty of Union and State of Ohio, being part of Virginia Mil-
itary Survey No 5778. and bounded and described as
follows: Beginning at a stake in the center of Main
Street and in the west line of West Street in the
Village of Broadway; thence with the West line of
West Street N 16° W. 27 poles to a stake at the
North west corner of Water and West Streets: thence
S. 74° W. 17 50/100 poles to a stake corner to lands con-
veyed to Abraham Carver by Z. Pooler on the 7th day
of March 1881; thence S 16° E. 27 poles to a stake
corner to said lands and in the center of said Main
Street in said Village of Broadway; thence N 74°
E. 17 50/100 poles to the beginning containing three
(3) acres more or less.

Also all of in lot number Forty nine (N°49) in the
Village of Broadway, Union County, Ohio. Said lot is
fully described in the recorded plat of said Village
to which reference is hereby made, be and for her
reasonable dower in said premises.

And it is further decreed that said defendant
pay to said plaintiff the sum of Twenty Eight & 1/100
Dollars, ($28 1/100) being one third of the sum re-
turned by said Commissioners as the net value of
said premises from the time of the filing of the
petition to the assignment of dower.

It is further ordered that the defendants pay two
thirds of the costs of this proceeding, and that the
plaintiff pay one third thereof and in default of
such payment within 10 days execution shall
issue therefor.

Wednesday Sept. 21st A.D. 1882

Hoyt.

L. H. Smith
vs
J. H. Morris et als.

This day this came on for hearing upon the petition of Plaintiff, the answers of The Peo. ples Bank and John H. Morris, the other defendants being in default for answer or demur, and the evidence. On consideration whereof the Court do find that the defendants John H. Morris and Lydia A. Morris executed to the plaintiff the several notes set forth in plaintiff's petition; that two of said notes were past due when the petition was filed; that one of said notes has become due since that time and that all three of said notes are unpaid (except the credit of $21 44 as set forth in John H. Morris answer) and that the other notes set forth in the petition are not yet due.

The court further find that there is due to the plaintiff from the defendants John H. Morris and Lydia A. Morris on said notes which are overdue, (after crediting $21 44) with interest to the first day of this term (Sept 11th 1882) the sum of One Hundred & Thirty Two & 04/100 Dollars, ($132 04)

And the court further find that in order to secure to plaintiff the payment of said several notes, the defendants John H. Morris and Lydia A. Morris executed and delivered to said L. H. Smith their certain mortgage on the premises described in the petition; that said mortgage was duly recorded in Book 17, page 253, of the Record 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 defendants John H. Morris and Lydia A. Morris 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 of $132 04 found due as aforesaid, with interest from the 11th day of September A.D. 1882, 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 appraise, advertise and sell said premises and bring the proceeds into Court for further order.

4116

4114

The First National Bank of Delaware Ohio, Plaintiff
vs
Andrew Mayfield et
Austin Mayfield Defendants

This day came the Plaintiff by Carper and Van Deman its Attorneys and thereupon came R. L. Woodburn one of the Attorneys of Record of this

4116

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 $302.00 It is therefore considered that said Plaintiff do recover of said Defendant the said sum of ($302.00) Three Hundred and Two Dollars: 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

4116 First National Bank Delaware Ohio vs John Rogers & Howard Rogers

This day came the Plaintiff by Carper and Vandeman its 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 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 $1009 90/100. It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $1009 90/100 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 waived.

4110 First National Bank Delaware Ohio vs John Rogers & W. B Playney

This day came the Plaintiff by Carper and Van Demans its Attorney and thereupon came R. L. Woodburn one of the Attorneys of Record of this Court, who by virtue of a warrant

Wednesday Sept 27th A.D. 1882

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 $813 25/100

It is therefore considered that said plaintiff do recover of said Defendant the said sum of $813 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 Attorney all errors are released and all right of appeal and all right to file a petition in error are waived.

1052. John A. Caffinger vs John Sturdy & Matilda Sturdy } This day this cause came on to be heard upon the demurrer to Plaintiff's petition, and by consent of Atty for Plaintiff the same was sustained by the Court. and the Plaintiff thereupon took leave to file amended petition. Petition filed, and defendant took leave to plead to amended petition in 30 days from the rising of the Court.

2057 James Swaney et al vs Commissioners of Union Co. } Cont'd. 3707

Viola W. Jones vs N. J. Mahaffey et al } Cont'd

3012 Emma Cantrell vs Perry Woodworths } Cont'd.

N. C. Russel vs J. W. Parrish } Cont'd

3013 Broadgrass vs Cox } Cont'd.

L. J. Ellis vs N. J. Mahaffey } Cont'd

Joseph E. Parker vs George Soar } Cont'd

J. W. Lewis &c vs Henry Wheeler } Cont'd

Finley D. Davis vs Allen Sisler } Cont'd

David M. Price vs Jas B. Whelpley et al } Cont'd

D. D. McCracken vs I. W. McCracken et al } Cont'd.

Andrew Spratt vs Edward Cramer } Cont'd

3853 3881 3891 3904 3909 3913 3914 3921 3943 3956 3965

Court met this morning at 8½ o'clock A.M. pursuant to adjournment. The same officers being present as on yesterday.

3853	U. S. Aldus vs Peoples Bank	Cont'd		Sarah Lance vs Laura E. Lance	Cont'd
3881	Ann P. Anderson vs T. T. Anderson	Cont'd		Ed. O. Stephenson vs Mathew Lingrel	Continued
3895	Nancy O'Hara vs Unionville Centre	Cont'd		Mary Ramsey vs J. M. Ramsey	Continued
3904	Catherine Robbins vs Orrion Robbins	Cont'd		Joseph Nelson vs Thomas Erwin	Continued
3909	John E. Southard vs James Figley	Cont'd		William Cassiday vs Jane Cassiday	Continued
3917	State of Ohio vs Wright Harriman	Cont'd		Bank of with Lewisburg vs Daniel S. Ford et. al	Continued
3914	Hiram Myers vs Mathew Lingrell	Cont'd		Homer A. Dunham vs Sarah A. Dunham	Cont'd
3921	D. J. Walker et. al vs Margaret J. Abrahams	Cont'd		Maggie Scarff vs William Hildreth	Cont'd
3942	Clementina Godfrey vs Jacob Harriman et. al	Cont'd		Melissa Snodgrass vs Alex. D. Snodgrass	Cont'd
3956	Florence Robins vs Monroe J. Robins	Cont'd		D. J. Thomas vs E. A. Finnefrock et. al	Cont'd
3965	James H. Myers vs William Longbrake	Cont'd		Wm. B. Baker vs Rosina Baker	Cont'd

Friday, Sept. 29th A.D. 1882

Court met this morning at 8½, O'clock pursuant to adjournment the same officers being present as on yesterday.

615 The State of Ohio vs William Fist Et David Beard } The State of Ohio. Union County, ss.

Indictment for throwing a glass bottle at a Railroad Train. This day came the Prosecuting Attorney on behalf of the State and the Defendants being in Court and represented by counsel, this cause came on to be heard on the motion and showing of the Defendants to continue this cause until the next term of this Court, and the same was argued by counsel and submitted to the Court, On consideration whereof the Court do sustain said motion and this cause is continued to the next term of this Court. Thereupon the defendants by their said Attorneys requested the Court to fix the amount of recognizance herein, and after being advised in the premises, the Court do fix the amount recognizance herein of the said William Fist at Five hundred dollars, and the amount of the recognizance of the said David Beard at Three hundred Dollars. Thereupon came the said William Fist with Jacob Fist and Mathew Singrel as his securities and entered into recognizance before the Court in the sum of Five Hundred Dollars, conditioned for his appearance in said Court on the 1st day of the next term thereof, to answer to said charge

Williams Kitelinger vs C. C. C. & I. Ry Co. }

This cause is continued on the motion and showing of Defendants, with leave to answer by November 1st 1882; And at costs of the Defendant for this term. It is considered ordered and adjudged by the Court that the Plaintiff recover of the Defendant his costs of this term herein taxed to $1.

Thereupon Court adjourned until to-morrow morning at 8½, O'clock

3953

Nos 3952 & 3954

Saturday, Sept. 30th A.D. 1882

Court met today pursuant to adjournment at 10 o'clock A.M. the same officers being present as on yesterday.

3953 Peleg Cranston Admr of Newton Case Deceased vs Levi Winters } Money Only

This day came the parties by their Attorneys and this cause came on to be heard upon the motion of the Plaintiff to confirm the report of the referee herein, and recently filed in this Court and it appearing to the Court that said referee had found and determined that the said Defendant Levi Winters was indebted to the Plaintiff as said administrator in the sum of One hundred and fifty five & 80/100 Dollars, ($155 80/100) on the first day of Oct. 1882,

It is therefore considered by the Court here that the report of the said referee be approved and the same hereby is confirmed and that the said Peleg Cranston as Administrator of said Newton Case recover from the said Levi Winters the said sum of One Hundred fifty five and 80/100 Dollars — $155 80/100 — so awarded and determined by said referee to him the said Plaintiff with interest on same from Oct. 1st A.D. 1882 together with his costs in this behalf expended taxed to $. and execution is awarded therefor unless paid within five days from the date of this entry

Nos 3952 & 3954 Peleg Cranston Admr of Newton Case Deceased vs Levi Winters }

This day came the parties by the Attorneys and these causes came on to be heard upon motion of Plaintiff to confirm report of referee herein and it appearing to the Court that the said referee had found and determined that there was a balance due from the defendant Levi Winters to the said Peleg Cranston Admr of the said Newton Case in the said causes Nos. 3952 & 3954 the sum of Eleven Hundred ~~Forty~~ and 08/100 Dollars on the first day of Oct. A.D. 1882 and that the same is a mortgage lien on the premises in the petition described and that the said Levi Winters and Nancy Winters his wife executed and delivered the mortgage deed in the petition set forth, that the condition of said mortgage has been broken and the said Plaintiff is thereby entitled to have the defendants equity of redemption foreclosed. It is therefore considered, ordered, adjudged and decreed that the report of the referee be and the same is hereby approved & confirmed and that unless the defendants Levi Winters & Nancy Winters or either of them shall within ten days from the entry of this decree pay or cause to be paid the said sum of Eleven Hundred forty and 08/100 Dollars — $1140 08/100 — with interest from the first day of Oct. A.D. 1882 and the costs in this case including one half of fee to referee to-wit = Twenty five Dollars, (Plff to pay other half of said fee to-wit $25.00) that the Defendants equity of redemption be foreclosed, and that said premises shall be sold and to that end an order of sale shall issue to the Sheriff of said Union County directing him to sell said premises as upon execution and bring the proceeds into Court for further order.

Saturday. Sept. 30th A.D. 1882

4026 Elizabeth Speare vs Charles Speare

This day came the Plaintiff by her Attorney and this cause came on to be heard upon the Petition and Evidence, on consideration whereof the Court being fully advised in the premises do find that the Defendant Charles Speare has been duly notified by summons and copy of the petition in this case for more than six weeks before this Term began, and the Court do further find that the statements and allegations of the Plaintiffs Petition are true that said Defendant has been guilty and gross neglect of duty as charged in said Petition.

It is therefore considered 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. It is further decreed that the care custody, guardianship, nurture and education of the said child William be and the same is hereby decreed to the Plaintiff. And it is further adjudged and decreed that the said Defendant pay the costs of this proceeding taxed to $. and the Plaintiff as her reasonable alimony the sum of $300.00 within five days from the date of this decree and in default thereof that execution issue therefor as upon Judgment at Law.

George D. Hamilton vs Nelson Walker et al

On application of D. E. Taylor Def't, leave is granted him to file answer herein instanter and answer filed.

2961 L. B. McCall vs John H. Temple

The jury in this action having, at a former day of this Court, upon an inquiry of damages for the Plaintiff, assessed the same against the Defendant at One hundred & five and 5/100 Dollars — $105 5/100 —

It is therefore considered by the Court that the Plaintiff L. B. McCall recover from the Defendant John H. Temple the said sum of One hundred & five & 5/100 Dollars — $105 5/100 —, so found due, together with his costs herein expended taxed to $.

4085 L. C. Conrad et als vs Robt Robinson

This day this cause came on for hearing upon the petition and the answers of the trustees of the First Presbyterian Church of Marysville Ohio, of the trustees of the Congregational Church of Marysville Ohio, of the trustees of the German Evangelical St Johns Lutheran Church in the German Settlement and the evidence and upon the hearing it appearing that the sale of the property described in the petition is desired

by the members of the Society of the Evangelical Lutheran Trinity Church of Marysville Ohio, and that it is right and proper that authority be given to accomplish the same it is hereby ordered and decreed by the Court that said Petitioners. L.B. Conrad George A. Fox and G. Stuetzel as Trustees of said Evangelical Lutheran Trinity Church of Marysville are hereby authorized and empowered by the Court to sell the premises as described in their petition at private sale and to report their proceedings to this Court forthwith

And the Court further finds from the answers of the First Presbyterian Church the Congregational Church and the German Evangelical Lutheran St John Church and the evidence that the several conveyances made by them respectively of the property described in plaintiffs petition were at the time desired by the members of said Societies and that such conveyances were proper to be made and that no reason appears why the same shall not now be ratified and confirmed by this Court, It is therefore ordered and decreed that the several conveyances set forth in petitioners Second Cause of action be and they are severally approved and confirmed by this court and it is ordered and decreed that said several deeds of conveyance shall have the same validity and effect as if the Court had at the time of their execution ordered the same to be made, and the title of the Evangelical Lutheran Trinity Church of Marysville Ohio to the property described in plaintiffs petition is hereby quieted as against all of the defendants herein,

Orlando Wells vs Robert Gibson } On Motion Docket.

This motion is continued for want of time to hear it.

Lucy V. French et. al vs Robert Hill et. al }

The motion made by Defendants in this case ~~is continued~~ to set aside the verdict of the jury in proceedings for the benefit of occupying claimant's law is continued for want of time to hear said motion.

And thereupon Court adjourned until Monday at 8½ o'clock. A.M.

Monday October 2nd A.D. 1882.

Court met this morning at 8 o'clock. pursuant to adjournment, the same officers being present as heretofore.

Richard H. White
vs.
3984 Elias Johnson & Julia Johnson

This day came the parties by their attorneys and the said plaintiff asked & had leave of the Court to withdraw his reply and to file a motion to strike out all that part of the defendants answer relating to waste and all that part of defendants answer except as to the allegation of the death of said Mary Taylor. And therefore this cause came on to be heard upon said motion to strike out of said answer, and was argued by counsel and submitted

On consideration whereof the court being fully advised in the premises do sustain said motion, It is therefore ordered by the Court, that all that part of defendants answer relating to waste be stricken out as asked in said motion, without prejudice to a new action for the same. 619

Richard H. White
vs.
3987 Elias Johnson et al

This day came the parties by their attornies and this cause came on to be heard upon the petition of the said plaintiff and answer of the said defendant and the evidence On consideration whereof the Court being fully advised in the premises, find that the life estate of said plaintiff has heretofore been terminated by the death of said Mary Taylor and that the said plaintiff has a legal estate in and is entitled to the four tenths (4/10) of said premises and that the defendants together have a legal estate and are seized in fee simple of the remaining six tenths (6/10) of said premises That the said plaintiff is entitled to have partition of said premises, and the defendant Elias Johnson and Julia Johnson request that their sixteenths of said premises be set off to them as one body without any division as between them, and the Court find the said request to be reasonable and no objection being made by the said plaintiff, 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 F. J. Sager, John. Hudson and W. T. Fulton 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 the full and equal four tenths of said premises and and to 4085

said defendants Elias Johnson and Julia Johnson to be set off one body to them the other six tenths of said premises.

It is further ordered that if in the opinion of said Commissioners said premises cannot be divided by metes and bounds without manifest injury to the value thereof, they appraise the same at its true value in money. And of his proceedings herein the said Sheriff is ordered to make due return without unnecessary delay.

Martha A Santon
vs
4025 John C. Ramsey et als

On application of plaintiff, leave is granted her to withdraw her amended petition filed July 1st 1881 from the files, and this cause is continued with leave to plaintiff to file an amended petition within thirty days from the rising of the Court.

The State of Ohio
vs
619 John Silverthorn Kelley

This day came the Prosecuting Attorney on behalf of the State of Ohio and the defendant being brought into Court in the custody of the Sheriff and also being represented by his attorney heretofore appointed herein, this cause came on for trial. Thereupon came a jury to wit Samuel McAdow, David Skidmore; James Cooley; Isaac Cahill; John E. Harriman; D Freeman; Robert Hill; Nam Thompson W.C. Thomas B.F. Keyes B. F. James and Samuel McCampbell, and the said Jury heard the testimony adduced by the parties, the arguments of counsel, and the charge of the Court, and after deliberation thereon, returned the following verdict to wit: "We the Jury in this case find the defendant John Silverthorn Kelley guilty in manner and form as he stands charged in the indictment. D Skidmore Foreman" And thereupon said defendant is ordered into the custody of the Sheriff to await sentence.

L.C. Conrad et als
vs
4085 Robert Robinson et als

In accordance with the former order of this Court in this case, the undersigned L.C. Conrad, George A. Fox and G. Knetzel as Trustees of the Evangelical Lutheran Trinity Church of Marysville Ohio, have sold the property described in their petition to S. F. McKitrick for the sum of Five Thousand Dollars
Sept 30th 1882.

L.C. Conrad
G. Knetzel
Geo A Fox as Trustees
of Evangelical Luth Trinity Church of
Marysville Ohio.

Monday October 2nd A.D. 1882.

4085 — L.L. Conrad et als vs Robt Robinson et als — And now came the said plaintiffs by A.J. Carpenter their Attorneys and on their motion and in producing the report of the petitioners of their 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 and the former order of this court, it is ordered that the said proceedings and sale be and the same is hereby approved and confirmed, and the said petitioners as Trustees are ordered by deed duly executed to convey said premises to the said purchaser D.F. McKitrick in fee simple, and it is further ordered that said petitioners, out of the money in their hands pay the costs in this case taxed to $ — 4018

3978 — Cyrus Staymets vs Jacob Johnson et als — This day came the parties & waived a trial by Jury & submitted this cause to the court on the evidence. Whereupon the Court find that the defendants cut down a gate post & knocked off some four or five boards on the plaintiffs lands & that the defendants had no right of way over plaintiffs land and that without cutting said post & knocking off said boards, they might have cut the gate down which stood in said lane if they had a right over Benjamin Sreens land. And the Court find the said defendants are guilty of the trespass as charged and have damaged plaintiff in the premises two dollars. Therefore it is considered and adjudged by the Court that the plaintiff recover of the defendants said sum of two dollars damages and his costs herein taxed to $ Whereupon defendants moved the court for a new trial, which motion the court overrules and the defendants except. To which Judgements and findings of the court the defendants except and ask the court to allow sign and seal their Bill of exceptions which the court here does, and orders the same to be made a part of the record. — 4046

Thereupon Court adjourned until tomorrow morning at 9 o'clock. — 4046

Tuesday, Oct 31st A.D. 1882

Court met this morning at 8½ o'clock pursuant to adjournment. the same officers being present as on yesterday.

4018 The Delaware County National Bank vs John Rodgers and W. B. Blaney } Copywait

This day came the Plaintiff by Jones and Lytle 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 proven, waived the issueing 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 $610 57/100 It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $610 57/100 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 and complete record waived.

4046 Margaret C. Hamilton vs B. W. Heisy. } This cause being heard, upon motion of the Plaintiff to require the defendant to separately state and number the grounds of defense set up the answer, and to make the answer more definite and certain by stating whether said Cramer ever agreed in writing to pay the account thereto attached marked "A" and those items of the account marked "B" which bear date prior to Sept. 14th 1876 and to strike out certain matter. On consideration the Court ordered that the account marked "A" attached to the answer be struck out and the following clause "being still kindly disposed toward defendant." be struck out, and overruled the balance of said motion to which Plaintiff excepted and the cause is continued with leave to Plaintiff to plead within thirty days from the rising of the Court.

4046 Margaret C. Hamilton vs R. C. Heisy } This day came on this cause to be heard on the motion to strike out & therefore the Court being fully advised in the premises do sustain said motion as to the account in the petition marked "A" and as to the word "being still kindly disposed toward defendant" and as to all other parts of said motion, the same is over-

Tuesday Oct. 3rd A.D. 1882.

ruled by the Court, whereupon leave is given plaintiff to plead to the answer within thirty days from the rising of the Court and this cause is continued,

4101

The State of Ohio }
vs } This day came the prosecuting Attorney on behalf
6778 James Lefridge } of the State of Ohio and the defendant being present
} in Court and represented by Counsel heretofore
appointed herein, and this cause came on for trial; thereupon
came a jury towit: Saml. McAdow, David Skidmore, Isaac Cahill
John E. Harriman, F.P. Freeman, Robert Hill, Ham Thompson,
John A. Morrow, Benj F. James, Thomas Tharton, H.W. Vaughn
and D.F. Elliott. And the said jury having heard the testi
mony adduced by the parties, the arguments of counsel and the
charge of the Court, after deliberation thereon returned the
following verdict towit, "We the jury in this case find the
defendant James Lefridge not guilty of burglary in manner
and form as he stands charged in the indictment. But we
find him guilty of larceny as he stands charged in the
indictment and assess the value of the property stolen
at $45.00 John E. Harriman Foreman. And thereupon
said defendant is ordered into the custody of the Sheriff to
await sentence.

3731

Wm Hamilton }
vs } This day this cause came on to be heard
3935 Peter Sells. } upon the motion of the defendant to require
} the plaintiff to secure the cost in this case,
and it appearing to the Court that the said plaintiffs are
non residents of said County of Union, the Court sustains
said motion; and it is ordered that the plaintiff se-
cure the costs of this case and that in default thereof
this case stands dismissed.

3857

4057

J.B. Lefspinert & Co }
vs } This day this cause came on to be heard
4020 George O. Sackley & others } on motion of the defendants to dismiss
} this cause for non compliance with
former order of the Court herein, and the same was ar-
gued by counsel and submitted to the Court. Whereupon
the Court do sustain said motion and dismiss this action
without prejudice to a new action herein.
It is therefore considered and adjudged by the Court
that said defendants recover of said plaintiffs their
costs herein expended, taxed to $

Tuesday Oct 3rd A.D. 1882.

4101 Sarah E. Mummy vs. David Mummy — This day this cause came on to be heard upon the motion and notice of the plaintiff for an allowance of alimony pending the suit, and by agreement of Counsel and the order of the Court, said Court being fully advised in the premises. It was ordered by the court, as per said agreement of counsel that the plaintiff be allowed twenty five dollars as such pending alimony. It is therefore ordered and adjudged by the Court that the said David Mummy shall pay or cause to be paid to said plaintiff or her Attorney J. M. Kennedy said sum of Twenty Five Dollars within thirty days from the rising of this court and in default thereof execution issue therefor.

3731 Benj. Mood vs. John Gandy & D. T. Foster, — This day this cause was settled by agreement of parties at costs of defendants and no reward. It is therefore considered by the court that the Plaintiff recover of the defendants his costs herein expended, taxed to $

3(87) Thomas Wharton vs. Ch. B. & L. Ry — This day this cause came on for hearing upon the demurrer to Reply of Plaintiff, and the Court being fully advised in the premises does overrule said demurrer, to which ruling and demurrer the defendant then and there excepted. Whereupon this cause is continued.

4057 Mary J. Jones vs. Timothy Jones — This day this cause came on to be heard upon the petition of the plaintiff and the defendant being in default for answer, and the Court after hearing the testimony and arguments of Counsel and being fully advised in the premises do find for plaintiff and order said marriage to be dissolved and set aside. It is therefore ordered and adjudged that said marriage be set aside and that said Mary J. Jones be restored to her maiden name of Mary J. Joliff, and it is further ordered that she pay the costs of this case and that she recover her Judgment against said Timothy Jones for her costs herein taxed at $

Thereupon Court adjourned until tomorrow morning at 8½ o'clock,

Wednesday Oct 4th A.D. 1882.

Court met this morning at 8½ o'clock pursuant to adjournment the same officers being present as on yesterday.

577 The State of Ohio vs. James Lefridge et als } This day came the Prosecuting Attorney on behalf of the State of Ohio and presented to the Court the recognizance of said defendant James Lefridge taken before the Probate Judge of Union County Ohio on the Second day of March in the year of our Lord One Thousand Eight Hundred and Eighty Two in the sum of Two Hundred Dollars with Walter S. Dilatush and Samuel H. Bonnett as sureties.

Thereupon the said defendant James Lefridge being three times solemnly called to appear and answer said charge as he agreed to do, and failing so to do and Walter S. Dilatush and Samuel H. Bonnett the sureties being three times solemnly called to produce the body of said defendant James Lefridge, as they agreed to do, and failing so to do, the Court orders that the said recognizance be and the same hereby is forfeited absolutely.

614 The State of Ohio vs. John Atherton } 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 also being represented by his counsel heretofore appointed herein; thereupon said defendant retracts his plea of not guilty heretofore entered: thereupon the prosecuting attorney on behalf of the State of Ohio, and with leave of the Court, entered a nolle prosequi on the charge of burglary in said indictment, and for plea to said indictment, said he is guilty of petit larceny: which plea is accepted by the prosecuting attorney: and the Court being fully advised in the premises, and the defendant being inquired of if he had anything to say why judgement should not be pronounced against him: and showing no good and sufficient cause why judgement should not be pronounced. It is therefore considered and adjudged by the Court that the said John Atherton pay a fine of Five Dollars: that he be imprisoned in the Jail of Union County Ohio, for the term of twenty days and that he pay the costs of this prosecution: and that he stand committed to the Jail of said Union County Ohio until the amount of said fine and costs shall be paid.

617 The State of Ohio vs. John Atherton } This day the Court do allow to J.S. McCampbell the attorney heretofore appointed herein the sum of Thirty Dollars as his compensation for defending the above named defendant.

619 598 670 624

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619 The State of Ohio vs. John Silverthorn Kelly } This day the Court do allow to W.T. Hoopes the sum of Twenty Five Dollars as his compensation for defending the above named defendant, herein.

598 The State of Ohio vs. Thomas Armentrout } This day the Court do allow T.B. Benton the sum of Twenty Five Dollars for defending the above named defendant,

670 The State of Ohio vs. Alfred Evans } 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 also the counsel of said prisoner being present thereupon said defendant retracts his plea of not guilty heretofore entered, and for plea to said indictment, saith he is guilty of carrying a concealed weapon: which plea is accepted by the Prosecuting Attorney, and the court being fully advised in the premises and the defendant being inquired of if he had anything to say why judgement should not be pronounced against him: and showing no good cause why judgement should not be pronounced. It is therefore considered and adjudged by the court that the said Alfred Evans be imprisoned in the Jail of Union County Ohio for the term twenty days: and that he pay the costs of this prosecution and that he stand committed to the Jail of said Union County, Ohio, until the amount of said ~~fine and~~ costs shall be paid.

627 The State of Ohio vs. Lucinda Ford } This day came the Prosecuting Attorney on behalf of the State of Ohio, and the defendant being before the Court, and also represented by counsel, the defendant being arraigned on said indictment for plea thereto saith she is not guilty, and puts herself upon the country, and the Prosecuting Attorney doth the like. Thereupon the said parties, the prosecuting Attorney on behalf of the State of Ohio, and the defendant in her own proper person, and her said attorneys, in open court agreed to a continuance of this cause to the next term hereof and by reason of said agreement the court do order that this cause be continued to the next term of this court. Thereupon the defendant requested that the Court fix the amount of her recognizance which the court accordingly fix in the sum of One Hundred Dollars. Thereupon came the said Lucinda Ford with and

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as her sureties and entered into recognizance in open court in said sum of hundred Dollars for her appearance at the next term of said Court.

578 The State of Ohio vs James Lefridge — This day came the Prosecuting Attorney on behalf of the State of Ohio and presented to the Court the Recognizance of said defendant taken before the Probate Court of Union County Ohio on the Second day of March in the year of our Lord One Thousand Eight Hundred and Eighty Two in the sum of Three Hundred Dollars, with Walter S. Dilatush and Samuel W Bonnett as sureties. Thereupon the said defendant James Lefridge being three times solemnly called to appear and answer said charge, as he agreed to do, and failing so to do, and Walter S. Dilatush and Samuel W. Bonnett the sureties being three times solemnly called to produce the body of said defendant James Lefridge as they agreed to do, and failing so to do, the Court ordered that the said recognizance be and the same hereby is forfeited absolutely.

3987 Richard H. White vs Elias Johnson et als — 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 examined by the Court and found in all respects correct and conformable to law, and the former orders of this Court, the said proceedings and report are hereby approved and confirmed.

It is therefore ordered and decreed that the said parties hold in severalty the parts and premises so sett off and assigned to each respectively. And it is further ordered that all the costs of this action including a counsel fee of Fifty two Dollars and fifty cents to J.L. Cameron, Attorney, for services herein taxed at $ be paid by the said parties in the following proportions towit: the said Richard H. White the 4/10 thereof, and the said Elias Johnson and Julia Johnson the 6/10 thereof and that upon default of said payments execution issue as upon Judgement at law.

4094 Elza C. Davis vs James E. W. Davis et als — On motion to the Court by Plaintiff and upon producing the return of the Sheriff and the report of the Commissioners heretofore appointed herein and the same having

4063

been examined by the Court and found in all respects correct and in conformity to law. and the former orders of this Court, the said proceedings and report are hereby approved and confirmed

It is therefore ordered and decreed that the said Mary Ellen Davis have and possess the lands so assigned to her as and for her reasonable dower in said premises. and that the other 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 of $129.30 to Robinsons and Piper for services herein taxed at $ be paid by said parties in the following proportions towit: Eliza C. Davis James E.H. Davis, and George D. Davis, each one fourth part, Mary M.J. Kines and Effie E. Kines, each one eighth (1/8) part, and in default thereof that execution issue therefor.

Joshua James
vs
Hugh J. Perry

This cause being heard on demurrer to the petition the Court does on consideration overrule the same, and the defendant is allowed thirty days from the rising of the Court to answer, and this cause is continued

Samuel Newhouse
vs.
Mike Gregory et al

This day this cause came on to be heard upon the demurrer to the petition and was argued by counsel, On consideration whereof, and the Court being fully satisfied in the premises finds that said demurrer is well taken. It is therefore considered and adjudged by the Court that said demurrer be and the same is hereby sustained. and the injunction heretofore granted is dissolved. It is further considered that said defendant pay the costs made by him in filing his answer heretofore withdrawn, and pay the costs of the witnesses subpoenaed by him and that the plaintiff pay all the rest of the costs in said action and that the defendant go hence without day. To which ruling of the Court the defendant excepts and thereupon the defendant gave notice of his intention to appeal this case to the District Court, and the Court fix the bond of appeal at $200.00

4063

Matilda Sturdy
vs
Chas W. Lyon

This day came on this cause to be heard on the motion of defendant to dis-

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mies the appeal. Whereupon the Court find that the appeal bond was executed on the Eleventh day from the day on which the judgement of the Justice of the Peace was rendered, and that the tenth day was a Sunday Therefore the Court find the appellant by filing her undertaking on the Monday following was in lawful time and therefore overrule said motion, to which finding and ruling the defendant excepts Thereupon this cause is continued with leave to defendant to answer in 30 days from the rising of the Court. 4069 619

3850 D. L. Williams vs. W. H. Crary — This day this cause came on to be heard on the motion of the plaintiff to amend his Reply herein. Upon consideration whereof the Court does grant to the plaintiff leave to amend his reply herein by the 1st day of November A.D. 1882, and the terms of said amendment are hereby reserved, and cause continued 3889

619 The State of Ohio vs. John Silverthorn Kelley — The defendant herein having been heretofore convicted of Burglary and Petit Larceny 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 Judgement should not be pronounced against him; and having nothing but what he hath already said.

It is therefore considered and adjudged by the Court, that the said defendant John Silverthorn Kelley be imprisoned and confined in the penitentiary of the State, and kept at hard labor, but without any solitary confinement for the period of three years; and that he pay the costs of this prosecution, for which execution is awarded. 3890

J. P. Crattine vs. Alex. Snodgrass & E. Mitchell — This day this cause came on to be heard on motion of the plaintiff for new trial, was argued by counsel and submitted to the Court, on consideration whereof the court sustains said motion and set aside the verdict heretofore returned by the Jury; and a new trial is granted to the plaintiff herein

4069 Kuiam Yoder vs C.C.C. & I. Ry Co. — This cause is continued with leave to the defendant to answer in thirty days from the rising of the court.

619 The State of Ohio vs. John Silverthorn Kelley — The Court order that the Sheriff be allowed one guard besides himself in transporting the defendant herein to the penitentiary under the former sentence of this Court.

3889 Wm McGinnis vs. J.B. Whelpley et al. — This day came the parties by their attornies & by consent of parties Wm M. Liggett, Treasurer of Union County is made a party defendant and his appearance entered hereto. And thereupon this cause come on to be heard and the pleadings and evidence Whereupon the Court being fully advised in the premises do find for the defendants. Whereupon it is ordered and decreed, and adjudged by the Court that the plaintiffs petition be and the same is hereby dismissed at the costs of the plaintiffs and the court order that the plaintiff within 30 days from the rising of this court pay the costs of this suit, and in default thereof that execution issue for the same. And thereupon the plaintiff gave notice of his intention to appeal to the District Court, and the Court fix the appeal bond at $100.00

3890 Andrew McNeal vs. J.B. Whelpley et als — This day came the parties by their attornies and by consent of parties Wm M. Liggett Treasurer of Union County is made a party defendant and his appearance entered hereto. And thereupon this cause came on to be heard and the pleadings and evidence Whereupon the Court being fully advised in the premises do find for the defendants. Whereupon it is ordered and decreed and adjudged by the Court that the plaintiffs petition be and the same is hereby dismissed at the costs of the plaintiffs and the Court order that the plaintiff within 30 days from the rising of this court pay the costs of this suit and in default thereof that execution issue for the same. And thereupon the plaintiff gave notice of his intention to appeal to the District Court and the Court fix the appeal bond at $100.00

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3790 Cyrus Stanaker vs Isaac Cahill et als } This day came the parties by their attorneys and 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 to the Court. On consideration whereof the Court being fully advised in the premises do overrule said demurrer. To which ruling of the Court and overruling of said demurrer the said plaintiffs except.

3789 Sarah Wormon vs Isaac Cahill et al } This day came the parties by their attornies and 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 to the Court. On consideration whereof the Court being fully advised in the premises do overrule said demurrer To which ruling of the Court and overruling of said demurrer the said plaintiff excepts

3791 S S Stephens vs Jos Cratty et al } This day came the parties by their attornies and 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 to the Court. On consideration whereof the Court being fully advised in the premises do overrule said demurrer. To which ruling of the Court and overruling of said demurrer, said plaintiffs except.

3787 Lucinda Ford vs Daniel Ford et als } This day came the parties in person and by their attornies, and thereupon this cause came on to be heard upon the pleadings of the parties together with the exhibits and testimony, and was argued by counsel and submitted. On consideration whereof the Court being fully advised in the premises do find: that on the First day of September A.D. 1878 the said Daniel Ford for a good, full and valuable consideration agreed and promised to pay to the said plaintiff the sum of One Thousand Dollars in one year thereafter without interest

That to secure the payment of said sum of money the said Daniel Ford executed, acknowledged and delivered to the said plaintiff his mortgage deed of the said date of September 1st 1878, and thereby conveyed to the said plaintiff, her heirs and assigns the said premises described in the said plaintiffs petition, viz; the following real estate situate in the County of Union and State of Ohio, Beginning at a stone in the centre of the Marysville and Bellefontaine Road, the North east corner to Daniel D. Fords land, thence with his line S. 36. E. 199 poles to a stone; thence N. 54. E. 55 5/10 poles to a stone; thence with the line of Reuben Moores land, N. 36. W. 133 7/10 poles to a stone; thence N. 84 1/2 W. 17 7/10 poles to a stone in said pike. Thence with said pike S. 56. W. 33 7/10 poles to the place of beginning containing 50 acres more or less.

That the condition contained to said mortgage deed was that if said Daniel Ford should pay or cause to be paid unto the said plaintiff the said sum of One Thousand Dollars in one year thereafter then said mortgage was to be void, otherwise to be and remain in full force.

That the said Daniel Ford after he had executed and delivered said mortgage as aforesaid, wrongfully obtained possession of the same and unlawfully and without the consent of the said plaintiff destroyed said mortgage before the same was recorded.

That after he had destroyed the said mortgage and without paying the money secured thereby, or any part thereof the said Daniel D. Ford executed and delivered to one Rhoda Ford a deed of conveyance for said lands.

That the said Daniel Ford at the time he executed said deed of conveyance, to said Rhoda Ford caused her to execute and deliver to him a lien for the term of five years for said premises and also caused said Rhoda Ford to make a will devising said lands to the said children of Daniel Ford the defendant named in plaintiffs amended petition and to such other children as might be hereafter born to said Daniel.

The court do further find that said Rhoda Ford had full notice and knowledge of the Plaintiff's said mortgage and of the sum secured thereby at the time she took said deed of conveyance from Daniel, and she knew that the said Daniel had wrongfully destroyed said mortgage before the same was recorded and she well knew the money secured thereby was wholly unpaid. That there was no consideration whatever for said deed of conveyance, but the said Daniel Ford executed the same and the

said Rhoda Ford received the same for the fraudulent purpose of placing said lands beyond the reach of the said plaintiff and to defraud her out of the money intended to be secured by said mortgage. That the said lien was also wholly without consideration, and was executed by said Rhoda Ford and received by said Daniel Ford with the fraudulent intent and purpose to hinder delay and defraud the plaintiff in and out of the collection of her said money intended to be secured by said mortgage.

The Court do further find that at the time she made and executed her said will devising said lands to the said children of the said Daniel Ford, the said Rhoda had no right or title legal or equitable as against the plaintiffs said mortgage to said lands to devise and that said Daniel received no title to said premises by the said devise and that by reason of the said framed and want of consideration herein stated, said deed will, and lien so far as the same interfere with the said plaintiffs right to foreclose her said mortgage ought to be declared void and set aside and held for naught, and the plaintiffs said mortgage ~~to be protected~~ lien protected. 4064

The the said mortgage of the said plaintiff is the first and best lien upon said premises. The Court further with the consent of said plaintiff find from the evidence that there is now justly due to the said plaintiff from the said Daniel Ford upon said mortgage indebtedness the sum of One Thousand Dollars with interest on the same from the First day of September 1879 making a total sum principal and interest to the first day of this term of Court, which the Court find due from the said Daniel Ford to the said plaintiff, Eleven Hundred and Eighty Two Dollars and fifty cents ($1182.50); that the said sum is wholly unpaid and that the said sum has become absolute.

It is therefore considered, ordered and decreed by the court that the said deed of conveyance from the said Daniel Ford to said Rhoda Ford and the said lien from the said Rhoda Ford to said Daniel so far as the same relates to or concerns the said premises herein described, be and the same is hereby set aside vacated and wholly annulled. It is further adjudged and decreed that if said Daniel Ford shall fail for five days from the rising of this court to pay to said plaintiff the said sum of $1182.50 heretofore found to be due together with the costs of this proceeding at this term, the said mortgage be foreclosed and that an order issue to the Sheriff of said County commanding him to appraise advertise and sell the said premises here described according 4108

to law, and to apply the proceeds of said sale to satisfy the said sum so found due, with costs of suit, and thereupon the said Daniel Ford gave notice of his intention to appeal this cause to the District Court both as the Executor of said Rhoda Ford and to his individual capacity; and the Court finding said Daniel has given bond as such executor requires no further bond in that capacity; and the Court fix the sum to be executed by said Daniel Ford, in his individual capacity, at Twenty Three Hundred and Sixty Five Dollars.

4064 Samantha Decker } vs. Jas Decker } This day came the plaintiff by her attorney, and submitted this cause to the Court upon the petition and evidence. On consideration whereof the Court find that due and legal notice has been given to the defendant for more than six weeks ~~prior~~ to the beginning of this term of Court, and that the plaintiff has been a resident of the State of Ohio for more than the year prior to filing her petition, and was at the commencement of this action a bona fide resident of said County of Lucas. The Court further find that the said defendant has been guilty of gross neglect of duty and habitual drunkenness for more than three years next before the filing of said petition. The Court upon the motion of the plaintiff permit her to amend her said petition so as to ask to be restored to her maiden name of Samantha Smith, which amend is permitted by interlineation of orignal petition, which is done accordingly. 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 dissolved and wholly annulled, and both parties relieved from the obligations of the same. It is further ordered that the said plaintiff be restored to her maiden name of Samantha Smith. It is further adjudged that the said defendant pay the cost of this proceeding taxed to $.

4108 Ruhama Price } vs. John. C Price } This day came on this cause for hearing on the motion of the plaintiff for alimony pending suit. Whereupon the Court by the assent of the parties do find in favor of said motion, and do order and adjudge that the defendant pay as alimony pending suit, to the plaintiff to pay rent

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and obtain necessary provisions, the sum of $20.00 per month from the 13th day of September date of the filing of this petition viz. $30 in hand of which $20.00 is already paid, $20.00 on the 1st day of November next, $20.00 the 1st day of December next, $20.00 the first day of January next. And further he pay to plaintiff the further sum of Fifty Dollars to enable her to prepare her suit for hearing at the next term of this Court, one half to be paid the 1st of November next and the other half the 1st of December next. and in default of either payment that execution issue therefor.

W.H. Sniffin }
vs
Thomas Cowgill. } This day this cause came on to be heard upon the motion of the plaintiff for a new trial, and the Court being fully advised in the premises does overrule said motion, and order that Judgement be rendered, on the verdict so rendered. To all of which ruling and Judgement of the Court the Plaintiff excepts and takes 30 days from the rising of said Court to file his Bill of Exceptions, and the Clerk is ordered to keep open the records of this Court for that purpose. It is therefore ordered and adjudged that the defendant recover of the plaintiff his Judgement of $106.00 his debts and costs taxed at. $

4119

Continental Hotel
Marysville O. Oct 3d 1882

Union Co. Com Pleas Court Dr.

To Henry Sheridan

To Furnishing Supper to Jury $9.00

Henry Sheridan

Oct 4th 1882. - The above bill is approved and ordered to be paid. The Clerk will make proper entry on the Journal.

John A Price Judge

Union County To John Nobrusack Dr.
Dept. Term A.D. 1882

For serving and returning two regular Juries $9.00
" " " " " Special " 9.00
" " " Subs on 49 Grand Jury Witnesses 42.94 = $60.94

John Nobrusack Sheriff U. Co. O.

The above correct and certificate issued. J. R. Burgner, Clerk.

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Marysville O Oct 4th 188r

Union County, To Martin & Sammler. Dr.

To Ice for Court Room for 21 days $4 70

Martin & Sammler.

I certify the above bill to be correct and unpaid

John Hobensack Sheriff

Oct 4th 1882. The above bill is approved and ordered to be paid. The Clerk will make proper entry on the Journal.

John A. Price Judge.

Hon John A Price Judge

Union Co. Dr. to John Hobensack Sheriff

Servic of Thomas Martin, Bailiff attending Court 21 days @ 2.00 pr day $42.00

and eight nights @ $1.00 per Night 8.00

Henry Hobensack Special Bailiff eight days @ $2.00 per day 16.00

Lewis Wood. Janitor 21 days @ $1.00 21.00

Dated Oct. 4th 1882 87.00

I certify that the above bill is correct, Just and unpaid.

John Hobensack. Sheriff

Oct 4th 1882. The above bill is approved and ordered to be paid. The Clerk will make the proper entry in the Journal.

John A. Price Judge

4119

The Farmers Bank
vs
Ralph Moffitt and Henry Stalder

Cognovit

This day came the Plaintiff by its Attorney and thereupon came J.S. McCampbell 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 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 Plffs Petition the sum of two hundred and twenty six and 32/100 Dollars. It is therefore considered and adjudged by the Court that Plaintiff do recover of said Defendants the sum of Two hundred twenty six and 32/100 Dollars so as aforesaid confessed to be due, together with costs of suit herein to be taxed, and with int. 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.

Wednesday Oct. 4th 1882

4121 The Farmers Bank vs D. B. Cone Nelson Cone and Thomas Cone

This day came the Plaintiff by its Attorney and thereupon came J. S. McCampbell 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 issueing 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 Two Hundred and Sixty one and 55/100 Dollars. It is therefore considered and adjudged that said Plaintiff do recover of said Defendants the said sum of Two Hundred and Sixty one and 55/100 Dollars, 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.

4120 The Farmers Bank vs William Huston and William Styer } Cognovit.

This day came the Plaintiff by its Attorney and thereupon came J. S. McCampbell 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 issueing 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 One Hundred and thirty Eight and 19/100 Dollars.

It is therefore considered and adjudged that said Plaintiff to recover of said Defendants the said sum of One hundred and thirty Eight 19/100 Dollars, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed, and with int. 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 to file a Petition in Error are waived.

George Hughes vs Susan Adams }

This day this cause came on to be heard on motion of Defendant for a new trial, was argued by counsel, and the Court being fully advised in the premises do overrule said motion. 4014

It is therefore ordered and adjudged by the Court that the Plaintiff recover of the Defendant the sum of Fifty Dollars and the costs herein taxed at $. To all of which the Defendant excepts.

George B. Hamilton
vs
Nelson Walker D. E. Taylor Henry G. Thomas Lemuel W. Smith
Sarah E. Walker Martha C. Taylor and David Jackeway, } 4079

And now come the Plaintiff George B. Hamilton by Coles his Attorneys and the Defendant D. E. Taylor by his Attorney to whose action Plaintiff takes leave to ~~plead~~ within thirty days from this date. As to the other Defendant the Sheriff has returned not found in his bailiwick. Whereupon the Court find that the Defendants Nelson Walker and Sarah E. Walker his Wife ~~executed~~ delivered to the Defendant D. E. Taylor the Mortgage in the Petition described and on the premises therein described 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 in the petition described. The Court find that the condition of defeasance in the mortgage has been broken, and that the Defendant Nelson Walker in ~~equity~~ of redemption is liable to be foreclosed and that there is due to Plaintiff from him on said note the sum of Four Hundred and Seventy seven Dollars with interest at Eight per cent from the first day of this term. It is therefore considered and adjudged that unless said Defendant Nelson Walker 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 for the use of Plaintiff and any others who may be hereafter found by the Court entitled thereto the sum of Four Hundred and Seventy seven Dollars with int. from the first day of this term at 8 p/c according to the terms of said Mortgage deed the Defendants equity of redemption be foreclosed and said premises shall be sold an order of sale shall be issued therefor to the Sheriff of said Union County directing him to sell said premises as upon Execution and bring the proceeds into Court for further orders. All questions of priority and distribution continued.

Lucy V. French et. al
vs
John H. Prestan et. al

The motion by Defendants in this case to set aside the verdict of the Jury in proceedings for the benefit of the occupying claimants law is continued for want of time to hear said motion.

Morgan Savage
4014 vs
Michael Coly et. al

Plaintiff asked and obtained leave to file an amended reply within thirty days of the rising of this Court.

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4082 Village of Marysville vs Mary A. Guthrie et.al

The jury in this case being first duly impannelled and sworn shall actual view of the premises under the order of the Court and after hearing the evidence and charge of the Court do assess the amount of Compensation due the defendants for the land appropriated by said Village as described in said Petition for making said improvement as follows: Mary A. Guthrie $1800.00 Hester N. Fay $196.66 2/3 and do assess the damages that will accrue to the remainder of said defendants premises by reason of said appropriation as follows; Mary A. Guthrie $.00 Hester N. Fay $.00 (Signed) N. Thompson, W. S. Smith, J.V. Nash, Isaac Townsmith, Samuel McCampbell, David W. March, C.M. Robinson, L. N. Marbs, J.M. Dunn A.C. Torrence, James Cooley, W.C. Barnett.

This therefore considered ordered and adjudged by the Court that the application The Incorporated Village of Marysville, Ohio, pay to the owners of the lands so appropriated the compensation as aforesaid found due to them, to-wit= To Mary A. Guthrie the owner of a strip of land Eighty eight feet long and fifty feet wide, the sum of Eighteen Hundred Dollars. To Hester N. Fay the owner of a strip of land Eighty Eight feet long and sixteen feet wide the sum of One Hundred and Ninety six and 66 2/3/100 Dollars. The said P. N. Fay disclaiming any interest in the same.

It is further ordered by the Court that payment of said sums be made to said parties named as entitled thereto within six months from this date and that upon such payment being made to said several parties, or upon said several sums being secured to said parties to their satisfaction it shall be lawful for said Incorporated Village of Marysville Ohio to enter upon and take possession of the premises so appropriated for the purpose for which same was appropriated, And it is further ordered that the Village of Marysville Ohio pay the costs of this prosecution taxed to $.

And it is agreed and understood that P. N. Fay and Hester N. Fay waive no rights which they have or claim to have in the lands situate north of and adjoining their frame house in which they dwell not described in the petition,

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3937

3937

4051 William C. Hoskins
vs
Caroline Hoskins et.al

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 examined by the Court, and found in all respects as correct, and in conformity to law and the former orders of this Court, the said proceedings and report are hereby approved and confirmed. It is therefore ordered and decreed that the said Mary Hoskins have and possess the lands so assigned to her, as and for his reasonable Dower in said premises and that the other said parties hold in severalty the parts and premises so set off and assigned to each respectfully: To William Hoskins Lucy Kilfian and Caroline Hoskins subject to said dower. And it is further ordered that the costs of this action including a Counsel fee of 110^{00} to T. B. Benton Attorney for services herein taxed to $, be paid by the said parties in the following proportions, to wit=

Mary Hoskins	three - ninths	of all the costs in this action
William C. Hoskins	two - ninths	" " " " " " "
Lucy Kilfian	two - ninths	" " " " " " "
Caroline Hoskins	two - ninths	" " " " " " "

And Execution be awarded for the same.

3937 James Malloy
vs
Myron Gabriel et al

This day came the parties by their attorneys and thereupon this cause coming on for hearing upon the motion of the defendant for a New trial and was argued by counsel and submitted to the court. 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 Defendant excepts. Thereupon the Jury at a former day of this term having rendered their verdict in favor of said plaintiff for the sum of One Hundred dollars, It is considered ordered and adjudged by the court that the said plaintiff recover of said defendant said Sum of One Hundred dollars together with his cost herein expended taxed to $.

3937 James Malloy
vs
Myron Gabriel et al

Now comes the said defendants and presents their bill of exceptions which is allowed, Signed Sealed and made a part of the record in this case.

Wednesday Oct. 4th A.D. 1882

3724 W. W. Druffin v.s. Thomas Cowgill

Now comes the W. W. Druffin by J. M. Kennedy and T. B. Benton his Attorneys and presented his certain bill of exceptions in this case which bill of exceptions was duly taken signed and sealed by Hon. John W. Price he being one of the Judges within and for this Court within thirty days from the rising of the Court herein to-wit- on the 3rd day of Nov. A.D. 1882 and the same is allowed and signed and ordered to be placed on file with the pleadings and made a part of the record in this case as of the last day of the Sept. Term A.D. 1882.

4141 John R. McDowell v.s. James B. Whelpley et al

In the Court of Common Pleas, of Union County. Ohio.

This day this cause came on to be heard upon the demurrer of the defendants to the petition of plaintiff herein filed, and the same was argued by counsel and submitted to the Court. On consideration the Court do sustain said demurrer. Thereupon came the plaintiff by his Attorneys and asked and obtained leave of the Court to file an amended petition herein by Jan. 1st 1883. and this cause is continued to the next term of this Court. 4061

4021 George M. Rickard v.s. James B. Whelpley et al

In the Court of Common Pleas, of Union County. Ohio.

This day this cause came on for hearing upon the demurrer of the defendants to the petition of plaintiff herein filed, and the same was argued by counsel and submitted to the Court. On consideration whereof the Court do sustain said demurrer. Thereupon came the said plaintiff by his Attorneys and asked and obtained leave of the Court to file an amended petition herein by the 1st day of Jan. A.D. 1883, and this cause is continued to the next Term of this Court.

Wednesday, Oct. 4th A.D. 1882

4042 Perry Douglas et. al
vs
James B. Whelpley et. al
In the Court of Common Pleas,
of Union County, O.

This day this cause came on for hearing upon the demurrer of the defendants to the petition of plaintiffs herein filed, and the same was argued by Counsel and submitted to the Court.
On consideration whereof the Court do sustain said demurrer.
Thereupon came the plaintiffs by their Attorneys and asked and obtained leave of the Court to file an amended petition herein by January 1st 1883 and this cause is continued to the next Term of this Court.

David Mulford
vs
Wm H. Turney et. al

This day this cause came on to be heard upon the demurrer of the said Wm H. Turney and the Court being fully advised in the premises, do overrule said demurrer. To which ruling and decision of the Court the said Turney then and there excepted. And the said defendant has leave to answer to the petition of Plaintiff by the day of 188

4061 James M. Hoskins
vs
James B. Whelpley et-als

This day came Alexander Walker and Abner Biggett and obtained leave of Court to be made parties defendant to said action and together Wilber Degood Robert Leeding & William D. Heinz obtained leave of Court to file their answers and cross petition in said action which was accordingly done.
This day this cause came on further for hearing upon the demurrers of the defendants. Commissioners of Union County Ohio to the petition of plaintiff herein filed and the answer and cross petition of Wilber Degood et-al and the same was argued by Counsel and submitted to the Court. On Consideration Whereof the Court do sustain said demurrer. And the said plaintiff declined to amend his said petition, it is ordered & adjudged by the Court that said petition be dismissed and said plaintiff pay the costs of this action and execution is awarded I therefore. To all of which ruling the said plaintiffs by his attorneys excepted.

Thereupon Court adjourned without day.

Attest J. L. Bergner Clerk.

In Vacation

4124

Howard Rodgers Plaintiff
v.s
First National Bank of
Delaware. Ohio. Defendant.

Before the Probate Judge of
Union County. O.

4123

motion for a temporary injunction in
the Court of Com. Pleas Union County, O.
And now on this 5th day of Oct. 1882
came the Plaintiff by his Attorney; and it being made to appear
that there is no Common Pleas, District or Supreme Judge
at this time within said County, the motion of the Plaintiff for
a temporary injunction came on and was heard upon the
petition of the ~~plaintiff~~, and the affidavits therein filed, and after
hearing the arguments of counsel, and being fully advised in
the premises, it is considered and ordered that a temporary
injunction be, and the same hereby is allowed in this case
to restrain the said defendant, the First National Bank of Delaware
from further proceedings in the sale by the Sheriff of the goods and
chattels levied upon by him by virtue of the execution issued upon
the Judgment rendered in the action of the said First National
Bank of Delaware Ohio, against John Rodgers and Howard Rodgers
in said Court of Common Pleas, at the Sept. Term thereof 1882
and numbered 4116, and the said Bank is further restrained
from proceeding to collect the Judgment and cost in said action
until the said action of Howard Rodgers against said Bank
can be and is heard and decided by the said Court of Com.
Pleas so far as said Judgment and execution relates to said
Howard Rodgers but all levies and any and all liens that may
be gained by reason of said levies are to remain in full force and
virtue in law, the same as if the injunction had not been allowed
and the property levied upon by virtue of the Judgment and execution in
said action is to remain in the custody of the Sheriff of Delaware County
Ohio until the further order of the Court of Common Pleas of Union County, Ohio.
as prayed for in said petition of plaintiff.

It is further ordered that the Clerk of the Court of Common Pleas issue
summons in this case endorsed injunction allowed on said
plaintiff giving an undertaking to the said defendant conditioned
according to law with security to be accepted by the said Clerk of the
Court of Common Pleas, in the sum of $250.00

John B. Coates, Probate Judge. (Seal)

4122

4123 Wm B. Blayney vs. The Delaware County National Bank. } Before the Probate Judge Union County Ohio.

} Motion for temporary injunction in the Court of Com. Mon. Pleas Union County Ohio

And now on this 5th day of October 1882 came the plaintiff by Powell and Fulton & Hoskins his attorneys, and it being made to appear that there is at this time, no Common Pleas, District, or Supreme Judge within said County, the motion of the plaintiff for a temporary injunction came on and was heard upon the petition of the plaintiff therein filed, and after hearing the argument of counsel, and being fully advised in the premises, it is considered and ordered that a temporary injunction be and the same hereby is allowed in this case to restrain the said defendant from proceeding any farther to sell and dispose of the goods and chattels lands and tenements of said William B. Blayney levied upon by the Sheriff of Delaware County Ohio, to satisfy a Judgement rendered in the Court of Common Pleas Union County Ohio on the 3d day of October 1882 in favor of said defendant, and against said plaintiff and one John Rogers. But all levies and any and all liens that may be acquired by reason of said levies are to remain in full force and virtue in law the same as if this injunction had not been allowed, and the property levied upon by virtue of the Judgement and execution is to remain in the custody of the Sheriff of Delaware County Ohio, until further order of the Court of Common Pleas of Union County Ohio. It is further ordered that the Clerk of the Court of Common Pleas issue summons in this case endorsed "injunction allowed" on said plaintiff giving an undertaking to the said defendant, conditioned according to law with security to be accepted by the said Clerk of the Court of Common Pleas, in the sum of $250.00

John B. Coats Probate Judge

Seal

4122 Wm B. Blayney vs. The First National Bank of Delaware Ohio. } Before the Probate Judge. Union County Ohio

} Motion for temporary injunction in the Court of Common Pleas. Union County Ohio.

And now on this 6th day of October A.D. 1882. came the plaintiff by Powell Fulton and Hoskins, his Attornies and it being made to appear that there is at

this time no Common Pleas, District, or Supreme Judge within said County, the motion of the plaintiff for a temporary injunction came on and was heard upon the petition of the plaintiff therein filed, and after hearing the argument of counsel, and being fully advised in the premises, it is considered and ordered that a temporary injunction be and the same hereby is allowed in this case to restrain the said defendant from proceeding any farther to sell and dispose of the goods and chattels, lands and tenements of said William B. Blayney, levied upon by the Sheriff of Delaware County Ohio, to satisfy a Judgement rendered in the Court of Common Pleas of Union County Ohio on the 27th day of September 1882 in favor of said defendants and against said plaintiff and one John Rogers. But all levies and any and all liens that may be acquired by reason of said levies are to remain in full force and virtue in law the same as if this injunction had not been allowed, and the property levied upon by virtue of the Judgement and execution is to remain in custody of the Sheriff of Delaware County Ohio until further order of the Court of Common Pleas of Union County Ohio. It is further ordered that the Clerk of the Court of Common Pleas issue summons in this case indorsed "injunction allowed" on said plaintiff giving an undertaking to said defendant conditioned according to law with security to be accepted by the said Clerk of the Court of Common Pleas, in the sum of $250.00

Seal

John S. Coats Probate Judge

Times fixed for holding Court. 1883

Be it remembered that at a meeting of the Judges of the Court of Commons Pleas of the Tenth Judicial District of the State of Ohio, in the Town of Forest, in the County of Hardin, and State of Ohio, on the 7th day of Oct. 1882, for the purpose of fixing the Times of holding the Terms of the Court of Common Pleas, and the District Courts, for the year A.D. 1883.

It is ordered, That a Term of the Court of Common Pleas be commenced at 8 o'clock a.m.

In Crawford County, on	February 12th	April 23rd	October 10th
In Hardin County, on	" 5th	May 27th	" 15th
In Hancock County, on	January 8th	April 30th	September 17th
In Logan County, on	February 5th	May 21st	October 15th
In Marion County, on	January 22nd	" 14th	Sept. 17th
In Seneca County, on	" 8th	April 30th	" 17th
In Union County, on	" 8th	" 16th	" 10th
In Wood County, on	Feb. 5th	May 27th	October 15th
In Wyandot County, on	January 8th	June 4th	November 5th

And that a Term of the District Court, be commenced at 8 o'clock a.m.

In Crawford County, on April 10th
In Hancock County, on March 19th
In Marion County, on April 4th
In Seneca County, on March 26th
And in Wyandott County, on April 2nd

In Hardin County, on March 16th
In Logan County, on " 12th
In Union County, on " 5th
In Wood County, on " 21st

Thomas Beer,
John McCauley,
John A. Price,
} Judges.

To the Clerk of the Court of Common Pleas of Union County, Ohio.
You are hereby directed to have the foregoing order published for two consecutive weeks in newspapers published in said County

John A. Price Judge

The State of Ohio.
Union County. ss.

I. J. L. Burgner, Clerk of the Court of Common Pleas within and for the County of Union and State of Ohio do hereby certify that the above and foregoing is a true copy of the original now on file in my office.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court this 24th day of October A.D. 1882

J. L. Burgner. Clerk.

In Vacation

The State of Ohio } Union County, ss.
The State of Ohio }
vs } In Probate Court, Admission to Bail
Bentsil Golden }

Be it remembered that at a Court of Probate within and for said County, held on the 9th day of Oct, 1882, before John B. Coats Judge of said Court, came Bentsil Golden and made application to be admitted to bail, whereupon it was ordered by the Court, that a special warrant issue to the Sheriff of said County, commanding him to bring the body of the said Bentsil Golden before the said Probate Court, on the 9th day of Oct, 1882 to the end that the said Bentsil Golden may be admitted to bail according to law. And that thereupon, on the 9th day of Oct, 1882, a special warrant was issued to said Sheriff, and by the said Sheriff returned according to the command thereof with the body of the said Bentsil Golden and it appearing to the Court by the return of the said Sheriff that the said Bentsil Golden was committed to the Jail of said County by J. N. Kinkaid a Justice of the Peace in for the County of Union and State of Ohio, on the 7th day of Oct 1882, on a charge of playing at a game for money, making bets contrary to section 6938 of the revised Statutes of Ohio, in default of bail for the sum of Fifty Dollars, ordered by the said Justice of the Peace to be by the said Bentsil Golden given.

And that thereupon the Court being fully advised in the premises, ordered that the said Bentsil Golden enter into a recognizance in the sum of Fifty Dollars, with approved sureties, conditioned according to law, that the said Bentsil Golden be and appear before the Court of Common Pleas, in and for said County, on the 1st day of the next term thereof to answer unto said charge and that thereupon the said Bentsil Golden entered into recognizance accordingly with Thomas Golden and Smith N. McCloud sureties, which said recognizance is approved, and the said Bentsil Golden discharged from the custody of said Sheriff.

John B. Coats, Probate Judge.

The State of Ohio. } Recognizance.
vs } In the Probate Court of Union County, Ohio.
Bentsil Golden }

Personally appeared before me John B. Coats Probate Judge in and for said County, Bentsil Golden the defendant named above, who, with Thomas Golden and Smith N. McCloud who jointly and severally acknowledge themselves to owe to the State of Ohio the sum of Fifty Dollars, to be levied of their goods and chattels lands and tenements if default be made in the conditions following: The above obligations is such, that whereas the above named Bentsil Golden was on the 7th day of Oct, 1882 committed to the Jail of said County of Union on a charge of playing at a game for money, making bets contrary to section 6938 of the revised Statutes of Ohio.

Now if the said Bentsil Golden shall be and appear before the Court of Common Pleas in and for said County, on the 1st day of the next term thereof, then and there to answer unto said charge of playing at a game for money making bets contrary to Sec. 6938 of the revised Statutes of Ohio and abide the decision of said Court and not depart without leave of the same, then this obligation to be void;

otherwise, to be and remain in full force and virtue in law. Signed Bentzil Golden L.S. Thomas Golden L.S. Smith N. McCloud L.S.

I, John B. Coats Probate Judge within and for said County, do hereby certify that the foregoing recognizance was duly taken, signed and acknowledged before me, and by me approved, this 9th day of Oct. A.D. 1882 John B. Coats, Probate Judge.

The State of Ohio.
Union County, SS. I, John B. Coats, Judge of the Probate Court within and for said County, do hereby certify that the foregoing is a correct transcript of the proceedings had before and of the orders made by the Probate Court, and that the foregoing recognizance was duly entered into before said Court by said Bentzil Golden. In testimony whereof I have hereunto set my hand and affixed the seal of said Court, at Marysville this 9th day of Oct. A.D. 1882.

John B. Coats,
Probate Judge.

On the first day of January A.D. 1882 John Hobrusack Sheriff of Union County, Ohio, appointed Thomas Martine as his Deputy and Henry Hobrusack as Special Deputy for the Term of two years And thereupon said Thomas Martine & Henry Hobrusack accepted said appointment and took the oaths of Office according to law before John B. Coats Probate Judge, of Union County, Ohio.

I hereby approve the above and foregoing appointments this 8th day of Jan: A.D. 1882 - signed - John A. Price.
Judge.

Monday. January 8th A.D. 1883.

The State of Ohio, Union County S.S.

This Separate Session of the Court of Common Pleas of the 3d Sub. Division 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 Three. Was begun and held on Monday January 8th A.D. 1883. in the Court house in the Town of Marysville County of Union and State of Ohio.

Present- Honorable John A. Rice Judge
John Hobensack Sheriff and
John D. Burgner Clerk

The Venire Facias for a grand jury heretofore issued returnable this day at 9 Oclock A.M was duly returned by the Sheriff with his endorsements thereon as follows. To-wit;

The State of Ohio Union County S.S.
Sheriffs Office, January 8th 1883.

On the 11th day of Dec 1882. I received this Venire and Served the Same on the Several Persons Therein Named, at the times and in the Manner placed opposite their Names Endorsed thereon -

1	Isaac Cowgill	Dec	15th	1882
2	Marshal Morris	Dec	12th	1882
3	Andrew Moody	"	13	"
4	A J- Ferguson			
5	Elias Foyle	Dec	15th	1882
6	Luther Winget	"	23d	"
7	John Curry			
8	John Liggett	Dec	12th	1882
9	Levi Longbrake	Dec	11th	1882
10	T. O. Griffith	"	13	"
11	Geo O. Fisher	"	15th	"
12	John Bonham	"	13th	"
13	H. C. Cosbury	"	11th	"
14	D. M. Robinson	"	13th	"
15	E. C. Churchman	"	13th	"

John Hobensack- Sheriff

and upon calling the Same in open court and the Same being incomplete the Sheriff Summoned from among the bystanders to complete the Same the following named person who appeared in answer thereto To-wit; W. C. Malin and the panel being full, the Court appointed John Liggett Foreman of the Grand jury. Who with his fellow jurors took the oath in manner and form prescribed by Law. and the said jury being instructed by the court, were conducted to their room attended by the Sheriff. for deliberation.

The following named persons compose the Grand jury. To-wit;

Isaac Cowgill, Marshal Morris, Andrew Moody, A. J. Ferguson, Elias Foyle, Luther Winget, John Curry, Levi Longbrake, T. O. Griffith, Geo. A. Fisher, John Bonham, W. C. Malin, D. M. Robinson, E. C. Churchman, John Liggett, Foreman

Thomas Wharton
3827 vs
O.C.C.& I. Railway Co

This day this cause came on to be heard on the Motion of defendant to Continue. and the Court being fully advised in the premises do Sustain Said Motion which is accordingly done at the costs of defendant

Viola W. Jones
3707 vs
Alexander Mahaffey

This day came the parties by their attorneys. and leave is granted to parties to withdraw the answer and reply and defendant James T. Mahaffey has leave to file a demurrer to the petition in this case all of which is accordingly done. To all which Plaintiff excepts.

Lewis J. Ellis
3780 vs
Alex J. Mahaffey et als

This day came the parties and leave is given to the parties to withdraw answer and reply and for defendant James T. Mahaffey to file a demurr to the petition. To all of which the plaintiff excepts

George W. Decker
4129 vs
Henry Hazen

This day came the said defendants and moved the court to compel the plaintiff to give Security for costs herein and was argued by counsel upon consideration of which the court do Sustain Said Motion. And it is ordered by the court that the said plaintiff give Security for the costs herein to the acceptance of the Clerk within 30 days from this date and in default of So doing that this cause Stand dismissed. And thereupon leave is granted the defendant to answer or plead herein within 40 days.

Sarah Snodgrass
3018 vs
Joseph Coe

This cause came on for hearing upon the petition in error and the transcript of the proceedings and judgment of William M. Robinson a justice of the peace for this said County On consideration whereof the court find there is no errors in said proceedings and judgment and the said judgment is therefore affirmed at the cost of the plaintiff in error taxed at $ and execution is awarded therefor. To all of which judgment order and rulings of the Court here the plaintiff in Error excepts.

3140 James Carter vs Bank of South Lewisburgh. Continued

Monday January 8th A.D. 1883

4097 D. McElheron
vs
William Bell et als

This day this cause came on to be heard upon the petition of the plaintiff D McElheron and the defendants Wm Bell Winget Harriman and James Harriman being in default for answer or demurrer to said plaintiffs petition. On consideration whereof the court find that the defendant William Bell executed and delivered to Winget Harriman his promissory notes as set forth in said petition and that the plaintiff is now the legal owner & holder of the same & that there remains due thereon the sum of $363 64 & that said notes were given for the purchase money of said premises described in said petition and that the defendant Wm Bell to secure the payment of said notes executed & delivered to said Winget Harriman his mortgage deed on the premises described in plaintiffs petition. Which mortgage the plaintiff is also the legal owner & holder thereof & that the same was duly recorded in Book No 13 page 633 of the Records of Mortgages of Union County and is the first & best lien on the premises described in said petition 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 defendants equity of redemption foreclosed.

4128

It is therefore considered that the plaintiff recover of the defendant Wm Bell the said sum of $363 64 and it is further 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 the costs in this case & to said plaintiff the sum of $36 24 with interest from this date according to the terms of said notes & Mortgage the defendants equity of redemption be foreclosed & said premises sold. And an order of Sale shall issue therefor to the Sheriff of Union County directing him to sell said premises as upon Execution & bring the proceeds into further court for further order.

4133

4043 Thomas Fitzgerald
vs
James Malloy

This day this cause was dismissed at the costs of plaintiff. It is therefore ordered and adjudged that the defendant recover of the plaintiff his costs herein taxed to $ -

4146 Joseph A. Shipley
vs
Wm Shipley et al

This day this cause came on to be heard upon the petition of the plaintiff and the defendant John Wholey being a minor, the court appointed J. L. Cameron guardian ad litum for said minor defendant; and the said defendant William

Shipley and Jane Wholey failing to answer or demurr to said plaintiffs petition and the said John Wholey having by his guardian filed his answer and the Court being fully advised in the premises. find that said plaintiff is the owner in fee of 2/3 of said premises as described in his petition, and the defendant William Shipley is the owner in fee of 1/6 part thereof, and the defendant John Wholey is the owner in fee of 1/6 part thereof, and each of said parties are entitled to have their respective Shares Set off to them in severalty Wherefore it is ordered by the Court that John Hobensack Sheriff of said County of Union, by the oaths of Thos Fulton. L. S. Monroe and Sylvanus Taylor the same to be Set off to the plaintiff his said 2/3 of said premises in severality, and Set off to the defendant Wm Shipley his said 1/6 part thereof and to the defendant John Wholey his said 1/6 part thereof.

4128 P. R. Kerr vs James Moulvain

This day this cause came on to be heard on the petition and exhibits of the plaintiff and the defendant having failed to answer or demurr to said petition and the Court being fully advised in the premises and having heard the testimony of the plaintiff find there was due the plaintiff from the defendant as alleged in plaintiffs petition the sum of $15.94/100. Wherefore it is ordered and adjudged by the Court that the plaintiff recover of the defendant the said sum of $15.94/100 with interest from the filing of said petition to wit; Oct 17th 1882 and the costs accruing therein in this Court. Also all costs made in the trial of this case before the justice of the peace.

4135 Village of Marysville O vs Jane Bancroft et. al

This day this cause came to be heard upon the application for inquiry into and an assessment of Compensation by a jury of the property sought to be taken in this proceeding as well as damages resulting to the remaining of the lands, or property of the defendants and thereupon came a jury to wit; C. S. Robertson, Samuel Cahill, D. T. Elliott W. C. Wood, H. S. Starrates, D. S. Snell. & Ko. Fox. William Elliott, O. Marriott L. J. Kendall, Benj. James William Smith, Who were duly empanneled and Sworn according to the Statute in such cases made and provided and on application of the said Village the Court issued an order to the Sheriff of Union county to conduct the jurors aforesaid to view the said premises in the application described, in the presence of C. S. Lee on the part of Village and A. S. Mowry on the part of said defendants who were appointed by the Court for that purpose, and said jury having viewed the premises aforesaid returned to the Court Room and heard the evidence introduced on behalf of defendants and on behalf of said Village and were

Charged by the court and returned their verdict in writing Signed by Each of Said jurors. Which verdict is in the following words and figures To-wit;-

Village of Marysville O } No 4135 Court of Common Pleas Union County, Ohio-
vs
Jane Bancroft et. al }

We the Jury in this case being first duly empaneled and Sworn made actual view of the premises under the order of the court & after hearing the evidence & Charge of the court do assess the amount of compensation due to the defendants for the land appropriated by said Village as described in said petition for making said improvement at $150.00 for Jane Bancroft and at $130.00 for Isabelle Cooper and We do assess the damages that will accrue to the remainder of Said defendants premises by reason of said appropriation at $25.00 for Jane Bancroft at $30.00 for Isabelle Cooper.

D.L. Elliott. B.F. James D.J. Kantly D.S. Snell, Lorenzo Cahill. H.S. Stamats O. Marriott A.S. Robertson. William Smith. Elijah B Fox. W.C. Wood. Wm Elliott

It is therefore considered ordered and adjudged by the court that the applicatats The Incorporated Village of Marysville Ohio pay to the owners of the lands so appropriated. The compensations and damages so as aforesaid found due to them respectively by the Jury To-wit;

To Jane Bancroft The Sum of $150.00 as compensation and $25.00 damages That is a total of $175.00

And to Isabelle Cooper the Sum of $130.00 as compensation and $30.00 damages That is a Total of $160.00

It is further ordered by the court That the payment of Said Sum be made to Said Jane Bancroft and Isabelle Cooper respectively or upon Said Sums being Secured to Said Jane Bancroft and Isabelle Cooper To their Satisfaction respectively it Shall be lawful for Said Incorporated Village of Marysville to Enter upon and take possession of the premises so appropriated for the purpose for which the Same were appropriated and it is further ordered that the Said Village of Marysville O. pay the Costs of this proceeding taxed at $ -

4070 Thomas Martine } vs Oscar Gregg } On application of Defendant leave is granted him to file Answer herein instanter and answer filed.

3012 Emma Cartmell } vs Benny Woodworth } Continued for Service.

And thereupon Court adjourned until to-morrow morning at 8½ o. clock.

Tuesday Jan. 9th 1883

Court met this morning pursuant to adjournment the same Officers being present as on yesterday

Tullington Phillis & Woods
Vs.
Jos Bidwell
Howard Bidwell
John Bidwell &
Addison Bidwell.

No 4181 Court of Common Pleas Union County, Ohio

Entry

This day came the plaintiffs by Porter and Porter their 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 presented 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 7,038.91 it is therefore considered that said plaintiff do recover of said defendant the said sum of 7038.91 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.

James Tullington & Charles Phillis
Surviving Partners of the firm of
Tullington Phillis & Woods
Vs
Howard Bidwell &
Addison Bidwell.

No 4182.

Entry

This day came the plaintiffs by Porter and Porter their 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 proven. Waived the issuing and service of procelle 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 $1338.25 it is therefore considered that said plaintiff do recover of said Defendant the said sum of $1338.25 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 Vistue of said warrant of Attorney. all errors are released and all right of appeal all right to file a petition in Error are waived.

Tuesday January 9th A.D. 1883

Dullington Phelps & Woods.
Vs.
Jasper Bidwell
Addison Bidwell &
Howard Bidwell

No 4183.

Entry

This day came the Plaintiff by Porter & Porter Their 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 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 $4821.73. It is therefore Considered that said plaintiff do recover of said Defendant the said Sum of $4821.73 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.

Viola M. Jones:
Vs.
Alexander J. Mahaffey

No 3707.

Entry

This day came the parties by their Attorneys and thereupon this Cause come on to be heard upon the Demur of Defendants James Mahaffey 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 sustain Said Demur to which ruling of the Court in sustaining said Demur the Plaintiff Excepts thereupon plaintiff asked and had leave to file an amended petition in 20 Days from the rising of the Court and case Continued

H. C. Hamilton
Vs.
H. T. Moore Estate.

No 4142

Entry.

And now came the said H. C. Hamilton by his Attorney and Thereupon this Case came on to be heard upon the petition answer of defendants 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 had by Defendants according to law and the Court do further find that the said H. C. Hamilton has a legal right to and is seized in fee Simple of one fifth part said premises and the Court do further find that Anna Moore. Thomas Elmer E. Moore John W. Moore and Mabel Moore are tenants in Common in said premises with said H. C. Hamilton in the following particulars to wit: Each are seized in fee of the one fifth part thereof It is therefore ordered that a writ of partition issued to the Sheriff of said County of Union Commanding him that by the oaths of A.S. Mowry H. J. Perry and Lorenzo Cheney partition be made of said lands in the following proportions To wit: To said H. C. Hamilton one fifth part and to Anna Moore. Thomas Elmer E. Moore John W. Moore and Mable Moore the remaining fourth fifths thereof jointly and it is further ordered that the Sheriff return his proceedings in the premises forthwith

Tuesday January 9th A.D. 1883

Miles & Bancroft
Vs.
J. J. Stuart Wm. R. Ports
R. V. Ports Et als.

No. 4103.

This case Comming on for hearing was submitted to the Court upon the pleadings and Evidence; on consideration whereof the Court find that there is due to the plaintiff firm the defendents J. J. Stuart Wm. R. Ports on their promisary note set forth in the petition with interest to the first day of this term. the Sum of Three hundred and seventy four dollars and sixty cents with interest at Eight percent payable annually. The Court further find that in order to secure the payment of said note defendents Wm. R. Ports and R. V. Ports his wife Executed and delivered to said Miles & Bancroft the plaintiff 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 the premises described in the petition It is therfore considered and Adjudged that Unless the defendent J. J. Stuart, and William R. Ports Shall 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 so found due as aforesaid with interest at Eight percent payable annually from the 8th day of January 1883. The Court further find that the condition of promise in said Mortgage has been Broken and that the said plaintiff is thereby Entitled to have the defendant Equity of redemption foreclosed It is further ordered by the Court that Unless said defendents pay said Costs and Judgement as above Specified within said ten days from the Entry of this decree. 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 Union County directing him to Sell said premises as upon Execution and Bring the proceeds into Court for further order. Upon motion B. Green R. H. White S. Ports J. R. Norris were permitted by the Court to file their Answer and cross petition.

Lewis A. Ellis
Vs.
Alexander J. Mahaffey.

No 3780.

This day came the parties by their Attorneys and thereupon this Cause came on to be heard upon the Demur of the Defendant James T. Mahaffey to the petition of the plaintiff and was argued by Counsell and Submitted on consideration whereof the Court being fully advised in the premises do Sustain said demur. To which ruling of the Cort the Plaintiff Excepts. Therefore the plaintiff asked and has liew to file amended petition within 20 dais from the rising of the Court and Case Continued.

Benjamin H. Flemming
Vs.
John Flemming Sr. Et als.

No 4117.

This day this Cause came on to be herd and thereupon came the plaintiff herein by his attorney and the Court find that all 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 Plaintiff Benjamin H. Flemming 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 Petition made of said premises; that said defendants (except the said defendant John Flemming sr.) are tenants in common with the said plaintiffs in the said premises in the following proportions, to wit: That the said Jane Elizabeth Haskins is seized of and has a legal right to the undivided one seventh part thereof. the said Sarah L. Newhouse to the undivided one seventh part thereof, the said Margaret Dilsaver to the undivided one seventh part thereof, the said Rosinna Scott to the undivided one seventh part thereof, the said Belle Bonham to the undivided one seventh part Thereof, And the said John M. Flemming 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 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 Charles S. Lee B. F. McCombs and Samuel Dysard 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 purposes 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 hereinbefore 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 and of his proceedings herein the said Sheriff is ordered to make due return without unnecessary delay;

W. S. Alexander Plff.
Vs.
Mary Smith and
J. K. Smith Defts.

No 4137

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 conferred by him to be true and that there is due to said plaintiff from the defendants Mary Smith and J. K. Smith on account of the materials furnished and labour performed as set fourth in the petition the sum of $19.10 And that the same is a lien on the premises described in the petition by reason of the Mechanics lien therein described and recorded in book Page of the Union County records of liens, And that said plaintiff is entitled to have the said lien Enforced. It is therefore considered that the plaintiff W. S. Alexander recover from the defendants Mary Smith and J. K. Smith the said Sum of nineteen & 10/100 Dollars together with his costs herein expended and that unless the said Judgement is paid within one day from the entry hereof then an order may issue to the Sheriff of Union County this Commanding him to sell said premises as upon Execution; and of his proceedings in the premises to make due return to this Court.

Thereupon Court adjourned until Tomorrow at 8½ o'clock A.M.

4006
4063
4049
3978

Tuesay January 10th A.D. 1883.

4006 Elisha L. Hawkins vs E. L. Piper admr Et al — Court met this morning at 8½ o'clock pursuant to adjournment the same officers being present as heretofore.

This day came on this cause to be heard on the motion of plaintiff to Strike the Second defension in the defendants answer. Whereupon the Court being fully advised in the premises Sustain Said motion and order Said Second defense to be Stricken out as Surplus matter. To which order and ruling of the Court defendants except. Whereupon the defendants Application the defendants filed their amended answer this day.

4063 Matilda Sturdy vs C. W. Leyon — This day came the parties and Settled this cause and the plaintiff is to pay all costs remaining unpaid except the costs on this defendants disposition.

It is therefore considered and adjudged by the court that the defendant recover of plaintiff his costs herein expended except the costs paid as aforesaid by him.

4049 Jacob Johnson vs Cyrus Klamath Et al — This day came on this cause to be heard by the court on the pleadings evidence and arguments of Counsel. Whereupon the court being fully advised in the premises do find for the defendants, and it is considered ordered and decreed that plaintiffs petition be dismissed and the injunction dissolved at plaintiffs costs. It is ordered that plaintiff pay the costs herein taxed to $ in thirty days and in default thereof that execution issue therefor as upon judgment at law No record unless requested by plaintiff

Thereupon plaintiff gave notice of his intention to appeal to the District court and thereupon the court fix his appeal bond at $200.

3978 Cyrus Klamath vs Jacob Johnson Et al & Alex Johnson — This day came the parties and Submitted this cause to the court and waived the trial by jury Whereupon the court being fully advised in the premises finds for the plaintiff on the issues joined and assess his damages at Two dollars.

It is therefore Considered ordered and adjudged by the court that the plaintiff recover of defendants his damages of Two dollars and his costs herein taxed to $ No record unless requested by defendants.

Thereupon Court adjourned until tomorrow at 8½ o'clock A.M.

Thursday Jan 11th A.D. 1883.

Court met this morning at 8½ o'clock pursuant to adjournment the same Officers being present as on Yesterday.

This day appeared at the bar of this Court the Grand Jury heretofore Empanneled To wit:

Isaac Cowgill.	Marshal Morris.	Andrew Moody.
A. J. Ferguson.	Elias Kyle.	Luther Winget.
John Curry.	John Liggett.	Levi Longbrake.
T. O. Griffith.	Geo. O. Fisher.	John Bothham.
W. C. Mallin.	D. M. Robinson.	E. C. Churchman.

To the Honorable John, A. Price Judge of the Court of Common Pleas Union County Ohio. The Grand Jury of the Court of Common Pleas of said County of the January Term 1883 beg leave to report that they have been in session four days, and herewith return to the Court the Indictments presented by said Jury: We have carefully Examined into all such Matters as have legitimately come to our notice having Examined over Ninety nine Witnesses Covering thirty three Cases and presented Twelve bills and ignored Twenty one cases considered by us. The Buisness has been transacted in as Expeditious a manner as possible During our session We have Visited the County Jail and made a Complete Examination Thereof and find that the rules prescribed by the Court for the Care Thereof and for the government of its inmates have been Carried out and properly enforced.

The Grand Jury Thoroughly Examined the County Jail and find the Sanitary Condition of Building good.

Respectfully Submitted.

John Liggett Foreman.

January 11th 1883.

This day appeared at the bar of this court the brand jury heretofore empanneled To-wit:

Isaac Cowgill	Marshal Morris.	Andrew Moody
A. J. Ferguson	Elias Kyle	Luther Winget
John Curry	John Liggett	Levi Longbrake
T. O. Griffith	Geo O. Fisher	John Bonham
W. C. Mallin	D. M. Robinson and	E. C. Churchman

and presented their certain bills of indictment against; Homer Denman for assault, Homer Denman for Disturbing a Meeting Henry Downs for disturbing a meting. Alferd Evans for Grand Larceny- Eri Watkins for disturbing a meeting. Edward Miller and James Crawford for House breaking and Petit Larceny. Joseph Brown for House breaking and Petit Larceny. four Separate indictments and A. W. Wilson for Grand Larceny. Each indorsed a true bill and Signed by John Liggett Foreman of Grand jury.

3850

4148

3991

4144-

3850 A.L. Williams vs W.H. Crary

This day came the parties and settled this case as follows.
1st Judgment shall be rendered for the plaintiff for fifty dollars which is in full for all claims in the petition
2d The plaintiff is to pay all costs made by him in this case.
3d The defendant is to pay all cost made by him in this case.
4th Judgment is to be entered accordingly.
5th Execution shall be stayed for 90 days
It is therefore adjudged by the Court that the plaintiff recover of the defendants fifty dollars and that the plaintiff pay all costs made by him and the defendants to pay cost made by him. and execution shall not issue hereon for 90 days.

4148 Meack & Stadler & Co vs C.J. Monroe & Co et al

defendants being in. Now comes the plaintiffs by their attorney, and the defendants being in default for answer or demurrer, the Court find that the allegations of the petition are confessed by them to be true in all respects as therein alleged, and that the said defendants C.J. Monroe and L.B. Monroe as partners under the firm name of C.J. Monroe & Co are indebted to the said plaintiffs as principals and makers and the said defendants Bowers & Howe as indorsers in the sum of One hundred and Twenty four and 10/100 dollars with Six per cent. interest thereon from the 8th day of January A.D. 1883.
It is therefore considered and adjudged by the Court that the said plaintiffs do recover of the said defendants C.J. Monroe & Co, as principals and the said defendants Bowers & Howe as indorsers the said Sum of One hundred & Twenty four & 10/100 dollars with Six per cent. interest from the Eighth day of January A.D. 1883 and their costs herein expended taxed to $ -

3991 S.J. Thomas vs D.A. Finefrock — This day came the parties to this suit by their attorneys and consent that this cause be continued.

4144 J.D. Finley vs Wm Weightlinger et al — This day this cause was continued by agreement.

Thereupon Court adjourned to meet tomorrow Morning at 8½ Oclock.

Friday January 12th A.D. 1882-

Court convened ~~this~~ morning at 8½ Oclock pursuant to adjournment the same officers being present as on Yesterday-

3364 Finley Davis vs Allen Slater et als Continued by agreement-

3853. U.S. Alden vs Peoples Bank. Continued by agreement-

4040 Joshua James vs Hugh J. Perry- Defendant filed answer by leave of the court this day-

4056 V.J. Case vs P. Cranston Adms & Co. Continued by agreement-

3616 M. L. Stewart vs Job E Stevenson et als- Continued by agreement- 3965

4130 Karel & Woodruff vs David W Gibbs Settled & costs paid

4131 Wm Woodruff vs David W. Gibbs- Settled & costs paid

3140 James Carter vs Bank of North Lewisburgh. Continued by agreement-

3972 Edward O. Stevenson vs Mathew Lingel - Continued

J. P. Critchlow
vs
N. Snodgrass Ad E. Mitchell

This day this cause came on for trial and upon motion and showing of defendant E. Mitchell delay was granted to E. Mitchell until the 22nd of Jan. 1882 and at the cost of E. Mitchell, It is therefore considered ordered and adjudged by the Court that the said defendant pay the cost up to and including Jan. 11th 1883 and that execution issue therefor. 4099

Thereupon Court adjourned to meet Tomorrow Morning at 8½ Oclock A.M-

Saturday- January 13th A.D. 1883-

Court met this morning pursuant to adjournment at 8/2 o. clock the same officers present as on yesterday.

William Kightlinger
vs
C.C.C. & D. R'y Co.

Continued upon showing of Defendant.

And it is considered ordered and adjudged by the Court that the Plaintiff recover of the defendant the costs of this Cause, taxed at $.

James H. Meyers
vs
William Laughlake et.al

3965

Jury Trial

This day came the parties by their Attorneys, and this cause came on to be tried: And thereupon came a Jury, to-wit= G. D. Robertson, Samuel Cahill, D. T. Elliott, W. C. Wood, H. D. Stamates, D. D. Snell, E. K. Fox, O. Marriott L. J. Kendall, Ben. James, Charles McCampbell and N. Vaughan who, being duly empaneled and sworn to well and truly try the issue, 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 by the Court the said Jurors retired to their room to deliberate upon their verdict, and after due deliberation returned into open Court and presented their verdict in writing, in the words and figures following, to-wit: The State of Ohio, Union County, ss. Jan. Term A.D. 1883, to-wit= Jan. 13th A.D. 1883 No. 3965 James H. Meyers Plaintiff vs William Laughlake et al Defendants, We the Jury in this cause being duly empaneled and sworn do find and say we find for the Plaintiff and assess his damages at Ten Dollars —— $10.00

Phila M. Harris
vs
Wm H. Moore et.al

4099

It appearing to the Court that Chas Moore and John H. Moore are both minors over 14 years of age and have duly served with summons and have not applied for the appointment of a Guardian for this suit, on motion of the Plaintiff it is ordered that P. B. Fulton be and he is hereby appointed Guardian for this suit: thereupon said P. B. Fulton accepts said appointment

Saturday Jan'y 13th A.D. 1883

4128 P. R. Ken vs James Medvaine

This day this cause coming on to be heard on motion of Defendant to set aside the Judgment entered in this case and grant a new trial therein, was argued by Counsel, And the Court being fully advised in the premises, and by and with the consent of the Plaintiff, the said Judgment is hereby set aside and a new trial granted in the premises- upon the condition that the defendant pay the cost of this term, and that the lien obtained by this judgment be continued in force until the final decision and Judgment in this case, and the defendant have leave to answer in 20 days from this date, and cause continued.

4005

3959

Thereupon Court adjourned until Monday at 1 o'clock P.M. Jan. 15th 1883

Monday, Jan'y 15th A.D. 1883

Court met this day at one o'clock P.M. pursuant to adjournment, the same Officers being present as heretofore.

4005 John P. Bailey vs Elliott Young et al

This day this cause came on to be heard upon exceptions to depositions taken on behalf of Plaintiff. And upon argument of Counsel and the Court being fully advised in the premises do sustain said exceptions. Thereupon on motion and showing of Plaintiff this cause is continued at Plaintiffs cost for this term.

It is therefore considered ordered and adjudged by the Court that the defendant recover of the Plaintiff his cost of this term herein expended taxed to $.

3959 Julia A. Benedict vs Jason N. Chapman

This day came the plaintiff and dismissed this cause without prejudice at Plaintiffs costs.

It is therefore considered and adjudged by the Court that the Defendant recover of the Plaintiff his costs herein taxed to $.

-1883

Thereupon Court adjourned until tomorrow morning at 9 o'clock.

Tuesday Jan 16th A.D. 1883

Court met this day at 1/2 o'clock A.M. pursuant to adjournment the same officers being present as on yesterday.

4099 Phila M. Harris
vs
Wm H. Moore et. al

Now came the plaintiff 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 petition and that they are in default for answer or demurrer And that the said petition is thereby by them confessed to be true except the infants who answer by Guardian ad-litem.

Thereupon the Court finds that the said plaintiff is seized of and has a legal right to the undivided one tenth part of the estate described in the petition and is entitled to have partition made of said premises, that the said defendants are tenants in Common with the said Plaintiff in the following proportions to-wit= That the said William H. Moore is seized of and has a legal right to the undivided one tenth part thereof, the said John H. Moore to the undivided one tenth part thereof, and Mary E. Cobb the undivided one tenth part thereof, and the said Olive Jane Moore the undivided Six tenths 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 said County of Union commanding him that by the oaths of Andrew D. Mowry, Asbury Cheney and William D. Cameron 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 the part and proportion of the said estate to which they are severally found entitled. And of his proceedings herein said Sheriff is ordered to make due return without any unnecessary delay.

4187

3895 Harry O'Harra
vs
Village of Unionville Centre O.

This day came the parties and submitted this cause to be heard, Whereupon the Court being fully advised in the premises do find there is Error in said record, and therefor it is considered and adjudged by the Court that said judgment of said Village of Unionville Centre against said Harra O'Harra in said petition mentioned be and the same is hereby reversed and held for nought, And that the Plaintiff recover of said Village his cost herein expended taxed to $.

3914 Hiram Meyers
vs
Mathew Siegrell

On motion and showing of Plaintiff this cause is continued at cost of Plaintiff for this term.

It is therefore considered ordered and adjudged by the Court that the Deft recover of the Plff his cost herein expended at this term of Court taxed at $.

To whom it may concern

This is to certify that I, the undersigned Justice of the Peace, acting as coroner, in the case George Thomas deceased, who was killed on or about the 5th day of Oct. A.D. 1882 in Richwood Ohio, that I employed Drs Doctors Cannell and Hall as such Officers to make a post mortem examination of said George Thomas which examination they made to my satisfaction and made their report in writing and said report is on file at the Clerks Office in Marysville Ohio.

W. W. Hill Justice of the Peace
acting as coroner in the above entitled Case.

Richwood, Ohio, Dec. 20th 1882.

Union County, Dr to R. W. Cannell M.D. Twenty Dollars for performing post mortem examination on George Thomas, by request of W. W. Hill acting Coroner, On Oct. 7th 1882. R.W. Cannell M.D. ovr

The within (above) bill is approved, and the Auditor of Union County is directed to draw his warrant on the Treasurer of said County for $20.00 in favor of R. W. Cannell M.D. signed John A. Price, Judge.

Richwood, Union County, Ohio
Dec. 23rd 1883

Statement of account to the Court of Common Pleas Union Co. Ohio,
Dr B. P. Hall M.D. the sum of Twenty Dollars ($20.00)
for performing a post-mortem-examination on George Thomas
Oct. 7th 1882. B. P. Hall M.D. ovr

The within bill is approved, and the Auditor of Union County is directed to draw his warrant on the Treasurer of said County for $20.00 in favor of B. P. Hall M.D. signed John A. Price Judge

Laura Cole,
4187 et al
Leonard Geer, W. A. McCamey & D. Shumeman

On motion of the Plaintiff by her Attorneys and good cause being shown therefor it is ordered that an undertaking bring given in the sum of $100.00 with surety to the approval of the Clerk, an injunction until further order of Court be allowed to issue herein enjoining the defendants from further proceeding to enforce the alleged Judgment of said Leonard Geer against Laura Cole in the name of Laura Gibson on the Docket of said D. Shumeman as Justice of the Peace of Taylor Township, Union County, Ohio, mentioned in the Petition and the said W. A. McCamey is ordered to return to the said Laura Cole the property levied on in said cause, And thereupon the Plaintiff gave an undertaking with surety to the acceptance of the Clerk.

Tuesday Jan 16th A.D. 1883

In the Court of Common Pleas of Union County, Ohio

The Bank of North Lewisburg

3984 vs.

Daniel D. Ford et. al

This day this cause came on for hearing on the petition, the answer of the defendant W. M. Ford, the reply of the plaintiff thereto, the answer and cross-petition of the defendant, the J. D. Case Threshing Machine Company and the reply of the plaintiff thereto and the evidence, and the same was argued by Counsel and submitted to the Court. On consideration whereof the Court find that the deed executed by the said defendants W. M. Ford and Sarah N. Ford to the defendant Daniel D. Ford is a good and valid deed conveying the premises therein described to the said defendant Daniel D. Ford and that the legal title to said premises is now in the said defendant Daniel D. Ford, that the said defendant Daniel D. Ford, who was at the time of the execution thereof an unmarried man, executed and delivered to the Plaintiff, the Bank of North Lewisburg, the mortgage and in the petition described, and on the premises therein described, that said mortgage was duly described in Book 14 Page 206 of the records of Mortgages of Union County, Ohio.

The Court further find that the condition of defeasance in said mortgage has been broken, and that said plaintiff is thereby entitled to have said defendants (Daniel D. Ford) equity of redemption foreclosed. It is therefore considered, ordered and decreed that unless the said defendant Daniel D. Ford, 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 said plaintiff the sum of One Thousand three hundred and seventy and 99/100 Dollars with interest from the 8th day of Jan. A.D. 1882 according to the terms of said mortgage and 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, Ohio, directing him to sell said premises as upon execution, and bring the proceeds into Court for further orders.

The Court further find upon the issue joined that the two mortgages of said defendant, the J. D. Case Threshing Machine Company, 4002
are valid and subsisting liens upon said premises and that the priority thereof, in connection with the said plaintiffs mortgage is as follows; The Court find that the second mortgage of said defendant as in its answer and cross-petition herein set forth is the first and 4012
best lien on said premises and is entitled to priority over all others, viz, that the said plaintiffs mortgage is the second lien on said premises and the first described mortgage of said defendant The J. D. Case Threshing Machine Company is the third lien thereon.

The Court further find from the evidence that said defendant, The J. D. Case Threshing Machine Company has other security for its said second mortgage and that as between the said plaintiff and the said defendant the same should be exhausted before

applying any part of the proceeds of the sale of the premises herein mentioned to said claim. It is therefore considered, ordered and adjudged and decreed that the said defendant, The J. D. Case Threshing Machine Company, proceed at once to exhaust all the security it may have on its second Mortgage and apply the same to the payment of its second mortgage as far as they may go.

It is further ordered that the case of the J. D. Case Threshing Machine Company vs Andrew J. Straith et al No 4002 on the records of this Court be consolidated with this action and that the same proceed after consolidation as No. 3984. And thereupon said consolidated case came on to be further heard and the Court find that to secure the notes mentioned in said Mortgage dated August 1880 the said Threshing Machine Company have a lien on the Chattel property described in its petition in case No. 4002 and its is also found that there is due said Company on the first two notes in said second mortgage in said petition described the sum of Three Hundred Dollars with six per cent interest from June 1st 1881 Amounting on this 16th day of January 1883 to three Hundred and twenty nine dollars and twenty five cents. And there is one note described in said petition not yet due. It is therefore considered and decreed by the Court that unless said William Ford or A. J. Straths within ten days pay said sum of $329.25 found due said J. D. Case Threshing Machine Company and their costs and interest that an order of sale issue to the Sheriff of this County commanding him to advertise and sell said personal property and said 16½ acres of land in said petition of the Bank of North Lewisburg described And the Court further find that there is due said Company from said William Ford on said first mortgage given and dated July 22nd 1878 the sum of $396.77 And it is ordered and decreed that if said William Ford fail to pay said $396.77 within ten days that an order of sale issue to the Sheriff of this County commanding him to sell said 16½ acres of land according to law, and as to the right of A. J. Straths in the premises not herein before settled by the decree of this Court this cause is continued, and as to said note not due this cause is continued.

4002	The J. D. Case Threshing Machine Co. vs Andrew J. Straths et. al	Consolidated with Case No. 3984
4012	Homer B. Loveland vs Eliza Johnson	

This day came the parties by their Atty's and on motion this cause is dismissed without prejudice at the cost of the Plaintiff. It is therefor adjudged by the Court that the Defendant recover of the Plaintiff her cost herein expended taxed to $.

Thereupon Court adjourned until to-morrow morning at 8½ O'Clock.

Wednesday, Jan. 17th 1883

Court met this morning at 8½ o'clock pursuant to adjournment the same officers being present as on Yesterday.

9986 Maggie Swarty vs William Hildreth

This day came the plaintiff by her Attorney, the defendant, though duly served with a summons herein, failed to answer, demurr or otherwise object to the petition of Plaintiff but made default.

Thereupon this cause came on to be heard upon the petition and testimony. On consideration whereof and the Court being fully advised in the premises finds that the plaintiff at the time of the bringing this action was in possession of the real property described in the petition and that she has the legal estate in and is entitled to the possession of the same, that the defendant has no estate in, and is not entitled to the possession of said real estate or any part thereof, and that the plaintiff ought to have her title and possession quieted as against said defendant, as prayed for in her petition.

It is therefore ordered, adjudged and decreed that the title and possession of the said Maggie Swarty to all and singular the premises in the petition described be, and the same hereby are quieted as against the said defendant and all persons claiming under him. And said defendant and all persons claiming under him are hereby forever enjoined from setting up any claim to said premises or any part thereof adverse to the title or possession of said Maggie Swarty thereto, or in any manner interfering with her use and enjoyment of the same, and that the said plaintiff pay the costs herein taxed at $.

9921 Isaac Walke vs Margaret Abrahams

Now came the parties herein by their Attorneys and this cause is settled as follows: Defendant to pay all costs, and costs paid. No record.

4153 Bancroft and Co. vs J. H. Wilcox

And now came the said Bancroft and Co. and the said J. H. Wilcox having failed to demurr or answer to the petition of said Bancroft and Co, it is considered that the said Bancroft and Co. ought to recover the said sum of $75.77 so demanded in their petition together with the sum of $183.10 which the Court finds due as the interest thereon — computed to Jan 8th 1883 — as prayed for in said petition. It is therefore considered that the said Bancroft & Co. recover against the said J. H. Wilcox the said sum of $943.88 together with their costs in and about their suit in this behalf expended taxed to $.

4157

#157 Duddy Kercheval Ux Sand
vs
R. P. Amrine

And now came the said Duddy Kercheval Ux Sand and the said R. P. Amrine having failed to demur or Answer to the petition of the said Duddy Kercheval Ux Sand it is considered that the said Duddy Kercheval Ux Sand ought to recover the said sum of $121.92 so demanded in his petition, together with the sum of $3.65 which the Court finds due as the interest thereon as prayed for in said petition computed to the 1st day of this term — Jan. 5th 1883.

It is therefore considered that the said Duddy Kercheval Ux Sand recover against the said R. P. Amrine the said sum of $125.57 together with his costs in and about his suit in this behalf expended taxed to $1.

Martha Dilsaver et al
vs
Susan Swartz

This cause is dismissed for want of security for cost and for want of compliance with the former order of the Court at the cost of the Plaintiff.

It is therefore considered ordered and decreed by the Court that the defendant recover of the Plaintiff her costs herein expended taxed to $1.

And thereupon Court adjourned until tomorrow morning at 8½ O'clock.

Thursday Jan 18th A.D. 1883

Court met this day at 9½ o'clock A.M. pursuant to adjournment, the same officers being present as on yesterday

4189 Mary E. Graw vs Samuel Graw } 4014

This day this cause came on to be heard upon the Plaintiffs petition for an order of injunction restraining the said Samuel Graw from disposing of the real estate or personal property therein described and the Court being fully advised in the premises do hereby grant said injunction.

It is therefore ordered by the Court that the defendant be enjoined from incumbering or disposing of any of the real estate or personal property described in Plaintiffs petition until further ordered by the Court.

4048

Thereupon Court adjourned until tomorrow morning at 9½ o'clock

Friday, Jan. 19th A.D. 1883.

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday.

4014 Morgan Savage vs Michael Cody et. al

This day came the parties by the parties by their Attorneys and this cause came on to be tried; and thereupon came a jury, to wit= G. D. Robritson, Samuel Cahill, D. T. Elliott, W. C. Wood, H. S. Staunton, D. D. Snell, E. K. Fox, O. Marriott Bell, James, Charles McCampbell Thomas Lane & R. L. Partridge who, being duly sworn and empaneled to well and truly try the issue joined between the parties in this action, And a true verdict give 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 retired to their room to deliberate upon their verdict, and after due deliberation returned into open Court and presented their verdict in writing, in the words and figures following, to wit=

Civil Action Verdict. The State of Ohio, Marion County, ss. Jan. Term, A.D. 1883
To wit= Jan. 19th 1883, No 4014 Morgan Savage vs Michael Cody et. al,
We, the jury in this case, being duly empaneled and sworn do find and say that we do find for the Plaintiff in the sum of $59.50 D. T. Elliott, Foreman.

4048 Newton Pearce vs Hugh J. Perry

This cause is continued on motion and showing of the Defendant and at his cost.

It is therefore considered and adjudged by the Court that the Defendant pay the cost of this term of Court taxed to $.

Eli G. Piper Admr vs Wm. T. Watson et. al

This day this cause came on for hearing and was settled by agreement of parties, the said Wm. T. Watson to pay the costs in this action.

It is therefore considered by the Court that the Plaintiff recover from the Defendant Wm. T. Watson the costs herein expended taxed to $.

Thereupon Court adjourned until tomorrow at 8½ A.M.

Saturday Jan 20th A.D. 1883

Court met this morning at 8½ o clock pursuant to adjournment, the same officers being present as on yesterday.

4190 The Huber Manufacturing Co. vs John Smith

This day came the Plaintiff by D. D. Gardiner Attorney, and 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 issueing 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 $145 91/100.

It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $145 91/100 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 6 (6) 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.

4089

4052

4191 The Huber Manufacturing Co. vs John Smith

This day came the Plaintiff by D. D. Gardiner its Attorney, and 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 issueing 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 $342 40/100

It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $342 40 so as aforesaid confessed to be due so as aforesaid confessed to be true, 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.

4052

Thereupon Court adjourned until monday at 8½ o'clock a.m. Jan 22nd 1883

Court met this morning at 8½ O'clock pursuant to adjournment, the same Officers being present as heretofore.

4089 William Braler vs Henry Sheridan } This day this cause came on to be heard upon the motion of Defendant to make petition more definite and certain by giving day and date to the items of labor done by Plaintiff for Defendant. And the Court being fully advised in the premises do overrule said motion and the defendant to ats 20 days from this date to answer to said petition and this cause stands continued.

4052 John A. Clippinger vs John Sturdy and Matilda Sturdy } This day this cause came on to be heard upon the motion of the defendant to require the Plaintiff to give security for cost and the plaintiff asked and obtained leave of the Court to give the required security within 20 day from the rising of Court and in default thereof this cause stand dismissed.

4052 John A. Clippinger vs John Sturdy and Matilda Sturdy } This day this cause came on to be heard upon the motion of Defendant to require Plaintiff to separately state and number his causes of action named in the petition and also make his petition more definite and certain as stated in said motion. And the Court being fully advised in the premises do overrule said motion of the said defendants. Thereupon the defendant excepted to the ruling of the Court, And asked leave and leave was granted to plead to said petition by the 29th of January A.D. 1883 to which time this cause is passed.

Monday Jan. 23rd A.D. 1882

#165 The Farmers Bank vs Daniel Coe et al | Judgment on default. Damages assessed by Court.

And now came the said Plaintiff by John M. Brodrick its Attorney, and the said defendants, Daniel Coe, Nelson Coe and Thomas Coe having failed to answer or demur to the petition of the said Plaintiff, the said petition is therefore taken to be true, it is therefore considered that the said plaintiff ought to recover its damages by reason of the premises; And the Court, with the assent of the plaintiff do assess the damages of the said plaintiff to the sum of $186 "/00 with interest from Jan. 8th 1882. It is therefore considered that the said plaintiff recover against the said defendants the sum of $186 "/00 in the form aforesaid assessed with interest from Jan. 8th 1882 and also its costs in and about its suit in that behalf expended, taxed to $.

628

620 The State of Ohio vs Edward Miller & James Crawford | Indictment for Housebreaking and Petit Larceny.

This day came the Prosecuting Attorney on behalf of the State of Ohio, and the defendant Edward Miller being brought into Court in the custody of the Sheriff, and arraigned upon said indictment for plea thereto, saith he is "guilty," and thereupon (after being fully advised in the premises) it is ordered and adjudged by the Court that the said Edward Miller pay a fine of Five Dollars, and the costs of this prosecution; That he be imprisoned in the jail of said County of Union and State of Ohio, for the Term of Sixty days; and that he stand committed to the jail of said Union County until the amount of said fine and costs shall be paid.

631

633

620 The State of Ohio vs Ed. Miller & Jas Crawford | Indictment for Housebreaking and petit larceny.

632

This day came the prosecuting Attorney on behalf of the State of Ohio and the defendant James Crawford being brought into Court in custody of the Sheriff, and arraigned upon said indictment for plea thereto saith he is "guilty;" therefore, after being fully advised in the premises, it is ordered and adjudged by the Court that the said James Crawford pay a fine of Five Dollars and the costs of this prosecution; that he be imprisoned in the jail of Union County, Ohio, for the term of thirty days, and that he stand committed to the jail of said County until the account of said fine and costs shall be paid.

634

628 The State of Ohio vs Alfred Evans } Indictment for grand larceny.

This day came 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 it appearing that said Defendant is in indigent circumstances and unable to employ counsel, the Court at his request, assigns D.H. Ayers, Esq. as counsel to defend him.

631 The State of Ohio vs Joseph Brown } Indictment for Hourse breaking and Petit Larceny.

This day came 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;" and is remanded to the custody of said Sheriff until sentence.

633 The State of Ohio vs Joseph Brown } Indicted for House breaking and Petit Larceny

This day came 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;" and is remanded to the custody of the Sheriff until sentenced

632 The State of Ohio vs Joseph Brown. } Indictedment for House breaking and Petit Larceny

This day came 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; and is Remanded to the custody of the Sheriff until Sentence.

634 The State of Ohio vs Joseph Brown. } Indictment for House Breaking and Petit Larceny

This day came 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; and is remanded to the custody of the Sheriff until Sentence.

Monday, Jan. 22nd 1883

6385 The State of Ohio
vs
Joseph Bracco

Indictment for Petit Larceny & House Breaking.

This day came the Prosecuting Attorney on behalf of the State of Ohio and the defendant being brought into open Court in custody of the Sheriff and arraigned upon said indictment for plea thereto, saith he is guilty; and is remanded to the custody of the Sheriff, until sentence.

4486. Henry Mitchell.
vs
Howard Vosteny.

This day came the Defendant and filed in the Court here a Transcript of the proceedings of this case before J. A. Kinkade. one of the Justices of the Peace of said County. And it appearing to the Court that Judgment was ordered in favour of said defendant by said Justic of the Peace on the 13. day of November 1882 for the sum of Seven Dollars and fifty Cents Costs of Suit Amounting to $ and this said plaintiff Counsel a bond for appeal to be put in within ten days from the rendition of said Judgment but failed to file or deliver a Transcript of said proceeding to the Clerk of this Court and has Ever since failed to prosecute his said appeal by taking steps therefor. Wherefor on motion of said Defendant said appeal is now Dockted and on application of the Defendant the Court have rendered Judgment in favor of said defendant for said Sum of Seven Dollars and fifty Cents and for all cost both before said Justic and of appeal to this Court It is therefor Considered ordered and adjudged by the Court that the Defendant recover of the Defendant the said Sum of Seven Dollars and fifty Cents and also all his cost in this Suit Expended both before said Justic and upon his procuting upon appeal bond At $ 625 626

3983 William Cassidy. Plff.
vs
Jane Cassidy Deft.

This day came the parties by their attorneys and therefore this case came on to be heard upon the pleadings and the Evidence On Consideration Whereof the Court being fully advised in the premises do find That the plaintiff has Been a resident of the State of Ohio for more than a Year prior to filing the petition in this case and is a Bonafide resident of said County of Union. That the defendant has been guilty of willful absence for more than three Years prior to the date of filing the petition in this case We find the several statements and allegations of the plaintiff petition to be true. The Court further finds That on the 26th day of February A.D. 1880 the said plaintiff and Defendant entered into a written Post nuptual agreement in regard to the property Which agreement the Court find to be just and

Reasonble and a fair and Equitible devission of said property and that both parties are Still Satisfied therewith which written agreement is filed in this case it is therefor adjudged and decreed by the Court that the marriage relation heretofore Existing between said parties be and the same is hereby set asside and held for naught and both parties relieved from the obligations of the same.
It is further ordered by the Court that the said Post mptual agreement be recorded as apart of this decree and in all things the same is confirmed and as her reasonable alimony said Defendant is to have the 40 acres of land in said post mptual agreement described and that the other land remain the property of said William Cassidy and that he have all the rights and benefit and be subject to all the obligations of said agreement It is further ordered this said plaintiff pay the Costs of this proceedings Taxed to $

625 The State of Ohio vs Homer Denman } Indictment for Assault,

This day came 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 after being fully advised in the premises, it is ordered and adjudged by the court that the said Homer Denman pay a fine of five dollars, and the costs of this prosecution; and that he Stand committed to the jail of Union County Ohio until the amount of said fine and costs Shall be paid.

626 The State of Ohio vs Homer Denman }

This day came 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 after being fully advised in the premises, it is ordered and adjudged by the Court that the said Homer Denman pay a fine of ten Dollars and the costs of this prosecution; and that he Stand committed to the jail of Union County, Ohio until the amount of said fine and cost Shall be paid.

Monday January 22nd A.D. 1883.

3432. Lucy V. French Et Als. Plffs
vs.
John H Preston.
Henry Hudson.
Thompson Bishop.
Beverly Depp.
William Bechter.
A. F. McKitrick.
A. Depps heirs.

This day came this cause on to be heard on the motion of Defendant to Set asside the assessments of the Valuation of the lasting and Valuable improvments made by the Jury in this Case on the Ground that the Valuation was unreasonably low. Whereupon the Court being fully advised in the premises do from the Evidence find that the Assessment made by the Jury of the said improvments is too low and ought to be Set asside as to Each and every one of the Defendants Except A. F. McKitrick and the heirs of A. Depp- Therefor it is considered and adjudged by the Court that the said assessments so made by the Jury in each and every Tract of land in this Case Except that of A. F. McKitrick and the Heirs of A. Depp Be and the same is hereby Set asside and held for naught and the Court order that a new Assessment be made out that another Jury be appointed according to law and the former order of this Court to make Such assessment according to the form of the Statute.

34,551

3935

34,551 Lucy V. French Etats Plff.
vs.
Robert Hill.
Ray Hill.
James H. Wells
Peter Wollam.
John Wollam.
Jacob Wollam.
George Wollam.
Isaac Wollam.
John Taylor.
F. J. Holmes.
Elizabeth Laug

This day came on this cause to be heard on the motion of the said defendants to set aside the assessment of the valuation of the improvments made by the Jury in this case on the ground that said valuation was excessively too low. Whereupon the Court being fully advised in the premises do from the evidence find that said assessment made by the Jury of the said improvments is too low and ought to be set aside as to Each and Every one of the Defendants therefore it is considered and adjudged by the Court that said assessmet made by the Jury in each and evy tract of land be & the same is hereby set aside & held for naught & the Court order that such proceedings be law on said order for the benefit of the occupants under the occupying claiming laud as are authorized under said order herein before maid=
and the Statute.

3935 Wm. N. Hamilton vs Peter Sells et. al

This cause is dismissed without prejudice to a new action at cost of Plaintiff. It is therefore ordered and adjudged by the Court that the Defendants recover of the Plaintiff their costs herein expended taxed to $.

Thereupon Court adjourned until to morrow at 8½ O'clock A.M.

Tuesday, Jan 23rd A.D. 1883

Court met this morning at 8/2 o'clock pursuant to adjournment, the same Officers being present as on yesterday.

4087 Elizabeth Harris
vs
Jessie Harris

This day came the plaintiff and the Defendant having been duly served with summons and a copy of the Petition herein and having failed to appear the Court find him in default for answer and demurrer to said petition thereof are confessed by him to be true. The Court also 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 the 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 habitual drunkenness for more than three years last past next preceding the filing of said petition and that by reason thereof the plaintiff is entitled to divorce as prayed for.

It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Elizabeth Harris and Jessie Harris 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 and education and control of the said Children of the parties hereto as named in the petition be until further order confided to the said plaintiff Elizabeth Harris And the defendant is hereby enjoined from interfering in any manner with either of said Children or with the Plaintiff in custody of them but it is hereby ordered that the Defendant have the privilege of visiting said Children once each week, on tuesdays, between the hours of 2 and 5 o'clock P.M. provided he is in a proper condition — but in no case while he is under the influence of intoxicating drink — and any violation of this privilege may be reported to this Court. and that the plaintiff pay the costs of this proceeding-

4088.

4027 John R. Taylor Ex. &c.
Vs.
Isaac Jolliff Et. als

This day this cause came on to be heard upon application and showing of Defendants for a continuance and was upon said application and showing continued at the costs of defendants It is therefore ordered and adjudged that defendants pay the costs of this action made at this term of court taxed to $ within thirty days and in default thereof that Execution issue therefor

J. P. Kritline
vs
Alex. Snodgrass et al

Jury Trial

This day came the parties by their Attorneys, and this cause came on to be tried; and thereupon came a jury to wit= Samuel Cahill, W. C. Wood H. D. Stannates D. D. Snell E. K. Fox John W. Robinson Charles McCampbell Ben. James C. Marriott Jasper King George Nichols and Willard Winget who, being duly impaneled and sworn to well and truly try the issue, joined between the parties in this cause, and a true verdict render according to the evidence, unless withdrawn by consent of parties, is discharged by the Court, and after hearing the testimony, arguments of Counsel, and Charge of the Court, the said jurors, retired to their room to deliberate upon their verdict, and after due deliberation returned into open Court and presented their verdict in writing, in the words and figures following, to-wit= Civil Action Verdict. The State of Ohio, Union County, ss. January Term A.D. 1883 To-wit= Jan. 23rd A.D. 1883. J. P. Kritline Plaintiff vs Alex. Snodgrass et al Defendants. We, the jury in this case, being duly impaneled and sworn do find and say we find for the Defendant Elijah Mitchell. John W. Robinson, Foreman.

4088. Nancy L. Overfield
vs
Gabriel P. Monroe.

This day this cause came on to be heard upon the Motion of Defendant to require the plaintiff to make her petition more definite and certain and the Same being argued by Counsel and the Court being fully advised in the premises does Sustain and Said motion as to the date from which She claimes Compensation it being the first ground of Said motion, and overrules the other three Motions and Leave was granted Plaintiff to amend her Petition in 20 days from this date.

Thereupon Court Adjourned until to Morrow Morning at 8½ O'clock A. M.

Wednesday January 24th A.D. 1883.

Court Met this morning at 8½ O'clock pursuant to adjournment. The same Officers being present as on Yesterday.

621 The State of Ohio
Vs.
Tobias Mumma. } Indictment for Carrying Concealed Weapons.

This day came the prosecuting Attorney on behalf of the State of Ohio and the Defendant being brought into Court in Custody of the Sheriff and also being represented by his Attorney and argued upon said indictment for plea thereto saith he is not Guilty and puts himself upon the Country and the prosecuting Attorney doth the like. At the same time the said defendant requested the Court to fix the amount of the recognizance herein which is accordingly fixed at the Sum of One Hundred Dollars. Thereupon appeared in Open Court the said defendant Tobias Mumma with Isaac Mumma and Michael Cody as his Sureties and entered into recognizance in said sum of One Hundred dollars conditioned for the appearance of said Tobias Mumma before the Court of Common Pleas of Union County Ohio, on the Twenty ninth day of January A.D. 1883 and to abide the orders of the Court.

To the Clerk

George Baldwin, Willard Winget, Howard Vosburg, George Nichal, Hosea Finch, David Thorn.

Issue special Venire for above to appear at 8½ o'clock A.M. January 25th 1883

John A. Price, Judge.

4096 Ellen Hayden
Vs.
Samuel Hayden. } In Divorce.

Now came the plaintiff and the defendant having been legally summoned by publication and the Court finding said publication and proof in all respects regular and according to law do hereby approve the Same. The Court further 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 bonafide resident of the 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 for more than three Years and that by reason thereof the plaintiff is entitled to a divorce as prayed for. It is ordered and adjudged by this Court that the Marriage Contract heretofore Existing between the said Ellen Hayden and Samuel Hayden be and the Same is hereby dissolved and both parties released from the obligations of the Same.

Wednesday, Jan. 24th A.D. 1883

James A. Myers
vs
William Daugbrake et. al

Judgment on Verdict.

The jury in this case having at a former day of this Court, upon an inquiry of damages for the plaintiff, assessed the same against the defendant at $10.00;

It is therefore considered by the Court that the plaintiff, James A. Myers, recover from the defendant, William Daugbrake the said sum of Ten Dollars, so found due together with his costs herein expended taxed to $.

Thereupon Court Adjourned until to Morrow Morning at 8½ O'clock A. M.

Thursday January 25th A.D. 1883.

4192. Bank of Richwood. vs. L. G. Monroe.

This day came the plaintiffs by S.S. Gardner. their 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 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 Plaintiffs as is alleged in said Plaintiffs petition the Sum of $209.10 It is therefore Considered that said plaintiffs do recover of Said Defendant the said Sum of $209.10 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. 3771

4193. The Bank of Richwood. vs C.J. Monroe. and L.G. Monroe.

This day came the Plaintiffs by S.S. Gardner. their 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 Excuted. 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 Defendants to Said plaintiffs as is alleged in Said plaintiffs petition the Sum of $805.93/100 It is therefore Considered that Said plaintiffs do recover of Said Defendants the said Sum of $805.93/100 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. 629

4194. Bank of Richwood vs L.G. Monroe

This day came the Plaintiffs by S.S. Gardner. their 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 sworn 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

Thursday January 25th A.D. 1883.

Plaintiffs petition the sum of $354.55 It is therefore considered that said plaintiffs do recover of said Defendant the said sum of $354.55/100 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 Error are released and all right of appeal and all right to file a petition in Error are waived.

Bill

$9.00 Marysville O. Jan. 25th 1882

Union County Dr. To feeding Jury, King Dalton

J. D. Randbaugh

Orw

The foregoing bill is approved, and the Auditor of Union County is directed to draw his warrant on the Treasurer of said County in favor of J. D. Randbaugh for said sum of $9.00 John A. Price, Judge.

3771 James Dehaven vs David Watson

Now comes the plaintiff by his Attorneys and on his motion dismisses the above action at his costs. and it is hereby considered and adjudged by the Court that judgment be and is hereby rendered against the plaintiff for the costs in this action taxed at $.

629 The State of Ohio vs Eri Watkins } Indictment for disturbing a Meeting.

This day came 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 after being fully advised in the premises It is ordered and adjudged by the court that the said defendant Eri Watkins pay a fine of Twenty five dollars and the cost of this prosecution, and that he be imprisoned in the jail of Union County, Ohio for the term of two days; and that he stand committed to the jail of said Union County Ohio until the amount of said fine and costs shall be paid.

Thereupon Court adjourned until to morrow morning at 8½ o'clock A.M.

Friday Morning January 26th A.D. 1883.

Court met this day at 8 o'clock A.M. pursuant to adjournment, the same officers present as heretofore.

4068

4130 Peleg Cranston Admr.
Vs
C.J. Monroe
A. Walter. &
John M. Horn.
Money Only

And now came the plaintiff herein and the defendants C.J. Monroe and John M. Horn 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 defendants C.J. Monroe & John M. Horn are indebted in the sum of four Hundred forty nine & 60/100 Dollars ($449.60) It is therefor Considered by the Court that the said plaintiff as said Administrator recover from the said Defendants C.J. Monroe & John M. Horn or either of them the said Sum of Four Hundred Forty nine & 60/100 Dollars with interest from January 26th 1883 at 6 per cent per annm and his costs herein Expended Taxed to ft. It is further Ordered by the Court that this cause be continued as to A Walter for Servica of Process.

Harriet Alexander Plff.
Vs
W. H. Conkright. Admmistrator with the Will Annexed of the Estate of Nicholas Mumy. Dec'd

This day this cause came on to be heard on the motion filed by the Defendant on the the 23rd day of January 1883 to make the Plaintiffs petition more definite and Certain in the matter in said motion set fourth & more argued by Counsel; on consideration whereof the Court doth Sustain said motion. Thereupon on application of the plaintiff — leave is given to the plaintiff to file an amended petition on or before Tuesday the 6th day of February 1883. & leave is given to Defendant to answer or demur on or before the 6th day of March 1883.

4079 George B Hamilton Plff.
Vs.
Nelson Walker Et. als. Defts.

This day came the Defendant David E. Taylor by Carpenter his atty and by leave of the court withdrew his answer and cross petition filed herein and the said plffs by Coles his attorneys obtained leave of the Court to withdraw his reply to said answer.

4068 Oscar Gregg
vs
J.M. Dunn

This day came the parties by their Attorneys, and this cause came on to be tried; and thereupon came a jury, to-wit= G.S. Robertson, Lemuel Cahill, N.S. Staunton, D.S. Sneed, E.K. Fix, O. Marriott, Willard Winget, Harvard Vasbury, George Nichol, N.D. Doolittle, David Sharp and G.S. Robertson who, being duly impaneled and sworn to well and truly try the issue, 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 retired to their room to deliberate upon their verdict and after due deliberation returned into open Court and presented their verdict in writing, in the words and figures following, to-wit: Civil Action Verdict. The State of Ohio, Union County, ss, Jan. Term A.D. 1883, to-wit= Jan. 26th A.D. 1883. Oscar Gregg, Plaintiff vs J.M. Dunn, Defendant, We, the jury in this case, being duly impaneled and sworn do find and say that we find for the defendant and assess his damages at $.05 cts and we also find that the Defendant, at the commencement of this suit, had the right of possession of the property in controversy, Lemuel Cahill, Foreman.

William B. Blayney
vs
The Delaware County National Bank

This day came the said parties by their Attorneys and thereupon this cause came on to be heard upon the Petition of Plaintiff, the answer of Defendant and testimony. On consideration whereof the Court do find that the judgment was taken upon a warrant of Attorney and that the defendant was not summoned or legally notified of the time & place of taking said judgment and that said judgment was taken for more than due plaintiff. It is therefore considered that said judgment heretofore rendered in said action at the September Term of this Court A.D. 1882 be and the same is hereby vacated and set aside with costs and that the said Wm B. Blayney have leave to answer the same in twenty days from the rising of this Court and thereupon this cause is continued with leave to Bank to substitute copy for the original note filed with petition. "By agreement"

Friday, Jan. 26th A.D. 1883

Howard Rodgers
vs
The First National Bank of Delaware Ohio

This day came the said parties by their Attorneys and thereupon this cause came on to be heard upon the Petition of Plaintiff, the Answer of Defendant and testimony, On consideration whereof the Court do find that the judgment was taken upon a warrant of Attorney and that the Defendant was not summoned or legally notified of the time and place of taking said judgment and that said judgment was taken for more than due Plaintiff. It is therefore considered that said judgment heretofore rendered in said action at the Sept. Term of this Court A. D. 1882 be and the same is hereby vacated and set aside with costs and that the said Howard Rodgers have leave to answer the same in twenty days from the rising of this Court and thereupon this cause is continued with leave to Bank to substitute copies for the original notes filed with petition.

William B. Blayney.
vs
The First National Bank of Delaware, Ohio.

This day came the said parties by their Attorneys and thereupon this cause came on to be heard upon the Petition of Plaintiff, the answer of Defendant and testimony, On consideration whereof the Court do find that the judgment was taken upon a warrant of Attorney and that the defendant was not summoned or legally notified of the time and place of taking said judgment and that said judgment was taken for more than due Plaintiff. It is therefore considered that said judgment heretofore rendered in said action at the September Term of this Court A.D. 1882, be and the same is hereby vacated and set aside with costs and that the said William B. Blayney have leave to answer the same in Twenty days from the rising of this Court. And thereupon this cause is continued with leave to Bank to substitute copies for the original notes filed with petition.

Thereupon Court adjourned until to-morrow morning at 8½ o'clock.

Saturday. Jan. 27th A.D. 1883

Court met this morning at 8/2 o'clock pursuant to adjournment, the same officers being present as on yesterday.

4055 Sarah Goff
vs
Martine Goldsbury et. al

Now comes the parties herein by their Attorneys and thereupon this cause came on to be heard upon the petition and answer of Allen Cauklin, Ira Cauklin, Ada Cauklin, Wasley Tribet, Willoby Tribet, Lucinda Goldsbury, Frank Goldsbury, Isabella Goldsbury, Charles Goldsbury, Harry Goldsbury, Bertie Goldsbury and Willoby Goldsbury minor defendants by T. B. Benton their Guardian ad-li tem and the evidence, On consideration whereof the Court find that the said Lucindia Goldsbury widow is entitled to dower in the premises described in the petition, and that subject thereto the said plaintiff Sarah Goff is seized of and has a legal right to the undivided Elevenths part of the estate described in the petition and is entitled to have partition made of said premises, that the defendants are tenents in common with the said plaintiff in the said premises in the following proportions, to-wit= that subject to such of the said Lucindia Goldsbury the said Martine Goldsbury is seized of and has a legal right to the undivided Eleventh part thereof: to Elizabeth Poling the undivided Eleventh part: to Allen Cauklin the undivided thirty third part: to Ira Cauklin the undivided thirty third part: to Ada Cauklin the undivided thirty third part: To Wasley Tribet the undivided twenty second part: To Willoby Tribet the undivided twenty second part: To Frank Goldsbury the undivided Eleventh part: To Isabella Goldsbury the undivided 1/11 part: To Charles Goldsbury the undivided Eleventh part: To Henry Goldsbury the undivided 1/11 part: To Bertie Goldsbury the undivided Eleventh part: To Willoby Goldsbury the undivided 1/11 part: And no reason appearing why partition should not be made: It is therefore ordered & decreed by the Court that Lucindia Goldsbury be endowed of one full equal third part of said premises & that subject thereto partition of said estate be made, And that an order issue to the Sheriff of said County of Union commanding him that by the oaths of Chas Lee, John Barns & George Worline, three judicious and disinterested freeholders of the vicinity who are not of kin to either party & who are hereby appointed commissioners for that purpose be set off and assign such dower to the said Lucinda Goldsbury according to law, and that by the like oaths of said 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 metes and bounds without injury to the value thereof, they appraise the same, both subject to and free from dower of the said Lucinda Goldsbury. And of his proceedings herein the said Sheriff is ordered to make due return without unnecessary delay.

Thereupon Court adjourned until Monday at 1 O'clock P.M. Jan 29th 83

Monday, Jan. 29th A.D. 1882

Court met today pursuant to adjournment at 1 o'clock P.M. the same officers being present as heretofore.

4195 Godeman Ed Thornhill vs C.J. Monroe Ed L.G. Monroe

This day came the Plaintiff by S.S. Gardiner their 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 issueing 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 $107.05 It is therefore considered that said Plaintiff do recover of said Defendant the said sum of $107.05 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.

4196 Godeman Ed Thornhill vs C.J. Monroe Ed L.G. Monroe

This day came the Plaintiffs by S.S. Gardiner their 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 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 Defendants to said Plaintiffs as is alleged in said Plaintiffs petition, the sum of $200 54/100 It is therefore considered that said plaintiffs do recover of said Defendants said sum of $200.54 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 8 per centum per annum. And by virtue of said warrant of Attorney, all errors are released, and all rights of appeal, and all right to file a petition in error are waived.

Thereupon Court adjourned until tomorrow morning at 8/2 o'clock.

4169

4201

Court met this morning at 8½ o'clock pursuant to adjournment, the same Officers being present as on yesterday.

4169 McKee Weakley & Co. vs Nathan M. Converse et. al

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 defendants are indebted to the plaintiffs in the sum of One Hundred and Sixty five 04/100 Dollars $165 04/100 It is therefore considered by the Court that the plaintiffs recover from the said Defendants the said sum of One Hundred and Sixty five 04/100 Dollars — $165 04/100 — with 8% int. from Jan. 29th A.D. 1883 and their costs herein expended taxed to $.

4201 A. B. Wilcox Exc &c vs Daniel Miller

This day came the plaintiff by E. E. Cole attorney, and thereupon came J. B. Foster 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 $166.22. It is therefore considered that said Plaintiff do recover of said defendant the said sum of $166.22 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.

Thereupon Court adjourned until tomorrow at 8½ o'clock A.M.

Wednesday Jan. 21st A.D. 1882

Court met this morning at 8½ o'clock pursuant to adjournment, the same officers being present as on yesterday

4161

419 The Peoples Bank vs J. H. Gaston et al

This day came the Plaintiff by N. T. Carpenter Attorney, and thereupon came N. T. Hooper 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 Defendants to said Plaintiff as is alleged in said petition, the sum of $104 44/100.

621.

It is therefor considered that said plaintiff do recover of said Defendants the said sum of $104 44 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.

4172 Mary E. Randall vs Fred. Stukey, John D. Adams et al

And now comes the said Mary E. Randall by N. T. Carpenter her 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 her in the premises, and the Court after hearing the evidence do find that there is due from the defendants Frederick Stukey and John D. Adams to the said plaintiff on the note and Mortgage in said petition described the sum of $365 90/100 (up to Jan. 8th 1882) It is therefor considered by the said Court here that said plaintiff recover of said plaintiff Fredrick Stukey and John D. Adams the said sum of $365 90 with 6 p% int. from Jan. 8th 1882 the sum so found due as aforesaid and also her costs taxed $. And it is further ordered and adjudged, that in case said Fredrick Stukey and John D. Adams fail for five days from the entry of this (decree) judgment and order, to pay to said plaintiff the sum of $365 90/100 with 6 p% int. from Jan 8th 1882 so as aforesaid found due with costs of suit, an order issue to 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 said sale in satisfaction of the said sum so found due with costs of suit and leave is given to the defendant R. R. Randall to answer within 20 days.

Wednesday Jan. 31st A.D. 1882

4161 Royer Wheel Company vs J. M. Parmer

And now comes the said Royer Wheel Company and the said J. M. Parmer having failed to demur or answer to the petition of the said Royer Wheel Company it is considered that the said Royer Wheel Company ought to recover the said sum of $281 75/100 so demanded in its petition, together with the sum of 61 cents which the Court finds due as the interest thereon (up to Jan. 8th 1882 the first day of this term) as prayed for in said petition; It is therefor considered that the said Royer Wheel Company recover against the said J. M. Parmer the said sum of $282 36/100 (with 6 p/c from Jan. 8th 1882) together with its costs in and about its suit in this behalf expended taxed to $,

621. The State of Ohio vs Tobias Mummy } Indictment-for Carrying Concealed Weapons

This day came the prosecuting attorney on behalf of the State of Ohio the defendant was 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 as charged in said indictment which plea is accepted by the prosecuting attorney. thereupon the Court after being fully advised in the premises, It is ordered and adjudged that the said defendant-Tobias Mummy pay a fine of fifteen dollars. and the costs of this prosecution and that he stand committed to the jail of Union county, Ohio until the amount of said fine and costs shall be paid.

Thereupon Court adjourned until tomorrow morning at 9 o' clock

Thursday, Feb. 1st A. D. 1883

Court met this morning at 8½ o'clock pursuant to adjournment, the same Officers being present as on yesterday.

2958 Richard W. McCamey vs James Mulvain

This day came the parties and settled this cause and by agreement each party is to pay the costs made by him. It is therefore adjudged by the Court that the Defendant pay the costs made by him, and the Plaintiff pay the costs made by him, and in default that execution issue against the party in default.

2872 Truxton Ford vs Josiah Carr et. al

This day came the plaintiff and made proof of due notice to defendants by publication according to the order of the order of the Court made in this case and thereupon this cause came on to be heard on the pleadings and evidence.

Whereupon the Court find from the evidence that the allegations of the petition are true and do order and decree that the mortgage and notes in said petition described be and they are hereby cancelled and said lands quieted as against said notes and Mortgage, And the Clerk of this Court ordered to enter the said Cancellation on the records of Mortgages in this county and the said plaintiff is ordered to pay the costs herein in ten days and in default thereof that execution issue therefor.

3147 Joseph E. Faulke vs George Soar

On motion of the Plaintiff this cause is dismissed without prejudice at the cost of the Plaintiff.

It is therefore adjudged by the Court that the plaintiff pay the cost of this proceeding taxed to $. and there is to be no record.

4032 Martin J. Lockhardt vs C. D. Sidle W. & C } Settled and cost paid

Thereupon Court adjourned until tomorrow morning at 8½ o'clock.

4185

3789

4069

Court met this morning at 9 O'clock pursuant to adjournment, the same Officers being present as on yesterday.

4180 Almina Godfrey } vs. Walter Hartman }

This day came the parties and thereupon the defendant put in his plea of Guilty to the charge of plaintiff against him.

Whereupon it is ordered and adjudged by the Court that the said Defendant secure and pay according to law for the support of said plaintiff and child the sum of two Hundred and fifty dollars. And thereupon came said Defendant and paid and secured to Complainant said sum of two hundred and fifty dollars to her entire satisfaction and paid the costs of this cause. And the matters and things alleged in cause #3942 are also settled and the costs therein paid and all claims for damages for breach of promise also settled between the parties. No record to be made in cause No. 3942 but a full and complete record to be made of this proceeding And thereupon the defendant is discharged from custody.

George B. Hamilton } vs Nelson Walker et al }

On motion of the Plaintiff by his Attorney and good cause being shown therefor it is ordered that W. S. Rodgers be made a party defendant in this case and that summons issue to the Sheriff of Union County to bring in said Defendant

3789 Sarah Marmon } vs A. J. Blake et al }

This cause came on to be heard on Motion of Plaintiff for leave to file an amendment to her petition in this case, by making the individuals who were Members of Mt Carmel Lodge No 303 of Free & accepted Masons of Richwood Ohio at the time the Note mentioned in the petition was Executed was argued by counsel, and the court being fully advised in the premises Sustain said Motion, and Leave is hereby granted to plaintiff to file an amendment as aforesaid within 60 days from the rising of the Court and cause continued.

4069 Hirarm Yoder } vs C. C. C & Ry Co }

This day came the parties and Settled this cause at the cost of the plaintiff and cost is paid and by agreement there is to be no record.

Friday, Feb. 2nd A.D. 1883

Bills $7 75/100 Marysville Ohio Jan. 17th 83

Union County In account with W. D. Smith,

To meals for Jury man and Sheriff & Attendance Seven 75/100 Dollars

Correct and unpaid J. Hobrusack Sheriff U.C.C.

The foregoing bill is approved and the Auditor is directed to draw his warrant on the Treasury for said sum of $7 75/100 in favor of said W. D. Smith, Signed John A. Price Judge

635

" $8 00 Marysville Ohio Feb. 2nd A.D. 1883

Union County Dr To feeding Jury $8 00 J. D. Radebaugh.

Correct and unpaid. John Hobrusack. Sheriff.

The foregoing bill is approved and the Auditor is directed to draw his warrant on the Treasurer in favor of J. D. Radebaugh for said sum of $8 00 John A. Price. Judge

To the Honorable John A. Price Judge, Union County, to John Hobrusack Sheriff, Dr

For service of Thomas Martin, Bailiff attending Court 24 days @ 2$ $48 00

" " " Henry Hobrusack Special Seven days at $2 00 per day 14 00

" " " C. M. Robinson Special 2 " " $2 00 " " 4 00

" " " Lewis Woods Janitor 76 days " $1 00 " " 76 00

Total $92 00

I certify that the above bill is correct and unpaid John Hobrusack. Sheriff.

The foregoing bill is approved and the Auditors of Union County is directed to draw his Warrant on the Treasury of said County in favor of said John Hobrusack, Sheriff, for said sum of $92 00

John A. Price, Judge.

4039

3947 J. P. Kratline vs Alf Snodgrass and E. Mitchel

This day this cause came on to be heard upon the Motion of the plaintiff for a new trial. was argued by Counsel and Submitted to the Court, upon consideration whereof the court sustains said Motion, and the verdict heretofore returned is set aside and a new trial granted. and it is further ordered and adjudged by the Court that the plaintiff and the defendant E. Mitchel pay their own costs since January 11th 1883. To all of which the defendant E. Mitchel Excepts.

3904

William Kightlinger vs C. C. C & I R R. Co

Leave to reply in thirty days from rising of the court.

3913

Friday February 2d A. D. 1883

635 The State of Ohio vs Joseph Brown } Indictment for Housebreaking and Petit Larceny.

The defendant in this case having on a former day of this term entered a Plea of guilty to the charge of the indictment in this case was this day brought into court in the custody of the Sheriff, 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 Joseph Brown pay a fine of five dollars, and the costs of this prosecution; and that he be imprisoned in the jail of Union County, Ohio for the term of Sixty days, and that he stand committed to the jail of said Union County Ohio until the amount of said fine and costs shall be paid.

Elizabeth Waldon vs J. A. Culbertson }

Now comes the defendant by his attorney and upon his Motion, leave is granted by the court to file answer within ten days from this date

4039 A. H. Thompson vs Geo Jordan & J. M. Hoskins }

This day came the parties and thereupon this cause came on to be heard upon the demurrer of defendants to plaintiffs petition and was argued by counsel. On consideration whereof, and the court being fully satisfied in the premises Sustains said demurrer, and the plaintiff not further to plead, this action is dismissed without record, at costs of said plaintiff for which Execution is awarded.

Lucinda Ford, vs D. S. Ford } Leave to file answer by Feb 12th 1883 and cause continued.

James W. Robinson vs A. Holmes Et. al } This day this cause was continued by agreement.

3404 Catherine Robbins vs Orion Robbins. Continued

3913 The State of Ohio vs Winget-Harriman. Continued for want of time

Friday February 9th A. D. 1883

3790 Cyrus Starnet vs A. J. Blake et al

This day this cause came on to be heard upon the Motion of the plaintiff for leave to file an amendment to this petition filed herein, by Making the individuals who were Members of Mt Carmel Lodge No 303 at the time the Note Mentioned in said petition was Executed parties defendant to this action, was argued by Counsel, and the court being fully advised in the premises Sustained said Motion and Leave is granted as prayed for, Amendment to be filed in 60 days from the rising of Court and cause continued.

3791 D. S. Stevens vs Joseph Gratty et al

This day this cause came on to be heard upon the Motion of plaintiff for leave to file amendment to his petition by Making the individuals who were Members of Mt Carmel Lodge No 303 at the time the Note Mentioned in said petition was Executed Parties defendant to this action was argued by Counsel and the court being fully advised in the premises Sustains said Motion and leave as prayed for is hereby granted, Amendment to be filed within 60 days from rising of Court and cause continued.

4068 Oscar Gregg vs J. M. Dunn

This day came the parties by their attorneys and thereupon this cause came on to be heard upon the motion of the plaintiff for a new trial, which Motion was argued by Counsel and submitted. And 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

The court thereupon proceeding to enter judgment upon the verdict of the jury. It is considered and adjudged by the court that the said defendant recover of the said plaintiff at said sum of Five cents the sum so as aforesaid found due together with his costs herein Expended taxed to $

4083 J. A. Long vs C. C. C & I Ry Co

This case is Settled at cost of plaintiff and Cost Paid. No Record

Friday, February 2d A.D. 1883.

615 The State of Ohio
vs
William Fist and
David Beard
} Indictment for throwing a glass bottle at a Railroad train

This day came the prosecuting attorney on behalf of the State of Ohio and the said defendants both appearing in court according to their recognizance heretofore taken & Entered into, and also being represented by their Counsel herein. And it appearing to the court that there will not be sufficient time to try this cause at this term of court, and said defendants being present in open court and expressly consenting thereto. It is therefore considered and adjudged that this cause be continued to the next term of this court upon said defendants entering into recognizance as fixed by the court at the last term of this court which said amounts of said recognizance are hereby reaffirmed by the court, Thereupon the said defendant William Fist with Jacob Fist and Mathew Leingree as his sureties Entered into recognizance in open court in the Sum of Five Hundred dollars conditioned for his appearance in said court on the first day of the next term thereof to answer said charge.

Thereupon also came the said defendant David Beard with Jacob H Fist & W. Beard and Mathew Leingree as his Sureties and Entered into recognizance in the Sum of Three Hundred dollars conditioned for his appearance in said court on the first day of the next term thereof to answer to said charge-

4200 State of Ohio upon the relation of S. B. Robinson
vs
Nathan Howard Uriah Cahill & Luther Liggett
Board of County Commissioners of Union County Ohio

This day this cause came on to be heard in open court upon the application of the relator S. B. Robinson for a writ of Mandamus to be issued by this court to the defendants Nathan Howard, Uriah Cahill and Luther Liggett the board of County Commissioners of Union County Ohio, Commanding them to issue and deliver to the relator S. B. Robinson the Bonds of Union County Ohio in the Sum of $722.22 with interest thereon from the 6th day of May A D 1881.

It is therefore ordered by the court and it being during its January Term A. D 1883 that an alternative writ of Mandamus issue to the said Nathan Howard, Uriah Cahill and Luther Liggett the Board of County Commissioners of Union County Ohio, Commanding them to issue and deliver to the relator S. B. Robinson of the Bonds of Union County Ohio the Amount of $722.22 with interest thereon from the 6th day of May A D 1881 and as prayed for in the relators petition, & Show cause why they should not issue to said relator of the bonds of said County the said sum with the interest thereon. That the said writ is ordered to be made returnable on the 5th day March 1883

Friday, February 2d A. D. 1883.

4204 Union County Bank
vs
C. J. Monroe et al
L. L. Monroe

This day came the plaintiff by A. H. Brightler its attorney, and thereupon came E. 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 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 defendants to said plaintiff as is alleged in said plaintiffs petition, the sum of $ 111.13- It is therefore considered that said plaintiff do recover of said defendants the said sum of $ 111.13 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 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. 4090

4202 The Huber Manufacturing Company
vs
Martin Turner

This day came the plaintiff by Robenson & 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 issueing 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 $ 842.43- It is therefore considered that said Plaintiff do recover of said defendant the said sum of $ 842.43 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. 215-7

4203½ Union County Bank
vs
Ella Argo et al G. H. Argo

This day came the plaintiff by A. H. Brightler its attorney and thereupon came E. 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 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 defendants to said plaintiff as is alleged in said plaintiffs petition the sum of $261.30. It is therefore considered that said plaintiff do recover of said Defendants the said sum of $261.30 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 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 are waived.

4090 Mary Ko. Robertson
vs
Elias Robertson

This day this cause came on to be heard upon the pleadings and evidence and the defendant being in default for answer or demurrer the 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 the said petition set forth. The court further finds upon the evidence adduced that the defendant has been guilty of willful absence for nearly six years and 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 Mary Ko. Robinson and Elias Robertson 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 Mary Ko Robertson recover from the said Elias Robertson her Costs herein Expended and Execution is awarded,

215-7 James Sweeney et al
vs
The Board of County Commissioners et al

This day came on this cause to be heard, and by consent and agreement of parties this cause is submitted to John Ko. Rinkade as Master commissioner to take the Testimony and report the facts upon the issues joined between the parties and report the Evidence and his findings upon the law and the evidence.

Melissa D. Snodgrass
vs
Alex Snodgrass

This day this cause is dismissed at the cost of Plaintiff—

Friday February 2nd A.D. 1883.

2623 Maria Stickels vs John Stickels

It appearing to the court by the agreed Statements of Counsel on both parties Sides that since this action was brought both the plaintiff and said John Stickels have died and no personal representatives has been appointed for either of them. It is ordered that this cause be dismissed from the docket.

617 The State of Ohio vs Lanson B. Harvey } Indictment for seducing a girl under 18 years of age under a promise of Marriage.

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;
C. S. Robertson. Lemuel Cahill. D. S. Bull. E. H. Fox A. Marriott Benjamine James. and Charles McCampbell regular jurors and A. D. Doolittle. L. S. Baldwin W. H. Robb. W. H. Loveless & D. T. Elliott who were duly impannelled 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- Lanson B. Harvey guilty, in Manner and form as he stands charged in the indictment, but- ask for him the Mercy of the court. W. H. Robb. Foreman.

577 State of Ohio vs Jas Lefridge- Continued for ~~arrest~~, Sentence

578 State of Ohio vs Jas Lefridge. Continued for Sentence.

627 State of Ohio vs Henry Downs. Continued for arrest.

631 State of Ohio vs Joseph Brown. Continued for Sentence

632 State of Ohio vs Joseph Brown. Continued for Sentence.

633 State of Ohio vs Joseph Brown. Continued for Sentence.

634 State of Ohio vs Joseph Brown. Continued for Sentence.

636 State of Ohio vs A. W. Wilson - Continued for Arrest.

3HHD S. S. McCrackin vs I. W. McCrackin et al. Continued

3649 J. W. Cummings vs Irene Waddle et al Continued

628

4041

4031

3756

3859

3881

628 The State of Ohio } Indictment-for grand Larceny.
vs
Alfred Evans }

This day came the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the Sheriff and also being represented by counsel, and it appearing to the court-there would not be sufficient-time to try said defendant at-this term of the court-and the defendant consenting thereto. It is ordered and adjudged that-this cause be continued to the next-term of this court, and the defendant thereupon requested the court to fix the amount of recognizance herein which is accordingly fixed at-the sum of Five Hundred dollars, and said defendant being unable to furnish sufficient-surety for his appearance he is remanded to the custody of the Sheriff to await-trial at the next-term hereof.

John B. McDowell }
4041 vs
James B. Whelpley et al }

This day the plaintiff declining to further amend his petition since sustaining of a demurrer thereto at a former term of this court, it is considered and adjudged that plaintiffs petition be dismissed at his cost, and that-in default-of payment of the same execution be awarded against-him, to which ruling and judgment-of the court-the plaintiff Excepts-

George M. Richard }
4031 vs
James B. Whelpley et al }

This day by the agreement of the parties A.T. Carpenter Esqr was appointed by the court a Special Master commissioner to take testimony in writing and report the same to the court, and therewith his conclusions on the law and facts involved in the issues joined between the parties in the aforesaid action

3756 H. C. Russel vs D. W. Parrish. Continued

3857 Lucinda Ford vs Rhoda Ford. Continued

3881 Ann P. Anderson vs T. T. Anderson. Continued

Friday, February 2d A.D. 1883.

3968 Jonah Laner vs Laura E. Laner. Continued

3973 Mary Ramsey vs John W. Ramsey. Continued

3985 Homer A Denman vs Sarah Denman. Continued

3991. S. J. Thomas vs E. A. Finnefrock Admr &c Continued

3993 W. B. Baker vs Rosina Baker Continued

4012. Justin P. Johnson vs Eliza Johnson et al } Damage. Jury Trial
Jury disagree & cause Continued.

4003 Charles Cain vs Matilda A Cain } Cause dismissed without prejudice at Plaintiffs cost.
It is therefore considered, ordered and adjudged by the Court that the plaintiff pay the cost of this action taxed to and in default of payment thereof that Execution issue therefor.

4012 Homer B Loveland vs Eliza Johnson } Cause dismissed without prejudice to a new action at cost of Plaintiff.
It is therefore ordered and adjudged by the Court that the plaintiff pay the cost of this action taxed to $ and in default of payment thereof that Execution there for,

4025 Mary A. Sanborn vs John C. Ramsey } Continued,

4030 Benedict Fiske vs S. S and A. J. Davis et al. Continued

4033. Washington Amerine vs W. H. Ferguson } Dismissed without prejudice at plaintiffs cost
It is therefore ordered and adjudged by the Court that the plaintiff pay the cost of this action taxed to $. and in default thereof that Execution issue therefor.

4037. F. H & W. Otte vs Wintie C. Hawkins. Continued

4042. Perry Douglass et al vs J. B. Whelpley et als. Continued

4050 4058 4065 4070 4072 4073 4074 4093 4101 4128 4133 4139 4141 4144 4147 4162 4163 4171 4173 4167 4168 4175

Friday February 2d A.D. 1883.

4050	Lorey Kilfian vs Thomas Kilfian.	continued
4058	State of Ohio vs John S. Green.	Dismissed by order of Court
4065	State of Ohio vs A.A. Mather.	Continued.
4070	Thomas Martin vs Oscar Gregg.	Continued
4072	Otterbein University vs Stephen Cranston, Admr.	Continued by agreement.
4073	Union Biblical Seminary vs Stephen Cranston Admr.	Continued by agreement
4074	State of Ohio vs William White.	Dismissed for want of prosecution
4093	Ella Spain vs George Slagle et al.	Continued
4101	Sarah Mummy vs David Mummy.	Continued
4125	Jacob Eddleblute vs Mary L. Eddleblute.	Continued.
4133	E. C. Thorton Exco vs Catherine Joseph et al.	Continued
4139	Catherine Eastman vs Ephraim Eastman.	Continued for Service
4141	Jas D McNeal, vs N.Y. P & O R.R. Co.	Continued
4144	J. C. Finley vs William Knightlinger et al –	Continued by agreement –
4147	Amanda A. Butler et al vs John Chapman.	Continued
4162	Le. J. Webster et al vs. Richard Mayfield et al	Continued
4163.	Sarah E. Graham vs William Graham.	Continued
4171	Mary A. Bailey vs Anthem Bailey.	Continued
4173	P. B. Cole vs Jas Ko. P. Welch et al	Continued
4167	Oglesby Ann B. vs J. S. Alexander et al	Continued
4168	Peleg Cranston admr vs Charles Bird et al	Continued
4175	Asa Wilcox vs Huldah Wilcox et al	Continued

Friday, Feb. 2nd 1853

Thomas E. Powell surviving partner of Wm. P. Reid doing business under the firm name of Reid and Powell
vs
John N. Coleman, Mary C. Coleman and William N. Coleman

} Court of Common Pleas - Union County, Ohio.

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 and 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 as the term of Office of William N. Coether Sheriff of Delaware County, Ohio, who made the said sale has expired and that James E. White, his successor as Sheriff of said County it is ordered that said James E. White Sheriff of said County of Delaware make to the purchaser George W. Brown a deed in fee simple for the lands and tenements so sold, to wit=

Situate in the County of Delaware and State of Ohio and in Scioto township, being lot number three (3) in survey number 2884 in the name of C. Springer in the Virginia Military District bounded and described as follows: On the north by the lands of James Liggett and Mr. Parsons, South by lands of J. Morey and W. G. Mc Farland and west by lands of J. Noble containing Eighty (80) acres of land, and being homestead farm of the late Daniel N. Coleman, The part hereby conveyed being the undivided three fourths part thereof, to wit= the one fourth part thereof owned by John N. Coleman, the one fourth part thereof owned by Mary C. Coleman, and the one fourth part thereof owned by William N. Coleman, subject to the life estate therein of Mariah Coleman. And the said purchaser is hereby subrogated to all the rights of the lien holder who shall be satisfied herein for the protection of his title.

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 $ Second to the plaintiff Thomas E. Powell the amount of the judgment herein rendered with interest to this date less a credit of $75cc paid said Powell and the sum of $150cc paid W. P. Reid Deceased leaving balance due said plaintiff of $661cc which is hereby ordered paid said Thomas E. Powell plaintiff. Third The Balance of the proceeds of said Sale bring $ to said John N. Coleman, Mary C. Coleman and William N. Coleman in Equal proportions.

4108

3589

3588

Feb. 2nd 1882

To Hon. John A. Price Judge,

Union County, to John Hobrunack Dr.

For subpoening Grand Jury Witnesses $60 20
" serving Writes 13 50
Total. $73 70

The above is correct, just and unpaid. John Hobrunack.
Sheriff.

4108 Ruhama Price
vs
John C. Price

This day came the Plaintiff and withdrew this cause on the agreement of Defendant to pay the costs.

It is therefore considered and adjudged by the Court that Defendant in ten days pay the costs herein taxed to $. And in default thereof that execution issue therefor.

D. N. Stockstill & Co
vs
John W. Hoyt

On motion of the defendant by his attorney and good cause shown therefor it is ordered that the plaintiff give security for costs herein within ten days. from Feb 3d

3589 Orrin Hammond
vs
The C. C. C. & I. R'way Co

This day came the parties and settled this cause. and by agreement - Each party is to pay one half of the cost - except depositions which are to be paid by plaintiff in this case to be taxed. No record. It is therefore adjudged by the Court that one half of the cost in this case in addition to the Cost of depositions be paid by plaintiff and one half less said depositions be paid by the defendant - and in default of either party to pay as herein adjudged that - Execution issue against the party in default -

3588 Benj Norris
vs
C. C. C. & I. R'way Co

This day came the parties and settled this cause and by agreement - each party is to pay one half of the cost - except depositions which are to be paid by plaintiff in this case to be taxed No Record - It is therefore adjudged by the Court that one half of the cost - in addition to the Cost of depositions be paid by plaintiff and one half less said depositions be paid by defendant - and in default of either party to pay as herein adjudged that Execution issue against the party in default -

Friday February 2d A. D. 1883.

4022 Velasco J. Case
vs
Clinton W. Case et al

This day this cause came on to be heard upon the petition of plaintiff the answer of the defendants and the evidence offered by the parties, and was argued by counsel, and the court being fully advised in the premises do find the equity of the case to be with the plaintiff, that the contract was made between plaintiff and said Newton Case, as plaintiff hath claimed in his petition and that the plaintiff is entitled to the Specific Execution and performance of the same, as to so much of said 213 acres of land mentioned in his petition as is described as follows= 4152

Situate in the county of Union and State of Ohio, and in Taylor township, and Virginia Military Survey No 3691. and bounded and described as follows= Beginning at a beech S.W. corner to a piece of land sold by Lewis Lunsford to John McCombs. running South 84d 25' E 147 65/100 poles to a beech and ash. Thence N 8° E 180 poles to a State or Stone in the center of the road leading up Bokes Creek on the South side. thence N 71½° W 8 poles to the center of the Creek. Thence up the creek with the meanders thereof N 67¼ W 13 poles 22 links N 37 W 46 poles 17 links S 76 W. 19 poles 5 links N 56½ W 26 poles N 6½ E 8 poles 14 links. S 83½ W 16 poles N 72 3/4 W. 24 poles 18 links. Thence leaving the creek S 8 W 9 poles 15 links to the center of the before named County road. thence with said road N 83° W. 12 poles to a State in the original West line of the above named Survey No 3691. Thence with said line S 8° W 131 poles to the place of beginning containing 166 acres and 27 poles be the same more or less. 4146
Being the same land conveyed by John W. Miller and Wife by deed dated August 29th 1836, and recorded in Union County Record of Deeds Vol 20 pages 421 and 422.

The court further find the Equity of the case to be with the defendants as to the remaining portion of said 213 acres.

It is therefore ordered, adjudged and decreed that within Sixty days from the 2d day of February A D 1883. the said Clinton W. Case Lucretia Kent and Elmore Kent her husband Electa Wilcox and Charles Wilcox her husband Rachel Joslin and William Joslin her husband, and Minerva Jenkins Execute and deliver to said Velasco J Case a good and Sufficient deed conveying said tract of 165 acres and 27 poles above described. to the said Velasco J. Case in fee simple and in default of the execution and delivery of such deed as aforesaid by the defendants above named, it is ordered and adjudged that this Judgment and decree Shall have the force, Effect and operation, of such conveyance. So as to invest the title to said premises in the said Velasco J. Case in fee simple.

It is further considered and adjudged that the plaintiff

pay the costs by him made, in this cause, and the defendants pay the costs by them made, and in default of such payment by either party that execution issue therefor.

And 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 $500.00.

4152 Peleg Cranston Admr of Newton Case
vs
James Mulvain

And now came the parties hereto by their attorneys and this cause came on to be heard upon the demurrer of the plaintiffs first cause of action was argued by counsel and submitted to the court, and the court being fully advised in the premises do overrule said demurrer and the defendant by his answer herein filed admitted his indebtedness to the plaintiff in the sum of Two hundred ninety two 92/100 Dollars. ($292.92)

It is therefore considered that the plaintiff Peleg Cranston Admr of Newton Case Decd recover from the defendant James Mulvain the said sum of Two hundred Ninety Two 92/100 dollars so admitted to be due with 8% int on $69.25 of said amount and 6% int on balance from February 2d 1883 together with his costs in this behalf expended taxed to $.

And as to the balance of plaintiffs claim $200 with 8% interest from July 17th 1880 this cause is continued.

4146 Joseph A. Shipley
vs
William Shipley et al

This day this cause came on to be heard on motion of the plaintiff to confirm the report of the commissioners to-wit- Thomas Fulton, Lewis Monroe & Sylvanus Taylor heretofore appointed by the court to partition the lands described in the petition, and according to the order of partition heretofore made, was argued by counsel and upon producing the return of the Sheriff and the report of said commissioners, and the Court being fully advised in the premises and said return & report being in all things in accordance with the Statutes of the State and the order of partition aforesaid.

It is therefore ordered and adjudged by the Court that said Report of said commissioners be, and the same is hereby confirmed, and this coming on further to be heard upon the election of the plaintiff Joseph A Shipley to take said premises at the appraised value thereof as returned by said commissioners to-wit- $800.00, and there being no objections thereto by any of the parties in interest-

It is ordered and adjudged by the Court that said

(continued on Page 577)

Friday Feb. 2nd A.D. 1883

L. W. Smith

4092 vs

John W. Morris 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 said Sheriff being satisfied that the same have been made 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 L. W. Smith 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, 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 amounting to Thirteen hundred and Thirty five ($1335.00) it is ordered that the Sheriff out of the money in his hands pay, First the costs of this action taxed to $49.85 Secondly, The Court find that since the judgment herein four of the notes of $52.39/100 each set forth in the Petition have become due, and that there is due to the Plaintiff thereon with interest to the present day the sum of Two hundred and thirteen 12/100 Dollars. The Court further find that the note for $400.00 owned and held by the Peoples Bank, as set forth in the answer of the Peoples Bank has also become due and is unpaid and there is due to the Peoples Bank thereon with interest to the present day the sum of ($424.50/100) Four hundred and twenty four 50/100 Dollars. The Court further find that the last three notes of Four hundred Dollars each in the Petition described are not yet due, and that there is owing thereon to said plaintiff with interest to the present day the sum of Twelve hundred and Seventy three and 00/100 Dollars. It is therefore ordered that the Sheriff pay to the Plaintiff L. W. Smith the amount herein and in the former decree found due and owing him to wit = The sum of three hundred and forty seven 53/100 Dollars ($347.53/100) Thirdly, to the defendant the Peoples Bank the amount found due it herein with interest to the present day, to wit = the sum of Four hundred and twenty four and 53/100 Dollars ($424.53/100). Fourth, To the plaintiff L. W. Smith to be credited on the Twelve hundred and seventy three and 00/100 Dollars owing to him on the last three notes set up in his petition the balance of the money remaining in his hands, to wit: the sum of Five hundred and Nineteen 97/100 Dollars,

4134

is hereby confirmed, and the Sheriff is ordered to make and deliver to said Joseph A Shipley a deed for said premises according to the provisions of the Statute in such cases. upon the payment by said Joseph A Shipley the amount found due to each of the defendants William Shipley and John Whaley according to said writ of Partition and and report of the commissioners as aforesaid, as follows to-wit; One Third in Cash, one third in one year and one third in two years with 6 per cent interest from date of deed (the Vendee may pay all cost at his option) deferred payments to be secured by Mortgage on said premises, and it is further ordered that the plaintiff pay the costs in this action including a fee of $23.25 to plaintiffs attorney in the following proportion to-wit; the plaintiff Joseph A Shipley 2/3 part thereof and William Shipley 1/6 part thereof and the defendant John Whaley 1/6 part thereof and in default thereof Execution issue therefor.

Alfred L. Wilcox Esq Pltff
vs
Charles Emry Defl

And Now this Cause came on to be heard upon the motion of the plaintiff to appoint a receiver herein. and thereupon the court find by agreement of parties that the real estate described in the petition will probably not sell for enough to satisfy the Mortgage debt Sued on. sustain said Motion

It is therefore ordered that John Hobensack be and he is hereby appointed Receiver of the real estate described in the petition with power to rent the same and collect the rents therefor, and to bring any suit necessary to recover the possession of the same and to hold the property until further order. And the said Charles Emry is ordered to deliver possession of said premises to said John Hobensack immediately. By agreement of parties said Hobensack is not required to give bond for the performance of his duties as such Receiver. And said Hobensack appeared and duly qualified as such Receiver.

4134 Elizabeth Dickinson vs O. Holmes Et Mary A. Holmes } 4134 Pet. on note & Mortgage.

And now comes the said Elizabeth Dickinson by her Attorney (and the defendants by their Attorney, and thereupon this cause came on to be heard upon the Petition, answer and evidence, and was argued by counsel,) and the said O. Holmes and Mary A. Holmes still failing to demur or answer to the said petition, the petition is taken to be true. It is therefore considered that the said plaintiff ought to recover the amount due him by reason of the premises: On consideration whereof the Court find that there is due to the Plaintiff from the said O Holmes and Mary A. Holmes on the note and Mortgage in the petition mentioned and set forth, the sum of ($221 55)

Friday Feb. 2nd A.D. 1883

Two Hundred & Twenty one 55/100 Dollars and that it lien upon said premises: It is therefore considered by the Court here that the plaintiff recover of the said defendant the said sum of Two Hundred and Twenty one Dollars and fifty five cents the sum found due as aforesaid, and also costs taxed at $.
And it is further ordered and adjudged that in case the defendants O. Holmes and Mary A. Holmes fail for ten days from this date, to pay to the said plaintiff the said sum of Two Hundred and Twenty one dollars and fifty five cents, 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 the sale, first in payment of costs: second, in payment of the Judgment so as aforesaid rendered in the order to be determined upon in the final hearing of this case as consolidated with case No. 4071 and the residue, if any, he bring into Court, to abide the further order of said Court. And it is further ordered by the Court that this case be consolidated with case No. 4071 and under No. 4134. See Judges Entry on Court Docket.

Mary E. Graw
vs
Samuel Graw
4189

This day this cause came on to be heard upon the motion and notice of Plaintiff for allimony pending said said suit, and the Court being fully advised in the premises do find and sustain said motion, and it is ordered that the defendant pay said plaintiff or her Attorney the sum of Fifty Dollars within thirty days from this date and in default thereof that execution issue therefor. And it is further ordered that the injunction heretofore issued in and obtained in this case be dissolved except as to the South half of lot 192 as described in said petition, and the reversionary interest in lot 172 in the Village of Marysville Ohio, and this is also dissolved as all the personal property and leave is given to both parties to withdraw the affidavits heretofore filed in this cause, and that this cause continued.

Thereupon Court adjourned until Monday at 1. o'clock P.M. March 5th 1883

John W. Forman vs Henry Gough et. al } Before the Probate Judge, Union County, Ohio.

And now on this 26th day of Feby 1883 came the Plaintiff by Robinson and Piper his Attorneys; and it being made to appear that there is at this time no Common Pleas, District or Supreme Judge within said County, the motion of the Plaintiff for a temporary injunction came on and was heard upon the petition of the Plaintiff —— the petition and the affidavit on said petition therein filed, and after hearing the argument of Counsel, and being fully advised in the premises, it is considered and ordered that a temporary injunction be, and the same hereby is allowed in this case to restrain the said defendant from cutting or removing any timber from the land in said petition described as prayed for in said petition of Plaintiff. It is further ordered that the Clerk of the Court of Common Pleas issue Summons in this case endorsed injunction allowed on said plaintiff giving an undertaking to the said defendant, conditioned according to law with security to be accepted by the said Clerk of the Court of Common Pleas in the sum of $100.00

John B. Coats, Probate Judge. Seal

Eliza R. Otte vs Frank N. Otte } Order of Injunction, Before the Probate Judge. Union County Ohio. March Term A.D. 1883. Motion for a temporary Injunction, In the Court of Common Pleas, Union County, Ohio.

And now on this first day of March 1883 came the plaintiff by Porter and Porter and N. P. Carpenter her attorneys and it being made to appear that there is at this time no Common Pleas, District or Supreme Judge within said County, the motion of the Plaintiffs for a temporary injunction came on and was heard upon the petition of Plaintiff Eliza R. Otte therein filed, and after hearing the argument of Counsel, and being fully advised in the premises, it is considered and ordered that a temporary injunction be, and the same hereby is allowed in this case to restrain the said defendant from selling, disposing of or encumbering the real estate or personal property described in the petition in this case, as prayed for in said petition of plaintiff. It is further ordered that the Clerk of the Court of Common Pleas issue Summons in this case endorsed injunction allowed without bond as provided by statute.

John B. Coats, Probate Judge. Seal

In Vacation

Daylorains Taylor, Plff vs Geo. Martin, James Hazelwood, W. H. Marriott and W. W. Marriott and James N. Huggart Defendants	Before the Probate Judge, Union Co. O. Motion for a temporary injunction, in the Court of Common Pleas Union Co. Ohio.

4211

And now on this 6th day of March 1883 came the Plaintiff by Robinson and Piper his Attorneys, and it being made to appear that there is at this time no Common Pleas, District or Supreme Judge within said County, the motion of the Plaintiff for a temporary injunction came on and was heard upon the petition of the Plaintiff therein filed, and after hearing the arguments of Counsel, and being fully advised in the premises, it is considered and ordered that a temporary injunction be, and the is hereby allowed in this case to restrain the said defendants from the sale of the dwelling house in the petition described by the said defendants until otherwise ordered as prayed for in said petition of Plaintiff.

It is further ordered that the Clerk of the Court of Common Pleas issue Summons in this case endorsed injunction allowed on said plaintiff giving an undertaking to the said defendants, conditioned according to law with security to be accepted by the said Clerk of the Court of Common Pleas, in the sum of $150.00 John B. Coats, Probate Judge. (Seal)

4213

Monday. March. 5th A.D. 1883.

This Day Court met at one O'clock P. M pursuant to adjournment the same officers being present as on February 2d A.D. 1883.

4211 Mary C. Hearon ~~ma~~ Joseph Hearon, Plaintiff
vs
N.D. Degood ~~ma~~ Lorster Oliver, Defendants

This day came the plaintiffs by Robinson & Piper their attorneys and thereupon came T.B. Sutton 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 $221.18 it is therefore considered that said plaintiff do recover of said defendants the said sum of $221.18 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 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.

4213 W. F. Wilcox surviving partner of W.F. Wilcox & Co
vs
D. J. Hawley

This day came the plaintiff by Lowell & Sutton 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 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 $1127.71 - it is therefore considered that said plaintiff do recover of said Defendant the said sum of $1127.71 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.

Monday March 5th A. D. 1883.

4214

W. F. Wilcox surviving partner of
W. F. Wilcox & Co
vs
C. J. Haines

This day came the plaintiff by Powell & Fulton. 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 appearance of 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 $137.30

It is therefore considered that said plaintiff do recover of said defendant the said sum of $137.30 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.

4156

4156

Wm Kightlinger
vs
C. C. C. & I. R. R. Co

This cause is settled at Defts costs and costs paid.

Thereupon Court adjourned to meet tommorrow Morning at 9 O'clock

This morning court met at 9 Oclock pursuant to adjournment the same officers being present as on yesterday.

4136 James McCloud vs David McCloud et als

It appearing to the court that the defendants Alive Blue. Cora Blue, George Blue and Eva Blue, are minors and have been duly and legally served with Summons herein, on motion of plaintiff J. B. Fulton is hereby appointed guardian for the suit for said minor defendants. And now comes the said J. B. Fulton and in open court accepts said appointment

4156 James McCloud vs David McCloud et als

And now came the said James McCloud by A.S. Carpenter his attorney and thereupon this case came on to be heard upon the petition the answer of the guardian ad litem of the minor defendants and evidence and was argued by counsel on consideration whereof the court do find that due notice of the pendancy of this action has been given to each and all of the defendants herein according to law except those who have voluntarily waived service of Summons and entered their appearance herein in writing and the court do further find that the said James McCloud has a legal right to and is seized in fee simple of an Seventh part of said premises; and the court do further find that the said ~~James McCloud has a legal right to and is seized~~ David Blue. Laura Blue. Olive Blue Cora Blue George Blue. Eva Blue. Francis C. McCloud. Corydon McCloud Charles McCloud. Mariam Eby and A. E. McCloud are tenants in common in said premises with the said James McCloud in the following proportions to-wit;

The said David Blue is seized of an forty second (1/42) part thereof
The said Laura Blue is seized of an forty second (1/42) part thereof
The said Olive Blue is seized of an forty second (1/42) part thereof
The said Cora Blue is seized of an forty second (1/42) part thereof
The said George Blue is seized of an forty second (1/42) part thereof
The said Eva Blue is seized of an forty second (1/42) part thereof
The said Francis C. McCloud is seized of an seventh (1/7) part thereof
The said Corydon McCloud is seized of an seventh (1/7) part thereof
The said Charles McCloud is seized of an seventh (1/7) part thereof
The said Mariam Eby is seized of an seventh (1/7) part thereof
The said A. E. McCloud is seized of an seventh (1/7) part thereof
and that the said Laura McCloud is entitled to dower therein and that she by her answer filed herein waives the assignment of dower therein and consents that said premises may be sold

Tuesday March 6th A. D. 1883.

fee of dower and elects to take the value of her dower in money. And the court further find that A. J. Blue is the father of David Blue Laura Blue, Olive Blue, Cora Blue, George Blue and Eva Blue and that he the said A.J. Blue is not entitled to curtsey in the interest or part thereof, belonging to said Children and that said children have no legal guardian but live with their father. and that Olive Blue Cora Blue, George Blue and Eva Blue are minors and have no legal guardian. 4175

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 Joseph Martin John Knocks & J.P. Crittine partition be made of said lands in the following proportions to-wit: 4175

To James McCloud one Seventh (1/7) part-
To David Blue one forty Second (1/42) part-
To Laura Blue one forty Second (1/42) part-
To Olive Blue one forty Second (1/42) part-
To Cora Blue one forty Second (1/42) part-
To George Blue one forty Second (1/42) part.
To Eva Blue one forty Second (1/42) part-
To Francis McCloud one Seventh (1/7) part
To Corydon McCloud one Seventh (1/7) part
To Charles McCloud one Seventh (1/7) part-
To Marion Eby one Seventh (1/7) part.
To A. Ed. McCloud one Seventh (1/7) part-

"And it is further ordered that the Sheriff David A. McCloud return this proceedings in the premises forthwith-

4164 B. W. Converse et-al vs John Kobensack } In Replevin

It appearing to the court that the property in the petition described was taken by the defendant under an execution in favor of McKee Wrakley & Co. Now on motion of the said defendant and of the said McKee Wrakley & Co. it is ordered that the said McKee Wrakley & Co upon their giving security for the cost be and they are hereby substituted as defendants in this action.

B. W. Converse et al vs John Kobensack }

And now came the defendant and moved the court for leave to file answer in this case and the court being fully advised in the premises grant such leave and answer filed-

Thereupon court adjourned until tommorow at 9 oclock A. M.

Wednesday March 7th A. D. 1883

This morning Court met at 9 O'clock a. m. pursuant to adjournment the same officers being present as on yesterday,

4175 Asa Wilcox vs Huldah Wilcox et al

This day this cause came on to be heard upon the motion of plaintiff to have a guardian ad litum appointed for James Wilcox Nancy Wilcox Nathan Wilcox Sylvesia Wilcox Vinella Wilcox & Jane Wilcox and the court being fully advised in the premises does hereby appoint A. H. Brighton as guardian ad litum. for the above named defendants.

4175 Asa Wilcox vs Huldah Wilcox et al

Now come the plaintiff herein by his atty and this petition thereupon coming on to be heard the court find that all of the defendants have had legal notice of the pendancy and demand of the said petition and that they are in default for answer and demurrer; and the said petition is thereby confessed by them to be true. Thereupon the Court find the said Asa Wilcox 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 tennants in common with the said plaintiff in the said premises in the following proportions to-wit: That the said Huldah Wilcox James Wilcox Nancy Wilcox Nathan Wilcox Sylvania Wilcox Vernella Wilcox and Jane Wilcox, Each, one undivided one Eighth part of said premises as described in said petition, and no reason appearing that partition should not be made, It is therefore ordered and 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 J. P. Edwards and D. H. Warner three judicious and disinterested freeholders of the vicinity who are not akin to either and 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 portion 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 balance thereof they appraise the same, and of his proceedings herein the said Sheriff is ordered to make due return of his doings herein forthwith

Wednesday. March 7th A. D. 1883.

4099. Phila M. Harris vs Wm H. Moore et al

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. 4129

And it appearing that said estate cannot be divided by metes and bounds without manifest injury to the balance thereof and that said commissioners have made and returned their appraisement of said premises to wit in the sum of $2430.00

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 thereupon neither party electing to take the said premises at said appraised value, on motion of the plaintiff it is ordered that said premises be sold at public action and that an order issue to the Sheriff of said county of union commanding him to duly advertise and sell said premises according to law, and the Court finding no special reason for doing otherwise order the payment to be made One third in hand, One third in One year and Third in Two years, deferred payments to draw interest at Six per cent and be secured by Mortgage on the said premises and that the Sheriff bring the proceeds of said sale into court without unnecessary delay to await the further order hereof. 3756

4135 D. W. Stockstill et al vs John W. Hoyt

And now comes the defendant and asked leave of the court for time to file answer and the court being fully advised in the premises grant leave to the defendant to file answer by April 1st next and this cause continued.

4210 Margaret Johnson vs John B. Johnson

This day this cause came on for hearing upon the motion of the plaintiff for a restraining order as prayed for in the petition. On consideration whereof it is ordered that the said defendant be and he is hereby enjoined from selling or disposing of any more property, and especially from selling disposing of encumbering the horse and buggy mentioned in the petition and all things enjoined as prayed for in said petition until the further order of the court in this behalf.

Thereupon court adjourned until tommorow morning at 9 O'clock A. M.

This morning Court met at 9 Oclock the Same officers being present as on yesterday

4129 George W. Decker
vs
Henry Hazen

This day came the pleaintiff by his attorneys and moved the court to allow him farther time to give Security for costs and file amended petition and upon consideration the Court do Sustain Said motion and extend the time for giveing Security and filing amended petition ten days from this date.

3736 Harrison C. Russel
vs
J. W. Parish

This day came the pleaintiff and dismissed his action at his cost; It is therefore considered ordered and adjudged that the pleaintiff pay the cost herein taxed and Execution is awarded therefor.

The State of Ohio
vs
Leander B. Harvey

This day came the Prosecuting attorney on behalf of the State of Ohio and the defendant being brought into court and represented by Counsel this cause came on for hearing upon the Motion of the defendant for a new trial herein and was argued by Counsel and for want of time to fully consider said Motion the said Motion is continued until next term for decision to which continuance the said defendant both in person and by his counsel consented, and the defendant was ordered to enter into a recognizance in the Sum of Eight Hundred Dollars for his appearance at said next term. And Thereupon came the said defendant with A. P. Harvey his Surety and entered into a recognizance in the Sum of $800.00 for his appearance on the first day of the next term of this Court,

Henry Fox Plff
vs
John Liggett Dfts

This cause is remanded from District Court for a new trial,

Thereupon court adjourned to meet at 9 Oclock A. M on tommorow

Friday March 9th A.D. 1883.

This morning court met at Nine oclock the same officers being present as on yesterday.

4210 Margaret Johnson vs John B Johnson } This day came this cause on to be heard upon the motion of plaintiff for alimony pending the suit and was argued by counsel and submitted, on consideration whereof the Court being fully advised in the premises do sustain said Motion, and it is ordered by the court that the defendant pay the plaintiff for her alimony pending suit the sum of $300 One half down and one half April first-1883 and in default of payment Execution is awarded. 4176

624 The State of Ohio vs Lucinda Ford } Assault & Battery 4117

This day came the prosecuting attorney on behalf of the State of Ohio, and the defendant being in court and it appearing to the court there would not be sufficient time to try said defendant at this term of Court, and the defendant consenting thereto. It is ordered and adjudged that this cause be continued to the next term of this court, and that the defendant enter into a recognizance in the sum of One hundred dollars for her appearance on the first day of said term.

623 The State of Ohio vs Hugh Perry } Indictment - for assault & Battery;

This day came the prosecuting attorney on behalf of the State of Ohio and the defendant being in court, and it appearing to the court, there would not be sufficient time to try said defendant at this term of court, and the defendant consenting thereto. It is ordered and adjudged that this cause be continued to the next term of this court, and that the defendant Enter into a recognizance in the sum of $100.00 for his appearance on the first day of said Term 3984

4175 Asa Wilcox vs Huldah Wilcox et al } In Partition

On motion to the court by J. M. Kennedy 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 thereupon neither of said parties electing to take the said premises at 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.

4176 Harriett Alexander vs W. H. Conkright Admr

This day this cause came on to be heard upon the demurrer of defendant to the amended petition of the plaintiff and being fully advised in the premises do sustain said demurrer. Thereupon the plaintiff took leave to amend by the first of April thereupon this cause is continued.

4117 Benjamine H. Flemming vs John Flemming Sr. et al

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 cannot be divided by meles & 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 $2187.20 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 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 Ohio. And that said Sheriff return his proceedings to this court without unnecessary delay.

3984 The Bank of North Lewisburgh vs Daniel S. Ford. et als

This day came on this cause to be heard upon the motion to confirm the Sale hereinbefore made of the 16⅞ acres of land ordered to be Sold

Whereupon the court being fully advised in the premises find said Sale in all respects regular and lawful, and do hereby confirm the same and authorize and direct the Sheriff Making said Sale to execute and deliver to said purchaser a deed for said land conveying him the interest of all the parties in said cause to said land.

And the court order that out of the proceeds of said Sale the costs herein be first paid and the taxes which are a lien thereon be then paid, and that the remainder be paid according to the order of the liens hereinbefore ordered and as to the other property this cause is continued.

Friday March 9th 1883

4000 Alfred Beck
vs
Eli Hildebrand et al

This day this cause came on for hearing and it appearing that the said case has been settled by the parties, and the court being fully advised in the premises finds that by said agreement that each plaintiff and defendants pay one half of the costs in this cause taxed at $ -

It is therefore ordered and adjudged that the plaintiff pay one half of the costs in this cause taxed at $

And that the defendants pay one half the costs expended in this cause taxed at $ and execution be issued therefor

4052 Finney J. Harris
vs
Edmond Harris.

4156.

This day this action came on for hearing and the Defendant being in Default for demurer or answer and the Court hearing the Evidence and examining the Pleadings find that the plaintiff at the times 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 find upon the Evidence adduced that the defendants has been guilty of Extream cruelty and gross neglect of duty and that by reasons 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 Fannie J. Harris and Edmond Harris 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 Children of the parties hereto be (via Loy Harris, aged about 9 and Nettie Harris aged about 4 years) until further order confided to the said. Fannie J. Harris, but it is hereby ordered that the said Edmond Harris have the privilege of visiting said Children at all reasonable hours. It is further considered by the Court that the said Finney J. Harris recover from the said Edmond Harris her costs herein Expended and Execution is awarded.

4103. Miles & Bancroft.
vs
J. F. Stewart, Etals

On motion of the plaintiff and on this forduay 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 Absolum Posts by deed in fee simple the lands and tenements so sold and the said purchaser is hereby subjected to all rights of the said lienholders

the 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 distribution the proceeds of sale amounting to Eight Hundred and fifteen & 52/100 Dollars it is ordered that the Sheriff out of the money in his hands pay First the costs of this action Taxed at ($45.25) Forty Six & 25/100 Dollars secured to the Plaintiff. Miles and Bancroft this Amount heretofore found due him with interest to wit the sum of Three hundred and Seventy Nine & 42/100 Dollars. ($379.42) and it is further ordered by the Court that the Sheriff return the ballance of the purchase money in his possession until further orders and this Cause Continued

4156. James McCloud
Vs.
David McCloud et. als.

On motion by the Court by A. J. Carpenter 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 herein 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 thereupon came the said James McCloud and Elected to take the said premises at the said Valuation: and it appearing to the court that the said James McCloud has paid in to the Sheriff Union County for the defendants the entire amount of the appraisement of said real Estate less the amount due him as his share it is ordered that the said premises be adjudged to the said James McCloud and the Sheriff is ordered to convey said premises to said James McCloud by deed in fee simple And the Court coming now to distribute said fund in the hands of the Sheriff do order that he pay the same. 1st To the Treasurer of this County $2.55 Taxes 2nd To the Clerk of this Court the Costs of this action Taxed at $48.75/ (including Counsel fee of $20.00 to Plaintiffs attorney) 3rd To Laura McCloud Widow the sum of $57.85 that being the amount which the Court finds as the Value in money of her Dower interest in said premises. 4th To Laura Blue the sum of $10.10 5/7 5th to David Blue the sum of $10.10 5/7 6th To Olin Blue the sum of $10.10 5/7 7th To Cora Blue the sum $10.10 5/7 8th To George Blue the sum of $10.10 5/7 9th To Eva Blue the sum of $10.10 5/7 10th To Frances C McCloud the sum of $60.62 4/7 11th To Corydon McCloud the sum of $60.62 4/7 12th To Charles McCloud the sum of $60.62 4/7 13th To Marian Eby the sum of 60.62 4/7. 14 To A. E. McCloud the sum of $60.62 4/7. To David McCloud $60.62 4/7

Friday March 9th A.D. 1883

4055 Sarah Goff vs Martine Goldsbury } 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 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 $786 66⅔/100.
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 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, Ohio. And that said Sheriff return his proceedings to this Court without unnecessary delay.

$100 Phila M. Harris vs Jonah Blue } This day came the plaintiff by her attorney but the defendant still remained in default for demurr or answer to the petition. Thereupon this cause was submitted to the court upon the petition and evidence.
On consideration Whereof the court being fully advised in the premises do find that the deed mentioned in the petition was executed by Plaintiff her husband while her said husband was under age and that said deed was recorded and is a cloud upon the said plaintiffs title, that afterwards by mutual consent said transaction was abandoned and said defendant received back the entire consideration for said land, That after he had received back the consideration for said land the defendant refused to make a deed back to plaintiff although she had a proper deed prepared and tendered to him to execute, that when he took back his consideration he did it with full knowledge that his deed was recorded and with the agreement that he was to deed back to clear up the same.
That the plaintiff is entitled to have her said title quieted. It is therefore considered and decreed by the court that the defendant execute and deliver to plaintiff a good and sufficient deed of quit claim for said premises within ten days from this date and that in default thereof this decree operate as such conveyance and all title to said premises is hereby declared to be in the plaintiff and her title is hereby quieted and put at rest. It is further ordered and adjudged that the plaintiff recover of the defendant her cost herein expended taxed to $—

Thereupon this Term of court was adjourned without day and all matter not otherwise disposed of are continued to the next Term of this court=

Attest: J. L. Burgner Clerk.

April 16th A. D. 1883.

The State of Ohio.
Union County, SS. This separate session of the Court of Common Pleas of the Third subdivision of the Tenth 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 Eighty three, was begun and held on Monday, April 16th A.D. 1883, in the Court House, in the town of Marysville, County of Union and State of Ohio.

Present, Hon. John A. Price, Judge.

John Hobensack Sheriff, Thomas Martin Deputy.

Attest, J. D. Bumgarner, Clerk.

The Venire Facias for a Grand Jury heretofore issued, returnable this day at 9, O'clock in the forenoon; was duly returned by the Sheriff with his endorsements thereon as follows, to-wit=

The State of Ohio, Union County, SS.
Sheriffs Office, Marysville, April 16th 1883

Rec'd this Venire on the 19th day of March A.D. 1883 and served the same on the within named persons in the manner set opposite their names and endorsed hereon.

1	L. A. Hedges	Served personally	
2	Anthony Moran	"	by Copy
3	Edward Robinson	"	"
4	Henry Tinney	"	" "
5	Hamilton Blue	"	" "
6	Benjamin A. Snowden	"	" "
7	W. B. Dillon	"	" "
8	John J. Gabriel	"	" "
9	Martin Johnson	"	" "
10	James J. Strader	"	Not found in County
11	Cordin Cameron	"	by Copy
12	A. G. Boring	"	Personally
13	John Parr	"	"
14	Stephen Long	"	"
15	James Robb	"	" "

John Hobensack, Sheriff.

Upon calling the same in open Court and the panel being incomplete the Sheriff Summoned from among the bystanders the following named persons to complete the same, who appeared in answer thereto, to-wit= L. H. Warbs, W. J. Strader and William Smith and the panel being full, the Court appointed Stephen Long Foreman of the Grand Jury who with his fellow Jurors took the oath in manner and form prescribed by law and the said Grand Jury being charged by the Court, were conducted to their room, being attended by the Sheriff, for deliberation.

Monday, April 16th A.D. 1883

The following named persons compose the Grand Jury, to-wit: L. A. Hedges, Edward Robinson, Henry Turner, Hamilton Blue, Benjamin A. Snowden, M. B. Dillon, John J. Gabriel Martin Johnson, Cordine Cameron, A. G. Boring, Stephen Long, James Robb, L. D. Marbs W. J. Strader and William Smith. with Stephen Long before named as Foreman.

4203 John W. Forman
v.s
Henry Gough et. al

This day came the plaintiff and on motion J. L. Cameron is appointed Guardian ad-litem of Adew Gough the infant child of Henry Gough not named and this cause is continued with leave for defendant to file answer by the first day of July A.D. 1883.

3665 David J. Ellis
v.s
Alex. J. Mahoffey et. al

This day on motion of the plaintiff leave was given him to file an amended petition by June 1st 1883.

P. R. Kerr
v.s
James Neilvain

This day on motion defendant was given leave to file an answer herein instanter, and thereupon came the said defendant and filed his answer.

3827 Thomas Wharton
v.s
Cleveland, Columbus Cincinnati and Indianapolis Railway Company

This day this cause came on to be heard and neither party requiring a Jury, this cause is by consent of both parties tried by the Court, and the Court being fully advised in the premises do find for the defendant.

It is therefore considered and adjudged by the Court that the defendant go hence without day and recover of plaintiff its costs taxed at $.

To which finding and judgment of the Court the plaintiff then and there excepted. Thereupon the plaintiff made a motion for a new trial which motion was overruled by the Court to which ruling of the Court the plaintiff excepts and takes 20 days from the rising of the Court to file his bill of exceptions herein and the Clerk is required to keep the records of this Court open for that time for the purpose of signing said bill of exceptions.

4216
4174
4221
4223
4244
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624

Monday, April 16th 1883

4216 A. G. Wilcox et al Exec
vs
Edward Roulk — Now comes the plaintiff and dismisses this action and at his cost. It is therefore considered by the court that the plaintiffs pay the cost of this action taxed to $.

4217 Alford G. Wilcox et
vs
Charles Emory — Now come the parties and settled this case at the cost of the plaintiff and the decision appointed herein is hereby discharged without report. It is therefore considered by the court that the plaintiffs pay the cost of this action taxed at $. no record

4221 Emma Graham et al
vs
Burgis Lowe et al — Now comes the plaintiff and dismisses this action without prejudice to a new action at their costs. It is therefore considered by the court that the plaintiffs pay the cost of this action taxed at $

4223 John W. Smith admr
vs
S. M. Dockman — Settled & cost paid

4244 Union County Bank
vs
Ella Argo — Now comes the plaintiff and dismisses this action at its cost. It is therefore considered by the court that the plaintiff pay the cost of this action, taxed at $ —

577 State of Ohio vs James A. Lesperidge et al — Continued for arrest.

578 State of Ohio vs James A Lesperidge — Continued for arrest.

598 State of Ohio vs Thomas Armentrout.

617 State of Ohio vs Leanson B. Harvey. — Continued by Agreement.

623 State of Ohio vs Hugh J. Berry. — Continued by agreement.

624 State of Ohio vs Lucinda Ford. — Continued by agreement—

Thereupon Court adjourned to meet tomorrow at 8.30 A.M.

Tuesday, Apr. 17th A.D. 1883

Court met this morning at 8. 30 o, clock pursuant to adjournment, the same Officers being present as on yesterday

4209 D. E. Childs
vs
F. M. McCloud et al
J. C. McCloud

Now comes the plaintiff by his Attorney and the defendant J.C. McCloud being in default for answer or demurrer the said F. M. Cloud not being served by summons; The Court find that the defendant J.C. McCloud is indebted to the plaintiff D.E. Child in the sum of Four Hundred and forty three and 20/100 Dollars being the account due upon the promissory note described in plaintiffs petition.

It is therefore considered by the Court that the said plaintiff recover from the said defendant J.C. McCloud the said sum of Four Hundred and forty three and 20/100 Dollars with int. from the first day of this term, and his costs herein expended taxed to $.

Velorus T. Hills
vs
D. D. Gardiner Assignee

Leave was granted defendant to file answer instanter. 3827

4103 Miles Bancroft
vs
J. J. Stuart et. al

This cause now coming on for hearing was submitted to the court upon the pleadings and the answer and cross petition of the defendants. B. Brun R. H. White & Ports & J. Ks. Norris, and on consideration whereof the court find that there is due to the defendant: B. Brun R. H. White & Ports and J. Ks. Norriss from the defendant Wm B Ports on the note set up in the petition answer and cross petition of the said B Brun, R. H. White & Ports and J Ks. Norriss including interest to the first day of this term Seven hundred and forty Six & 20/100 dollars, and that to secure the payment of said note the defendant Wm K Ports and B D Ports his wife executed and delivered to said B Brun, R. H. White & Ports and J Ks. Norris their certain mortgage as in the answer and crosspetition described and on the premises therein described, being the same premises as described in the petition. 4018

It is therefore considered by the court that the defendants B. Brun B. H. White & Ports and J Ks. Norriss recover from the defendant Wm B. Ports the said sum of Seven hundred forty Six & 20/100 dollars with interest from the first day of this term.

The court finds that the said premises described in the answer and cross petition have been sold under the order of this court upon the foreclosure of a mortgage of the plaintiff in this case. and the court further finds after paying the costs and plaintiffs lien. that there still remains in the hands of the Sheriff the sum of

Dollars.

And court now coming to the further distribution of the balance of the Sale orders that the Sheriff pay the defendants B Green R H White S Ports and J H Norris the balance of the money amounting to the sum of Dollars

And there Still remaining due to the said B. Green R H White S Ports and J H Norris the sum of Dollars. an Execution is awarded against the said Wm R Ports therefor.

J. P. Gratlin
vs
Alexander Snodgrass Jr & E. Mitchel

This day this cause came on for trial and a jury was duly impannelled and Sworn and thereupon by the agreement of the above named parties a juror was withdrawn; and this case Settled as follows, the defendant E. Mitchel to pay to the said plaintiff the sum of Eighty Five dollars in full satisfaction of the note Sued on herein, and the plaintiff to pay what costs have been made in the case by him, and the defendants to pay what costs have been made by them.

It is therefore considered ordered and adjudged that the plaintiff recover from the defendants E. Mitchel & Alex Snodgrass the Sum of Eighty five dollars and that each party pay the costs made by them taxed to $ -

3827 Thomas Wharton
vs
Cleveland, Columbus, Cincinnati & Indianapolis Railway Company.

This day this cause came on to be heard and neither party requiring a jury. this cause is by consent of both parties tried by the court, and the court being fully advised in the premises do find for the defendant

It is therefor considered and adjudged by the court that the defendant go hence without day and recover of plaintiff its costs taxed at $ -

To which finding and judgment of the court, the plaintiff then and there excepted. Thereupon the plaintiff made a motion for a new trial which motion was overruled by the court to which ruling of the court the plaintiff excepts and take 30 days from the rising of the court to file his bill of exceptions therein. and the Clerk is required to keep the records of this court open for that time for the purpose of said bill of Exceptions

4018 Justin P. Johnson
vs
Eliza Johnson

This cause was continued on the Motion and Showing of the defendant and at his cost. It is therefor ordered that the plaintiff defendant pay the cost of this term. & Execution is awarded therefor.

Thereupon Court adjourned to met tommorow morning at 9 O'clock

Wednesday, April 16th A.D. 1883

This Morning Court met at 9 Oclock pursuant to adjournment- the same officers being present as on Yesterday,

Asa Wilcox
vs
Huldah Wilcox James Wilcox
Nancy Wilcox Nathan Wilcox
Typhenia Wilcox Venella Wilcox
and Jane Wilcox

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 Benjamine W. Evans the purchaser.

It is further ordered that the Sheriff out of the proceeds of Sale pay

1st- The Treasurer of Union county Ohio the Taxes and penalties due on the premises- 3991

2d. To the Clerk of this court the costs of this action including a Counsel fee of $5.00

to J. M. Kennedy as atty for services herein as atty for pltff and cost Taxed at $

3d. To the plaintiff one eighth part of the balance of the cash payment to wit- the sum of $

To Huldah Wilcox one eighth part of balance of cash payment to wit- $

To James Wilcox the one eighth of the balance of the cash payment- to wit- the sum of $

To Nancy Wilcox the one Eighth part of the balance of the cash payment to wit- the sum of $

To Nathan Wilcox the one eighth part of the balance of the cash payment- to wit: the sum of $

To Typhenia Wilcox the one eighth part of the balance of the cash payment- to wit- the sum of $

To Venella Wilcox the One Eighth part of the balance of the cash payment- to wit- the sum of $

To John Wilcox the one eighth part of the balance of the cash payment- to wit the sum of $

And also that the Sheriff cause the purchaser to Execute to the said Asa Wilcox two Equal prommissory notes for $95.88½ the first- payable in one year from april 14th 1883 and one payable in two years from April 14th 1883.

And that the Sheriff cause the purchaser to execute his two promissory notes to Huldah Wilcox for $95.88½ Each, the first- due April 14th 1884 and the second due April 14th 1885.

And that the Sheriff cause the purchaser to Execute his two promissory notes to James Wilcox for the sum of $95.88½ Each, the first- due april 14th 1884 and the Second due Apric 14th 1885.

And that the Sheriff cause the purchaser to execute his two promissory notes to Nancy Wilcox for the sum of $95.88½ Each the first- due April 14th 1884 and the Second due Apric 14th 1885.

And that the Sheriff cause the purchaser to execute his two promissory notes to Typhenia Wilcox for the sum of $95.88½ each the first- due April 14th 1884 and the Second due April 14th 1885.

And that the Sheriff cause the purchaser to execute his two promissory notes to Venella Wilcox for the sum of $95.88½ Each, the first- due April 14th 1884 and the Second due April 14th 1885.

And that the Sheriff cause the purchaser to execute his two promissory notes to Jane Wilcox for the sum of $95.88½ Each the first- note due April 14th 1884

and the second note due April 14th 1885, Each and all of said notes to be secured by mortgage on the premises described in the petition and the return of the said Sheriff of Union county Ohio.

Joseph Nelson
vs
Thomas Erwin

This day came the parties herein by their attorneys also came the following named persons as jurors, to wit; Elias Thomas, L.W. Bolenbaugh O.E. Lincoln John Morse J.N. Rodgers Aaron Casey A.S. Chapman, P.J. Wyeth James Cooley Jacob Norris George Cross and A.W. Torrence who were duly impannelled and sworn according to law; and thereupon the case came on for hearing on the pleadings and evidence, And 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 comes 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 damages at $300.

A.S. Chapman, Foreman.

3991

D.J. Thomas
vs
E.N. Finnefrock Admr &c

This day this cause came on to be heard on the petition of the Plaintiff and answer of the defendant, and the cause was submitted to the Court by consent of parties, and the Court having heard the allegations and proofs of the parties, Plaintiff and Defendant, upon consideration find for the defendant and against the plaintiff. Wherefore it is ordered and adjudged by the Court that the defendant recover of the plaintiff his costs herein taxed &.

Thereupon Court adjourned until 9 o'clock tomorrow at 9. O'clock a.m.

Thursday April 19th 1883

This Morning Court met at 9 oclock pursuant to adjournment. the same Officers being present as on yesterday.

Frank E. Justice
vs
John Zwemer

This day came the parties by their attorneys; also came the following named persons as jurors; to wit; Elias Thomas. J. R. Gooding L. W. Bolenbaugh. Aaron Tossey, John Morse A. S. Chapman J. N. Rodgers. R. Hill A A. Johnson J. S. Rice I. A. Lockwood and James Cooley who were duly impanneled and Sworn according to law; and thereupon the case came on for hearing on the pleadings and evidence. And 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 comes 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.

J. P. Morse. Foreman

#3649 J. M. Cummings Admr &c.
vs
Samuel Waddle et. al

And now came the Plaintiff herein and the defendants being in default for answer and Demurrer the Court find that the allegations of the petitions are by them confessed to be true and that there is due to Plaintiff from Daniel B. Ford as one of the makers of the notes in the petition described and from D. S. Ford, Wm M. Ford, Lucinda Ford and Dora Armstrong as the heirs at law of the said Literal Ford Deceased the sum of Ten Hundred fifty four and 90/100 Dollars ($1054 90/100) being amount due April 19th 1882 on the last one of said notes and which is due on this said day, to-wit= April 19th 1882 and to draw interest at 8 p/c per annum payable annually until paid. It is therefore considered by the Court that the said plaintiff recover from the said D. S. Ford as maker and the said D. S. Ford, Wm M. Ford, Lucinda Ford and Dora Armstrong as the heirs at law of the said Litteral Ford deceased the sum of One Thousand Fifty four and 90/100 Dollars ($1054 90/100) with int. from April 19th 1882 at 8 p/c per annum payable annually and his costs herein expended taxed to $.

Thereupon Court adjourned until to-morrow morning at 9 o'clock.

Report of Grand Jury

Jail Report

This Morning Court met at 9 o'clock pursuant to adjournment the same officers being present as on yesterday.

J. D. Finley
vs
Wm Knightlinger et al

DHH.

This day this came came on for hearing and the defendants still failing to answer or demure to the petition of the plaintiff herein filed, the court find the allegations of the petition are confessed by them to be true and that there is due to said plaintiff from the defendant Wm Knightlinger as principal and the said defendant A.B. Robinson as Surety on the note set forth in said plaintiffs petition the sum of Two Hundred and Thirty Two and 7/100 dollars with thereon at the rate of Eight per centum per annum from the 16th day of April A.D. 1883.

It is therefore considered and adjudged by the court that said plaintiff do recover of said defendant Wm Knightlinger as principal and said defendant A.B. Robinson as Surety said sum of Two Hundred and Thirty Two and 7/100 Dollars with interest thereon at the rate of Eight per centum per annum from the Sixteenth day of april A.D 1883 and his costs herein expended taxed at $ and execution is awarded therefor.

Report of Grand Jury

This day appeared at the bar of this court the grand jury heretofore impanneled and sworn, in and for the body of the county aforesaid, viz:
L.A. Hodges, Edward Robinson Henry Turner, Hamilton Blue, Benjamine A Snowden M.B. Dillon John J. Gabriel, Martin Johnson, Cordine Cameron, A.S. Boring, Stephen Long James Robb L.A. Warbes W. J. Strader and William Smith and presented to the court through their foreman, Stephen Long their certain bills of indictment as follows viz; Against George W. Argo, for Murder in the first degree Simon D. Boyd, for Fraud in partnership affairs, John Banks for cruelty to animals, Truman Thompson for cruelty to Animals, Eliza Downey for selling intoxicating liquors contrary to law. Patrick Downs for keeping a place for the sale of intoxicating liquors contrary to law. Henry Murphy and Larkin J. Tongnet for selling intoxicating liquor contrary to law. Larkin J. Tongnet for selling intoxicating liquor to a person while intoxicated. Larkin J. Tongnet for selling intoxicating liquor to a person in the habit of getting intoxicated. Henry Murphy for selling intoxicating liquor to a person in the habit of getting intoxicated Henry Murphy for selling intoxicating liquor to a person while intoxicated. Curtis Mahaffey, for disturbing a Meeting. William Slavin for Assault & Battery General Parmenter, carrying concealed Weapons. Each endorsed "a True Bill"
Stephen Long, Foreman of the Grand jury.

Jail Report

To the Honorable John A. Price, Judge of the court of Common Pleas, Union County, Ohio
The Grand jury of the court of common pleas of said County of the april Term, 1883 beg leave to report that they have been in Session five days and herewith return to the court the indictments presented by said jury; We have carefully examined into all such matters as have legitimately came to our notice, have examined one hundred and forty witnesses, covering Twenty Two cases and presented fifteen bills and ignored Seven cases considered by us. The business has been transacted in as expiditious a manner as possible. During our session we have visited the county jail and made a complete examination thereof and find the rules

Friday April 20th A. D. 1883.

prescribed by the court for the care thereof and for the government of its inmates, have been carried out, and properly enforced. We would respectfully call the attention of the County Commissioners to the bad condition of the Sewers leading from the jail, and recommend that some action be taken to improve them so as to prevent sickness to the prisoners contained in the jail.

Respectfully submitted.

Marysville O. April 20th 1883. Stephen Long Foreman

And their being no further business for the said grand jury, they were discharged finally.

4078 William Liggett Treas vs David Mumford } This day this cause came on for trial and a jury being waived by the parties the same was submitted to the court on the pleadings and evidence and arguments of counsel. On consideration whereof the court do find that there is due from said defendant to said plaintiff as treasurer as alleged in his said petition the sum of Seventy four dollars and Forty three cents with six per cent interest thereon from the 26th day of April A D. 1883. 4222

It is therefore considered and adjudged by the court that the said plaintiff William M. Liggett as Treasurer of Union County Ohio do recover from the said David Mumford the said sum of Seventy four dollars and Forty three cents with interest thereon at the rate of Six per centum per annum from the 20th day of April A D. 1883 and his cost herein expended taxed at $8 and execution is awarded therefor.

4088 Nancy L. Overfield vs John J. Gabriel et al } This cause is continued on the motion and showing of the plaintiff and at her cost. It is therefore ord

Thereupon court adjourned until tommorow morning at 9 oclock

This morning court met at 10 Oclock pursuant to adjournment the same officers being present as on yesterday.

4089 William Bealer vs Henry Sheridan

This day came the parties by their attorneys, also came the following named persons as jurors to-wit; Elias Thomas, J.N. Rodgers, J.R. Gooding, L.M. Bolenbaugh Aaron Tossey, John Morse, A.S. Chapman, N. Fremont, R. Hill, A.A. Johnson J.S. Rice and James Cooley, who were duly impaneled and Sworn according to law; and thereupon this cause came on for hearing on the pleadings and testimony, and 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 comes 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.

J.S. Rice, Foreman.

4222 George B. Hamilton vs Edgar M. Horn et al

This day this cause came on for hearing upon the petition of the plaintiff, and the answers and cross petitions of the defendants The Union Building and Saving association, Sylvanus Taylor, W.G. Davis and Henry Evans, and other defendants, failing to answer or demur to said and cross petition, and the court being fully advised in the premises and after due consideration, do find that there is due and unpaid on the note and Mortgage mentioned in the plaintiffs petition as his first cause of action to said Plaintiff the Sum of 406 00 with interest thereon at 8% Since the 17th of March 1883 and there is due and unpaid to said plaintiff on the note and Mortgage, Mentioned in plaintiffs petition as his Second cause of action the Sum of $ 285 45 Making the amount of the plaintiffs Recovery $691 45 with interest at 8 per cent from March 17th 1883, and it is further ordered and decreed by the court that said Mortgages Mentioned in said plaintiffs petition and in the cross petitions of said defendants be and the same are hereby foreclosed and declared absolute, and that said Sum of $691 45 being the indebtedness by said Mortgage deeds, and the said deeds together with said Notes having been duly assigned and transfered to said George B. Hamilton the plaintiff the same is hereby declared to be a lien upon the lands and tenements described therein,

It is further found by the court that there is due and unpaid to Sylvanus Taylor as alleged in his cross petition filed herein the Sum of $649 00 from the defendant C.J. Monroe and that the Mortgage deeds Mentioned in said cross petition have become absolute, Wherefore it is further decreed by the court that said Mortgage deeds be foreclosed and said indebtedness of $649 00 be declared a lien in favor of the said Sylvanus Taylor upon the lands & tenements described in said Mortgage deeds. It is further found by the court that there is due the defendant

Saturday April 21st A.D. 1883.

W.L. Davis as he has alleged in his cross petition filed herein the sum of $299.67 with interest from March 31st 1883. That the same is declared to be a lien in favor of said W.L. Davis upon the lands & tenements mentioned in said petition and cross petition of the said Davis.

It is further found by the court that there is due the defendant the Richwood Union Building and Saving association upon the note & Mortgage mentioned in its said cross petition filed herein the sum of $54.20 And that the same is declared a lien upon the lands & tenements described in plaintiffs petition, and it is further found by the court that there is due the defendant Henry Evans as he has alleged in his said cross petition The sum of $ and the same is declared to be a lien upon said lands & tenements described in said petition.

Wherefor it is decreed by the court that unless each and all of said sums of money hereby found to be due shall within three days be paid then it is ordered, that an order issue from this court to the Sheriff of said county, commanding him to appraise, advertise and sell as upon Execution the lands and tenements described in plaintiffs Petition and that he bring the proceeds of said sale into court for distribution by the court according to priority of said liens.

4027

4231 Daniel Miflin
vs
Henry L. Martin

This cause came on for hearing upon the Petition in Error and the transcript of the proceedings and judgment of C.M. Burgoon a justice of the peace for this said County, On consideration whereof the court finds there is no error in said proceedings and judgment; and the said judgment is therefore affirmed at the cost of the defendant in error taxed to $ and Execution is awarded therefor.

It is further ordered that the Clerk of this court certify this decision in the premises to the said justice that the judgment affirmed may be enforced as if these proceedings in error had not been taken.

4217 William Jolliffe
vs
Martha E. McCanney

This day this cause came on to be heard on motion to make pet. more definite and certain and the Court being fully advised in the premises doth overrule said motion.

Thereupon Court adjourned until Monday, Apr. 23rd 83 at one o'clock P.M.

Monday April 23rd A. D. 1883

Court met this day pursuant to adjournment, the same officers being present as heretofore.

Marysville Ohio April 17th A.D. 1883.

Commissioners Union County,

To R. A. Graham M. D. Dr

For holding Post mortem examination of Miss Nancy Rawe March 26th 1883, ($30 00) Thirty Dollars.

The above amount is the fee bill authorized by the Union County Medical association. Respectfully submitted, R. A. Graham M.D.

I called Dr. Graham on the day and date above mentioned to hold a Post Mortem on the above Nancy Rawe deceased. A.W. Morey Coroner Union County, Ohio.

Marysville Ohio April 18th 1883

The-above-foregoing bill is approved and allowed, And the auditor of Union County is directed to draw his warrant on the Treasurer of said County in favor of said R. A. Graham M.D. for said sum of $20 00.

The Clerk will enter this order on the journal of the Court and certify the same to the Auditor of the County. John A. Price. Judge.

4027

John R Taylor adm & c
vs.
Isaac Jolliff Etals

This cause now coming on for hearing was submitted to the Court on the petition the answer of defendants reply of plaintiff thereto and the Evidence and was argued by Counsell on Consideration thereof the Court finds on the issue Joined for the plaintiff. And that there is Justly due from this defendant Isaac Jolliff to the plaintiff as Administrator with the will annexed of the Estate of James O. Laughlin Deceased on the Note and Mortgage in said petition described the Sum of Seven Hundred and Sixty Eight & 15/100 Dollars (including interest computed thereon to April 15, 1883. the first day of this Term) And it is further Ordered and adjudged that in case said defendant fails for ten days to pay to the said plaintiff as such Administrator the said Sum of Seven Hundred & Sixty Eight & 15/100 Dollars with interest thereon @ 8% from April 15" 1883 so as aforesaid found due with costs of Suit all order issued 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. Therefore the said Defendant served notice of their intention to appeal this case to the District Court and the Court here allows said appeal fixes the bond for appeal at $100 00.

Thereupon Court adjourned until tomorrow at 8½ O'clock A.M.

Tuesday, April 24th A.D. 1883

Court met this morning at 8½ O'clock pursuant to adjournment, the same officers being present as on yesterday.

647 The State of Ohio vs Henry Murphy } Indictment for selling intoxicating liquors to a person intoxicated.

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 on said indictment, for plea thereto, saith he is "not guilty"; and puts himself upon the Country, and the Pros. Atty doth the like.

648 The State of Ohio vs Henry Murphy } Indictment for 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 being brought into Court in custody of the Sheriff and arraigned on said indictment for plea thereto, saith he is "not guilty"; and puts himself upon the Country, and the Prosecuting Attorney doth the like.

646 The State of Ohio vs Larkin J. Tourquet } Indictment for selling intoxicating liquors to a person in the habit of getting intoxicated.

Now comes the Prosecuting on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned on said indictment for plea thereto, saith he is "not guilty"; and puts himself upon the County and the Prosecuting Attorney doth the like.

645 The State of Ohio vs Larkin J. Tourquet } Indictment for selling intoxicating liquor to a person intoxicated.

Now comes the Prosecuting Atty on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff and arraigned on said Indictment for plea thereto, saith he is "not guilty;" and puts himself upon the Country and the Prosecuting Attorney doth the like.

640 The State of Ohio vs John Banks } Indictment for cruelty to animals.

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 on said indictment for plea thereto, saith he is "not guilty;" and puts himself on the Country and the Prosecuting doth the like.

Tuesday, April 24th 1883

644 The State of Ohio vs Henry Murphy and Larkin J. Taugnet } Indictment, For selling intoxicating liquor contrary to law

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 on said indictment, each for his plea thereto saith he is "not guilty;" and puts himself on the Country and the Prosecuting Attorney doth the like, And the defendants thereupon asked the Court to fix the amount of the recognizance herein, And the Court accordingly fix the amount of the recognizance for each defendant herein in the sum of One Hundred and Fifty Dollars, Thereupon in open Court came the defendant Henry Murphy with J. L. Cameron as his surety and entered into recognizance in the sum of One Hundred and Fifty Dollars conditioned for his appearance to answer said Indictment on the 9th day of May 1883, Also in open Court came the defendant Larkin J. Taugnet with J. L. Cameron as his surety and entered into recognizance in the sum of One Hundred and Fifty Dollars, conditioned for his appearance to answer said indictment on the 9th day of May 1883

643 The State of Ohio vs Patrick Downs } Indictment for keeping place for sale of intoxicating liquors contrary to law.

This day came 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;" And the said defendant not desiring to say why sentence should not be passed upon, It is therefore considered ordered and adjudged by the Court that the said defendant pay a fine of Fifty Dollars and and the costs of prosecution, and execution is awarded therefor. It is further ordered by the Court that said defendant stand committed to the jail of Union County, Ohio, until said fine and costs are paid.

Also at the same time came on this cause further to be heard upon the question of nuisance; whereupon the Court find from the evidence that the place set forth in said indictment is a nuisance under the statute upon which said indictment was found. It is therefore considered, ordered, adjudged and decreed by the Court that said place so found a nuisance as aforesaid should be abated, thereupon the Court do order said place to be abated and shut up according to law.

Tuesday, April 29th 1883

642 The State of Ohio vs Eliza Downey } Indictment for selling intoxicating liquor contrary to law. #4229

This day came the Prosecuting Atty 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 guilty;" and the said defendant not desiring to say anything why sentence should not be passed upon.

It is therefore considered, ordered and adjudged by the Court that the said defendant pay a fine of Fifty Dollars and the costs of prosecution, and execution is awarded therefor.

It is further ordered by the Court that said defendant stand committed to the Jail of said County of Union, Ohio, until fine and costs are paid.

Also at the same time came on this cause further to be heard upon the question of nuisance; Whereupon the Court find from the evidence that the place set forth in said indictment is a nuisance under the statute upon which said indictment was found. It is therefore ordered, ~~adjudged~~ and decreed by the Court that said place so found a nuisance as aforesaid should be abated, thereupon the Court do order said place to be closed and shut up according to law.

4085 Nancy Overfield vs John Gabriel and Peggy Adams &c } This day this cause is continued upon the motion and affidavit of Plaintiff and at her costs.

It is therefore considered ordered and adjudged by the Court that the plaintiff pay the costs of the term taxed at $.

John N. Cliffinger vs John Shively et al } This day this cause came on to be heard upon the motion of the defendants to dismiss this cause because the Plaintiff did not secure the costs within 20 days from the former rising of this Court, And the Court being fully advised in the premises doth hereby dismiss this case without prejudice.

It is thereupon ordered and adjudged by the Court that the defendants recover of the Plaintiff their costs herein expended.

4149 Thornton Spriggs vs Wright-Harriman et al } Cause Continued on the motion and showing of the defendants and at his cost. It is therefore considered & ordered that the defendant pay the cost of this term taxed at $.

Tuesday April 24th A. D. 1883

#4229 R. L. Woodburn vs Ann Mary Wanner et. al

This cause now coming on for hearing on the petition and the evidence, the Court find that the defendants Ann Mary Wanner and John Wanner and County Commissioners have been duly served with Summons in this case, and that they are in default for Answer and demurrer. And that the allegations of the petition are thereby confessed by them to be true.

And that the defendants Ann Mary Wanner and John Wanner Executed to the plaintiff two several notes, as set forth in the petition; that one of said notes was past due when the petition was filed, and that the other note was not yet due.

The Court further find that there is due to the Plaintiff from said defendants on said note which is over due, with interest to the first of this term the sum of Three Hundred and seventy Six and 78/100 Dollars.

The Court further find that; in order to secure to Plaintiff the payment of said several notes described in the petition, the defendants Ann Mary Wanner and John Wanner her husband executed and delivered to said plaintiff their certain Mortgage, as in the petition described; and that said Mortgage was duly recorded in Book Page of the Records of Mortgages of Union County, and is a good and valid lien upon the premises described in Plaintiff petition, and that the conditions of said Mortgage have been broken.

It is therefore considered by the Court that the Plaintiff, recover from the defendants Ann Mary Wanner and John Wanner the said sum of Three Hundred and Seventy Six and 78/100 Dollars, and his costs herein expended, and it is further adjudged and decreed that unless the defendants Ann Mary Wanner and John Wanner shall within three days from the entry of this decree pay or cause to be to the Clerk of this Court the costs of this cause taxed to $. And to the Plaintiff herein the sum so found due as aforesaid with interest from the 24th day of April 1883. The defendants equity of redemption be foreclosed, and said premises be sold, and that an order of sale issue therefor to the Sheriff of Union County directing him appraise, advertise and sell said premises as upon execution, and report his proceedings to this Court for further order.

Thereupon Court adjourned until to morrow morning at 8½ o'clock A. m.

Friday April 25th 1884

Court Met this Morning at 8:30 o'clock Pursuant to Adjournment
the Same the Same Officers present as on Yesterday.

3881. Anna P. Anderson
vs.
Thomas T. Anderson.

This day this Cause came on to be heard
upon the petition and Evidence and the Court find that Said
Defendant has had due notice of the pendancy of Said petition;
that he Entered his appearance herein in writing filed this Case
September 4th A.D. 1883 and that Said plaintiff has been a resident
of the State of Ohio for more than one year next preceding the time
of filing Said petition and was at this time and Ever Since a
bona fida resident of this County of Union and State of Ohio. that
this Cause of complaint arose while Said parties were residing in Said
County of Union and that they were Married as Stated in the petition
The Court further finds upon the Evidence adduced that the Said defendant
has been Guilty of Adultery 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 Anna P. Anderson and
Thomas T. Anderson be and the Same is hereby dissolved and both
parties are relieved from the obligations of the Same.
It is further ordered that Said defendant pay Said plaintiff
for her reasonable alimony the Sum of Three Hundred Dollars
and that he pay the Costs of this proceeding taxed at $ and in
default thereof that Execution issue therefor in favor of Said plaintiff
against Said defendant. It is further ordered and adjudged that
the petitioner be and She is hereby restored to her Maiden name
of Anna P. Vaughan. It is further Considered by the Court that
the Said Plaintiff recover from the Said defendant the Costs herein
Expended and in default thereof that Execution is ordered

5411 The State of Ohio
vs.
Freeman Thompson.

Indightment for cruelty to Animal.

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 on Said indightment for Plea thereto. Saith he
is not Guilty and Puts himself upon the Country and the Prosecuting Attorney
doth the like

Thereupon Court adjourned until to morrow morning at 8½ o'clock A.M.

4005

4102

4048

Court opend this Morning at 8 30. oclock Pursuant to adjournment the same officers
persasant as on yesterday.

4005 John. P. Bailey Plaintiff
vs
E. Young et al Defendants.

This day came the Parties by their Attorneys and this Cans Came on to be Tried; and thereupon came a Jury to-wit. Elias Thomas J. R. Gooding L. K. Palenbaugh. A. A. Johnson Aaron Dorsey. J. S. Rice. James Cooley. Joseph Loff. I. C. Lockwood. Ben James. A. K. Forna. A. M. Vaughn. Who being duly empannled and sworn to well and truly try the issue joined between the parties in this Cans and a true Verdict render according to the evidence Unless withdrawn by Concent of parties or discharged by the Court. And after hearing the testimony Arguments of Counsell and Charge of the Court the said Jurors retired to their room to delib=erate upon their Verdict and due deliberation returned into open Court and presented their Verdict in writing. in the words and figures following. To Wit: The State of Ohio Union County SS. April Term A.D. 1883. To Wit April 25th 1883. John. P. Bailey. Plaintiff Vs. Elliott Young Et al Defendants. We the Jury in this case being duly impannerd and Sworn do find and say that we find for the defendants James Cooley Foreman

4102 Elizabeth Walden.
vs
J. A. Culbertson.

This Cans coming on this day to be heard was Submitted to the Court upon the pleadings and the Evidence and on consideration thereof the Court find that the defendant J. A. Culbertson indebted to the Plaintiff Elizabeth Walden in the Sum of Nineteen Hundred and forty Six dollars and forty cents It is therefore considered by the Court that the said Plaintiff recover from the said defendant the said Sum of Nineteen Hundred and forty Six 40/100 Dollars ($1945 40/100) and his costs herein Expended Taxed at $—

4048 Newton Pierce
vs
Hugh J. Perry

It being made to appear to the Court that the defendant is Sick and unable to attend Court at this term and on the Motion and Showing of the defendant this cause is continued at the costs of defendant.

It is therefore considered and adjudged by the Court that the defendant pay the cost of this term taxed to $ and Execution is awarded.

Thereupon Court adjourned Until to Morrow Morning at 8½ oclock A. M.

Friday April 27th 1883.

Court Opened this morning at 8-30 o'clock Pursuant to adjournment the Same officers present as on yesterday.

4099 Phila. M. Haines
Vs
Wm A. Moore Etal

On Motion to the Court by 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 the purchaser J. H. Robinson. And the Said Court further order that out of the proceeds of Sale the Sheriff pay First to the Treasure of Union County Dollars Cents
being the Taxes and penalties due on Said premises.

Secondly. To the Clerk of this Court the costs of this action including a counsel fee of Fifty One 75/100 Dollars to J. L. Cameron for his Services herein Taxed to $. 3443

Thirdly. to the plaintiff the one tenth of the ballance of Said purchase money. Fourthly to Alice Adie Moore the 6/10 thereof. Fifthly to John H. Moore the 1/10 thereof. Sixthly to William A. Moore the 1/10 thereof. Seventhly to Mary E. Cobb the 1/10 thereof that Said parties recover there respective proportions of the Purchase money in cash and the Notes of Said purchaser Secured by mortgage

4188. Emma O Bigley
Vs
Hamilton A. Bigley.

This day this Cause came on to be heard and was Submitted to the Court upon the Petition and evidence. on Consideration Whereof the Court finds the facts Stated in Said petition to be true that Said plaintiff has been a bona fida resident of Said County of Union for more than a year prior to filing the Petition That the marriage relation Existed as therein Stated and that the Defendant has been guilty of wilfull absence for more than Three years prior to filing the Petition. It is therefore ordered and Decreed by the Court that the Said marriage relation be and the same is hereby Set aside and Wholly annulled and both parties relieved from the obligation of the Same. It is further ordered that the Custody and Guardianship of the Said Children be and the same are hereby given to the plaintiff with privilege to the defendant to See them at reasonable times it is further ordered that Said Defendant Pay plaintiff as her reasonable Allimony the Sum of one hundred and fifty Dollars and the costs of this Suit and that iff he fail for five days to pay the same that Execution issue therefor as upon judgement at law.

4046 Margaret C. Hamilton
Vs.
C. W. Weisz.

This day came the parties by their Attorneys and this Cause came on to be tried and. Thereupon came a Jury

To wit: Elias Thomas, L. H. Balenbaugh, Aaron Bassey, John Morse, A.S. Chapman A. A. Johnson, J. D. Rice, James Cooley, Joseph Roff, A. D. Lockwood Benyamine Sawes, A. M. Vaughn, Who being duly empanneled and sworn to well and truly try the Issue 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 retired to their room to deliberate upon their Verdict and after due deliberation returned into open court and presented there Verdict in writing in the words and figures following To wit:

The State of Ohio Union County ss. April Term A.D. 1883.

To wit April 27th 1883.

Margaret C. Hamilton Plaintiff Vs. C. W. Weisz Defendant.

We the Jury in this case being duly impanneled and Sworn do find And Say that We find for the Plaintiff in the Sum of $735 17/100

Elias Thomas Foreman

Francis D. Hoyt Ex.

3443 Vs.

A. D. Alden

This day came the Parties and Submitted this cause to the court on the Motion to Confirm the Sale made in this cause to the defendant Whereupon the court being fully advised in the premises do find said Sale & Proceedings all Regular and lawfull & that said Sale Should be confirmed. Thereupon it is ordered and decreed that said Sale be & the same is hereby confirmed & the Plaintiff authorized & directed to Execute & deliver to said purchaser a deed in fee Simple for said premises & the court order that the costs be first paid & Second. That the Tax claim of John Diggins on said lot be satisfied by paying to him the amounts he paid with Six per cent interest from the time of the payments & any unpaid Taxes or lien on said Lot up to & including the amounts payable June 20th 1883 & the ballance the said Executor carry into the general estate & distribute according to the Will

In the Matter of the account of P. B. Cole as Trustee by the appointment of this court, of certain Money belonging to one Charles Edward Freman an Imbecil person. The said Trustee this day filed his account current and vouchers as such and prays the court to Examine and approve his ~~said~~ account.

Thereupon Court adjourned until Monday at one o'clock P.M. April 30 1883

Monday, April 30th 1883

Court met this day at one o' clock P.M. pursuant to adjournment, the same officers being present as heretofore.

639 The State of Ohio vs D. D. Boyd } Nolle prosigue

4147

4225

4091 David B. May vs Mary L. May } Divorce

This day this cause came on to be heard upon the petition of Plaintiff and the Court hearing the testimony and the defendant failing to answer or demur to the said petition and the Court being fully advised in the premises do find that due pendency of this petition had been given to the defendant by publication according to law, and the Court do further find that the defendant had been wilfully absent from the Petitioner for more than three years prior to the filing of this petition.

It is therefor adjudged and decreed that the marriage relation heretofore existing between the parties be and the same is hereby dissolved, set aside and annulled and the said parties wholly released from the obligations of the same, And it is further ordered that the Plaintiff pay the costs of this suit, taxed to $, and that in default thereof execution issue therefor.

4235

4040 Joshua James vs Hugh Perry } This cause was continued on the motion and showing of the defendant and at his cost.

It is therfor considered by the court that the ~~plaintiff~~ defendant pay the cost of this term herein taxed, and execution is awarded therefor

4048 Newton Pearse vs Hugh Perry } This cause was continued on the motion and showing of the defendant.

It is therefore considered by the court that the defendant pay the cost of this term herein taxed. & Execution is awarded therefor

4230

4062 John A. Clippinger vs John Sturdy et al } This cause is dismissed by order of the court, without prejudice because Security for cost was not given in accordance with the order heretofore made. It is therefor ordered by the court that plaintiff pay the costs of this action taxed to $.

Thereupon Court adjourned until tomorrow, at 9 o'clock A.M.

4060

Court met this morning at 8. 30 o'clock pursuant to adjournment the same officers being present as on yesterday.

4147 Mundulia Butler et. al vs John Chapman } This cause is continued with leave to defendant to plead by June 15th next.

4225 A. Aultman & Co. vs Albert South et. al } This day came the plaintiff by his attorney and the said defendants, each bring 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 finds there is due to the plaintiff from the defendants upon the promissory note mentioned in the petition, the sum of three hundred and forty dollars, together with interest thereon at 8 o/o from August 19th 1879 making a sum principal and interest due at the first day of this term of Court Four Hundred and eight and 00/100 Dollars.

It is therefore considered and adjudged by the Court that the said plaintiff recover of the defendants the said sum of Four Hundred and eight and 00/100 Dollars and that said sum bear interest at 8 o/o from the first day of this term of Court together with costs herein expended taxed at $.

4235 Peley Cranston Admr vs Neil McLean } Money Only. Now comes the Plaintiff by his Attorneys Robinson and Piper and the defendant being in default for answer and Demurrer, the Court find that the defendant Neil McLean is indebted to the Plaintiff Peley Cranston as Admr of of Newton Case Dec'd, in the sum of $212 40/100 with interest from April 20th 1882. It is therefore considered by the Court that the said Plaintiff recover from the defendant the said sum of Two Hundred and twelve and 40/100 Dollars ($212 40/100) with interest from April 20th 1883 and his costs herein expended taxed to $.

4236 Peley Cranston Admr vs W. A. McLean and Neil McLean } Money Only. Now comes the plaintiff by his attorneys and the defendants being in default for answer and demurrer, the Court find that the defendants W. A. McLean and Neal McLean are indebted to the Plaintiff in the sum of One hundred ten and 71/100 Dollars ($110 71/100) with interest at 8 o/o per annum from April 20th 1882.

It is therefore considered by the Court that the said plaintiff recover from the said defendants the said sum of One hundred and ten and 71/100 Dollars ($110 71/100) with interest from April 20th 1882 and his costs herein expended taxed to $.

4060 Louinda Ford vs Daniel S. Ford Continued by Agreement—

Tuesday, May, 1st 1883

4117 Benjamin A. Fleming
vs
John Fleming Sr. et.al

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 deed duly executed to convey said premises to the purchaser Victor Bonham in fee simple.
It is further ordered that out of the cash proceeds of said sale, to-wit= the sum of $741 67/100 (being the one third part of the entire proceeds of said sale), the Sheriff pay, 1st to the Treasurer of Union County the taxes due June 20th 1882 on said premises 2nd to the Clerk of this Court the costs of this action, including a counsel fee of $58 38/100 to John M. Brodrick, taxed at $126 65/100 3rd To the said plaintiff Benjamin A. Fleming the one seventh part of the residue thereof to-wit= $82 87/100 and the one seventh part of the notes for the defered payments. 4th to the said Jane Elizabeth Hoskins the one seventh part of said residue, to-wit= $82 87/100 and the one seventh part of the notes for the defered payments. 5th to the said Sarah L. Neighbors the one seventh part of said residue, to-wit= $82 87/100 and the one seventh part of the notes of the defered payments. 6th to the said Margaret Dickson the one seventh part of said residue, to-wit= $82 87 and the one seventh part of the notes for the defered payments.
7th to the said Rosina Scott the one seventh part of said residue, to-wit= $82 87/100 And the one seventh part of the notes for the defend payments.
8th The Court find that since the commencement of said action the said Victor Bonham, has purchased the interest of the John M. Fleming in said premises, and the deed therefor has been duly filed for record in the Recorders office of said County,
It is therefore ordered that the said interest of the said Victor Bonham, as assignee of the said John M. Fleming bring the one seventh part of the entire proceeds of said sale, and the interest of Belle Bonham, wife of said Victor Bonham, bring the one seventh part of the entire proceeds of said sale be deducted from the said purchase price of said sale, and the same be a payment in full to each of said parties above named, And the said Victor Bonham is required to execute notes and mortgage to secure the defered payments herein, under the statute.
The said Victor Bonham assumes the payment of the taxes due & to become due on said premises after the June 1883 payment thereof.

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4248 John W. Clark vs Mattie S. Tracy and J. W. Tracy } Money Only.

Now comes the plaintiff by his Attys and the defendants Mattie S. Tracy and J. W. Tracy being in default for answer and demurrer the Court find that the defendants Mattie S. Tracy and J. W. Tracy are indebted to the plaintiff J. W. Clark in the sum of One hundred Sixteen and 05/100 Dollars ($116 05/100) with interest at 6% from May 1st 1882.

It is therefore considered that the said John W. Clark recover from the defendants Mattie S. Tracy and John W. Tracy the said sum of One Hundred Sixteen and 05/100 Dollars ($116 05/100) with interest from May 1st 1882 and his costs herein expended taxed to $.

The State of Ohio vs Curtis Mahoffey } 649 Indictment for disturbing a meeting.

This day, to wit: April 26th 1883, came 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 his plea thereto saith he is not guilty and puts himself upon the Country and the Prosecuting Attorney doth the like. And the defendant thereupon asked the Court to fix the amount of his recognizance herein, and the Court accordingly fix the same at the sum of One Hundred Dollars. Thereupon in open Court came the defendant Curtis Mahoffey with Alonzo Smith as his surety and entered into recognizance in the sum of One Hundred Dollars conditioned for his appearance to answer said indictment on the 9th day of May, at this term of this Court.

3991 D. J. Thomas vs E. T. Firmstrack Admr } This day this cause came on to be heard upon the motion of plaintiff to set aside the Judgment heretofore rendered against him and grant a new trial, was argued by counsel, And the Court being fully advised in the premises and upon due consideration thereof, do sustain said motion. Wherefor it is ordered that said Judgment be and the same is hereby set aside and this case is again set down for Trial, and the defendants have leave to file an amended answer by July 1st 1883 and this cause continued.

Thereupon Court adjourned until to-morrow morning at 8.30 o'clock.

Wednesday, May 2nd A.D. 1883

Court met this morning at 8.30 o'clock pursuant to adjournment, the same officers being present as on yesterday.

4232 The State of Ohio vs Thomas Graham } On Peace Warrant

This day came the Prosecuting Attorney on behalf of the State of Ohio and the defendant being in Court and represented by counsel, it was agreed by all of said parties that this cause be continued to the next term of this Court. It is therefore considered and ordered by the Court that this cause be continued until the next term of this Court. It was further ordered by the Court that said defendant enter into recognizance in the sum of One Hundred Dollars for his appearance on the first day of the next term of Court. Thereupon came the said defendant in open Court and entered into recognizance in said sum of One Hundred Dollars conditioned for his appearance on the first day of the next term of this Court to answer to the charge herein made.

627 The State of Ohio vs Henry Downs } Indictment - for disturbing a Meeting

This day came 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, ordered and adjudged by the Court that the said defendant Henry Downs, pay a fine of Five Dollars and the costs herein taxed, and that he be committed to the jail of Union County until said fine and costs are paid.

4198 Elizabeth Depp et others vs John Robinson }

This day this cause came on to be heard, and it appearing to the Court that the legal title to the premises in the Petition mentioned, is complete in the defendant, and was so at the commencement of this action, it is therefore considered by the Court, that the defendant go hence without day, and recover of the Plaintiff his costs herein taxed to it. no record.

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Court met this morning at 8.30 o'clock pursuant to adjournment, the same officers being present as on yesterday.

650 The State of Ohio } vs. William Slavin } Indictment for Assault and Battery.

This day came 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;" and the defendant not desiring to say anything why sentence should not be pronounced upon said indictment and plea, and the Court being fully advised in the premises, It is therefore considered, ordered and adjudged by the Court that the said defendant William Slavin pay a fine of ten dollars and the costs of this prosecution and that he stand committed to the jail of Union County, Ohio, until said fine and costs are paid,

638 The State of Ohio } vs. William J. Adams } Indictment for House-breaking and Petit Larceny.

This day came 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.

638 The State of Ohio } vs William J. Adams } Indictment for House Breaking & Petit Larceny

This day came the prosecuting attorney on behalf of the State of Ohio and the defendant also came and retracted his plea heretofore made, and Entered his plea of guilty as charged in said indictment, which plea was accepted by the Prosecuting Attorney.

It is therefore Considered ordered and adjudged by the court that the said defendant William J. Adams pay a fine of $25.00 and be imprisoned in the jail of Union County, for 30 days and that he stand committed until said fine & Costs are paid.

648 The State of Ohio vs Henry Murphy. Continued by agreement.

651 The State of Ohio vs General Parmenter. Continued

Thursday, May 3rd A.D. 1883

4070 Thomas Martin
vs.
Oscar Gregg

This day came the parties by their Attorneys, and this cause came on to be tried; and thereupon came a jury to-wit: L. W. Bolenbaugh, Aaron Passey, J. R. Thornton, John Myers, Isaac Ferris, Joseph Parthemore, George W. Foreman, J. F. Bennett, Jeremiah Poling, J. B. Green, J. S. Rice and J. R. Gooding who, being duly impannelled and sworn to well and truly try the issue, joined between the parties in this cause, and a true Verdict render according to the law and 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, retired to their room to delibrate upon their Verdict, and after due deliberation returned in open Court and presented their Verdict in writing in the words and figures following, to-wit: Civil Action Verdict.

The State of Ohio.
Union County, Ss. April Term A.D. 1883. To-wit May 3rd 1883.
Thomas Martin Plaintiff vs Oscar Gregg Defendant.
We, the Jury in this case, being duly impannelled and sworn, do find and say that we find for the plaintiff and assess his damages at ten cents. Signed J. S. Rice, Foreman.

C. R. Kew
vs.
James Mulvaine

This day came the parties by their Attorneys, and this cause came on to be tried: and thereupon came a jury to-wit: Elias Thomas, J. R. Gooding, L. W. Bolenbaugh, Aaron Passey, John Morse, N. S. Chapman, J. S. Rice, James Cosby, J. F. Bennett, Isaac Ferris, J. B. Green, Morgan Young, who, being duly sworn to well and truly try the issue 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 retired to their room to delibrate upon their verdict, and after due delibration returned into open Court and presented their verdict in writing, in the words and figures following to-wit: Civil Action Verdict. April Term A.D. 1883, to-wit: May 3rd 1883
The State of Ohio, Union County, Ss. C. R. Kew, Plff vs. James Mulvaine Defdt.
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 $102,92

N. S. Chapman, Foreman.

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1st "

2nd "

3rd "

4th "

5th "

4055 Sarah Goff Plaintiff
vs
Martin Goldsbury et al Defendants
} Civil docket Union Com. Pleas
Confirmation of Sale in Partition.

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 deed duly Executed to convey said premises to the purchaser Wm N. Robinson in fee simple free of Dower. And the said Lucinda Goldsbury, widow, having asked that in lieu of her dower, its value be paid her in money the Court find the just and reasonable amount of her dower interest to be Two Hundred and Eighty seven and 61/100 Dollars. It is further ordered that out of the proceeds of said sale the Sheriff pay,

1st = Firstly, to the Treasurer of Union County Dollars
bring the taxes and penalty due on said premises,

2ndly Secondly, to the Clerk of this Court the costs of this action, including a counsel fee of $39 00 to D. W. Ayers Esq. for his services herein taxed at $125 06/100.

3rdly Thirdly, to the said Lucinda Goldsbury, Widow, the said sum of $287 61/100 as and for her full dower interest in said premises.

4thly Fourthly, And it being shown to the Court by the certificate of the Probate Court of Union County on file in this case, and on motion of A. H. Beightler Administrator of Wilds Goldsbury deceased, The Court find that the sum of $762 57/100 is necessary for the payment of the debts of the said Wilds Goldsbury's Estate, in addition to the assets of said Estate, and the Court therefore order that the said amount be by the said Sheriff paid over to the said Administrater out of the proceeds of the sale of the premises, in money and notes for the defered payments.

5thly Fifthly, And of the residue of the proceeds of said sale to the plaintiff Sarah Goff one eleventh of the remaining notes for the defered payments, and to the said defendants Martin Goldsbury, Elizabeth Poling, Frank Goldsbury, Charles Goldsbury, Harvey Goldsbury, Bertha Goldsbury Willoby Goldsbury and Isabella Goldsbury, each one eleventh of the said residue of the notes for the defered payments, and to the said defendants Wesley Tribit and Willoby Tribit each one twenty second part of said residue of notes for defered payments, And to the defendants Allen Conklin, Ira Conklin, Ada Conklin each one thirty third part of said residue of notes for defered payments.

And it is further ordered by the Court that the heirs who have been in the occupancy of said lands (the heirs of the widow aforesaid) pay rent for the time of three and one half years amounting to $39.72 to the following four heirs, to-wit Sarah Goff, Elizabeth Poling, the Tribits and Conklins aforesaid.

Thursday May 3rd 1883

4237 Hart Hitchcock & Co. vs J M. Dunn et. al } Money Only.

Now comes the Plaintiffs by their Attorneys Robinson and Piper and the defendants being in default for answer and demurer, the Court finds that the defendants J. M. Dunn, George Berger and T. B. Benton are indebted to the plaintiffs as said Administrator in the sum of One Hundred and Sixty three and 25/100 Dollars.

It is therefore considered that the said Hart Hitchcock & Co. recover from the defendants the said sum of One Hundred and Sixty three and 25/100 Dollars with interest at the rate of Eight per cent per annum from April 30th 1883 and their costs herein expended taxed to $.

4176 Harriett Alexander vs W. N. Conkright Admr } This day came the parties by their Attorneys and this cause came on to be heard upon the motion of Defendant to require Plaintiff to make he petition more definite and certain as in said motion stated. Also to require said plaintiff to separately state and number her alledged causes of action as in said motion stated.

Our consideration whereof the Court do sustain said motion and as to the motion to require said plaintiff to elect which of her said causes of action she will pursue the same is overruled.

Thereupon plaintiff asked and was granted leave to amend her petition by the 15th day of June 1883 and thereupon this cause was passed until the meeting of the Court July 9th 1883

4230 N. F. Willis vs W. N. Robinson } On application leave is granted to defendant to file answer by July 1st 1883 and cause continued.

Thereupon Court adjourned until to morrow morning at 8,30 o'clock

Court met this morning at 8.30 o'clock, and the same officers being present as on yesterday.

4145 David M. Robinson
vs
P. C. and St L. R'y Co.

This day came on this cause to be heard and was submitted to the Court on the defendants motion to require plaintiff to separately state and number his causes of action, Whereupon the Court sustain the motion and thereupon leave was granted to plaintiff for twenty days to amend his petition and this cause is continued.

4077 David Moulford
vs
William H. Turney, Alfred Titus et al

This day this cause came on to be heard upon the issues joined between the parties, and was argued by counsel, and the court being fully advised in the premises do find the Equities of the case to be with the plaintiff, That the condition of Exchange of lands was between plaintiff and said Alfred Titus, as the plaintiff hath alleged and that the said William H. Turney holds the legal title of said four acres and Eighty Eight Square poles so cut off by said road from the South side of said Fifty acre tract in trust for said Moulford. And the court further find that said David Moulford before the commencement of this action duly Executed and tendered to said William H Turney, a good and Sufficient deed for said Two acres and 107 poles so cut off by said road on the North side of plaintiffs Survey and that said Moulford has placed the same with the papers in the case in the hands of the Clerk of said court for the use and acceptance of said Turney.

It is therefore ordered, adjudged and decreed that the said William H. Turney Execute and deliver to said David Moulford a good and Sufficient deed for said four acres and 88 Square poles on or before the first day of July AD 1883, and in default of such conveyance, it is ordered that this judgment and decree operate as such conveyance, so as to vest the title in said four acres and 88 Square poles in said David Moulford in fee Simple.

It is further considered that said Plaintiff recover of said William H Turney his cost herein Expended taxed at $ And thereupon said William H. Turney gave notice of his intention to appeal this cause to the District Court, and the court fix the amount of the appeal bond at One Hundred dollars. ($100.)

Thereupon Court adjourned until tomorrow at 8.30 A.M.

Saturday, May 5th A. D. 1883.

Court met today at 8.20 A.M. pursuant to adjournment, the same Officers being present as on yesterday.

George B. Hamilton, Plaintiff.

vs

Nelson Walker, Sarah E. Walker, D. E. Taylor, Martha E. Taylor, Henry G. Thomas, L. H. Smith, David Jackway & W. S. Rodgers

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 a 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 Geo. B. Hamilton by deed in fee simple the lands and tenements so sold, and the said purchaser is hereby subrogated to all the rights of the 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 Eight Hundred and Sixty seven Dollars.

It is ordered that the Sheriff out of the money in his hands pay, First, the costs of this action taxed at

Second, that he pay the tax now a lien on said property amounting to $

Third, To the Plaintiff George B. Hamilton the amount hereto for found due him, with interest, to wit= the sum of $

Fourth, to the defendant W. S. Rodgers the balance of the money remaining in his hands to wit= the sum of Dollars

Union Co. O Dr

To A. J. Richardson.

To Services in Post Mortem examination of body of Nancy Rowe late of York Tp Union County O. March 26th 1883. $30.00

Approved." Pross atty will make entry.

John A. Price. Judge

38553

W. S. Alden
vs
Peoples Bank

Now comes the plaintiff and dismisses this action at his own cost. It is therefore considered by the court, that the plaintiff pay the cost of this action taxed to $.

Thereupon Court adjourned until Monday May 7th at 1 o'clock P.M.

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Monday, May 7th 1883

Court met this day at One O'clock P. M. pursuant to adjournment, the same officers being present as heretofore.

Formation of New Grand Jury.

It being deemed necessary, the Court this day ordered the Sheriff to call together a new Grand Jury by summoning from among the by standers or neighboring citizens fifteen good and lawful men having the qualifications of grand jurors.

Whereupon the following named persons were called, and appeared in answer thereto, to-wit= 1 W. H. Robb, 2 Benj. James, 3 W. C. Malin
4 A. D. Doolittle, 5 L. H. Warbs, 6 Charles Fullington
7 H. C. Vasbury, 8 Abr. Mowry 9 O. M. Scott
10 Solomon Butts 11 G. L. Sellars 12 Wm Wilson
13 George Williams 14 Wm Haines 15 S. S. McDivitt.

And the Court appointed W. H. Robb, Foreman of the said grand jury, and he, with his fellow jurors, took the oaths, in manner and form as prescribed by law; and the said Grand 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 new grand jury heretofore impanneled and sworn, to-wit=

1 W. H. Robb, 2 Benj. James 3 W. C. Malin 4 A. D. Doolittle
5 L. H. Warbs 6 Charles Fullington 7 H. C. Vasbury 8 Abr. Mowry
9 O. M. Scott 10 Solomon Butts 11 G. L. Sellars 12 Wm Wilson
13 George Williams 14 Wm Haines 15 S. S. McDivitt (W. H. Robb, Foreman),

and made report that they found no bills and there being no further business for said Grand Jury they were discharged finally.

The State of Ohio
vs
Wm Fist & David Beard

Indictment for throwing a Glass Bottle at a Railroad Train.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, the defendant William Fist appeared in open Court in obedience to his recognizance heretofore entered into; thereupon said defendant Wm Fist retracts his plea of "not guilty" heretofore entered, and for plea to said indictment saith he is guilty as charged in said indictment and said defendant William Fist having nothing to say why sentence should not be pronounced against him, It is therefore considered, ordered and adjudged by the Court, that said defendant William Fist pay a fine of Fifty Dollars and the costs of this prosecution and be imprisoned in the jail of Union County, Ohio, for the period of Thirty days and that he stand committed to the jail of Union County Ohio until said fine and costs are paid.

631 The State of Ohio vs Joseph Brown. Left off of Docket by order of Court
632 The State of Ohio vs Joseph Brown " " "
633 Same Same " " "
634 Same Same " " "

Monday, May 7th 1883

047 | The State of Ohio vs Henry Murphy | Indictment for selling intoxicating liquors contrary to law.

Now comes the Pros. Atty, 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 the charge in said indictment, which plea is accepted by the said Prosecuting Attorney; and said defendant Henry Murphy having nothing to say why sentence should not be pronounced upon him; It is therefore considered, ordered and adjudged by the Court that the defendant Henry Murphy pay a fine of Fifty Dollars and the costs of this prosecution and that in default thereof he be committed to the Jail of the said Union County, Ohio, until said fine and costs are paid.

645 | The State of Ohio vs Larkin J. Tougnet | Indictment for selling intoxicating liquor to person intoxicated.

Now comes the Pros. Atty 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 as charged in said indictment, which plea is accepted by the said Prosecuting Attorney; And the said defendant Larkin J. Tougnet having nothing to say why sentence should not be pronounced upon him. It is therefore considered, ordered and adjudged by the Court, that the said defendant ~~Henry Murphy~~ pay a fine of Fifty Dollars and the costs of this prosecution and in default thereof that he be committed to the Jail of said Union County, Ohio, until said fine and costs are paid.

The State of Ohio vs Wm Fist & David Beard

Now comes the Prosecuting Attorney on behalf of the State of Ohio and the defendant David Beard appearing in open Court; by consent of all parties this cause is continued.

Marysville O May 1st 1883.

To due R.H. Graham M.D. For making post Mortem examination on dead body of John Reisling in inquest held by J.H. Kirkade J.P. acting Coroner fifteen dollars.

I certify that Dr Graham made the post Mortem examination and I believe should be allowed $15.00 J.H. Kirkade J.P. acting Coroner

Approved. Clerk make Entry

John A. Price, Judge

Thereupon Court adjourned until tomorrow at 8.20 A.M.

636

* This day came the Pros. Atty on behalf of the State of Ohio and the defendant in person and by Sheriff and his counsel also came; whereupon the Court proceeded to impanel a jury to try the issue joined in this cause, and after hearing the evidence, arguments of counsel and charge of the Court the jury returned into Court the following verdict, to wit: We the jury impaneled and sworn in the above entitled cause find the defendant guilty as charged in the indictment. Wm. Fist, Foreman. And thereupon the defendant moved for a new trial herein, and the Court having heard said motion overruled the same and to which ruling of the Court the defendant excepted. Thereupon the defendant moved in arrest of judgment herein, and the Court having heard said motion overruled the same and to which ruling of the Court the defendant excepted. Thereupon the Court proceeded to pronounce sentence upon the defendant, and the defendant having nothing to say why sentence should not be pronounced upon him, it is therefore considered, ordered and adjudged by the Court that the defendant David Beard pay a fine of Fifty Dollars and the costs of this prosecution and that in default thereof he be committed to the Jail of said Union County, Ohio, until said fine and costs are paid.

Tuesday, May 8th 1883

Order relative to additional Jurors.

It being shown to the satisfaction of the Judge of the Court of Common Pleas of Union County Ohio, that the names of a sufficient number of Jurors for the transaction of the business of said Court for the unexpired portion of this year are not left in the Jury box; it is ordered by John A. Price, Judge of the Court of Common Pleas of Union County, Ohio that two hundred (200) Jurors be apportioned among the several Townships and Wards in the County, as provided by section fifty one hundred and sixty three (5162) of the revised statutes of Ohio. The Clerk of said Court, after making such apportionment in the manner provided by law, shall make a statement in writing of the number of Jurors required of each Township and ward to be forthwith delivered to the Sheriff of said County. Who shall forthwith serve the same upon the trustees and Councilmen, and return it, as a Summons is returned; and the trustees of the several townships, and the Councilmen of the several wards, shall, immediately on receipt of the statement, proceed to select good, Judicious persons, having the qualifications of an elector, who were not selected at the previous fall election, to the number required of their respective townships and wards, and transmit a list of the names of persons so selected to the Clerk of said Court.

Done this 8th day of May 1883, at the April Term, A. D. 1883, of the Court of Common Pleas of Union County, Ohio. John A. Price, Judge of said Court.

The State of Ohio
vs
Alfred Evans
} Indictment for grand larceny.

* 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:- The State of Ohio vs Alfred Evans, April Term. 1883, We, the jury in this case, find the defendant Alfred Evans not guilty, in manner and form as he stands charged in the indictment. J. P. Morse, Foreman.
And there being no further charge against said defendant he is hereby discharged.

The State of Ohio
vs
Alfred Evans
} The Court this day allow D. W. Ayers a fee of Twenty five Dollars as Counsel for defendant heretofore appointed in this case.

686 The State of Ohio vs A. W. Wilson } Continued for arrest.

Thereupon Court adjourned until tomorrow at 8.30 A.M.

* This day came the Pros. Atty on behalf of the State of Ohio and the defendant Alfred Evans in person and by his Counsel also coming into Court the Sheriff of this County also coming with the Venire heretofore issued and returned into Court, a Jury of twelve persons was empanelled and sworn as follows, to-wit: Chas. Thomas, D. W. Bolenbaugh, J. W. Morse, Foreman, Jas. McClain, H. H. Brown, H. H. Reed, V. V. Wilson, Daniel Hyde, who were duly impanelled and sworn as Jurors in this case.

Wednesday, May 9th A.D. 1883

Court met this morning at 8.30 o'clock pursuant to adjournment, the same officers being present as on yesterday

The Bank of North Lewisburgh
vs
3984 D. S. Ford et al

This day came on this cause as consolidated with the case of J. I. Case Threshing Machine Co against A. J. Heath et al and the court being fully advised in the premises do confirm said sales of the A. J. Heath lot and the personal property, consisting of an old Threshing Machine &c and the Sheriff is ordered to execute to Thomas Hatch the purchaser thereof a deed for the same and to his assignes and the court order that the proceeds of said sales and the land herein before sold be applied first in satisfaction of the costs of this cause and taxes and the ballance according to the decree herein-before made

Neverson Smith
vs
Mary E. Haines et als

This day came on this cause to be heard on the motion to confirm sale, and the court finding that all the proceedings aforesaid and said sale are regular and lawful does hereby confirm the same and order the said Sheriff to Execute and deliver to said purchaser his deed as Sheriff conveying to him in fee the title of all of said defendants in said land. and the court order that Hylas Sabine make his report as Receiver and that out of the Money in his hands he pay the costs in this cause and the taxes which are a lien on said land he deducting his reasonable fees as Receiver and if anything be left of the proceeds in his hands that the same be paid over to the heirs of Henry Barth decd and H. S. Van Fleet. And the court further order that the proceeds of the said sale be applied in payment of the said sums decreed in this cause to be paid to Neverson Smith and the other heirs of Lot-Edward Smith Decd as set forth in the Record of this court and in the District court of this county and if the Money in said Receivers hands prove not Sufficient to pay said costs and taxes and liens for taxes then the ballance of said costs are ordered to be paid out of the said sale and if after paying all the costs and taxes &c as aforesaid and said decree in favor of said Smith heirs there is any ballance remaining, It is hereby ordered that said ballance be paid one half to H. S. Van Fleet and the other half to said heirs of Henry Barth Decd in equal parts.

Hereupon Court adjourned to Met tommorrow Morning at 8½ Oclock.

Thursday. May 10th A.D. 1883.

Court met this morning at 8½ o'clock pursuant to adjournment - the same officers being present as on yesterday -

4132. Edward Stillings Guardian &c
vs
Jacob Leonard

This day this cause came on for hearing and by agreement of both parties hereto a jury was waived and this cause was submitted to the court on the pleadings, evidence and arguments of counsel. On consideration whereof the court do find that the allegations of the plaintiffs petition are true and that there is due from the defendant to the plaintiff as Guardian as alleged in his petition the Sum of Four Hundred and Seventy four 74/100 Dollars with interest thereon at the rate of Six per centum per annum from the 16th day of April A.D. 1883.

It is therefore considered and adjudged by the court that the said plaintiff Edward Stillings as Guardian of Ella M. Dines. Lottie A. Dines. Nannie Dines and Willie L. Dines do recover from the said defendant Jacob Leonard the said Sum of Four hundred and Seventy four dollars and Nineteen cents with interest thereon at the rate of Six per centum per annum from the 16th day of April A.D 1883 and his costs herein & [illegible] taxed at $ and Execution is awarded therefor -

The State of Ohio
vs
Curtis Mahaffey
6149 # Indictment for disturbing a Meeting

And the said jury having heard the testimony adduced by the parties the arguments of counsel and charge of the court after deliberation thereon returned the following verdict to wit; We the jury in this case, find the defendant Curtis Mahaffey not guilty in manner and form as he stands charged in the Indictment.

A. Davis. Forman

And there being no further Charge against him he was ordered to be discharged from custody.

The State of Ohio
vs
George M. Argo
Indictment for Murder in the first degree.

This day came the prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the Sheriff and being also represented by Counsel 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 at the request of the Prosecuting Attorney John L. Porter was appointed to assist the Prosecuting attorney in the prosecution of this case. And at the same time the said defendant being still in open court, it was ordered by the court that this case be set for trial on the third Monday of the next term of this court, to wit; on the 24th day of September A.D. 1883.

This day came the Sheriff of the State of Ohio and brought into court the following named persons to wit: James Conley, John Moore, Isaac Davis, J. H. Bennett, John Lang, J. B. Bartley, Jacob Leonard and Thomas Lattimore who were duly empannelled and sworn to serve as petit Jurors in the case of the State of Ohio against the said George M. Argo.

Thursday, May 10th A.D. 1883

3706 Arlington, Phelps & Woods vs A. C. Pearson Et al

This day this cause came on to be heard upon the Motion of plaintiffs filed herein on the 8th day of September 1882 to the answer of R. L. Woodburn and was argued by Counsel, on consideration whereof and the Court being fully advised in the premises sustains said Motion as to the words "both before and" on the first page of said answer and the same are Stricken from said answer, also Sustains said motion as to that part of said answer commencing with the words "That the two cognovit notes Mentioned &c" on the first page and Ending with the words "and is liable to be sold to pay the indebtedness of said &c" on the third page, and all that part of said answer is Stricken out, also Sustains said Motion as to the words "into said notes and judgment and" on the third page of said answer and said words are Stricken from said answer. Also Sustains said Motion as to that part of said answer beginning with the words "Further says he admits Pearson & Shares" on the fourth page and Ending with the words "by reason of the insolvency of said Pearson & Shares" on the fifth page, and all that part of said answer is Stricken out, Also Sustains said Motion as to all that part of said answer beginning with the words "And further this defendant is informed and believes and charges that of the $1000.00 on the fifth page and ending with the words "as well as in the said account since March 13th 1876" and all that part of said answer is Stricken out Except the following which is not Stricken out. "And further this defendant says that he is informed & believes & charges that of the $10000.00 Stock Subscribed by Pearson & Shares as aforesaid. Wm F. Wilcox about June 1875 bought 33 days Shares of $100.00 Each & has ever since held the same" to all of which rulings and orders of the court the said defendant at the time excepted.

3982

4089

H. C. Hamilton vs W. T. Moore et al

4142

On motion to the court by the plaintiff and upon producing the return of the Sheriff and the report of the ~~Sheriff~~ commissioners heretofore appointed herein, and the same having been examined by the Court and found in all respects correct and in conformity to law and the former orders of this court, the said proceedings are hereby approved and confirmed, It is further ordered and decreed that the said H. C. Hamilton have and possess the lands so assigned to him and that the other defendants have and hold jointly the parts and premises so set off and assigned to them jointly, and the Clerk is hereby directed to have so much of this decree as will show the transfer of title to the several parties put upon the record in the office of the Recorder of this County. And it is further ordered that the costs of this action, including a counsel fee of $66.50 to R. R. Beer atty for plaintiff for services herein taxed at $ be paid by the parties in the following proportions, to-wit; H. C. Hamilton 1/5 part thereof and the defendants Annie Moore, John W. Moore, Thomas E. Moore Mable Moore jointly pay the 4/5 part thereof—

4089

4005

4248

Thursday May 10th A. D. 1883.

4248 The Peoples Bank vs J. D. Haines et al

This day came the plaintiff by A. S. Carpenter their 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 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 defendants to said Plaintiff as is alleged in said plaintiffs petition the sum of $312.63. It is therefore considered that the said plaintiff do recover of said defendants the said sum of $312.63 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 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.

3982 Joseph Nelson vs Thomas Ervin } The jury in this action having at a former day of this court upon an inquiry of damages for the plaintiff assessed the same against the defendant at $30.00. It is therefore considered by the court that the plaintiff Joseph Nelson; recover from the defendant Thomas Ervin, the said sum of thirty dollars, so found due, together with his costs herein expended.

4069 Frank E. Justice vs John Zoerner } The jury in this action having on a former day of this court 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. no record

4089 William Beale vs Henry Sheridan } 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, the said defendant go hence without day, and recover from the plaintiff his costs herein expended.

4005 John P. Bailey vs Elliott Young et al } The jury in this action having on a former day of this term rendered a verdict for the defendants, and and no motion for a new trial having been made. It is therefore considered by the court that the said defendants go hence without day, and recover from the plaintiff their costs herein expended.

May 10th A.D. 1883

4046 Margaret C. Hamilton
vs
R. M. Weize

This cause came on for hearing on the motion of the defendant to set aside the verdict and for a new trial herein, the court, on consideration thereof, overrule the same.

It is therefore considered by the court that the said plaintiff recover from the said defendant the said sum of ($785.17) Seven hundred and thirty five dollars and seventeen cents, as heretofore, by the verdict of the jury, found due her with interest from the first day of this term, together with her costs herein expended. To all of which defendant excepted and asked the Court to allow sign and seal his Bill of Exceptions which is done and the same ordered to be made a part of the record.

4070 Thomas Martin
vs
Oscar Gregg

This cause came on for hearing on the Motion of the defendant to set aside the verdict and for a new trial herein, the court on consideration thereof overrule the same. It is therefore considered by the court that the said plaintiff recover from the said defendant the said sum of ten cents as heretofore by the verdict of the jury, found due him, together with his costs herein expended. To all of which rulings & judgment the defendant excepted.

4128 P. B. Kerr
vs
James Mulvaine

This cause came on for hearing on the Motion of the defendant to set aside the verdict and for a new trial herein. The court on consideration thereof overrule the same. It is therefore considered by the court that the said plaintiff recover from the said defendant the said sum of One hundred and Two dollars and ninety two cents as heretofore found due him, by the verdict of the jury with interest from the first day of this term, together with his costs herein expended.

4133. E. C. Hornton & Co
vs
Catherine Joseph et al

Now comes the plaintiffs, and dismiss this action at his own cost without prejudice to a new action. It is therfore considered by the court that the plaintiff pay the cost of this action taxed at $.

4129 George W. Drakee
vs
Henry Hazen

This cause was settled by the parties and at the cost of the defendant. It is therefore considered by the court that the plaintiff recover of the defendant his cost herein expended.

4141 James D. McNeal vs N. Y. P. & Roy Co. Continued by agreement

3914 4162 4168 1 3726 4184

3914 Hiram Meyers vs Mcathew Lingrel

Now comes the plaintiff and dismisses this action at his own cost without prejudice to a new action, It is therfore considered by the court that the plaintiff pay the cost of this action taxed to $ —

4162 L. B. Webster et al vs Richard Mayfield et al

This day came on this cause to be heard on the pleadings and evidence, Whereupon the court find for the defendants on the issues joined Whereupon the court order and decree that plaintiffs petition be dismissed and that defendants recover of the plaintiffs their costs herein & expended taxed to $ And thereupon plaintiffs gave notice of their intention to appeal to the District Court and the court fix the appeal Bond at $300.00 And leave is given defendants to supply the answer which is Mislaid or lost,

4168 Peleg Cranston Admr vs Charles Bird et al

This day came on this cause to be heard upon the issues joined between the plaintiff and John Orahood and the parties waived a trial by jury and submitted this cause to the court, Whereupon the court being fully advised in the premises do find for said defendant John Orahood. It is therfore considered and adjudged by the court that the defendant John Orahood go hence without day and recover of plaintiff his costs herein & expended taxed to $. and as to the other defendants this cause is dismissed without prejudice,

3726 Henry Fox vs John Leiggett } Cause continued by agreement,

4184 John McNeal vs R. T. McAllister and W. L. Rogers

This day came the plaintiff but defendants remained in default and thereupon the parties waived a trial by jury and submitted this cause to the court, Whereupon the court find for the plaintiff and assess his damages at one cent, It is therefore considered and adjudged by the court that the plaintiff recover of the defendants his damages of one cent and his costs herein & expended taxed to $ By agreement no record,

Thereupon Court adjourned to met tommorow morning at 8½ oclock.

Friday May 11th A.D. 1883.

This Morning Court at 8½ oclock pursuant to adjournment. the same officers being present as on yesterday.

4147 Mercellia Butler et al vs John Chapman } cause continued with leave to defendants to answer by the 15th of June 1883.

4155 David W. Stockstill et al vs John W. Hoyt Sumin &c } This cause was continued on plaintiffs Hearing and at their cost of this term. It is therefore considered that the defendant recover of the plaintiffs the costs of this term.

4138 George Coder vs Nancy J. McFadden et al } And now come the said parties by their attorneys and thereupon this action came on for trial on the petition of the said plaintiff and the answer and amended answer of Nancy J. McFadden and Hough McFadden and the reply of plaintiff thereto and the evidence and was argued by Counsel On consideration whereof the court do find that said deed of conveyance to the said Nancy J. McFadden mentioned in said petition is fraudulent and void as against the rights and claims of the said ~~plaintiffs~~, as the said plaintiff hath avered in his petition, and the court do further find that there is now due from the said Hough McFadden to the said plaintiff on the judgment in the said petition mentioned the sum of Three Hundred Twenty four & 8/100 Dollars with 8% interest from this date. And it is further ordered that in case the said sum is not paid in Thirty days from this date that the Sheriff of this county proceed to cause the lands and tenments in the said petition described or so much thereof as is required to pay said sum, to be appraised advertised and sold according to law; and that he apply the proceeds of the said sale to satisfy to the said plaintiff the said sum of Money so found due and owing to him as aforesaid, and it is further considered that the plaintiff recover of the defendant Hough McFadden his costs herein expended taxed to $

Thereupon defendants each gave notice of their intention to appeal this cause to the District Court of this county and the court fixed the appeare Bond at Two hundred dollars Each,

4203½ Union County Bank vs Ella Argo and G. W. Argo } And now comes the Plaintiff herein and dismisses this action at its own costs.

It is therefore considered ordered and adjudged by the court that the Plaintiff pay the costs of this action taxed to $.

Friday, May 11th A. D. 1883

To the Honorable John A. Price Judge
Union County. To John Hobensack Sheriff. Dr

For Services of Thomas Martin Bailiff attending Court whole Term	$6.00
Services of Henry Hobensack attending grand jury	11.00
Summoning two Special juries	2.00
Summoning Special Grand jury	4.50
Total	$77.50

Dated at Marysville this 11th day of May 1883.
I hereby certify that the above account is correct and unpaid
John Hobensack, Sheriff

Approved, Clerk will make proper Entry on the Journal
John A Price, Judge.

4071 James W. Robinson vs C. Holmes et. al

This day this cause came on to be heard upon the petition and answer of the defendants and the reply of the plaintiff, and the Court find from the testimony, for the defendants Obediah Holmes & Wife Mary J. Holmes, and it appearing that James Hoover is not a proper party hereto and that Charles Holmes who was interested in said claim is not a party thereto.
It is ordered by the Court that said James Hoover be dismissed without prejudice to any rights he may have under said Mortgage and it is ordered by the Court that this petition be dismissed, at Plffs costs without prejudice to the right of James Hoover to bring his action on said note and Mortgage. And the Court order Plaintiff to pay the costs herein within thirty days and in default of payment, execution issue therefor as upon judgments at law.

4167 Ann B. Oglesby vs J. S. Smith Alexander

This day this Cause came on to be heard on Demurrer of Defendants, whereupon on consideration the Court sustains said on the ground of defection parties plaintiff.

3558 Stephen Cranston Jr vs Orsan Benton et. al

Remanded from District Court to Court of Com. Pleas, for further proceedings.

Thereupon Court adjourned until Monday at one o'clock P.M. July 9th 1883

In Vacation

State of Ohio
Logan County, SS.

I hereby appoint William E. Baxter Auctioneer and authorize and empower him to make sales at auction according to law for the term of One year, upon the giving by the said William E. Baxter of the bond required by law with surety to the satisfaction of the Clerk of the Court of Common Pleas of Union County, Ohio, which approval by the said Clerk is hereby ratified by me and is to be held and taken as the acceptance and approval of said bond by the Court. The said William E. Baxter is hereby required to pay into the Treasury of said County of Union for his said license the sum of Three Dollars ($3.00). And the Clerk of said Court is hereby directed to enter this order on the Journals of said Court.
Done in Vacation this 18th day of May A.D. 1883.

John A. Price.
Judge 10th Judicial Dist. of Ohio.

4257 Elizabeth Case vs Elisha Case } Before the Probate Judge Union County Ohio.

And now, on this 7th day of June A.D. 1882, came the Plaintiff by J.S. Cameron her Attorney: And it being made to appear that there is at this time no Common Pleas, District, or Supreme Judge within said County, the motion of the Plaintiff for the temporary injunction came on and was heard upon the petition of the Plaintiff Elizabeth Case and the affidavit therein filed. And after hearing the argument of counsel, and being fully advised in the premises, it is considered and ordered that a temporary injunction be, and the same hereby is allowed in this case to restrain the said defendant from incumbering said land or disposing of the same or any part thereof, and from selling or disposing of any of the Vegetables or crops growing on said land and from interfering with the plaintiff in her custody and control of said Children and in all things enjoined as prayed for in said petition of plaintiff. It is further ordered that the Clerk of the Court of Common Pleas issue summons in this case indorsed injunction allowed on said plaintiff without giving an undertaking to said defendant.

John B. Coats, Probate Judge.

COUNTY