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2852
Entry.

Special
Venire.

2852.
Entry.

Union County Common Pleas. April Term, A. D. 1907. (Continued)

Monday, June 17th, 1907. Court convened at 9 o'clock a. m. Present Hon. John M. Brodrick, Judge.

2852 Entry. Catharine Driscoll, Plaintiff, vs. William Driscoll, Defendant.

Court of Common Pleas, Union County, Ohio, June 17th, 1907.

It appearing to the Court that the record of this case has not been made, and that it is necessary that a record hereof be made; it is ordered by the Court that the Clerk of this Court do make up and record the same under the provisions of Section 5335 of the Revised Statutes of Ohio.

It is ordered that plaintiff pay the costs herein taxed at $.

Special Venire. The State of Ohio, Union County, ss.

June 17th, 1907. Court of Common Pleas, Union County, Ohio.

This day the following names were drawn from the jury wheel:- Henry Eickenmeyer, J. E. Southard, J. W. Field, J. B. Martin, C. C. Armstrong, Josiah Turner and J. M. Peel.

And Henry Eickenmeyer, J. E. Southard, J. W. Field, and J. B. Martin being excused, their names are hereby returned to the jury wheel.

2852. Entry. Catharine Driscol, Plaintiff, vs. William Driscol, et al, Defendants.

Court of Common Pleas, Union County, Ohio. June 17th, 1907.

And now came the said Catherine Driscol by her attorneys, and thereupon this cause came on for hearing upon the petition and testimony and was argued by counsel; on consideration thereof the Court do 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, William Driscol, has been guilty of extreme cruelty and gross neglect of duty. It is therefore adjudged and decreed that the marriage relation heretofore existing between said parties be and the same hereby is set aside and wholly annulled and the said parties wholly released from the obligations of the same; and it is further ordered that said plaintiff have the care and custody of the children and it appearing that the defendant, P. P. Mazurt, has not offered to molest said children since the allowance of the injunction and has now removed from the county, as to him this case is dismissed

8580 Entry.

Burton L. Duitt, Plaintiff,
Vs.
Edward W. Moore, Defendant.

Court of Common Pleas,
Union County, Ohio,
June 17th, 1907.

This day came the parties herein, by their attorneys; also came the following named persons as jurors, to wit:- Fred Lockhey, J. P. Evans, Chas. Diehl, L. W. McAllister, Cyrus Coons, Frank Huffman, G. R. Houser, David Danforth, C. C. Armstrong, Josiah Turner, L. L. McAllister and J. M. Perl, who were duly impanneled and sworn according to law; and therefore the case came on for hearing on the pleadings and the evidence.

And the said jury having heard the testimony adduced in the case in part, the Court adjourned the further hearing of this case until tomorrow morning at 8.30 o' clock.

8580 Entry.

8511 Entry.

George W. McGhee, Plaintiff,
Vs.
Edwin A. Hotenpiller, and
Frances E. Hotenpiller, Defendants.

Court of Common Pleas,
Union County, Ohio.
June 17th, 1907.

This day came the parties and this cause came on to be heard upon the motion of the plaintiff for a new trial, and was argued by counsel and submitted; on consideration whereof the Court overrules said motion, to which said ruling the plaintiff by his counsel excepts. The jury having heretofore rendered its verdict in favor of the defendants and the motion for new trial being overruled, it is considered and adjudged by the court that the defendants go hence without day and that they recover of the plaintiff their costs herein expended.

Court adjourned to Tuesday, June 18th, 1907.

Tuesday, June 18th, 1907, Court convened at 8.30 A. M. Present, Hon. John M. Brodrick, Judge.

8580 Entry.

Burton L. Dritt, Plaintiff,
Vs.
Edward W. Moore, Defendant.

Court of Common Pleas,
Union County, Ohio,
June 18th, 1907.

This day came the parties herein, by their attorneys; also came the following-named persons, as Jurors, to-wit:- Fred Loschky, J. P. Evans, Chas. Diehl, L. W. McAllister, Cyrus Coons, Frank Huffman, G. A. Houser, David Danforth, C. C. Armstrong, Josiah Turner, L. L. McAllister and J. M. Peck, who were duly impaneled and sworn according to law; and thereupon the case came on for hearing on the pleadings and the evidence.

And the said Jury having heard the testimony adduced in the case in part, the Court adjourned the further hearing of this case until tomorrow morning at 9 o'clock.

Court adjourned to Wednesday, June 19th, 1907.

Wednesday June 19th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8488. Entry.

Edward A. Schaubs, Plaintiff,
vs.
Uert. E. Liggett, Defendant.

Court of Common Pleas,
Union County, Ohio.
June 19th, 1907.

By consent of parties, this cause is settled, and dismissed, costs paid; no record.

8580 Entry.

Burton L. Devitt, Plaintiff,
vs.
Edward W. Moore, Defendant.

Court of Common Pleas,
Union County Ohio.
June 19th, 1907.

This day came the parties herein, by their attorneys; also came the following-named persons as jurors, to wit: Fred Loschky, J. P. Evans, Chas. Dihl, L. W. McAllister, Cyrus Coons, Frank Huffman, G. R. Nourse, David Danforth, C. C. Armstrong, Josiah Turner, L. L. McAllister, and J. W. Peel, who were duly impanelled and sworn according to law; and thereupon the case came on for hearing on the pleadings and the evidence.

And the said jury having heard the testimony adduced in the case in part, the Court adjourned the further hearing of this case until tomorrow morning at 9 o'clock.

Court adjourned to Thursday, June 20th, 1907.

Thursday, June 20th, 1907. Court convened at 10 o'clock A. M. Present Hon. John M. Brodrick, Judge.

Court adjourned to Friday, June 21st, 1907.

Friday, June 21st, 1907, Court convened at 9 o'clock A. M. Present, Hon. John M. Brodrick, Judge.

8642 Entry. In the matter of the transfer of funds of the Jerome Township School District.

Court of Common Pleas, Union County, Ohio. June 21st, 1907.

This case coming to be heard on the petition and the evidence the court finds that notice by publication in the Marysville Tribune and the Union County Journal, two papers of opposite political parties of general circulation in the Jerome Township School District, has been duly given.

The court finds that the petition states sufficient facts and a necessity exists for the transfer of the funds asked for in the petition and that no injury will result by the granting the prayer of the petition.

The prayer of said petition is, therefore, granted, and it is ordered by the court that $2500.00 be transferred from the tuition fund to the building fund of the said Jerome Township School District and that $500.00 be transferred from the contingent fund to the building fund of the said district.

8636 Entry. Samuel C. Vanica, Plaintiff. Vs. A. E. Knox, Defendant.

Court of Common Pleas, Union County, Ohio. June 21st, 1907.

Now came the plaintiff herein, and the defendant being in default for answer and demurrer, the Court find that the allegations of the petition are confessed by him to be true and that there is due to said plaintiff, from the defendant, A. E. Knox, on account of the materials furnished as set forth in the petition, the sum of $61.20, and that the same is a lien on the premises described in the petition, by reason of the mechanic's lien therein described, and recorded in Book 5 - page 79 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, Samuel C. Vanica recover from the defendant, A. E. Knox, the said sum of $61.20, and his costs taxed at $, together with his costs herein expended. And that, unless the said judgment is paid within 3 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.

Court adjourned to Saturday, June 22nd, 1907.

Saturday. June 22nd, 1907. Court convened at 9 o'clock A. M.
Present Hon. John M. Brodrick, Judge.

Court adjourned to Monday, June 24th, 1907.

Monday, June 24th, 1907, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8626 Entry.

Florence A. Turner, Plaintiff,
vs.
Henderson Turner, Defendant.

Court of Common Pleas,
Union County, Ohio.
June 24th, 1907.

Now came the plaintiff herein, and the defendant being in default for answer and demurrer, 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 extreme cruelty toward plaintiff, and that by reason thereof the plaintiff is entitled to a divorce, as prayed for.

It is therefore ordered, and adjudged by the court that the marriage relation heretofore existing between the said Florence A. Turner and the said Henderson Turner be, and the same, hereby is, dissolved, and both parties are released from the obligations of the same.

It is further ordered, and adjudged that the defendant pay to the plaintiff, as her reasonable alimony, in money, the sum of Two Hundred ($200.00) Dollars, payable immediately, cash in hand.

It is further ordered that the said defendant pay the costs herein, taxed at $8.64.

Court adjourned to July 3rd, 1907.

Wednesday, July 3rd, 1907. Court convened at 9 o'clock A. M.
Present: Hon. John M. Brodrick, Judge.

8650 The Union Banking Company, Plaintiff,
vs.
Arthur Turner, B. L. Turner, and
Addie Turner, Defendants.

Court of Common Pleas,
Union County, Ohio,
July 3rd, 1907.
Judgment by Confession.

This day came the Plaintiff by J. C. Kikade, Attorney, and filed its Petition against said Defendants, Arthur Turner, B. L. Turner and Addie Turner and thereupon one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants, Arthur Turner, B. L. Turner, and Addie Turner and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendants, and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's Petition, the sum of Three Hundred Seventy-eight + 78/100 Dollars, $378. 78/100, bearing interest at 8 per cent. per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said The Union Banking Company, Plaintiff, do recover from said Arthur Turner, B. L. Turner, + Addie Turner, Defendants, the said sum of Three hundred Seventy-eight + 78/100 Dollars, $378. 78/100, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 3rd. day of July, 1907, at the rate of 8 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

Court adjourned to Friday, July 5th. 1907.

Friday, July 5th, 1907. Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

Court adjourned to Saturday, July 6th, 1907.

Saturday, July 6th, 1907, Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

8646. In the matter of the transfer of funds of the Allen Township School District.

Court of Common Pleas, Union County, Ohio, July 6th, 1907.

Entry.

This case coming on to be heard on the petition and the evidence the court finds that notice by publication in the Marysville Tribune and the Union County Journal, two papers of opposite political parties of general circulation in the Allen Township School District has been duly given.

The court finds that the petition states sufficient facts and a necessity exists for the transfer of the funds asked for in the petition and that no injury will result by granting the prayer of the petition.

The prayer of the said petition is, therefore, granted, and it is ordered by the court that $1000.00 be transferred from the tuition fund to the contingent fund of the said Allen Township School District as prayed for in the petition herein.

Court adjourned to Monday, July 8th, 1907.

Monday, July 8th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8580 Entry.

Burton L. Dewitt, Plaintiff.
vs.
Edward W. Moore, Defendant.

Court of Common Pleas,
Union County, Ohio,
July 8th, 1907.

The jury in this action, having, on a former day of this term, rendered a verdict for defendant, and assessed his damages at $2,000.00 and a motion for a new trial having been made by the defendant, and this cause coming on for hearing, on said motion of the defendant to set aside the verdict, and for a new trial herein, the court, on consideration thereof, overruled the same, to which defendant excepted at the time.

It is therefor considered by the court that the said Burton L. Dewitt recover from the said Edward W. Moore the said sum of Two Thousand Dollars ($2,000.00), as heretofore, by the verdict of the jury, found due him, with interest from the first day of this term, to-wit, from the 1st. day of April, 1907, together with his costs herein expended, to which the defendant excepted at the time.

Court adjourned to Thursday, July 25th, 1907.

Thursday, July 25th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

1322 Entry.

State of Ohio, Plaintiff.
vs.
Loyd Biggs, Defendant.

Court of Common Pleas,
Union County, Ohio.
July 25th, 1907.

This day came the defendant, into open court, and with William Gibson, D. G. Bird and A. B. Carter as his sureties, entered into recognizance before the court in the sum of One Thousand Dollars, conditioned for his appearance at the September term of court to answer said charge.

8511 Entry

George W. McGhee, Plaintiff.
vs.
Edwin R. Holcumpiller and
Frances E. Holcumpiller, Defendants.

Court of Common Pleas,
Union County, Ohio,
July 11th, 1907.

Now comes the plaintiff and presents his bill of exceptions, which is allowed and signed by the court, and is made a part of the record of this cause.

Court adjourned to Saturday, July 27th, 1907

8630 Entry

From Page 10.

8630 Entry.

Margaret Cahill, Plaintiff
vs.
William Cahill, et al. Defendants.

Court of Common Pleas,
Union County, Ohio,
June 24th, 1907.

Now come the plaintiff, and the defendants having been duly served with summons except said defendants, Lavina Jones and Libby J. Roney, who had been legally summoned by publication and all having failed to appear, the Court find them in default for answer and demurrer to said petition and find from the evidence, that the allegations thereof are confessed by them to be true. On consideration whereof, the Court do find that of the sum of money paid by said plaintiff as part of the purchase money for the 1st. tract of land described in said petition, that the sum of $300.00 thereof was paid by said plaintiff at the time of the purchase thereof and while said Truman R. Cahill, husband of said plaintiff was living, and that as to said sum a trust resulted by operation of law in favor of said plaintiff and that said sum of money was the one fifth part of said purchase money, and that plaintiff is thereby entitled to and hereby is decreed to be the owner in fee simple of the undivided one fifth (1/5) part of the proceeds of said premises so described in said plaintiffs petition.

The Court further find, that said first tract in the petition described was, on the 15th. day March 1881, sold for the sum of $2200.00, and that the plaintiff is thereby entitled to, and hereby is decreed to be, the owner in fee-simple of the one-fifth of said sum, to-wit, the sum of $440.00. The Court do further find, that the 77 acres, the second tract in said petition described, was purchased and for the sum of $3880.00, as alleged, and that said sum of $440.00 and also the additional sum of $550.00 was paid by the plaintiff on or about the time of the purchase thereof, and while said Truman R. Cahill, husband as aforesaid, was living, and that as to said two sums to-wit: the sum of $990.00, a trust resulted by operation of law, in favor of said plaintiff, and that said sum of $990.00 was 9/28 part of said purchase money, and that said plaintiff is hereby entitled to, and hereby is, decreed to be the owner in fee-simple of the undivided 9/28 part of said 77 acres so described in plaintiffs petition.

The Court further find Truman R. Cahill died testate and that the plaintiff, as his widow, elected to take a life-estate, under his will, in what is now the remaining undivided 19/28 part of said 77 acres, and that by reason thereof, she is entitled to said life-estate as aforesaid, and the plaintiff is entitled to have partition made of said premises; that the defendants, William Cahill, Marinda A. Stiggers, Lucinda A. Crawford, Lavina Jones, Libbie J. Roney, Cordelia Kezarter, Rafe Moffett, Thomas Moffett, W. J. Moffett, Jarrod Moffet, Emily West, Truman F. Moffett and Louie C. Worthington are tenants in common with said plaintiff in the said premises and are seized of and have a legal right to the remaining undivided 19/28 part of said premises, subject to said life estate of said plaintiff. And no reason appearing why partition should not be made:

It is therefore ordered, adjudged and decreed that the said plaintiff be endowed with a life estate in said 19/28 part of

said premises, and that subject thereto partition of said estate be made; and that an order issue to the Sheriff of said county of Union and State of Ohio, to be carried into effect at the convenience and pleasure of plaintiff, commanding him that by the oaths of

1320 Entre

three judicious and disinterested free holders of the vicinity, who are not of kin to either party, and who are hereby appointed commissioners for that purpose to set off and assign such life estate to the said plaintiff according to law; and that by the oaths of said named commissioners, he cause to be set off and divided to the said plaintiff, and to all of said defendants, William Cahill, Marinda A. Stiggers, Lucinda A. Crawford, Lavina Jones, Libbie J. Posey, Cordelia Kezartee, Rafe Moffett, Thomas Moffett, W. J. Moffett Jarrod Moffett, Emily West, Truman F. Moffett, and Louie C. Worthington, in gross, the part and proportion of said estate to which they are heretofore 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 both subject to, and also free from the life-estate, of said plaintiff; and of his proceedings herein, the said sheriff is ordered to make due return, whenever said plaintiff is ready therefor.

Wednesday, July 24th. 1907. Court convened at 9 o'clock. A. M. Present Hon. John M. Brodrick, Judge.

1322 State of Ohio, Plaintiff. — Court of Common Pleas,
vs. — Union County, Ohio.
Lloyd Biggs, Defendant. — July 24th, 1907.

This day came the defendant into open court in custody of the sheriff and this cause came on to be heard on the application of the said Lloyd Biggs to be admitted to bail, and the court having heard the evidence and finding the offence charged to be a bailable one grants said application. It is ordered that the said Lloyd Biggs enter into a recognizance in the sum of $1000.00 with sufficient surety for his appearance at the Court of Common Pleas of Union County, Ohio, at the September 1907 Term thereof then and there to answer said charge and upon giving such recognizance he be discharged, but in default thereof he be recommitted to the jail of said county.

Court adjourned to Thursday, July 25th, 1907.

Saturday, July 27th, 1907, Court convened at 9 o'clock A.M. Present Hon. John M. Brodrick, Judge.

1320 Entry.

State of Ohio, Plaintiff.
vs.
Frank Palen, Defendant.

Court of Common Pleas, Union County, Ohio. July 27th, 1907.

This day came the defendant into open court and with David Thomas Palen his surety and entered into recognizance before the court in the sum of Five Hundred Dollars, conditioned for his appearance at the September 1907 term of Court to answer said charge.

Court adjourned to Monday, July 29th, 1907.

Monday, July 29th, 1907. Court convened at 9 o'clock A.M.
Present Hon. John M. Brodrick, Judge

8652 Entry

Grace Cushman, Plaintiff,
Vs.
David Clyde Cushman, Defendant.

Court of Common Pleas,
Union County, Ohio.
July 29th, 1907.

This day this cause was settled by parties and all costs paid. Vs record.

8654 Entry.

Eli J. Stickle, Plaintiff,
Vs.
Emma A. Stickle, Defendant.

Court of Common Pleas,
Union County, Ohio.
July 29th, 1907.

This day the plaintiff appeared by his attorney, Phil M. Crow, and the defendant appeared in person and by her attorneys, C. C. Mosier and Hoover and Robinson.

On motion of plaintiff, leave is granted him to withdraw from the files of the court, his petition herein, as well as his reply to defendant's answer and cross-petition; and said pleadings are accordingly withdrawn.

Whereupon this cause is submitted to the court upon the answer and cross-petition of the defendant and upon the evidence.

On consideration whereof the court finds: that defendant has been a resident of the State of Ohio for more than one year next preceding the filing of said answer and cross-petition, and was at the time of said filing a bona fide resident of Hardin County, Ohio, from the Court of Common Pleas of which county this cause was removed to this said County of Union, upon a change of venue; that defendant and plaintiff were married, as stated in said answer and cross-petition; and that the children named in said pleading were born of said marriage.

The court further finds that plaintiff has been guilty of gross neglect of duty toward defendant, and that because of the same defendant is entitled to be divorced from plaintiff.

8651 Entry.

It is therefore adjudged and decreed that the marriage contract heretofore existing between the defendant, Emma A. Stickle, and plaintiff, Eli J. Stickle, be and the same is, hereby dissolved and held for naught, and that both said parties be and they are hereby absolved and released from the obligations of the same.

And the defendant and plaintiff declaring in open court that they have settled and compensated all rights of alimony existing in favor of either of them against the other, by the conveyance of certain interests and titles in certain real estate and by the transfer of certain other property rights and interests, and the court finding said settlement and compensation in all respects reasonable and fair and just to both the parties does adjudge and decree the same to be in full satisfaction and extinguishment of the rights of each of the parties hereto, to alimony out of the property of the other.

By the agreement of the parties it is ordered that the custody, care, education and control of the child of the parties, Lillian Grace Stickle, be, until further ordered by the court, confided to the defendant exclusively. Provided, however, that the plaintiff shall have until the further order

of the court, the following rights and privileges as to visiting with said child, to wit;

For the period of thirty days continuously, between June 15 and September 1 in each year, at such time as plaintiff shall desire plaintiff shall have the right to the exclusive care, custody, control and support of said child. All expenses of said child in plaintiff's taking her from, and returning her to, defendant's home, shall be borne by plaintiff. And plaintiff shall also have the right to visit with said child at its home at all reasonable times, and if it shall prove unsatisfactory to either of the parties, for plaintiff to so visit with said child at its home, plaintiff shall have the right to take her to another proper and suitable place for such visits, which shall include trips of recreation and enjoyment. During such visits other than those upon trips of recreation and enjoyment, the same shall be within the day-time, and said child shall be by plaintiff returned to the home of defendant, for the night.

And by the further agreement of the parties, and in consideration of the above mentioned settlement and compensation of alimony, it is ordered by the court that defendant, Emma A. Stickle, shall at her own expense support and maintain the said Lillian Grace Stickle, during her minority, except during the periods of her visits with plaintiff in pursuance of his rights and privileges as above decreed, and that if at any time the plaintiff, Eli J. Stickle, shall be required to support or maintain said child during her minority, except during her visits with him as above mentioned, the defendant will pay to plaintiff all amounts he may be required to expend or furnish for such support and maintenance as he may be required to furnish said child during her minority.

And by the further agreement it is ordered by the court that the defendant pay the costs of this action.

8651 Entry.

Eli J. Stickle, Plaintiff,
Vs.
Emma A. Stickle, Defendant.

Court of Common Pleas,
Union County, Ohio,
July 29th, 1907.

It is ordered by the Court that a complete record of this case be made in this Court, and that the Clerk of this Court transmit a full and complete transcript thereof to the clerk of the Court of Common Pleas Court of Hardin county, Ohio for record in that court.

Court adjourned to Wednesday, August 7th, 1907.

Wednesday August 7th 1907 Court convened at 9 O'clock A. M. Present — Hon. John M. Brodrick, Judge.

Entry 8645

The Bell Marriott Hardware Company Plaintiff,
Vs.
The Pittsburg Plate Glass Company, Defendant.

Court of Common Pleas of Union County, Ohio
August 7th 1907

By agreement of parties this case is settled, and costs paid and appeal dismissed.

Entry 8648

Court of Common Pleas, Union County, Ohio.

Entry 8632

Alice Spurgeon, Plaintiff.
Vs.
Clark Spurgeon, Defendant.

Entry 8657

This day this case is dismissed at defendants costs judgment for all over the $10.00 deposited by plaintiff which $10.00 shall be applied as payment on costs, Sheriff ordered to pay defendant the money in his hands from sale of personal property.

Court adjourned to Friday, August 9th, 1907.

Friday August 9th 1907 Court convened at 9 O clock A. M.
Present — Hon. — John M. Brodrick, Judge.

Louis C. Beem — Plaintiff,
Vs
Edward A. Carroll et al.
Defendants.

This day this case is settled and all costs paid.

Entry 8648

Received of Edward A. Carroll, and Rena M. Carroll, One Hundred and Sixty Three and 62/100 Dollars, in full settlement of the above action and the plaintiff is to pay the costs therein accrued to date. H. V. Spicer — Attorney for plaintiff.

Entry 8657

John H. Harruff and Jacob C. Myers partners as Harruff and Myers.
Vs.
Dora M. Fling and C. Fling.

Judgment Entry $178.25

This day came the plaintiffs by L. E. Myers Attorney; also appeared in open court, for and on behalf of said defendants, H. V. Spicer an Attorney at law of this court; and by virtue of the warrant of Attorney annexed to the note attached to the petition in said case, shown to have been duly executed by said defendants, entered the appearance of said defendants, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendants, and in favor of of said plaintiffs for One Hundred and Seventy Eight and 25/100 Dollars, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and wairved all exceptions, errors, and right of appeal in the premises. It is therefore considered that said plaintiff recover of said defendant the sum of One Hundred and Seventy Eight Dollars and Twenty Five Cents, being the amount of said note with interest computed at 8 per cent. per Annum from the 7th day of August A.D. 1907; and also their costs herein expended, taxed at $6.00.

Court adjourned to Saturday, August 10th. 1907.

Saturday August 10th, 1907. Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

Order to Draw Jury.

Court of Common Pleas, Union County, Ohio.

It is hereby ordered that the Clerk of the Court of Common Pleas, of Union County, Ohio, shall on the day of August, A. D. 1907, cause to be drawn according to law, the names of fifteen persons to serve as Grand Jurors, at the next term of said Court, commencing on the 16th. day of September, A. D. 1907; and at the same time and in the same manner cause to be drawn the names of fifteen persons to serve as Petit jurors at said term of Court.

Said Grand Jurors to appear on the 16th. day of September, A. D. 1907, at 9 o'clock, A. M., and said Petit jurors to appear on the 17th. day of September, A. D. 1907, at 9 o'clock A. M.

John M. Brodrick,
Judge of Court of Common Pleas, Union County, Ohio.

Eliza J. Boylan, a tax
payer, Plaintiff.
vs.
The Commissioners of Union
County, Ohio, et al, Defendants.

Court of Common Pleas,
Union County, Ohio,
August 12th, 1907.

This day came the Plaintiff by J. H. Kuckade, her attorney, and it appearing that the judges of the Common Pleas Court, in which Court the above entitled action is pending, are absent from the County, this cause came on, to be heard upon the Plaintiff's application for an injunction, upon the petition duly verified and affidavits therein filed, and was argued by Counsel, and the Probate Judge being fully advised in the premises, and being satisfied that the Plaintiff is entitled thereto, a temporary injunction is granted, as prayed for in the petition, restraining the defendants and each of them from taking any steps and from advertising the sale and from the construction of Webb Ditch #814, upon the said plaintiff giving to said defendant an undertaking, executed by sufficient surety, in the sum of Fifty ($50) dollars, conditioned and to be approved as required by law.

Dudley E. Thornton
Probate Judge.

The State of Ohio, Union County, ss.

I, D. E. Thornton, Judge and Ex-Officio Clerk of the Probate Court, within and for said County, 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, do hereby certify that the foregoing Entry is taken and copied from the Journal of the proceedings of said Court; that the same has been compared by me with the original Entry on said Journal and that it is a true and correct copy thereof.

In Testimony Whereof, I hereunto subscribe my name officially and affix the Seal of said Court, at the Court House in Marysville, in said County, this 13 day of August, 1907.

Dudley E. Thornton
Judge and Ex-Officio Clerk of said Probate Court.

Court adjourned to August 21st, 1907.

Court convened on Wednesday, August 21st. 1907. at 9 o'clock. A. M. Present Hon. John M. Brodrick, Judge.

8662 Entry.

Edwin Fleck, Plaintiff,
vs.
Mack Evans, Defendant.

Court of Common Pleas,
Union County, Ohio,
August 21st. 1907.

8662 Entry.

This day came the Plaintiff by J. M. Kennedy, Attorney; and filed his Petition against said Defendant, Mack Evans, and thereupon came A. H. Kollefrath, one of the Attorneys of Record of this court also appeared in open Court, for and on behalf of said Defendant, Mack Evans, and who by virtue of a warrant of attorney for that purpose duly executed by said Defendant, 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, confessed that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiff's petition, the sum of One Hundred and eight 53/100 Dollars, $108. 53/100, bearing interest at 8 per cent. per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum. It is therefore considered by the Court that said Edwin Fleck, Plaintiff, do recover from said Mack Evans, Defendant, the said sum of One Hundred and Eight + 53/100 Dollars, $108. 53/100, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 21st. day of August, 1907, at the rate of 8% per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

Court adjourned to Saturday August 24th. 1907.

Saturday, August 24th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8662 Entry.

Edwin Fleck, Plaintiff,
vs.
Mach Evans, Defendant.

Court of Common Pleas,
Union County, Ohio,
August 24th, 1907.

Now come the parties, and thereupon, this cause being heard upon the motion to open the judgment heretofore rendered in the action, the court find that said judgment was rendered upon a warrant of attorney, that no service was made upon the defendant and that he had no legal notice of the time and place of taking said judgment, and that he has a valid defense, the court therefore order that the said judgment be, and the same hereby is, set aside, and the answer and cross petition now offered to the court is received and filed.

Court adjourned to September 2nd, 1907.

Monday, September 2nd. 1907. Court convened at 9 o'clock. A.M. Present Hon. John M. Brodrick, Judge.

Appointment of Court Stenographer.

8621 Entry.

This day the Court of Common Pleas of Union County, Ohio, being of opinion that the business requires it, does hereby appoint Miss R. Eva Byers, skilled in the profession, to be the official stenographer of such court, who shall hold said appointment for the term of three years from the date hereof, and until a successor is appointed and qualified, unless removed by the Court, after good cause shown, for neglect of duty, misconduct in office, or incompetency.

It is ordered by the Court that said official stenographer shall take an oath to faithfully and impartially discharge the duties of such position.

It is further ordered by the Court that the compensation of such official stenographer be, and the same hereby is, fixed at the sum of three hundred and sixty dollars per annum, payable out of the general fund of said county in equal monthly installments, and also to receive eight cents per hundred words for transcripts of testimony as provided for by the statutes of this state. Such compensation to be in lieu of all per diem compensation in said Court.

September 2nd, 1907.

John M. Brodrick, Judge of the Court of Common Pleas of Union County, Ohio.

8649. Entry.

Court adjourned to Tuesday, September 3rd, 1907.

Tuesday, September 3rd, 1907. Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

8621 Entry.

Pearlie B. Teets, Plaintiff,
Vs.
Warren Teets, Defendant.

Court of Common Pleas,
Union County, Ohio.
September 3rd, 1907.

This day this cause came on to be heard upon the pleadings, evidence and argument of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and copy of petition; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 1st day of October, 1896, as alleged in said petition. And that Florence Opal Teets, aged 8 years and Gerald E. Teets, aged 6 years, were born as the issue of said marriage; and that the defendant has been guilty of gross neglect of duty and habitual drunkenness for more than three years last past as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be granted the care and custody of said minor children; and that the plaintiff be awarded and allowed One Hundred (100) Dollars alimony, and judgment against the Defendant for the costs.

8649. Entry.

Walter C. Henry, Plaintiff,
Vs.
Walter C. Fullington, Defendant.

Court of Common Pleas,
Union County, Ohio.
September 3rd, 1907.

This day this cause was dismissed by order of Plaintiff and all costs paid.

Court adjourned to Wednesday, September 4th, 1907.

Wednesday, September 4th, 1907, Court convened at 9 o'clock, a. m.
Present, Hon. John M. Brodrick, Judge.

Entry in Habras Corpus Proceedings.

To the Honorable John M. Brodrick, Judge of the Court of Common Pleas of the Third Sub-Division of the Tenth Judicial District of Ohio:-

On the application of William Golden, duly made, a writ of habras corpus is granted as prayed for in the petition, for the production of the body of said Clarence Golden, returnable on 6th. day of September, 1907.

8668
Entry.

8644.
Entry.

Court adjourned to Friday, September 6th, 1907.

Friday, September 6th, 1907. Court convened at 9 o'clock, A.M. Present Hon. John M. Brodrick, Judge.

Certificate for Pay.

Sheriff's Office, Union County, Ohio.

Marysville, Ohio, September 6th, 1907.

To Hon. John M. Brodrick, Judge.

The Court charges for the April Term, A. D. 1907, Union County Common Pleas, are due for services rendered and are as follows:

Union County, Ohio.

To D. C. Bolenbaugh, Sheriff, Dr.

To serving Grand Jury Venire	$ 4.50
To serving Petit Jury Venire,	$ 4.50
To serving Grand Jury Witnesses, 29	$ 2.90
To making 30 copies, Grand Jury Witnesses,	$ 3.00
To 182 miles travel, Grand Jury Witnesses	$ 14.56
Total	$ 29 46

I hereby certify the above bill to be correct.

D. C. Bolenbaugh,
Sheriff of Union County, Ohio.

To the Clerk of the Courts, Union County, Ohio.

You will make entry of the above bill and certify the same to the County Auditor.

John M. Brodrick,
Judge of the Common Pleas Court.

8668 Entry. In the matter of Clarence L. Golden, Habeas Corpus.

Court of Common Pleas, Union County, Ohio, September 6th, 1907.

This day Clarence L. Golden, being in Court in custody of the Sheriff, this cause came on for hearing on demurrer of the respondent to the petition herein on the ground of the want of jurisdiction as shown by the petition.

On consideration whereof the Court do sustain said demurrer.

It is therefore considered, ordered and adjudged by the Court that the petition herein be dismissed; that the said Clarence L. Golden be returned to the custody of paid respondent and that the relator herein, William Golden, pay the costs herein taxed at $2.78.

8644. Entry. Nathan Hopes, Plaintiff. vs. H. C. Patrick, et al. Defendants.

Court of Common Pleas, Union County, Ohio, September 6th, 1907.

This day this cause was settled by parties

Court adjourned to Saturday, September 7th, 1907.

Saturday, September 7th., 1907. Court convened at 9 o'clock, a. m. Present Hon. John M. Brodrick, Judge.

8655 Entry. A. C. Moor, et al. Plaintiffs, vs. The Erie Railroad Company, Defendants. — Court of Common Pleas, Union County, Ohio, September 7th. 1907.

This cause came on for hearing upon the motion of the defendant to strike the petition of the plaintiffs from the files for the reason that the same was not properly verified, whereupon, the court being fully advised in the premises, sustains said motion and said petition is ordered stricken from the files.

8570 Entry. Fannie Rockwell and Sarah A. Cornell, an insane person, by her Guardian, William Rockwell, Plaintiffs, vs. William L. Blaney, et. al., Defendants. — Court of Common Pleas, Union County, Ohio, September 7th, 1907.

This day this cause came on to be heard upon the motion of The Board of Education of Jerome Special School District, one of the defendants herein, to set aside an entry made at this term of court, in the above entitled cause, In Journal No. 20 and on page 562, under date of April 23d, 1907.

And it appearing to the court that said entry was caused to be placed upon the said journal, without having been approved by the court or opposing counsel, and without proof that the parties named therein are the legatees and devisees of the original plaintiffs herein, and without proof that said original parties are dead; the court sustain said motion.

It is therefore considered and adjudged by the court that the said entry placed upon said Journal No. 20 on page 562, under the date of April 23d, 1907, be and the same is hereby set aside and annulled. And it is further ordered and adjudged that the application of said William C. Rockwell, Arthur G. Rockwell and Myrtle Leach to be made parties hereto, be and the same is, continued.

8659 Entry. Eliza J. Boylan, Plaintiff, vs. The Commissioners of Union County, Ohio, et. al. Defendants. — Court of Common Pleas, Union County, Ohio, September 7th, 1907.

This day this cause was dismissed at costs of Plaintiff. Judgment for costs.

8600 Entry. Edwin H. Perkins, Adm. &c, Plaintiff, vs. W. W. Merchant, et. al., Defendants. — Court of Common Pleas, Union County, Ohio, September 7th, 1907.

Now comes Charles McCloud, John McCloud and Charles Swartz and suggest to the court the death of S. N. McCloud, one of the defendants herein, and that they are the duly appointed and qualified executors of the estate of said S. N. McCloud, and move the court for leave to become parties to this action, and to continue the same. And the court finding the

Court adjourned to Thursday, September 12th. 1907. (See Page 31)

Thursday, September 12th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8638 Entry. Lydia E. McPeck, Plaintiff, vs. Fred W. McPeck, Defendant.

Court of Common Pleas, Union County, Ohio. September 12th, 1907.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 17th day of September, 1903, as alleged in said petition. And that the defendant has been guilty of wilful absence for more than three years as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be and is hereby restored to her maiden name of Lydia E. Skidmore.

Judgment against the said defendant, Fred W. McPeck for costs of this action.

suggestion to be true, grant said motion; and said Charles McCloud, John McCloud and Charles Swartz, executors, &c, are accordingly made parties defendants in this action, and the action proceeds.

Court adjourned to Saturday, September 14th, 1907.

Saturday, September 14th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

It is ordered that all matters, causes and motions now pending in this Court, not otherwise disposed of by and the same are hereby continued to the next term thereof.

The present term of this Court was begun on the 1st. day of April, A. D. 1907, and continued from day to day and from time to time by regular adjournments, until this 14th. day of September, AD. 1907, and is now adjourned without day.

Attest: Charles Parrott, Clerk.
By Hester McCrory, Deputy.

September Term, 1907.

The State of Ohio, Union County, ss:-

This separate session of the Court of Common Pleas of the Tenth Judicial District and the Third Sub-Division of the State of Ohio within and for the County of Union of the September Term, A. D. 1907, held at the Court House in the Village of Marysville, County and State aforesaid, was begun on Monday, September 16th, A.D. 1907.

Present: Hon. John M. Brodrick, Judge.
D. C. Bolenbaugh, Sheriff.
Attest: Charles Parrott, Clerk.

8637 Entry.

Grand Jury Facias.

The Venire Facias for a Grand Jury heretofore issued was duly returned by the Sheriff on September 16th, 1907, with his endorsement thereon as follows:-

The State of Ohio, Union County, ss.

Sheriff's Office, Sept. 16th, 1907.

On the 10th. day of August, 1907, 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 hereon.

1.	Martin Brunold	Aug. 15/07.	by mail	4
2.	A. J. Middlesworth	Aug. 26/ "	" "	20
3.	Amos Howard	" 14" "	" "	Excused
4.	H. G. Logan	" 19" "	" "	9
5.	John McMillen	" " " "	" "	Excused
6.	Wm. P. Hisey	" 13th "	" "	9
7.	John Shisler	" 21st "	" "	Excused
8.	George Moore	" 14th "	" "	Excused
9.	Henry Schmidt	" 17th "	" "	
10.	Elias Graham	" 15th "	" "	5
11.	J. O. Sanderson	" 14th "	" "	9
12.	Sherman Fields	" 19th "	" "	20
13.	J. B. Martin	" 13th "	" "	Excused.
14.	Oscar Bell	" 14th "	" "	12
15.	William Dodge	" 14th "	" "	7

D. C. Bolenbaugh, Sheriff.

8593 Entry

8629 Entry.

And upon calling the panel in open Court all of the above named Jurors, appeared in answer thereto, except Amos Howard, John McMillen, John Shisler, George Moore and J. B. Martin, who were excused by the Court for good cause shown.

8660 Entry.

And the panel being incomplete the court ordered a special venire facias to issue to fill up the same, returnable forthwith; whereupon the clerk issued a special venire facias for the following named persons, to wit: David Dauforth, John W. Southard, John G. Moore, J. J. Brannon and O. B. Davis.

8653. Entry.

And now the special venire facias heretofore ordered by the court, was duly returned by the sheriff, with his endorsement thereon as follows, to wit:

"In obedience to the command of this writ I summoned the within named Jurors as follows: By notice prescribed by law served personally thereon David Dauforth, John W. Southard, John G. Moore, J. J. Brannon and O. B. Davis.

D. C. Bolenbaugh, Sheriff."

and thereupon the court appointed John W. Southard foreman, and he with-

his fellow jurors, took the oaths in manner and form prescribed by law; and after being instructed by the Court in relation to their duties, were conducted to their room by the Sheriff.

8637 Entry. In re naturalization case of Abraham W. Bloom. Court of Common Pleas, Union County, Ohio, September 16th, 1907.

It appearing to the Court that Abraham W. Bloom has filed a petition in this Court to be admitted as a citizen of the United States under the laws of the United States, and it further appearing that said petition does not contain the names and affidavits of two witnesses as required by law, and said Abraham W. Bloom having removed from this county, the Court coming on to hear said case doth hereby dismiss said petition as defective by reason of the facts above found.

In the Court of Common Pleas of Union County, Ohio.

This day appeared before the Hon. John M. Brodrick, Judge of the Court of Common Pleas of the Third Sub-Division of the Tenth Judicial District of Ohio, - A. Eva Byers, heretofore, to wit on the 2nd. day of September, 1907, appointed as Official Stenographer, and took the oath of office, as required by statute.

8593 Entry. J. Val Munnell, Plaintiff, Vs. Evangeline Munnell, Defendant. Court of Common Pleas, Union County, Ohio. September 16th, 1907.

This day this cause was dismissed at costs of Plaintiff. Judgment against plaintiff for costs.

8629 Entry. Lillie Littler, et. al. Plaintiffs, Vs. Mary Hunt Snider, et. al. Defendants. Court of Common Pleas, Union County, Ohio, September 16th, 1907.

This day leave is given to file answer for defendants instanter, and same filed.

8660 Entry. Lilliane Autrim, Plaintiff, Vs. John A. Kennington, Exc. Defendant. Court of Common Pleas, Union County, Ohio. September 16th, 1907.

This day leave is granted Defendant to file answer by September 21st. 1907.

8653. Entry. Almina Lowe, Plaintiff, Vs. Della White, et. al. Defendants. Court of Common Pleas, Union County, Ohio. September 16th, 1907

And now this cause coming on to be heard upon the petition and the evidence, 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 thereto.

Thereupon, the Court further find that the plaintiff and the defendants heretofore named are tenants in common in the estate described in the petition; that the plaintiff, Almina Love, has a legal right to the one-third thereof; the defendants, Della White, Valentine Love, Wilfred Love, and Nellie A. Criswell each have a legal right to the one-twelfth thereof and the defendants, Orville Love, Ottie M. Love, Sherman Love, Lura Love, Lena Love and Blanche Love each have a legal right to the one-eighteenth part thereof; and that the plaintiff is entitled to have partition of said estate made, as prayed for in her petition.

It is therefore ordered, adjudged and decreed that partition of said estate be made in favor of all parties in interest, and that Chas. Marriott, Thos. Price and Hile Eckelberry, three judicious and disinterested free holders of the vicinity are hereby appointed Commissioners to make the same.

And it is ordered that a writ of partition issue to the sheriff of Union County, commanding him that by the oaths of the Commissioners above named, he cause to be set off and divided to each of the above named parties, the part and proportion of said estate to which they are severally above found entitled.

And of his proceedings herein, said sheriff is ordered to make due return.

8583 Entry.

Parlin & Orendorf Company, Plaintiff.
vs.
Frank M. Dille, et. al, Defendants.

Court of Common Pleas, Union County, Ohio, September 16th, 1907.

This day leave is granted to Deft. S. G. Harrison, to file answer and cross-petition within 10 days.

8631 Entry.

Lester Oliver, Plaintiff.
vs.
Ed. E. Koffroth, et. al, Defendants.

Court of Common Pleas, Union County, Ohio, September 16th, 1907.

This day the Court sustains the motion of Defendant to require plaintiff to make the petition more definite and certain. Leave is granted to plaintiff to file amended petition within 10 days.

8596 Entry.

J. L. Cameron, Plaintiff.
vs.
Beverly Depp, Defendant.

Court of Common Pleas, Union County, Ohio, September 16th, 1907.

This day the Court refused leave to defendant to file motion to make petition definite and certain and defendant granted leave to file amended answer by September 21st, 1907.

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Court adjourned to Tuesday, September 17th. 1907.

Tuesday, September 17th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

The Grand Jury continued their examination of Witnesses.

8493 Entry. Samuel Hall, Plaintiff. vs. Michael Cody, Defendant. — Court of Common Pleas. Union County, Ohio. September 17th, 1907.

This day this case came on to be heard upon the issues made by the parties and to a jury duly impaneled and sworn, and upon motion of the plaintiff, the Court dismissed the case before final submission to the jury, without prejudice at the cost of the plaintiff, and execution is awarded for the costs taxed at $

8581 Entry. International Harvester Company of America, Plaintiff. vs. Ed Rogers, et.al, Defendants. — Court of Common Pleas. Union County, Ohio. September 17th. 1907.

This cause now coming on for hearing on the petition of the plaintiff herein, and the attorneys for the defendant, Ed Rogers, being present, and by their consent and the Court being duly advised, and the evidence to the Court find that the defendant, Ed. Rogers, having been duly served with summons in this case, and the defendant, Ed. Rogers, by his attorneys, acknowledges debt, and that the allegations of the petition of the International Harvester Company of America, are hereby confessed by said Ed Rogers to be true, and there is due to the said International Harvester Company of America from the defendant, Ed Rogers, on his promissory note set forth in said petition with interest to the date of this decree, the sum of $ 124.45. 8537 Entry. 8540 Entry.

The Court finds that the defendant, Ed Rogers, executed the chattel mortgages as stated in the said petition, and that the same are valid and subsisting liens, and the plaintiff is entitled to have said chattel property sold to pay the amounts due as aforesaid. It is therefore ordered that the defendant, Ed Rogers, pay to the plaintiff at once, said sum of $124.45 with interest, and costs of suit, and if not paid the chattel property described in the petition shall be sold by the sheriff of the County, as upon execution, and that an order issue for that purpose. 8640 Entry.

The Petit Jury was this day adjourned to Monday, September 23d, 1907.

Times for Holding Circuit Courts.

The State of Ohio.
Third Judicial Circuit.

It is ordered that the time of the beginning of the terms of the Circuit Courts of the several Counties in said Circuit for the year 1908, be fixed as follows, to wit:

Wyandot County on the 7th day of January and the 8th day of September.

Marion County on the 14th. day of January and the 15th. day of September.
Crawford County on the 28th. day of January and the 22d. day of September.
Union County on the 11th. day of February and the 29th. day of September.
Hardin County on the 18th. day of February and the 1st. day of October.
Logan County on the 25th. day of February and the 6th. day of October.
Henry County on the 3rd. day of March and the 13th. day of October.
Paulding County on the 10th. day of March and the 15th. day of October.
Defiance County on the 17th. day of March and the 20th. day of October.
Putnam County on the 24th. day of March and the 27th. day of October.
Van Wert County on the 7th. day of April and the 4th. day of November.
Allen County on the 14th day of April and the 10th. day of November.
Auglaize County on the 28th. day of April and the 17th. day of November.
Mercer County on the 5th. day of May and the 24th. day of November
Seneca County on the 12th. day of May and the 1st. day of December.
Hancock County on the 19th. day of May and the 8th. day of December.
Said terms to begin at 9 o'clock A. M.
September 17th. 1907.

Caleb H. Norris
Silas E. Hurin } Judges.
M. Donnelly

8537 Entry. John Brunson, Plaintiff.
vs.
H. G. Stevenson, Defendant.

Court of Common Pleas,
Union County, Ohio.
September 17th. 1907.

This day this cause was dismissed at plaintiffs costs. Judgment for costs against plaintiff.

8540 Entry. Valentine Zoellner, Plaintiff.
vs.
H. G. Stevenson, Defendant.

Court of Common Pleas,
Union County, Ohio.
September 17th. 1907.

This day this cause was dismissed at plaintiffs costs. Judgment against plaintiff for costs. It is therefore adjudged that the defendant recover from plaintiff his cost herein expended.

8640 Entry. Alonzo W. Evans, Plaintiff.
vs.
Howard Schoby, Defendant,

Court of Common Pleas,
Union County, Ohio,
September 17th. 1907.

This day the Court ordered Plaintiff to secure costs within 30 days and cause continued.

Court adjourned to Wednesday, September 18th. 1907.

Wednesday, September 18th, 1907. Court convened at 8:30 o'clock, a. m. Present Hon. John M. Brodrick, Judge.

The Grand Jury continued their examination of Witnesses.

Report of Grand Jury.

Court of Common Pleas, Union County, Ohio.
September Term, 1907.

In the matter of the Grand Jury:

This day appeared at the bar of this Court the Grand Jury heretofore impaneled and sworn in and for the body of this, Union County, namely: 8653. Entry.

1 John W. Southard
2. Martin Brunsold
3. A. J. Middleworth
4. H. G. Logan
5. William P. Hiey
6. Henry Schmidt.
7. Elias Graham
8 J. D. Sanderson.
9. Sherman Fields
10. Oscar Bell
11. William Dodge
12. David Danforth.
13. John F. Moore.
14. J. J. Brannon.
15. A. B. Davis.

and presented their certain eleven bills of indictments, each indorsed by John W. Southard, Foreman of the Grand Jury, "A True Bill," and against the following named persons for the following specified offenses, viz:

Frank Smith	for	Assault and Battery
John Woolridge	for	Cutting with intent to wound.
Fred Howland	for	Provoking a breach of peace.
Willard Gibson and Lloyd Biggs	for	Burglary and Larceny
John Heck	for	Selling Intoxicating Liquor to minor.
John Heck	for	" " " " "
Conrad Brach	for	" " " " "
Conrad Brach	for	" " " " "
Warren Beaver	for	" " " " "
Doss Gobin	for	Assault and Battery
Alonzo A. Mathers	for.	Being found in a state of intoxication.

Also their report in writing to the Court in words and figures following, to wit:

Report of Grand Jury.

To the Honorable John M. Brodrick,
Judge of the Court of Common Pleas, Union County, Ohio:

The Grand Jury of the Court of Common Pleas of said County, of the September Term, 1907, 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 carefully examined in all such matters as have legitimately come to our notice, having examined over fifty-five (55) witnesses, covering fourteen cases, and presented eleven bills, and ignored three cases considered by us. The business has been transacted in as expeditious a matter as possible.

During our session we visited the County Jail, examined its state and condition, and inquired into the discipline and treatment

of the prisoners, and their habits, diet and accomodations. We find, and respectfully report to the Court, that the rules prescribed by the Judge have been faithfully kept and observed, and we do find that no provision of law for the regulation of County Jails has been violated.

Respectfully submitted,

John W. Southard, Foreman.

September 18th., 1907.

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

8653. Entry.

Almina Love, Plaintiff,
Vs.
Della White, et. al. Defendants.

Court of Common Pleas,
Union County, Ohio,
September 18th, 1907.

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. And it appearing from said report that said estate could 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 estate at Thirty-five Hundred (3500) Dollars, the court find the said return and proceedings in all respects correct and in conformity to law, and do therefore approve and confirm the same.

And it appearing to the Court that the said Almina Love has elected to take the said premises at their appraised value, it is ordered by the court on good cause shown, that the proportion thereof due to the other parties be paid in cash to the sheriff, and that upon the said Almina Love paying the same, together with her proportion of the costs in the case, including counsel fee of $75.00 to S.W. Van Winkle for his services herein, and her proportion of the taxes and penalty due on said premises, amounting in all to $164.59. the said estate be and it hereby is, adjudged to her; and the sheriff is ordered thereupon to make and execute to her a conveyance therefor.

And the court coming now to distribute the proceeds of said estate, it is ordered that the sheriff, upon receiving the same, as above, pay:

First to the Treasurer of Union County the sum of $19.51 and to the Treasurer of Marion County the sum of $13.26, being the taxes and penalty due on said premises.

Secondly to the Clerk of this Court the costs of this action, including counsel fee, the sum of $13.99.

Thirdly to the defendant, Della White, the sum of $277.95; to the defendant, Valentine Love, $277.95; to the defendant, Wilfred Love, $277.95; to the defendant, Nellie A. Criswell, $277.95; to the defendant, Orville Love, $185.30; to the defendant, Ottie M. Love, $185.30; to the defendant, Sherman Love $185.30; to the defendant Lura Love $185.30; to the defendant, Lua Love, $185.30; and to the defendant, Blanche Love, $185.30, in full of their respective rights herein.

8671
Entry.

Court adjourned to Thursday, September, 19th, 1907.

Thursday, September 19th, 1907. Court convened at 9 o'clock a. m. Present Hon. John M. Brodrick, Judge.

8671 Entry. William H. Sherman, Plaintiff.
Vs.
Frank Heller, et. al, Defendants.

Court of Common Pleas, Union County, Ohio. September 19th, 1907.

This day this case was dismissed at Plaintiffs costs.

1332
Entry.

1332
Entry.

1333
Entry.

1333.
Entry.

8601
Entry.

1324
Entry.

Court adjourned to Saturday, September 21st. 1907.

Saturday, September 21st. 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

1332 Entry. State of Ohio, Plaintiff. vs. John Heck, Defendant. Court of Common Pleas, Union County, Ohio, September 21st. 1907.

Indictment for selling and furnishing intoxicating liquors to minors

This day came the prosecuting attorney on the part of the state and with leave of the court, entered a nolle prosequi on the first count of the above indictment.

1332 Entry. State of Ohio, Plaintiff. vs. John Heck, Defendant. Court of Common Pleas, Union County, Ohio, September 21st. 1907.

Indictment for selling and furnishing intoxicating liquors to minors.

Now comes the prosecuting attorney on behalf of the state of Ohio, and the defendant being brought into court and arraigned on said indictment, for plea thereto, saith he is guilty; therefore it is ordered and adjudged by the court that the said John Heck pay a fine of fifty dollars and the costs of this prosecution; and execution is awarded.

1333 Entry. State of Ohio, Plaintiff. vs. John Heck, Defendant. Court of Common Pleas, Union County, Ohio, September 21st. 1907.

Indictment for selling and furnishing intoxicating liquors to minor.

This day came the prosecuting attorney on the part of the state, and with leave of the court, entered a nolle prosequi on the first count of the above indictment.

1333. Entry. State of Ohio, Plaintiff. vs. John Heck, Defendant. Court of Common Pleas, Union County, Ohio, September 21st. 1907.

Indictment for selling and furnishing intoxicating liquors to minor.

Now comes the prosecuting attorney on behalf of the state of Ohio, and the defendant being brought into court and arraigned on said indictment, for plea thereto saith he is guilty; therefore it is ordered and adjudged by the court that the said John Heck pay a fine of fifty dollars and the costs of this prosecution, and execution is awarded.

8601 Entry. W. H. Fort, Plaintiff. vs. Benjamin Rogers, Defendant. Court of Common Pleas, Union County, Ohio, September 21st. 1907.

This day this cause was settled and all costs paid.

1324 Entry. State of Ohio, Plaintiff. vs. John Woodridge, Defendant. Court of Common Pleas, Union County, Ohio, September 21st. 1907.

Indictment for cutting with intent to wound.

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. L. Cameron, as counsel for his defense. 1330 Entry.

8596 Entry.

Jesse L. Cameron, Plaintiff.
Vs.
Beverly Depp, Defendant.

Court of Common Pleas,
Union County, Ohio,
September 21st. 1907.

This cause coming on for hearing upon the demurrer of the plaintiff to the second ground of defense of the amended answer of the defendant and was argued by counsel, whereupon the court being fully advised in the premises sustains the demurrer to said second ground of defense. 1330 Entry.

1331 Entry.

1331 Entry.

8501 Entry.

Court adjourned to Monday, September 23rd. 1907.

Monday, September 23rd, 1907, Court convened at 9 o'clock A. M.
Present: Hon. John M. Brodrick, Judge.

1330 Entry.

State of Ohio, Plaintiff.
vs.
Conrad Beach, Defendant.

Court of Common Pleas,
Union County, Ohio,
September 23rd, 1907.

Indictment for selling and furnishing Intoxicating liquors to minor.

This day came the prosecuting attorney on the part of the state and with leave of the court entered a nolle prosequi on the first count of the above indictment.

1330 Entry.

State of Ohio, Plaintiff.
vs.
Conrad Beach, Defendant.

Court of Common Pleas,
Union County, Ohio,
September 23rd, 1907.

Indictment for selling and furnishing intoxicating liquors to minor.

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being brought into court and arraigned on said indictment, for plea thereto saith he is guilty: thereupon it is ordered and adjudged by the court that the said Conrad Beach pay a fine of fifty dollars and the costs of this prosecution, and execution is awarded.

1331 Entry.

State of Ohio, Plaintiff.
vs.
Conrad Beach, Defendant.

Court of Common Pleas,
Union County, Ohio,
September 23rd, 1907.

This day came the prosecuting attorney on the part of the state, and with leave of the court, entered a nolle prosequi on the first count of the above indictment.

1331 Entry.

State of Ohio, Plaintiff.
vs.
Conrad Beach, Defendant.

Court of Common Pleas,
Union County, Ohio,
September 23rd, 1907.

Indictment for selling and furnishing Intoxicating liquors to minor.

Now comes the prosecuting attorney on behalf of the state of Ohio, and the defendant being brought into court and arraigned on said indictment, for plea thereto saith he is guilty: thereupon it is ordered and adjudged by the court that the said Conrad Beach pay a fine of fifty dollars, and the costs of this prosecution and execution is awarded.

8501 Entry.

Joseph Gilbreaux, Plaintiff.
vs.
Grace L. Gilbreaux, et. al. Defendants.

Court of Common Pleas,
Union County, Ohio,
September 23rd, 1907.

This day came the parties and settled this cause as per memoranda on file, and this cause is dismissed at cost of plaintiff.

It is therefore considered and adjudged that the Defendant recover of plaintiff her costs herein expended and the plaintiff pay his own costs.

8502 Entry.

Henry Silbrman, Plaintiff.
vs.
Grace L. Silbrman, et.al. Defendants.

Court of Common Pleas, Union County, Ohio, September 23rd. 1907.

1323 Entry.

This day came the parties and the defendant by leave of the Court withdraws her answer, and permitted judgt. to be rendered in favor of plaintiff as prayed for. Judgt. and order of sale.

8598 Entry.

The Barber Asphalt Paving Co. Plaintiff.
vs.
The Village of Marysville, Ohio, Defendant.

Court of Common Pleas, Union County, Ohio, September 23rd. 1907.

This cause coming on this day for hearing, the Court having heretofore found for the defendant upon demurrer to answer and upon motion, and neither party desiring to plead farther, this cause was submitted to the Court upon the pleadings and the evidence and on consideration thereof, the Court finds upon the issues joined for the defendant.

1335 Entry.

The Court coming to put construction upon the contract between the Plaintiff and defendant finds that the proper construction of said contract that the defendant village is not liable for the sum of $819 for excavation for the reason that according to the terms of the contract, all excavation necessary was included in the total charge of $1.75 per square yard for completed Pitch Lake Sheet Asphalt pavement as by virtue of said contract in the words and figures set forth as follows, to-wit: "For completed Trinidad Pitch Lake Sheet Asphalt pavement per square yard including all excavation necessary for the same, with Portland cement, concrete foundation, material 90¢ per square yard labor 85¢ per square yard, total $1.75 per square yard."

1337 Entry.

The Court therefore finds that there is due to the Plaintiff from the defendant as admitted in defendant's answer the sum of $7,930.95, of which sum the defendant by the terms of said contract is entitled to hold and retain 10% thereof under a certain clause of said contract as guaranty for repairs, &c. That the Plaintiff is now entitled to recover from the said defendant village the said sum of $7,930.95 less said 10% to be retained under the terms of said contract, to-wit, the sum of $7,137.85, for which said sum of $7,137.85 the Court awards judgment with interest at 6% per annum from this date. The Court finds that defendant should not be charged with interest prior to this date because of laches of Plaintiff herein. It is further ordered by the Court that the Plaintiff pay the costs of this action taxed at $. To all of which ruling the plaintiff by its attorney excepted.

1313 Entry.

1324 Entry.

State of Ohio, Plaintiff.
vs.
John Woolridge, Defendant.

Court of Common Pleas, Union County, Ohio, September 23rd, 1907.

Indictment for cutting with intent to wound.

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.

1323 Entry.

State of Ohio, Plaintiff.
vs.
Frank Smith, Defendant.

Court of Common Pleas,
Union County, Ohio,
September 23d. 1907.

Indictment for Assault and Battery on Addie Braithwait by a tramp.

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 assigns R.L. Cameron as counsel to defend him.

1335 Entry.

State of Ohio, Plaintiff.
vs.
Fred Lowland, Defendant.

Court of Common Pleas,
Union County, Ohio,
September 23d. 1907.

Indictment for Provoking a breach of peace.

Now comes the Prosecuting Attorney on behalf of the State of Ohio and the defendant being brought into court, and arraigned upon said indictment, for plea thereto saith he is "guilty"; thereupon it is ordered and adjudged by the Court that the said Fred Lowland pay a fine of Ten Dollars and the costs of this prosecution.

1327 Entry.

State of Ohio, Plaintiff.
vs.
Does Tobin, Defendant.

Court of Common Pleas,
Union County, Ohio,
September 23rd, 1907.

Indictment for Assault and Battery.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into Court and arraigned upon the indictment, for plea thereto saith he is guilty, as he stands charged therein.

It is therefore ordered and adjudged by the Court that the said Defendant, Does Tobin, pay a fine of $50.00 and the costs of this prosecution, taxed to $. and in default of payment of fine and costs that he be committed to the Columbus Workhouse until said fine and costs are paid, at sixty cents per day.

1313 Entry.

State of Ohio, Plaintiff.
vs.
Jessie May Knock, Defendant.

Court of Common Pleas,
Union County, Ohio,
September 23rd. 1907.

Indictment for Uttering False Deed.

In this case, it being the opinion of the Court that the public interest requires it, James McCampbell is hereby appointed to assist the prosecuting attorney in the trial of the accused.

1329 Entry.

State of Ohio, Plaintiff.
Vs.
Wasson Brayer, Defendant.

Court of Common Pleas,
Union County, Ohio.
September 23rd. 1907.

Indictment for selling and furnishing Intoxicating Liquors to minor.

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into court and arraigned upon said indictment, for plea thereto, saith he is "not guilty" and puts himself on the country, and the prosecuting attorney doth the like. Bond fixed in the sum of Three Hundred Dollars.

The Petit jury was this day adjourned to Wednesday, September 25th. 1907.

8501 Entry.

Joseph Silberman, Plaintiff.
Vs.
Grace L. Silberman, et. al. Defendants.

Court of Common Pleas,
Union County, Ohio.
September 23rd. 1907.

This day came the parties and settled this cause as follows:-

The plaintiff will dismiss this cause and leave the property levied upon by attachment in the possession of defendant to be hers absolutely. This to include the piano. The defendant is also to have the rug in Ladies' Parlor and the Ebony Cabinet, now at the Hotel. The plaintiff is also to pay storage charges and take up and pack and ship to defendant the following property of the defendant, now in New York, to wit:-

Angelus Cabinet and bench. White Rocker. Picture called Easter Greeting. Picture of Dog. Picture of Defendant over tea cabinet. 4 pictures of Defendant in one frame. Sewing machine. Large yellow trunk and contents. Odd Silver Souvenier spoons. All silver ware formerly belonging to Deft's mother, - marked "M"; "A".

The other property at the Hotel not included in the foregoing is to go to plaintiff; to be delivered to him as soon as he sends on the property above commanded from N. Y.

Nunc Pro Tunc. Entry

8502,

Henry Silberman.
Vs.
Grace L. Silberman et als.

Court of Common Pleas, Union Co. Ohio.

Now came the plaintiff herein, and the defendant, by leave of the court withdrew her answer, and permitted judgment to be rendered in favor of plaintiff, as prayed for, and the court find:

That the defendant, Grace L. Silberman, and Joseph Silberman, her husband, executed and delivered to the James Ertheiler the mortgage deed in the petition described, and on the premises therein described. And the Court further find that the said James Ertheiler assigned, sold, and delivered said note, and said mortgage securing the same, to the plaintiff herein, for a valuable consideration, and that this plaintiff is now the legal owner and holder thereof. The Court further

find that said mortgage was duly recorded in Book 38, Pages 578-579, of the records of mortgages of Union County, and is the first and best lien on the premises described in plaintiffs petition.

The Court further find that the condition of defeasance in said mortgage has been broken, and that said plaintiff is hereby entitled to have the defendants' equity of redemption foreclosed.

It is therefore considered and decreed that unless said defendants shall, within ninety 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 $400.00, with interest from the 28th day of December, 1906 and also said sum of $34.66, with interest thereon from the 3d day of March, 1906, paid as taxes, interest, penalty, and costs, as stated in plaintiff's petition, according to the terms of said mortgage deed, the defendant's equity of redemption be foreclosed, and said premises shall be sold, and free from the dower estate of Joseph Silberman, 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.

It is further considered and decreed that this order be filed as of the 23d day of September, 1907.

Court adjourned to Tuesday, September 24th, 1907.

Tuesday, September 24th, 1907, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8581 Entry. International Harvester Company of America, Plaintiff, vs. Ed. Rogers, et. al, Defendants.

Court of Common Pleas, Union County, Ohio, September 24th, 1907.

This cause coming on to be heard on the motion of Defendant, Ed. Rogers, to vacate and set aside the finding, and decree and order of sale, against the defendant, Ed. Rogers, and for a new trial. The Court being of the opinion that said motion is made without cause, and the judgment was rendered according to law, the court overrule the motion, to which ruling of the court, the defendant, Ed. Rogers, by his attorney, excepted.

Court adjourned to Wednesday, September 25th, 1907.

Wednesday, September 25th, 1907. Court convened at 9 o'clock A.M. Present Hon. John M. Brodrick, Judge.

The Petit Jury was this day adjourned to Thursday, October 3rd, 1907.

8600 Entry.

Edwin H. Perkins, as Administrator of the estate of Lydia Ann Perkins, deceased, Plaintiff,
vs.
William W. Merchant, Ettie B. Merchant, and Charles F. McCloud, John J. McCloud and Charles Schwartz, as executors of the estate of S. N. McCloud, deceased, Defendants.

Court of Common Pleas, Union County, Ohio. September 25th, 1907.

The jury in this action, having rendered a verdict for the plaintiff, and having found the amount due the plaintiff from the defendants to be six hundred two and 70/100 dollars, and a motion to set aside the verdict and for a new trial herein, having been overruled:

It is therefore considered by the court that the said plaintiff recover from the said defendants the said sum of six hundred two and 70/100 dollars, together with his costs herein expended, taxed at $

And it being made to appear to the court that the defendants, Charles F. McCloud's, John J. McCloud's and Charles Swartz' decedent, S. N. McCloud, signed the bond here sued on as surety for the co-defendants, William W. Merchant and Ettie B. Merchant, the court find that William W. Merchant and Ettie B. Merchant are principal debtors, and that said S. N. McCloud, deceased, was surety in the above judgment: and it is ordered that execution issue accordingly.

8662 Entry.

Edwin Fleck, Plaintiff.
vs.
Mack Evans, Defendant.

Court of Common Pleas, Union County, Ohio, September 25th, 1907.

Now comes the parties hereto and settle this case as follows, the plaintiff turns over to and releases the defendant from all obligation on the note described in plaintiff's petition, also pays to the defendant the sum of fifty dollars and the costs of this action and the defendant releases said plaintiff from further obligations on the causes of action set up in defendants answer and cross petition, and this cause is dismissed without record.

Court adjourned to Thursday, September 26th, 1907.

Thursday, September 26th, 1907, Court convened at 9 o'clock, A.M. Present Hon. John M. Brodrick, Judge.

1328. Entry. State of Ohio, Plaintiff, vs. Alonzo A. Mather, Defendant. — Court of Common Pleas, Union County, Ohio, September 26th, 1907.

Indictment for Being Found in a State of Intoxication.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, also comes the defendant and being arraigned upon said indictment, for plea thereto saith he is "guilty". It is therefore ordered and adjudged by the Court that the said defendant, Alonzo A. Mather, pay a fine of Five Dollars, and pay the costs of this prosecution.

1334 Entry. State of Ohio, Plaintiff, vs. Willard Gibson, Defendant. — Court of Common Pleas, Union County, Ohio, September 26th, 1907.

Indictment for Burglary and 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 on said indictment, for plea thereto, saith he is not guilty". Thereupon it being necessary to continue this case to the next term of this court, it is ordered that the said defendant do forthwith enter into a new recognizance in the amount of the present one, to wit: One Thousand ($1000.00) Dollars, for his appearance at the next term of this court to answer the charge against him; and in default thereof that he be committed to the jail of this County.

1334 Entry. State of Ohio, Plaintiff, vs. Willard Gibson, Defendant. — Court of Common Pleas, Union County, Ohio, September 26th, 1907.

Indictment for Burglary and Larceny.

This day came the defendant, and with William Gibson, his surety, entered into a recognizance before the court in the sum of One Thousand ($1000.00) Dollars, conditioned that the defendant, Willard Gibson, appear on the first day of the next, or January, 1908, term of this court, and thereafter from day to day, and abide the judgment of the court, and not depart this Court without leave.

8565 Entry. J. Smith Alexander, Plaintiff, vs. O. M. Scott, et.al, Defendants. — Court of Common Pleas, Union County, Ohio, September 26th, 1907.

This day came the parties hereto by their attorneys, and this case coming on to be heard, it is ordered by the court that the plaintiff recover of the defendant the sum of Eighty ($80.00) Dollars and his costs herein expended.

Court adjourned to September 30th, 1907.

Monday, September 30th, 1907, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8675 Entry.

The Union Banking Company, Plaintiff.
vs.
Richard P. Holland, Defendant.

Court of Common Pleas, Union County, Ohio. September 30th, 1907.

This day came the Plaintiff by J. H. Kinkade its Attorney: and filed its Petition against said Defendant, Richard P. Holland, and thereupon James E. Robinson, one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendant, Richard P. Holland, and who by virtue of a warrant of Attorney for that purpose, duly executed by said Defendant, 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, confessed that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiff's petition, the sum of two hundred & 07/100 Dollars, $207.07, bearing interest at 8 per cent. per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum. It is therefore considered by the Court that said The Union Banking Company, Plaintiff, do recover from said Richard P. Holland, Defendant, the said sum of two hundred seven & 07/100 Dollars, $207.07, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 30th day of September, 1907, at the rate of 8 per cent per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released and all right of appeal, and all right to file a petition in error are waived.

8619 Entry.

Lillian May DeWitt, Plaintiff.
vs.
Burton DeWitt, Defendant.

Court of Common Pleas, Union County, Ohio, September 30th, 1907.

This day this cause came on to be heard upon the cross petition, evidence and arguments of counsel, for plaintiff and defendant. On consideration thereof and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with a summons: that at the time of the filing of the petition and cross petition herein the plaintiff and defendant were bona fide residents of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition and cross petition, and that said parties were married on the 14th day of June, 1898, as alleged in said petition, and that there were born of said marriage two children, viz: Mattie Ivabo and Lena May, aged 8 years and 6 years respectively and that the plaintiff has been guilty of gross neglect of duty towards the defendant as alleged in said cross petition; and that said defendant is therefore entitled to a divorce, as prayed for in said cross petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom.

It is further ordered and adjudged that the care, custody, control, education and maintenance of said children be and the same is hereby confided exclusively to the said plaintiff so long as she shall properly maintain

and support them without contribution from the defendant, and until the further order of the court. It is further ordered however that if she at any time fails to maintain and support said children without contribution from the defendant, then that the care, custody, control, education and maintenance of said children be confided exclusively to the defendant, until the further order of the court. It is further ordered that the defendant have the privilege of visiting said children at all proper times while the plaintiff has the custody of them and the plaintiff shall have the privilege of visiting them at any time while in the custody of the defendant.

That the defendant pay the costs of this proceeding, taxed at $12.76, and that this case be recorded.

Court adjourned to Wednesday, October 2nd, 1907.

Wednesday, October 2nd, 1907. Court convened at 9 o'clock A. M.
Present Hon. John M. Brodrick, Judge.

8665 Entry.

Mattie G. Uyr, Plaintiff,
vs.
Earl C. Uyr, Defendant.

Court of Common Pleas,
Union County, Ohio.
October 2nd, 1907.

This day this case was dismissed and all costs paid.

84 Special Mandate

Ethel Clark, Plaintiff.
vs.
C. G. Johnson, Defendant.

Court of Common Pleas,
Union County, Ohio.
October 2nd, 1907.

8609 Entry.

A certain mandate having been received from the Circuit Court of Union County, Ohio, at a term of the Circuit Court, within and for the County of Union, in the State of Ohio, begun and held at Marysville, on the 1st day of October, A. D. 1907, before Hon. Calvin G. Morris, Presiding Judge, and Hon. Michael Donnelly, and Hon. Silas E. Hevin, Judges, among other proceedings then and there had by and before said Court, as appears by its Journal, in the following, to-wit:-

C. G. Johnson, Plaintiff in Error,
No. 198. vs.
Ethel Clark, Defendant in Error.

The said parties appeared by their attorneys, and this cause came on to be heard upon the Petition in Error of the said C. G. Johnson, Plaintiff in Error, herein, together with the original papers and pleadings and a duly certified Transcript of the orders and Judgment of the Court of Common Pleas of Union County, Ohio, filed therewith in the said Court of Common Pleas of Union County, Ohio, wherein Ethel Clark was Plaintiff, and C. G. Johnson was Defendant, mentioned and referred to in said Petition in Error, and was argued by counsel: Upon consideration whereof the Court find that in the record and proceedings aforesaid, there is error manifest upon the face of the Record to the prejudice of the Plaintiff in Error, in this, to-wit: The Court finds that the verdict is not supported by the weight of the evidence, and that the verdict is excessive in amount to a degree showing passion and prejudice, and said cause is remanded to the Court of Common Pleas for a new trial, and for such proceedings as are consonant with law. It is therefore considered that said plaintiff in error recover from the defendant in error his costs herein, for which Judgment is accordingly rendered and execution awarded.

It is ordered that a special mandate be sent to the Court of Common Pleas to carry this judgment into execution.

To all of which findings and Judgment of the Circuit Court, the said defendant in error excepts.

It is therefore Considered, Ordered and Adjudged by this Court, That the Judgment and proceedings of the said Court of Common Pleas, in said case in favor of the said Defendant in Error and against the said Plaintiff in Error be, and the same hereby are, set aside, reversed and held for naught, and that the said Plaintiff in Error be restored to all things which he has lost by occasion of the said Judgment:

That the said action be and it hereby is, remanded to said Court of Common Pleas of Union County, Ohio, to be proceeded in according to law, and the rights of said parties:

That the said Defendant in Error pay the costs of this proceeding in Error to be taxed, and in default thereof that an execution issue therefore. And

That a Special Mandate and Writ of Procedendo be sent to the said Court of Common Pleas, to carry this Judgment and order for costs into execution.

I, Charles Parrott, Clerk of the Circuit Court of Union County, Ohio, do hereby certify that the foregoing Entry is truly taken and correctly copied from the Journal of said Circuit Court.

Witness my hand and the seal of said Court, at Marysville, this 2nd. day of October, A. D. 1907.

(Seal) Charles Parrott, Clerk.

The State of Ohio, Circuit Court of Union County.
To the Honorable Court of Common Pleas,
Within and for the County of Union, Ohio, Greeting: (Continued on Page 61)

Court adjourned to Thursday, October 3rd. 1907.

Thursday, October 3rd. 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

Order for Special Venire.

And now, the petit jury being incomplete by reason of jurors being excused, it is ordered that a venire issue for J. P. Martin, to make up the deficiency for the venire; which said venire shall be returnable forthwith.

8609 Entry.

D. W. McAdow, Plaintiff,
vs.
J. W. Sharp, Defendant.

Court of Common Pleas,
Union County, Ohio.
October 3rd. 1907.

This day this cause was settled and all costs paid.

The Petit Jury was this day adjourned to Friday, October 4th, 1907.

(Continued from Page 60)

We do hereby command you, that you proceed without delay, to carry the within and foregoing Judgment of our Circuit Court of Union County, in the case of C. J. Johnson, Plaintiff in Error, vs. Ethel Clark, Defendant in Error, into execution, and to proceed to final Judgment between the said parties, according to law, the Petition in Error herein and heretofore filed, to the contrary, notwithstanding.

Witness my signature as Clerk of our said Circuit Court, and the seal thereof, at Marysville, this 2nd. day of October, A. D. 1907.

(Seal) Charles Parrott, Clerk.

8596
Entry.

Court adjourned to Friday, October 4th, 1907.

Friday, October 4th. 1907. Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

8596 Entry.

Jesse L. Cameron, Plaintiff.
vs.
Beverly Depp, Defendant.

Court of Common Pleas, Union County, Ohio
October 4th, 1907.

This day came the parties herein by their attorneys, also came the following-named persons as Jurors, to wit:- Frank Baker, Monroe Aurine, Jay Davis, Louis Williams, C. B. Holloway, J. M. Longbrake, Grant Harriott, Frank Andrews, Ned Barnett, Lafe Carey, Jacob Edelblute and Elliott Southard, who were duly impaneled and sworn according to law; and thereupon the case came on for hearing on the pleadings and the evidence.

And the said Jury having heard the testimony adduced in the case in part, the Court adjourned the further hearing of this case until Monday morning at 9 o'clock.

The Petit Jury was this day discharged until Monday, October 7th. 1907.

Order for Special Venire.

And now, the Petit Jury being incomplete by reason of jurors being excused, it is ordered that a venire issue for J. E. Southard to make up the deficiency for the venire; which said venire shall be returned forthwith.

Court adjourned to Monday, October 7th. 1907.

Monday, October 7th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8663 Entry.

Samuel G. Burnside, Plaintiff.
vs.
J. D. Wynn and C. C. Wynn, Defendants.

Court of Common Pleas,
Union County, Ohio,
October 7th, 1907.

The plaintiff by his attorney comes, and the defendants are in default of answer or demurrer, and the allegations of the petition are taken as confessed by them to be true. Whereupon the Court takes an account of the money due upon the note in the petition described and finds that there is now justly due the plaintiff from the defendants the sum including interest to this date (Oct. 7th, 1907) of Two Hundred and Twenty Seven Dollars and Forty-Five cents. ($227.45). The Court further finds from the evidence that the said J. D. Wynn signed said note as principal and the said C. C. Wynn signed the same as surety.

It is therefore considered and adjudged that the plaintiff recover from said J. D. Wynn as principal and the said C. C. Wynn as surety the said sum of Two Hundred and Twenty Seven Dollars and Forty Five Cents, and also the costs of this suit to be taxed.

8596 Entry.

Jesse L. Cameron, Plaintiff.
vs.
Beverly Depp, Defendant.

Court of Common Pleas,
Union County, Ohio,
October 7th, 1907.

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, being duly impaneled and sworn and affirmed, find the issues in this case in favor of the Plaintiff and assess the amount due to the Plaintiff from the Defendant at the sum of One Hundred and Fifty Dollars ($150.00).

John M. Longbrake,
Foreman."

The Petit Jury was this day discharged to Tuesday, October 8th, 1907.

Court adjourned to Tuesday, October 8th, 1907.

Tuesday, October 8th, 1907. Court convened at 9 o'clock A. M. Present, Hon. John M. Brodrick, Judge.

1323 Entry.

State of Ohio, Plaintiff,
vs.
Frank Smith, Defendant.

Court of Common Pleas,
Union County, Ohio,
October 8th, 1907.

Indictment for Assault and Battery on Addie Braithwait by a tramp.

It appearing to the court that there are pending against this defendant two indictments for the same crime, it is ordered that the prosecuting attorney elect upon which he will proceed to trial.

1323 Entry.

State of Ohio, Plaintiff,
vs.
Frank Smith, Defendant.

Court of Common Pleas,
Union County, Ohio,
October 8th, 1907.

Indictment for Assault and Battery on Addie Braithwait by a tramp.

Now comes the prosecuting attorney, and it appearing that there are pending against this defendant two indictments for the same crime, and the said prosecuting attorney being required to elect upon which indictment he will proceed to trial, elects to proceed upon that of being a tramp and injuring Addie Braithwait, as filed in this case.

1323 Entry.

State of Ohio, Plaintiff,
vs.
Frank Smith, Defendant.

Court of Common Pleas,
Union County, Ohio,
October 8th, 1907.

Indictment for Assault and Battery on Addie Braithwait by a tramp.

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: Frank Baker, Monroe Amrine, Jay David, Louis Williams, C. E. Holloway, J. M. Loughrake, Frank Andrews, Safe Carey, Jacob Edelblute, J. P. Martin, J. E. Southard and B. C. Burnett, who were duly impanelled 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, retired to their room in charge of the sheriff for deliberation.

And afterward came the jury, conducted into court by the sheriff, and returned the following verdict in writing, signed by their foreman, to wit:

"We, the jury in this case, find the Defendant, Frank Smith, guilty in manner and form as he stands charged in the Indictment.

J. P. Martin
Foreman.

Dated Oct. 8th, 1907.

And thereupon said defendant is ordered into the custody of the sheriff to await sentence.

1323. Entry.

State of Ohio, Plaintiff,
vs.
Frank Smith, Defendant.

Court of Common Pleas,
Union County, Ohio,
October 8th, 1907.

Indictment for Assault and Battery on Addie Braithwait by a tramp.

The defendant having on this day of this term of Court been convicted of Injuring Addie Braithwait and being a tramp, was this day brought

into open Court, in charge of the sheriff, and being informed by the Court of the verdict of the Jury, and being inquired of by the Court, if he had anything to say why judgment should not be pronounced against him; and having nothing to say but what he hath already said: It is therefore considered by the Court that the said defendant, Frank Smith, be imprisoned and confined in the penitentiary of this State and kept at hard labor, but without any solitary confinement, for the period of Three years from the first day of this term of court, and that he pay the costs of prosecution taxed at $, for which execution is awarded.

The Petit Jury was this day discharged to Wednesday, October 9th, 1907

Court adjourned to Wednesday, October 9th, 1907.

Wednesday, October 9th. 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

Appointment of Commission to Examine Commissioners Report.

On motion to the Court for the appointment of a Commission to examine the annual report of the County Commissioners of Union County, the Court hereby appoints O. W. Smith and Thomas P. Shields and Frank J. Ballinger as such Commission for such purpose and authorizes them to make an examination of said Report and report their finding to this Court as provided by law.

8570 Entry. Fannie Rockwell and Sarah A. Conrell, by her Guardian, William Rockwell, Plaintiffs. Vs. William L. Blaney, et. al. Defendants. — Court of Common Pleas, Union County, Ohio. October 9th, 1907.

Answer of Defendants withdrawn by leave of the Court.

8523 Entry. Amos Lear, Plaintiff. Vs. B. Watson, et. al. Defendants. — Court of Common Pleas, Union County, Ohio. October 9th. 1907.

This day this cause was settled and costs paid.

1313 Entry. State of Ohio, Plaintiff. Vs. Jessie May Knock, Defendant. — Court of Common Pleas, Union County, Ohio. October 9th. 1907.

Indictment for Uttering Forged Deed.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the Defendant being brought into Court and arraigned on said Indictment for plea thereto saith she is not guilty, and thereupon this cause came on for hearing and trial by jury. Also came the following named persons as jurors, to wit :- Frank Bales, Jay Davis, Louis Williams, O. E. Holloway, J. M. Loughrake, Lafe Carey, Jacob Edelblute, Sterl Cheney, J. A. Taylor, Jeff L. Richey, C. S. Pippitt, George Emmert, who were duly impanneled and sworn according to law.

And the said Jury having heard the testimony adduced in this case in part, the Court adjourned the further hearing hereof until tomorrow morning at 9 o'clock.

The Petit Jury was this day discharged to Thursday, October 10th, 1907.

Court adjourned to Thursday October 10th, 1907.

Thursday, October 10th, 1907. Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

1313 Entry.

State of Ohio, Plaintiff.
vs.
Jessie May Knock, Defendant.

Court of Common Pleas.
Union County, Ohio.
October 10th, 1907.

Indictment for Uttering Forged Deed.

This day again came the Prosecuting Attorney on behalf of the State of Ohio, and the defendant with her counsel; also came the jury heretofore impaneled and sworn, and the trial proceeded.

And the said Jury having heard the testimony adduced in this case in part only, the Court adjourned the further hearing of the case until tomorrow morning at 8:30 o'clock.

1316 Entry.

State of Ohio, Plaintiff.
vs.
Edward Gannon and
Luther Ward, Defendants.

Court of Common Pleas,
Union County, Ohio.
October 10th, 1907.

Indictment for Petit Larceny.

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant, Luther Ward appearing in open Court, and waived arraignment and reading of the Indictment, and for plea thereto, saith "He is guilty." Thereupon the Court asked the defendant if he had any thing to say why he should not have sentence pronounced upon him, and the said defendant having nothing to say thereto, and the Court being fully advised in the premises, "It is ordered and adjudged by the Court that the said Luther Ward pay a fine of Ten Dollars, and the costs of this prosecution taxed at $3.00, and that the said defendant, Luther Ward, be imprisoned in the Columbus City Workhouse, at hard labor, no part of the time in solitary confinement for the term of Thirty Days. Execution of the Workhouse sentence suspended during good behavior.

The Petit Jury was this day discharged to Friday, October 11th, 1907.

Court adjourned to Friday, October 11th, 1907.

Friday, October 11th, 1907. Court convened at 8.30 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8658 Entry.

Emma D. Waldron, Plaintiff,
Vs.
Homer D. Waldron, Defendant.

Court of Common Pleas,
Union County, Ohio.
October 11th, 1907.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 11th day of June, 1890, as alleged in said petition, and that one child has been born of such marriage and resides in Union County, Ohio, and that the defendant has been guilty of habitual drunkenness for more than three years last past; gross neglect of duty, and failure to provide for more than three years last past as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff recover from defendant the costs of this proceeding taxed at $, and that this case be recorded.

1313 Entry.

State of Ohio, Plaintiff,
Vs.
Jessie May Kynock, Defendant.

Court of Common Pleas,
Union County, Ohio,
October 11th, 1907.

This day again came the Prosecuting Attorney on behalf of the State of Ohio, and the defendant with her counsel; also came the jury heretofore impaneled and sworn; and the trial proceeded.

And the said jury having heard the testimony adduced in this case in part only, the Court adjourned the further hearing of the case until tomorrow morning at 9 o'clock.

Court adjourned to Saturday, October 12th, 1907.

Saturday, October 12th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8647 Entry.

Berrick Henry, Plaintiff,
vs.
Anderson K. Henry, Defendant.

Court of Common Pleas,
Union County, Ohio,
October 12th, 1907.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the Defendant has been duly and legally served by publication according to law; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union, for one year next preceding the filing of said petition, and that said parties were married on the 1st day of January, 1903, as alleged in said petition. That there was one child, Arthur Henry, now three years old, born of said marriage, and that the defendant has been guilty of gross neglect of duty, in failure to provide for plaintiff and said child, and guilty of extreme cruelty towards plaintiff as alleged in said petition; and that said plaintiff is therefore entitled to a divorce as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be decreed, ordered and adjudged the care, custody, maintenance, education and control of said minor child, and the same is hereby confided exclusively to said Plaintiff until further order of this Court. And the said Defendant is hereby enjoined from interfering in any manner with either said child or the said Plaintiff in the custody thereof. And that plaintiff pay the costs of this proceeding taxed at $11.50, and that this case be recorded.

8656 Entry.

Charles Chandler, Plaintiff,
vs.
Mollie Chandler, Defendant.

Court of Common Pleas,
Union County, Ohio,
October 12th, 1907.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process and that she failed to appear and is in default of answer and demurrer to the petition, and that allegations in said petition are by her confessed to be true that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 10 day of March, 1904, as alleged in said petition. That no children have been born of said marriage, and that the defendant has been guilty of wilful absence for more than three years last past as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said

8596 Entry

1313 Entry

8570 Entry

marriage relation now existing between said parties be and the same is now here dissolved and the said parties are hereby released therefrom, and that said plaintiff pay the costs of this proceeding, taxed at $10.00, and that this case be recorded.

8596 Entry. Jesse L. Cameron, Plaintiff. vs. Beverly Depps, Defendant. — Court of Common Pleas, Union County, Ohio, October 12th, 1907.

The motion by the defendant for a new trial of this cause is heard and refused.

It is therefore considered and adjudged by the Court that said plaintiff recover of said defendant said sum of One Hundred and Fifty Dollars and also his costs of this suit. Judgment is rendered against the defendant for his costs herein.

1313 Entry. State of Ohio, Plaintiff. vs. Josie May Knock, Defendant. — Court of Common Pleas, Union County, Ohio, October 12th, 1907.

Indictment for Uttering Forged Deed.

This day again came the prosecuting attorney on behalf of the State of Ohio, and the defendant with her counsel; also came the jury heretofore impaneled and sworn, and the trial proceeded.

And the said jury having heard the testimony adduced by the parties, the arguments of counsel and the charge of the court, retired to their room in charge of the sheriff, for deliberation.

And afterward came the jury, conducted into court by the sheriff, and returned the following verdict in writing, signed by their foreman, to wit:

"We, the jury in this case, find the Defendant, Josie May Knock, not guilty in manner and form as she stands charged in the Indictment.
Dated October 12th, 1907." Jeff L. Richey, Foreman

And there being no further charge against said defendant, she is hereby discharged.

8570 Entry. Tamsie E. Rockwell and Sarah A. Connell, an insane person, by her Guardian, William Rockwell, Plaintiffs, vs. William L. Blaney and A. Lee Seeley, as Executors of the last will and testament of Samuel Ryan, deceased, Abraham Rapole, Protection Lodge 319 Independent Order of Odd Fellows of Jerome, Union County, Ohio, Urania Lodge 311 Free and Accepted Masons of Plain City, Ohio, and the Board of Education of Jerome Special School District, Defendants. — Court of Common Pleas, Union County, Ohio, October 12th, 1907.

This day came William C. Rockwell, Arthur G. Rockwell, and Myrtle Leach

and made their motion and application to this court for leave to be substituted as parties herein, it appearing that both said Fannie Rockwell and Sarah A. Cornell have died since this action was commenced,

Said motion and application is refused by the court upon the grounds that it does not appear that either the said William C. Rockwell, Arthur T. Rockwell, or Myrtle Leach had any interest in the estate of said Samuel Ryan at the time said will was probated and that they are not proper parties hereto.

And it appearing to the court that both the said Fannie E. Rockwell and Sarah A. Cornell died since this action was brought and there being no other person who was interested in said will or estate at the time said will was probated, who desired to contest said will, it is ordered by the court that this action be and the same is dismissed.

To all of which rulings and decisions of the Court, the said William C. Rockwell, Arthur T. Rockwell and Myrtle Leach, by their attorneys, except.

1322 Entry.

State of Ohio, Plaintiff.
Vs.
Lloyd Biggs, Defendant.

Court of Common Pleas,
Union County, Ohio,
October 12th, 1907.

Indictment for Burglary and Larceny.

And now comes the prosecuting attorney, on behalf of the State of Ohio, and presents to the court the recognizance of said defendant, taken in open court, on the 24th. day of July, 1907, in the sum of One Thousand Dollars, with Lloyd Biggs, William Gibson, D. A. Bird and A. B. Carter, as sureties.

Thereupon said defendant being three times solemnly called to appear and answer said charge as he agreed to do, and failing so to do, and Lloyd Biggs, William Gibson, D. A. Bird and A. B. Carter, the sureties, being three times solemnly called to produce the body of said defendant as they agreed to do, and failing so to do, the court order that the said recognizance be, and the same hereby is, forfeited absolutely.

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The Petit Jury was this day discharged to Monday, October 21st, 1907.

Court adjourned to Monday, October 21st. 1907.

Monday, October 21st, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8661 Entry. May Schmidt, Plaintiff, vs. Charles Schmidt, Defendant.

Court of Common Pleas, Union County, Ohio, October 21st, 1907.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication according to law, and that he has failed to appear, and that he is in default for answer or demurrer to the petition, and that the allegations thereof are confessed by him to be true, that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 30th. day of August, 1901, as alleged in said petition, and that one surviving child, a daughter, named Helen, is the issue of said marriage, and who resides in the village of Marysville, in said county and state, and that the defendant has been guilty of gross neglect of duty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be paid one hundred dollars, her reasonable alimony. 1329 Entry.

It is further ordered, adjudged and decreed that the custody, care, maintenance, education and control of said minor child, Helen, be and the same is hereby confided exclusively to the said May Schmidt until the further order of this court. And the Charles Schmidt is hereby enjoined from interfering in any manner with either the said child, Helen, or the said May Schmidt, in the custody thereof, and from visiting said child, Helen, until the further order of this court. But it is hereby ordered that the said Charles Schmidt have the privilege of visiting said child, Helen, once a month, on the first Saturday thereof, between the hours of one P. M. and seven P. M., and any violation of this privilege by either party may be reported to this court.

It is further ordered that the defendant, Charles Schmidt, shall pay the costs of this proceeding, taxed at $10.00, and that this case be recorded.

1324 Entry State of Ohio, Plaintiff, vs. John Woolridge, Defendant.

Court of Common Pleas, Union County, Ohio, October 21st, 1907.

Indictment for Cutting with Intent to Kill.

Nolle prosequi is entered herein by order of Court, at request of the prosecuting attorney in so far only as this said indictment charges the felonious malice, but not as the charge of Assault and Battery therein contained.

1324 Entry.

State of Ohio, Plaintiff.
Vs.
John Woolridge, Defendant.

Court of Common Pleas,
Union County, Ohio.
October 21st, 1907.

Indictment for Cutting with Intent to Wound.

Now comes the prosecuting attorney on behalf of the state of Ohio, and the defendant being brought into court in custody of the Sheriff; thereupon said defendant retracts his plea of not guilty heretofore entered, and for plea to said indictment saith he is guilty of assault and battery, which plea is accepted by the prosecuting attorney; and thereupon after hearing the testimony 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 had already said, it is ordered and adjudged by the court that the said John Woolridge be imprisoned in the Columbus City Workhouse in the City of Columbus, Ohio, for the term of thirty days, and that said defendant pay a fine of Ten Dollars and the costs of this prosecution, taxed at $34.50, and that he stand committed to the said Columbus City Workhouse and kept at hard labor at the rate of sixty cents per day, until said fine and costs are paid or until he be otherwise legally discharged.

1329 Entry.

State of Ohio, Plaintiff.
Vs.
Warren Beaver, Defendant.

Court of Common Pleas,
Union County, Ohio.
October 21st, 1907.

Now comes 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: Frank Bales, Jay Davis, Lou Williams, C. E. Holloway, J. M. Longbrake, Safe Carey, Jacob Edelblute, J. P. Martin, J. E. Southard, G. E. Herriott, Frank Adams and Monroe Aurin, who were duly impanelled and sworn according to law; and the said jury having heard all the testimony adduced in the case and the arguments of counsel and the charge of the court, retired to their room, in charge of the sheriff, for deliberation.

And now comes said jury into open court and state that they are unable to agree upon a verdict; whereupon they are by the Court discharged from further consideration of this case, and the case is continued. And it is further ordered by the court, that the defendant enter into his own recognizance in the sum of Three Hundred Dollars for his appearance at the next term of Court.

Court adjourned to Tuesday, October 22nd, 1907.

Tuesday, October 22nd, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8597 Entry.

Robert D. Finley, et. al, Plaintiffs.
vs.
Erie Railroad Company, Defendant.

Court of Common Pleas,
Union County, Ohio,
October 22nd, 1907.

This day came the parties herein by their attorneys; also came the following named persons as Jurors, to wit:- Frank Bales, Jay Dains, Louis Williams, C. E. Holloway, J. M. Longbraker, Lafe Carey, J. C. Martin, J. E. Southard, Frank Andrews, Monroe Aurine, Edward Court and Joseph Roff, who were duly impaneled and sworn according to law; and thereupon the case came on for hearing on the pleadings and the evidence.

And the said jury having heard the testimony adduced in this case in part, the Court adjourned the further hearing of this case until tomorrow morning at 9 o'clock.

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The Petit Jury was adjourned to Wednesday, October 23rd. 1907.

Court adjourned to Wednesday, October 23rd, 1907.

Wednesday, October 23rd, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8597. Robert D. Finley, et. al. Plaintiffs. Court of Common Pleas,
Entry. vs. Union County, Ohio.
Erie Railroad Company, Defendant. October 23rd, 1907.

This day again came the parties herein by their attorneys, and also came the jury heretofore impaneled and sworn, and the trial proceeded. And the said jury having heard the testimony adduced in part, the court adjourned the further hearing of the case until tomorrow morning at 9 o'clock.

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The Petit Jury was adjourned to Thursday, October 24th, 1907.

Court adjourned to Thursday, October 24th, 1907.

Thursday, October 24th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8597 Entry.

Robert D. Finley, et. al, Plaintiffs.
vs.
Erie Railroad Company, Defendant.

Court of Common Pleas, Union County, Ohio. October 24th, 1907.

This day again came the parties herein, by their attorneys, and also came the jury heretofore impaneled and sworn, and the trial proceeded. And the said jury having heard the testimony adduced in part, the court adjourned the further hearing of the case until to-morrow morning at 9 o'clock.

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The Petit Jury was adjourned to Friday, October 25th. 1907.

Court adjourned to Friday, October 25th. 1907.

Friday, October 25th. 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8597 Entry.

Robert D. Finley et. al. Plaintiffs.
vs.
Erie Railroad Company, Defendant.

Court of Common Pleas, Union County, Ohio. October 25th. 1907.

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 arguments and the 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 9 o'clock.

8597. Entry.

8664 Entry.

The Petit jury was discharged to Saturday, October 26th. 1907.

Court adjourned to Saturday. October 26th. 1907.

Saturday, October 26th, 1907. Court convened at 9 o'clock A. M. Present: Hon. John M. Brodrick, Judge.

8597. Entry.

Robert D. Finley, et. al. Plaintiffs.
Vs.
Erie Railroad Company, Defendant.

Court of Common Pleas,
Union County, Ohio,
October 26th, 1907.

This day again came the said parties, by their attorneys, and also came the jury heretofore impaneled and sworn, herein, and retired to their room, in charge of the sheriff, for further consultation.

And now come the said jury into open court with their verdict in writing, signed by their foreman, and say:

"We, the jury, being duly impaneled and sworn and affirmed, find the issues in this case in favor of the Defendant.

C. E. Holloway,
Foreman."

8664 Entry.

Genie S. Watson, Plaintiff.
Vs.
Daniel Brown Watson, Defendant.

Court of Common Pleas,
Union County, Ohio,
October 26th, 1907.

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 find 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 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 had been guilty of habitual drunkenness for the three years last preceding the filing of said petition, that the defendant had been guilty of extreme cruelty toward the plaintiff, and that the defendant had been guilty of gross neglect of duty toward the plaintiff, and that by reason thereof, the plaintiff is entitled to a divorce, as prayed for.

It is therefore ordered and adjudged by the court that the marriage contract heretofore existing between the said Genie S. Watson and Daniel Brown Watson be, and the same hereby is, dissolved, and both parties are released from the obligations of the same.

And the court further find that the plaintiff is the owner of the real estate described in the petition herein and the same is hereby restored to her divested of all and every claim, title and interest by courtesy, dower or otherwise of her said husband.

It is further ordered and adjudged that the defendant pay to the plaintiff as her reasonable alimony in money the sum of five hundred dollars within five days. And in default of such payment, execution is allowed to issue therefor.

It is further considered by the court that the said plaint-

iff recover from the said defendant her costs herein expended, taxed at $,

8666
Entry

Court adjourned to Tuesday, October 29th, 1907.

Tuesday, October 29th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8666 Entry.

Mary L. Burroughs, Plaintiff.
vs.
Charles Burroughs, Defendant.

Court of Common Pleas,
Union County, Ohio.
October 29th, 1907.

This day came the Plaintiff, and the Defendant having been legally summoned by publication, and having failed to appear, the Court finds him in default for answer and demurrer to the petition herein, and finds that the allegations thereof are confessed by him to be true.

The Court also 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, where the cause of complaint arose; and that the parties hereto were married, as in said petition set forth.

The Court further finds, upon the evidence adduced, that the Defendant has been guilty of gross neglect of duty toward Plaintiff in that he abandoned Plaintiff on the 14th day of March, A. D. 1906, without cause, and ever since said day has wholly failed and wilfully neglected to provide the Plaintiff with the common necessaries of life, though able, physically and financially, so to do. Wherefore, by reason of the gross neglect of duty aforesaid, the Court finds the Plaintiff entitled to a divorce from the Defendant, as prayed for in her petition.

It is therefore, considered, ordered and adjudged by the Court that the marriage contract heretofore existing between the said Mary L. Burroughs, and the said Charles Burroughs be, and the same hereby is, dissolved, and both of said parties are released from the obligations of the same.

It is further adjudged and ordered by the Court that the said Plaintiff be, and she hereby is, restored to her maiden name of Mary L. Stump.

It is further adjudged by the Court that the said Defendant pay the costs of this proceeding; and execution is awarded.

Court adjourned to Saturday, November 2nd, 1907.

Saturday, November 2nd, 1907. Court convened at 9 o'clock A. M.
Present Hon. John M. Brodrick, Judge.

Times for Holding Common Pleas Courts, A. D. 1908.
State of Ohio.
Tenth Judicial District.

It is ordered that the terms of the Common Pleas Courts of the several counties in said judicial district, for the year 1908, be fixed as follows, to-wit:-

Hancock County on the 3rd day of Feby. and the 4th day of May and the 14th day of Sept.
Hardin County on the 6th day of Jany. and the 30th day of Mch. and the 14th day of Sept.
Seneca County on the 6th day of Jany. and the 30th day of Mch. and the 19th day of Oct.
Wood County on the 6th day of Jany. and the 4th day of May, and the 14th day of Sept.
Crawford County on the 6th day of Jany. and the 4th day of May, and the 7th day of Sept.
Marion County on the 6th day of Jany. and the 4th day of May, and the 7th day of Sept.
Wyandot County on the 10th day of Feby. and the 6th day of April and the 12th day of Oct.
Union County on the 6th day of Jany. and the 30th day of Mch. and the 14th day of Sept.
Logan County on the 10th day of Feby. and the 4th day of May, and the 19th day of Oct.

It is further ordered that the courts of the 1st. sub-division be held by Judges Wm. F. Duncan, E. M. Fries and Geo. E. Schroth.

That the courts of the 2nd. sub-division be held by Judges Boston G. Young and Daniel Babst.

That the courts of the 3rd. sub-division be held by Judge John M. Brodrick.

It is further ordered that the Hon. Boston G. Young be designated as Supervising Judge, and that said terms of court begin at 9 o'clock A. M.

Boston G. Young.
Daniel Babst
Geo. E. Schroth
Wm. F. Duncan
Edward M. Fries
John M. Brodrick.
Judges Tenth Judicial District.

Dated at Marion, Ohio, this 15th day of October, A. D. 1907.

8581
Entry

8581 Entry.

International Harvester Company of America, Plaintiff.
vs.
Ed. Rogers, B. F. Carmean, Alex Howland and George Court, Defendants.

Court of Common Pleas, Union County, Ohio. November 7th, 1907.

On motion of the plaintiff and on his proceeding, 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 and being satisfied that the same have been in all respects in conformity to the law and 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 deliver to the purchaser, Frank Belt, Sr. the goods and chattels 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 for the protection of his title.

And the Court coming now to the distribution the proceedings of said sale amounting to $112.00 from the sale of the machinery, and $74.70, balance left in the hands of the court, after paying off the liens of B. F. Carmean and George Court, from a former sale ordered by this Court, making a total of $186.70, and it is ordered that the sheriff out of the money in his hands, pay--

First:- The cost of this action taxed at $ 61.08.

Second:- To the plaintiff, The International Harvester Company of America $ 124.45.

Porter & Longhrey,
Attorneys for the plaintiff.

Monday, November 11th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

Appointment of Deputy Sheriff.

To the Hon. John M. Brodrick, Judge.

I have this day appointed James Guy Deputy Sheriff for this Union County, Ohio, subject to your confirmation and approval.

D. C. Bolenbaugh, Sheriff.

The above appointment approved and confirmed by me, this 11th. day of November, 1907.

John M. Brodrick, Judge.

Certificate for Pay.

To Hon. John M. Brodrick, Judge.

The Court charges for the September Term, A. D. 1907, Union County Common Pleas, are due for services rendered and are as follows:-

Union County, Ohio.

To D. C. Bolenbaugh, Sheriff, Dr.

To serving Grand Jury Venire		$4.50
To serving Petit Jury Venire		$4.50
To serving Special Jury Venire		$2.00
To serving Grand Jury Witnesses	56	$5.60
To making 58 copies, Grand Jury Witnesses,		$5.80
To 359 miles travel, Grand Jury Witnesses,		$28.72
To Sec. 1231		$300.00
Total		$351.12

I hereby certify the above bill to be correct.

D. C. Bolenbaugh,
Sheriff of Union County, Ohio.

To the Clerk of the Courts, Union County, Ohio.

You will make entry of the above bill and certify the same to the County Auditor.

John M. Brodrick,
Judge of the Common Pleas Court.

8673
Entry.

8674
Entry

Court adjourned to Saturday, November 16th, 1907.

Saturday, November 16th, 1907. Court convened at 9 o'clock A.M. Present Hon. John M. Brodrick, Judge.

8673 Entry.

Retta Koon, Plaintiff.
Vs.
James Koon, Defendant,

Court of Common Pleas,
Union County, Ohio,
November 16th, 1907.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons, that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 14 day of September, 1884, as alleged in said petition, and that the defendant has been guilty of adultery with one Daisy Bradley, and gross neglect of duty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be decreed the undivided one half of the property situate in Plain City, which is jointly deeded to said parties and the same be in lieu of alimony in this case, and now in the occupancy and possession of the plaintiff, and that the plaintiff pay the costs of this proceeding taxed at $10.00, and that this case be recorded.

8674 Entry.

Michael Ell, Plaintiff.
Vs.
Elizabeth Ell, Defendant.

Court of Common Pleas,
Union County, Ohio,
November 16th, 1907.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 28 day of May, 1870, as alleged in said petition. And that the defendant has been guilty of wilful absence from plaintiff for more than three years last past as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff pay the costs of this proceeding taxed at $, and that this case be recorded.

8670
Entry.

John C. Asman, Jr. Plaintiff.
vs.
J. R. Turner, Adm. &c. Defendant.

Court of Common Pleas,
Union County, Ohio,
November 16th, 1907.

This day leave was given to plaintiff to file petition by November 18th. 1907.

8695
Entry

Court adjourned to Wednesday, November 27th, 1907.

Wednesday, November 27th, 1907. Court convened at 9 o'clock A. M. Present: Hon. John M. Brodrick, Judge.

8695 Entry: S. G. Gilcrist, William Hamilton, Leonard Belleville and William Stubbs, Trustees of the Church of Christ, Plaintiffs.
vs.
John W. Jarvis, Executor of the estate of Emanuel Jarvis, Dec'd, Defendant.

Court of Common Pleas, Union County, Ohio, November 27th, 1907.

This cause coming on to be heard upon the application of the Plaintiffs. The evidence and argument of the attorneys of the Plaintiffs and Defendants.

The court finds that S. G. Gilcrist, William Hamilton, Leonard Belleville, and William Stubbs are the duly acting and qualified trustees of the church of Christ of which Emanuel Jarvis deceased, was a member and the Court construing the said will finds that said trustees are entitled to the immediate possession of the $500 legacy, provided in Item 5 of the Will of Emanuel Jarvis to be invested on the first mortgage security and the interest used to pay for the preaching of the Gospel as set forth by the doctrine of the said Church of Christ.

The court construing Item 4 of said will finds that the said trustees are not entitled to the legacy of $1200 until they have finished a house of worship and dedicated the same to the Church of Christ and this they must do within a period of five years from the date of the death of the said Emanuel Jarvis.

The court therefore orders and decrees that the said J. W. Jarvis as Executor of the estate of Emanuel Jarvis, deceased, pay over to the said trustees, S. G. Gilcrist, William Hamilton, Leonard Belleville and William Stubbs, the said sum of $500 provided in Item 5 and that said Executor retain the said sum of $1200 until the expiration of five years from the date of death of said Emanuel Jarvis unless said trustees shall sooner build and furnish a house of worship and dedicate the same as the Church of Christ, and in case of their failure so to do, said legacy shall lapse as provided in said will.

It is further ordered that the said Executor pay the costs herein taxed at $.

Court adjourned to Saturday, December 7th, 1907.

Saturday, December 7th. 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8677 Entry.

Mollie C. Miller, Plaintiff,
Vs.
Jacob B. Miller, Defendant.

Court of Common Pleas,
Union County, Ohio.
December 7th. 1907.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication according to law and that he has failed to appear and is in default for answer or demurrer to the petition; that at the time of the filing of the petition herein, the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 27th. day of December, 1875, as alleged in said petition. That one child, Jay W. Miller, was born of said marriage, now aged twenty-four years, and that the defendant has been guilty of gross neglect of duty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom; that said defendant be barred from the right of dower in the property now owned by the plaintiff wherever situate; that defendant pay the costs of this proceeding taxed at $11.24, and that this case be recorded.

8696 Entry.

8685 Entry

Order to Draw Grand and Petit Jury.

Court of Common Pleas, Union County, Ohio.
Term January, A. D. 1908.

To the Clerk of said Court:

You are hereby directed to proceed according to law at ten o'clock on Friday the 13th. day of December, 1907, to draw from the Jury Wheel of Union County, the names of Thirty (30) persons to serve as grand and petit jurors for the January term, 1908, of the Court of Common Pleas of said County.

The first Fifteen persons whose names are so drawn from said Jury Wheel, you will cause to be summoned to appear and serve as Grand Jurors of said term; and the remaining persons, Fifteen in number, whose names are so drawn from said Jury Wheel, you will cause to be summoned to appear and serve as Petit Jurors for said term.

The grand jurors you will cause to be summoned to appear for such service at the Court House in Marysville, in said County, at ten o'clock A. M., on Monday, the 6th. day of January, 1908; and the petit jurors you will cause to be summoned to appear for such service at the same place at ten o'clock A. M. on Tuesday, the 7th. day of January, 1908.

And for so doing, this shall be your sufficient warrant.

Witness my hand officially this 7th. day of December, 1907.

John M. Brodrick, Judge of the Court of Common Pleas of the third Sub-division of the Tenth Judicial District.

Court adjourned to Saturday, December 14th. 1907.

In Vacation.

8696 Entry.

John W. Allinger and Frank Brugler, Partners doing business under the firm name of Milford Center Milling Company, Plaintiffs.
Vs.
John F. Hinderer, Defendant.

Court of Common Pleas, Union County, Ohio, December 11th, 1907.

This day came the Plaintiff by E. W. Porter, Attorney, and it appearing that the judges of the Common Pleas Court, in which Court the above entitled action is pending, are absent from the County, this cause came on to be heard upon the Plaintiff's application for an injunction, upon the petition duly verified and affidavits therein filed, and was argued by Counsel; and the Probate Judge being fully advised in the premises, and being satisfied that the Plaintiff is entitled thereto, a temporary injunction is granted, as prayed for in the petition, restraining the defendant from disposing of, or encumbering any property of any kind in the main time, or any interest in the same, either in possession or expectancy upon the said plaintiff giving to said defendant an undertaking, executed by sufficient surety, in the sum of dollars, conditioned and to be approved as required by law.

Dudley E. Thornton, Probate Judge.

8685 Entry.

Elizabeth Streng, Plaintiff.
Vs.
Lewis Streng, Defendant.

Court of Common Pleas, Union County, Ohio, December 11th, 1907.

This cause is dismissed without record, and papers withdrawn by consent.

Saturday, December 14th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Prodrick, Judge.

8667 Entry.

Melissa Herman, Plaintiff.
vs.
Charles E. Herman, Defendant.

Court of Common Pleas,
Union County, Ohio.
December 14th, 1907.

8680 Entry.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process and that the allegations thereof are confessed by him to be true; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 11th day of Sept. 1900, as alleged in said petition. And that one child was born of said marriage, Cleo Irene, aged six years, and that the defendant has been guilty of wilful absence for three years last past and gross neglect of duty for three years last past by not providing a home and necessaries of life as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said minor child, Cleo Irene, be confided exclusively to the said plaintiff in the maintenance, care, education and control thereof, until the further order of the court.

8680
Entry.

The State of Ohio, ex rel.
E. C. Cody, et al. Plaintiffs.
Vs.
B. L. Robinson, et. al, Defendants.

Court of Common Pleas,
Union County, Ohio,
December 16th, 1907.

Now comes the parties hereto and settle this case as follows: the defendants, Guido Robinson and W. O. Thompson, agree to pay the costs of this action and further to do no further work on the Dry Run Road and the Blues Creek Road until the said E. C. Cody and M. F. Cody have completed the Mary Road improvement.

And the said E. C. Cody and M. F. Cody agree to complete the Mary Road improvement as soon as the weather and the labor market will permit.

And this cause is dismissed at the costs of the said Guido Robinson and W. O. Thompson.

Thursday, December 19th. 1907. Court convened at 9 o'clock A. M. Present Honorable John M. Brodrick, Judge.

8651 Entry.

Isaac Smith, Plaintiff. vs. George Smith, et. al. Defendants.

Court of Common Pleas, Union County, Ohio. December 19th. 1907.

Now comes the plaintiff herein, and leave having been first obtained, that part of the petition herein which refers to an accounting of rents and profits is stricken from said petition.

8682 Entry.

Alvira Gell, Plaintiff. vs. Benjamin F. Gell, Defendant.

Court of Common Pleas, Union County, Ohio. December 19th. 1907.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by summons and process and that he has failed to appear and is in default for answer and demurrer to the petition; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union, for one year next preceding the filing of said petition, and that said parties were married on the 5th. day of April, 1907, as alleged in said petition. And that the defendant has been guilty of gross neglect of duty toward plaintiff, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be restored to her former name of Alvira Dolenbaugh.

8688 Entry.

William Kennedy, Plaintiff. vs. Swaine Kennedy, et. al. Defendants.

Court of Common Pleas, Union County, Ohio. December 19th. 1907.

This cause came on to be heard upon the petition, answer and waiver of all the defendants herein, and the pleadings and record in the cause, and was argued by counsel; on consideration whereof, and it appearing to the satisfaction of the court that all and every of said defendants have been duly notified of the bringing, pendency and demand of said action against them, as rendered by law, and that the said plaintiff hath a legal right and estate in the premises described in the petition and as therein set forth, and no sufficient reason appearing why partition should not be made as prayed for in the petition, it is ordered by the court, on motion of McCrory & Cameron, attorneys for the plaintiff, that by the oaths of William Goff, Ray G. Moser and John A. Taylor, judicious and disinterested freeholders of the vicinity, upon actual view of the premises, one full equal one third part of said lands in said partition described be assigned and set off to the widower, Samuel Kennedy, as his dower estate therein, and by the like oaths of the same William Goff, Ray G. Moser and John A. Taylor, partition be made of said lands, subject to said dower estate, in the following proportion, to wit: to said William Kennedy,

the plaintiff, the one equal one sixth part thereof; to Swaine Kennedy, Nancy Overturf, John B. Kennedy, Alfred V. Kennedy and Rebecca Dickson, each the one sixth part thereof in the same can be done without manifest injury to the value thereof, and if not that said premises be appraised at the true value thereof in money, subject to the said dower aforesaid, and without the dower as aforesaid.

It is further ordered that a ~~writ of and~~ order of partition issue to the sheriff of Union County, commanding him to cause said dower to be assigned, and partition to be made accordingly.

Court adjourned to Tuesday, December 24th. 1907.

Thursday, December 24th. 1907. Court convened at 9 o'clock, A. M. Present Hon. John M. Broderick, Judge.

8672 Entry.

Margaret Fabow, Plaintiff.
vs.
James Fabow, et. als, Defendants.

Court of Common Pleas,
Union County, Ohio,
December 24th, 1907.

8687 Entry.

This day came the Plaintiff and submitted this cause to the court upon the petition and evidence; On consideration whereof the court finds that all the defendants heretofore have been duly and legally notified of the filing and pendency of this petition and that they are each in default for answer or demurrer.

The court further finds that since this action was brought the plaintiff has married and that she is now the wife of Al. Rogers and her name hereafter in this proceeding shall be Margaret Rogers.

The court finds all the allegations of the petition to be true, and that said defendant, James Fabow, is seized in his own right of the undivided one half of the premises described in the petition, and that he is entitled to dower in the other half of said premises. and that subject to said dower, the said plaintiff is seized of the undivided one fourth of the one half of said premises, and that alike subject to said dower the said Nathaniel Evans, Joseph Fabow and Anna Brown are each seized in fee simple of the undivided one fourth of the one half of said premises, and that said parties are tenants in common and that the plaintiff is entitled to have partition as prayed for in her petition.

It is therefore ordered that a writ of partition be issued to the sheriff of this county, commanding him that by the oaths of Walter Kennedy, Ray G. Moser and Howard Osbury, who are hereby appointed commissioners for the purpose, he cause to be divided and set off to the above named parties respectively, the parts and portions of said estate to which they are herein severally found entitled, to wit:-

To James Fabow the one half of said premises, and that they also set off and assign to him dower in the remaining half of said premises. And that subject to said dower they set off and give to the plaintiff, Margaret Rogers, the one fourth of one half (One Eighth) of said premises. And to Nathaniel Evans, Joseph Fabow and Anna Brown, each one fourth of one half (One Eighth) of said premises.

But if in the opinion of said commissioners, said estate can not be divided by metes and bounds without manifest injury to the value thereof, they shall report that fact to the court, and said dower shall be assigned as of the rents and profits thereof, and said estate shall be appraised both subject to and free from said dower.

And of his proceedings herein said sheriff shall make due return.

Court adjourned to Friday, December 27th. 1907.

Friday, December 27th. 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8687. Entry.

Frank L. Drennan, Plaintiff,
Vs.
Cornelia Drennan, Defendant.

Court of Common Pleas,
Union County, Ohio,
December 27th, 1907.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons by the Sheriff of Franklin County, that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union, for one year next preceding the filing of said petition, and that said parties were married on the 17th. day of December, 1906, as alleged in said petition; and that the defendant has been guilty of gross neglect of duty, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff pay the costs of this action.

Court adjourned to Saturday, December 28th 1907.

Saturday, December 28th, 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Roedrick, Judge.

8631 Entry. Lester Oliver, Plaintiff. Vs. Ed. E. Koffroth, et.al, Defendants. Court of Common Pleas, Union County, Ohio, December 28th, 1907.
This day leave was given to Plaintiff to file amended petition by January 6, 1908.

8670 Entry. John C. Armau, Jr. Plaintiff. Vs. J. R. Turner, Admr, &c, Defendant. Court of Common Pleas, Union County, Ohio, December 28th, 1907.
This day leave was given to Defendant to file answer by January 4, 1908.

8692. Entry. John Armau & Son, Plaintiff. Vs. J. R. Turner, Admr, &c, Defendant. Court of Common Pleas, Union County, Ohio, December 28th, 1907.
This day leave was given to Defendant to file answer by January 4th, 1908.

8690 Entry. The Behning Piano Company, Plaintiff. Vs. William Weaver, Defendant. Court of Common Pleas, Union County, Ohio. December 28th, 1907.
This day this case was consolidated with the case of The John Church Company Vs. D. C. Bolenbaugh, Sheriff.

8693 Entry. Perry B. Whitsit Company &c, Plaintiff. Vs. William Weaver, Defendant. Court of Common Pleas, Union County, Ohio, December 28th, 1907.
This day this case was consolidated with the case of The John Church Company Vs. D. C. Bolenbaugh, Sheriff.

8625 Entry. Hadley C. Young, Plaintiff. Vs. Sidney G. Young, Defendant. Court of Common Pleas, Union County, Ohio, December 28th, 1907.
This day leave was given to defendants to file answer by January 13th, 1908.

8629 Entry. Lillie Littler, et.al, Plaintiffs. Vs. Mary Hunt Snider, et.al, Defendants. Court of Common Pleas, Union County, Ohio. December 28th, 1907.
This day leave was given to Mary Hunt Snider to file answer by January 6, 1908, and Daniel Mooney made party defendant.

Court adjourned to Tuesday, December 31st, 1907.

Tuesday, December 31st. 1907. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8709 Entry.

E. G. Hemingway, Plaintiff,
Vs.
George J. Rolfes and
Emma Rolfes, Defendants.

Court of Common Pleas,
Union County, Ohio,
December 31st, 1907.

This day came the Plaintiff by E. P. Chamberlin & Duncan Dow, Attorneys and filed his Petition against said Defendants, George J. Rolfes and Emma Rolfes and thereupon Frank J. Ballinger for one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants, George J. Rolfes & Emma Rolfes and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendants, and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition, the sum of Two Hundred & forty & 94/ Dollars, $240.94, bearing interest at 6 per cent. per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum. It is therefore considered by the Court that said E. G. Hemingway, Plaintiff, do recover from said George J. Rolfes & Emma Rolfes, Defendants, the said sum of Two Hundred & forty & 94/ Dollars, $240.94, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 31st day of December, 1907, at the rate of 6 per cent per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

Court adjourned to Friday, January 3rd, 1908.

Friday, January 3rd, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8702. Entry.

William W. Epps, Plaintiff,
Vs.
William E. McHugh, Defendant.

Court of Common Pleas,
Union County, Ohio,
January 3rd, 1908.

Now comes the plaintiff and this cause having this day been settled by parties, the same is hereby dismissed at Plaintiff's costs and without record.

Court adjourned to Saturday, January 4th, 1908.

Saturday, January 4th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8683 Entry.

Sobias B. Moxley, Plaintiff.
Vs.
Laura A Moxley, Defendant.

Court of Common Pleas,
Union County, Ohio,
January 4th, 1908.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with personal service of summons, and a copy of the petition; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the day of 1869, as alleged in said petition, and that the defendant has been guilty of wilful absence from the plaintiff for more than three years or since April 13th, 1896 as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff pay the costs of this proceeding taxed at $, and that this case be recorded.

8705 Entry.

A. J. Glick, Plaintiff.
Vs.
A. E. Drumm, et. al, Defendants.

Court of Common Pleas,
Union County, Ohio.
January 4th, 1908.

And now this cause came on to be heard upon motion of the plaintiff for the appointment of a receiver herein. And thereupon the court find that the plaintiff is jointly interested with the defendant, The Burkhardt Packing Company, as mortgagee under certain chattel mortgage, set forth and described in his petition, of the following described goods and chattels, to wit; One large refrigerator, 12 feet by 16 feet, double, two departments upstairs and down, one sycamore block, two patent blocks for cutting meat on; One National Cash Register; one computing scales; one gasoline engine 1½ or 2 horse power, one

pump; one bone grinder; one sausage grinder; one mixer; one hydraulic lard press; one sausage stuffer; one rendering kettle:

That the conditions of said mortgage have not been complied with, that the same has been broken, and that the property aforesaid is probably insufficient to discharge the mortgage debt, and is in danger of being removed and materially injuring the property.

It is therefore ordered that D. C. Bolenbaugh, sheriff of Union County be, and he is hereby, appointed receiver of the aforesaid described goods and chattels, and, upon giving bond in the sum of $1100.00, and duly qualifying, he is ordered to proceed to sell the said goods and chattels aforesaid, after first giving legal notice thereof, at public auction and bring the proceeds thereof into court with his proceedings thereon, for further order of said court and for distribution thereof.

It is ordered that all matters, causes and motions now pending in this Court, not otherwise disposed of by, and the same are hereby continued to the next term thereof.

The present term of this Court was begun on the 16th. day of September, A.D. 1907, and continued from day to day, and from time to time by regular adjournments, until this 4th. day of January, A.D. 1908, and is now adjourned without day.

Attest: Charles Parrott, Clerk,
By Crater McCrory, Deputy.

January Term, 1908.

The State of Ohio, Union County, ss:-

This separate session of the Court of Common Pleas of the Tenth Judicial District and the Third Sub-Division of the State of Ohio, within and for the County of Union of the January Term, A.D. 1908, held at the Court House in the Village of Marysville, County and State aforesaid, was begun on Monday, January 6th, A.D. 1908.

Present: Hon. John M. Brodrick, Judge
D.C. Bolenbaugh, Sheriff
Attest: Charles Parrott Clerk.

Grand Jury Facias.

The Venire Facias for a Grand Jury heretofore issued was duly returned by the Sheriff on January 6th 1908, with his endorsement thereon as follows:-

The State of Ohio, Union County, ss.

Sheriff's Office, January 6th, 1908.

On the 13th day of December, 1907, 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 hereon.

Names	When Served.	How Served.	No. of Miles.
1. Calvin Liggett	Dec. 16th 07.	By Mail	12
2. W. W. Davis	Dec. 26th "	" "	16
3. John Harris	Dec. 15th "	" "	8
4. Marion Bird	Dec. 27th "	" "	22
5. H. J. Brooks	Dec. 16th "	" " Excused.	
6. Fred Kilbert	Jan. 1st 08.	" "	8
7. John Miller	Dec. 16th 07.	" "	11
8. William Cody	Dec. 16th 07.	" "	4
9. A. F. Robinson	Dec. 17th "	" "	5
10. Wm. F. Fry	Dec. 19th "	" "	7
11. J. Clark Reed	Dec. 16th "	" "	5
12. George Trapp	Dec. 16th "	" "	2
13. Henry Eickmeyer	Dec. 14th "	" "	
14. Denver Wiley	Dec. 16th "	" "	20
15. C. A. McAllister	Dec. 18th "	" "	13

D.C. Bolenbaugh, Sheriff.

And upon calling the same in open Court all of the above named jurors appeared in answer thereto, except H. J. Brooks, who was excused by the Court for good cause shown.

And the panel being incomplete, the sheriff summoned as talesman, to complete the same, L. H. Bombaugh, who appeared in answer thereto.

And the panel being full, the court appointed John Miller foreman, and he with his fellow jurors took the oaths in manner and form prescribed by law; and after being instructed by the Court in relation to their duties, were conducted to their room by the Sheriff.

8694 Entry.

The John Church Company, Plaintiff,
vs.
W. C. Bolenbaugh, Sheriff, Defendant.

Court of Common Pleas,
Union County, Ohio.
January 6th, 1908.

This day this cause came on to be heard on the motion of Milo L. Myers as Trustee in Bankruptcy for the creditors of William W. Weaver, bankrupt, to be made a party defendant in the place of W. C. Bolenbaugh, Sheriff, in the above entitled action, and the Court being fully advised in the premises, do find that said Milo L. Myers is the duly appointed and qualified Trustee for the creditors of said William W. Weaver, bankrupt, and as such is entitled to be substituted as defendant in place of said W. C. Bolenbaugh, Sheriff, and it is therefore ordered by the Court that he be made the party defendant herein and that he be granted 8 days from the date hereof in which to file answer herein.

8689. Entry.

William W. Denny, Plaintiff,
vs.
Sarah Denny, Defendant.

Court of Common Pleas,
Union County, Ohio,
January 6th, 1908.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication for six weeks in the Marysville Tribune a paper in general circulation in the county; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 24 day of November, 1870, as alleged in said petition; and that the defendant has been guilty of extreme cruelty and abuse during their married life, was extremely profane and vulgar, cursing and swearing at the plaintiff drove him away from his home as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition. 8692 Entry

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff pay the costs of this proceeding, taxed at $8.76, and that this case be recorded. 8670 Entry.

8679 Entry.

Alice A. Spurgeon, Plaintiff,
vs.
Clarke Spurgeon, Defendant.

Court of Common Pleas.
Union County, Ohio.
January 6th, 1908.

And now this cause coming on for hearing upon the pleadings and the evidence, and the defendant having withdrawn his answer and cross-petition, the court find that the allegations of the petition are confessed by him to be true; and also 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 cause, 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. 8628 Entry. 8635 Entry.

The court further find, upon the evidence adduced, that the defendant has been guilty of extreme cruelty, and that by reason thereof the plaintiff is entitled to a divorce as prayed for. 8660 Entry.

It is therefore ordered and adjudged by the court that the marriage

contract heretofore existing between the said Alice A. Spurgeon and Clark Spurgeon be, and the same is, dissolved, and both parties are released from the obligations of the same.

It is further ordered that the custody, care, education and control of the said children of the parties hereto be, until further order, confided, first, to said Clark Spurgeon until school shall close, in the Spring of 1908, but that then they are to go to their mother, the plaintiff herein, with whom they are to live for the period of Three Months, and then are to return to said Clark for the ensuing period of three months, and so on alternately until each can choose his or her own guardian. It is further ordered that the parent having the custody of said children shall care for them without expense or interference with them by the other parent.

It is further ordered and adjudged that the defendant pay to the plaintiff the personal and house-hold property heretofore agreed upon between the attorneys of the parties hereto, and in addition thereto, as her reasonable alimony in money the sum of Six Hundred and Fifty Dollars, ($650.00) payable on this date, cash in hand, which is this day paid to said Alice A. Spurgeon.

It is further considered by the court that the said Alice A. Spurgeon recover from the said Clark Spurgeon her costs herein expended, and execution is awarded.

8692 Entry — John Aeman & Son, Plaintiff. Vs. J. R. Turner, Admr. &c. Defendant. — Court of Common Pleas, Union County, Ohio, January 6th, 1908.

This day leave was given to plaintiff to file amended petition instanter and same filed.

8670 Entry. — John C. Aeman, Jr. Plaintiff. Vs. J. R. Turner, Admr. &c. Defendant. — Court of Common Pleas, Union County, Ohio, January 6th, 1908.

This day leave was given to plaintiff to file amended petition instanter and same filed.

8628 Entry. — Louisa R. Turner, et. al. Plaintiffs. Vs. John M. Lowe, et. al. Defendants. — Court of Common Pleas, Union County, Ohio, January 6th, 1908.

Leave this day granted to the defendants to withdraw their motion and file a demurrer within three days.

8635 Entry. — The C. C. C. & St. L. Ry. Co., Plaintiff. Vs. J. M. Lowe, et al, Defendants. — Court of Common Pleas, Union County, Ohio, January 6th, 1908.

This day the demurrer of Defendants overruled, and leave given to Defendants to answer by January 20th, 1908.

8660 Entry. — Lillian Antrim, Plaintiff. Vs. J. A. Kennington, Defendant. — Court of Common Pleas, Union County, Ohio. January 6th, 1908.

This day this cause was continued on motion and showing of plaintiff.

8691/
Entry

8532
Entry.

Court adjourned to Tuesday, January 7th, 1908.

Tuesday, January 7th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Broderick, Judge.

The Grand Jury continued their examination of witnesses.

Petit Jury Facias.

The Venire Facias for a Petit Jury heretofore issued was duly returned by the Sheriff on January 7th, 1908, with his endorsement thereon as follows:-

The State of Ohio, Union County, ss.

Sheriff's Office, January 6th, 1908.

On the 13th day of December, 1907, I received this Venire and served the same on the several persons therein named, at the time and in the manner placed opposite their names endorsed hereon.

No.	Names	When Served	How Served	No. of Miles.
1.	W. L. Blaney	Dec. 17/07	By Mail	12
2.	O. B. McLean	Dec. 17, "	" "	12
3.	Andrew Gill	not found		
4.	Frank Edwards	Dec. 17, "	" "	8
5.	A. J. Stidmore	Dec. 17" "	" "	14
6.	W. E. Gray	Dec. 17" "	" "	17
7.	George Bracher	Dec. 16" "	" "	2
8.	W. W. Epps	Dec. 14" "	" "	—
9.	E. M. Gibson	Dec. 16" "	" "	9
10.	Charley Jones	Dec. 20" "	" "	8
11.	Cliff Worley	not found.		
12.	Thomas Connor	Dec. 16/07.	by mail	5
13.	H. S. Atha	Dec. 17" "	" "	20
14.	Samuel Westlake	Dec. 18" "	" "	
15.	Calvin Guy	Dec. 18" "	" "	5.

D. C. Bolenbaugh.

And upon calling the same in open court all of the above named Jurors appeared in answer thereto, and thereupon the Court appointed W. L. Blaney foreman, and he with his fellow jurors took the oaths in manner and form prescribed by law; and after being instructed by the Court in relation to their duties, were conducted to their room by the Sheriff.

8691 Entry.

Sarah Jane Penrose, Plaintiff,
vs.
George Mayer, et al, Defendants,

Court of Common Pleas,
Union County, Ohio,
January 7th, 1908.

This day this cause was settled by parties and all costs paid.

8532 Entry.

Mary A. Nichols, Plaintiff,
vs.
Stephen Nichols, Defendant.

Court of Common Pleas,
Union County, Ohio,
January 7th, 1908.

This day it appearing to the court from competent testimony that the parties hereto are, and for some time past have been, living together as husband and wife, this case is dismissed by order of the court. It is further ordered and adjudged by the court that the

defendant pay the costs herein taxed at $, and execution is awarded therefor.

Report of Grand Jury.

Court of Common Pleas. Union County, Ohio.
January Term, January 7th, 1908.

In the Matter of the Grand Jury:

This day appeared at the bar of this Court the Grand Jury heretofore impaneled and sworn in, and for the body of this Union County, namely:

1. Calvin Liggett
2. W. W. Davis
3. John Harris
4. Marion Bird.
5. Fred Hilbert
6. John Miller
7. William Cody.
8. A. F. Robinson
9. Wm. F. Fry
10. J. Clark Reed.
11. George Trapp.
12. Henry Eickemeyer.
13. Penrose Wiley.
14. C. R. McAllister.
15. F. H. Combaugh.

8684 Entry.

8688 Entry

and presented their certain bills of indictments, each indorsed by John Miller, Foreman of the Grand Jury, "A True Bill," and against the following named persons for the following specified offences, viz:

Everett Morris — for Being Found in a state of Intoxication.
Tony Pfarr — for Abandoning Legitimate Child.

Also their report in writing to the Court in words and figures following, to wit:

Report of Grand Jury.

To the Honorable John M. Brodrick,
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, 1908, beg leave to report that they have been in session two days, and herewith return to the Court the Indictments presented by said Jury: We have carefully examined in all such matters as have legitimately come to our notice, having examined over Fifteen witnesses, covering four cases, and presented two bills, and ignored two cases considered by us. The business has been transacted in as expeditious a matter as possible.

During our session we visited the County Jail, examined its state and condition, and inquired into the discipline and treatment of the prisoners, and their habits, diet and accomodations. We find, and respectfully report to the Court, that the rules prescribed by the Judge have been faithfully kept and observed, and we do find that no provision of law for the regulation of County Jails has been violated.

We as Grand Jurors of the January Term of Court of 1908 visited the Jail and find same in excellent condition and commend Sheriff Combaugh in his efforts for same.

Under the present law each county is required to provide a Detention Room for Juveniles and we heartily recommend that a room over the Jail Lobby be partitioned off, the windows barred and the room placed in a husbandry condition with such furnishings as will meet the demand of a comfortable strong room. Now that only a small amount of money would be required to provide this strong room, so many times needed in the

past and required by law for the future, we ask and urge that immediate action be taken to provide this room.

Respectfully submitted,
John B. Miller,
Foreman.

January 7th, 1908.

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

8684 Entry.

Alvin Thompson, Plaintiff,
Vs.
William Clapham, Defendant.

Court of Common Pleas,
Union County, Ohio,
January 7th, 1908.

This day this cause was settled by parties and all costs paid.

8688 Entry.

William Kennedy, Plaintiff,
Vs.
Swaine Kennedy, et. al. Defendants.

Court of Common Pleas,
Union County, Ohio,
January 7th, 1908.

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 from said report that said estate could not be divided by meets and bounds without injury to the value thereof, and that said commissioners have made and returned their appraisement of said estate, free from the dower of the said Orawel Kennedy at $370. the court find the said return and proceedings in all respects correct and in conformity to law, and do therefore approve and confirm the same.

And it appearing to the court that the said Swaine Kennedy has elected to take the said premises at their appraised value, that is to say: that the premises described in the petition, as situate in the corporation of Marysville, and appraised at the sum of $700. the said Swaine Kennedy elects to take at the appraisement. That the 26 acres described in plaintiffs petition, situate in Union Township, Union County, Ohio, with the consent of the other parties to this action, he takes the same at the sum of $2860. being $340. more than the appraised value thereof, and that the terms of payment are to be cash; and the court finding that the defendant, Orawel Kennedy, having by his answer elected to receive in lieu of his dower its value in money, the court find the just and reasonable value thereof to be Three Hundred and thirty one dollars and Seventy eight cents ($331.78)

And the court finding that the costs of this action, including a counsel fee of $75.90 to McCrory & Converse for their services herein, amount to $123.97 ; and that there is due to the treasurer of Union County, as taxes and penalty on said premises, the sum of $19.66 ; It is therefore ordered by the court that upon payment being made to the sheriff by the said Swaine Kennedy of his proportion of said costs and taxes, to wit, the sum of $ . . , and upon his paying in cash, according to the terms of payment, the proportion of the appraised value (or the value upon which he agreed to take said premises) due to the other parties as heretofore found by the court, the said estate be, and it hereby is, adjudged to him, and the sheriff is ordered thereupon to make and execute to him a deed of conveyance thereof.

It is further ordered that the sheriff out of the proceeds of said sale pay--
1st. To the treasurer of Union County $19.66; 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 $75.90 to McCrory & Cameron, for their services herein, taxed at $123.97, and to E.E. Murphy, defendants' attorney, a counsel fee of $25.00.
Thirdly:- To the said Samuel Kennedy, $331.78, as and for his full dower interest in said premises.
Fourthly:- And of the residue of the proceeds of said sale- to William Kennedy, the plaintiff, the one sixth of the cash proceeds, to wit, the sum of $514.09; and to the said Swaine Kennedy the one sixth of the cash proceeds, to wit, the sum of $514.10; To Nancy Overturf, the one- sixth part of the proceeds of said sale, to wit, the sum of $514.10; To John B. Kennedy, one sixth of the cash proceeds, to wit, the sum of $514.10; To Alfred V. Kennedy, the one sixth of the cash proceeds, to wit, the sum of $514.10; and to Rebecca Dickson, the one sixth of the cash proceeds, to wit, the sum of $514.10.

8617 Entry.

John L. Southard, Plaintiff,
vs.
George W. Harsch, Defendant.

Court of Common Pleas,
Union County, Ohio,
January 7th, 1908.

The jury in this action having on a former day of this term, rendered a verdict for the plaintiff, and assessed the amount due the plaintiff from the defendant at the sum of $609.45 and no motion for a new trial having been made:

It is therefore considered by the Court that the said plaintiff recover from the said defendant, the said sum of Six Hundred and Nine and 45/100 ($609.45) Dollars with interest from the 7th. day of January, 1908, together with his costs herein expended taxed at $, and in default of payment thereof execution is awarded.

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The Petit Jury was this day discharged to February 3rd. 1908.

Court adjourned to Wednesday, January 8th, 1908.

Wednesday, January 8th, 1908. Court convened at 9 o'clock A.M. Present Hon. John M. Rodrick, Judge.

1338 Entry.

The State of Ohio, Plaintiff,
Vs.
Tony Pfarr, Defendant.

Court of Common Pleas,
Union County, Ohio,
January 8th, 1908.

Abandoning Legitimate Child.

This day came the Prosecuting Attorney on behalf of Ohio, the said defendant, Tony Pfarr, being brought into Court in the custody of the Sheriff;

And thereupon said defendant, Tony Pfarr, assenting thereto, was arraigned upon said indictment, the same being distinctly read to him, and required to plead thereto, and for his plea thereto saith he is not guilty as he stands charged therein.

Trial set for February 6th; and thereupon the Court, at request of defendant, do fix his recognizance herein, in the sum of 1000.00, with two or more good and sufficient sureties, conditioned for the appearance of the said defendant before this Court on the 6th. day of February, and from day to day, and not depart without leave, to answer unto the charge or indictment against him for Abandoning Legitimate Child.

And thereupon came said defendant, with Dorothea Pfarr and Conrad Pfarr, his sureties, and entered into a recognizance before the Court, conditioned for his appearance on February 6th. of the January term of this Court to answer said charge as above required.

1334 Entry.

State of Ohio, Plaintiff,
Vs.
Willard Gibson and
Lloyd Biggs, Defendants.

Court of Common Pleas,
Union County, Ohio,
January 8th, 1908.

Indictment for Burglary and Larceny.

Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant, Lloyd Biggs, 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 James B. Cole as counsel to defend him.

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Court adjourned to Thursday, January 9th, 1908.

Thursday, January 9th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Broderick, Judge.

Court adjourned to Friday, January 10th, 1908.

Friday, January 10th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Prodrick, Judge.

8712 Entry.

The Bellefontaine National Bank of Bellefontaine, Ohio, Plaintiff.
vs.
John Schafer and Fannie Schafer, Defendants.

Court of Common Pleas, Union County, Ohio, January 10th, 1908.

This day came the plaintiff, by its attorney; also appeared in open court for and on behalf of said defendants, Frank J. Ballinger, an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendant, entered the appearance of said defendants, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendants, and in favor of said plaintiff, for One Hundred Thirty Five dollars and 94 cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.

It is therefore considered that said plaintiff recover of said defendants the sum of One Hundred Thirty Five dollars and 94 cents, being the amount of said note with interest computed at 8 per cent. per annum from the 10th. day of August, A. D. 1906; and also the costs herein expended, taxed at $.

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Court adjourned to Saturday, January 11th, 1908.

Saturday, January 11th, 1908. Court convened at 9 o'clock A.M. Present Hon. John M. Broderick, Judge.

86 to
Entry.

Court adjourned to Monday, January 13th, 1908.

Monday, January 13th, 1908. Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

8640 Entry

Alonzo W. Evans, et al. Plaintiffs,
Vs.
Howard Scholy, Defendant.

Court of Common Pleas,
Union County, Ohio,
January 13th, 1908.

This cause being heard upon the motion of defendants to compel the plaintiff to give security for costs, the court, on consideration, grants the same; and peremptorily orders that unless plaintiff shall give said security by January 18, 1908, the action be dismissed.

Court adjourned to Tuesday, January 14th, 1908.

Tuesday, January 14th, 1908. Court convened at 9 o'clock A. M. Present, Hon. John M. Brodrick.

8714 Entry.

Bank of Plain City, Plaintiff.
Vs.
Amanda P. Smith, Defendant.

Court of Common Pleas.
Union County, Ohio.
January 14th, 1908.

This day came the Plaintiff by Frank J. Ballinger, Attorney; and filed Petition against said Defendant, Amanda P. Smith, and thereupon one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendant, Amanda P. Smith, and who, by virtue of a warrant of Attorney for that purpose duly executed by said Defendant, 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, confessed that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiff's petition, the sum of Five Hundred fifteen 15/100 Dollars, $515.15, bearing interest at 8 per cent per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum. It is therefore considered by the Court that said Bank of Plain City, Plaintiff, do recover from said Amanda P. Smith, Defendant, the said sum of Five Hundred fifteen and 15/100 Dollars, $515.15, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the day of 190, at the rate of 8 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

Court adjourned to Wednesday, January 15th, 1908.

Wednesday, January 15th, 1908, Court convened at 9 o'clock, A. M. Present Hon. John M. Broderick, Judge.

Court adjourned to Thursday, January 16th, 1908.

Thursday, January 16th, 1908, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

1337 Entry.

State of Ohio, Plaintiff,
Vs.
Everett Norris, Defendant.

Court of Common Pleas,
Union County, Ohio.
January 16th, 1908.

Indictment for Being Found in a State of Intoxication.

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 having waived arraignment and reading of said indictment, for plea thereto, saith he is "guilty"; thereupon it is ordered and adjudged by the court that the said Everett Norris pay a fine of Five Dollars and the costs of this prosecution.

8651 Entry.

Isaac Smith, Plaintiff,
Vs.
George Smith, et al, Defendants.

Court of Common Pleas,
Union County, Ohio.
January 16th, 1908.

And now this cause coming on to be heard on the petition and the answer of George Smith, a defendant, and the evidence the court find that all of the defendants have had due legal notice of the pendency and demand of the said petition, and that with the exception of the one above named they are in default for answer thereto.

Thereupon the court further find that the plaintiff and the defendants hereinafter named are tenants in common in the estate described in the petition; that the said B. P. Smith, widower, is entitled to dower therein; and that subject thereto the plaintiff, Isaac Smith, and the defendants, George Smith, Lottie Smith, Vina Smith and Sadie Smith are each entitled to the one-fifth part thereof; and that the plaintiff is entitled to have partition made of the premises, as prayed for in his petition.

It is therefore ordered, adjudged and decreed that partition of said estate be made, and that dower therein be designed to the said B. P. Smith and that M. W. Hill, Chas. Marriott and Thomas Price, three judicious and disinterested free holders of the vicinity, are hereby appointed commissioners to make and set off the same.

And it is ordered that a writ issue to the sheriff of Union County, commanding him that by the oaths of the commissioners above named he cause to be set off and divided to each of the above named parties, the part and proportion of said estate to which they are hereinbefore severally found entitled, and also cause to be set off and assigned, in manner as above ordered, the dower of the said B. P. Smith.

And of his proceedings herein the sheriff is ordered to make due return.

Court adjourned to Friday, January 17th, 1908.

Friday, January 17th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Rodrick, Judge.

8651 Entry.

Isaac Smith, Plaintiff,
Vs.
George Smith, et. al. Defendants.

Court of Common Pleas,
Union County, Ohio,
January 17th, 1908.

On motion to the court by the plaintiff and upon the production of 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 the court, the said proceedings are hereby approved and confirmed.

It is therefore ordered and decreed that the said B. P. Smith have and possess the lands so assigned to him, as and for his reasonable dower in said premises; and that the said George Smith, Lottie Smith, Vina Smith and Sadie Smith hold in severalty the parts and premises so set off and assigned to each respectively.

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 record in the office of the Recorder of this county.

And it is further ordered that the thirty four + 1/4 acres tract, being that portion of the said premises described on page seven, inserted shall be sold, for the reason that it cannot be divided without manifest injury, the same being done by the mutual consent of all parts herein; and that from the proceeds of the sale thereof there be paid to the said Isaac Smith the sum of One Thousand four hundred forty eight + 75/100 dollars ($1448.75) being the amount for which the share respectively assigned and set off to the other co-tenants was appraised.

Court adjourned to Saturday, January 18th, 1908.

Saturday, January 18th, 1908. Court convened at 9 o' clock A. M. Present Hon. John M. Broderick, Judge.

8651 Entry.

Isaac Smith, Plaintiff,
Vs.
George Smith, et. al. Defendants,

Court of Common Pleas.
Union County, Ohio.
January 18th, 1908.

On motion of the plaintiff and upon 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 and with the mutual consent of all parties herein, the said proceedings and sale are hereby approved and confirmed. And the Sheriff is ordered by deed duly executed to convey said premises to the purchaser B. P. Smith, free from dower.

It is further ordered that out of the proceeds of said sale the Sheriff pay

1st. The Treasurer of Union County 44 & 7/100 dollars, being the taxes due on said premises.

2nd. To the Clerk of this court the costs of this action, including a counsel fee of three hundred and fifty dollars, to S. W. Van Winkle for his service herein, taxed at four hundred and forty-two & 6/100 dollars.

3rd. To the said Isaac Smith the sum of $1448. 75/.

4" And of the residue of the proceeds of said sale, to the said Isaac Smith, George Smith, Lottie Smith, Vina Smith and Sadie Smith, each the one-fifth part.

8640 Entry.

8597 Entry.

8635 Entry.

Court adjourned to Monday, January 20th, 1908.

Monday, January 20th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Broderick, Judge.

8640 Entry.

Alonzo W. Evans, et al, Plaintiffs,
vs.
Howard Scholy, Defendants.

Court of Common Pleas,
Union County, Ohio,
January 20th, 1908.

The plaintiff having failed to give the security for costs heretofore required by order of court, this action is now dismissed at plaintiff's costs without prejudice to a new action.

8597 Entry.

Robert D. Finley, et. al, Plaintiffs,
vs.
Erie Railroad Company, Defendant.

Court of Common Pleas,
Union County, Ohio,
January 20th, 1908.

This cause coming on this day for hearing on the motion of the plaintiffs to set aside the verdict, and for a new trial herein, the court, on consideration thereof, overrules the same.

It is therefore considered by the court that the said defendant go hence without day, and recover from the said plaintiffs his costs herein expended, taxed at $.

To all of which findings and judgments of the court the plaintiffs, by their attorneys, excepted.

8635 Entry.

The P. C. C. & St. L. Railway Company, Plaintiff,
vs.
J. M. Cowe, et. al. as Commissioners of Union County, Ohio, et. al. Defendants.

Court of Common Pleas,
Union County, Ohio,
January 20th, 1908.

This day this cause came on to be heard upon the demurrer to the petition heretofore filed herein by the defendants; and the court having heard the arguments of counsel and being fully advised in the premises doth find that said demurrer is not well taken.

It is therefore the judgment and order of the court that said demurrer be and the same is hereby overruled; to which judgment and ruling of the court, the defendants except.

And the defendants, not desiring to plead to said petition further or to file an answer herein, it is the further judgment and order of the court that the plaintiff is entitled to the relief prayed for in the petition. It is therefore ordered and adjudged by the court that the temporary injunction heretofore allowed herein be, and the same is hereby made permanent; and the defendants are permanently enjoined from taking any steps towards the establishment and construction of the ditch described in the petition; and the defendants are ordered to pay the costs herein, taxed at $; to all of which orders and judgment of the court the defendants except.

Court adjourned to Tuesday, January 21st, 1908.

Tuesday, January 21st. 1908. Court convened at 9 o'clock, A. M. Present Hon. John M. Broadrick, Judge.

8706 Entry.

Madge M. Slack, Plaintiff,
vs.
Franklin C. Slack, et al. Defendants.

Court of Common Pleas,
Union County, Ohio.
January 21st, 1908.

This day this cause came on to be heard upon the motion of the plaintiff and consent of the defendants, for the appointment of a Receiver of the property and effects of the defendant, Franklin C. Slack, herein and upon consideration thereof, the court being fully advised in the premises, it is ordered that B. F. Carmean be, and he hereby is, appointed Receiver herein; - and before entering upon his duties as such receiver, he shall take an oath faithfully to perform them and execute with surety approved by the Clerk of this court and undertaking to the said plaintiff, for the benefit of all the parties to this action and all whom it may concern in the sum of $1000, conditioned according to law; whereupon said receiver shall take possession of all notes, due bills, books of account, accounts, and all other evidences of debt as well as the real estate mentioned and described in the petition herein, the glove factory, for the manufacture of gloves, sewing machines and other machinery and appliances for the manufacture of gloves; boiler, engines &c. as well as all other personal property. Said B. F. Carmean as such receiver shall have all of said property, real and personal, duly appraised by three free-holders of this county and report the appraisement thereof to this Court and shall proceed to settle and collect all accounts and evidences of indebtedness and for that purpose he may commence and maintain actions in his own name as such Receiver and he shall hold all moneys collected by him and property which comes into his hands subject to the order of the Court. He shall ascertain if he can sell or lease said property or any part thereof and report to this Court any propositions regarding the sale or lease of the same for the order of the Court thereon.

Such receiver is further required forthwith to give written or printed notice of his appointment as Receiver herein to all persons indebted to the defendant and to abide and perform all the orders of the Court made or to be made upon him herein.

8715 Entry.

George E. Whitney, Plaintiff,
vs.
J. E. Gaus, Defendant.

Court of Common Pleas,
Union County, Ohio,
January 21st. 1908

This day this cause was settled at Plaintiff's costs, and all costs paid.

Court adjourned to Wednesday, January 22nd. 1908.

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Wednesday, January 22nd, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

Court adjourned to Thursday, January 23rd, 1908.

Thursday, January 23rd, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Broderick, Judge.

8705 Entry.

A. J. Glick, Plaintiff,
Vs.
A. E. Drummond and others, Defendants.

Court of Common Pleas,
Union County, Ohio.
January 23rd, 1908.

This cause coming on to be heard upon motion to confirm the final report of, and to discharge the receiver herein, it is ordered on motion of said receiver, that he be allowed and paid the sum of $35.00, out of the money in his hands, and that F. V. Spicer, as his attorney, be allowed the sum of $25.00 as attorneys fees in full for their services herein, as such receiver and acting as attorney and counsel for said receiver. And the court finding said report correct, and that the said receiver has fully obeyed the order of the Court to him issued, and has duly paid over all moneys coming into his hands as such receiver:

It is therefore ordered that all acts and things done by him as well as his said report, be, and they hereby are, approved and confirmed, and the said D. C. Poleubaugh is discharged from his duties, liabilities and responsibilities as such receiver, and his undertaking therefor is vacated and cancelled.

Jan. 23, 1908.

Court adjourned to Friday, January 24th, 1908.

Friday, January 24th, 1908, Court convened at 9 o'clock A. M. Present Hon. John M. Broderick, Judge.

8670 Entry.

John C. Asman, Jr. Plaintiff.
vs.
J. R. Turner, Adm. &c. Defendants.

Court of Common Pleas,
Union County, Ohio,
January 24th, 1908.

This cause coming on for hearing on the motion of the defendant to strike the petition from the files, was argued by counsel: on consideration whereof, the court do overrule said motion, and leave is granted defendant the statutory time in which to plead from the date of the filing of the amended petition herein, to which ruling of this court, the defendant, by his counsel, then and there excepted.

8692 Entry.

John Asman & Son, Plaintiff
vs.
J. R. Turner, Adm. &c. Defendant.

Court of Common Pleas,
Union County, Ohio,
January 24th, 1908.

This cause coming on for hearing on the demurrer to the petition herein, and was argued by counsel; on consideration whereof, the court do overrule said demurrer, and leave is granted to defendant to plead within the statutory time from the filing of the amended petition herein, to all of which the defendant, by his counsel, then and there excepted.

Court adjourned to Saturday, January 25th, 1908.

Saturday, January 25th, 1908. Court convened at 9 o'clock, a.m. Present Hon. John M. Brodrick, Judge.

8676 Entry. The Peerless Wire Fence Company, Plaintiff, vs. John Cosgray, Defendant. — Court of Common Pleas, Union County, Ohio, January 25th, 1908.

The Plaintiff now comes by his attorney and the defendant is in default for answer or demurrer, and the allegations of the petition are taken as confessed by him to be true.

Whereupon the Court takes the account and finds that said defendant does owe the plaintiff, as damages, the sum of One Hundred and Twenty 46/100 Dollars ($120 46/100).

It is therefore considered that said plaintiff recover of said defendant his said damages, and also his costs of this suit to be taxed.

8681 Entry. Samuel W. Dunfee, Plaintiff, vs. N. S. Hendrix, Defendant. — Court of Common Pleas, Union County, Ohio, January 25th, 1908.

This day came this cause on to be heard upon the motion of defendant to require the plaintiff to make his petition more definite and certain as in said motion set forth. On consideration whereof the court sustains said motion, to which ruling of the court the plaintiff excepted.

Thereupon the plaintiff asked and had leave of the court to file an amended petition herein by the 20th. day of February, 1908.

8628 Entry. Louisa R. Turner, et. al. Plaintiffs, vs. John M. Lowe, et. al. Defendants. — Court of Common Pleas, Union County, Ohio, January 25th, 1908.

This cause being heard on the demurrer to the petition, the court, on consideration, overrules the same, to which defendants excepted, and leave is given to defendants to answer within days.

Court adjourned to Monday, January 27th, 1908.

Monday, January 27th, 1908. Court convened at 9 o'clock a.m. Present Hon. John M. Brodrick, Judge.

Court adjourned to Tuesday, January 28th, 1908.

Tuesday, January 28th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8705 Entry.

A. J. Glick, Plaintiff. vs. A. E. Drumm, et al, Defendants.

Court of Common Pleas, Union County, Ohio, January 28th, 1908.

Now comes the plaintiff by his attorney, and the defendant, A. E. Drumm being default for answer and demurrer, the court find that the allegations of the petition are confessed by him to be true, and find that the defendant, A. E. Drumm is indebted to the plaintiff, A. J. Glick, in the sum of $273.63.

It is therefore considered by the court that the said plaintiff recover of the said defendant, A. E. Drumm, the sum of $273.63 and interest from his date at 6%, and costs taxed at $.

The court further find that the aforesaid amount is for a promissory note given by the said defendant to the said plaintiff as set forth in petition of plaintiff; and the court further find that in order to secure the said note the defendant executed and delivered to the plaintiff a certain chattel mortgage duly sworn to and filed with the recorder of Union County, Ohio, in which said property is situated and said defendant lived at the time and does now reside; that said chattel mortgage was duly filed with said recorder November 7" 1907, and bears the recorder's file number of 778 in the Chattel Mortgage files of Union County, Ohio, and that the said chattel mortgage mortgage was a good and valid lien of the goods and chattels therein described as set forth in petition of plaintiff and that the conditions of said mortgage have been broken.

It is therefore further ordered that the said chattel mortgage be foreclosed, and the proceeds thereof is ordered distributed as the plaintiff and the defendant, The Burkhardt Packing Company, may agree upon, or further order of court.

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Court adjourned to Wednesday, January 29th, 1908.

Wednesday, January 29th, 1908, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8700 Entry.

The Commercial Bank, Plaintiff,
vs.
Cyrus N. Haines, et al, Defendants.

Court of Common Pleas,
Union County, Ohio,
January 29th, 1908.

This day leave was given to defendants, C. W. and Ida Argo to file answer and cross-petition in this cause and same filed.

8641 Entry.

May Thompson, Plaintiff,
vs.
John O. Thompson, Defendant.

Court of Common Pleas,
Union County, Ohio,
January 29th, 1908.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and a copy of the petition and that he is in default for demurrer or answer to said petition; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 18th. day of February, 1904, as alleged in said petition, and that two children have been born of said marriage, to wit, Arthur Thompson, now aged three years, and Helen Louise Thompson, aged about one year, and that the defendant has been guilty of gross neglect of duty and extreme cruelty toward the plaintiff as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be given the care, custody, and control of both of said children mentioned above until the further order of this court, except that the said John O. Thompson is to have the custody of Arthur Thompson until the 1st. day of March, 1908, when he is to return him to the plaintiff and thereafter the said defendant is to have the privilege of visiting said children at all reasonable times during the day time, but he is not to visit them while intoxicated, if he should ever become intoxicated.

It is further ordered, adjudged and decreed that the said May Thompson shall be debarred from all claims for alimony for the support of herself and the said children and the said John O. Thompson is hereby relieved from all liability for the support of said children and it is further ordered, adjudged and decreed that the said May Thompson be debarred of all right or claim to dower in any of the lands which the said John O. Thompson may now possess or of which he may hereafter become seized,

This decree debarring the plaintiff of dower, is made with the full knowledge and consent of the plaintiff and in consideration of an agreement between plaintiff and defendant whereby the defendant conceded the custody of said children to the plaintiff and turned over to her certain personal property for which she agreed and consented to a decree releasing her incohate right of dower and debarring her therefrom, which agreement and arrangement the court finds to be just and equitable and approves and confirms the same.

It is also ordered, adjudged and decreed that the deposition on behalf of the defendant taken before Edward H. Powell, Notary Public for Franklin County, Ohio, may be withdrawn from the files of the court, without being opened, and destroyed.

Court adjourned to Thursday, January 30th, 1908.

Thursday, January 30th, 1908, Court convened at 9 o'clock A. M. Present Hon. John M. Broddick, Judge.

John

Court adjourned to Friday January 31st. 1908.

Friday, January 31st, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8700. Entry.

The Commercial Bank, Plaintiff,
vs.
Cyrus U. Haines, et al, Defendants.

Court of Common Pleas,
Union County, Ohio,
January 31st, 1908.

This day the plaintiff appears in person and by his attorney, Phil M. Crow, and the Court finding that defendants, Cyrus U. Haines and Ella Haines are in default for answer or other pleading, this cause is submitted on plaintiff's Petition and the evidence.

On consideration whereof the Court finds that the allegations and averments contained in said Petition are true, and that there is due to plaintiff from said defendants, Cyrus U. Haines and Ella Haines, on the promissory notes and mortgage set forth in said Petition, eight hundred and thirty seven dollars and twenty cents ($837.20) with interest at the rate of eight per cent from the first day of this term of the Court, to wit, January 6, 1908, which sum is a good and valid lien on all of the premises described in said Petition.

It is therefore considered that the plaintiff, The Commercial Bank, recover from defendants, Cyrus U. Haines and Ella Haines, said sum of eight hundred and thirty seven dollars and twenty cents $837.20 with interest at the rate of eight per cent from January 6, 1908, payable annually, and also its costs incurred in this suit.

And it is ordered and decreed that unless the costs of this suit and the said amount due plaintiff as above, with interest, shall be paid within three days from the date of this decree, the equity of redemption of defendants in said premises shall be foreclosed, and an order shall be issued to the sheriff of said Union County, Ohio, directing him to appraise, advertise and sell the premises described in said Petition.

But for good cause shown, it is ordered that said Sheriff shall first appraise, advertise and sell the premises described as Tract One in the Third Cause of Action in said Petition described, before appraising, advertising and selling the premises described as Tract Two in said Third Cause of Action.

And for said appraisement of said premises described as Tract One, said sheriff shall select appraisers from said Union County, Ohio, and for said appraisement of said premises described as Tract Two, said sheriff shall select appraisers from Hardin County, Ohio.

And the said sale of said premises described as Tract One shall be advertised in Union County, Ohio; but the said sale of said premises described as Tract Two shall be advertised in Hardin County, Ohio.

And for good cause shown, advertisement of sale in a German newspaper is dispensed with.

And said Sheriff shall report his proceedings to this Court without delay.

8707 Entry.

C. E. Wharton, Plaintiff,
vs.
Nora Myers, et al, Defendants.

Court of Common Pleas,
Union County, Ohio,
January 31st, 1908.

This day leave is given to defendants to file answer and same filed.

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Court adjourned to Saturday, February 1st. 1908.

Saturday, February 1st. 1908. Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

8699 Entry.

A. R. Willison, Exr. Plaintiff.
vs.
Laura McEntire and
John McEntire, Defendants.

Court of Common Pleas,
Union County, Ohio.
February 1st. 1908.

This cause this day coming on to be heard upon the pleadings and it appearing that the defendants have been duly and legally served with process, and that they are in default for answer or demurrer, it is therefore considered by the court that the allegations in plaintiffs petition contained are confessed by said defendants to be true, and the court so accordingly finds.

On consideration whereof and the court being fully advised in the premises finds that the promissory notes set forth in the petition are joint obligations upon which both defendants are jointly liable and that there is due plaintiff jointly from the defendants the sum of $211.65 with interest from the 16th. day of September, 1907.

It is therefore ordered and adjudged by the court that the plaintiff do recover jointly from the defendants the sum of $211.65 with interest from Sept. 16th. 1907, together with the costs of this action.

8697 Entry.

W. C. Woods, Plaintiff.
vs.
Alva E. Drumm, Etta J. Drumm,
Amanda Marriott, and F. L. Winters, Defendants.

Court of Common Pleas,
Union County, Ohio.
February 1st. 1908.

This cause came on for hearing upon the petition, the answer and cross-petition of Amanda Marriott and the answer and cross petition of F. L. Winters, the defendants, Alva E. Drumm and Etta J. Drumm being in default for answer or demurrer although duly and legally served with process, it is therefore considered that the allegations in plaintiffs petition and in said defendants answer and cross-petitions are by the said defendants, Alva E. Drumm and Etta J. Drumm confessed to be true and the court so accordingly finds.

On consideration whereof the court finds that the said defendants, Alva E. Drumm and Etta J. Drumm executed and delivered to the plaintiff their three promissory notes in said petition described; that said notes are joint obligations upon which the defendants, Alva E. Drumm, and Etta J. Drumm, are jointly and severally liable; that the first of said notes in said petition described is due and payable by virtue of its terms and tenor; that the second and third of said notes are due and payable by virtue of the condition of said mortgage in the petition described and set forth; that plaintiff has elected to declare the whole indebtedness on said three notes due and payable; that there is due upon said three notes to the plaintiff from the defendants, Alva E. Drumm, and Etta J. Drumm, the sum of $2033.66 with interest from the 16th. day of September, 1907.

The court further finds that in order to secure the payment of said notes the said defendants, Alva E. Drumm and Etta J. Drumm executed and delivered to the plaintiff the mortgage deed in the petition described, and on the premises therein described; that said mortgage was duly recorded in Mortgage Record No. 59, page 16 in the Recorder's Office of Union County, Ohio.

The court further finds that the condition of defeasance in said mort-

gage has been broken and that the plaintiff is thereby entitled to have the equity of redemption of the said Alva E. Drumm and Etta J. Drumm and others foreclosed.

The court further finds that the said defendants, Alva E. Drumm and Etta J. Drumm executed and delivered to the said defendant, Amanda Marriott, the indemnity mortgage set forth in her answer and cross-petition; that the conditions of said indemnity mortgage have not been complied with and is still in full force and effect; that said mortgage creates a good and valid lien on said premises in a sum not to exceed $1000.00; that said lien is a subsisting and continuing one and is not determinable in this action; that said lien is the first and best on the premises firstly described in the petition and described in the said answer and cross petition of the said Amanda Marriott, except the taxes thereon.

That the amount above adjudged to be due plaintiff on said notes and mortgage is the second lien on the premises firstly described in the petition and the first and best lien in the premises secondly described in the petition, excepting the taxes thereon.

The court further finds that there is due from the defendants, Alva E. Drumm and Etta J. Drumm, to the defendant, F. L. Winters, the sum of $, with interest from the day of 190 , and is the third lien on the premises firstly described in the petition and the second lien on the premises secondly described in the petition.

It is therefore considered and adjudged by the court that the plaintiff recover from the defendants, Alva E. Drumm and Etta J. Drumm the said sum of $ 2033.66 with interest from the 16th. day of September, 1907, together with his costs herein expended. It is also further ordered, adjudged and decreed that unless the defendants, Alva E. Drumm and Etta J. Drumm, 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 as aforesaid, the defendants equity of redemption be foreclosed, and that an order of sale issue therefor to the sheriff of said county, directing him to appraise, advertise and sell said premises as upon execution, excepting only that said premises firstly described in the petitions shall be appraised and sold subject to the said indemnity mortgage of Amanda Marriott as above decreed, and report his proceeding to this court for further orders.

On motion and for good cause shown, publication in a German newspaper is hereby dispensed with.

Court adjourned to Monday, February 3rd, 1908.

Monday, February 3rd, 1908. Court convened at 9 o'clock A.M. Present Hon. John M. Brodrick, Judge.

8724 Entry. W. H. Willis, Plaintiff, vs. N. J. Venders, Defendant. — Court of Common Pleas, Union County, Ohio. February 3rd, 1908.

This day came the plaintiff by attorney; also appeared in open court, for and on behalf of said defendant, an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendant, entered the appearance of said defendant, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendant, and in favor of said plaintiff, for One Thousand and Sixty four dollars, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.

It is therefore considered that said plaintiff recover of said defendant the sum of One Thousand and Sixty four dollars, and that said judgment bear interest at 6 per cent. from the 1st. day of February, A.D. 1908; and also costs herein expended, taxed at $

8628 Entry.

1334 Entry. State of Ohio, Plaintiff, vs. Willard Gibson and Lloyd Biggs, Defendants. — Court of Common Pleas, Union County, Ohio, February 3rd, 1908.

Now comes the prosecuting attorney on behalf of the State of Ohio, the defendant, Willard Gibson, 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; thereupon it being inquired of him 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 adjudged by the Court that the said defendant, Willard Gibson, be imprisoned and confined in the penitentiary of this State, and kept at hard labor, but without any solitary confinement, for the period of one year and one day, and that he pay the costs of this prosecuting, for which execution is awarded.

8669 Entry. Anna E. Smith and Robert E. Robinson, Plaintiffs, vs. Oscar Bodley et. al., Defendants. — Court of Common Pleas, Union County, Ohio, February 3rd, 1908.

This cause coming on this day to be heard, pursuant to assignment, thereupon came the parties, by their respective counsel, and also came the following-named persons as Jurors, to wit:

W. L. Blamy, O. B. McLean, Frank Edwards, H. C. Gray, E. M. Gibson, Charles Jones, Thomas Conner, Calvin Guy, W. A. Jones, James Shirk, Edson G. Lott, and J. L. Beagle, who were duly impanelled and sworn according to law, and thereupon this cause came on for hearing on the pleadings and the evidence.

Whereupon the Defendants introduced in evidence the original paper-

writing purporting to be the Last Will and Testament of Preston N. Robinson, deceased, together with the original Order of Probate thereof admitting the same to probate and record in Union County, Ohio; and, thereupon, the said Defendants rested their case in chief.

Whereupon, the said Plaintiffs, by their counsel, moved the Court to direct a verdict in their behalf upon the grounds, to-wit:

That said paper-writing purporting to be the last will and testament of Preston N. Robinson, deceased, is not the last will and testament of the said decedent for the reason that the same contains an unreasonable blank space between the last dispositive clause and the place of signature, and that the same is not signed at the end thereof, as required by law. And, forthwith, the said motion was argued by counsel and submitted to the Court.

Whereupon, the Court, on consideration, thereof, over-ruled the said motion, to which ruling and judgment of the Court, the said Plaintiffs, by their counsel, then and there excepted.

And thereupon the Court adjourned the further hearing of this cause until tomorrow morning at 9 o'clock.

8628 Entry.

Louisa A. Turner, et. al. Plaintiffs,
Vs.
John M. Lowry, et. al. Defendants.

Court of Common Pleas,
Union County, Ohio,
February 3rd, 1908.

This day this case is dismissed at costs of Plaintiff, without prejudice to a new action.

Court adjourned to Tuesday, February 4th, 1908.

Tuesday, February 4th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

1334 Entry.

State of Ohio, Plaintiff,
vs.
Willard Gibson and
Lloyd Biggs, Defendants.

Court of Common Pleas,
Union County, Ohio,
February 4th, 1908.

Now comes the prosecuting attorney, on behalf of the State of Ohio, the defendant, Lloyd Biggs, 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; thereupon it being inquired of him 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 adjudged by the court that the said defendant, Lloyd Biggs, be imprisoned and confined in the penitentiary of this State, and kept at hard labor, but without any solitary confinement, for the period of one year and one day, and that he pay the costs of this prosecution, for which execution is awarded.

8669 Entry.

Anna E. Smith and
Robert E. Robinson, Plaintiffs,
vs.
Oscar Bodley, et. al. Defendants.

Court of Common Pleas,
Union County, Ohio,
February 4th, 1908.

This day again came the said parties, by their respective counsel, and also came the jury heretofore impaneled and sworn; and this cause being called by the Court for further progress in the trial thereof, the said Plaintiffs, by their counsel, declined to introduce further testimony in said cause and submitted the same accordingly.

Whereupon, the Court charged and directed the jury herein that the paper-writing introduced in evidence herein, purporting to be the last will and testament of Preston H. Robinson, deceased, is the valid last will and testament of the said decedent, and directed the said jury to return its verdict accordingly; to which charge and direction of the Court, the said Plaintiffs, by their counsel, then and there excepted.

And, thereupon, the said jury retired to its room, in charge of the sheriff, for deliberation.

And now comes the said jury into open court with its verdict in writing, signed by its foreman, and says:-

"We, the jury, on the issues joined, find the paper-writing here shown to us and admitted to probate in the Probate Court of Union County, State of Ohio, on the 29th. day of December, 1906, purporting to be the last will and testament of Preston H. Robinson, deceased, is the valid last will and testament of the said Preston H. Robinson, deceased."

"Tho's Connor,"
"Foreman."

And thereupon, the said Plaintiffs, by their counsel, moved the Court for a new trial in the premises; which motion coming on to be heard forthwith, the Court, on consideration thereof, over-rules the same. To which ruling and judgment of the Court upon said motion for a new trial, the said

Plaintiffs, by their counsel, then and there excepted.

It is, therefore, in accordance with said verdict, considered and adjudged by the Court that the paper-writing produced in this case, and offered in evidence, purporting to be the last will and testament of Preston H. Robinson, deceased, is his valid last will and testament.

And it is further ordered and adjudged by the Court that the said Defendants go hence without day and recover of the said Plaintiffs their costs in this behalf expended, taxed at $. To all of which orders and judgments of the Court the said Plaintiffs, by their counsel, except.

Court adjourned to Wednesday, February 5th, 1908.

Wednesday, February 5th, 1908, Court convened at 9 o'clock A. M. Present Hon. John M. Broddock, Judge.

8726 Entry.

The Richwood Banking Company, Plaintiff,
vs.
S. W. Van Winkle and M. W. Hill, Defendants,

Court of Common Pleas,
Union County, Ohio.
February 5th, 1908.

This day came the Plaintiff by Frank J. Bellinger, its Attorney; and filed its Petition against said Defendants, S. W. Van Winkle and M. W. Hill, and thereupon James McCampbell, one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants, S. W. Van Winkle and M. W. Hill, who by virtue of a warrant of Attorney for that purpose duly executed by said Defendants, and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition, the sum of Four Hundred Twenty Nine and 77/100 Dollars, $429.77, bearing interest at 8 per cent. per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said The Richwood Banking Company, Plaintiff, do recover from said S. W. Van Winkle and M. W. Hill, Defendants, the said sum of Four Hundred Twenty Nine and 77/100 Dollars, $429.77, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 4th day of February, 1908, at the rate of 8 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

8727 Entry.

The Richwood Banking Company, Plaintiff,
vs.
O. M. Reece and S. L. Reece, Defendants.

Court of Common Pleas,
Union County, Ohio.
February 5th, 1908.

This day came the Plaintiff by Frank J. Bellinger, Attorney; and filed its Petition against said Defendants, O. M. Reece and S. L. Reece, and thereupon James McCampbell, one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants, O. M. Reece and S. L. Reece, and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendants, and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition, the sum of Four Hundred Twenty One and 93/100 Dollars, $421.93, bearing interest at 8 per cent. per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said The Richwood Banking Company, Plaintiff, do recover from said O. M. Reece and S. L. Reece, Defendants, the said sum of Four Hundred Twenty One and 93/100 Dollars, $421.93, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 4th day of February, 1908, at the rate of 8 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right

8728 Entry.

8729 Entry.

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

8728 Entry.

The Richwood Banking Company, Plaintiff,
Vs.
Allen Hainer and M. W. Hill, Defendants.

Court of Common Pleas,
Union County, Ohio,
February 5th, 1908.

This day came the Plaintiff by Frank G. Ballinger, Attorney; and filed its Petition against said Defendants, Allen Hainer and M. W. Hill, and thereupon James McCampbell, one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants, Allen Hainer and M. W. Hill, and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendants, and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition, the sum of Two Hundred Twenty Three and 55/100 Dollars, $ 223.55, bearing interest at 8 per cent. per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said The Richwood Banking Company, Plaintiff, do recover from said Allen Hainer and M. W. Hill, Defendants, the said sum of Two Hundred Twenty Three and 55/100 Dollars, $ 223.55, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 4th day of February, 1908, at the rate of 8 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

8729 Entry.

The Richwood Banking Company, Plaintiff,
Vs.
M. W. Hill, Defendant.

Court of Common Pleas,
Union County, Ohio,
February 5th, 1908.

This day came the Plaintiff by Frank G. Ballinger, its Attorney; and filed its Petition against said Defendant, M. W. Hill, and thereupon J. L. Cameron, one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendant, M. W. Hill, and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendant, 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, confessed that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiff's petition, the sum of Seventeen Hundred Twenty-eight + 20/100 Dollars, $ 1728.20, bearing interest at 8 per cent. per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum. It is therefore considered by the Court that said The Richwood Banking Co., Plaintiff, do recover from said, M. W. Hill, Defendant, the said sum of Seventeen Hundred and Twenty eight + 20/100 Dollars, $1728.20, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 5th. day of February, 1908, at the rate of 8 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

8696
Entry.

John W. Allinger, et. al, Plaintiffs.
vs.
John F. Henderer, Defendant.

Court of Common Pleas.
Union County, Ohio,
February 5th, 1908.

Now come the plaintiffs by their attorney, and the defendant being in default for answer and demurrer, the Court find that the allegations of the petition are confessed by him to be true, and that he is indebted to the plaintiffs in the sum of $146.60, and interest from the 5th day of February, 1908.

It is therefore considered by the court that the said plaintiffs recover from the said defendant the sum of $146.60, and their costs herein expended, together with the interest as aforesaid.

1338
Entry.

Court adjourned to Thursday, February 6th, 1908.

Thursday, February 6th, 1908. Court convened at 9 o'clock A.M. Present Hon. John M. Broderick, Judge.

1338 Entry.

State of Ohio, Plaintiff,
Vs.
Tony Pfarr, Defendant.

Court of Common Pleas,
Union County, Ohio,
February 6th, 1908.

This day this cause was continued by agreement of parties, and it is ordered by the Court, that the defendant herein enter into a recognizance in the sum of $1000.00 with approved security for his appearance at the next term of court.

Court adjourned to Friday, February 7th, 1908.

Friday, February 7th, 1908, Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

8567 Entry. In the Matter of the Estate of Anna Salome Conard, deceased. Court of Common Pleas. Union County, Ohio, February 7th, 1908.

1301 Entry

This cause coming on for hearing was submitted to the court upon the motion for a new trial herein; on consideration whereof, the court find that said exceptor is not entitled, upon the evidence adduced, to the new trial petitioned for.

It is therefore considered by the court that said executor go hence without day, and recover from the exceptor his costs herein expended.

8567 Entry. In the Matter of the Estate of Anna Salome Conard, deceased. Court of Common Pleas. Union County, Ohio, February 7th, 1908.

1329 Entry.

This cause came on for hearing, on the original papers and pleadings on appeal from the Probate Court of Union County, Ohio, and the evidence, and was argued by counsel; on consideration whereof, the court find, on the issue joined for the Executor, and against the exceptions, and order the case remanded, with direction that the requisition be disregarded; the Exceptor to pay the costs of appeal, and judgment accordingly.

It is further ordered that a special mandate be sent to the Probate Court of Union County, for execution, and for further proceedings upon said judgment.

To which judgment, order and decree, the exceptor then and there excepted.

1301 Entry.

Court adjourned to Saturday, February 8th, 1908.

Saturday, February 8th, 1908, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

1301 Entry.

State of Ohio, Plaintiff,
vs.
Frank Houbrick, Defendant.

Court of Common Pleas,
Union County, Ohio,
February 8th, 1908.

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 "guilty"; thereupon it is ordered and adjudged by the Court that the said defendant, Frank Houbrick, be imprisoned and confined in the penitentiary of this State, and kept at hard labor, but without any solitary confinement, for the period of One Year and One Day, and that he pay the costs of this prosecution, for which execution is awarded.

1329 Entry.

State of Ohio, Plaintiff,
vs.
Warren Braver, Defendant.

Court of Common Pleas,
Union County, Ohio,
February 8th, 1908.

This day it is ordered by the Court that this case be left off the docket.

Court adjourned to Tuesday, February 11th, 1908.

Tuesday February 11th, 1908. Court convened at 9 o'clock, A. M. Present, Hon. John M. Prodrick, Judge.

Court adjourned to Wednesday, February 12th, 1908.

John

Wednesday, February 12th. 1908, Court convened at 9 o' clock A. M. Present Hon. John M. Broderick, Judge.

Court adjourned to Thursday, February 13th. 1908.

Thursday, February 13th, 1908. Court convened at 9 o'clock A.M. Present Hon. John M. Prodrick, Judge.

Court adjourned to Friday, February 14th, 1908.

Friday. February 14th. 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

Court adjourned to Saturday. February 15th, 1908.

Saturday, February 15th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Broderick, Judge.

Court adjourned to Monday, February 17th, 1908.

Hon.

Monday, February 17th, 1908, Court Convened at 9 o'clock A.M. Present Hon. John M. Broderick, Judge.

Court adjourned to Tuesday, February 18th, 1908.

Tuesday, February 18th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

Court adjourned to Wednesday, February 19th, 1908.

Wednesday, February 19th, 1908, Court convened at 9 o'clock a. m. Present Hon. John M. Brodrick, Judge.

Court adjourned to Thursday, February 20th, 1908.

Thursday, February 20th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Broderick, Judge.

Court adjourned to Friday, February 21st, 1908.

Hon.

Friday, February 21st, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Broderick, Judge.

Court adjourned to Monday, February 24th, 1908.

Monday, February 24th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8731 Entry.

The Richwood Banking Company, Plaintiff.
vs.
J. E. Pitcher, Minnie M. Fox, and C. H. Fox, Defendants.

Court of Common Pleas, Union County, Ohio, February 24th, 1908.

This day came the Plaintiff by F. G. Ballinger, its Attorney; and files its Petition against said Defendants, and thereupon one of the attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants, J. E. Pitcher, Minnie M. Fox and C. H. Fox, and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendant, and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance the appearance of said Defendant herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiffs petition, the sum of Five Hundred Seven and 13/100 Dollars, $507.13, bearing interest at 8 per cent. per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said The Richwood Banking Company, Plaintiff, do recover from said J. E. Pitcher, Minnie M. Fox and C. H. Fox, Defendants, the said sum of Five Hundred Seven and 13/100 Dollars $507.13, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 24th. day of February 1908, at the rate of 8 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

Court adjourned to Wednesday, February 26th. 1908.

Wednesday, February 26th, 1908, Court convened at 9 o'clock a. m. Present Hon. John M. Brodrick, Judge.

Court adjourned to Thursday, February 27th, 1908.

Thursday, February 27th, 1908, Court convened at 9 o'clock, a.m. Present Hon. John M. Prodrick, Judge.

Court adjourned to Friday, February 28th, 1908.

v. John

Friday, February 28th. 1908. Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

Court adjourned to Saturday, February 29th. 1908.

Saturday, February 29th, 1908, Court convened at 9 o'clock, A.M. Present Hon. John M. Broderick, Judge.

8705.
Entry.

8706
Entry.

Court adjourned to Monday, March 2nd, 1908.

Monday, March 2nd, 1908, Court convened at 9 o'clock A.M. Present Hon. John M. Brodrick, Judge.

8705. Entry.

A. J. Glick, Plaintiff.
Vs.
A. E. Drumm, et al. Defendants.

Court of Common Pleas,
Union County, Ohio.
March 2nd, 1908.

It is further ordered by said court, by mutual agreement of attorneys for both parties as to the distribution of the said $202. that the costs taxed at $ first be paid and $16.00 be paid the defendant, The Burkhardt Packing Co., and the balance of $, be paid the plaintiff A. J. Glick, and execution be allowed plaintiff for the balance due him on his claim.

8706 Entry.

Madge M. Slack, Plaintiff.
Vs.
Franklin C. Slack, et al, Defendants.

Court of Common Pleas,
Union County, Ohio,
March 2nd, 1908.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication according to law; That the other defendants, O.O. Blue and The Bank of Marysville and The Singer Sewing Machine Co. have waived process and entered their appearance; That The Herman Gorlank Leather Co. has been duly and legally served by publication according to law, and is in default; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 12th. day of May, 1901, as alleged in said petition, and that 2 children were born of said marriage, Marion Frank Slack, age 6 years, and King Maxwell Slack, age 1 year, who reside with their mother, the plaintiff, in Union Co. O. and that the defendant has been guilty of gross neglect of duty and extreme cruelty to Plaintiff in that he abandoned her Aug 2, 1907 without good cause, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce; as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff retain her name of Madge M. Slack.

It is further ordered, adjudged and decreed that the custody, care, maintenance, education and control of the said minor children, Marion Frank Slack and King Maxwell Slack be, and the same is hereby confided exclusively to the said Plaintiff, Madge M. Slack until the further order of this Court, and the said Franklin C. Slack is hereby enjoined from interfering in any manner with either the said children or with the said Madge M. Slack in the custody thereof and from visiting said children until the further order of this court.

It is further ordered, adjudged and decreed by the Court that the Plaintiff, Madge M. Slack, shall have and receive the sum of Five Hundred Dollars as her just and reasonable alimony as a preferred claim, to be paid by the Receiver herein, to her, subject to costs, taxes and

liens now on defendants property.

It is further ordered, adjudged and decreed that said defendant, Franklin C. Black, pay the costs of this suit, and that this cause be recorded, and as for the other matters in said cause the same is held for Report of Receiver and for final and further orders of the Court herein.

Order to Draw Jury.

Court of Common Pleas, Union County, Ohio
March Term, A. D. 1908.

To the Clerk of said Court:

You are hereby directed to proceed according to law at ten o'clock on Tuesday, the 3rd day of March, 1908, to draw from the Jury Wheel of Union County, the names of twenty-nine persons to serve as grand and petit jurors for the March term, 1908, of the Court of Common Pleas of said County.

The first sixteen persons whose names are so drawn from said Jury Wheel, you will cause to be summoned to appear and serve as Grand Jurors of said term; and the remaining persons thirteen in number, whose names are so drawn from said Jury Wheel, you will cause to be summoned to appear and serve as Petit Jurors for said term.

The grand jurors you will cause to be summoned to appear for such service at the Court House in Marysville in said County, at ten o'clock A. M., on Monday the 30th day of March, 1908; and the petit jurors you will cause to be summoned to appear for such service at the same place at ten o'clock A. M. on Monday the 6th day of April, 1908.

And for so doing this shall be your sufficient warrant.

Witness my hand officially this 2nd. day of March, 1908.

John M. Brodrick, Judge of the Court of Common Pleas of the third Sub-division of the tenth Judicial District.

Court adjourned to Tuesday, March 3rd, 1908.

Tuesday, March 3rd, 1908, Court convened at 9 o'clock a. m. Present Hon John M. Broderick, Judge.

Court adjourned to Wednesday, March 4th, 1908.

Wednesday March 4th, 1908. Court convened at 9 o' clock A. M. Present Hon. John M. Brodrick, Judge.

8681 Entry.

8723 Entry.

8716 Entry.

Court adjourned to Saturday, March 7th, 1908.

Saturday, March 7th. 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Broderick, Judge.

8681 Entry. Samuel W. Dunfee, Plaintiff. vs. N. S. Henders, Defendant. — Court of Common Pleas, Union County, Ohio, March 7th. 1908.

This day leave is granted to plaintiff to file amended petition instanter, and same filed.

8723 Entry. The State of Ohio, ex rel Nellie Huffman, Plaintiff. vs. Chas. C. McClurg, Defendant. — Court of Common Pleas, Union County, Ohio, March 7th. 1908.

This day this cause was settled by parties and dismissed at costs of defendant in open court.

8716 Entry. Lucille McMahan, Plaintiff. vs. Chester M. McMahan, Defendant. — Court of Common Pleas, Union County, Ohio. March 7th. 1908.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process of law, that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 9th. day of October, 1907, as alleged in said petition, and that no children were born of said marriage, and that the defendant has been guilty of gross neglect of duty and extreme cruelty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be, and she hereby is, restored to her maiden name, Lucille Henderson, and by mutual agreement between the parties, the plaintiff and defendant, hereby agree to release all dower, or any other claim whatsoever they may have in the property of each other, which they now own, or may ever acquire, from now on and for all time to come. That the plaintiff pay the costs of this proceeding taxed at $10.75, and that this case be recorded.

Court adjourned to Friday, March 13th. 1908.

Friday, March 13th. 1908. Court convened at 9 o' clock A. M. Present Hon. John M. Broderick, Judge.

8704 Entry.

8697 Entry

8730 Entry.

8718 Entry

Court adjourned to Saturday, March 14th, 1908.

Saturday, March 14th, 1908, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8704 Entry.

Elizabeth N. Marriott, Plaintiff.
vs.
L. A. Harvey and J. C. Dodds, Defendants.

Court of Common Pleas,
Union County, Ohio,
March 14th, 1908.

On motion of the plaintiff's attorney, S. W. Van Winkle, for good cause shown, it is ordered that eighty dollars of the fund in the hands of the treasurer of Union County, belonging to the defendant herein, that has been attached in this proceeding, be released for the purpose of paying a claim due George Arthur from the said defendants. This being done without prejudice to the rights of the plaintiff herein as to the remainder of said fund.

8697 Entry

W. C. Woods, Plaintiff.
vs.
Alva E. Drumm, Etta J. Drumm, et al. Defendants.

Court of Common Pleas,
Union County, Ohio.
March 14th, 1908.

On motion of the plaintiff, by his attorney, Al C. Eggert, and for good cause shown, this action is ordered dismissed without record and at the costs of the defendant, for which costs taxed at $ Alva E. Drumm for the reason that the judgment has been paid in full by the defendant, Alva E. Drumm. It is further ordered that the mortgage on the premises be released and cancelled.

8700 Entry.

In the matter of transferring the funds of the Jerome Township School District.

Court of Common Pleas,
Union County, Ohio,
March 14th, 1908.

This case coming on to be heard on the petition and the evidence, the court finds that due notice by publication in the Marysville Tribune and the Union County Journal, two papers of opposite political parties of general circulation in the Jerome Township School District has been given.

The court finds that the petition states sufficient facts, and that a necessity exists for the transfer of the funds asked for in the petition, and that no injury will result by granting the prayer of the petition.

The prayer of the petition is therefore granted and it is ordered by the court that three thousand dollars ($3000.00) be transferred from the tuition fund to the building fund of the said Jerome Township School District as prayed for in the petition herein.

8718 Entry

Rilla Cameron, Plaintiff,
vs.
Bert Cameron, Defendant.

Court of Common Pleas,
Union County, Ohio,
March 14th, 1908.

See Page 366

Court adjourned to Friday, March 20th, 1908.

Friday, March 20th, 1908, Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

3856 Entry.

3856 Entry.

8718 Entry

Rilla Cameron, Plaintiff,
Vs.
Bert Cameron, Defendant

Court of Common Pleas,
Union County, Ohio
March 21st, 1908.

This day this cause came on for hearing on the motion of the defendant and it is hereby ordered that the decree of March 14th 1908, be set aside and the defendant given leave to file answer.

8606 Entry.

8629 Entry.

8725 Entry.

8598. Entry.

Court adjourned to Saturday, March 21st 1908.

8918 see Page 184.

Saturday, March 21st. 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

3856 Entry. Alonzo Chesley, Plaintiff, vs. Leona Chesley, Defendant. Court of Common Pleas, Union County, Ohio, March 21st 1908.

It appearing to the Court that the record of this case has not been made and that it is necessary that a record hereof be made; it is ordered by the Court that the Clerk of this Court do make up and record the same under the provisions of Section 5335 of the Revised Statutes of Ohio.

It is ordered that plaintiff pay the costs herein taxed at $13.87.

3856 Entry. Alonzo Chesley, Plaintiff, vs. Leona Chesley, Defendant. Court of Common Pleas, Union County, Ohio, March 21st 1908.

This case 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 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 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 Alonzo Chesley and Leona Chesley, and the same hereby is dissolved, and both parties are released from the obligations of the same.

8606 Entry. William Stahl, Plaintiff, vs. A. F. Bixler, Defendant. Court of Common Pleas, Union County, Ohio, March 21st. 1908.

This day leave is given to parties to file pleadings.

8629 Entry. John Aeman & Son, Plaintiffs, vs. J. R. Turner, Administrator, Defendant. Court of Common Pleas, Union County, Ohio, March 21st. 1908.

This day leave is given to Defendant to file answer by March 28th. 1908.

8725 Entry. Louisa R. Turner, et. al. Plaintiffs, vs. Evan G. Jones, et. al, Defendants. Court of Common Pleas, Union County, Ohio, March 21st. 1908.

This day leave is given to Defendant to file answer within ten days.

8598. Entry. The Barber Asphalt Paving Company, Plaintiff, vs. The Village of Marysville, Defendant. Court of Common Pleas, Union County, Ohio, March 21st. 1908.

This day leave is given to Plaintiff to file amended petition and same filed.

8918 see Page 184.

Court adjourned to Tuesday, March 24th, 1908.

Tuesday, March 24th, 1908, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8742 Entry.

Bert Cahill, J. Fred Long, Hile Eckelberry, J. E. Langstaff, J. M. Wilkins, F. L. Whitney, Jos. Embury, Frank Stermeon, J. M. Crawford, Z. C. Huffman, L. C. Brew and W. L. Talmage, Plaintiffs

vs.

The F. Z. Meade Manufacturing Company, Defendant.

Court of Common Pleas, Union County, Ohio, March 24th, 1908.

8735. Entry.

Upon reading and filing the verified petition in this case, together with the affidavits and exhibits in support thereof, and on motion of counsel for plaintiffs and defendant appearing and consenting in writing thereto, it is ordered by the court that Al. C. Eggert of Richwood, Ohio, be and is hereby appointed receiver of this court of all and singular the property of The F. Z. Meade Manufacturing Company of every description, and all moneys, claims in action, credits, bonds, stocks, leasehold interests, or operating contracts, and other assets of every kind, and all other property, real, personal or mixed, held or possessed by said company, and of all records, books, papers and accounts of the said company in any way appertaining to the business thereof, and necessary to enable him to properly and efficiently perform the duties imposed upon him by this order; to have and to hold the same as officer of and under the orders and directions of this court.

Each and every of the officers, directors, and agents, and employees of said company are hereby required and commanded forthwith upon demand of said receiver, to turn over and deliver to such receiver any books, papers, moneys, debts, property and vouchers for property under their control. Said receiver is hereby fully authorized to commence and prosecute any actions, which in the usual course of business, he may deem it proper and necessary to commence, either in the name of said company or in his own name as such receiver, as he may be advised. He shall have full power to defend any and all suits that may hereafter be brought against the said company, or against himself, and as such receiver to defray the necessary and proper expenses of such prosecution and defense, and in all and singular the premises he shall be subject to such orders and directions as this court may from time to time make, and he is authorized to appear from time to time for such orders and directions as he may be advised.

That said receiver is hereby authorized and directed out of the money coming into his hands to pay and discharge all amounts due to employees upon the current payroll, and it is further ordered and decreed that as soon as may be after he shall have entered upon the performance of his duties, the said receiver shall make and file with the clerk of this court a true, full and complete inventory of all and singular the property of said company, real, personal and mixed, of all which he is appointed receiver, and to further file forthwith a full and complete schedule of debts and liabilities of said company.

Said receiver is hereby authorized and directed to take immediate possession of all and singular the property above described, and to continue the business of said company, having due regard to the interest of said company's business, in keeping the premises in good condition and repair, and to continue and conduct said business to the end particularly that all book accounts and credits now due and payable to said company or to become due and payable may be speedily and rapidly collected and that all finished goods and products now on hand may be sold and disposed of or consigned on present orders, having due regard as to solvency and liability of consignees, and on the ordinary cash basis as in the sound discretion of said receiver is practicable, and to the end that all fabrics, cloths and supplies now on hand may be worked up and manufactured into finished products and disposed of as directed, and to the same end he shall from time to time employ and discharge all needful laborers, servants and agents, and pay for all such needful material and supplies as may seem to him necessary and proper in the exercise of a sound discretion, with leave to apply to the court from time to time as he may be advised for directions in the premises.

Said receiver shall keep a true and particular account of all his acts and doings as such, of all the property, rents, revenues, and income, and of all his payments and disbursements in the performance of the duties imposed by this order, and he shall upon demand render to this court and file with the clerk thereof a true, full and particular account of all his receipts and disbursements in the premises. He shall keep all balances of money in his hands on deposit in some bank of approved credit subject to his order, and he shall not pay out, but safely keep subject to the further order of this court all such money except in so far as payments and disbursements are authorized by the terms of this order.

That said receiver shall give a bond for the faithful performance of his duties as receiver in the premises in the sum of Thirty Five Thousand ($35000.00) Dollars, with sureties to be approved by the clerk of this court, and that on the filing of such bond, he shall enter forthwith upon the performance of his duties as such receiver.

All creditors of the said The F. Z. Meade Manufacturing Company are hereby enjoined from in any way interfering with the property hereby directed to be turned over to said receiver. That all officers, directors and agents of the said The F. Z. Meade Manufacturing Company are hereby enjoined from interfering with or disposing of said property of The said F. Z. Meade Manufacturing Company in any way, except to transfer, convey and turn over the same to said receiver.

John M. Brodrick, Judge.

And thereupon came the said Al. C. Eggert, and accepted such appointment, and was thereupon duly sworn according to law by me, and tendered his bond as required by said order, with the American Surety Company of New York as surety therein, which bond is hereby approved and accepted this 24th day of March, 1908.

(Seal). Charles Parrott, Clerk.

Court adjourned to Friday, March 27th, 1908.

In Vacation.

8735. The Citizens' Home and
Entry. Savings Company, Plaintiff,
vs
Cyrus C. Williams, et. al, Defendants.

Court of Common Pleas,
Union County, Ohio.
March 25th, 1908.

This day this cause dismissed at the costs of plaintiff and costs paid.

Friday, March 27th. 1908. Court convened at 9 o clock. A. M. Present Hon. John M. Brodrick, Judge.

8745.
Entry.

8746.
Entry.

Court adjourned to Saturday March 28th. 1908.

m.

Saturday, March 28th, 1908. Court convened at 9 o' clock A.M. Present Hon. John M. Broderick, Judge.

8745. Entry.

The Union Banking Company, Plaintiff.
vs.
G. E. Thompson and Mrs. G. E. Thompson, Defendants.

Court of Common Pleas,
Union County, Ohio.
March 28th, 1908.

This day came the Plaintiff by Frank J. Ballinger, its Attorney; and filed its Petition against said Defendants, G. E. Thompson and Mrs. G. E. Thompson and thereupon Milo L. Myers, one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants, G. E. Thompson and Mrs. G. E. Thompson and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendant, 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, confessed that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiff's petition, the sum of Three Hundred and Fifty Six and 32/100 Dollars, $356.32, bearing interest at 8 per cent. per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said The Union Banking Company, Plaintiff do recover from said G. E. Thompson and Mrs. G. E. Thompson, Defendants, the said sum of Three Hundred and Fifty Six & 32/100 Dollars, $356.32, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 28 day of March, 1908, at the rate of 8 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

8746. Entry.

The Union Banking Company, Plaintiff.
vs.
G. E. Thompson and Mrs. G. E. Thompson, Defendants.

Court of Common Pleas,
Union County, Ohio.
March 28th, 1908.

This day came the Plaintiff by F. J. Ballinger, its Attorney; and filed its Petition against said Defendants, G. E. Thompson and Mrs. G. E. Thompson and thereupon Milo L. Myers, one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants, G. E. Thompson and Mrs. G. E. Thompson and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendant, and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiff's petition, the sum of Two Hundred and eighty nine and 13/100 Dollars, $289.13, bearing interest at 8 per cent per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said The Union Banking Company, Plaintiff, do recover from said G. E. Thompson and Mrs. G. E. Thompson, Defendants, the said sum of Two Hundred Eighty-nine and 13/100 Dollars, $289.13, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 28 day of March, 1908, at the rate of 8 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and

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

Sheriff's Certificate for Pay.

Sheriff's Office, Union County, Ohio.
Marysville, Ohio, March 31st, 1908.

To Hon. John M. Brodrick, Judge.

The Court charges for the January Term, A.D. 1908, Union County Common Pleas, are due for services rendered and are as follows:-

Union County, Ohio.

To D.C. Bolenbaugh, Sheriff, Dr.

To serving Grand Jury Venire	$ 4.50
To serving Petit Jury Venire	4.50
To serving Grand Jury Witnesses, 15	1.50
To making 16 copies, Grand Jury Witnesses	1.60
To 116 miles travel, Grand Jury Witnesses	9.28
Total	21.38.

I hereby certify the above bill to be correct.

D. C. Bolenbaugh,
Sheriff of Union County, Ohio.

To the Clerk of the Courts, Union County, Ohio,

You will make entry of the above bill and certify the same to the County Auditor.

John M. Brodrick,
Judge of the Common Pleas Court.

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It is ordered that all matters, causes and motions now pending in this Court, not otherwise disposed of be, and the same are hereby, continued to the next term thereof.

The present term of this Court was begun on the 6th. day of January, A.D. 1908, and continued from day to day, and from time to time by regular adjournments until this 28th. day of March, A.D. 1908, and is now adjourned without day.

Attest: Charles Parrott, Clerk.
By Peter McCrory, Deputy.

March Term. A.D. 1908.

The State of Ohio, Union County, ss.

This separate session of the Court of Common Pleas of the Tenth Judicial District and the Third Sub-Division of the State of Ohio, within and for the County of Union of the March Term, A.D. 1908, held at the Court House in the Village of Marysville, County and State aforesaid, was begun on Monday, March 30th, A.D. 1908.

Present: Hon. John M. Brodrick, Judge.
D. C. Bolenbaugh, Sheriff
Attest: Charles Parrott, Clerk.

Grand Jury Facias.

The Venire Facias for a Grand Jury heretofore issued was duly returned by the Sheriff on March 30th, 1908, with his endorsement thereon as follows:-

The State of Ohio, Union County, ss. Sheriff's Office, March 30th 1908.

On the 5th day of March, 1908, I received this Venire and served the same on the several persons therein named, at the time and in the manner placed opposite their names endorsed hereon.

No.	Names	When Served	How Served.	No. of Miles.
1.	S. B. Holycross	Mch. 9th/08.	by mail	12
2.	John Schweltzer	" " "	" "	22
3.	George Longbrake	" 7 "	" "	7
4.	Wm. J. Parrott	" 6 "	" "	10
5.	Curry Easton	" 14 "	" "	8
6.	M. E. Stamats	" 7 "	" "	18
7.	H. B. Loveland	" 7 "	" "	10
8.	O. B. Davis	" 6 "	" "	—
9.	J. S. Kagy	" 7 "	" "	—
10.	W. W. Orahood	" 17 "	" "	13.
11.	J. S. Moore	" 7 "	" "	—
12.	J. N. Curry	" 16 "	" "	10
13.	Wm. Mitchell	" 9 "	" "	12
14.	Nathan Martin	" 9 "	" "	18
15.	George Burns	" 7 "	" "	—
16.	George Vanskiver	" 6 "	" "	9
17.	John S. Schridrrr			3
18.	John Oredmore			10.

D. C. Bolenbaugh, Sheriff.

And upon calling the same in open court, all of the above named Jurors appeared in answer thereto, except George Burns, and J. S. Moore; and for good cause shown, the Court excused J. S. Kagy.

And the panel being incomplete, the sheriff summoned as talesmen, to complete the same, the following named persons, who appeared in answer thereto, to-wit: John S. Schridrrr and John Orrdmore.

And the panel being full, the court appointed Wm. J. Parrott, 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.

8713
Entry.

Lewis F. Epps, Plaintiff.
vs.
B. E. Baker, Defendant.

Court of Common Pleas,
Union County, Ohio,
March 30th, 1908.

This cause came on for hearing on the pleadings and evidence, and was submitted to the court, on consideration whereof, the court find, that the defendant is in default for answer or demurrer and the court on consideration of the petition and the facts finds that the allegations of the petition, are true, and that the plaintiff is entitled to the relief prayed for.

It is therefore considered and decreed that the defendant, B. E. Baker, be, and he is hereby perpetually enjoined from in any manner interfering with the plaintiff in the discharge of his duties as councilman of the Village of Milford Center, O., and from attending the meetings of the council and attempting to take part in its deliberations and from asking to have his name called and his vote recorded on any measure pending in the council, or hindering or disturbing the plaintiff and his official duties, or the said council in its deliberations.

It is further considered that the Plaintiff recover from the said defendant his costs herein expended, taxed at $

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Court adjourned to Tuesday, March 31st. 1908.

Tuesday, March 31st, 1908. Court convened at 9 o' clock a. m. Present Hon. John M. Brodrick, Judge.

The Grand Jury continued their examination of witnesses.

Report of Grand Jury.

Court of Common Pleas, Union County, Ohio.
March Term, March 31st, 1908.

In the Matter of the Grand Jury:

This day appeared at the bar of this Court the Grand Jury heretofore impanelled and sworn in, and for, the body of this Union County, namely;

1. S. B. Holycross
2. John Schneltzer
3. George Longbraker.
4. Wm. J. Parrott
5. Curry Easton
6. M. E. Stamats
7. H. B. Loveland
8. D. B. Davis
9. W. W. Oakwood.
10. J. N. Curry.
11. Wm. Mitchell.
12. Nathan Martin.
13. George Vanskiver.
14. John S. Scheiderer.
15. John Pridemore.

and presented their certain Four bills of indictments, each indorsed by William J. Parrott, Foreman of the Grand Jury, "A True Bill"; and against the following named persons for the following specified offenses, viz:

Howard Keckley	for Abandoning Legitimate Child.
Lafe Morrison	for Petit Larceny
John Atherton	for Petit Larceny
D. L. Slenker	for using Obscene and Licentious language in the presence of a female person.

Also their report in writing to the Court in words and figures following, to wit:

Report of Grand Jury.

To the Honorable John M. Brodrick,
Judge of the Court of Common Pleas, Union County, Ohio:

The Grand Jury of the Court of Common Pleas of said County, of the March Term, 1908, beg leave to report that they have been in session Two days, and herewith return to the Court the Indictments presented by said Jury: We have carefully examined in all such matters as have legitimately come to our notice, having examined over 18 witnesses, covering Four cases, and presented Four bills, and ignored no cases considered by us. The business has been transacted in as expeditious a matter as possible.

During our session we visited the County Jail, examined its state and condition, and inquired into the discipline and treatment of the prisoners, and their habits, diet and accomodations. We find, and respectfully report to the Court, that the rules prescribed by the Judge have been faithfully kept and observed, and we do find that no provision of law for the regulation of County Jails has been violated.

The Grand Jury recommend that the commissioners investigate the question of installing their own water and light plant for the Court House

and the Jail.

Respectfully submitted,
William J. Parrott, Foreman.

March 31st. 1908.

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

Court adjourned to Wednesday, April 1st. 1908.

Wednesday, April 1st 1908, Court convened at 9 O'clock A. M. present Hon. John M. Brodrick, Judge.

Appointment of Soldiers' Relief Commissioner Court of Common Pleas, Union County, Ohio.

This day the Court appoints W. S. Burgoon, member of the Soldiers' Relief Commission, in and for said Union County, in place of Uriah Cahill, said term to commence the first Monday in April, 1908, and to expire the First Monday in April 1911.

8748

Judgment Entry $1266.67

Court adjourned to Thursday April 2d - 1908.

Thursday, April 2 - 1908, Court convened at 9 O'clock A. M. present, Honorable John M. Brodrick, Judge.

In The Common Pleas Court of Union County, Ohio.

The People's National Bank of Bellefontaine, Ohio,
Plaintiff

8748 Vs.

Adam Foulk, Adelaide G. Hadley and George W. Coons,
Defendants.

Judgment Entry, $1266.07

This day came the plaintiff, by its attorney; also appeared in open court, for and on behalf of said defendants, H. H. Newell and attorney at law of this Court; and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendants, entered the appearance of said defendants, and waiving the issuing and service of process in this action, and confessed a judgment on said note against said defendants and in favor of said plaintiff for Twelve Hundred Sixty-six Dollars and seven cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.

It is therefore considered that said plaintiff recover of said defendants the sum of Twelve Hundred and Sixty-six Dollars and seven cents, being the amount of said note with interest computed at six per cent, per annum, from the sixth day of November A. D. 1907; and also its costs herein expended, taxed at $.

Entry
8747

Court Adjourned to Friday, April 3rd 1908

Friday April 3rd 1908, Court convened at 9 O'clock A. M. Present Hon. John M. Brodrick, Judge.

Providence Westlake vs Josiah V. Westlake } Court of Common Pleas, Union County, Ohio.

Entry

8747 Now comes the plaintiff, and dismisses this action at her own cost without prejudice to a future action.

Court adjourned to Saturday, April 4th 1908

Saturday April 4th 1908, Court convened at 9 O' clock A. M. present Hon. John M. Brodrick, Judge.

8699 Entry.

8741 Entry.

Court adjourned to Monday April 6th 1908.

Monday April 6th 1908, Court convened at 9 O'clock, A. M. present Hon. John M. Brodrick, Judge.

Petit Jury Facias.

The Venire Facias for a Petit Jury heretofore issued was duly returned by the Sheriff on March 6th 1908, with his endorsement thereon as follows.

The State of Ohio, Union County, S.S.

On the 5th day of March 1908, 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 hereon.

	Names –	When served –	How served –	No. of Miles
1.	John Ogan	March 10th 1908	By Mail	
2.	Pearl Dally	" 11 " "	" "	10
3.	Wm Turner	" 23 " "	" "	
4.	Martin Nicol	" 16 " "	" "	3
5.	O.G. Bolenbaugh	" 11 " "	" "	
6.	Ab. Stricker	" 10 " "	" "	9
7.	H.W. Inskip	" 11 " "	" "	14
8.	L.R. Figley	" 13 " "	" "	20
9.	Chas. Harger	" 10 " "	" "	
10.	D.A. Temple	" 12 " "	" "	
11.	Wm Rogers	" 10 " "	" "	8
12.	L.B. Goff	" 10 " "	" "	9
13.	J.W. Field	" 9 " "	" "	—

O. C. Bolenbaugh – Sheriff.

And upon calling the same in open Court, all of the above named persons except John Ogan, Wm. Turner and O.G. Bolenbaugh who were excused, and Charles Harger having moved to Madison County, appeared in answer thereto. The case in question for to day having been postponed. said Jury was excused until to-morrow morning at 9 O'clock.

8699 Entry. A. R. Willison, Plaintiff. vs. Laura McEntire, et al. Defendants. — Court of Common Pleas, Union County, Ohio. April 6th, 1908.

This day this case was settled and all costs paid.

8741 Entry. A. R. Willison, Ex. &c, Plaintiff. vs. Laura McEntire, et al. Defendants. — Court of Common Pleas, Union County, Ohio. April 6th, 1908.

This day this case was settled and all costs paid.

8670
Entry.

8692
Entry

8670
Entry

Court adjourned to Tuesday, April 7, 1908

Tuesday April 7th 1908, Court convened at 9 O'clock a. M. present Hon. John M. Brodrick, Judge.

8670 Entry. John C. Asman, Jr. Plaintiff. Court of Common Pleas, Union County, Ohio. April 7th, 1908.
Vs.
J. R. Turner, Admr. &c. Defendant.
This day leave was given to Plaintiff to file reply instanter and same filed.

8692 Entry John Asman & Son, Plaintiff. Court of Common Pleas, Union County, Ohio. April 7th, 1908.
Vs.
J. R. Turner, Admr. &c. Defendant.
This day leave was given to Plaintiff to file reply instanter and same filed.

8670 Entry J. C. Asman Jr. Vs. J. R. Turner Admr. } Court of Common Pleas, Union County, Ohio. April 7th 1908.

This day came the parties herein by their Attorneys; also came the following named persons as jurors, to-wit, Pearl Dally, H. D. Inskip, J. K. Figley, D. A. Temple, Wm. Rogers, L. B. Goff, J. W. Field, W. A. Jones, J. T. Haggard, J. R. Taylor, Swayne Kennedy and J. M. Robertson, who were duly impaneled and sworn according to law, and thereupon this cause came on for hearing upon the pleadings and the evidence. And the said Jury having heard all the testimony adduced in this case, arguments of counsel, and the charge of the Court, retired to their room in charge of the Sheriff for deliberation.

And now comes the said Jury into open court, with this their verdict in writing, signed by their foreman and say. We, the Jury, being duly impaneled and sworn and affirmed, find the issue in this cause in favor of the Plaintiff, and assess the amount due to the Plaintiff from the defendant at the sum of $40.00. And the costs herein taxed at $ _____.

Signed — J. R. Taylor, Foreman

Court adjourned to Wednesday, April 8th 1908,

Wednesday April 8th 1908, Court convened at 9 O'clock A. M. present Hon. John M. Brodrick, Judge.

Court adjourned to Thursday April 9th 1908.

Thursday, April 9th 1908, Court convened at 9.0 Clock A.M, present, Hon. John M. Brodrick, Judge.

Court adjourned to Friday, April 10th 1908.

ka. m.

Friday April 10th 1908, Court convened at 9 O. Clock a. m. present, Hon. John M. Brodrick, Judge.

Court adjourned to Saturday, April 11th 1908.

Saturday, April 11th 1908, Court convened at 9 O clock A. M. present Hon. John M. Brodrick, Judge.

John C. Asman Jr.
Vs.
8670 J. R. Turner Adms. } Court of Common Pleas, Union County, Ohio.

Entry This cause now coming on for hearing on the motion of the defendant for a new trial, the Court, on consideration, overrules the same, to which rulings, orders and judgments of the Court, the Defendant then and there excepts.
It is therefore considered by the Court that the said Plaintiff recover from the said Defendant the said sum of $40.00 heretofore found due him, together with his costs herein expended, to all of which rulings, orders and judgments of the Court, The Defendant then and there excepts.

Court adjourned to Monday April 20th 1908.

Monday April 20th 1908, Court convened at 9 O'clock a. m. present Hon. John M. Brodrick, Judge.

Court adjourned to Tuesday, April 21st 1908

Tuesday April 21st 1908, Court convened at 9 O'Clock A. M. present Hon. John M. Brodrick, Judge.

8487 Entry

Andrew J. Peters
Vs.
8506 Bessie Peters et als. } Court of Common Pleas, Union County, Ohio.

Entry This day this cause was settled by parties and all costs paid, no record.

8678 Entry

Anna Baur
Vs.
8733 Carl C. Baur } Court of Common Pleas, Union County, Ohio. March Term, 1908

Entry This day this cause came on to be heard upon the pleadings, evidence and argument of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication according to law, and that he has failed to appear and is in default for answer, that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceeding the filing of said petition and that said parties were married on the 27th day of December 1903, as alleged in said petition, and that no children have been born of said marriage, and that the defendant has been guilty of habitual drunkenness for three years last past, and of gross neglect of duty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be and she is hereby restored to her maiden name of Anna Hastings, and that the defendant pay the costs of this prosecution taxed at $____ Dollars, and that this can be recorded.

8678. Post-Nuptial Contract

Eli Sloop
Vs.
8719 Ed. E. Jones } Court of Common Pleas, Union County, Ohio.

Entry This day this cause was dismissed on motion of plaintiffs Attorney, at the cost of the plaintiff.

Ethel Clark, Plaintiff,
Vs.
C. G. Johnson, Defendant } Court of Common Pleas, Union County, Ohio.

8487 Entry. Now comes the plaintiff and dismisses this action at her own cost, without prejudice to a future action, no record.

8678 Entry

Deborah R. Burnham, Plaintiff.
Vs.
Don H. Burnham, Defendant.

Court of Common Pleas,
Union County, Ohio.
April 21st, 1908.

This cause coming on for hearing was submitted to the court upon the pleadings and evidence; on consideration thereof, 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 extreme cruelty toward this plaintiff, and that by reason thereof the plaintiff is entitled to a divorce, as prayed for.

It is therefore ordered and adjudged by the court that the marriage contract heretofore existing between the said Deborah R. Burnham and Don H. Burnham be, and the same hereby is, dissolved, and both parties are released from the obligations of the same.

And the court, coming on further to the consideration of the question of alimony do find that a postnuptial agreement has heretofore been made between said parties, dated on the 12th. day of October, 1907, wherein the interests of said Deborah R. Burnham in the way of alimony have been fully conserved. Accordingly, said postnuptial agreement is approved by the court, and it is hereby ordered, adjudged and decreed that the terms thereof be executed by the parties thereto, and that the consideration therein named shall be accepted by the plaintiff as and for her reasonable alimony. And it is further ordered that said agreement be a part of the decree herein, and that the same be recorded on the journal of this court, as part thereof.

It is further ordered that the said defendant pay the costs herein, taxed at $ and execution is awarded.

8678. Post-Nuptial Contract

Post Nuptial Contract

Know all men by these presents that Don H. Burnham and his wife Debbie R. Burnham have agreed with each other as follows:

The said Don H. Burnham and Debbie R. Burnham being husband and wife, and being unable to longer live happily together have separated and agreed to live apart, and for the purpose of arranging for the future mutually agree; First, that said Debbie R. Burnham shall have the use of a tract of about 36 acres of land which was conveyed to said Don H. Burnham by his mother, Lucy M. Anderson and husband, by deed dated Aug. 3d, 1900 and recorded in Vol. 82 on pages 208 & 209 of the records of deeds for said county of Union and state of Ohio. And, she is also to have the use of another tract that was conveyed to said Don H. and Debbie R. Burnham by N. E. Pinkerile and wife by deed recorded in Volume 76 on page 434 of the record of deeds for said county of Union and State of Ohio. She is to hold and enjoy these two tracts of land during her natural life and at her death the same is to go to the said Don H. Burnham, or in case of his death before said Debbie then said lands shall go to the heirs of said Don H. Burnham.

Said Don H. Burnham is to have a small tract of about 7 acres that was conveyed to him by Caroline McCutire and wife by deed dated Dec. 22d, 1906, recorded in Vol. 92 on page 590 of the records of deeds for said county of Union. And, should said Don H. Burnham desire to sell said 7 acre tract during the life of said Debbie, she agrees to sign a deed to the purchaser releasing her dower therein.

All of said lands are situate within the said county of Union and reference is made to the several deeds for more particular description.

Said Debbie R. Burnham is also to have the use of all the household and kitchen furniture and the household goods for and during her natural life but she is not to sell or dispose of the same or any part thereof and at her death the same is to go to said Don H. Burnham, or his heirs.

Said Debbie is also to have the use of the pony, buggy and harness that is now at their said farm, as long as she lives and the pony lives, but she is not to sell or dispose of the same, and at her death they are to go to said Don H. Burnham or his heirs.

Said Debbie is to have all the poultry on said farm, and to have the hay now in the middle mow in the barn on said premises and 25 shocks of corn and all the pasture on the lands allotted to her. 8707 Entry

Said Don H. Burnham shall furnish the said Debbie with two hogs, one to kill for meat, and one to raise, and he shall pay her $45. in lieu of a cow, and pay her $15.00 in cash and furnish her four sacks of flour for her use during the coming winter.

Said Don H. Burnham is to pay the taxes on all said lands, that are due and payable in December, 1907, thereafter that said Debbie is to pay the taxes on the lands allotted to her. 8681 Entry

Said Don H. Burnham is to keep the buildings on said lands reasonably insured and in the event of loss by fire the insurance money is to be expended in erecting new buildings in place of those injured or destroyed.

It is further mutually understood between the said parties that the said Debbie R. Burnham shall apply to the court of common pleas of Union County, Ohio, for a divorce and alimony and that there will be no objection by either party to the court entering up a decree fixing the alimony and property rights of said parties according to this contract, and it shall be the same whether a divorce is granted or not.

In consideration of this contract the said Debbie releases the said Don H. Burnham from any and all obligations for support and maintenance, or for medicine or medical attendance, she agreeing that with the said property herein allotted to her she will support and maintain herself independently of her said husband. 8736 Entry

It is further mutually understood and agreed, that said Don H. Burnham shall pay to Porter and Loughry, as attorneys for the said Debbie R. Burnham the sum of $25.00 to apply on attorney fees due them for services to said Debbie R. Burnham.

Said parties have heretofore adopted a child, now called Ruth L. Burnham. The natural mother of said child is Nettie Dyton, who desires said child be restored to her, but if this cannot be done then it is agreed that the court shall make such order in the premises, regarding said child as to the court shall seem just, and for the best interest of said child and the parties hereto, but it is expressly agreed that if said child lives with said Debbie R. Burnham, or she has the control of her, then the said Don H. Burnham is not to be in any manner chargeable with her support, but if said child is given to the said Don H. Burnham the said Debbie shall not in any manner be liable for its support.

In witness whereof the said parties have hereunto set their hands and seals this 12th. day of October, 1907.

In presence of J. L. Cameron — D. H. Burnham Seal.
E. W. Porter — Debbie R. Burnham Seal.

The State of Ohio, Union County, ss.

Be it Remembered that on this 12th. day of October, 1907, before me, the subscriber, a notary public in and for said county, personally came the above named Don H. Burnham and Debbie R. Burnham, grantors and contracting parties above named and acknowledged the signing and sealing of the foregoing instrument to be their voluntary act and deed for the uses and purposes therein mentioned.

In testimony whereof I have hereunto set my hand and affixed my official seal, this day and year above written.

(Seal) Edward W. Porter, Notary Public,
Union County, Ohio.

Court adjourned to Wednesday, April 22nd, 1908.

Wednesday, April, 22, 1908, Court convened at 9 O'clock A. M. present, Hon. John M. Brodrick, Judge

C. E. Wharton, Plaintiff,
Vs
Nora Myers et al, Defendants. } Court of Common Pleas, Union County, Ohio.

8707
Entry, This day leave was granted William Black to file a motion instanter and same is filed.

Samuel W. Dunfee,
Vs.
N. S. Henders. } Court of Common Pleas, Union County, Ohio.

8681
Entry, This day leave was granted plaintiff to file a demurrer instanter and same filed.

Acme Food Company, Plaintiff,
Vs.
W. J. Harmon, and Rosa Furer and
A. H. Gerlach and H. A. Gerlach
Defendants. } Court of Common Pleas, Union County, Ohio.
$470.25

8756
Entry This day came the Plaintiff by its attorney; also appeared in open court, for and on behalf of said defendant Frank G. Ballinger an attorney at law of this Court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendants, entered the appearance of said defendants, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendants, and in favor of said plaintiff, for Four Hundred and Seventy Dollars and Twenty Five cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors, and right of appeal in the premises.

It is therefore considered that said plaintiff recover of said defendants the sum of Four Hundred and Seventy Dollars and Twenty Five Cents, and that said Judgment bear interest at 8 per cent, from the 22 day of April A. D. 1908, and also its costs herein expended, taxed at $_____ Dollars

8707
Entry

8681
Entry.

Court adjourned to Thursday April 23 1908.

Thursday, April 23, 1908, Court convened at 9 O'clock A. M. present Hon. John M. Brodrick, Judge.

C. E. Wharton
Vs.
8707 Nora Myers et als.
} Court of Common Pleas, Union County, Ohio.

Entry This cause coming on for hearing on motion of Defendant William Black, to strike from the Reply of Plaintiff, certain specified matter, was submitted to the Court.
On consideration whereof, the Court do overrule said motion, exceptions by defendant.

8681 Entry. Samuel W. Dunfee, Plaintiff.
Vs.
N. G. Anders, Defendant.

Court of Common Pleas.
Union County, Ohio.
April 23rd. 1908.

This day leave was given to Plaintiff to file demurrer to answer.

Court adjourned to Friday April 24th 1908

Friday April 24th 1908, Court convened at 9 O'Clock A. M., present Hon. John M. Brodrick, Judge.

8758 Entry.

J. M. T. Wright Nursery Co. Plaintiff,
Vs.
H. A. Moore and Leonard Moore, Defendants.

Court of Common Pleas, Union County, Ohio, April 24th, 1908.

This day came the Plaintiff by E. W. Porter, Attorney; and filed its Petition against said Defendants, H. A. Moore and Leonard Moore, and thereupon John S. Loughrey, one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants, H. A. Moore and Leonard Moore, and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendants, and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition, the sum of One Hundred & Thirteen & 65/100 Dollars, $113.65, bearing interest at 6 per cent. per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said J. M. T. Wright Nursery Co. Plaintiff, do recover from said H. A. Moore and Leonard Moore, Defendants, the said sum of One Hundred & Thirteen & 65/100 Dollars, $113.65, so as aforesaid confessed to be due, together with costs of suit herein to be taxed and with interest to be computed from the 24th day of April, 1908, at the rate of 6 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

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Court adjourned to Monday, April 27th, 1908.

Monday, April 27th, 1908. Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

8740.
Entry.

Court adjourned to April 28th, 1908.

Tuesday, April 28th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Roderick, Judge.

8740. Al. C. Eggert, Plaintiff
Entry. vs.
The Columbus, Magnetic Springs and Northern Railroad Company, Defendant.

Court of Common Pleas, Union County, Ohio. April 28th, 1908.

This day leave is given to defendant to file answer instanter, and same filed.

872
Entry

Court adjourned to Wednesday, April 29th. 1908.

Wednesday, April 29th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8725 Louisa A. Turner, et. al. Plaintiffs. — Court of Common Pleas,
Entry. vs. — Union County, Ohio,
Evan T. Jones, et. al. Defendants. — April 29th, 1908.

And now comes the plaintiffs and the defendants and thereupon this action came on for trial before the Court upon the pleadings and evidence; on consideration whereof the court find for the defendants. It is therefore considered that the injunction heretofore granted in this action be and the same is hereby dissolved, and said petition is dismissed; and it is further considered that the said defendants recover their costs of the plaintiffs taxed at $,

1340
Entry.

1340
Entry.

1340
Entry

8660
Entry

Court adjourned to Thursday, April 30th. 1908.

Thursday, April 30th, 1908. Court convened at 9 o'clock. A. M. Present Hon. John M. Brodrick, Judge.

1340 Entry.

State of Ohio, Plaintiff.
Vs.
Ora L. Sleuker, Defendant.

Court of Common Pleas,
Union County, Ohio,
April 30th, 1908.

Indictment for using obscene and licentious language in the presence of a female person.

And now this cause coming on for hearing, on the motion of the defendant to quash said indictment, the court being fully advised in the premises, overrules the same.

1340 Entry.

State of Ohio, Plaintiff,
Vs.
O. L. Sleuker, Defendant.

Court of Common Pleas,
Union County, Ohio,
April 30th, 1908.

Indictment for uttering obscene and licentious language &c.

This cause being heard on the plea in abatement of the defendant, and the court being thereby satisfied that the true name of said defendant is Ora L. Sleuker, it is ordered that the correction be made: and that in all further proceedings under this indictment said defendant be designated by the name of Ora L. Sleuker.

1340 Entry.

State of Ohio, Plaintiff.
Vs.
Ora L. Sleuker, who is indicted by the name of Orlie L. Sleuker, Defendant.

Court of Common Pleas,
Union County, Ohio,
April 30th, 1908.

Indictment for using obscene and licentious language in the presence of a female person.

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.

8660 Entry.

Lillian Autrim, Plaintiff.
Vs.
John A. Kennington, as Executor of the last Will and Testament of Mary Jane Lynay, deceased, Defendant.

Court of Common Pleas,
Union County, Ohio,
April 30th, 1908.

This day this cause coming on for hearing, and a jury being waived by both parties thereto, was submitted to the Court upon the pleadings and the evidence, and on consideration thereof, the Court finds on the issue joined for the defendant.

It is therefore considered by the Court that the defendant, John A. Kennington, as executor of the last Will and Testament of Mary Jane Lynay, deceased, go hence without day, and that he recover from the plaintiff, Lillian Autrim, his costs herein expended.

1340
Entry.

State of Ohio, Plaintiff,
Vs.
Ora L. Sleuker, who is indicted by the name of Orlie L. Sleuker, Defendant.

Court of Common Pleas,
Union County, Ohio,
April 30th, 1908.

Indictment for Using Obscene and Licentious Language in the presence of a female person.

Now comes the prosecuting attorney, and it appearing that there are pending against this defendant two indictments for the same crime, and the said prosecuting attorney being required to elect upon which indictment he will proceed to trial, elects to proceed upon that of the first count in the indictment as filed in this case.

1340
Entry.

State of Ohio, Plaintiff,
Vs.
Ora L. Sleuker, who is indicted by the name of Orlie L. Sleuker, Defendant.

Court of Common Pleas,
Union County, Ohio,
April 30th, 1908.

Indictment for using obscene and licentious language in the presence of a female person.

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: Pearl Dally, Martin Nicol, Ab. Strickler, L. A. Figley, Wm. Rogers, L. O. Goff, J. W. Field, C. D. Webb, A. V. Prater, A. G. Kirby, O. S. Yeats, G. L. Mills, who were duly impanelled 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, retired to their room in charge of the sheriff for deliberation.

And afterward came the jury, conducted into court by the sheriff, and returned the following verdict in writing, signed by their foreman, to wit:

"We, the jury in this case, find the Defendant, Ora L. Sleuker, Guilty, in manner and form as he stands charged in the Indictment.

(Signed) A. O. Strickler,
Foreman."

And thereupon said defendant is ordered into the custody of the sheriff to await sentence.

Court adjourned to Friday, May 1st. 1908

Friday, May 1st. 1908. Court convened at 9 o'clock A. M. Present John M. Brodrick, Judge

8761 Entry.

The State of Ohio, ex rel. M. G. Leonard, Plaintiff, vs. Ray Jordan, Clerk of the Village of Richwood, Ohio, Defendant.

Court of Common Pleas, Union County, Ohio. May 1st. 1908.

Now came the relator, and moved the court for the allowance of a writ of mandamus herein; and, on consideration, the court find the relators right to require the performance of the act hereinafter commanded to be done, and that no valid excuse can be given for not performing it; and therefore allow a peremptory writ to issue as prayed for. And it is ordered that the said Ray Jordan as clerk of said Village of Richwood, do immediately upon the service of this writ, allow the said M. G. Leonard and his attorneys, Hooper & Robinson, to inspect all of the records of said village pertaining to the paving of Franklin Street in said village, and to take a copy of said records. 1341 Entry.

And it is further ordered that the said relator recover from the defendant his costs expended. 1341 Entry.

1340 Entry.

State of Ohio, Plaintiff, vs. Ora L. Slusher, who is indicted by the name of Orlie L. Slusher, Defendant.

Court of Common Pleas, Union County, Ohio, May 1st. 1908.

Indictment for using obscene and licentious language in the presence of a female person.

This day the defendant, Ora L. Slusher, moved the Court for a new trial herein; on consideration whereof, the Court overrules the said motion.

1340 Entry.

State of Ohio, Plaintiff, vs. Ora L. Slusher, who is indicted by the name of Orlie L. Slusher, Defendant.

Court of Common Pleas, Union County, Ohio. May 1st. 1908.

Indictment for using obscene and licentious language in the presence of a female person.

The defendant herein having been heretofore convicted of using obscene and licentious language in the presence of a female person, was this day brought into court, in custody of the sheriff, and informed by the court of the verdict of the jury and inquired of if he had anything to say why judgment should not be pronounced against him; and showing no good and sufficient cause why judgment should not be pronounced:

It is therefore adjudged by the court that the said defendant, Ora L. Slusher, who is indicted by the name of Orlie L. Slusher, pay a fine of Twenty-five Dollars and the costs of this prosecution; and that he stand committed to the jail of Union County until the amount of said fine and costs shall be paid, or secured to be paid, or he be otherwise legally discharged.

1342 Entry.

State of Ohio, Plaintiff, vs. Lafe Morrison, Defendant. Indictment for Petit Larceny.

Court of Common Pleas, Union County, Ohio. May 1st. 1908.

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 having been arraigned and having waived the reading of said indictment, for plea thereto, saith he is "guilty"; thereupon it is ordered and adjudged by the court that the said Lafe Morrison pay a fine of Five Dollars, and the costs of this prosecution, taxed at $, and that the said defendant, Lafe Morrison, be imprisoned in the Workhouse of the City of Columbus, Ohio, and kept at hard labor for the term of Thirty Days. And it is further ordered that the defendant, Lafe Morrison, be committed to the said Columbus City Workhouse, and kept at hard labor at the rate of 60 cents per day, until said fine and costs are paid, or until he is otherwise legally discharged.

1341 Entry.

State of Ohio, Plaintiff — Court of Common Pleas,
vs. — Union County, Ohio.
John Atherton, Defendant, Indictment for Petit Larceny. — May 1st, 1908.

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 having been arraigned and waiving the reading of said indictment, for plea thereto, saith he is "not guilty"; and puts himself upon the country and the prosecuting attorney doth the like.

1341 Entry.

State of Ohio Plaintiff, — Court of Common Pleas,
vs. — Union County, Ohio.
John Atherton, Defendant. — May 1st, 1908.

Indictment for Petit Larceny.

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: Pearl Dally, Martin Nicol, Ab. Stricker, L. C. Goff, J. W. Field, H. D. Inskeep, D. M. Eddy, Uriah Cook, W. A. Jones, Gordon Wheeler, Wm. Graves and S. W. Hammer, who were duly impanelled 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, retired to their room in charge of the sheriff for deliberation.

And afterward came the jury, conducted into court by the sheriff, and returned the following verdict in writing, signed by their foreman, to wit:

"We, the jury in this case, find the Defendant, John Atherton, guilty, in manner and form as he stands charged in the Indictment, and we do find and assess the value of the property stolen in the sum of Three ($3) Dollars.

James W. Field,
Foreman."

And thereupon said defendant is ordered into the custody of the sheriff to await sentence.

Court adjourned to Saturday, May 2nd, 1908.

Saturday, May 2nd, 1908. Court convened at 9 o' clock, A.M. Present Hon. John M. Broderick, Judge.

1341 Entry. State of Ohio, Plaintiff. Court of Common Pleas,
Vs. Union County, Ohio.
John Atherton, Defendant. May 2nd, 1908.
Indictment for Petit Larceny.

This day the Defendant, John Atherton, moved the Court for a new trial; on consideration thereof, the Court overrules said motion.

1341 Entry. State of Ohio, Plaintiff. Court of Common Pleas, 8722
Vs. Union County, Ohio. Entry.
John Atherton, Defendant. May 2nd, 1908.
Indictment for Petit Larceny.

The defendant herein having been heretofore convicted of 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 judgment should not be pronounced against him; and showing no good and sufficient cause why judgment should not be pronounced.

It is therefore adjudged by the court that the said defendant, John Atherton, pay a fine of Five Dollars, and the costs of this prosecution taxed at $, and that the said defendant, John Atherton, be imprisoned in the Workhouse of the City of Columbus, Ohio, and kept at hard labor for the term of Thirty Days. And it is further ordered that the defendant, John Atherton, be committed to the said Columbus City Workhouse, and kept at hard labor at the rate of 60 cents per day, until said fine and costs are paid, or until he is otherwise legally discharged.

1338 Entry. State of Ohio, Plaintiff. Court of Common Pleas,
Vs. Union County, Ohio.
Tony Pfarr, Defendant. May 2nd, 1908.
Indictment for Abandoning Legitimate Child.

Nolle prosequi is entered herein, by order of court, at request of the prosecuting attorney.

8694 Entry. On May 2nd, 1908, the following Entry was filed.
The John Church Company, Plaintiff. Court of Common Pleas,
Vs. Union County, Ohio.
D.C. Bolenbaugh, Sheriff, &c, Defendant. May 2nd, 1908.

This cause having on a former day of this court been submitted to the court upon the pleadings and evidence, without the intervention of a jury, the same having been waived, and the court having found on the issue joined for the plaintiff, and that at the commencement of this action the plaintiff was entitled to the possession of the goods and chattels described in the plaintiff's petition, and that the defendant unlawfully detained the same, and having assessed damages to the plaintiff by reason of the premises at $1.00; and the defendant having filed a motion for a new trial; on consideration thereof the court overrules said motion. It is further

considered and adjudged by the court, that at the commencement of this action the plaintiff was entitled to the possession of the goods and chattels described in the plaintiff's petition, and that the defendant unlawfully detained the same, and that the plaintiff recover from Milo L. Myers as trustee in bankruptcy of the estate of William Weaver, heretofore substituted for said D.C. Bolenbaugh, as defendant, the said sum of $1.00, together with its costs herein expended. To all of which findings, order and judgment of said Court the said Milo L. Myers, as Trustee aforesaid, by his attorneys, excepted at the time.

8722 Entry. In the Matter of the Petition of William Nordeick to be admitted a citizen of the United States of America.

Court of Common Pleas, Union County, Ohio. May 2nd, 1908.

This cause coming on for hearing, and being submitted to the Court upon the evidence produced, the Court find that the Naturalization department at Washington, D.C., having been duly served and notice made according to law, and that this petitioner, William Nordeick, after making oath to the Constitution of The United States, and renouncing absolute allegiance and fidelity to William 2nd, Emperor of Germany, find that he is not a disbeliever in or opposed to organized government or a member of, or affiliated with any organization or body of persons teaching disbelief in organized government, and not a polygamist nor a believer in the practice of polygamy, and able to speak the English language.

The Court further finds that the petitioner has resided in the United States for five years, since the 6th. day of November, 1901, and in the State of Ohio for one year prior to this time, since the 4th. day of September, 1902, and that said plaintiff has complied with the requirements of the Naturalization laws of the United States.

The Clerk of the Common Pleas Court, is now ordered to issue to William Nordeick a certificate of naturalization.

Court adjourned to Tuesday, May 5th. 1908.

Tuesday, May 5th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Rodrick, Judge.

8720 Entry.

J. F. Conrad, Plaintiff.
vs.
The Columbus, Magnetic Springs & Northern Railway Company, Defendant.

Court of Common Pleas, Union County, Ohio. May 5th, 1908.

8762 Entry.

Now comes the plaintiff, by his attorney, and the defendant being in default for answer and demurrer, the Court finds that the allegations of the petition are confessed by the defendant to be true, and that it is indebted to the plaintiff in the sum of $776.84.

It is, therefore, considered by the Court that the said plaintiff, J. F. Conrad, recover from the defendant, The Columbus, Magnetic Springs & Northern Railway Company, the said sum of $776.84 and his costs herein expended.

Court adjourned to Wednesday, May 6th, 1908.

Wednesday, May 6th, 1908, Court convened at 9 o'clock, A. M. Present now, John M. Brodrick, Judge.

8762 Entry.

The State of Ohio, ex rel.
M. F. Leonard, Plaintiff,
Vs.
The Village of Richwood, and J. L. Horn, D. E. Ogan, L. G. Pratt, Edward McCombs, G. F. Wurtebaugh, and L. L. Rorbuck, as councilmen of said village, C. S. Norris as mayor of said village and Ray L. Jordan, as clerk of said village, Defendants.

Court of Common Pleas,
Union County, Ohio,
May 6th, 1908.

Now came the relator, and made application for the allowance of a writ of mandamus herein; and, on consideration thereof, the court allow an alternative writ to issue against all of said defendants, returnable to this court on the 16 day of May, 1908, at 9 o'clock A. M.

And it is ordered that the said The Village of Richwood, and J. L. Horn, D. E. Ogan, L. G. Pratt, Edward McCombs, G. F. Wurtebaugh, and L. L. Rorbuck, as councilmen of said village, and C. S. Norris as mayor of said village, and Ray L. Jordan, as clerk of said village, do immediately upon the service of this writ accept the bond filed by the said M. F. Leonard and The Bankers Surety Co. on the 4th. day of May, 1908, with said defendants, and sign and execute the contract filed by said M. F. Leonard, with them on the 4th. day of May, 1908, both pertaining to the improvement of Franklin Street in said village, as described in plaintiff's petition, or prepare and execute another contract to said M. F. Leonard in pursuance to the ordinances, resolutions, plans and specifications and bids of said M. F. Leonard pertaining to said improvement; or that at the time and place of the return of this writ they show cause why they have not done so.

Court adjourned to Saturday, May 9th, 1908.

Saturday, May 9th. 1908. Court convened at 9 o'clock, A. M. Present John M. Brodrick, Judge.

8708 Entry.

Stella May Collette, Plaintiff,
Vs.
Dalton O. Collette, Defendant.

Court of Common Pleas,
Union County, Ohio,
May 9th, 1908.

Now came the plaintiff, and the defendant having been duly served with a summons and a copy of the petition herein, and having failed to appear, the court find him in default for an answer and demurrer to said petition, and find 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 a period of 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 further find, upon the evidence adduced, that the defendant has been guilty of gross neglect of duty and extreme cruelty towards the plaintiff, and that by reason thereof, the plaintiff is entitled to a divorce, as prayed for.

It is therefore ordered and adjudged by the court that the marriage contract heretofore existing between the said Stella May Collette and Dalton O. Collette be, and the same hereby is, dissolved, and both parties are relieved 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 plaintiff exclusively. But it is hereby ordered that the defendant have the privilege of taking the said child, Dorothy Collette to the home of his mother during the month of June of each year, at which time the care, custody, control and support of said child is confided in him exclusively.

It is further ordered that after the said child Monier Collette becomes five years old the said defendant may have the care, custody, control and support of him at the home of his mother the said during the said month of June of each year.

It is further ordered that upon the serious illness of either of said children, the parent in whose custody they may be at the time, shall give reasonable notice to the other parent, and such other parent shall have the privilege of visiting said child during its illness.

It is further ordered that the defendant shall not be held responsible in any way for the care or support of said children while they are in the custody of the plaintiff, and she is not to be held responsible for their care and support while they are in the care and custody of the defendant.

This order as to the custody and support of said children to continue in force until the same is modified by the court.

It is further considered by the court that the said plaintiff recover from the said defendant her costs herein expended.

8742 Entry.

Court adjourned to Tuesday, May 12th, 1908.

Tuesday, May 12th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8742 Entry.

Brut Cahill, et. al. Plaintiffs.
Vs.
The F. H. Meade Mfg. Co. Defendant.

Court of Common Pleas,
Union County, Ohio.
May 12th, 1908.

This cause now coming on for hearing on the petition of the plaintiff and the evidence, the court finds that the defendant, The F. H. Meade Mfg. Co. duly and regularly waived service of summons and is duly before this court in this action as if regularly and legally served with summons by the sheriff, and that it is in default of answer or demurrer. And that the allegations of said petition are thereby by it confessed to be true. And that there is due from the defendant, The F. H. Meade Manufacturing Company, to plaintiffs, on the promissory note set forth in the petition, with interest from the date of this decree, the sum of $5340.83.

The court finds that in order to secure the payment of said note the defendant executed and delivered to said plaintiffs its certain chattel mortgage as in said petition described. That said mortgage was on the 19th day of March, 1908, at 11:20 A. M. deposited with the Recorder of said Union County and duly filed according to law, and is a good and valid lien on the goods and chattels in said petition described, and is the first and best lien thereon, and that the conditions in said chattel mortgage have been broken.

The court further finds that in order to secure the payment of said note the defendant, The F. H. Meade Manufacturing Company, executed and delivered to plaintiffs its certain mortgage as in the petition described, and on the premises and real estate therein described, that said mortgage was duly recorded in Volume 59, page 53, of the Record of Mortgages in said Union County, and is a good and valid lien on the premises in said petition described and is the first and best lien thereon, and that the conditions of the said mortgage have been broken.

It is therefore considered by the court that the plaintiffs recover from the defendant, The F. H. Meade Manufacturing Company, the sum of $5340.83, with interest from the date of this decree, and costs herein expended, and it is further adjudged and decreed that unless the defendant, The F. H. Meade Manufacturing Company shall within three days from the date of this decree pay to the clerk of this court the costs of this case, and to the plaintiffs herein the sum so found due as aforesaid with interest from the date of this decree, the defendant's equity of redemption shall be foreclosed, and that A. C. Eggert, the receiver heretofore appointed by this court, and who is still the duly qualified and acting receiver herein, shall sequester and sell said goods and chattels and said real estate in said petition described, as prayed for in the said petition, and in such manner and by such procedure as receivers are by law required to follow, and in such manner as from time to time may be ordered and directed by this court; that the order of appointment and direction to said receiver in the matter of continuing and operating said defendant's manufacturing business heretofore issued by this court shall not in any wise be hereby abridged

or taken away, but such business shall be carried on in the manner and under the conditions in said order set forth, and that said receiver shall report his proceedings to this court from time to time, as may be directed, for further order.

Appointment of Jury Commission.

In pursuance of an act of the General Assembly of the State of Ohio, passed September 30th, 1902, the undersigned Judge of the Court of Common Pleas for the Third Subdivision of the Tenth Judicial District of Ohio, does hereby appoint John M. Lowe, A. Lee Burley, George W. Moore and McD. Thompson, four judicious freeholders, electors, as Commissioners of Jurors in and for Union County, Ohio, to serve until their successors are appointed and qualified.

It is further ordered that said Commissioners meet in the office of the County Auditor on Monday, May 25th, 1908, at 10 o'clock A. M. and upon oath select 140 judicious and discreet persons having the qualifications of electors of said County, to serve as Jurors, said persons to be selected as nearly as may be from the several wards and townships of said County in proportion to their respective population.

Court adjourned to Friday, May 15th, 1908.

Friday, May 15th, 1908, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

In the matter of the Treatment and Control of Dependent, etc. Children.
The State of Ohio, Union County, ss.

There being no insolvency Court or Superior Court established in said Union County, Ohio, and this being the day determined upon by the Judge of the Court of Common Pleas and the Judge of the Probate Court within and for said County aforesaid:-

Whereupon on this day came the Hon. John M. Brodrick, Judge of the Court of Common Pleas within and for said Union County, Ohio, and the Hon. Dudley E. Thornton, Judge of the Probate Court within and for the said Union County, Ohio: On consideration whereof the said the Hon. Dudley E. Thornton is designated as the one to transact the business arising under said jurisdiction of Union County, Ohio, under and by virtue of the provisions of an act of the General Assembly of the State of Ohio entitled "An Act to regulate the treatment and control of dependent, neglected and delinquent children, and to repeal certain acts therein named," passed April 23rd, 1908, and approved by the Governor, April 24th, 1908.

It is further considered that said Dudley E. Thornton, shall so act hereunder until his term of office expires or his office terminates.

John M. Brodrick, Judge of the
Common Pleas Court within and for Union County, Ohio.
Dudley E. Thornton, Judge of the Probate
Court within and for Union County, Ohio.

Court adjourned to Saturday, May 16th, 1908.

Saturday, May 16th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8763 Entry.

Edna May Hyland, Plaintiff.
Vs.
Clarence Hyland, Defendant.

Court of Common Pleas,
Union County, Ohio.
May 16th, 1908.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served and that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 5th day of October, 1906, as alleged in said petition. The court upon motion and service of notice hereof, the court allows the plaintiff the sum of Two Dollars per week as pending alimony and the defendant is ordered to pay to the Clerk of this Court said Two Dollars per week until further ordered

8753 Entry.

Court adjourned to Tuesday May 19th 1908.

8704 Entry.

Tuesday May 19th 1908, Court convened at 9, O'Clock present Hon. John M. Brodrick, Judge.

Order

The State of Ohio County, S.S.
In the matter of the designation of a Judge for the Juvenile Court of Union Co.

On this 19th day of May, 1908, in pursuance of an Act of the General Assembly of the State of Ohio, entitled "An Act to regulate the treatment and control of dependent, neglected and delinquent children and to repeal certain acts therein named", approved by the Governor, April 24th 1908, Dudley E. Thornton as the Judge of the Probate Court of Union County, Ohio, hereby is designated as the Judge to transact the business arising under the jurisdiction conferred by said Act in said Union County, and to exercise all the powers and perform all the duties therein provided.

It is further directed that this order be entered upon the respective Journals of the Court of Common Pleas and Probate Court of said Union County, and that the same be effective until further order, by a majority of the Judges of said County, in contemplation of said Act.

Done at Bellefontaine, Ohio, on the day and year first above written.

8766 Entry.

Boston G. Young,
Daniel Babst,
Geo. E. Schroth,
Edward M. Fries,
Wm. T. Duncan,
John M. Brodrick,
Dudley E. Thornton.

Judges of the Court of Common Pleas, Union County, Ohio.

Judge of the Probate Court of Union County, Ohio.

Court adjourned to Saturday May 23rd. 1908.

Saturday, May 23rd, 1908. Court convened at 9 o'clock A. M. Present, Hon. John M. Brodrick, Judge.

8753 Entry.

Charles Porchett, Plaintiff,
Vs.
James Cargo and Hester Cargo, Defendants.

Court of Common Pleas,
Union County, Ohio,
May 23rd, 1908.

Now came the parties herein, the defendants in person, by advice of their attorney, and the said defendants not desiring to further plead to the suit of Plaintiff herein, and upon his payment of the costs taxed, requests the court to confirm the following decree:-

It is therefore, on consent of the defendants and on motion of the plaintiff, adjudged and decreed that the injunction heretofore granted in this action, be and the same hereby is made perpetual.

It is further considered that the said plaintiff recover from the said defendants his costs herein expended taxed at $ 10.67 which is paid.

8754 Entry.

Elizabeth N. Marriott, Plaintiff,
Vs.
L. A. Harvey and G. C. Dodds, Defendants.

Court of Common Pleas,
Union County, Ohio,
May 23rd, 1908.

This day this cause came on for hearing upon the motion of the defendant herein to dismiss this action, discharge the garnishee, and dissolve the attachment issued herein, and being heard upon said motion and the affidavits filed in support thereof and upon argument of counsel, the court find that the said L. A. Harvey and G. C. Dodds are both of them now residents of Union County, Ohio, and that they are residents of Hardin County in the State of Ohio; that no service has been made upon either of said defendants in Union County and that more than sixty days have elapsed since the filing of the petition herein; wherefore the court finds that said court is without jurisdiction to entertain said action and that by reason thereof the attachment garnishee issued herein are wholly void.

It is therefore ordered and decreed that the attachment herein be dissolved, the said garnishee be discharged and the said action herein be dismissed at the costs of the plaintiff herein. To all of which said plaintiff by her counsel excepted.

8766 Entry.

Sarah E. Sherwood, Plaintiff,
Vs.
Owen E. Sherwood, Defendant.

Court of Common Pleas,
Union County, Ohio,
May 23rd, 1908.

The motion by the plaintiff for an allowance of alimony, of which due notice has been given, is heard and granted, and by the agreement of plaintiff and defendant, it is ordered that defendant pay to plaintiff on May 23, 1908, the sum of seventy five (75) dollars, and on or before June 12, 1908, the sum of fifty (50) dollars, for the maintenance of herself and minor children and expenses in prosecuting this action.

Entry
8760

Court Adjourned to Friday May 29th 1908

Friday May 29th 1908, Court convened, Present Hon. John M. Brodrick, Judge.

Susan Johnson - Plaintiff,
vs.
Mary R. Ayers - Defendant.
} Court of Common Pleas, Union County, Ohio,

Entry

8760 On motion it appearing that Anna Ayers is a necessary party to the above entitled action, it is hereby ordered that she be made a party defendant, that a summons issue for her and that in all things she be subject to the same order and process as the other defendant in said cause.

Court adjourned to Saturday June 6th 1908

Saturday June 6th 1908, Court convened at 9 O'Clock A. M. present Hon. John M. Brodrick, Judge.

8759 Nellie E. Guthrie
Vs.
Edward J. Guthrie } Court of Common Pleas, Union County, Ohio,

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication according to law, and that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 28th day of November 1901, as alleged in said petition. That two children were born as the result of said marriage to-wit: Ruth M. and Edward, aged 5 years and 2 years Respectively, and that the defendant has been guilty of gross neglect of duty and drunkenness as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

8770 Entry

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is dissolved, and the said parties are hereby released therefrom, and that said plaintiff given the care, custody and control of the several minor children and that she be given the household goods and that the defendant pay the cost of this proceeding taxed at $9.48

8615 Entry

Cena Hopkins
Vs.
8743 James Hopkins } Court of Common Pleas, Union County, Ohio.

Entry

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication according to law and that he has failed to appear and is in default for answer or demurrer to petition and that the allegations thereof are confessed by him to be true, that at the time of the filing of the petition herein the Plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition and that said parties were married on the 19th day of August 1899, as alleged in said petition, and that one child was born of said marriage to-wit: Gladis Hopkins, and resides in

Union County, Ohio. And that the defendant has been guilty of willfully deserting the Plaintiff, for more than three years last past, previous to the filing of her petition, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now and here dissolved, and the said parties are hereby released therefrom, and that said plaintiff, It is further ordered adjudged and decreed, that the custody, care, education, and maintenance of and control of said minor child be and the same is hereby confided exclusively to the said plaintiff, with privilege of defendant to see said child at convenient periods, and that the defendant pay the costs of this proceeding taxed at $___ and that this case be recorded.

8770	Mary C. Davis Vs. James B. Davis	Court of Common Pleas, Union County, Ohio.
Entry	This day this cause was dismissed by order of Plaintiffs Attorney, and all costs paid.	
8615	James F. Finley Vs. The Erie Railroad Co.	In the Court of Common Pleas, Union County, Ohio.
Entry	This cause being this day called for hearing on defendants motion to dismiss this cause for want of prosecution, the same was submitted to the Court, Whereupon on consideration thereof the Court sustains said motion and orders that said cause be, and the same hereby is dismissed at the costs of the Plaintiffs without prejudice to a future action.	
	A. O. Moor et als. Vs. The Erie Railroad Co.	In the Court of Common Pleas, Union County, Ohio.

This day this cause being heard on defendants motion to dismiss this cause for want of prosecution, the same was submitted to the Court, Whereupon on consideration thereof the Court sustains said motion and orders that said cause, be, and the same hereby is dismissed at the costs of the Plaintiffs, without prejudice to a future action.

8762 The State of Ohio, ex rel M. F. Leonard, Plaintiff, Versus The Village of Richwood, Ohio, et al. Defendants } Common Pleas Court, Union County Ohio.

Entry This case being heard on the general demurrer, filed by the relator, the same being taken by the counsel in argument, and by the Court on consideration as a general demurrer to the petition on the grounds that a general demurrer searched the records, the court sustains the same as a demurrer to the petition and dismisses the relators petition, as mandamus would not lie to compel the award of the contract where the council had the as long as the contract itself was not executed. That the relator had no vested rights and that it was within the province of the council to rescind the resolution awarding the contract to the relator. It is therefore ordered and decreed by the Court that the petition be dismissed and that the relator shall pay the costs herein expended, taxed at $ — That the respondents go hence without day.

To all of which rulings, decrees and orders of the Court the relator then and there excepted and gave notice of appeal from the finding and judgment of the Court and the bond of appeal fixed at $300.00.

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Court adjourned to Thursday June 11th 1908.

Thursday June 11th 1908, Court convened at 9 O'Clock A. M. Present Hon. John M. Brodrick, Judge.

Entry

The Perpetual Savings and Building Association, of Urbana, Ohio, - Plaintiff.
vs.
8752 Perry H. Thomas, Margaret G. Thomas et al. Defendants.

The Court of Common Pleas, Union County, Ohio.

This cause now coming on for hearing on the petition of the Plaintiff, the cross petitions of the defendants, The J. G. Barlow Company and The Wolfe Brothers Shoe Company - and the evidence, the court find that the defendants, Perry H. Thomas and Margaret G. Thomas, 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 as well as the allegations contained in both said cross petitions are thereby confessed by them to be true, - and that there is due the Plaintiff, The Perpetual Savings and Building Association, of Urbana, Ohio, from the said defendants, Perry H. Thomas and Margaret G. Thomas, on the several causes of action set up in said petition, with interest to the date of this decree, the sum of Fifteen Hundred and Sixty Eight Dollars and Eighty Eight Cents ($1568.88).

8730 Entry

The court further find that in order to secure the payment of said note and taxes set up in the petition and of said sum of money so found due, the said Margaret G. Thomas and the said Perry H. Thomas, her husband, duly executed and delivered to the said Plaintiff their certain mortgage as in the petition described and on the premises therein described; that said mortgage was duly recorded in book 53, pages 410, 411 and 412, of the mortgage records of Union County, Ohio, and that said claim of Plaintiff is a valid and the paramount lien on the premises described in the petition, and that the conditions in said mortgage have been broken.

8706 Entry

It is therefore considered by the court that the plaintiff, The Perpetual Savings and Building Association, recover from the said defendants, Margaret G. Thomas and Perry H. Thomas, the said sum of Fifteen Hundred and Sixty Eight Dollars and Eighty Eight Cents and its costs herein expended. And it is further adjudged and decreed that unless the defendants, Margaret G. Thomas and Perry H. Thomas, 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 it as aforesaid, with interest

from the date hereof; the said 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, Ohio, directing him to appraise, advertise and sell said premises as upon execution and report his proceedings to this court for further order.

The court further find that there remains a balance due to the said defendant, The J. T. Barlow Company from its said co-defendants, Margaret E. Thomas and Perry H. Thomas, on its judgment against them set up in its answer and cross petition, of $247.60, that said judgment was duly levied upon the premises described in the petition at the time and in the manner set up in its said answer and that the same is a valid and subsisting lien on said premises and next in priority after the said claim and lien of plaintiff thereon.

The Court further find that there remains due to the said defendant, The Wolfe Bros. Shoe Company, from the said Margaret E. Thomas and Perry H. Thomas, on its said judgment claim set up in its answer herein, the sum of $34.73, that its said judgment was duly levied upon said real estate described in the petition and is a valid lien thereon and next in priority to the said lien and claim of the said J. T. Barlow Company.

8732 — Anna Horch vs. Mathias Horch } Court of Common Pleas, Union County, Ohio.

Entry — This day this cause came on to be heard by the Court, and the trial proceeded and after hearing part of the evidence the Court adjourned the further hearing of this case until Friday morning June 12th 1908 at 9 O'Clock A. M.

8706 — Madge M. Slack vs Franklin C. Slack et al } Court of Common Pleas, Union County Ohio.

Entry — This day this cause came on to be heard upon the report of the Receiver, B. F. Carmean of the sale of the property and effects of the defendant, Franklin C. Slack, to Charles Braun for the sum of $1300.00 and upon motion of the plaintiff for the confirmation of the same. Thereupon the court upon consideration thereof, being fully advised in the premises, finds that the bid of Charles Braun in the sum of $1300.00 for the real estate, personal property and Glove Factory business of the said Franklin C. Slack is the highest and best bidder therefor.

The Court therefore orders and directs the said B. F. Carmean, receiver herein, to sell and transfer the said real estate, property and effects and Glove Factory of the defendant; Franklin C. Slack

unto the said Charles Braun and execute to him a proper deed of conveyance of the same.

It is further ordered by the Court that the said receiver pay the said purchase money, $ 1300.00, into the court and the court coming after consideration to distribute the proceeds of said sale, orders and decrees that the sum shall be applied as follows:—

First, Taxes due the county and state, taxed at ——

Second, Costs of this action which shall include the sum of $ 150.00 allowed to the receiver as his compensation and expenses herein and the sum of $ 150.00 as a reasonable attorney fee to J. H. Kinkade, as attorney for the receiver and the plaintiff herein making a total of $ for costs and administration.

Third, To the Bank of Marysville upon its mortgage lien upon the real estate the sum of $

Fourth, the sum of $ to Madge M. Slack to apply upon the amount allowed her, just and reasonable alimony as a preferred claim and that judgment be awarded her against said Franklin C. Slack for the balance of her alimony of $

Judgment is awarded against the said Franklin C. Slack in the sum of $ 126. with interest from June 7th 1907, in favor of the Singer Sewing Machine Company and judgment against the said defendant for costs herein at $ ——.

8742 Entry

8742 Entry

Court adjourned to Friday June 12th 1908.

Friday June 12th 1908, Court convened at 9 O'Clock A. M.
8742 present Hon. John M. Brodrick, Judge.

Entry Bert Cahill et al.
Vs
The F.H. Meade Manufacturing Co. } The State of Ohio, Union County, S.S. In the Court of Common Pleas.

This day came the receiver and represented to the Court that since his appointment as such receiver and acting under former orders of this court, he has continued defendants business as a going concern and has personally managed said business and has given much of his time to said business as attorney and counsellor in the collection of claims and accounts and in the adjustments of claims and accounts and has rendered other services as attorney and counsellor in said business and as partial compensation for such services as manager and attorney asks the court for authority to pay to himself out of the funds in his hands the sum of One Hundred and Fifty ($150.00) Dollars. Wherefore it is ordered by the court that the receiver be and is hereby directed and authorized to make such payment to himself.

Bert Cahill et al
Vs.
8742 The F.H. Mead Manufacturing Co. } The State of Ohio, Union County, S.S. In the Court of Common Pleas.

Entry This day came the receiver herein and represented to the Court that acting under a former order of this court he has collected book accounts and has sold and disposed of goods and merchandise to the amount of more than Three Thousand ($3000.00) Dollars, and that he has now on hand more than that sum of money and asks authority of the Court to pay the sum of Three Thousand ($3000.00) Dollars to the Plaintiffs herein on their judgment heretofor by this Court adjudged. Wherefore it is ordered by this Court that the receiver be and is hereby authorized and directed to make such payment.

Court Adjourned to Saturday June 13th 1908.

Saturday June 13th 1908 Court convened at 9 O'clock A. M.
8757 present Hon. John M. Brodrick, Judge.

Entry G. C. Lefler et al,
vs.
E. H. Guckert, } Court of Common Pleas, Union County, Ohio.

Now comes the plaintiffs by their attorney and dismisses this action at their own costs, and Ten Dollars allowed to the Sheriff for a receivers fee, and the same being without prejudice to a future action.

Court Adjourned to June 20th 1908

Saturday June 20th 1908, Court convened at 9 O'clock A. M.
present Hon. John M. Brodrick, Judge.

Thomas Price and Alice Price
Vs.
Arthur F. Benedict and
L. R. Gast.

In court of Common Pleas, Union County, Ohio.

And now this cause came on to be heard upon the motion of the plaintiffs for the appointment of a receiver herein.
And thereupon the court find that the building and premises described in the petition of plaintiffs will be materially depreciated and the security of plaintiffs hazarded by the building being neglected for want of necessary repairs and the loss of rent and danger of loss by fire if insurance is not maintained in favor of the mortgagee.
It is therefore ordered that W. S. Burgoon be, and he is hereby, appointed receiver of the following premises; Upon entering into an undertaking as required by law in the sum of Five Hundred Dollars.
Being the north line (9) feet off of lot No. Forty Six and the south nine and one half feet off of lot forty seven, all in the Village of Richwood, Ohio, as surveyed, platted and recorded.
The amount of ground conveyed being eighteen and one half feet fronting on Franklin Street in said village and extending the entire length of said lots to the alley in the rear thereof and being the same premises conveyed by George W. Court and wife to William Burgner by deed dated December 11th 1871, and recorded in Book 36 at page 153 of the records of deeds of Union County, Ohio.
And the said receiver upon being duly qualified is hereby ordered to proceed to rent, repair, and insure said building and collect said rents and profits, and said parties are ordered to turn said premises and rent thereof over to said receiver, on his demand; and said receiver is to pay for said repairs to said building, said insurance premium, and taxes and his cost and expenses, and to report to this court.

Court adjourned to June 30th 1908

Tuesday June 30th 1908, Court convened at 9 O'clock A.M. present Hon. John M. Brodrick, Judge, Common Pleas Court of Union County, Ohio.

Wednesday

The Peoples Bank - Plaintiff
Vs.
Entry Bertha H. Young and S. G. Young, Defendants.

June 30th 1908

1343

Entry

8779 This day came the plaintiff by its Attorneys; also came F. A. Thompson, an attorney at law of this Court, on behalf of the defendants and by virtue of the warrant of Attorney duly executed by said defendants, and now produced to the court, and a copy of which is filed with the Clerk of this court, entered the appearance of said defendants, waived the issuance and service of process in this action, and, with the assent of the plaintiff, confessed that the said defendants are justly indebted to the said plaintiff in the sum of Three Hundred Three and 33/100 Dollars; and also released and waived all exceptions, errors and right of appeal herein. It is therefore considered by the court that the said plaintiff recover from said defendants the said sum of Three Hundred Three and 33/100 dollars, together with its costs herein expended, taxed at 85 cs.

Court Adjourned to July 1st 1908

Wednesday, July 1st 1908, Court convened at 9 O'Clock A. M.
present Hon. John M. Brodrick, Judge.

State of Ohio, Plaintiff.
vs
Fred Russell - Defendant } Court of Common Pleas, Union County, Ohio.

1343
Entry

This day came the defendant, in open court, with Fannie Thomas and Pearl McIlroy as his sureties, and entered into recognizance before the court in the sum of Five Hundred Dollars, conditioned for his appearance at the next term of court, to answer said charge of larceny.

Court Adjourned to July 2 1908.

Thursday, July 2d, 1908, Court convened at 9 O'Clock A. M. present Hon. John M. Brodrick, Judge.

Entry

Susan Johnson - Plaintiff.
Vs.
Mary K. Ayers & Anna Ayers,
Defendants.

In the Court of Common Pleas, Union County, Ohio.

8760 On motion of defendants, Mary K. Ayers and and Anna Ayers and for good cause show the time for the defendants Mary K. Ayers and Anna Ayers to answer herein is extended until August 1st 1908.

8776 Entry

Court Adjourned to Friday July 3d, 1908

Friday, July 3rd, 1908, Court convened at 9 O'clock A. M. present Hon. John M. Brodrick, Judge.

Lizzie Furgeson,-Plaintiff.
Vs.
Robert McCrory, Adms. of Thomas A. Wapes, deceased, et al.-Defendants.
} Court of Common Pleas, Union County, Ohio.

8776

Entry

And now as well the said Robert McCrory, admr. by R. L. Cameron his attorney, and the said Lizzie Furgeson, plaintiff by her attorneys, John L. Loughrey and A. H. Kollefrath, and the motion of the said Robert McCrory, came on to be heard before the said Court upon the petition and evidence and arguments of Counsel; on consideration whereof the Court do find that the said facts set forth in said petition are not sufficient in law to justify the same; it is therefore considered that the injunction heretofore issued in this case be and the same is hereby vacated, and said petition is dismissed, without record at the costs of the plaintiff.

Court Adjourned to July 6th 1908, Monday.

Monday July 6th 1908, Court convened at 9 O'Clock A. M.
Present Hon. John M. Brodrick, Judge.

Entry

Hamilton Brothers, John A. Price, and T. M. Shea.
Vs.
George R. Gamble.

Court of Common Pleas,
Union County, Ohio.

Judgment by Confession for $1120.00

8782 This day came the Plaintiffs by Attorney, and filed their petition against said Defendant George R. Gamble and thereupon S. J. Southard one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendant George R. Gamble and who by virtue of a Warrant of Attorney for that purpose duly executed by said Defendant, 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, confessed that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiff's Petition, the sum of One Thousand One Hundred and Twenty Dollars $1120.00 bearing interest at 8 per cent, per annum, and that said Plaintiffs ought to recover of said Defendant a judgment for that sum. It is therefore considered by the Court that said Plaintiffs do recover from said George R. Gamble, Defendant the said sum of One Thousand One Hundred and Twenty Dollars $1120.00 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 6th day of July, 1908, at the rate of 8 per cent, per annum.
And by virtue of said Warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

Entry 8732

Entry 8763.

Entry 8701

Court Adjourned to Saturday, July 11th 1908

Saturday, July 11th 1908, Court convened at 9 O'Clock A. M. Present Hon. John M. Brodrick, Judge.

Entry 8732 — Anna Horch vs. Mathias Horch — Court of Common Pleas, Union County, Ohio.

This day this cause is continued to July 18th 1908 — upon application of defendant.

$1120.00

Entry 8763. — Edna May Hyland vs. Clarence Hyland — Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons, that at the time of filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 5th day of October, 1906, as alleged in said petition, And the Court being fully advised in the premises, do find that said marriage was never consummated by the Plaintiff, she being under the age of Sixteen years at the time of said marriage and that she has not lived with or cohabited with the defendant since she became sixteen years of age as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said Plaintiff is restored to her maiden name of Edna May Coder, and is decreed the custody, care and control of their child Harold E. Hyland. and the defendant is to pay the costs of this proceeding taxed at $_____ and that this case be recorded.

John M. Brodrick Judge.

Entry 8791 — Bessie S. Ferris vs. Pearl S. Ferris — Court of Common Pleas, Union County, Ohio,

Pearl S. Ferris a minor defendant by Mary E. Marshall his guardian ad litem for answer to the petition, denies all the allegations therein contained, and says that he is of tender years, and asks the Court to protect his rights, and to and to grant him such relief as is proper.

Mary E. Marshall.

Bessie S. Ferris
vs.
Pearl S. Ferris } Court of Common Pleas, Union County, Ohio.

Entry 8751

This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel. On consideration thereof and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with a summons and a copy of the petition and that his father is dead and that a copy of said summons and petition has been duly and legally served upon Mary E. Marshall, mother of said defendant and that said Mary E. Marshall has been appointed guardian ad litem.

That at the time of filing of the petition herein the plaintiff was a bona fide resident of the state of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 13th day of September 1906, as alleged in said petition, That one child, Irma V. Ferris, was born of said marriage, and that the defendant has been guilty of gross neglect of duty toward the plaintiff, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff it is further ordered, adjudged and decreed that the custody, care, maintenance, education and control of said minor child Irma V. Ferris be and the same is hereby confided exclusively to the said plaintiff until the further order of this Court.

The Court further finds the contract of which the following is a copy. "This agreement, made this 7th. day of April, 1908, by and between Pearl Ferris of Plain City, Union County, Ohio, of the first part, and Bessie Ferris his wife, of Plain City, Union County, Ohio, of the second part, witnesseth: That said party of the second part in consideration of the agreement hereinafter set forth, covenants and agrees to and with the party of the first part, that the party of the second part does agree to and accepts as alimony, support of self and minor child from the party of the first part, the sum of Three Hundred and Sixty Dollars which is a full and final settlement of and between said parties, which shall be paid in monthly payments at the rate of $2.00 per month until the sum of Three Hundred and Sixty Dollars are paid in full, and the party of the second part upon the payment hereto agreed upon with the party of the first part, does hereby release said party of the first part, from all actions, claims damages and demands whatsoever, which said party of the second part now or has ever had or which her heirs, executors or administrators shall have

8767 Entry

from the beginning of the world to the date hereof.
In witness whereof the said parties have hereunto set their hands this 7th day of April, 1908."

Witness
J. H. Schultz.
Jennie Schultz.

"Pearl Stevens Ferris"
"Bess Ferris."

was entered into by the parties hereto, that the same is a valid and subsisting contract, that its terms are satisfactory to both parties, and the Court therefore confirms the same.
That the defendant pay the cost of this proceeding taxed at and that this cause be recorded.
Approved, by Hoopes and Robinson for Plaintiff.
Mary E. Marshall for Defendant

8767 Entry.

Elizabeth Cashell, Plaintiff.
Vs.
William Cashell, Defendant.

Court of Common Pleas.
Union County, Ohio.
July 11th, 1908.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication according to law, and that he is in default for answer or demurrer to the petition; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 25th. day of March, 1896, as alleged in said petition; that there was born of said marriage one boy, Hugh Cashell and that the defendant has been guilty of habitual drunkenness and gross neglect of duty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff have the care, custody, control, maintenance and education of said minor, Hugh Cashell, until the further order of the court; and it is further ordered and decreed that the defendant pay to the plaintiff as her reasonable alimony the sum of three hundred dollars and that execution may issue therefor.

8783

Entry

Entry

8732

Court adjourned to Saturday July 18th 1908

Saturday, July 18th 1908, Court convened at 9 O'Clock A.M. Present Hon. John M. Brodrick, Judge.

8783 Augusta L. Dixon, Vs. James B. Dixon } Court of Common Pleas, Union County, Ohio.

Entry This day this cause came on to be heard upon the pleadings, on motion for pending alimony. In consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served, does grant the Plaintiff Pending Alimony at the rate of $2.00 per week each and every week until the next term of this Court, being September 14th A.D. 1908. and it is ordered by the Court that said defendant pay the plaintiff according to the above order, without fail or be subject to the order of this Court for Contempt of this Court.

Anna Horch - Plaintiff Vs. Mathias Horch - Defendant } Court of Common Pleas, Union County, Ohio.

Entry

8732 This cause came on this day to be heard upon the petition, the answer of the defendant, Mathias Horch, and the evidence, and on consideration thereof, the Court find that the plaintiff, at the time of filing her petition, had been a resident of the State of Ohio for more than a year next preceding the filing of the same, and that she was at that time a bona-fide resident of Union County, Ohio, and that the parties hereto were married and children were born of said marriage as in said petition set forth.

The Court further finds, upon the evidence adduced that the defendant has been guilty of extreme cruelty and gross neglect of duty toward the plaintiff and that by reason thereof, the plaintiff is entitled to a divorce as prayed for.

It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Anna Horch and the said Matthias Horch 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 Helen Horch, aged 13 years, Florence Horch aged nine years and Freddie Horch aged six years, children of the parties hereto, be, until further order, confided to the said Anna Horch, plaintiff, exclusively, and the defendant is hereby enjoined from interfering in any manner with said children or with the plaintiff in her custody of them, but defendant

may visit said children at reasonable times, and that the care, custody, education and control of Malin Horch, aged sixteen years, a child of the parties hereto, be until further order, confided to the said defendant, exclusively.

It is further ordered and adjudged that the said plaintiff have and possess as for alimony, the following described real estate, to-wit: Situated in Brown Township, Franklin County, Ohio, and being part of Survey No. 2670, bounded on the Southeast (At date of April 15th 1905) by a Fifty acre tract of land owned by Thomas Jerman; on the Southwest by the lines of Lots Nos. 7 and 8 in said Survey, according to a re-survey by Frederick Cole; On the Northwest by an original line of said Survey and on the Northeast by a line drawn parallel with said line of Lots Nos. 7 and 8 from said Thomas Jerman's North corner to the original line of said Survey, to contain Fifty Acres more or less, subject to all legal highways. And the said defendant is hereby ordered upon the payment to him by the Plaintiff of the sum of Five Hundred Dollars, on or before September 1st 1909, and the execution by said plaintiff to the said defendant of a deed of quit-claim to all her title, by way of dower or otherwise, to Lot No. 606, situated on West Fourth Street, in the Village of Marysville, Union County, Ohio, to convey said Fifty Acres above described with the improvements thereon, and all the privileges, and appurtenances thereunto belonging to the said plaintiff, her heirs and assigns forever, by a good and sufficient deed in fee simple, free from any right or claim of the said defendant to any estate by dower or otherwise therein, but subject to a mortgage of Two Thousand Dollars now held by of Columbus, Ohio, upon said premises. And it is further ordered upon the failure of the said defendant to execute said conveyance within Five days from the payment to the Clerk of this Court for the said defendant of said Five Hundred Dollars, and the execution of the deed to said lot as above set forth, that this decree shall operate as such conveyance of said Fifty Acre tract and in that case it is ordered that the Clerk cause so much of said decree to be recorded in the office of the Recorder of Franklin County, as will show such change of title, and it is further ordered and decreed that the plaintiff enter into immediate possession of said Fifty Acre tract of land, and receive the landlord's share of all crops and products of whatever nature now growing upon and arising out of said land.

It is further oldered and decreed that the plaintiff be divested of all claim by way of dower, alimony, or any kind whatsoever, in the personal property and moneys of the said defendant, other than as above set forth and that so long as she retains the care, custody and control of the

three children above mentioned, she is to hold said defendant free and harmless from all charge for their maintenance, clothing, support and education.

It is further ordered by said Court that the said Plaintiff recover from the said defendant her costs herein expended and that the said defendant pay all the costs of this proceeding and execution is awarded therefor.

To the ruling and decree of said Court as to alimony, the said defendant, thereupon gave notice of appeal, and the said Court fixed the appeal bond of said defendant in the sum of Three Hundred Dollars.

Court adjourned to Monday July 27th 1908.

Monday, July 27th 1908, Court convened at 9 O'Clock, A. M. present Honorable John M. Brodrick, Judge.

C. E. Wharton
Vs.
Nora Myers } Court of Common Pleas, Union County, Ohio.

Now comes the parties hereto and in open Court agree to the following settlement;

Entry 8707

William Black one of the defendants herein, agrees to pay the Plaintiff herein the sum of Six Hundred and Fifty ($650.00) Dollars in cash, and his costs herein and the said Plaintiff in consideration thereof releases said William Black from further obligation on account of said book account of $500.69, also on account of a judgment in the Hardin County Common Pleas Court for $106.91, and costs in favor of the Commercial Bank of Kenton Ohio, against William Black et al, which the plaintiff herein agrees to pay, Also on account of Taxes paid on the premises herein involved and in controversy, and agrees to transfer all interests in said property by reason of his said two claims to William M. Beckman. Also Plaintiff agrees to surrender a note of about $70.00, executed by said William Black and Alma E. Black to B. F. Shryock also to surrender a note of about $27.50, signed by Joseph White and William Black payable to the order of Charles Pifer. And also to release all his claim or interest in and to fifteen shares of stock in the Kenton Delivery Company, subject of Controversy herein and claimed by J. W. Brown, and also to assign without recourse all his right, title and interest in same to the Mortgagee and note sued upon in this action to William Beckman.

It is further agreed that all accounts, notes, claims, rights choses in action which either of the said parties may have or claim to have against the other are this day settled, released and satisfied.

Attest— Charles Parrott, Clerk.

Entry 8773

Court adjourned to Wednesday, July 29th 1908.

Wednesday, July 29th 1908, Court convened at 9 O'clock, A. M. present Honorable John M. Brodrick, Judge.

Lottie Bechtle
Vs.
Joseph Bechtle } Court of Common Pleas, Union County, Ohio.

Entry 8765

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication, that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 25th day of December, 1894, as alleged in said petition, that one child is living named Everett Bechtle, born to said marriage who is eight years old, and that the defendant has been guilty of gross neglect of duty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said Plaintiff is awarded the custody of the said Everett Bechtle the only child born to the marriage of Joseph Bechtle and Lottie Bechtle, the parties aforesaid pay the costs of this proceeding taxed at $8.00 and that this case be recorded.

John M. Brodrick, Judge.

Attest, Charles Parrott, Clerk of Courts.

Thomas Price and
Alice Price,
Vs.
Arthur F. Benedict,
L. R. Gast and J. M. Sanders Co. } Court of Common Pleas, Union County, Ohio.

July 29th 1908.

Entry 8773.

This cause coming on for hearing on the petition of the plaintiff, the defendants Arthur F. Benedict, L. R. Gast, and J. M. Sanders and Company, having been duly served, are each in default for answer or demurrer, the Court find that the defendants, Arthur F. Benedict, L. R. Gast, and J. M. Sanders and Company have been duly served with summons in this case, and that each is in default for answer and demurrer, and that the allegations of the petition are thereby by them to be true.

And that there is due the Plaintiffs from the defendant, Arthur F. Benedict, on the promissory notes set forth in the petition, with interest at 6 per cent from June 15th 1908, the sum of $3103, 75. The Court further find that in order to secure the payment of said notes the defendant, Arthur Benedict executed and delivered to said Thomas Price and Alice Price, the plaintiffs, his certain mortgage as in the petition described, and on the premises therein described; that said mortgage was duly recorded in Book 36 page 153 of the Records of Mortgages of Union County, Ohio, and is a good and valid lien on the premises described in the petition, and that the conditions in said mortgage have been broken. It is therefore considered by the Court that the plaintiffs recover from the defendant, Arthur F. Benedict, the said sum of $3103.75 and interest from June 15th 1908, and his costs herein expended. It is further adjudged and decreed that unless the defendant Arthur F. Benedict shall within 5 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 them as aforesaid, with interest from the 14th day of June, 1908, the defendants equity of redemption be foreclosed, and said premises be sold, and that an order of sale issue therefor to W. S. Burgoon who is hereby appointed a special commissioner for that purpose, directing him to give a bond of $500.00, and to appraise, advertise, and sell said premises as upon execution, after 5 days after this entry is placed on record, and report his proceedings to this Court for further order, and it being for the best interests of all parties, it is ordered that the sale be upon the premises, instead of at the Court house.

John M. Brodrick,
Judge of Aforesaid Court.

Attest Charles Parrott, Clerk of Courts.

Entry 8772

Court adjourned to August 1st A.D. 1908.

Saturday, August 1st, 1908, Court convened at 9 O'Clock A. M. Present Honorable John M. Brodrick, Judge.

Wierlinda M. Manley,
vs
Alfred O. Manley,
} Court of Common Pleas, Union County, Ohio.

Entry 8772.

Now came the plaintiff herein, and the defendant having withdrawn his answer from the files, and being in default for answer and demurrer, the Court find that the allegations of the petition are confessed to be true, The Court also 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 extreme cruelty, and that by reason thereof the plaintiff is entitled to a divorce, as prayed for.
It is therefore ordered and adjudged, by the court that the marriage contract heretofore existing between the said Wierlinda M. Manley and Alfred O. Manley be, and the same hereby is dissolved, and both parties are released from the obligations of the same.
It is further ordered by the Court, that the agreement, which the court finds has been made by opposing counsel in this case, as to all questions of alimony, be, and is hereby approved.
It is further considered by the Court that the said plaintiff recover from said defendant her costs herein expended, taxed at $10.00.

Court adjourned to Tuesday, August 4th, A.D. 1908.

Tuesday, August 4th, 1908, Court convened at 9 O'Clock, A. M. Present Honorable John M. Brodrick, Judge.

State of Ohio, Union County, SS.

Entry, 8698,

The Columbus Hardware Co.,
Vs.
W. F. Ross and J. E. Schrader, doing business under the firm name and style of Ross and Schrader.
} In the Court of Common Pleas, Union County, Ohio.

Entry 8780

This day this cause came on to be heard upon the petition and amended petition of the Plaintiff, and thereupon it appearing to the Court that said defendants having been duly served with summons herein are in default for answer or demurrer to said petition or amended petition of said Plaintiff, it is considered by the Court that the allegations of said amended petition are confessed by said defendants to be true, and that said defendants are indebted to plaintiff as in said amended petition alleged, and that there is now due said plaintiff from said defendants the sum of $102.50, with interest from the 8th day of August, 1907.
It is therefore considered by the Court that the said Plaintiff recover from the defendants the sum of $102.50, with interest from the 8th day of August, 1908, and costs herein.

The State of Ohio, Union County, SS.

Bent Cahill, et al,
Vs
The F. H. Mead, Mfg. Co.
} Court of Common Pleas, Union County, Ohio.

This day came the receiver herein and represented to the Court that acting under a former order of this Court he has collected book accounts and has sold and disposed of goods and merchandise to the amount of more than two Thousand ($2000.00) Dollars and that he now has on hand more than that sum of money and asks authority of the Court to pay the sum of Two Thousand ($2000.00) Dollars to the plaintiffs herein on their judgment heretofore by this court adjudged. Wherefore it is ordered by this Court the said receiver he and is hereby ordered and directed to make such payment of $2000.00, to said Plaintiffs.

John M. Brodrick.
Judge.

Court adjourned to Wednesday, August 5th, 1908.

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Wednesday, August 8th 1908, Court convened at 9 O'clock A. M. Present, Honorable John M. Brodrick, Judge.

The State of Ohio, Union County, SS.

James Houser
vs.
Beny. Reed Houser et al, } Court of Common Pleas, Union County, Ohio.

Entry

8780 This day this cause came on to be heard and by consent of all parties said cause is dismissed, costs paid and record waived.

Court adjourned to Saturday, August 8th 1908.

Saturday, August 8th 1908, Court convened at 9 O' Clock. A.M. Present Honorable John M. Brodrick, Judge.

The Columbus Hardware Co.
Vs.
W. S. Ross et al. NC.,
} Court of Common Pleas, Union County, Ohio.

Entry 8698

This cause being heard on the motion of the defendant to vacate the judgment rendered herein at this term of this court, to wit, on August 4th, 1908, the Court on consideration find that the defendant was prevented from making a defense by unavoidable casaulity and misfortune and that the said defendant has a valid defense.
It is therefore ordered by the Court that the said judgment be, and the same hereby is, vacated, and a new trial is granted, and leave is granted defendants to file answer and same filled.

Order to draw Jury.
Court of Common Pleas, Union County, Ohio.
September Term, A.D. 1908.
To the Clerk of said Court;
You are hereby directed, to proceed according to law at ten o'clock on Monday the day of August, 1908, to draw from the Jury Wheel of Union County, the names of Thirty persons to serve as grand and petit jurors for the September term, 1908, of the Court of Common Pleas of said County.
The first Fifteen persons whose names are so drawn from said Jury Wheel, you will cause to be summoned to appear and serve as Grand Jurors of said term; and the remaining persons, 15 in number, whose names are so drawn from said Jury Wheel, you will cause to be summoned to appear and serve as Petit Jurors for said term.
The grand jurors you will cause to be summoned to appear for such service at the Court House in Marysville in said County, at 10 O'clock A.M. on Monday the 14th day of September, 1908; and the petit jurors you will cause to be summoned to appear for such service at the same place at ten o'clock A.M. on Tuesday the 15th day of September 1908.
And for so doing, this shall be your sufficient warrant.
Witness my hand officially this 8th day of August, 1908

John M. Brodrick
Judge of the Court of Common Pleas
of the third Sub-division of the
Tenth Judicial District.

Entry 8672

Margaret Taborn Rogers.
vs
James Taborn, et als.

Court of Common Pleas,
Union County, Ohio.

Entry.

8672

This cause came on to be heard on the report of the Sheriff and the commissioners of their proceedings under the writ of Partition herein and upon due consideration the court finds that said proceedings have been in all respects correct and lawful, and the same are approved and confirmed.

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 assigned dower therein to the said James Taborn in the gross sum of $884.00, and have appraised the said estate subject to said dower at $916.00, and free of dower at $1000.00, and that said James Taborn has elected to take said estate subject to his dower at the appraised value thereof, to wit: at the sum of $916.00, said estate is hereby adjudged to him; the payment thereof to be cash in hand.

The court finds that the costs of this proceeding, including an attorney fee of $30.00, to J. L. Cameron, which is allowed for his services herein, is 49.78, and that said James Taborn, as the administrator of said Mary J. Taborn has filed in this court a certificate from the Probate Court of this County, showing that the estate of said Mary J. Taborn is still unsettled and that the personal estate is not sufficient to pay her debts and costs of administration and that it will require all the proceeds of her land to pay her debts and expenses aforesaid.

It is ordered by the court that the said James Taborn out of the proceeds of the premises pay to the clerk of this court the costs and attorney fees amounting to $49.78, and that he stand charged as such administrator, with the sum of $433.11, to be accounted for by him as such administrator through the said Probate Court.

And it is further ordered that the sheriff execute and deliver to said James Taborn a good and sufficient deed of said premises subject to his dower.

Court adjourned to Thursday September 3rd 1908.

Thursday, September 3rd 1908, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

On August 31st 1908, the following Entry was filed.

Entry 8798

In the Court of Common Pleas of Union County, Ohio.
The State of Ohio, on relation of and by Frank F. Ballinger, Prosecuting Attorney of Union County, Ohio, for and on behalf of Union County, and the Tax Payers thereof,
vs.
Dwight B. Edwards.

Now comes the plaintiff, and dismisses this action at his own cost, without prejudice to a future action.

Entry 8807

W. H. Crottinger and C. Crottinger.
vs.
J. H. Hush

Court of Common Pleas, Union County, Ohio.
September 3rd 1908

This day came the Plaintiff by McCrory and Cameron Attorneys, and filed their petition against said Defendant, and thereupon J. L. Cameron an Attorney-at-Law of this Court, by virtue of a warrant of Attorney for that purpose, duly executed by said defendant now produced in open Court, proven shown to the Court, and filed with the Clerk thereof, appeared in open Court in behalf of the said Defendant, waived the issuing and service of process, entered the appearance of said Defendant herein, and acknowledging that said Defendant did owe and was indebted unto the Plaintiffs as they have in their petition alleged by virtue of said Warrant of Attorney, confessed that there was due from said Defendant to said Plaintiffs, on said indebtedness, the sum of Two Hundred and Fifty and 08 ($250.08) Dollars, bearing interest at 8 per cent, per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum. It is therefore considered by the Court here that the said W. H. Crottinger and C. Crottinger Plaintiffs do recover of the said J. H. Hush defendant the sum of Two Hundred and Fifty and 8/100 ($250.08) Dollars so confessed, as aforesaid, with interest from September 3rd 1908, at 8 per cent. per annum, and also costs in their behalf expended, taxed to $___ and by virtue of said Warrant of Attorney all errors in this action, judgment and proceeding, and all proceedings, petitions and writs of error therein, are by said defendant waived and released.

William Culberston Jr as Receiver for William Culberston and Co. Vs Oscar Lucas | Court of Common Pleas, Champaign County, Ohio. September 3rd 1908

Entry 8808

This day came the plaintiff by Thomas B. Ware his Attorney, and filed his petition against said Defendant, and thereupon Lewis D. Johnson an Attorney-at-Law of this Court, by virtue of a Warrant of Attorney for that purpose, duly executed by said defendant, now produced in open Court, proven shown to the Court, and filed with the Clerk thereof, appeared in open Court in behalf of the said Defendant, waived the issuing and service of process, entered the appearance of said Defendant herein, and acknowledging that said Defendant did owe and was indebted unto the Plaintiff as he has in his petition alleged by virtue of said Warrant of Attorney, confessed that there was due from said Defendant to said Plaintiff, on said indebtedness, the sum of One Hundred eighty One Dollars, bearing interest at 8 per cent, per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum. It is therefore considered by the Court here that the said William Culberston Jr. Plaintiff does recover of the said Oscar Lucas Defendant the sum of One Hundred and Eighty One Dollars, so confessed, as aforesaid, with interest from September 3 at 8 per cent, per annum. and also costs in his behalf expended, taxed to $— and by virtue of said Warrant of Attorney all errors in this action, judgment and proceedings, and all proceedings, petitions and writs of error thereon, are by said Defendant waived and released.

Court adjourned to Friday September 4th 1908.

Friday, September 4th, A.D. 1908, Court convened at 9 O'Clock A.M. present Honorable John M. Brodrick, Judge.

The Perpetual Savings and Building Association of Urbana, Ohio. Vs. Perry H. Thomas et al	The Court of Common Pleas, Union County, Ohio.

Entry 8735

On motion of the defendant The J. T. Barber Company, and for good cause shown it is ordered that H. C. Bolenbaugh, sheriff of this County be appointed Receiver herein of the real estate ordered sold in this case and that he take custody and care of the same, collect all rents due and unpaid from the tenant or tenants occupying the same, and bring the same into court for further order.

Court adjourned to Saturday September 5th, 1908.

Saturday, September 5th 1908, Court convened at 9 O'clock A.M. Present Honorable John M. Brodrick Judge.

The Court of Common Pleas Union County, Ohio.

The Perpetual Savings and Building Association, Plaintiffs
Vs.
Perry H. Thomas et al. Defendants,

Entry
8735

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 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, Hallis H. Perfect by deed according to law, the property 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.
It is further ordered that the Clerk cause satisfaction of the mortgage herein sued on to be entered on the record thereof, in the office of the Recorder of Union County, Ohio. And the court coming now to distribute the proceeds of said sale amounting to $1795.00, it is ordered that the sheriff out of the money in his hands pay. (All Taxes due on the Treasurers Duplicate being already paid by Plaintiff).- First to the Clerk of this Court the costs in this case amounting to $68.08.
Second - To the Plaintiff. The Perpetual Savings and Building Association of Urbana, Ohio, the amount heretofore found due it with interest, to this date, the sum of $1390.84,
Third the balance then remaining to-wit: $136.08 to be paid to the said defendants and judgment lien holden The J. S. Barlow Co. in the following proportion, To the J. S. Barlow Company $116.64, And to the Wolfe Bros. Shoe Company $19.44, both as a credit on their respective claims.
And now this case coming on further to be heard on the report of the said Receiver, D. C. Bolenbaugh as receiver herein and the same being found correct and in accordance with the former order of this Court is hereby approved, and the said Sheriff as such receiver is ordered to pay over the balance of the funds in his hands to-wit $37.23, (after deducting

$7.50 as compensation for his services, and a fee of $7.50 to G. W. McCracken as counsel which are allowed to them respectively), to the said judgment lienholders as follows, to the said J. S. Barlow Company the sum of $32.00, and to the Wolfe Brothers shoe Company the sum of $5.25, as credits on their respecting claims, and the said Receiver is hereby discharged, there being no further duty to be performed by him. Entry 1343.

Clara Minthorn
vs.
Charles Minthorn } Court of Common Pleas, Union County, Ohio.
September 5 - 1908.

Entry 8588. This day this cause was dismissed at cost of Plaintiff for want of prosecution.

Hattie Cox
vs.
J. Fred Cox } Court of Common Pleas, Union County, Ohio.

Entry 8788. On motion of the plaintiff herein, by her attorney, and good cause being shown, it is hereby ordered that she be allowed the sum of fifteen dollars per month for the support and maintenance of herself and minor child during the continuance of this action. It is therefore ordered that the said J. Fred Cox pay to the said Hattie cox the sum of fifteen dollars upon the 10th day of every month during the continuance of this action, beginning with the 10th day of September, 1908. And in default of any such payment execution is allowed to issue therefor.

8750 Entry. Maggie Jamra, Plaintiff.
vs.
Burt Jamra, Defendant. } Court of Common Pleas, Union County, Ohio, September 5th, 1908.

This day this case is dismissed at costs of plaintiff.

Court adjourned to Tuesday September 8th 1908

Tuesday, September 8th 1908, Court convened at 9 O'Clock A.M. present Honorable John M. Brodrick, Judge.

State of Ohio
Vs.
Howard Keckley } Court of Common Pleas Union County, Ohio.

Entry
1343.

Now comes 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 on said Indictment, for plea thereto saith, "he is guilty", and thereupon the defendant desizing to enter into the bond provided by law in such case the court fixed said bond at Five Hundred Dollars, and named $1.50 per week as the sum to be paid for the support of the defendants child Herrod. And Aaron Boylan as the trustee to whom said $1.50 shall be paid under the law and the defendant having duly given the bond required and provided by this court, the court suspended the sentence

Court adjourned to Wednesday, September 9th 1908.

Wednesday, September 9th, 1908, Court convened at 9 O'Clock, A. M., Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio.
County Local Option - Order for Election.

County Local Option Order for Election

Entry 8807

Whereas on the 9th day of September A.D. 1908, a petition was filed with the undersigned Common Pleas Judge of said Union County, for the privilege to determine by ballot whether the sale of intoxicating liquors as a beverage shall be prohibited within the limits of said Union County, Ohio;

And upon due examination the said Judge finds that said petition is signed by as many qualified electors of said county as equals in number thirty-five per cent of the number of votes cast in said county at the last preceding general election;

It is ordered that a special election be held pursuant to said petition, on Monday, the 5th day of October, 1908, as required by law.

And the Clerk of this Court is directed to forthwith cause the sheriff and Board of Deputy State Supervisors of Elections of said County to receive a certified copy of this order.

Entry 8760

Court convened to Saturday, September 12th 1908.

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On Saturday 12th day of September, 1908, Court convened at 9 O'Clock A. M. Present Honorable John M. Brodrick Judge.

W. H. Gottinger et al,
vs.
J. H. Hush
} Court of Common Pleas, Union County, Ohio.

Entry 8807

Now comes the defendant, and thereupon, due notice having been given to plaintiff, this cause being heard upon the motion to open the judgment heretofore rendered in this action, the court find that the said judgment was rendered upon a cognovit note and no service of a summons was made upon said defendant and said defendant had no notice or knowledge of said proceedings until after said judgment was rendered and that said defendant has a valid defense, the court therefore order that the said judgment be, and the same hereby is, set aside, and the answer now offered to the Court is received and filed. All liens are preserved until the final hearing of said case.

Susan Johnson
vs.
Mary R. Ayers, et al
} Court of Common Pleas, Union County, Ohio.

Entry 8760

This cause came up on motion of defendant for leave to file answer. The Court on consideration allows until September 19th 1908, to the defendants to plead herein.

~~It is ordered that all matters causes and motions now pending in this Court, not otherwise disposed of, be, and the same are hereby continued from day to day, and from time to time by regular adjournments until this 12th day of September A.D. 1908. And is now adjourned without day.~~

It is ordered that all matters causes and motions now pending in this Court, not otherwise disposed of, be, and the same are hereby continued to the next term thereof.
The present term of this Court was begun on the 30th day of March, A.D. 1908, and Continued from day to day and from time to time, by regular adjournments until this 12th day of September A.D. 1908. And is now adjourned without day.

Attest, Charles Parrott, Clerk.

September Term, 1908.

The State of Ohio, Union County, SS.
This separate session of the Court of Common Pleas of the Tenth Judicial District, and the Third Sub-Division of the State of Ohio, within and for the County of Union, of the September Term, A.D. 1908, held at the Court House in the Village of Marysville, County and State aforesaid, was begun on Monday, September 14th A.D. 1908.

Present Honorable John M. Brodrick, Judge
W. C. Bolenbaugh, Sheriff.
Attest - Charles Parrott, Clerk.

Entry 8773

Grand Jury Facias,

The Venire Facias for a Grand Jury heretofore issued was duly returned by the Sheriff on September 14th, 1908, with his endorsements thereon as follows.

The State of Ohio, Union County, SS.
Sheriff's Office September 14th 1908.

On the 17th day of August, 1908, 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 hereon.

No.	Names	When Served	How Served	No. of Miles.
1.	B. A. Hayes,	August 19th 1908	By Mail	11.
2.	W. W. Clevenger,	" " "	" "	9.
3.	Sumner Cheney,	" 17" "	" "	22.
4.	William Hite,	" 20" "	" "	11.
5.	H. E. Moore,	" " "	" "	5.
6.	F. L. Baldwin,	" " "	" "	9.
7.	Bruff Dunham,	" 18" "	" "	—
8.	E. L. Kinney,	" " "	" "	6.
9.	N. M. Stewart,	" 20" "	" "	14.
10.	J. P. Norris,	" 19" "	" "	12.
11.	Penrose Evans,	" " "	" "	9.
12.	John Pritchard,	" " "	" "	16
13.	J. G. Pratt,	" " "	" "	12.
14.	L. F. Lockwood	" 18" "	" "	10.
15.	Charles Diehl,	" 19 "	" "	—
	J. W. Newhouse			3.

W. C. Bolenbaugh Sheriff.

And upon calling the same in open Court, all of the above named Jurors appeared in answer thereto, except Charles Diehl, and for good cause shown the Court excused Charles Diehl.

And the panel being incomplete the Sheriff summoned as talesman, J. W. Newhouse, to complete the same.

And the panel being full the Court appointed Sumner Cheney 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.

The State of Ohio ex rel. Grace Potts. vs. Orval Davis

The Court of Common Pleas, Union County Ohio.

Entry 8775.

September 14th 1908.

This day came the defendant, Orval Davis, and confessed in court that the charge of the plaintiff herein is true. He is therefore adjudged by the court to be the reputed father of the said child, and it is ordered that he stand charged with the maintenance thereof in the sum of Two Hundred Dollars; and that he pay said sum at once; and also that he pay the costs of this proceedings. 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 Court.

Court adjourned to Tuesday, September 15th 1908.

Tuesday, September 15th 1908, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

The Grand Jury continued their examination of witnesses.

Petit Jury Facias.

The Venire Facias for a Petit Jury heretofore issued was duly returned by the Sheriff on September 14th 1908, with his endorsements thereon as follows.

The State of Ohio, Union County, So.

Sheriff's Office, September 14th 1908.

On the 17th day of August, 1908, 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 hereon.

No.	Names	When served			How served		No. of Miles
1.	William Neal,	August	19th	1908	By Mail		
2.	J. H. McCampbell,	"	20	"	"	"	
3.	George B. Chapman,	"	22	"	"	"	
4.	James Cochran,	"	20	"	"	"	
5.	O. E. Lincoln,	"	"	"	"	"	
6.	Leroy Wolford,	"	29	"	"	"	
7.	L. C. Davis,	"	20	"	"	"	
8.	Chas. Bynner,	"	19	"	"	"	
9.	Jacob Blue,	"	20	"	"	"	
10.	Marshal Langstaff,	"	"	"	"	"	
11.	Ben. Rogers,	"	19	"	"	"	
12.	William Shipley,	"	"	"	"	"	
13.	Charles Houdna,	"	22	"	"	"	
14.	Frank Stevenson,	"	19	"	"	"	
15.	John Green.	"	"	"	"	"	

W. C. Bolenbaugh, Sheriff.

C. S. Hildreth
Vs.
A. D. Hildreth, et al.

Court of Common Pleas, Union County, Ohio.
September 13th, 1908.

Entry.
8785.

This day this cause came on to be heard on the Petition, and Answer of Eliza A. Hildreth, the widow, and the Court, upon due consideration finds that all of the defendants have had due and legal notice of the pendency and demands of the said petition herein, and that excepting Eliza A. Hildreth, the widow, they are all in default for answer and demurrer to the said petition and that the allegations in said petition contained are thereby confessed to be true;

The Court further finds that the personal estate is sufficient to pay the debts of said estate; that the said plaintiff, and the said defendants, A. D. Hildreth, Harriet Gardner, who intermarried with A. Gardner, Josephine Bell, who intermarried with S. L. Bell, Lucy Sheneman, who intermarried with E. N. Sheneman, Ella Maskill, who intermarried with R. S. Maskill, Angie Van Atta, who intermarried with A. Van Atta, Olie Soliday, who intermarried with W. M. Soliday, and Alice Scofield, who intermarried with Thomas Scofield, are all tenants in common in the estate described in the petition, to wit:

Union County, State of Ohio, Beginning at an elm being North-east corner of survey No. 3630, Entered in the name of Robert Means, and North west corner of Wm Lemple's Survey and South-east corner of Thomas Frazier's Survey No. 3692, thence west on the line of Frazier's Survey two hundred and ten (210) poles to a stake; thence South Eighty (80) poles to a stake; thence East (210) two hundred and ten poles to the East line of the above mentioned survey; thence North Eighty (80) poles to the place of beginning, it being Lot No. 1 in the above named Survey estimated to contain One Hundred (100) Acres, be the same more or less.

Also the following: County of Union, State of Ohio, Beginning at a Stone, Ash and Elm North-west corner to Survey No. 803; thence with the West line of said Survey South Nine and one-half (9 1/2) Degrees West Fifty Seven and Ten Hundreths (57.10) poles to a stake corner to Wm Hildreth; thence with his North line South Eighty One and one half (81 1/2) Degrees East, Forty-two and Ninety Two Hundreths (42.92) poles to a stake and two beeches (one birch bears South Sixty (60) Degrees West Twenty Two (22) links, the other birch bears South Forty Two (42) Degrees East Twenty Eight (28) links corner to Wm Hildreth in the line of Basheba Hildreth, thence with the West line of said Basheba Hildreth, North Nine and

one half (9 1/2) Degrees East, Fifty-Seven and ten hundreths (57,10) poles to a stake and white ash corner to said Basheba Hildreth in the North line of said Survey # 803. thence with said line North Eighty One and one half (81 1/2) Degrees West Forty-two and Seventy-two Hundreths (42,72) poles to the place of beginning containing Fifteen and one-fourth (15 1/4) Acres, more or less, part of Survey Number 803; Excepting therefrom the following; County of Union, State of Ohio, to-wit: Being a part of Survey No. 5630, in the name of Robert Means, beginning in the center of the Old State Road and in the original North line of said Survey, thence Easterly with the said original North line of said Survey to the North-east corner of said survey, thence Southerly with the East line of said survey Forty (40) Rods; thence Westerly parallel with the North line of said survey to the center of the aforesaid Old State Road, thence Northerly with said road and in the center thereof to the beginning containing Twenty (20) Acres more or less;

And excepting also One half (1/2) Acre for School Ground;

That the widow of David Hildreth, deceased, is entitled to dower in the premises above described and that the said plaintiff and the said defendants next above named, being sons and daughters of the said David Hildreth, deceased, each has a legal right to the undivided one-ninth (1/9) part of the property above described, subject to the dower of Eliza A. Hildreth, widow of the said David Hildreth, deceased;

That the debts of said estate are paid or secured to be paid and that the plaintiff is entitled to have partition made of the premises as prayed for in his petition.

It is, therefore, ordered, adjudged and decreed that partition of said premises, described in the petition, be made and that the dower of the said Eliza Hildreth, widow of David Hildreth, deceased, be assigned her by metes and bounds and that J. F. Guthrie, William Hall and Thomas Robinson, three judicious and disinterested freeholders of the vicinity, are hereby appointed commissioners to set off the same, and that partition of said estate be made, in favor of all parties interested, if the same can be done without manifest injury to the value of said premises; and if not, that said premises be appraised by said commissioners subject to the dower interest of Eliza A. Hildreth; and it is further ordered that a writ and order of partition issue to the Sheriff of Union County, commanding him to cause said partition to be made accordingly and of his proceedings to make due return.

Grand Jury Report

Court adjourned to Wednesday September 16th, 1908.

Wednesday, September 16th, 1908, Court convened at 9 O'clock A. M. present Honorable John M. Brodrick, Judge.

The Grand Jury continued their examinations of Witnesses, also made their final report.

Report of Grand Jury.

Court of Common Pleas, Union County, Ohio.
September Term, September 16th 1908.

In the matter of the Grand Jury.

This day appeared at the bar of this Court the Grand Jury, heretofore impaneled and sworn in, and for the body of this Union County, namely.

Grand Jury Report

1. B. A. Hayes,
2. W. H. Clenenger,
3. Summer Cheney,
4. William Hite,
5. H. C. Moore,
6. T. L. Baldwin,
7. Bruff Dunham,
8. C. L. Kinney,
9. N. M. Stewart
10. J. P. Norris,
11. Penrose Evans,
12. John Pritchard,
13. J. E. Pratt,
14. J. T. Lockwood,
15. J. W. Newhouse.

and presented their certain eight Bills of indictment, each endorsed by Summer Cheney, Foreman of the Grand Jury, "A True Bill," and against the following named persons, for the following specified offenses, Viz. —

1. Whit Mayo. — For Assault and Battery.
2. Whit Mayo — For Assault and Battery.
3. Whit Mayo — For Threatening in a menacing manner.
4. Whit Mayo — For Threatening in a menacing manner.
5. Anthony Pfarr — For neglecting to provide child home.
6. James Perry — For Horse Stealing.
7. Fred Russell and Henry Butler, For Grand Larceny and receiving Stolen property.
8. William W. Merchant — Embezzlement.

Also their report in writing to the Court in words and figures following to-wit:

To the Honorable John M. Brodrick,
Judge of the Court of Common Pleas, Union County, Ohio.

The Grand Jury of the Court of Common Pleas of said County, of the September Term, 1908, 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 carefully examined in all such matters as have ligitimately come to our notice, having examined over fifty witnesses, covering twelve cases, and presented eight bills, and ignored four cases considered by us. The business has been transacted in as expeditious a manner as possible.

During our session we visited the County Jail, examined

its state and condition, and inquired into the discipline and treatment of the prisoners, and their habits, diet and accommodations. We find, and respectively report to the Court, that the rules prescribed by the Judge have been faithfully kept and observed, and we do find that no provision of law for the regulation of County Jails has been violated.

Respectfully Submitted.

April 16th 1908. Sumner Cheney
Foreman

Entry
8812

Court adjourned to Thursday, September 17th 1908

Thursday, September 17th 1908, Court convened at 9,0' clock A.M. present Hon. John M. Brodrick, Judge.

Court adjourned to Friday, September 18th, 1908,

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Friday, September 18th 1908, Court convened at 9 O clock A. M. present Honorable John M. Brodrick, Judge.

M. E. Gutmann,
Vs.
Edward Dobie.

Court of Common Pleas, Union County, Ohio
Judgment Entry 8 217.25

Entry
8812

This day came the plaintiff, by her attorney; also appeared in open court; for and on behalf of said defendant, J. H. Willis an attorney at law of this court, and by virtue of the warrant of Attorney annexed to the note attached to the petition in said case, shown to have been duly executed by said defendant, entered the appearance of said defendant, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendant, and in favor of said plaintiff, for Two Hundred and Seventeen Dollars and Twenty Five cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors, and right of appeal in the premises.
It is therefore considered that said plaintiff recover of said defendant the sum of Two Hundred and Seventeen Dollars and Twenty Five Cents, being the amount of said note with interest computed at eight per cent. per annum, from the 27th day of January, 1895, and also her costs herein expended, taxed at $6.00

-9,0'

Court adjourned to Saturday, September 19th 1908

Saturday September 19th 1908, Court convened at 9.00 o'clock A. M. Present, Hon. John M. Brodrick, Judge.

Petit Jury Entry

8711 Entry.

Court adjourned to Monday September 21st, 1908.

9 O'

Monday, September 21st 1908, Court convened at 9 O'clock, A. M. present Honorable John M. Brodrick, Judge.

Petit Jury Entry.

This being the day when the petit jury was ordered to appear, thereupon came the following named jurors; William Neal, J. D. McCampbell, Leroy Wolford, L. C. Davis, Charles Bymer, Jacob Blue, Marshall Langstaff, Ben Rogers, William Shipley, Charles Doudna, Frank Stevenson, and John Green; thereupon the jury being duly empaneled, they were by order of the court discharged from further attendance until Monday, November 30th, 1908, at 9 O'clock, A. M.

8711 Entry.

Della M. Gruguagel, Plaintiff. vs. J. Lee Long, et al, Defendants.

Court of Common Pleas, Union County, Ohio. September 21st, 1908.

This day this cause was dismissed for want of security for costs, and all costs paid.

Court adjourned to Tuesday Sept. 22d 1908.

Tuesday, September 22, 1908, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Susan Johnson,
vs.
Mary R. Ayers, et al. } Court of common Pleas, Union County, Ohio.

Entry 8760

This cause came on this day for hearing upon the motion of the defendants to strike out of the plaintiff's petition that part which stated that the defendants had received the rents and profits of said farm since the death of S. D. Robinson and that part asking for an accounting from said date, whereupon the court being fully advised in the premises sustains said motion and that part of the petition is ordered stricken out.

Leave is granted to the plaintiff to amend her petition by erasure and interlineation and the same is accordingly done, and defendants are thereupon allowed till Thursday September 24th 1908, to file answer or plead further.

Entry 8783

Court adjourned to Wednesday September 23 1908.

Wednesday, September 23rd, 1908, Court convened at 9, O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned to Thursday September 24th 1908.

Thursday, September 24th, 1908, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge

Entry 8783. Augusta L. Dixon, Vs. James B. Dixon. } Court of Common Pleas, Union County, Ohio.

This day this cause came on for hearing on the motion of the plaintiff against the defendant for being in contempt of this court for failure to pay any of the money ordered by the Court to be paid to the plaintiff as temporary alimony, and the court being fully advised in the premises, continued said hearing until the 10th day of October, 1908, upon the condition that the defendant pay to the Clerk of this court a portion or all if possible of the $2.00 per week ordered by the court to be paid this plaintiff by the said defendant, on a former order made July 18th 1908.

Court adjourned to Friday, September 25th 1908.

Friday, September, 25th 1908, Court convened at 9 O'clock A. M. Present Honorable John Brodrick, Judge.

Lewis Streng,
Vs.
Adam Streng Exct.
} Court of Common Pleas, Union County, Ohio.

Entry 8795

The Court after hearing the argument upon the motion of Plaintiff, sustains the same motion and gave the defendant leave to file amended answer by 28th day of September.

Entry 8792

Entry 8670

Entry 8692

Court adjourned to Saturday, September 26th 1908.

Saturday September 26th, 1908, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Florence E. Hornbeck
Vs.
Frank Hornbeck } Court of Common Pleas, Union County, Ohio.

Entry 8792, This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process; That at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 29th day of November 1906, as alleged in said petition. And that one child Earnestine was born of said marriage, and has since been regularly adopted according to law, by one Robert Walters residing in Marion County, Ohio. And that the defendant has been guilty of the crime of rape, and was thereupon sentenced by said Court to confinement in the penitentiary of the State of Ohio for one year and one day, which sentence and judgment still remain in full force and unreversed, and said defendant is now confined in said penitentiary as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.
It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be and she is hereby restored to her maiden name of Florence Judd, and that the defendant pay the costs of this action taxed at $8.75 for which execution is awarded.

John C. Asman Jr.
Vs.
J. R. Turner, Adm. } Court of Common Pleas, Union County, Ohio.

Entry 8670 This case settled by the parties in full and costs paid.

John Asman and Son,
Vs.
J. R. Turner Adm. &c. } Court of common Pleas, Union County, Ohio.

Entry 8692, This case settled this day in full by the parties and costs paid.

The State of Ohio, Union County, ss.
In the Court of Common Pleas,

Bert Cahill et al.
vs.
The F. H. Mead Mfg. Co.

Entry 8742. Approving Account and discharging Receiver.

This cause coming on for hearing on the petition of the receiver with his account attached thereto, and on consideration thereof it is found by the court that the allegations of the petition are true and that the account is in all respects true and correct and in accordance with this order.

The Court further finds that all things to be done by petitioner as such receiver have been done nor does any duty remain to be performed by him.

It is further considered that a sum of $200.00 is a just and reasonable amount as compensation for said receiver.

Wherefore it is ordered and decreed that said receiver pay to plaintiffs herein the sum of $397.52; to the clerk of this court the costs herein taxed at $20.00, to himself as receivers compensation the sum of $200.00; and the balance remaining in his hands, to wit, the sum of $1797.45, to the defendant herein; that said account is allowed and approved.

It is further adjudged and decreed that said Al. C. Eggert be and is hereby discharged and relieved as such receiver, and that his bond is ordered cancelled.

John M. Brodrick
Judge.

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Court convened to Monday, September 28th 1908,

Monday, September 28th 1908, Court convened at 9 O'Clock, A. M. Present: Honorable John M. Brodrick, Judge.

Newell E. Liggett,
vs.
Entry. Josie D. Liggett. } Court of Common Pleas, Union County, Ohio.

8793. This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication according to law and that she has failed to appear, and is in default answer or demurrer to the petition, and that the allegations thereof are confessed by her to be true.

That at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 3rd day of October, 1897, as alleged in said petition, and that one child Eva Dell Liggett was born of said marriage.

And that the defendant has been guilty of gross neglect and extreme cruelty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff.

The Court find that the contract, or post nuptial agreement entered into by the parties hereto, dividing the property and giving the defendant the custody, care, maintenance, education of said child is a valid and subsisting contract; that its terms are satisfactory to both parties, and therefore confirms the same, and the defendant be forever barred of dower in any property that plaintiff may have or acquire.

It is decreed that the plaintiff pay the costs of this proceeding taxed at $11.53, and that this case be recorded.

Entry
8769

Court adjourned to Tuesday, September 29th 1908.

Tuesday September 29th 1908, Court convened at 9 O'Clock A. M. Present Honorable John M. Brodrick, Judge.

The Guarantee, Title and Trust Co. A. Corporation,
Plaintiff,
Vs.
R. S. Fry, W. R. Fry, W. A. Fry and Alice Fry,
} Court of Common Pleas, Union County, Ohio.

Entry 8769.

This cause came on to be heard on the petition of the plaintiff and the court finds that each and all of the defendants have been duly served with summons herein and are in default for answer and demurrer, and the facts and allegations of the plaintiff's petition are thereby by them, and each of them, confessed to be true; that since the filing of plaintiff's said petition, the defendants have paid on the note sued on in said petition the sum of Four Hundred and eighty-two and 27/100 ($482.27) Dollars and have paid on the costs in this case the sum of Seventeen and 73/100 ($17.73) Dollars. The Court further finds that the defendants R. S. Fry, W. R. Fry, W. A. Fry and Alice Fry, and each of them, are indebted to the plaintiff in the sum of $707.18.

It is therefore considered by the Court that the said plaintiff recover from the said defendants and each of them the sum of $707.18, and its costs herein expended, taxed at $—

Court adjourned to Wednesday September 30th 1908

Wednesday, September 30th 1908, Court convened at 9 O'clock A.M. Present Honorable John M. Brodrick, Judge.

C. S. Hildreth
Vs.
A. D. Hildreth, et al } Court of common Pleas, Union County, Ohio.

Entry 8785. This cause having come on for hearing upon the return of the Sheriff and the report of the Commissioners, heretofore appointed herein, and the motion of the plaintiff to confirm the same, and it appearing from said report that said estate could not be divided by metes and bounds without manifest injury to the value thereof, and that said Commissioners have assigned to Eliza A. Hildreth for her dower interest in said estate, that part of the premises bounded and described as follows, to wit: Beginning at the intersection of the public highway and the hedge fence, thence west along the line of said hedge fence and the extension thereof to the west line of said farm, thence South on the west line of said farm to the South West corner of the farm; thence East on the South line of said farm to the above mentioned public road; thence North on the west side of said road to the place of beginning, containing about Twenty five (25) Acres, more or less, and made and returned their appraisement of said estate subject to the dower of the said Eliza A. Hildreth at $5.000.00 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.

8777

It is, therefore, ordered that the said Eliza A. Hildreth, widow of David Hildreth, deceased, be endowed during her natural life, of the estate above described.

And thereupon none of the said parties electing to take the said estate at its appraised value, on motion of the plaintiff it is ordered that said estate, described in plaintiff's petition, be sold at public auction on the premises subject to the said dower of Eliza A. Hildreth, widow, and that an order issue therefor to the Sheriff of Union County, Ohio.

And on motion of the plaintiff and for good cause shown it is ordered that said sale be made on terms as follows: One-third (1/3) in one year and one third (1/3) in two years, deferred payments to bear interest and to be secured by mortgage.

And on motion of plaintiff for good cause shown, advertisement in German newspaper is hereby dispensed with.

And the said Sheriff is ordered to return his proceedings to this Court without unnecessary delay.

O.K. C. S. Hildreth, — Lippincott & Lippincott Sept. 30th 1908.

his attorneys, O. K. Eliza A. Hildreth, By Lippincott and Lippincott her attorneys.

8777	In the matter of the Petition of Henry Vock, to be admitted a citizen of the United States of America.	In the Court of Common Pleas, Union County, Ohio.

This cause coming on for hearing and being submitted to the Court, upon the evidence produced, the Court find that the naturalization department at Washington D. C., having been duly served and notice made according to law, and that this petitioner, Henry Vock, after making oath to the constitution of the United States and renouncing absolute allegiance to Edward VII., King of Great Britian and Ireland, find that he is not a disbeliever in or opposed organized government, or a member of or affiliated with any organization or body of persons teaching disbelief in organized government, and not a polygamist nor believer in the practice of polygamy, and able to speak the English language.
The Court further finds, that the petitioner has resided in the United States for five years, since the 15th day of February, 1896, and in the State of Ohio for one year prior to this time, since the 1st day of February, 1896, and that said plaintiff has complied with the requirements of the naturalization laws of the United States.
The Clerk of the Common Pleas Court is now ordered to issue the said Henry Vock, a certificate of naturalization. September 30th, 1908.

Court Adjourned to Thursday October 1st 1908.

Thursday, October 1st 1908, Court convened at 9 O'clock, A. M. present Honorable John M. Brodrick, Judge.

Perry B. Whitsit Co.,
vs.
William Weaver } Court of Common Pleas, Union County Ohio.

Case dismissed without prejudice, No record, Costs paid.

Court adjourned to Friday, October 2d 1908.

Friday, October 2d 1908, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 1354. State of Ohio.
vs.
Wit Mayo. } Court of Common Pleas, Union County, Ohio.

And now comes the prosecuting attorney on behalf of the State of Ohio and the defendant being brought into court ~~having~~ in the custody of the Sheriff and the court having sentenced the said defendant on on another indictment to the Columbus Workhouse, ordered this case to be continued.

State of Ohio
vs.
Whit Mayo } Court of Common Pleas, Union County, Ohio.

Entry 1355 Now comes the prosecuting attorney on behalf of the State, and the defendant having been brought into court in the custody of the Sheriff, and the Court having sentenced the said defendant to the Columbus Work House on another Indictment ordered this case continued.

State of Ohio
vs.
Whit Mayo } Court of Common Pleas, Union County, Ohio.

Entry 1356 And now comes 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 having been sentenced on another indictment, the court ordered the case to be continued.

Friday

Entry 1349

1350 Entry

Friday October 2, 1908, Court convened at 9 O'Clock, A. M. Present Honorable John M. Brodrick, Judge.

The State of Ohio,
Vs.
Whit Mayo,
} Court of Common Pleas, Union County, Ohio.

Entry 1349

Now comes the prosecuting attorney on behalf of the state and the defendant being brought into court in the custody of the sheriff and being arraigned upon said indictment, for plea thereto saith he is guilty, and thereupon the Court being fully advised in the premises, the said defendant was asked whether he had anything to say why judgment should not be pronounced against him, and had nothing to say.

It is therefore considered and adjudged by the court that Whit Mayo pay a fine of ten dollars and the costs of this prosecution, and to be imprisoned in the Columbus City Work House and kept at hard labor for the term of thirty days, and to further stand committed to the Columbus City Work House until his fine and costs are fully paid, or until he be discharged therefrom by allowing a credit of sixty cents per day on such fine and costs for each day of confinement in such workhouse or otherwise legally discharged.

1350 Entry

The State of Ohio, Plaintiff.
Vs.
James Perry, Defendant.
Indictment for Horse-stealing.

Court of Common Pleas.
Union County, Ohio.
October 2nd, 1908.

Now comes the Prosecuting Attorney on behalf of the State, and the defendant being brought into court in the custody of the sheriff and being arraigned upon said indictment, for plea thereto saith he is guilty, and thereupon the court being fully advised in the premises, the said defendant was asked whether he had anything to say why judgment should not be pronounced against him; and had nothing to say. It is therefore considered and adjudged by the court that James Perry, the defendant, be imprisoned in the penitentiary of this state, and kept at hard labor, no part of the sentence in solitary confinement, for the term of Two Years, and that he pay the costs of this prosecution, for which judgment is rendered against him, and execution is awarded therefor.

Court adjourned to Saturday, October 3rd, 1908.

Saturday, October 3rd, 1908. Court convened at 9 o'clock A. M. Present: Hon. John M. Brodrick, Judge.

8818. Entry.

The Citizens Bank Company, of Pennsylvania, Plaintiff,
vs.
George W. Stokes, Mary A. Stokes, C. C. Stokes and John R. Bowen, Defendants.

Court of Common Pleas, Union County, Ohio. October 3rd, 1908.

This day came the Plaintiff by Houghtain & Houston, Attorneys, and thereupon came Richard 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 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 $251.42. It is therefore considered that said Plaintiff do recover of said Defendants the said sum of $251.42, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of 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.

8803 In the matter of the
Entry. transfer of funds of the
Milford Center Village School District.

Court of Common Pleas,
Union County, Ohio,
October 3rd, 1908.

This cause coming on to be heard on the petition and the evidence the court finds that due notice by publication in the Marysville Tribune and the Union County Journal, two papers of opposite political parties and of general circulation in the said Milford Center Village School District, has been given.

The court finds that the petition states sufficient facts and that a necessity exists for the transfer of the funds asked for in the petition and that no injury will result by the granting the prayer of the petition.

The prayer of the petition is therefore granted and it is ordered by the court that the petitioners herein transfer Two Thousand Five Hundred Ninety-five and 75/100 Dollars ($2595.75) from the tuition fund to the contingent fund of the said Milford Center Village School District as prayed for in the petition herein.

Court adjourned to Monday October 5th, 1908.

Monday October 5th 1908, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

A. G. Ahlefeld and J. A. Andrews.
Vs.
Lena Rousch McCarthy and Andrew McCarthy.

Court of Common Pleas, Union County, Ohio.

Entry 8809

Now comes the plaintiffs herein, and the defendants being in default for answer and demurrer, the court find that the allegations of the petition are by them confessed to be true; that the defendants Lena Rousch McCarthy and Andrew McCarthy, wife and husband executed and delivered to the plaintiffs A. G. Ahlefeld and J. A. Andrews, the mortgage deed in the petition described and on the premises therein described; That said mortgage was duly recorded in book 75, Page 32, of the records of mortgages of Union County, and is the first and best lien on the premises described in the petition. The court further finds that the condition of defeasance in said mortgage has been broken, and that the said plaintiffs are thereby entitled to have the defendants equity of redemption foreclosed.

It is therefore considered and decreed that unless the said defendants shall, within one day from the entry of this decree, pay, or cause to be paid, to the clerk of this Court the costs in this case, and to the said plaintiff the sum of Twenty One Hundred and Fifty Seven Dollars, with interest from the 5th day of October, A.D. 1908, 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

Entry 8819

Court adjourned to Tuesday October 6th 1908.

Tuesday, October 6th, 1908, Court convened at 9 O'Clock A. M.
Present Honorable John M. Brodrick, Judge.

E. P. Doven and J. J. Doven,
Vs.
W. L. Willits and R. D. Pole,
} Court of Common Pleas, Union County, Ohio.

Entry 8819

This day came the plaintiffs by their attorney; also appeared in open court, for and on behalf of said defendants F. A. Thompson, an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said case, shown to have been duly executed by said defendants, entered the appearance of said defendants, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendants, and in favor of said plaintiffs for One Hundred and Seventy Two and 37/100 Dollars, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises. It is therefore considered that said plaintiffs recover recover of said defendants the sum of One Hundred and Seventy Two dollars and thirty seven cents, being the amount of said note with interest computed at six per cent. per annum, from the 21st day of September, 1908, and also their costs herein expended, taxed at $6.00.

Court adjourned to Wednesday, October 7th 1908.

Local Option Election

Wednesday, October 7th 1908, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

The State of Ohio, Union County, SS.

The Special Election held on the Fifth day of October, A. D. One Thousand Nine Hundred and Eight, within and for the County of Union, under the Local Option law resulted as follows:
Whole number of votes "For the sale of intoxicating liquors as a beverage," One Thousand Nine Hundred and Thirty Seven;
Whole number of votes "Against the sale of intoxicating liquors as a beverage," Three Thousand Seven Hundred and Thirty Six,

Charles Parrott.
Clerk of the Court of Common Pleas, Union County, Ohio.

Alice Schofield
Vs.
Entry Thomas Schofield et al, } In Common Pleas Court of Union County, Ohio.

Leave is this day given to withdraw Cross-Petition and
8717. answer of Thomas Schofield, Answer and Cross Petition of Robert Taylor and Mary E. Taylor, and reply of the plaintiff Alice Schofield thereto, and the same is done.

Alice Schofield
Vs.
Entry Thomas Schofield et al } October 7th 1908. Court of Common Pleas, Union County, Ohio.

8717. This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by summons and process, that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 25th day of July 1904, as alleged in said petition. And that there was no children born of said marriage, and that the defendant has been guilty of Extreme Cruelty and habitual drunkenness for three years last past as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said

petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff is hereby restored to her former name of Alice McAdow.

The Court further find that the petition as to Robert Taylor and Mary E. Taylor is not true as alleged and therefore the same is dismissed. As to said defendants, and the question as to the title to the land described in said petition is dismissed, and the title is found by the Court to be of law and right in the name of said Robert Taylor and Mary E. Taylor.

Alimony settled between parties, and paid, And the defendant Thomas Schofield is ordered to pay the costs in excess of the deposit of $10.00 of this proceeding taxed at $24.81, Total cost $34.81, And that this case be recorded.

John M. Brodrick,
Judge.

Court adjourned to Saturday, October 10th 1908.

Saturday, October 10th 1908, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

M. C. Gutman,
Vs.
Edward Dobie,
} Common Pleas Court of Union County, Ohio.

Entry

8812

This cause being heard on the motion of the defendant to vacate the judgment rendered herein on the 18th day of September, 1908, the court finds that no service was made upon the defendant, and that he had no actual notice thereof, and that he has a valid defense thereto.

The Court therefore orders that said judgment be, and the same hereby is, vacated, the answer now offered to the Court by the defendant is received and filed. The lien obtained by virtue of said judgment shall stand as provided by the statute until the further order of this court, and the cause is continued for further hearing and trial, and the sheriff is ordered to return his execution as by order of Court.

John M. Brodrick, Judge.

Entry

1343

Court adjourned to Monday, October 12th 1908.

Monday, October 12th 1908 Court convened at 9 O'Clock A.M.
Present Honorable John M. Brodrick, Judge.

State of Ohio,
Vs
Fred Russell. } Court of Common Pleas, Union County Ohio.

Entry 1343.

And now comes the prosecuting attorney on behalf of the state of Ohio, and presents to the court the recognizance of the defendant Fred Russell taken in open court of Common Pleas, of Union County, Ohio, on the 1st day of July, A.D. 1908, in the sum of Five Hundred Dollars with Fannie Thomas and Pearl McElroy as surities. Thereupon, the defendant being three times solemnly called to appear and answer said charges, as he agreed to do and Fannie Thomas and Pearl McElroy, the surities, each being three times called to produce the body of the said defendant as they agreed to do and failing so to do the court orders that the said recognizance be and the same is, forfeited absolutely.
And that a capias be issued for said defendant.

Court adjourned to Tuesday October 13th 1908

Tuesday, October 13th 1908, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8760.

Susan Johnson,
Vs.
Mary R. Ayers et als } Court of

Leave granted to plaintiff to withdraw demurrer from files, and to file motion and same filed.

Entry 8799

Court adjourned to Wednesday October 14th 1908.

M.

Wednesday October 14th 1908, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge,

Florence B. Huffer
Vs.
Dwight W. Huffer } Court of Common Pleas, Union County. Ohio.

Entry

from

8799 This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with a summons and a copy of the petition, that at the time of the filing of the petition herein, the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 30th day of May, 1905, as alleged in said petition, That one child, a girl, named Ernestine, aged 2 years, was born of said marriage, And that the defendant has been guilty of gross neglect of duty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff is awarded the care, custody education and control of said child.

And it is further ordered, adjudged and decreed that the defendant pay to the plaintiff as for her reasonable alimony the sum of One and 50/100 Dollars on the first day of each week, for the support of said child, until the further order of the Court.

It is further ordered that the defendant be allowed to visit said child and take her to his parents' home at all reasonable times.

It is further ordered that said plaintiff permit said child to visit at the home of A. J. Huffer at reasonable intervals.

It is further ordered and adjudged that the defendant pay the costs of this proceeding taxed at $12,45, and that this case be recorded.

John M. Brodrick, Judge.

Annie A. Ledley
Vs.
Edward E. Ledley

Court of Common Pleas, Union County, Ohio.

October 14th 1908.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process and copy of petition, that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 14th day of February, 1895, as alleged in said petition. That two children Jessie Marie and Lloyd H. Ledley were born of this marriage union, aged 12 years and 9 years respectively, and that the defendant has been guilty of extreme cruelty toward this plaintiff as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and it is further ordered and decreed that the plaintiff shall have the care maintenance, custody and education of the said minor children.

It is ordered and decreed that the plaintiff, as and for her reasonable alimony for the support of said minor children shall have all the real estate described in the petition, and that the defendant shall be divested of all interest dower or otherwise therein and that the plaintiff shall assume and pay the mortgage indebtedness thereon. And it is further ordered and decreed that the plaintiff shall be given all the household goods except some pictures of the plaintiff and his family.

It is ordered and decreed that the defendant shall be given absolutely all the blacksmithing tools and the bay mare and the buggy and the harness.

It is further ordered that the plaintiff shall pay a promissory note given to the Richwood Deposit Bank, and that the defendant shall be relieved from the payment thereof as surety. And that the defendant shall pay the costs of this proceeding taxed at $, and that this case be recorded.

John M. Brodrick, Judge.

Entry
8701

Sheriff's Certificate for Pay.

Sheriff's Office, Union County, Ohio.

Marysville, Ohio, October 13th 1908

To Honorable John M. Brodrick, Judge.

The Court charges for the March Term, A.D. 1908, Union County Common Pleas, ar due for services rendered and are as follows.

Union County, Ohio

To Sheriff Weltor.

To Serving Grand Jury Venire —	$4.50
To Serving Petit Jury Venire —	4.50
To Serving Grand Jury Witnesses (17)	1.70
To Making 17 Copies, Grand Jury Witnesses	1.70
To 80 miles Travel, Grand Jury Witnesses	6.40
Total	$18.80

I hereby certify the above bill to be correct.

R. C. Bolenbaugh,
Sheriff of Union County, Ohio.

To The Clerk of the Courts, Union County, Ohio.

You will make entry of the above bill and certify the same to the County Auditor.

John M. Brodrick
Judge of the Common Pleas Court.

G. R. Houser et al.
Vs
The Village of Milford Center } Court of Common Pleas, Union Co. Ohio.

Entry
8701

This cause being this day called for trial, and the plaintiff failing to appear in person or by attorney, the action is hereby dismissed at plaintiff's cost without prejudice to a future action.

State of Ohio, Union County, S.S.
Circuit Court, Union County, Ohio.

Mandate

C.C. 208
C.P. 8669

At a term of the Circuit Court, within and for the County of Union, in the State of Ohio, began and held before Hon. Caleb F. Norris and Hon. Silas E. Hurin, Presiding Judges, at Marysville, on the 29th day of September A.D. 1908, among other proceedings then and there had by and before said Court, as appears by its Journal, were the following viz:
Anna E. Smith et als, Plaintiffs in Error,
Vs.
Oscar Bodley et als, Defendants in Error.

Entry 8771

This day this cause came on to be heard upon the petition in error, the transcript, and the original papers and pleadings from the Court of Common Pleas of Union County, Ohio, and was argued by counsel and submitted to the Court. Whereupon the Court, on consideration thereof, find that there is no error apparent on the record in said proceedings and judgment.

It is therefore, considered and adjudged by the Court that the orders and judgments aforesaid, by the Court below made and entered be, and the same are hereby affirmed; and that the defendants in error recover from the plaintiffs in error their costs herein expended taxed at $, and execution is awarded therefor.

It is further considered and ordered by the Court that a special mandate be sent to the Court of Common Pleas, of Union County, Ohio, for execution upon this judgment.

To all of which findings, orders, and judgments of this Court in the premises, the said plaintiffs in error, by their Counsel except.

Ordered that a special mandate be sent to the Court of Common Pleas of said County to carry this judgment into execution.

Ordered that a copy of this entry be certified to the Clerk of the Court of Common Pleas of said County for entry, etc.

I Charles Parrott Clerk of the Circuit Court of Ohio, within and for Union County 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 14th day of October, A.D. 1908.

Charles Parrott
Clerk of Circuit Court.

State of Ohio. County of Union } Circuit Court of Ohio
Within and for Union County,

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 Circuit Court in the cause of

Anna E. Smith et als.
Vs.
Oscar Bodley et als
into execution.

Witness Charles Parrott clerk of our said Circuit Court, at Marysville, Ohio, this 14th day of October A.D. 1908.
Charles Parrott.

The Union Banking Co.
Vs.
William D. McIntire and
Addie J. McIntire.
} Court of Common Pleas, Union County, Ohio.

Entry 8771

This day this cause came on to be heard by the Court upon the petition of the Plaintiff, the said defendants, William D. McIntire and Addie J. McIntire, his wife, being in default for answer or demurrer to the petition and the Court having considered the proofs and evidence adduced and being fully advised in the premises doth find: 1st All and singular the statements contained in said petition to be true.

2. That there is now due to the plaintiff, The Union Banking Company, from the said defendants, William D. McIntire and Addie J. McIntire upon the said promissory note in the said first cause of action set forth in plaintiffs petition, the sum of $84.09, which is entitled to draw interest at the rate of 8 per cent from the 1st day of the present term of this court, to-wit: from September 14th 1908.

3. That there will be due to the Plaintiff, The Union Banking Company from the defendants, William D. McIntire and Addie J. McIntire and which is secured by said mortgage herein upon said undue promissory notes the following sums of money, at the times following to-wit:- upon the second note, the sum of $75.00 principal and $4.50, first years interest, which is entitled to draw interest, the principal $75. at the rate of six % from Dec. 26" 1907, to Dec. 26", 1908, and the over due and unpaid interest thereon $4.50 with interest thereon at the rate of 8 % to the first day of the present term of this Court, the sum of $4.76 which is entitled to draw interest at the rate of 8 % from the first day of the present term of this court, to-wit: September 14", 1908.; upon the third note the sum of $75. principal and $4.50, 1st yrs. interest which is entitled to draw interest, the principal $75. at the rate of 6 % from December 26" 1907, to date of maturity, Dec. 26" 1909, and the over due and unpaid interest thereon $4.50, with interest thereon at the rate of 8 % to the first day of the present term of this court the sum of $4.76, which is entitled to draw interest at the rate of 8 % from the first day of this present term of court, to wit: Sept. 14" 1908. and upon the 4th note the sum of $300.00 principal and $30. first years interest which is entitled to draw interest, — Continued on Page 323.

Court adjourned to Saturday, October 17th 1908.

Saturday, October 17th 1908, Court convened at 9 O'Clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8786

Carolyn January
Vs.
Edwin H. January
} Court of Common Pleas, Union County, Ohio.

This day this case was settled and costs paid.

Thursda

Entry

Entry

8771

2

In Vacation

Thursday, October 22 1908, Court convened, Present Hon. John M. Brodrick, Judge.

R. R. Gill.
Vs.
The Erie R. Ry. Co. } Court of common Pleas, Union County, Ohio.

Entry

This day this case was settled and costs paid.

Continued from page 321.

Entry

the principal $500.00, at the rate of 6% from Dec. 26th, 1907 to date of maturity December 26th 1911, and the over due and unpaid interest thereon $30. with interest thereon at the rate of 8% to the first day of the present

8771

term of this Court, the sum of 31.74, which is entitled to draw interest at the rate of 8% from the first day of the present term of this court to-wit:- September 14th 1908.

4. And that except what may hereafter be found due to the State etc. for taxes on said mortgaged property, if anything the said mortgage lien of the plaintiff herein is declared to be the first, best and valid lien upon said premises.

Wherefore it is adjudged by the Court, that the plaintiff, The Union Banking Company recover against the said defendants William D. McIntire and Addie J. McIntire the said sums of money as follows; $84.09 at 8% from Sept. 14th 1908. $75.00 at 6% from Dec. 26th 1907. $4.76 at 8% from Sept. 14th 1908. $75 at 6% from Dec. 26th 1907. $4.76 at 8% from Sept. 14, 1908. $500.00 at 6% from Dec. 26th 1907 $31.74 at 8% from Sept. 14. 1908. together with its costs in this behalf expended, taxed at $ for which execution is awarded.

And it is further ordered by the Court that, unless the said defendants, William D. McIntire and Addie J. McIntire pay or cause to paid the said above adjudged sums of money to the plaintiff, The Union Banking Company, within five days of the entry hereof, an order of sale issue to the Sheriff, for the time being, of said County, commanding him as such said Sheriff to cause said premises to be appraised, advertized and sold as upon execution and that he bring the proceeds of such sale into court to be distributed according to its further order.

Court adjourned to Saturday, October 24th 1908.

Saturday, October 24th 1908 Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Mandate from the Circuit Court.

State of Ohio, } Circuit Court,
Union County ss. } Union County, Ohio.

At a term of the Circuit Court, within and for the County of Union, in the State of Ohio, begun and held before
Hon. Caleb F. Norris } Presiding Judges.
Mandate Hon. Silas E. Hurin }
at Marysville, on the 29th day of September A.D. 1908, among
C.C. 209. other proceedings then and there had by and before said Court, as appears by its Journal, were the following, viz:
C.P. 8762. No. 209 { M. F. Leonard,
vs
The Village of Richwood, et als. Entry 8714

This cause came on for hearing upon the petition in error, the transcript, the original papers and pleadings from the Court of Common Pleas, Union County, Ohio. And was argued by Counsel; on consideration whereof the Court find that there is no error apparent on the record in said proceedings and judgment.

It is therefore considered by the Court that the judgment aforesaid be, and the same hereby is affirmed; and that the defendant in error recover from the plaintiff in error his costs herein expended taxed at $ —.

It is further ordered that a special mandate be sent to the Common Pleas Court of Union County, Ohio, for execution upon this judgment. Entry 8773.

To all of which findings and judgment plaintiff in error except at the time.

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 Court of Common Pleas of said County for entry etc. Entry

I Charles Parrott, Clerk of the Circuit Court of Ohio, within and for Union County, do hereby certify that the foregoing entry is truly taken and correctly copied from the Journal of said Court. 8773.

Witness my hand and the Seal of said Court this 24th day of
Seal October A.D. 1908. Charles Parrott, Clerk of Circuit Court.

State of Ohio } Circuit Court of Ohio.
County of Union. } Within and for Union County.

To the Honorable Court of Common Pleas, within and for the Received

County of Union, Greeting:
We do hereby command you that you proceed without delay to carry the within and foregoing judgment of our Circuit Court in the cause of
M. T. Leonard,
Vs.
The Village of Richwood et als,
into execution.
Witness Charles Parrott, Clerk of our said Circuit Court, at Marysville, Ohio, this 24th day of October, A.D. 1908.
Charles Parrott,
Clerk.

Weisel Wemmer Co.
Vs
A. C. Temple } Court of Common Pleas, Union County, Ohio.

Entry 8714 The plaintiff by his attorney now comes, the defendant having been duly served with process and having filed an answer herein and by consent of the court having withdrawn same from the files; whereupon, with the assent of plaintiff, takes the account, and finds that said defendant does owe the plaintiff as damages, the sum of one Hundred Sixty & 13/100 Dollars ($160.13).
It is therefore considered that said Plaintiff recover of said defendant his said damages, and also his costs of this suit to be taxed

Thomas Price et al.
Vs.
Arthur T. Benedict et al } Court of Common Pleas, Union County Ohio.

Entry 8773. This day this cause was settled and costs paid.

Thomas G Price, et al
Vs
A. T. Benedict et al } In Court of Common Pleas of Union County, Ohio.

Entry 8773. This day came W. S. Burgoon, as Receiver and Special Master Commissioner, duly appointed in the aforesaid case, and having made his report of his proceedings and acts as such receiver and Special Master Commissioner, and he having received his costs and compensation in full, the court finds that his reports are true and correct, and the Court discharges him from any further responsibility thereunder, and this day releases his bondsmen, as such Receiver and Special Master Commissioner.
John M. Brodrick
Judge of the aforesaid Court.

Received the balance due me as shown by my reports as Receiver and Special Master Commissioner in the aforesaid Cause of action.
W. S. Burgoon.

Court of Common Pleas, Union County, Ohio.

Susan Johnson,
vs.
Mary K. Ayers et al.

Entry
8760

This cause coming on to be heard by the Court upon the motion of the Plaintiff to strike out of the answer of the defendants certain matter as set forth in said motion, upon hearing and argument of the counsel, the Court upon consideration sustains the same as to the third, fifth and sixth grounds thereof, but over-rules the said motion as to all the other grounds and in all other respects, to which over-ruling the Plaintiff by her attorney, then and there excepted; the Defendants, by their Attorney also then and there excepted to the ruling of the Court in sustaining the third, fifth and sixth grounds of said motion.

J. M. Brodrick, Judge.

Court Adjourned to Tuesday November 3, 1908.

Tuesday November 3rd 1908, Court convened at 9 O'Clock A. M.
Present, Honorable John M. Brodrick, Judge.

Court adjourned to Wednesday, November 4th 1908.

Wednesday November 4th 1908 Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

C. S. Hildreth
vs.
A. D. Hildreth et al } Court of Common Pleas, Union County, Ohio.

Entry 8785

Confirmation of Sale.

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 A. D. Hildreth, the purchaser, subject to the dower estate of the said Eliza A. Hildreth.

It is further ordered that the Sheriff, out of the proceeds of said sale, pay to the Treasurer of Union County, Ohio, Fifty Seven 14/100 ($57.14) Dollars being the Taxes due on said premises; To the Clerk of this Court the costs of this action including a counsel fee of One Hundred Forty One 50/100, ($141.50) Dollars to Lippincott and Lippincott for services herein, making a total of $221.15.

To the Plaintiff A. D. Hildreth, the one-ninth (1/9) part of the balance of the cash payment, to-wit, the sum of One Hundred Forty Seven 78/100 ($147.78) Dollars, and to C. S. Hildreth, Harriet Gardner, Josephine Bell, Lucy Shenemen, Ella Maskill, Angeline Van Atta, Alice Scofield and Ollie Soliday an equal one ninth (1/9) part being to each, the sum of One Hundred Forty Seven 48/100 ($147.48) Dollars; and that the said purchaser, A. D. Hildreth give to each of the heirs next above named, as distributees, two notes, due in one year from date and two years from date respectively to be secured by mortgage on the premises, and bear interest at the rate of six (6%) per cent payable annually, each note calling for the payment of One Hundred Seventy Eight 70/100 ($178.70) Dollars.

Court adjourned to Saturday November 7th 1908.

Saturday, November 7th 1908, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Ed. Freshwater, Plaintiff.
Vs.
J. G. Stoll, Defendant

Court of Common Pleas, Union County, Ohio.
By confession for $183.12

Entry

8833.

This day came the Plaintiff by A. H. Kollefrath attorney and filed his petition against said defendant J. G. Stoll and thereupon J. M. Kennedy one of the attorneys of record of this Court also appeared in open Court for and on behalf of said defendant J. G. Stoll and who by virtue of a warrant of attorney for that purpose duly executed by said defendant, 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, confessed that there is due from said defendant to said plaintiff as is alleged in said plaintiffs petition the sum of One Hundred Eighty Three 12/100 ($183,12) Dollars, bearing interest at 6 per cent per annum, and that said plaintiff ought to recover of said defendant a judgment for that sum.

It is therefore considered by the Court that said Edw. Freshwater Plaintiff do recover from said J. G. Stoll defendant the sum of $183.12 so as aforesaid confessed to be due, together with costs of suit herein to be taxed and with interest from the 6th day of November, 1908, at 6 per cent per annum, and by virtue of said warrant of Attorney all errors in this action, judgment and proceeding are released and all right of appeal, and all right to file a petition in error are waived.

Times for holding Common Pleas Courts A. D. 1909.

State of Ohio.

Tenth Judicial District.

It is ordered that the terms of the Common Pleas Courts of the several Counties in said Judicial district, for the year 1909, be fixed as follows.

Hancock County on the 4th day of Jan. and the 3d day of May, and the 13th day of Sept.
Hardin County on the 4th day of Jan. and the 5th day of April and the 13th day of Sept.
Seneca County on the 4th day of Jan. and the 5th day of April, and the 18th day of Oct.
Wood County on the 1st day of Feb. and the 5th day of April, and the 13th day of Sept.
Marion County on the 4th day of Jan. and the 3d day of May, and the 6th day of Sept.
Crawford County on the 4th day of Jan. and the 3d day of May, and the 6th day of Sept.
Wyandot County on the 1st day of Feb. and the 5th day of April, and the 11th day of Oct.
Logan County on the 8th day of Feb. and the 3d day of May, and the 18th day of Oct.
Union County on the 4th day of Jan. and the 29th day of March, and the 13th day of Sept.

It is further ordered that the Courts of the 1st Sub Division be held by Judges Wm. F. Duncan, E. M. Fries and George E. Schroth.
That the Courts of the 2d Sub Division be held by Judges Boston G. Young and Daniel Babst.
That the Courts of the 3d Sub Division be held by Judge John M. Brodrick.

It is further ordered that the Honorable Wm. F. Duncan be designated as Supervising Judge, and that said terms of court begin at 9 O'Clock, A. M.

Boston G. Young,
Daniel Babst,
Wm. F. Duncan,
Edward M. Fries,
Geo. E. Schroth,
John M. Brodrick,
Judges of the Tenth Judicial District.

Dated at Kenton, Ohio, this 20th day of October, A. D. 1908.

Mandat

210

8694

On November 7th 1908, the following mandate from the Circuit Court of Union County was filed.

State of Ohio, Union County, S.S.

At a term of the Circuit Court, within and for the County of Union, in the State of Ohio, began and held before Honorable Caleb T. Norris and Honorable Silas E. Hurin Presiding Judges, at Marysville on the 29th day of September, A.D. 1908, among other proceedings then and there had by and before said Court, as appears by its Journal, were the following, viz.

Mandate

210 Milo L. Myers, Trustee &c.
vs. } Entry
8694 The John Church Co.

This cause came on for hearing upon the petition in error, the transcript, and the original papers and pleadings from the Court of Common Pleas of Union County, Ohio, and was argued by Counsel; on consideration whereof, the Court find there is no error apparent on the record in said proceedings and judgment.

It is therefore considered by the Court that the judgment aforesaid be, and the same hereby is, affirmed; and that the defendant in error recover from the plaintiff in error its costs herein expended.

It is further ordered that a special mandate be sent to the Common Pleas Court of Union County, Ohio, for execution upon this judgment.

To which finding and judgment of the Circuit Court aforesaid the plaintiff in error excepts.

Ordered that a special Mandate be sent to the Court of Common Pleas of said County to carry this judgment into execution.

Ordered that a copy of this entry be certified to the Clerk of the Court of Common Pleas of said County for entry etc.

I Charles Parrott, Clerk of the Circuit Court of Ohio, within and for Union County, do hereby certify that the foregoing entry is truly taken and correctly copied from the Journal of said Court.

(Seal.)

Witness my hand and the seal of said Court this 7th day of November A.D. 1908

Charles Parrott.
Clerk of Circuit Court.

State of Ohio, County of Union.

Circuit Court of Ohio, Within and for Union County.

We do hereby command you that you proceed without delay to carry the within and foregoing judgment of our Circuit Court of Milo L. Myers, Trustee, &c. vs. The John Church Co. into execution. Witness Charles Parrott, Clerk of our said Circuit Court, at Marysville, Ohio, this 7th day of November 1908.

Charles Parrott. Clerk.

Entry
8814

Entry
8835

Court adjourned to Saturday November 14th 1908

Saturday November 14th 1908, Court convened at 9 O'clock a. M.
Present Honorable John M. Brodrick, Judge.

Elliott Young,
vs.
Zylpha Young } Court of Common Pleas, Union County, Ohio.

Entry 8814

This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and a copy of the petition herein and that she has failed to appear and is in default for answer or demurrer to the petition herein and that the allegations of said petition are confessed by her to be true, that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that parties were married on the 18th day of September, 1904, as alleged in said petition, and that no children have been born of said marriage, and that the defendant has been guilty of committing adultery with Fred Howland on the 23d day of August, 1908, and at divers other times between the 6th day of August 1908, and the 23d day of August, 1908, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said defendant be barred of all claims by way of dower or otherwise in the property of the plaintiff, and that said plaintiff pay the costs of this proceeding taxed at $12.00 and that this case be recorded.

John M. Brodrick
Judge.

Dudley E. Thornton
vs.
Eva D. Thornton } Court of Common Pleas, Union County, Ohio.
November 14th 1908.

Entry 8835

This day this case was dismissed by order of Plaintiff.

Court adjourned to Friday, November 20th, 1908.

Friday, November 20th, 1908, Court convened at 9 o'clock A. M. Present Hon. John M. Broderick, Judge.

8841 Entry.

The Richwood Banking Company, Plaintiff
vs.
Bert C. Reece and B. M. Reece, Defendants.

Court of Common Pleas, Union County, Ohio, November 20th, 1908.

Entry 1359

This day came the Plaintiff by Frank G. Ballinger, Attorney; and filed its Petition against said Defendants, Bert C. Reece and B. M. Reece and thereupon James McCampbell, one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants, Bert C. Reece and B. M. Reece, and who, by virtue of a warrant of Attorney for that purpose duly executed by said Defendants, and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendants to said Plaintiff, as is alleged in said Plaintiff's petition, the sum of Eight hundred eighteen and 10/100 Dollars, $818.10, bearing interest at 8 per cent. per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said The Richwood Banking Co., Plaintiff, do recover from said Bert C. Reece and B. M. Reece, Defendants, the said sum of Eight hundred eighteen and 10/100 Dollars, $818.10, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed, and with interest to be computed from the 20th day of November, 1908, at the rate of 8 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal and all right to file a petition in error are waived.

Entry 1360.

Court adjourned to Saturday November 21st 1908.

Saturday November 21st A.D. 1908 Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick Judge.

State of Ohio.
Vs.
Homer Raynor } Court of Common Pleas, Union County, Ohio.

Charge — Abandoning minor child

Entry 1359

This day came the defendant in the custody of the sheriff, and this cause came on to be heard upon the application of the said Homer Raynor to be admitted to bail, and the Court having heard the evidence, and finding the offense charged to be a bailable one, grants said application.

It is therefore ordered that the said Homer Raynor enter into a recognizance in the sum of Three Hundred Dollars, with sufficient surety for his appearance at the Court of Common Pleas of Union County, Ohio, on the first day of the next term thereof, then and there to answer said charge, that upon giving such recognizance to be discharged, but in default thereof he is to be recommitted to the jail of said County.

Thereupon came said Homer Raynor and entered into recognizance as required, with Charles E. Raynor and Charles Ewing as sureties, hereby approved, And the said Homer Raynor is therefore discharged.

State of Ohio
Vs.
Adam Wilson } Court of Common Pleas Union County, Ohio.

Charge — Rape.

Entry 1360.

This day came the defendant in the custody of the Sheriff, and this cause came on to be heard upon the application of the said Adam Wilson to be admitted to bail, and the Court having heard the evidence, and finding the offense charged to be a bailable one, grant said application.

It is therefore ordered that the said Adam Wilson enter into a recognizance in the sum of Five Hundred Dollars, with sufficient sureties for his appearance at the Court of Common Pleas of Union County, Ohio, on the first day of the next term thereof, then and there to answer said charge, that upon giving such recognizance to be discharged, but in default thereof he is to be recommitted to the jail of this county.

Thereupon came said Adam Wilson and entered into recognizance as required with Owen Peters and W. L. Farrington as sureties hereby approved, and the said Adam Wilson is thereby discharged.

Entry

State of Ohio
vs.
Fred Russell

Court of Common Pleas, Union County, Ohio.

Indictment for Larceny.

Entry

13245 In this case it being the opinion of the Court that the public interest requires it, J. L. Cameron is hereby appointed to assist the prosecuting attorney in the trial of the accused.

Court adjourned to Saturday, November 28th, 1908.

Saturday, November 28th, 1908, Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

Certificate for Pay.

Sheriff's Office, Union County, Ohio.
Marysville, Ohio, November 28th, 1908.

To Hon. John M. Brodrick, Judge.

The Court charges for the Sept. Term, A. D. 1908, Union County Common Pleas, are due for services rendered and are as follows:-

Union County, Ohio,

To D. C. Bolenbaugh, Sheriff, Dr.

To serving Grand Jury Venire,	$ 4.50
To serving Petit Jury Venire,	$ 4.50
To serving Grand Jury Witnesses 42	$ 4.20
To making 44 copies, Grand Jury Witnesses	$ 4.40
To 178 miles travel, Grand Jury Witnesses	$14.96
To Sheriff of Licking Co. for Doc. Ind. & Post.	$ .25
To Sec. 1231	$ 300.00
Total	$ 332.81

I hereby certify the above bill to be correct.

D. C. Bolenbaugh,
Sheriff of Union County, Ohio.

To the Clerk of the Courts, Union County, Ohio.

You will make entry of the above bill and certify the same to the County Auditor.

John M. Brodrick,
Judge of the Common Pleas Court.

8570
Entry.

8809
Entry

Court adjourned to Monday, November 30th, 1908.

Monday, November 30th. 1908, Court convened at 9 o'clock A. M. Present Hon. Boston G. Young, Judge.

8570 Entry. Fannie E. Rockwell, et. al. Plaintiffs, vs. William L. Blaney, et. al. Defendants.

Court of Common Pleas, Union County, Ohio, November 30th. 1908.

This day came the parties herein by their attorneys; also came the following-named persons as jurors, to wit: Wm. Neal, Levy Wolford, Marshal Langstaff, Nu. Shipley, Charles Houdna, Frank Stevenson, John Green, Elliott Southard, Sterling Cheney, L. C. Davis, John Andrews and Jasper N. Gossell, who were duly impanelled and sworn according to law; and thereupon the case came on for hearing on the pleadings and evidence.

And the said jury having heard the testimony adduced in part, said cause was continued until tomorrow morning at 9 o'clock.

8809 Entry. A. G. Ahlefeld and J. F. Andrews, Plaintiffs, vs. Lena Rousch McCarty and Andrew McCarty, Defendants.

Court of Common Pleas, Union County, Ohio, November 30th. 1908.

On motion of the plaintiffs, and on their 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, Phillip Burns and Martin Burns, by deed in fee simple, the lands and tenements so sold; and a writ of possession is awarded to put said purchasers in possession of said premises.

And the Court coming now to distribute the proceeds of said sale, amounting to $1810.00, it is ordered that the sheriff, out of the money in his hands, pay,

First, The costs of this action, taxed at $76.52.

Secondly, To the treasurer of Union County, the taxes now a lien against said premises, taxed at $117.69.

Thirdly, To the plaintiffs, A. G. Ahlefeld and J. F. Andrews, the amount heretofore found due them, with interest, to wit, the sum of $2177.59.

Fourthly, To the defendants, Lena Rousch McCarty and Andrew McCarty, the balance of the money remaining in his hands to wit, the sum of $88.20 - For Ward $2.00 - $86.20.

Court adjourned to Tuesday, December 1st, 1908.

Tuesday, December 1st, 1908, Court convened at 9 o'clock A. M. Present Hon. Boston G. Young, Judge.

8570 Entry.

Fannie E. Rockwell, et al,
Plaintiffs,
vs.
William L. Blaney, et al,
Defendants.

Court of Common Pleas,
Union County, Ohio.
December 1st, 1908.

8703 Entry.

This day again came the said parties, by their attorneys, and also came the jury heretofore impanelled and sworn, and the trial proceeded. And the hour for adjournment having arrived, the court discharged said jury until tomorrow morning at 8 o'clock.

Court adjourned to Wednesday, December 2nd, 1908.

Wednesday, December 2nd, 1908, Court convened at 8 o'clock, A. M.
Present, Hon. Boston G. Young, Judge.

8703 Entry.

The State of Ohio, ex rel,
Plaintiff,
Vs.
Bert Ogden, Defendant.

Court of Common Pleas,
Union County, Ohio
December 2nd, 1908.

This day this cause is dismissed for want of prosecution.

Court adjourned to Thursday December 3rd, 1908.

Thursday, December 3rd, 1908, Court convened at 10 o'clock A. M. Present Hon. Boston G. Young, Judge.

Order to Draw Grand and Petit Jury.

Court of Common Pleas, Union County, Ohio.
January Term. Dec. 3rd A.D. 1908.

To the Clerk of said Court:-

You are hereby directed to proceed according to law at ten o'clock on Thursday, the 3d, day of December, 1908, to draw from the Jury Wheel of Union County, the names of Thirty two persons to serve as Grand and Petit Jurors for the January Term, A.D. 1908, of the Court of Common Pleas of said County.

The first Fifteen persons whose names are so drawn from said Jury Wheel, you will cause to be summoned to appear and serve as Grand Jurors of said term; and the remaining persons, 17 in number, whose names are so drawn from said Jury Wheel, you will cause to be summoned to appear and serve as Petit Jurors for said term.

The Grand Jurors you will cause to be summoned to appear for such service at the Court House in Marysville in said County, at ten o'clock A.M., on Monday the 4 day of January, 1908; and the petit jurors you will cause to be summoned to appear for such service, at the same place at ten o'clock, A.M. on Monday the 11th day of January 1909.

And for so doing, this shall be your sufficient warrant.

Witness my hand officially this 3rd day of December, 1908.

Boston G. Young, Judge of the
Court of Common Pleas of the 2nd Sub-division
of the Tenth Judicial District

8795 Entry. Lewis Streng, Plaintiff.
vs.
Adam Streng, et. al. Defendants.

Court of Common Pleas,
Union County, Ohio,
December 3rd, 1908.

This day this case was settled and all costs paid.

8828. Entry. Oliver H. Browning, Plaintiff,
vs.
Rebecca Browning, Defendant.

Court of Common Pleas,
Union County, Ohio,
December 3rd, 1908.

This day leave is given to defendant to file answer by December 7th.

Court adjourned to Friday, December 4th, 1908.

8832. Entry

8771 Entry.

8764 Entry

8794 Entry

Friday, December 4th, 1908. Court convened at 9 o'clock A. M. Present, Hon. John M. Brodrick, Judge.

8832. Entry. James E. Hatcher, Plaintiff, vs. Alexander Hatcher, et al, Defendants. Court of Common Pleas, Union County, Ohio. December 4th, 1908.

This day leave is given to defendants to answer by December 12th, 1908.

8771 Entry. The Union Banking Company, Plaintiff vs. William D. McIntire and Addie J. McIntire, Defendants. Court of Common Pleas, Union County, Ohio, December 4th, 1908.

This day this cause came on to be heard upon the motion to confirm the sale made by the sheriff on the 28th day of November, 1908, and upon producing the proceedings of the sheriff and the sale of the premises by him made in pursuance of a former order of this court, and the same being examined and found by the court, in all respects, in due form of law, it is ordered by the court that said proceedings and sale be, and the same are hereby approved and confirmed, and the said sheriff, or his successor as sheriff of said county for the time being, execute and deliver to the said purchaser C. S. David, a deed in fee-simple for said lands and tenements, by said sheriff sold as aforesaid. And it is further ordered that the said sheriff pay over said purchase money, to-wit, Eight hundred and seventy-five dollars, ($ 875), as follows:-

First:- To the County Treasurer the taxes due and unpaid on said mortgaged premises, to-wit: $

Second:- The costs and expenses of this cause, taxed at $

Third:- The total amount of the Plaintiffs claim and interest in full to date of sale, to the Plaintiff or to its Attorney, J. N. Kinkade, on demand, $; and the residue, if any, to said Defendants, William D. McIntire and Addie J. McIntire.

8764 Entry. Catherine Louisa Smart, Plaintiff, vs. Adam Snider et al, Defendants. Court of Common Pleas, Union County, Ohio, December 4th, 1908.

This day leave is given to plaintiff to file amended petition by December 9th.

8794 Entry. Elizabeth Moore, Plaintiff, vs. Herbert Serrer and William A. Brodie, Defendants. Court of Common Pleas, Union County, Ohio, December 4th, 1908.

This day this case was settled and costs paid.

8797 Entry. Jeremiah Poling, Plaintiff, vs. James D. Poling, et. al, Defendants. — Court of Common Pleas, Union County, Ohio, December 4th, 1908.

This day leave was given to defendants to file answer instanter.

8822 Entry. The Johnson Coal Mining Company, Plaintiff, vs. Henderson Turner, Defendants. — Court of Common Pleas, Union County, Ohio, December 4th, 1908.

This day this cause was settled and all costs paid.

8760 Entry. Susan Johnson, Plaintiff, vs. Mary A. Ayers, et. als, Defendants. — Court of Common Pleas, Union County, Ohio, December 4th, 1908.

This cause coming on to be heard by the court upon the motion of the plaintiff to strike out of the amended answer of the defendants certain matter as set forth in said motion, upon consideration whereof the court sustains the same; to which ruling of the court, the defendants, by their attorney, then and there excepted.

Defendants are given leave to file amended answer within days.

8813 Entry. Error See Page 352. ~~Henry Silbrman, Plaintiff, vs. Grace L. Silbrman, et al, Defendants. — Court of Common Pleas, Union County, Ohio, December 4th, 1908.~~

~~On motion to this court, by the plaintiff, and for good cause shown, the real estate described in plaintiff's petition is hereby ordered by the court to be sold, and an order of sale is hereby issued therefor, to the Sheriff of Union County, directing him to sell said premises as upon execution, and bring the proceeds into court for further order.~~

E. W. Porter,

8752 Entry. F. L. Winters, Plaintiff, vs. J. M. Sanders, et. al, Defendants. — Court of Common Pleas, Union County, Ohio, December 4th, 1908.

This day this case is settled and all costs paid.

8817 Entry. Mae Perkins, Plaintiff, vs. Lennie Perkins, Defendant. — Court of Common Pleas, Union County, Ohio, December 4th, 1908.

This day this suit is withdrawn.

8737 Entry. Mishawaka Woolen Manufacturing Company, Plaintiff, vs. John F. Kinderer, et al, Defendants. — Court of Common Pleas, Union County, Ohio, December 4th, 1908.

This day this case was settled and all costs paid.

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Court adjourned to Saturday, December 5th, 1908.

Saturday, December 5th, 1908, Court convened at 9 o'clock A.M. Present Hon. John M. Broderick, Judge.

8570 Entry.

8820 Entry

8820 Entry

Court adjourned to Monday, December 7th, 1908.

Monday December 7th. 1908. Court convened at 9 o'clock A.M. Present Hon. John M. Broderick, Judge.

8570 Entry. Fannie Rockwell and Sarah A. Cornell, an insane person, by her guardian, William Rockwell, Plaintiffs, Vs. William L. Blaney and others, Defendants. — Court of Common Pleas, Union County, Ohio, December 7th, 1908.

The jury in this action having, on a former day of this term, rendered a verdict for the defendants, finding that the paper writing referred to in the petition as the last will of Samuel Ryan, is his last will, and no motion for a new trial having been made:

It is therefore, in accordance with said verdict, adjudged by the court that the paper writing produced in this case, and offered in evidence, purporting to be the last will and testament of the said Samuel Ryan, deceased, is his valid last will and testament.

It is further adjudged, that the said defendants recover of said plaintiffs their costs herein expended, and judgment is rendered against plaintiffs for their costs herein and execution is awarded therefor.

8820 Entry. Ora Dordua, Plaintiff Vs. Ernest Dordua, Defendant. — Court of Common Pleas, Union County, Ohio, December 7th, 1908.

This cause now coming on for hearing on the motion of the defendant to require the plaintiff to separately state and number her separate causes of action, the court on consideration thereof, grants the same, and leave is given plaintiff to file amended petition within days.

8820 Entry. Ora Dordua, Plaintiff Vs. Ernest Dordua, Defendant. — Court of Common Pleas, Union County, Ohio, December 7th, 1908.

It is ordered by the Court that the injunction heretofore granted herein be modified in so far that the defendant have leave to sell all the hogs mentioned in said injunction and to pay the money received therefrom into the hands of the Sheriff to await the final order of the Court.

Court adjourned to Tuesday, December 8th, 1908.

Tuesday, December 8th, 1908, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8827
Agreement

8827
Entry

Court adjourned to Wednesday, December 9th, 1908,

Present

Wednesday, December 9th, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8827 Agreement

John E. Blair, Plaintiff,
vs.
Ethel Blair, Defendant.

Court of Common Pleas,
Union County, Ohio,
December 9th, 1908.

It is agreed by the parties in the above entitled case, that if a decree for divorce is granted the plaintiff, he shall pay as alimony the sum of Five Hundred Dollars to be paid as follows:

Fifty Dollars is already paid. Two Hundred Dollars to be deposited with the clerk of the Court at the time decree is granted. Two Hundred and Fifty Dollars is to be paid in an account, which the plaintiff has against Leo Fisher, a brother of defendant; this account is to be assigned to defendant and deposited with the clerk of the Court for defendant at time decree is granted.

The plaintiff is also to pay to S. W. Van Winkle as attorney for defendant the sum of Twenty Five Dollars as attorney's fees.

The defendant is to have the household goods now in the possession of defendant's mother; that is, all plaintiff's interest in said household goods is to be transferred to defendant at time decree is granted.

The plaintiff is to pay the cost made in the case.

In testimony whereof the parties have hereunto signed their names, this 27 day of November, 1908.

John E. Blair
Ethel Blair.

8827 Entry.

John E. Blair, Plaintiff,
vs.
Mary Ethel Blair, Defendant.

Court of Common Pleas,
Union County, Ohio,
December 9th, 1908.

This cause came on to be heard on the petition and evidence, the defendant being in default of answer or demurrer, although duly served with process, together with a copy of the petition, according to law. Upon due consideration thereof, the court finds that the plaintiff was a resident of this state for more than one year next before the filing of the petition, and at the time of filing the same was a bona fide resident of said county of Union, and that the parties were married as stated in the petition. The court further finds that the defendant has been guilty of gross neglect of duty as charged in the petition, and that by reason thereof the plaintiff is entitled to a divorce as prayed for. It is therefore adjudged and decreed that the marriage relation and contract heretofore existing between the parties hereto be, and the same is, dissolved and both parties released from the obligations of the same.

And it further appearing that the parties have entered into a post-nuptial agreement as to alimony, the Court on examination thereof find the same to be just and reasonable and the same is approved and confirmed and ordered to be filed and recorded as the judgment and decree of the court as to alimony, and it is further ordered that the plaintiff be required to pay

the costs hereof.

And, at the request of the defendant she is restored to her maiden name of Mary Ethel Fisher.

8681 Entry

Samuel W. Dunfee,
Plaintiff,
vs.
N. T. Henderson, Defendant.

Court of Common Pleas,
Union County, Ohio.
December 9th, 1908.

Now come the parties hereto by their respective attorneys and settle this cause by the defendant paying the plaintiff the sum of fifty dollars and paying the costs of this cause.

Same paid, and, by agreement, no record is to be made.

8854 Entry.

John Glenn, Plaintiff,
vs.
John Blayney, Defendant.

Court of Common Pleas,
Union County, Ohio
December 9th, 1908.

This day came the plaintiff by his attorney; also appeared in open court, for and on behalf of said defendant, J. A. Stillinger, an attorney at law of this Court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendant, entered the appearance of said defendant, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendant, and in favor of said plaintiff for Two Hundred and Forty six and dollars, and thirty six cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors, and right of appeal in the premises.

It is therefore considered that said plaintiff recover of said defendant the sum of Two Hundred and Forty six dollars and Thirty six cents, and that said judgment bear interest at 8 per cent from the 9th. day of December, A.D. 1908; and also his costs herein expended, taxed at $.

Court adjourned to Thursday, December 10th, 1908.

Thursday, December 10th, 1908, Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

8830 Entry. Mary Kelley, Plaintiff
vs.
William Kelley, Defendant.

Court of Common Pleas, Union County, Ohio, December 10th, 1908.

This day leave was granted Defendant to file answer, and same filed.

Court adjourned to Saturday, December 12th, 1908.

Saturday, December 12th, 1908. Court convened at 9 o'clock A.M. Present Hon. John M. Brodrick, Judge.

8838 Entry. L. C. Brew, Plaintiff. Court of Common Pleas,
Vs. Union County, Ohio,
Henry Morey, Defendant December 12th, 1908.

This day leave is given to Defendant to answer within 20 days.

8813 Entry. Henry Silberman, Plaintiff. Court of Common Pleas,
Vs. Union County, Ohio,
Grace L. Silberman et. al December 12th, 1908.
Defendants.

This day this cause came on to be heard upon the petition of Henry Silberman, to marshal the liens upon the premises in the petition described; and upon the several answers and cross-petitions filed herein, and the evidence.

On consideration thereof, the court find:

First. That the defendant, Charles H. Wilkie has paid the taxes on said premises, and that there is now due him for said taxes, interest and penalty, as claimed in his answer, the sum of $54.86, which said sum is the first and best lien on said premises.

Second. The court further finds that there is now due to the plaintiff, Henry Silberman, upon his mortgage claim, including interest, and costs in the foreclosure suit, the sum of $, which is the second lien upon said premises. 8847 Entry.

Third. The court finds that the notes and mortgage set forth in the answer and cross-petition of J. L. Cameron and R. L. Woodburn, were executed, and the mortgage recorded, as therein stated, and that all the allegations set forth in said answer and cross-petition, are true. The court finds the present value of the note given by said Grace L. Silberman to J. L. Cameron, as set forth in said mortgage is $290.00, and that the present value of the note given to said R. L. Woodburn is the sum of $ 290.00, which said sums are a lien upon said premises, and comes in priority next after the lien of said Henry Silberman. That said notes and said interest are at six per cent. That if said premises are sold it will be equitable to pay to said J. L. Cameron, and R. L. Woodburn out of the proceeds of said sale, the said sums herein found to be the present value of said notes, respectively, and if said proceeds are not sufficient to pay each of said defendants in full, then, that they be paid pro rata out of such sum as may remain after paying the prior liens.

Fourth. The court further finds that the facts set forth in the answer and cross-petition of said defendant, Jesse F. Conrad, are true, and that there is due him upon the judgment set forth in his said answer, the sum of $63.05, and that the same is a lien upon said premises, to be paid next after the lien of said J. L. Cameron and R. L. Woodburn.

The court further finds that said Joseph Silberman has filed his answer herein, waiving any right of dower in said premises, or in the proceeds of a sale of the same.

The court further finds that said defendants, J. C. Brown & Son, have heretofore been paid their claim in full, and that they were not, and are not now necessary parties to this suit.

It is therefore considered, ordered and decreed, by the court, that upon order of sale being issued, as provided in the judgment and order of sale set forth in the plaintiff's petition, that the said premises be sold free of all liens, and dower, and that out of the proceeds of said sale the Sheriff pay the costs of this proceeding, and the taxes on said premises, and that he pay the several liens in the priority herein found, to wit:

First. To said Charles H. Wilkie the sum of Fifty-Four and 86/100 Dollars.

Second. To said Henry Silberman the sum of Six Hundred and Fifty-five and 66/100 Dollars.

Third. To J. L. Cameron and R. L. Woodburn, each, the sum of Two Hundred and Ninety Dollars.

Fourth. To Jesse F. Conrad, the sum of Sixty-Three and 05/100 Dollars.

Fifth. The balance, if any, to be paid to said Grace L. Silberman, and that of his proceedings the Sheriff make due return.

8847 Entry.

R. C. Turner, Plaintiff,
Vs.
Wm. M. Galbraith, et. al, Defendants,

Court of Common Pleas,
Union County, Ohio
December 12th, 1908.

This day this case settled and all costs paid.

Court adjourned to Friday, December 18th, 1908.

Friday, December 18th, 1908, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge

8836 Entry

George Jolliff, Plaintiff,
vs.
Hannah Moore, et.al, Defendants,

Court of Common Pleas,
Union County, Ohio
December 18th, 1908.

This day leave was granted to defendant, Hannah Moore, to file answer by December 26th.

Entry 8764.

Catherine Louisa Smart
vs.
Adam Snider et al

Court of Common Pleas, Union County, Ohio.

And now this cause coming on to be heard upon the petition and the evidence, 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 thereto.

Thereupon the Court further find that in the year 1905 the Village of Marysville duly assessed against the property described in plaintiff's petition the sum of $307.53 special assessment for street paving, that plaintiff owned at that time but a life estate in said premises, that she was then 58 years of age, that the estate in remainder belonged to the defendants in the following proportions, Adam Snider 1/4, Charles W. Snider 1/4, George P. Snider 1/12, Charles Snider 1/12, Hannah Farrand 1/12, Mae Howland 1/8, and R. L. Woodburn 1/8, that the following division of said assessment is in proportion to the relative value of the improvement to the respective estates of said parties, to wit; Catherine Louisa Smart $161.86, Adam Snider, $36.42, Charles W. Snider $36.42, George P. Snider $12.14, Charles Snider $12.14, Hannah Farrand $12.14, May Howland $18.21 and R. L. Woodburn $18.21.

That in the year 1906 the said village duly assessed against said premises the sum of $658.67, special assessment for street paving, that the plaintiff was then 59 years of age and that said premises were owned as above set forth that the following division of said assessment is in proportion to the relative value of said improvement to the respective estates of said parties, to wit, Catherine Louisa Smart $337.07, Adam Snider $80.40, Charles W. Snider $80.40, George P. Snider, $26.80, Charles Snider $26.80, Hannah Farrand $26.80, May Howland $40.20, and R. L. Woodburn $40.20.

That in the year 1908, the said village duly assessed against said premises the sum of $81.23, special assessment for side walk paving, that the plaintiff was then 61 years of age and that said premises were then owned as above set forth, that the following division of said assessment is in proportion to the relative value of said improvement to the respective estates of said parties, to wit, Catherine

Louisa Smart $39.51, Adam Snider $10.43, Charles W. Snider, $10.43, George P. Snider $3.48, Charles Snider, $3.48, Hannah Farrand $3.48, May Howland $5.22 and R. L. Woodburn $5.22.

That in said year of 1908 said village duly assessed against said premises the sum of $143.59 special assessment for alley paving, that the plaintiff was then 61 years of age and that said premises were owned as above set forth, that the following division of said assessment is in proportion to the relative value of said improvement to the respective estates of said parties to wit; Catherine Louisa Smart $69.85, Adam Snider $18.44, Charles W. Snider $18.44, George P. Snider $6.14, Charles Snider $6.15, Hannah Farrand $6.15, May Howland $9.21 and R. L. Woodburn $9.22.

It is therefore ordered and adjudged that said assessments be divided between the parties to this cause according to the above findings, that such payments as the Plaintiff herein has made on said assessments be credited wholly to her portion of said assessments and that the costs of this action be taxed equally between the plaintiff and the defendants and that a special mandate be sent from this Court to the Auditor of Union County, Ohio, And the Clerk of the Village of Marysville commanding them to charge said assessments as herein directed.

Court adjourned to Saturday, December 19th, 1908.

Saturday, December 19th, 1908, Court convened at 9 o'clock A.M. Present Hon. John M. Brodrick, Judge.

8598 Entry.

The Barber Asphalt Paving Company, Plaintiff,
vs.
The Village of Marysville, Defendant.

Court of Common Pleas, Union County, Ohio, December 19th, 1908.

This cause being settled by the parties, it is dismissed by the court, without record, at the costs of the defendant, as per agreement of said parties.

Entry 8834

Court adjourned to Thursday, December 24th 1908.

Thursday, December 24, A.D. 1908, Court convened at 9 O'clock A. M. present Honorable John M. Brodrick, Judge.

Elizabeth Miller
vs.
Henry Miller } Court of Common Pleas, Union County, Ohio.

Entry

88324

This day this cause came on to be heard upon the pleadings evidence and arguments of Counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication according to law, and that he has failed to appear and is in default for answer and demurrer to petition and that the allegations thereof are by him confessed to be true, that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 22 day of July, 1907, as alleged in said petition, and that the defendant has been guilty of gross neglect of duty as alleged in said petition, and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition. It is therefore ordered adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff pay the costs of this proceeding taxed at $9.00 and that this case be recorded.

Entry
8829.

Entry
8821

Court adjourned to Saturday December 26th 1908-

Saturday, December 26th 1908. Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Cynthia Cottrell
vs.
Thomas J. Cottrell } Court of Common Pleas, Union County, Ohio.

Entry 8829.

This day this cause came on to be heard upon the pleadings and evidence. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and a copy of the petition, that at the time of filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 21st day of December 1887, as alleged in said petition, and that no children have been born of said marriage, and that the defendant has been guilty of wilfull absence and gross neglect of duty as alleged in said petition; and that said Plaintiff is therefore entitled to a divorce, as prayed for in said petition;

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that the plaintiff be restored to the former married name of Cynthia Moffitt. and that the plaintiff shall recover judgment for the costs herein taxed at $10.90.

John M. Brodrick,
Judge.

Joel Brundage Fox
vs.
Nora Belle Fox } Court of Common Pleas, Union County, Ohio.

Entry 8821

On motion of the defendant by her Attorneys and good cause shown, it is hereby ordered that she be allowed the sum of twenty five ($25.00) Dollars, as and for her support and expenses in preparing her defense herein, payable on or before the 15th day of January A.D. 1909. It is further ordered that the plaintiff pay to the said defendant or to her Attorneys T. A. and E. L. Owen, the said sum of $25.00 on or before the said 15th day of January 1909. And that in default thereof execution is allowed to issue therefor.

Cordelia J. De Witt
vs.
Hannah Staley, et als.
} Court of Common Pleas, Union County, O.

Entry 8824

Now comes the plaintiff herein, by her attorney, and her petition thereupon coming on to be heard, the Court find, that all of the defendants have had due legal notice of the 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, Cordelia De Witt is seized of, and has a legal right to the undivided One Eighth part of the estate described in the petition, and is entitled to have partition made of said premises; that the defendants are tenants in common with the said plaintiff in the said premises, in the following proportions, to-wit: That the said Hannah Staley is seized of and has a legal right to the undivided One Eighth part thereof, the said Benj. F. Morey to the undivided One Eighth part thereof, the said Sherman Morey to the undivided One Eighth thereof, the said Laura Green to the undivided One Eighth part thereof, the said Gregory Morey to the undivided One Eighth part thereof, the said Cecil Cowgill to the undivided One Eighth part thereof. the said Olive Montgomery, to the undivided One Fortieth part thereof, the said Sheridan Montgomery to the undivided one Fortieth part thereof, the said Logan Montgomery to the undivided One Fortieth part thereof, the said Olive Montgomery, to the undivided One Fortieth Part thereof, the said Ruth Neff, to the undivided One Eightieth part thereof, the said Paul Neff, to the undivided One Fortieth 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 John Green, F. W. Lowe and Wm. J. Parrott. 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 hereinbefore severally found entitled.

8738 Entry

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 free of Dower.
And of his proceedings herein the said Sheriff is ordered to make due return without unnecessary delay.

Cordelia DeWitt.
Vs.
Entry Hannah Staley et als } Court of Common Pleas, Union County, Ohio.

8824 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 $1650. the Court find the said return and proceedings in all respects correct and in conformity to law, and do therefore approve and confirm the same.

And it appearing to the Court that the said Cordelia DeWitt, has elected to take the said premises at their appraised value, the same are, upon payment by the said Cordelia DeWitt of the said sum of $1650. hereby adjudged to her; and the Sheriff is ordered to convey said premises to her accordingly by deed in fee simple.

It is further ordered that the Sheriff, out of the proceeds of the said sale, pay. — First-: H. W. Morey and Co. Eighty ($80.00) Dollars, Second. — To the Treasurer of Union County $16.48 Dollars, being the taxes and penalty due on said premises

Thirdly — To the Clerk of this Court, the costs in this case including a Counsel fee of $59.50, to T. A. Thompson for his services herein fixed at $112.92.

Fourthly —. And of the residue of the proceeds of said sale, to the plaintiff Cordelia DeWitt, One Eighth of the balance of the proceeds, to wit: the sum of $179.07. To the said defendants Sherman Morey, Ben. F. Morey, Laura Green, Gregory Morey, Hannah Staley and Cecil Cowgill each one eighth of the balance of the proceeds to wit: the sum of $179.50, To the said Olive Montgomery, Sheridan Montgomery, Logan Montgomery and Alma Montgomery each one fortieth of the balance of the proceeds to wit; the sum of $35.81, To the said defendants Paul Neff and Ruth Neff, each, one eightieth of the balance of the proceeds to wit; the sum of $17.90.

8738 John N. Allinger, et. al, Plaintiffs. Court of Common Pleas,
Entry Vs. Union County, Ohio
William G. Kinderer, et al, December 26th, 1908.
Defendants.

This day this case was settled and all costs paid.

8823
Entry.

Court adjourned to Monday 28th 1908

Monday 28th 1908 Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

8823 Entry.

Adelia Stansberry, Plaintiff,
Vs.
Stephen W. Stansberry, Defendant,

Court of Common Pleas,
Union County, Ohio,
December 28th, 1908.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with a summons and copy of the petition herein; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 28th. day of January, 1908, as alleged in said petition. That no children have been born of said marriage, and that the defendant has been guilty of wilfull absence for more than three years last past as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff recover from the defendant the sum of Twenty Five Dollars and her attorney fee to S. W. Van Winkle, and that she be barred from all right of dower in the real estate of the defendant and that the same be in full of all alimony and that the defendant pay the costs of this proceeding taxed at $7.64, and that this case be recorded.

Court adjourned to Tuesday, December 29th 1908.

Tuesday, December 29th 1908, Court convened at 9 O'Clock A. M. Present Honorable John M. Brodrick, Judge.

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

January Term A.D. 1908.
To-wit: Tuesday 22nd.

Mandate

Entry

10533 — Clarence M. Sanders, et al vs Sarah S. Penny, Guardian, et al. } Error to the Circuit Court, Union County. — 8816

This cause came on to be heard upon the Transcript of the Record of the Circuit 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 Circuit Court be, and the same hereby is, reversed and this Court proceeding to render the judgment which said Court of Common Pleas should have rendered, it is considered and adjudged that said judgment of the Court of Common Pleas be and it hereby is affirmed.

It is further considered that said plaintiffs in error recover their costs herein and in the Circuit Court taxed to $

Ordered, That a special mandate be sent 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 Circuit Court of Union County, "for entry".

I, Joseph Obermeyer, 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 23 day of December, A.D. 1908.

Joseph Obermeyer, Clerk
By W. G. Barthalow, Deputy.

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

To the Honorable Court of Common Pleas, Within and for the County of Union, Ohio, Greeting:

We do hereby command you, that you proceed, without delay, to carry the within and foregoing judgment of our Supreme Court of Ohio in the cause of Clarence M. Sanders et als. vs. Sarah S. Penny, Guardian et al. into execution the Petition in Error herein and heretofore granted to the contrary notwithstanding.

Witness Joseph G. Obermeyer, Clerk of our said Supreme Court of Ohio, at Columbus, this 23 day of December, 1908.

Joseph G. Obermeyer Clerk.
By W. G. Barthalow, Deputy.

Court adjourned to Wednesday, December 30th 1908

Docket Fee $5.00 Paid by J. L. Cameron
Printing Record $20.90 " " " " " "

Wednesday, December 30th 1908 Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Martha A. Crary et al
vs.
Robert McCrory et al.
} Court of Common Pleas, Union County, Ohio.

Entry 8816. This day leave was granted Plaintiff to file an amended petition and same is filed.

Court adjourned to Thursday, December 31st, 1908.

Thursday, December 31st, 1908. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8718. Entry.

Rilla Cameron, Plaintiff.
Vs.
Bert Cameron, Defendant.

Court of Common Pleas
Union County, Ohio.

This day this cause came on to be heard upon the pleadings and evidence. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process and that he has failed to appear and is in default for answer or demurrer to the petition; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 7th day of August, 1902, as alleged in said petition, and that no children were born of said marriage and that the defendant has been guilty of habitual drunkenness, extreme cruelty and gross neglect of duty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be and she hereby is restored to her maiden name of Rilla Jolliff.

It is further ordered that the plaintiff be given and decreed all the household goods and furniture, and the cow to be hers absolutely and that she recover of the defendant the costs herein taxed at $ and that a judgment be rendered accordingly and an execution allowed to issue and that this case be recorded.

Hon.

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Court adjourned to Saturday, January 2nd, 1909.

Saturday, January 2nd, 1909, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8718 Entry

Rilla Cameron, Plaintiff
vs.
Bert Cameron, Defendant.

Court of Common Pleas
Union County, Ohio,
January 2nd, 1909.

This day this cause came on for hearing on the motion of the defendant and leave was given defendant to withdraw answer and cross-petition and the same was removed from the files.

On hearing of motion of plaintiff the decree of March 21st, 1908 was set aside and vacated and decree of March 14th 1908 is affirmed.

8838 Entry.

L. C. Brum, Plaintiff.
vs.
Henry Money, Defendant.

Court of Common Pleas,
Union County, Ohio.
January 2nd, 1909.

This day leave is given to Defendant to answer within five days.

It is ordered that all matters, causes and motions now pending in this Court, not otherwise disposed of by, and the same are hereby, continued to the next term thereof.

The present term of this Court was begun on the 14th. day of September, A.D. 1908, and continued from day to day, and from time to time by regular adjournments, until this 2nd. day of January, A.D. 1909, and is now adjourned without day.

The State of Ohio, Union County, ss:-

This separate session of the Court of Common Pleas of the Tenth Judicial District and the Third Sub-Division of the State of Ohio, within and for the County of Union of the January Term, A.D. 1909, held at the Court House in the Village of Marysville, County and State aforesaid, was begun on Monday, January 4th, 1909. 8826 Entry.

Present Hon. John M. Brodrick, Judge,
Cad Price, Sheriff.

Attest: Charles Parrott, Clerk.

Grand Jury Facias.

Grand Jury Facias.

The Venire Facias for a Grand Jury heretofore issued was duly returned by the Sheriff on January 4th, 1909, with his endorsement thereon as follows:-

The State of Ohio, Union County, ss.

Sheriff's Office, Jan. 4th 1909.

On the 3rd. day of Dec. 1908, 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 hereon.

			no. of miles
1. G. N. Harris	Dec. 9th/08.	By mail	14
2. Carl Allgower	" 8th/08.	" "	16
3. Milton Mather	" " "	" "	21
4. J. J. Ramage	" " "	" "	17
5. N. S. Peel	" " "	" "	
6. D. U. Myers	" 9th "	" "	10
7. Clark Rogers	" 8th "	" "	5
8. Elmer Harriott	" 10th "	" "	12
9. Ott Collier	" 9th "	" "	12
10. Mark Loughrake	" 7th "	" "	8
11. E. M. Cox	" 8th "	" "	7
12. James P. Cox	" " "	" "	6
13. Adam N. Hoover	" 9th "	" "	13
14. M. G. Dillen	" 8th "	" "	10
15. G. B. Romine	" 9th "	" "	10

8837 Entry.

8825 Entry.

D. C. Bolenbaugh, Sheriff.

And upon calling the same in open Court all of the above named Jurors appeared in answer thereto, and thereupon the Court appointed G. N. Harris foreman, and he with his fellow jurors took the oaths in manner and form prescribed by law; and after being instructed by the Court in relation to their duties were conducted to their room by the Sheriff.

Appointment of Deputy Sheriff.

Appointment of Deputy Sheriff.

To the Judge of the Court of Common Pleas, in and for Union County, Ohio:-

I hereby appoint D. C. Bolenbaugh as Deputy Sheriff for my term as Sheriff, ending on the first Monday in January, 1911

Cad Price, Sheriff

The above appointment is approved by me this 4th. day of January, 1909.

John M. Brodrick, Judge of the Common Pleas Court, Union County, Ohio.

8826 Entry.

Elizabeth Wilcox, Plaintiff.
Vs.
James Wilcox, et. al, Defendants.

Court of Common Pleas,
Union County, Ohio.
January 4th, 1909.

This cause coming on to be heard upon the report of the receiver herein, to confirm the final report of, and discharge the receiver herein, and upon the exceptions to said report, after due consideration, the court being fully advised in the premises; it is ordered that he be allowed and paid the sum of Thirty Dollars out of the money in his hands in full for his services herein.

And the Court finding the said report otherwise correct, and that the said receiver has fully obeyed the orders of the court to him issued; and that he has in his hands the sum of twelve hundred and twenty seven dollars, and forty eight cents, of a balance belonging to said estate; it is further ordered that said Receiver pay over to the Clerk of the court the costs of this proceeding, taxed at $27.02 and the balance, said sum of $1200.46 to be by the said clerk deposited in the County Treasury, to the credit of said estate.

It is therefore ordered that all acts and things done by him, as well as his said report be, and they hereby are, approved and confirmed; and the said B. L. Robinson is discharged from his duties, liabilities and responsibilities as such receiver, and his undertaking therefor is vacated and cancelled.

8837 Entry.

G. S. Moody, Plaintiff.
Vs.
H. R. Cahill, Defendant.

Court of Common Pleas,
Union County, Ohio.
January 4th, 1909.

This cause being heard on the demurrer to the petition, the court, on consideration thereof, sustains the said demurrer.

And thereupon, the plaintiff not desiring to plead further, it is considered by the court that the said defendant go hence without day, and recover from the said plaintiff his costs herein expended, and execution is awarded.

8825 Entry.

George W. Mitchell, Plaintiff.
Vs.
Susan J. Goff, Selwyn W. Mitchell, Charles Mitchell, Clarence Mitchell, Florence Colwell, Metta Ewing, Lena Reynold, Kate Knig, Margaret Knig, William King, Jasper R. King, Ina Gill, Emily McDowell, Clyde Bidwell, Clifford Bidwell, Hattie Parish, Nellie Hunter, Minnie Lewis, Leon Mitchell, Eno Kramer, Defendants.

Court of Common Pleas,
Union County, Ohio
January 4th, 1909.

This cause came on to be heard upon the petition and the pleadings and record in the cause, and was argued by counsel; on consideration thereof, and it appearing to the satisfaction of the court that all and every of said defendants have been duly notified of the bringing, pendency and demand of said action against them, as required by law; and that said plaintiff hath a legal right and estate in the premises described in the petition and as therein set forth, and no sufficient reason appearing why partition should not be made as prayed for in said petition, it is ordered by the court, on motion of J. H. Kinkade, attorney for said plaintiff, that, by the oaths of George

E. Whitney, Will F. Morey and Alvi Graham, judicious, disinterested freeholders of the vicinity, upon actual view of the premises, partition be made of said lands, in the following proportions, to wit: To the said George D. Mitchell, the plaintiff, one equal 1/5 part thereof; and to said Susan J. Goff, one equal 1/5 part thereof, and to said Selwyn D. Mitchell, Charles Mitchell, Clarence Mitchell, Florence Colwell, Metta Ewing and Lena Reynold, each the 1/30 part thereof, and to said Kate King, Margaret King, William King, Jasper King, Ina Gill and Emily McDowell each the 1/20 part thereof, and to said Leon Mitchell, Ino Kramer each the 1/40 part thereof, and to said Clyde Bidwell, Clifford Bidwell, Hattie Parish, Nellie Hunter and Minnie Lewis each the 1/100 part thereof if the same can be done without manifest injury to the value thereof, and if not that said premises be appraised at the true value thereof in money. And it is further ordered that a writ and order of partition issue to the Sheriff of Union County, commanding him to cause said partition to be made accordingly.

8744 Entry

Mary A. Ayers, Plaintiff
Vs.
Stewart Smith, et.al, Defendants.

Court of Common Pleas,
Union County, Ohio,
January 4th, 1909.

This day this case is dismissed by the court without prejudice to a new action herein.

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. No record.

8806 Entry

Owen C. Fugua, Plaintiff,
Vs.
The Toledo & Ohio Central Railway Company, Defendant.

Court of Common Pleas,
Union County, Ohio.
January 4th, 1909.

This day this case was continued for the term at the costs of plaintiff.

Court adjourned to Tuesday, January 5th. 1909.

Tuesday, January 5th, 1909 Court convened at 9 o'clock A.M. Present Hon. John M. Brodrick, Judge.

The Grand Jury continued their examination of witnesses.

ut

Court adjourned to Wednesday, January 6th, 1909.

Wednesday, January 6th, 1909. Court convened at 9 o'clock A. M. Present Hon. John M. Broderick, Judge.

The Grand Jury continued their examination of witnesses.

88 & 4
Entry.

Court adjourned to Thursday, January 7th, 1909.

Thursday, January 7th, 1909, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

The Grand Jury adjourned to Tuesday, January 12th, 1909.

88 44 Entry.

Anna M. Gunder, Plaintiff,
vs.
Ola G. Smith and Frank M. Smith, husband and wife, M. Cuba Gunder and Elva C. Gunder, as Guardian of M. Cuba Gunder, and widow of Charles E. Gunder, deceased,

Court of Common Pleas, Union County, Ohio
January 7th, 1909.

And now came the said Anna M. Gunder by John L. Loughry, Attorney, and thereupon this cause came on to be heard, upon the petition and evidence, and was argued by counsel; on consideration whereof, the Court do find that due notice of the pendency of this action has been given to all of the Defendants herein for more than forty days prior to the date of this order; and the Court do further find that the said Anna M. Gunder has a legal right to and is seized in Fee Simple of One Third (1/3) subject to dower, part of the said premises; and the Court do further find that the said Elva C. Gunder, the widow, and Ola G. Smith and Frank M. Smith, husband and wife, M. Cuba Gunder, unmarried, and Anna M. Gunder are tenants in common in said premises with the said in the following proportions, to wit: That the said Elva C. Gunder, widow, is seized of Dower part thereof; the said Ola G. Smith is seized, subject to dower, one third part thereof; the said M. Cuba Gunder is seized subject to dower one third part thereof; the said M. Cuba Gunder is seized subject to dower one third part thereof; the said Anna M. Gunder is seized subject to dower one third part thereof; (and that the said Elva C. Gunder, widow, is entitled to Dower therein.) It is therefore ordered, that a Writ of Partition issue to the Sheriff of said County of Union commanding him that by the oaths of A. E. How, N. C. Woodard and O. P. Lenox, one full equal third part of said premises, in said petition described, be set off and assigned to the said Elva C. Gunder as her Dower Estate; and that by the like oaths of the said A. E. How, N. C. Woodard and O. P. Lenox, partition be made of said lands (subject to the said Dower Estate) in the following proportions, to wit: One (1/3) Third to the said Ola G. Smith

One (1/3) Third to the said M. Cuba Gunder

One (1/3) Third to the said Anna M. Gunder.

And it is further ordered that the Sheriff return his proceeding in the premises, (forthwith).

Court adjourned to Friday, January 8th, 1909.

Friday, January 8th, 1909. Court convened at 9 o'clock A.M. Present Hon. John M. Brodrick, Judge.

Walter Sampson
vs.
Mary Sampson
} Court of Common Pleas, Union County, Ohio.

Entry

8842 This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and a copy of the petition by personal service and that she has failed to appear and is in default for answer or demurrer to the petition, and, that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of the petition, and that said parties were married on the 3 day of November, A.D. 1887, as alleged in said petition. And that the following children were born of said marriage, to wit, Harley, aged 20 years; Maud (now married to Howard Appleman) aged 18 yrs; Roy, aged 16 years; Percy, aged 11 years; Luther, aged 8 years; and Wildie and Wilbert (twins) aged 4 years.
And that the defendant has been guilty of gross neglect of duty and extreme cruelty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.
It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved and the said parties are hereby released therefrom, and it is further ordered adjudged and decreed, that the care, custody, maintenance, education and control of the said minor children be and the same is hereby confided exclusively to the said plaintiff until the further order of this Court. The Court further finds that the contract entered into by the parties hereto, dividing the personal property, is a valid and subsisting contract, that its terms are satisfactory and just to both parties and therefore confirms the same and in pursuance thereof orders the said plaintiff to pay the said defendant $300, as follows, $100. which is paid and receipted for, $100 Dollars on the 1st day of March, 1909, and $100 on each of the 1st days of January 1910, 1911, 1912 hereafter respectively with interest at 6%, said sum to be in full of all her rights or claims of whatsoever kind to any property the plaintiff may now possess or may hereafter acquire, and in full of all claims of alimony. And that the plaintiff pay the cost of this proceeding taxed at $10.00 and that this case be recorded.

Court adjourned to Saturday, January 9th, 1909.

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Saturday, January 9th, 1909. Court convened at 9 o'clock A.M. Present Hon. John M. Brodrick, Judge.

Court adjourned to Monday, January 11th, 1909

Monday, January 11th, 1909. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8832
Entry.

Court adjourned to Tuesday, January 12th, 1909.

Tuesday, January 12th, 1909, Court convened at 9 o'clock A.M. Present Hon. John M. Brodrick, Judge.

This day again came the Grand Jury and continued their examination of witnesses.

8832 Entry.

James E. Hatcher, Plaintiff
vs.
Alexander Hatcher, et. al. Defendants.

Court of Common Pleas, Union County, Ohio.
January 12th, 1909

This day came the plaintiff and Alexander Hatcher, one of the defendants came also; the defendant, J. F. Wood, being in default of demurrer or answer, and said Wood not making any claim of lien or interest in the premises in the petition described; it is ordered and decreed that he be forever barred from asserting any interest therein.

Thereupon this cause was submitted to the court upon the petition of the plaintiff and the answer of said Alexander Hatcher and reply of the plaintiff to said answer, together with the exhibits and testimony.

On consideration whereof, the court being fully advised in the premises finds upon the issues joined in favor of the plaintiff and against the said Alexander Hatcher, and that said deed in the petition set forth was procured by the said Alexander Hatcher without consideration, and that said plaintiff at the time of making said deed was the son of said Alexander Hatcher, and that he had only recently become of age, and that the transaction was unfair and unreasonable and against the interest and welfare of the plaintiff, and that plaintiff was influenced and imposed upon by the said Alexander Hatcher, and that by reason thereof the said deed is void and of no effect and virtue in law.

It is therefore adjudged and decreed by the court that the said deed be and the same is set aside and held for naught, and the said plaintiff restored to all his right and title to said premises the same as if said deed had not been made.

It is further adjudged and decreed that the plaintiff recover of said Alexander Hatcher, his costs herein expended taxed to $, to all of which the defendant, Alexander Hatcher, excepts.

Said Alexander Hatcher gave notice of his intention to appeal this case to the Circuit Court and the Court fixed the bond for appeal at $100.

Court adjourned to Wednesday, January 13th, 1909.

Wednesday, January 13th, 1909. Court convened at 9 o'clock, A.M. Present Hon. John M. Brodrick, Judge.

The Grand Jury continued their examination of witnesses.

Report of Grand Jury.

Court of Common Pleas, Union County, Ohio.
January Term, January 13th, 1909.

In the Matter of the Grand Jury:

This day appeared at the bar of this Court the Grand Jury heretofore impanelled and sworn in, and for, the body of this Union County, namely:

1. G. N. Harris,
2. Carl Allgower,
3. Milton Mather
4. J. J. Ramager,
5. W. S. Perl,
6. D. V. Wyeth
7. Clark Rogers
8. Elmer Herriott
9. Ott Collier
10. Mark Loughrake
11. E. M. Cox
12. James P. Cox.
13. Adam N. Hoover.
14. M. G. Willow
15. G. B. Romine.

136 3 Entry.

and presented their certain eight bills of indictments, each indorsed by G. N. Harris, Foreman of the Grand Jury, "A True Bill;" and against the following named persons for the following specified offences, viz:

Laura Krauscopf	for	Petit Larceny
Laura Krauscopf	for	Petit Larceny
Laura Krauscopf	for	Petit Larceny
Laura Krauscopf	for	Petit Larceny
Fred Cox	for	Neglecting to Provide Child Home, etc.
Clarence Hyland	for	Neglecting to Provide Child Home, etc.
John Rausch	for	Selling and Furnishing Intoxicating Liquors to a Minor
John Rausch	for	Selling and Furnishing Intoxicating Liquors to a Minor.

Also their report in writing to the Court in words and figures following, to wit:

Report of Grand Jury.

To the Honorable John M. Brodrick, 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, 1909, beg leave to report that they have been in session six days, and herewith return to the Court the Indictments presented by said Jury. We have carefully examined in all such matters as have legitimately come to our notice, having examined over fifty witnesses, covering 14 cases, and presented eight bills and ignored six cases considered by us. The business has been transacted in as expeditious a manner as possible.

During our session we visited the County Jail, examined its state and condition, and inquired into the discipline and treatment of the prisoners, and their habits, diet and accomodations. We find, and

respectfully report to the Court, that the rules prescribed by the Judge have been faithfully kept and observed, and we do find that no provision of law for the regulation of County Jails has been violated.

The Grand Jury recommend that the Grand Jurors' room be re-decorated and fitted up with new linoleum and more commodious chairs and that there be a Juvenile Room provided and furnished in the Jail, and that the Plumbing of the Jail be overhauled.

We also recommend that an elevator be installed in the rotunda of the Court House or the present Stairway be remodelled so as to render the ascent and descent easier.

Respectfully submitted
G. W. Harris, Foreman.

January 13, 1909.

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

1363 Entry.

State of Ohio, Plaintiff,
Vs.
Laura Kronscopf, Defendant.

Court of Common Pleas,
Union County, Ohio.
January 13th, 1909.

Indictment for Petit Larceny.

Now comes the prosecuting attorney, on behalf of the State and the defendant coming into the court voluntarily, was arraigned on said indictment and having waived the reading of the indictment and service of copy saith that she is guilty, thereupon it is ordered and adjudged by the court that the said Laura Kronscopf pay the fine of Twenty Five Dollars and the costs of this action and execution is awarded.

Petit Jury Facias

The Venire Facias for a Petit Jury heretofore issued was duly returned by the Sheriff on January 13th, 1909, with his endorsement thereon as follows:-

The State of Ohio, Union County, ss. Sheriff's Office Jan. 13th 1909.

On the 3rd day of Dec. 1909, 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 hereon.

No.	Names.	When Served	How Served	No. of Miles.
1.	George Moder	Dec. 14/08	by mail	2
2.	N. C. Hoskins	" 17/08	" "	10
3.	Frank Dodge	" 14/ "	" "	
4.	D. R. White	" 15" "	" "	
5.	John B. Hughes	" 15" "	" "	11
6.	Hamilton Fish	" 12" "	" "	
7.	N. L. Hazen	" 14" "	" "	4
8.	George Inguire	" 15" "	" "	12
9.	H. L. Roe	" 15" "	" "	
10.	N. H. Hombrock	" 15"	" "	3
11.	Geo. Ritterhouser	" 14" "	" "	7
12.	Cody McAllister	" 15" "	" "	16

13.	J. D. Berry	Dec. 15"/08.	by mail	
14.	L. M. Belleville	" 15" "	" "	5
15.	Chas. Loveless	" 14" "	" "	5
16.	Harvey Norris	" 15" "	" "	11
17.	J. C. Freshwater	" 14" "	" "	4

Cad Price, Shriff.

And upon calling the same in open Court all of the above named Jurors, except D. A. White and H. L. Roe, who were excused, appeared in answer thereto.

The case in question for today having been continued, the Jury was discharged to Monday, January 18th, 1909, at 9 o'clock A. M.

8801 Entry. G. C. Lefler and N. C. Davis, Plaintiffs, Vs. E. N. Guckert, Defendant.

Court of Common Pleas, Union County, Ohio. January 13th, 1909.

This day leave is given to defendant to file answer within Thirty Days, and this cause is continued, at the costs of the plaintiff, for the term.

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Court adjourned to Thursday, January 14th, 1909.

Thursday, January 14th, 1909, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8868 Entry.

The International Harvester Company of America, Plaintiff.
Vs.
C. H. Westlake, Defendant.

Court of Common Pleas.
Union County, Ohio.
January 14th, 1909.

This day came the Plaintiff by John L. Loughrey, Attorney: and filed their Petition against said Defendant C. H. Westlake, and thereupon James E. Robison, one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendant, C. H. Westlake, and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendant, 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, confessed that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiff's petition, the sum of One Hundred and Eleven Dollars, $111.00, bearing interest at per cent per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum. It is therefore considered by the Court that said The International Harvester Company of America, Plaintiff, do recover from said C. H. Westlake, Defendant, the said sum of One Hundred and Eleven Dollars, $111.00, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 14th. day of January, 1909, at the rate of 8 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal and all right to file a petition in error are waived.

8781 Entry.

Austin Goldsberry, Plaintiff.
Vs.
Patrick Smith, Defendant.

Court of Common Pleas.
Union County, Ohio.
January 14th, 1909.

This day leave was given to plaintiff to file reply by January 16th.

Court adjourned to Friday, January 15th, 1909.

Friday, January 15th, 1909. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

Court adjourned to Saturday, January 16th, 1909.

Saturday, January 16th, 1909, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8810 Entry.

Joseph Silbrman, et. al,
Plaintiffs in Error,
Vs.
Grace L. Silbrman,
Defendant in Error.

Court of Common Pleas,
Union County, Ohio.
January 16th, 1909.

This cause came on for hearing upon the petition in error and the transcript of the proceedings and judgment of Jesse F. Conrad a Justice of the Peace for this said County; on consideration whereof, the Court find that there is error in said proceedings and judgment in that said Justice had no jurisdiction of the plaintiff in error; and the said judgment is therefore reversed and annulled at the cost up to the present time of the defendant in error; and execution is awarded therefor. To all of which rulings and judgments of the court the defendant then and there excepts.

8811 Entry.

Joseph Silbrman, et al,
Vs. Plaintiffs in Error,
Grace L. Silbrman,
Defendant in Error.

Court of Common Pleas,
Union County, Ohio,
January 16th, 1909.

This cause came on for hearing upon the petition in error and the transcript of the proceedings and judgment of Jesse F. Conrad, a Justice of the Peace for this said county; on consideration whereof, the Court find that there is error in said proceedings and judgment, in that said Justice had no jurisdiction of the plaintiff in error; and the said judgment is therefore reversed and annulled at the cost up to the present time of the defendant in error; and execution is awarded therefor. To all of which rulings and judgments of the court the defendant then and there excepts.

8686

Vanna Lee, et al. Plaintiffs.
Vs.
Frank J. Ballinger, et al. Defendants.

Court of Common Pleas,
Union County, Ohio.
January 6th, 1909.

This cause is continued on motion and showing of the plaintiffs and at their costs for this term.

It is therefore adjudged by the Court that the defendants recover of the plaintiffs their costs for this term of court, taxed at $

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Court adjourned to Monday, January 18th, 1909.

Monday January 18th, 1909, Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8781 Entry.

8872 Entry.

George Lyon, Plaintiff,
Vs.
The Unknown Heirs of
Benjamin Lyon, Deceased,
Defendants.

Court of Common Pleas,
Union County, Ohio.
January 18th, 1909.

On the motion of the said George Lyon, by McCrory & Cameron, his attorneys, and it appearing to the Court by the affidavit of the said George Lyon, filed herein, that the name and residence of the said Benjamin Lyon are unknown to the said plaintiff, it is therefore ordered that the said plaintiff cause a notice, containing the substance and prayer of the petition and of the pendency of this action, to be published for six consecutive weeks in the Milford Center Chronicle, a newspaper printed and of general circulation in this county, informing the unknown heirs of the said Benjamin Lyon that they must appear and answer said petition, on or before the third Saturday next after the day of the last or sixth publication.

8844 Entry.

Anna M. Gunder, Plaintiff,
Vs.
Ola G. Smith, et al, Defendants.

Court of Common Pleas,
Union County, Ohio.
January 18th, 1909.

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 from said report that said estate could not be divided by meets and bounds without injury to the value thereof, and that said commissioners have assigned dower thereof to the said Elva C. Gunder in the sum of Seven Hundred and Fifty ($750.00) Dollars as the one third part of the issues and profits of said estate, and have made and returned their appraisement of said estate subject to the dower of Elva C. Gunder at Fifteen Hundred ($2250.00) Dollars, 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.

It is therefore considered and decreed that the said Elva C. Gunder stands endowed as of a third part of the rents, issues and profits of the said estate in the sum of Seven Hundred and Fifty ($750.00) Dollars, and the said estate is hereby charged with the payment of the same.

And it appearing to the Court that the said Anna M. Gunder has elected to take the said estate at its appraised value, and has paid to the Clerk of this Court the costs of this case, and to the other parties herein their respective proportions of its appraised value, the said estate, subject to the dower charge of the said Elva C. Gunder, is hereby adjudged to the said Anna M. Gunder; and the sheriff is ordered to execute and deliver a deed to her therefor.

8781 Austin Goldsberry, Plaintiff.
Entry. Vs.
Patrick Smith, Defendant.

Court of Common Pleas,
Union County, Ohio;
January 18th, 1909.

This day came the parties herein, by their attorneys; also came the following named persons, as Jurors, to wit: George Moder, Frank Dodge, John B. Hughes, Hamilton Fish, W. L. Hazen, George Ingmire, W. H. Lombrick, George Rittenhouse, Cordy McAllister, J. W. Berry, L. M. Bellville and Charles Loveless; who were duly impaneled and sworn according to law; and thereupon the case came on for hearing on the pleadings and the evidence.

And the said jury having heard the testimony adduced in this case in part, said cause was continued until tomorrow morning at 9 o'clock.

Court adjourned to Tuesday, January 19th, 1909

Tuesday, January 19th, 1909. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

8852 Entry.

Nora Pfarr, Plaintiff,
vs.
Anthony Pfarr, Defendant.

Court of Common Pleas,
Union County, Ohio.
January 19th, 1909.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with a summons and is in default for answer and demurrer and that the allegations of the petition are confessed by said defendant to be true; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 22nd day of February, 1907, as alleged in said petition; that there has been born of said marriage one child, a girl, aged 18 months, the custody of which is awarded to plaintiff, and that defendant has been guilty of gross neglect of duty toward the plaintiff, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff recover from the defendant as and for her reasonable alimony for the support of said minor child, the sum of Two Hundred Dollars, and that the care, custody, support and control of said minor child be awarded to said plaintiff exclusively, and that the defendant pay the costs of this proceeding, taxed at $, and that this case be recorded.

Austin Goldsberry
vs
Patrick Smith

Court of Common Pleas, Union County, Ohio.

Entry 8781

This day again came the 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 of Counsel, and charge of the Court, retired to their room in charge of the Sheriff for deliberation.

And now come the said jury into open court with their verdict in writing, signed by their foreman and say:- We the jury being impaneled and sworn and affirmed find the issues in this case in favor of the Plaintiff, and assess the amount due to the Plaintiff from the Defendant at the sum of One Hundred Nine Dollars and Twenty Four Cents. ($109.24)

J. H. Berry
Foreman.

Court adjourned to Wednesday, January 20th, 1909.

Wednesday, January 20th, 1909, Court commenced at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

Court adjourned to Thursday, January 21st. 1909.

Thursday, January 21st. 1909. Court convened at 9 o'clock. A. M. Present Hon. John M. Broderick, Judge.

1368
Entry.

Court adjourned to Friday, January 22nd, 1909.

Friday, January 22nd, 1909. Court convened at 9 o'clock, A. M. Present Hon. John M. Brodrick, Judge.

1368 Entry.

State of Ohio, Plaintiff. Vs. John Rausch, Defendant.

Court of Common Pleas, Union County, Ohio. January 22nd, 1909.

Indictment for Selling Intoxicating Liquor to a Minor.

Now comes the Prosecuting Attorney on behalf of the State and the defendant being brought into court in the custody of the sheriff and waiving arraignment and the reading of the indictment saith he is guilty as charged in the second count of said indictment.

Thereupon after being fully advised in the premises it is ordered and adjudged by the court that the said John Rausch pay the fine of Fifty Dollars and the costs of this prosecution; and execution is awarded.

Court adjourned to Saturday, January 23rd, 1909.

Saturday, January 23rd, 1909, Court convened at 9 o'clock A. M. Present Hon. John M. Broderick, Judge.

8849 Entry.

Matilda Gallant, Plaintiff,
vs.
Edward Gallant, Defendant.

Court of Common Pleas,
Union County, Ohio.
January 23rd, 1909.

This day this cause came on to be heard upon the pleading, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by summons; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 10th. day of August, 1879, as alleged in said petition. That one child, Forest Gallant, age eighteen, is sole living issue of said marriage, and that the defendant has been guilty of wilful absence for more than three years last past, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties and the same is now here dissolved, and the said parties are hereby released therefrom, and that said ~~plaintiff~~ defendant, Edward Gallant, pay the costs of this proceeding taxed at $, and that this case be recorded.

8836 Entry.

George N. Jolliff, Plaintiff,
vs.
Hannah Moore, et. al, Defendants.

Court of Common Pleas
Union County, Ohio.
January 23rd, 1909.

This day leave was given to plaintiff to file reply and same filed.

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Court adjourned to Monday January 25th 1909.

Monday January 25th Court convened at 9 O' Clock A. M.
Present Honorable John M. Brodrick, Judge.

George W. Mitchell
vs.
Susan J. Goff et al.
} Court of Common Pleas, Union County, Ohio.

Entry 8825.

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 from said report that said estate could 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 estate. First described Tract, being the West third part of Lots 121 and 128, being 44 feet front on sixth street, at $1300.00, And the second described tract being Lot No. 11, of the sub-division of the Moses Cole land on Waldo Road now Cherry Street at $900.00 the Court find said return and proceedings in all respects correct and in conformity to law and do therefore approve and confirm the same. And it appearing to the Court that the said George W. Mitchell and the said Susan J. Goff jointly have elected to take the said first described tract at the appraised value thereof $1300.00, terms of payment to be cash, and it appearing to the Court that none of the parties to this suit have elected to take the said second described tract appraised at $900.00, it is therefore ordered that the said second described tract be sold at public auction at the North Door of the Court House at Marysville, Ohio. for cash, and that an order issue therefor to the sheriff of Union County, Ohio. and the said Sheriff is ordered to return his proceedings to this Court without unnecessary delay, and the said Sheriff is further ordered to make and execute a conveyance for said first described tract of land unto the said George W. Mitchell and Susan J. Goff, upon satisfactory adjustment of the purchase money therefor said $1300.00, according to law.

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Court Adjourned to Tuesday January 26th 1909

Tuesday January 26th 1909, Court convened at 9 O'Clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8505

Parlin & Orendorf Co.
Vs.
Frank L. Adams, et al.
} Court of Common Pleas, Union County, Ohio.

This day this cause was dismissed by plaintiff, without record. It is therefore considered ordered and adjudged by the Court that the plaintiff pay the costs herein taxed at $ and execution is awarded therefor.

Entry 8845

Entry 8582

Parlin & Orendorf Co.
Vs
Frank L. Adams et al
} Court of Common Pleas, Union County, Ohio.

This day this cause was dismissed by plaintiff without record. It is therefore considered, ordered and adjudged by the Court that the plaintiff pay the costs herein taxed at $ and execution is awarded therefor.

Entry 8855

Entry 8583

Parlin & Orendorf Co.
Vs.
Frank M. Dille et al
} Court of Common Pleas, Union County, Ohio.

This day this cause was dismissed by plaintiff without record. It is therefore considered, ordered and adjudged by the Court that the plaintiff pay the costs herein taxed at $ and execution is awarded therefor.

Entry 8843

In The Matter Of The Estate Of Lewis Kinn, Deceased.
Court of Common Pleas, Union County, Ohio.

This day in open Court appears the said appellant Lewis Kinn, and the said appellees John Durkin and Stephen Kinn as Executors of the last Will and Testament of Thomas Kinn, deceased, also appear, whereupon the said appellant Lewis Kinn dismisses his appeal herein.
Whereupon it is ordered by the Court that the appeal herein, be and the same is hereby dismissed; and by the agreement of the parties, it is ordered that said appellees John Durkin and Stephen Kinn as Executors of the Last Will and Testament of Thomas Kinn, deceased, pay the costs taxed and to be taxed in the above styled Matter.

The State of Ohio, Union County, S.S.
In the Court of Common Pleas.

Stephen M. Kinn and
John Durkin as Executors
of The Last Will and Testament
of Thomas Kinn, Deceased.
Vs.
Lewis Kinn.

Entry

This day the Plaintiffs and Defendant appear in open Court and declare this cause settled.

8845 And by the agreement of the parties, it is ordered that no record be made, and that Plaintiffs pay the costs herein, which is done

Union Banking Co.,
Vs
John Penhorwood et al.

Court of Common Pleas, Union County, Ohio.

Entry

Tuesday, January 26th 1909.

8855 This day came the Plaintiff, by its Attorney of record, and the Defendants, and each of them, being in default for answer and demurrer to the amended petition herein filed, the Court finds that the allegations of said petition are confessed by them, and each of them, to be true.

The Court further finds that the Plaintiff is a partnership, formed for the purpose of carrying on business in the State of Ohio, as alleged; and—

The Court finds that there is due the Plaintiff from the defendants, John E. Penhorwood, Vesta Penhorwood, and R. E. Penhorwood, as the makers, and from the defendants, Samuel Welshimer and Herbert W. Welshimer, indorsers under their firm name, S. Welshimer & Son, on the promissory note set forth in said petition, with interest as stipulated, to the first day of this term of said Court, the sum of $735.85. It is, therefore, considered, ordered and adjudged by the Court that the Plaintiff herein recover from the said defendants. John E. Penhorwood, Vesta Penhorwood, makers as aforesaid, and Samuel Welshimer and Herbert Welshimer, indorsers as aforesaid, the said sum of $735.85, with its costs, in this behalf expended taxed at $

C. K. Brodrick — Judge.

Court adjourned to Wednesday January 27th 1909.

Wednesday, January 27th 1909, Court convened at 9 O'Clock A. M. Present Honorable John M. Brodrick, Judge.

Charles Ferris
vs
Amelia L. Ferris } Court of Common Pleas, Union County, Ohio.

Entry

8856 This cause came on this day to be heard on the petition of the plaintiff and the evidence, and on consideration thereof the Court find that the plaintiff, at the time of filing his petition, had been a resident of the State of Ohio, for one year next preceding the same, and was at 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 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 Charles A. Ferris and Amelia L. Ferris be, and the same hereby is dissolved, and both parties are released from the obligations of the same.

And the Court find that the plaintiff is the owner of the following described real estate, not heretofore disposed of, to-wit:

Situated in the County of Union, State of Ohio, and in the Village of Plain City.

Being part of Survey No. 10708, and all of Lot No. (73) seventy three in the Village of Plain City in Union County, Ohio, containing about 39/100 acres, and the same is herby restored to him divested of all and every claim, title, and interest by dower or otherwise of his said wife.

And the Court find that the defendant is the owner of the following described real estate, not heretofore disposed of, to wit:

Situated in the County of Union, State of Ohio, Lot No. (123) One hundred and twenty three in J. H. Scott's Addition to the Village of Plain City, County of Union and State of Ohio, as the same is numbered designated on the recorded plat at Marysville, Ohio. Also in said Village, County and State aforesaid, Lot No. (71) seventy one, in the annexation to the said Village of Plain City, said County and state aforesaid as the same is numbered and designated on the recorded plat of in the Recorder's office at Marysville, Ohio.

Also another tract of land, situated in the Village of Plain City, Union County, Ohio, which was conveyed to Amelia L. Ferris, defendant, by Charles A. Ferris, plaintiff, on the 1st day of December, 1908, which was recorded in the records of deeds of Union County, Ohio, on the 12th day of December 1908, in Vol. 81, Page 432, and the same is hereby restored to her divested of all and every claim title,

and interest by dower or otherwise of her said husband.
It is further ordered and adjudged by the Court that the plaintiff pay the costs in this proceeding taxed at $11.68, and execution is awarded therefor.

O. K. Brodrick — Judge.

Court adjourned to Thursday, January 28th 1909.

Thursday, January 28th 1909 Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

8836 Entry

Nye Garrington vs Addie Garrington } Court of Common Pleas, Union County, Ohio.

Entry 8710

And now comes the Plaintiff, with leave first obtained of the Court, and dismisses this action at his own costs and without prejudice to a future action, without record.

Joseph Morse vs. Henry Harrington } Court of Common Pleas, Union County, Ohio.

Entry 8839

This day this case was settled by parties, and costs paid.

Court adjourned to Friday, January 29th 1909.

Friday, January 29th 1909 Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

8836. George N. Jolliff, Plaintiff. Court of Common Pleas,
Entry. vs. Union County, Ohio.
Hannah Moore, et. al. Defendants. January 29th, 1909.

This day came the parties hereto by and with their attorneys, and thereupon, by agreement of the parties this cause came on to be heard, upon the rights of the several parties thereto as co-tenants in the ownership of the premises in the petition described and the matter of partition of said real estate according to the interests of said parties, the question of rents and profits or other issues being passed for later consideration of the court; and thereupon, in the above behalf, upon the petition, the answers of Isaac Jolliff and of Hannah Moore, and the evidence, the court find that all of the defendants have had due legal notice of the pendency and demand of the said petition and that with the exception of the said Isaac Jolliff and Hannah Moore, they are in default for answer and demurrer in this cause.

Thereupon the court find that the plaintiff and the defendants hereinafter named are tenants in common in the real estate in the petition described;

That the plaintiff, George Jolliff, has a legal right to the three-tenths part of said real estate, subject to the dower estate therein of the widower, Isaac Jolliff; and to the two-tenths part thereof, subject to the life estate of said Isaac Jolliff therein;

That the defendant, Hannah Moore, has a legal right to the one-tenth part thereof, subject to the dower estate therein of the widower, Isaac Jolliff;

That the defendants, Samuel Jolliff, Nora Elliott, Nora Wood and Benjamin Jolliff have a legal right to the remainder of said premises, subject to the life estate of the defendant, Isaac Jolliff, therein.

That the defendant, Isaac Jolliff, is entitled to dower in the undivided four-tenths parts of said real estate, to wit; in the 3/10 interest of George Jolliff, and in the 1/10 interest of Hannah Jolliff; and that said Isaac Jolliff has an estate for life in the 6/10 parts of said real estate, to wit; in the certain 2/10 of interest of said George Jolliff heretofore mentioned, and in the 1/10 interest each of the above named Samuel Jolliff, Nora Elliott, Nora Wood and Benjamin Jolliff.

The court further finds that the said plaintiff is entitled to have partition made of said premises, as prayed in his petition, and that the defendant, Hannah Moore is entitled to have her interest in said premises set off to her in severalty.

It is therefore ordered, adjudged and decreed that partition of said estate be made, and that dower be assigned to said Isaac Jolliff in 4/10 parts, and William F. Miller, N. C. Hoskins and Chas. C. Jewett, three judicious and disinterested freeholders of the vicinity, are hereby appointed commissioners to make and set off the same; and said commissioners are authorized and empowered to take with them one Alvi Graham, as surveyor, who shall make an accurate survey of said lands and a plat thereof by meets and bounds, which shall be returned into Court by said Commissioners with their report.

And it is further ordered that, if said estate is entire and cannot be divided so as aforesaid, by meets and bounds, the dower of the said Isaac Jolliff in the 4/10 part of said estate be assigned as of a third of the rents, issues and profits of such 4/10 part, and also that the life estate be assigned as of the 2/10 part of said real estate so set off to said George N. Jolliff.

And it is ordered that a writ issue to the Sheriff of Union County, Ohio commanding him that, by the oaths of the commissioners above named, he cause to be set off and divided to said George N. Jolliff and to Hannah Moore the part and proportion of said estate to which they are hereinbefore severally found entitled, and also cause to be set off and assigned, in manner as above ordered, the dower estate of the said Isaac Jolliff therein.

And of his proceedings herein, the said Sheriff is ordered to make due return.

It being understood that any and all matters as to rents and profits, waste and other claims for or against any of the parties to this cause are deferred, pending further hearing thereon by the Court, saving to any party the right to avail himself of any procedure provided by law relative to the action of the commissioners in partition or other action not in accord with the finding and decree aforesaid.

Court adjourned to Saturday, January 30th 1909

Saturday, January 30th 1909, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry

Henry Silberman
vs.
Grace L. Silberman et al
} Court of Common Pleas, Union County, Ohio.

8813. 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 William King by deed according to law the property so sold. And the 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 it is further ordered that the Clerk cause satisfaction of the mortgages herein sued on to be entered on the records thereof in the office of the Recorder of said County.
And the Court coming now to distribute the proceeds of said amounting to $1325.00, it is ordered that the sheriff out of the money in his hands pay— First to the Treasurer of this County the taxes against said property the sum of $
Second the costs of this action and the cost in Case No. 8502, being the original action in foreclosure herein.
Third to parties herein the several amounts to which they have been found entitled and according to the priorty as heretofore found by the Court.

Entry
8878

Entry
8606

Court adjourned to Monday February 1st 1909.

Monday February 1st 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

The Union Banking Co.
vs
Lon Thomas, Flora Thomas and Mary Thomas. } Court of Common Pleas, Union County, Ohio.

Entry 8878

This day came the Plaintiff by Frank J. Ballinger, Attorney: and filed its Petition against said Defendants Lon Thomas, Flora Thomas and Mary Thomas, and thereupon J. L. Cameron one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants Lon Thomas, Flora Thomas and Mary Thomas and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendants, and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition, the sum of Thirteen hundred fifty seven and 92/100 Dollars, $1357.92, bearing interest at 8 per cent, per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said The Union Banking Co. Plaintiff do recover from said Lon Thomas, Flora Thomas and Mary Thomas Defendants the said sum of Thirteen hundred fifty seven and 92/100 Dollars, $1357.92, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the first day of February 1909, at the rate of 8 per cent, per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal and all right to file a petition in error are waived.

A. F. Bixler,
vs
Wm Stahl. } Court of Common Pleas, Union County, Ohio.

Entry 8606

This day came the parties herein, by their attorneys; also came the following named persons as Jurors, to wit: George Moder, Frank Dodge, John B. Hughes, Hamilton Fish, W. L. Hazen, George Ingmire, W. H. Hornbeck, George Rittenhouse, J. D. Berry, L. M. Bellville, Harvey Norris and J. C. Freshwater, who were duly impaneled and sworn according to law; and thereupon the case came on for hearing on the pleadings and evidence, and the said Jury having heard the testimony adduced in this case, said cause was continued until to morrow morning at 9 O'clock.

Court adjourned to Tuesday Feb. 2d 1909.

Tuesday, February 2nd 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

A. F. Birsler
Vs.
Wm. Stahl
} Court of Common Pleas, Union County, Ohio.

Entry

8781

Entry 8606 This day again came the same parties by their attorneys and also came the jury heretofore impaneled 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 said jury into open court and state that they are unable to agree upon a verdict; whereupon they are discharged from further consideration of this case, and the case is continued.

8861 Entry. International Harvester Company of America, Plaintiff.
Vs.
J. N. Westlake, Defendant.

Court of Common Pleas, Union County, Ohio, February 2nd, 1909.

Now comes the plaintiff, by its attorney, and the defendant being in default for answer and demurrer, the court find that the allegations of the petition are confessed by him to be true, and that he is indebted to the plaintiff in the sum of One Hundred and Fifty Eight 40/100 ($158.40) Dollars.

It is therefore considered by the Court, that the said plaintiff, The International Harvester Company of America, recover from the defendant, J. N. Westlake, the said sum of One Hundred and Fifty Eight 40/100 ($158.40) and costs herein expended, with interest from January 4th, 1909.

Court adjourned to Wednesday February 3rd 1909.

Wednesday, February 3 1909, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Austin Goldsberry
Vs.
Patrick Smith } Court of Common Pleas, Union County, Ohio

Entry

8781 The Jury in this action, having, on a former day of this term, rendered a verdict for the Plaintiff, and assessed his damages at $109.24, and this cause now coming on for hearing upon 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, Austin Goldsberry, recover from the said defendant, Patrick Smith, the sum of $109.24, as heretofore, by the verdict of the jury, found due him, with interest from the 4 day of January, 1909, together with his costs herein expended.

Court adjourned to Thursday Feb. 4 - 1909.

Thursday, February 4th 1909, Court convened at 9 O' clock A. M. Present Honorable John M. Brodrick, Judge.

Entry 8661. May Schmidt vs. Charles Schmidt } Court of Common Pleas, Union County, Ohio.

This day this cause came on for hearing on the application for a modification of the former order of this Court heretofore to-wit: October 21st 1907, made in reference to custody of the child of said parties, and it appearing to the Court that the Plaintiff had remarried and had removed from said County abandoning said child.
It is therefore considered and ordered by the Court that said former order of the Court be so modified that the care, custody, control and education of said child Helen Schmidt be confided exclusively to the grand-father of said child, John H. Schmidt, until further order of this Court

Entry 8857 Clyde A. Sill vs. Anya A. Sill } Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with a summons and that she is in default for answer and demurrer and the allegations of the petition are therefore confessed by her to be true.
That at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 25th day of March, 1905, as alleged in said petition. That one child, a boy, named George William Sill, but now going under the name of George William Holbrook, was born of said marriage; And that the defendant has been guilty of extreme cruelty and gross neglect of duty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.
It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom.
And it is further ordered, adjudged and decreed that the care, custody, control and education be and

the same hereby is confided to the plaintiff exclusively. and the plaintiff pay the costs of this proceeding taxed at $8.75, and that this case be recorded.

Court adjourned to Friday February 5th 1909.

Friday, February 5th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

1453 Entry.

P. H. Fackler, Plaintiff.
Vs.
The C. C. C. & St. L. Ry. Co. Defendant.

Court of Common Pleas
Union County, Ohio
February 5th. 1909.

This day leave was given to defendant to file answer and same filed.

Entry 8838

Court adjourned to Saturday February 6th 1909.

Saturday, February 6th 1908, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8838	Pearl D. Kimball, vs. Viron W. Kimball, Gladys M. Kimball, Henry Harrisson Witter, Lucy A. Stanton, Ezra E. Witter, Eunice B. Moore, Jesse V. Witter, Don Witter, Effie Sherman, Lula Lincoln, Elijah Witter, Almira Witter, Anna Nicholes, May Witter, and Henry Harrisson Witter and Ezra E. Witter as Executors of the estate of Elijah Witter, deceased.	Court of Common Pleas, Union County, Ohio.

Now comes 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 confessed by them to be true.

The Court further find that the Plaintiff has an interest as tenant for life in the real estate described in the petition, under the Will of Elijah Witter, deceased, and that the defendants are the heirs in tail to said real estate, as in the petition set forth.

And it being made to appear to the Court by the evidence adduced that a sale of said real estate as asked in the petition herein would be for the benefit of said plaintiff, and would do no substantial injury to the defendants, the heirs in tail, nor to any other ~~of~~ said defendants, it is ordered and decreed that said real estate be sold, freed from all entailment, limitation or condition, in the manner as by law provided in case of sales upon execution by Thomas Connor, who is hereby appointed to make such sale, with all the power possessed by sheriffs in such cases, upon his giving an undertaking in the sum of $7000.00 to the approval of the Court; and that an order issue therefor to said Thomas Connor directing him to appraise, advertise, and sell said premises as upon execution and bring the proceeds into court for further order;

And Elias Hathaway, V. E. Lincoln and Arthur Webb are hereby appointed by the Court as three distinguished freeholders to appraise said real estate described in said petition.

Provided, however, that at any time before sale at public auction the said premises may be sold at private sale on on terms of all cash at time of sale at a sum not less than the appraised value thereof. And in that case a return of such sale, with the proceeds thereof, shall be made to this Court for further order.

John Pfarr
Vs.
Rose Kuhlman et al } Court of Common Pleas, Union County, Ohio.

Entry 8863

And now this cause coming on to be heard upon the petition and the evidence, the Court find that all the defendants have had due legal notice of the pendency and demand of said petition, and that with the exception of John Leonard Kuhlman they are in default for answer thereto.

Thereupon, the Court further find that the Plaintiff and the defendants hereinafter named are tenants in common in the estate described in the petition; that the said John Leonard Kuhlman, widower, is entitled to dower therein, and that subject thereto the Plaintiff John Pfarr has a legal right to the one-fourth of said estate, the defendant Rose Kuhlman has a legal right to the one-fourth of said estate, the defendant Philip Kuhlman has a legal right to one-fourth of said estate and that the defendant John Kuhlman has a legal right to the one-fourth of said estate; and that the plaintiff is entitled to have partition made of said premises, as prayed in his petition.

It is therefore ordered, adjudged and decreed that partition of said estate be made, and that dower therein be assigned to the said John Leonard Kuhlman; and Benjamin L. Robinson, William G. Snodgrass and Casper Kuhl, three judicious, and disinterested freeholders of the vicinity, are hereby appointed commissioners to make and set off the same.

But it is ordered, upon the answer of the said John Leonard Kuhlman, that if in the opinion of said Commissioners, said estate cannot be divided by metes and bounds without injury to the value thereof, no dower be assigned, and that said premises be appraised free from said dower estate.

And it is ordered that a writ issue to the sheriff of Union County, commanding him by the oath of the Commissioners above named he cause to be set off and divided to each of the above named parties, the part and proportion of said estate to which they are hereinbefore severally found entitled, and also to be set off and assigned the dower of the said John Leonard Kuhlman, if said estate can be divided, in manner as above.

And of his proceedings herein the said sheriff is ordered to make due return.

Entry 8820

Entry 8813.

Entry 8858

Ora Woodna,
vs
Ernest Woodna } Court of Common Pleas, Union County, Ohio.

Entry 8820 On application leave is granted the plaintiff to file an amended petition by February 13" 1909.

Henry Silberman et al.
vs
Grace Silberman } Court of Common, Union County, Ohio.

Entry 8813. This cause coming on to be heard on the motion of Defendant, modifying the former order order of the Court herein, for reasons therein stated, and the Court do overrule the same, And the Court on further consideration, and being fully advised in the premises and on good cause shown orders that said former order be modified so that said goods and chattel property belonging to said Joseph Silberman, and stored at the Grand Union Hotel, at Magnetic Springs, Ohio, is released from the limitation of said former order, and said Joseph Silberman by E. H. Porter his Attorney, is authorized to ship said property forthwith, or to otherwise dispose of the same as to him seems best.

Pearl D. Kimball,
vs
Viron W. Kimball et al } Court of Common Pleas, Union County, Ohio.

Entry 8858 It appearing to the Courts that the defendants Viron W. Kimball and Gladys M. Kimball, are minors under the age of fourteen years, and have been duly and legally served with process herein, and that their legal guardian has an interest in this action adverse to that of these defendants, on motion of the plaintiff, John L. Loughrey is hereby appointed guardian for the suit, for said minor defendants.
And now comes the said John L. Loughrey and in open court accepts the said appointment.

Court adjourned to Saturday, February 13" 1909.

Saturday February 13th 1909 Court convened at 9 O. Clock, A. M. Present Honorable John M. Brodrick, Judge.

Albert J. Porter
vs.
Entry Chas. Bayman et al. } Court of Common Pleas, Union County, Ohio.

8869 This cause came on for hearing upon the motion of the Defendants and the evidence and the Court finds that the Plaintiff is a non-resident of Union County, Ohio, and should give security for costs.
It is therefore ordered and adjudged that the said plaintiff give security for costs to the satisfaction of the Clerk of the Common Pleas Court of Union County, Ohio, instanter.

Ora Dordna,
vs.
Entry Ernest Dordna } Court of Common Pleas, Union County, Ohio.

8820 Now comes the parties hereto and agree that the order of injunction heretofore granted in this cause may be dissolved.
It is therefore ordered and decreed that the said injunction be dissolved.
Overturf and Hough, Attorneys for Plaintiff
Hoppes & Robinson Attorneys for Defendant.

Pearl D. Kimball,
vs.
Union W. Kimball et al., } Court of Common Pleas, Union County, Ohio.
Entry

And now comes Thomas Connor and Elias Hathaway, heretofore appointed trustees in this case, and present
8858. their undertaking in the sum of $7000.00, with the Banker's Surety Company as sureties on the bond; which said bond is hereby accepted by the court.
And it ordered that Thomas Connor, by whom the sale in this case was made, turn over to these trustees all money notes, and securities in his possession arising from said sale.

Entry

8858

O. D. Browning
Vs.
Rebecca Browning } Court of Common Pleas, Union County, Ohio.

Entry

This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with a summons, that at the time of the filing of the petition herein the plaintiff and defendants were bona-fide residents of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 15th day of April, 1897, as alleged in said petition. And that the plaintiff has been guilty of gross neglect of duty and extreme cruelty towards the defendant as alleged in said answer and cross petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are here now dissolved, and the said parties are hereby released therefrom and that said defendant be restored to her maiden name of Rebecca Hirst.

It is further ordered adjudged and decreed that the defendant have as and for her reasonable alimony the sum of Four Hundred Dollars upon the execution of a quit claim deed by her to said plaintiff, and that the same be of her right to dower in the lands of the plaintiff and that she be thereby barred from dower in his said lands and that the same be in full of all alimony.

It is further ordered adjudged and decreed that the defendant pay the costs of this proceeding taxed at $18.10, and that this case be recorded.

John M. Brodrick - Judge.

Pearl D. Kimball
Vs.
Vivian H. Kimball et al } Court of Common Pleas, Union County, Ohio.

Entry

8858.

This cause came on to be heard upon the return of Thomas Connor, heretofore appointed to make the sale of premises in this case or ordered to be sold, with his report of his proceedings and sale under said writ. And the Court having carefully examined the said proceedings, being satisfied that the said sale has, in all respects, been fairly and legally made and in conformity to the orders of this Court, and that the price obtained is the reasonable value of the estate sold, do therefore approve and confirm the same, and order that the said Thomas Connor make to the purchaser a deed in fee simple for the premises so sold. Continued at bottom of next page.

February 13th 1909

Robinson Company
vs.
R. S. Fry

Court of Common Pleas, Union County, Ohio.

Entry 8882

This day came the plaintiff by J. L. Cameron his Attorney; and filed Petition against said Defendant R. S. Fry, and thereupon Frank G. Ballinger one of the Attorneys of record of this Court also appeared in open Court, for and on behalf of said Defendant R. S. Fry, and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendant, 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 confessed that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiff's petition the sum of One Hundred and Sixty Three and 60/100 Dollars $163.60, bearing interest at 8 per cent. per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum. It is therefore considered by the Court that said Robinson and Company Plaintiff do recover from said R. S. Fry Defendant the said sum of One Hundred Sixty Three 60/100 Dollars, $163.60, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 13th day of February 1909, at the rate of 8 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, Judgment and proceeding are released, and all right of appeal and all right to file a petition in error are waived.

Entry 8820

Continued from Page 417.

Entry 8858

It is further ordered by the Court that the proceeds of such sale, after payment of the cost of this proceeding, taxed at $304.17, to-wit, the sum of $2611.83 be invested in the certificates of the funded debt of this state or of the United States, or in bonds or notes secured by mortgage on unincumbered real estate, situated in some County of this State, of double the value of the money secured thereby, exclusive of buildings and other improvements, and of timber, mines and minerals; or in such other securities as is provided for in Sections, 3809, and 3809a, of the Revised Statutes of Ohio; and for the purpose of making such investment and managing the same, the court hereby appoints Thomas Crinor and Elias Hathaway trustees, who, before entering upon their duties as such, shall each give an undertaking to the approval of the court for the faithful performance thereof in the sum of $7000.00

Continued on Page 425.

Court adjourned to Saturday, February 20th 1909.

Saturday, February 20th 1909, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Ora Doudna —
vs.
Ernest Doudna,
} Court of Common Pleas, Union County, Ohio.

Entry 8820

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process and that he has failed to appear and is in default for answer or demurrer, and that he has confessed the allegations of the petition to be true, that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 5th day of March, 1907, as alleged in said petition.

And that the defendant has been guilty of extreme cruelty and gross neglect of duty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom and that said plaintiff be and is hereby restored to her maiden name, Ora Graves.

And the Court further find that the plaintiff and the defendant have agreed that the defendant shall pay to the plaintiff the sum of One Hundred and Fifty Dollars in full of all claims for support and alimony and the being satisfied that the same is reasonable and just, orders, adjudges and decrees that the plaintiff recover from the defendant the said sum of One Hundred and Fifty Dollars as for her reasonable alimony and in full of all claims therefor. (and the same being paid, no execution is awarded.)

It is further adjudged, ordered and decreed that the plaintiff pay the costs of this proceeding taxed at $18.20 and costs paid, and that this case be recorded.

John M. Brodrick, Judge.

State of Ohio.
vs.
Fred Russell } Court of Common Pleas, Union County, Ohio.

Entry 1345

Indictment for Grand Larceny.

Now comes the Prosecuting Attorney, on behalf of the State of Ohio, 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 Court asked defendant if he had any thing to say why judgment should not be pronounced upon him, and the Defendant showing no cause why judgment should not be pronounced.
It is therefore adjudged by the Court that the said defendant Fred Russell be imprisoned and confined in the Penitentiary of this state, 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.

The Village of Marysville
vs. Plaintiff.
The Title Guarantee and
Surety Company — Defendant } Court of Common Pleas, Union County, Ohio.

Entry 8867

This cause coming on to be heard upon the demurrer of the defendant to the petition of the plaintiff, the same being argued by the Counsel and submitted to the Court, the Court upon consideration thereof, overrules the demurrer, to which ruling the defendant, then and there excepted.

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Court adjourned to Wednesday, Feb. 24th 1909.

Wednesday, February 24th 1909, Court convened at 9 O. clock A. M. Present Honorable John M. Brodrick, Judge.

Entry 8869

Albert J. Porter
vs.
Charles Bayman et al

Court of Common Pleas, Union County, Ohio.

This day leave was granted plaintiff to amend his petition by inserting the word Perry instead of Jane.

Entry 8870

Court adjourned to Thursday February 25th 1909.

Thursday, February 25th 1909, Court convened at 9 O' Clock A.M. Present Honorable John M. Brodrick, Judge.

In the matter of the conveyance of Cemetery Property of the Amrine Methodist Episcopal Church } Court of Common Pleas, Union County, Ohio.

Entry

8870 This day this cause came on for hearing on the Petition and the evidence, and the same was argued by Counsel, and submitted to the Court.

On consideration whereof the Court find the allegations of the petition to be true.

It is therefore considered ordered and adjudged by the Court that said Monroe Amrine, William Staley, Solomon Turner and J.M. Amring as Trustees of the Amrine Methodist Episcopal Church of Paris Township, Union County, Ohio, execute a conveyance with the Trustees of Paris Township, Union County, Ohio, for said premises described in said petition. for said Township Trustees to have the title and to take care of and keep the said premises in repair, and to hold treat and manage the same in all respects as required by the Statutes relating to public burying grounds belonging to such Townships.

It is further ordered that said Township Trustees pay the costs herein, taxed at $11.00.

Court adjourned to Friday, February 26th 1909.

Friday, February 26th, 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Entry 8783. Augusta L. Dixon vs James B. Dixon } Court of Common Pleas, Union County, Ohio.

This day this cause was dismissed without prejudice to a future action, judgment for costs.

Entry 8865.

Court adjourned to Saturday, February 27th 1909.

Continued from Page 418 as of February 13th 1909

A. J. Johnson
vs.
Mary Jane Stacey, Executor of the estate of James Malone, deceased.

Court of Common Pleas, Union County Ohio.

February 13th 1909.

Entry 8865.

This cause now coming on for hearing on the petition for the revivor of the judgment, rendered in the Justice's Court of S. H. Van Winkle in Claibourne Township, Union County, Ohio, on the 2 day of August 1883, for $115.88, and costs taxed at $5.85, in favor of Beem and Biddle a partnership firm against A. J. Johnson, Jordan Harrisson, James Malone and N. V. Evans. A transcript of said proceedings of said Justice of the Peace, being duly filed with the Clerk of the Court of this County, on the 31st day of December, 1883, an execution being issued thereon by the Clerk of the Court to the Sheriff of the County, with additional costs of $5.71, taxed thereon, and it being shown to this Court that said judgment is still unpaid and unsatisfied.

That for a valuable consideration the said judgment was assigned by the said Beem and Biddle to the plaintiff herein A. J. Johnson.

It being further shown to this Court that the said defendants Jordan Harrisson and James Malone have since died, and that the defendant herein Mary Jane Stacey is the duly appointed and qualified executrix of the said James Malone deceased, and that she the said Mary Jane Stacey as executrix aforesaid and N. V. Evans have been duly served with summons herein; and no cause to the contrary being shown, it is therefore ordered that the said A. J. Johnson be made a party plaintiff to said judgment and that the said Mary Jane Stacey, executrix as aforesaid, be, and she is hereby made a party defendant to the judgment aforesaid.

No cause being shown why said judgment should not be revived, it is hereby considered and ordered by the Court that the said judgment be revived in favor of the Plaintiff, A. J. Johnson against the Defendants Mary Jane Stacey executrix of the estate of James Malone, deceased, and N. V. Evans for the sum of three hundred and twenty five ($325) Dollars and interest from the 8 day of June, A. D. 1909, and the cost herein taxed at $ Dollars and that execution be allowed to issue therefor.

O. K. Brodrick, Judge.

Saturday, February 27th 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Hattie Cox,
Vs.
J. Fred Cox,

Court of Common Pleas, Union County, Ohio.
February 27th 1909, Decree of Divorce.

Entry
8788.

This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel. On consideration thereof, and the Court being fully advised in the premises finds that the defendant has been duly and legally served with a summons, and that he is in default for answer and demurrer, and the allegations of the petition are therefore confessed by him to be true; that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 14th day of June, 1906, as alleged in said petition.

That there was born of said marriage one child, a girl, named Mildred Ethel Cox, aged two years.

And that the defendant has been guilty of extreme cruelty and gross neglect of duty towards the plaintiff as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom,

It is further ordered and adjudged that the plaintiff has the care, custody and control of said minor child, Mildred Ethel Cox,

It is further ordered and adjudged that the defendant pay to the plaintiff, in addition to the temporary alimony already decreed in this case, the sum of Fourteen Hundred Dollars as her reasonable alimony for the support of herself and said minor child, that said sum be payable in fourteen equal annual payments of One Hundred Dollars each, payable on the 1st day of March of each year.

It is further ordered and adjudged that the defendant pay the costs of this proceeding taxed at $13.95, and that this case be recorded.

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Court adjourned to Thursday, March 4th 1909.

Thursday March 4th 1909, Court convened at 9 O'clock, A.M. Present Honorable John M. Brodrick, Judge.

Journal Entry — Order to Draw Grand and Petit Jury.

Court of Common Pleas, Union County, Ohio. Entry
January Term, March 2d A.D. 1909.
8866

To the Clerk of said Court,

You are hereby directed to proceed according to law at 10 O'clock on Thursday the 4th day of March, 1909, to draw from the Jury Wheel of Union County, the names of Thirty persons to serve as grand and petit jurors for the January Term, 1909, of the Court of Common Pleas of said County.

The first Fifteen persons whose names are so drawn from said Jury Wheel, you will cause to be summoned to appear and serve as Grand Jurors of said term; and the remaining persons, fifteen in number, whose names are so drawn from said Jury Wheel, you will cause to be summoned to appear and serve as Petit Jurors for said term.

The grand jurors you will cause to be summoned to appear for such service at the Court House in Marysville in said County, at 10 O'clock, A.M. on Monday the 29th day of March, 1909; and the petit jurors you will cause to be summoned to appear for such service at the same place at 10 O'clock A.M. on Tuesday the 30th day of March 1909,

And for so doing, this shall be your sufficient warrant.

Witness my hand officially this 2 day of March, 1909.

John M. Brodrick.

Judge of the Court of Common Pleas, of the third Subdivision of the Tenth Judicial District.

Entry
8836

Court adjourned to Saturdy March 6th 1909

Saturday, March 6th 1909 Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Cornelius J. Brewer
vs.
Amey Lucretia Brewer } Court of Common Pleas, Union County, Ohio.

Entry
8866

This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel. On consideration thereof and the Court being fully advised in the premises, finds that defendant has been duly and legally served with a summons, and a copy of the petition, and that she is in default for answer and demurrer and that the allegations thereof are therefore by her confessed to be true; that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 19th day of January 1907 as alleged in said petition. And that the Defendant has been guilty of Adultery as alleged in said petition; and that said Plaintiff is therefore entitled to a Divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom.

And that the Plaintiff pay the cost of this proceeding taxed at $7.15, And that this case be recorded.

George Jolliff
vs.
Hannah Moore et al } Court of Common Pleas, Union County, Ohio.

Entry
8836

This cause coming on for hearing on the supplemental petition of the plaintiff asking for a reformation of the description of the premises described in the petition and from the evidence produced it is hereby ordered that the description of the premises shall be reformed to conform to the report of the County Surveyor herein appointed to make a Survey of the said premises and report a description and plat thereof, and all future proceedings shall contain said corrected description as the true description of said premises

O. K. J. M. Brodrick, Judge.

The Village of Marysville.
vs.
The Title Guaranty and Surety Company

Court of Common Pleas, Union County, Ohio.

Entry 8867

This cause came on to be heard upon the motion of the defendant to strike out from the petition certain portions thereof as set forth in the said motion, the Court upon consideration thereof orders said motion stricken from the files.

George Jolliff
vs. Plaintiff.
Hannah Moore, et als.
Defendants

Court of Common Pleas, Union County, Ohio.

Entry 8836

On motion to the Court by the Plaintiff and upon the production of the return of the Sheriff and the return of the Commissioners heretofore appointed herein, and the report of the County Surveyor heretofore ordered to make a survey of the premises and a report thereon, 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 the Court, the said proceedings are hereby approved and confirmed.

It is therefore ordered and decreed that the said George Jolliff shall have and possess that portion of the said premises described as follows.

Commencing at a stone in the center of the Liggett Gravel Road and at the North West Corner to C. O. Pressler's land: thence with the Westerly line of said land South 9° 15' East 175 poles to a stone in the Southerly line of Survey 13592; Thence with the line of said Survey No. 13592 South 80° 30' West 46½ poles to a post, corner to lands of T. C. Romine; thence with the easterly line of said land North 8° 30' West 87¼ poles to a stone; thence with the Northerly line of said lands South 81° West 8½ poles to a stone corner to Hannah Moore's land; thence with the easterly line of said land N 9° 30' West 87 85/100 poles to a stone in the center of the Liggett Gravel Road; thence with the center of said road North 80° 30' East 54 75/100 poles to the place of beginning, containing 54 9/10 Acres.

That Samuel Jolliff, Nora Elliott, Nora Wood and Benjamin Jolliff shall have and possess that portion of the said premises described as follows.

Commencing at a stake at the intersection of the Liggett Gravel Road with the Grassy Run Gravel Road: thence with the center of the said Grassy Run Gravel Road, South 9° 30' East 88 poles to a stake at the North West corner to lands

of T. C. Romine; thence with the Northerly line of Romine's land, North 81° East 65 46/100 poles to a stone; thence North 9° 30' West 87 9/10 poles to a stone in the center of the Liggett Gravel Road; thence with the center of said Gravel Road South 80° 45" West 65 46/100 poles to the place of beginning, containing 36 Acres, and subject to the life estate of Isaac Jolliff therein.

That the defendant Hannah Moore shall have and possess that portion of the said premises described as follows.

Commencing at a stake in the center of the Liggett Gravel Road, and at the North East corner to the land of Samuel Jolliff, Nora Elliott, Dora Wood and Benjamin Jolliff; thence with the Easterly line of said land, South 9° 30' East 87 9/10 poles to a stone in the Northerly line of lands of T. C. Romine; thence with the line of said land North 81° East 20 5/100 poles to a stone corner to George Jolliff's land; thence with the Westerly line of said land North 9° 30' West 87 85/100 poles to a stone in the center of the Liggett Gravel Road; Thence with the center of said Road South 80° 45' West 20 5/100 poles to the place of beginning, containing 11 Acres.

That the said Isaac Jolliff shall have and possess during his natural life, that portion of the said premises described as follows;

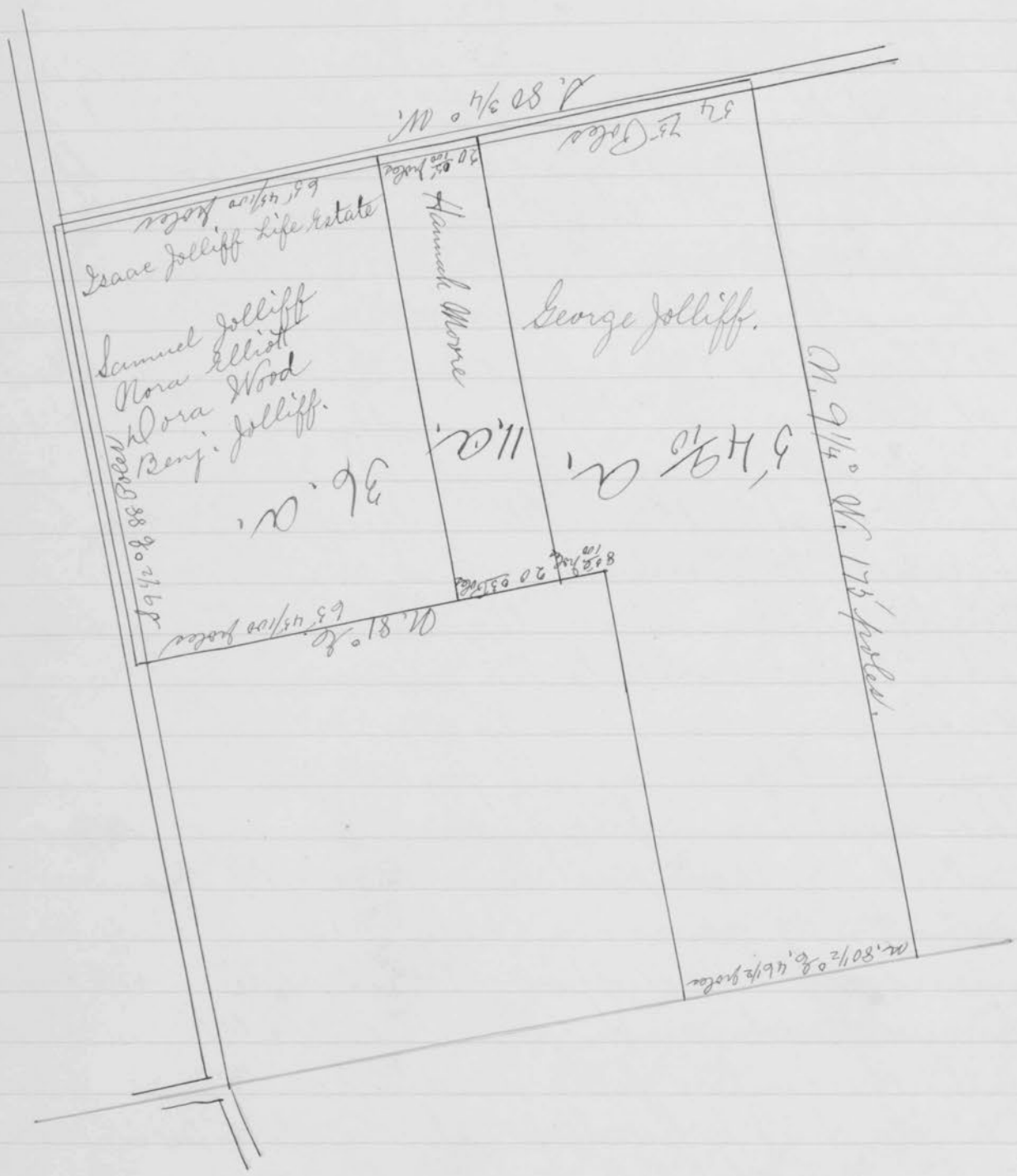
Commencing at a stake at the intersection of the Liggett Gravel Road with the Grassy Run Gravel Road; thence with the center of the said Grassy Run Gravel Road South 9° 30' East 88 poles to a stake at the North West corner to lands of T. C. Romine; thence with the Northerly line of Romine's land, North 81° East 65 46/100 poles to a stone; thence North 9° 30' West 87 9/10 poles to a stone in the center of the Liggett Gravel Road; thence with the center of said Gravel Road South 80° 45" West 65 46/100 poles to the place of beginning, containing 36 Acres.

The said tract being the same as the tract set off and assigned to the said Samuel Jolliff, Nora Jolliff, Dora Wood and Benjamin Jolliff in remainder.

For a more specific description of the various subdivisions of the said premises set off and assigned. Reference is made to the inserted sheet herein Marked "Exhibit A", and mad a part of this entry.

For Plat - Marked Exhibit "A."
See next page.

Exhibit "A"


Isaac Jolliff Life Estate
Samuel Jolliff
Nora Elliott
Nora Wood
Benj. Jolliff.
Hannah Moore
George Jolliff.
Isaac Jolliff Life Estate
Samuel Jolliff
Nora Elliott
Nora Wood
Benj. Jolliff.
Hannah Moore
George Jolliff.

It is further ordered and decreed that the said Isaac Jolliff shall have as a dower in the rents and profits of the three tenths of the said premises included in the said tract set off to the said George Jolliff, the sum of Thirty Three ($33.00) Dollars to be paid annually by the said George Jolliff, his heirs and assigns, to the said Isaac Jolliff during his natural life, the same to be and remain a lien on the said Three Tenths of the said premises until paid.

That the said Isaac Jolliff shall have as an annual rent for the two tenths of the said premises included in the said tract set off and assigned to the said George Jolliff, the sum of Sixty Six ($66.00) Dollars, to be paid annually by the said George Jolliff his heirs and assigns to the said Isaac Jolliff during his natural life, the same to be and remain a lien upon the two tenths of the said premises until paid.

That the said Isaac Jolliff shall have as a dower in the rents and profits of the said one tenth of said premises set off and assigned to the said Hannah Moore, the sum of $11.00 to be paid annually by the said Hannah Moore her heirs and assigns to the said Isaac Jolliff during his natural life, the same to be and remain a lien upon the said one tenth of the said premises until paid.

That the said George Jolliff and the said Hannah Moore shall each pay to the said Isaac Jolliff the one half of the said annual rent and dower on the 1st day of October, and the one half on the first day of April, of each year beginning with the 1st day of October, A.D. 1909.

And it is further ordered that the cost of this action including a counsel fee of $150. — $50. to McCrory and Cameron and $100 to S.W. VanWinkle attorneys for services rendered taxed at $228.60, be paid by the said parties in the following proportions to-wit:

First,—That the said George Jolliff shall pay the sum of $114.30,
Second,—That the said Isaac Jolliff shall pay the sum of $91.44,
Third—That the said Hannah Moore shall pay the sum of 22.86,

That the costs herein taxed against the said George Jolliff, the said Isaac Jolliff and the said Hannah Moore shall be and remain a lien upon the said premises to them assigned until paid, and that execution may be allowed to issue therefor.

C. H. Brodrick, Judge.

Saturday March 13th 1909, Court convened at 9, O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 8875

Mary E. Marshall vs L. F. Marshall } Court of Common Pleas, Union County, Ohio.

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 find 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 herein 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 further find, upon the evidence adduced, that the defendant has been guilty of extreme cruelty and gross neglect of duty, and that by redson thereof the plaintiff entitled to a divorce as prayed for.

It is therefore oldered and adjudged by the court, that the marriage contract heretofore existing between the said Mary E. Marshall and L. F. Marshall 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 minor child Earl L. Marshall be, until the further order of the court, confined to said Mary E. Marshall exclusively. But it is hereby ordered that the said L. F. Marshall have the privilege of visiting said child at all reasonable times, but not at the home of the plaintiff, and said child to have the privilege of visiting said L. F. Marshall at all reasonable times, but not during the school week and not to stay more than one week at any one time.

And it further appearing to the court that said parties have agreed upon a settlement of their property rights and that said agreement has been reduced to writing, and said settlement appearing to the Court to be reasonable and equitable said agreement of settlement is confirmed. and said paper writing, marked, "Exhibit A." is made a part of this entry. And it is ordered adjudged and decreed that the property rights of said parties be and the same hereby are settled as in said written agreement provided.

It is further considered by the Court that the said plaintiff pay the cost of this proceeding.

Approved. J. K. John M. Brodrick,
Judge of the Court of Common Pleas of Union County, Ohio.

"Exhibit A."

Separation Agreement.

These articles of separation made and concluded at Plain City, Ohio, this 25" day of January, 1909, by and between Mary E. Marshall and L. F. Marshall, husband and wife, witnesseth:

That whereas, the said parties hereto have agreed upon an immediate separation, and do hereby agree to live separate and apart during their natural lives, and.

Whereas, the said Mary E. Marshall has this day paid to the said L. F. Marshall the sum of Two Thousand Dollars, the receipt of which is hereby acknowledged, and has assigned, conveyed and transferred, and does hereby assign, convey and transfer to said L. F. Marshall, one corn sheller, one grind stone, two feed boxes, one pair of ladders, two cross cut saws, one long handle shovel, one spade, one shot gun, one bay driving mare, one buggy, one set single buggy harness, one one-horse wagon, one set single wagon harness, one bed room set consisting of bed stead, dresser and wash stand, one feather bed, one comforter, one pair of pillows, one set bed springs and one log chain, also three cups and saucers, two carpets and one graphaphone.

Whereas, the said L. F. Marshall has this day assigned, conveyed and transferred, and does hereby assign, convey and transfer to said Mary E. Marshall all the household furniture of whatsoever kind owned by said parties or either of them, (except such as are mentioned herein above), also all provisions, fuel, and chattels of every kind whatsoever belonging to said parties or either of them except such as are herein expressly given to said L. F. Marshall and also excepting the wearing apparel of said L. F. Marshall, And.

Whereas, the said L. F. Marshall has this day assigned, conveyed and transferred, and does hereby assign, convey and transfer to said Mary E. Marshall all his stock in the Moulton Wireless Umbrella Company, And,

Whereas, the said L. F. Marshall hereby agrees to immediately leave the residence of said Mary E. Marshall.

Now therefore, in consideration of the premises each party hereto does hereby release and discharge the other from all obligations of support, and from all other claims, rights and duties arising or growing out of said marital relation; and said parties mutually agree party hereto may freely sell or otherwise dispose of his or her own property, by gift, deed or last will and testament, and each party by these presents is hereby barred from any and all rights or claims by way of dower, alimony, inheritance, descent, distribution, allowance for years support, right to remain in the mansion house, and all other rights or claims whatsoever, in or to the estate of the other, whether real or personal, and whether now owned or hereafter to be acquired.

And each party hereto, for the consideration aforesaid, does hereby release and relinquish to the other, and to the heirs, executors, adminis-

8825 Entry.

istrators and assigns of the other, all claims or rights of dower and inheritance in and to all the real estate of the other, whether now owned or hereafter acquired, all rights or claims to a distributive share of the personal estate of the other, now owned or hereafter acquired, and all claim or right to an allowance for years support, or to reside in the mansion house, and all other rights or claims whatsoever, including claims for damages for personal injury.

Each party hereto further agrees, upon request of the other, to execute and acknowledge any and all deeds or other instruments of release or conveyance to enable such other to sell, convey or otherwise dispose of his or her own real property, free from any right of inchoate dower therein, and without further consideration passing from the one to the other or from the grantee to the one so releasing his or her right of inchoate dower therein.

In further consideration of the foregoing the said L. F. Marshall hereby covenants and agrees that the said Mary E. Marshall shall have the sole and exclusive custody, control and care of the children of the parties hereto, to wit, Earl L. Marshall, during his minority. The said L. F. Marshall, however, to have the privilege of visiting said child at all reasonable times, and the child the right to visit said L. F. Marshall at all reasonable times, but not during school hours, and not to stay more than one week at any one visit.

And the said Mary E. Marshall in further consideration of the foregoing agrees to support, care for and educate said child at her own expense and to save the said L. F. Marshall harmless from all obligations or claims for support for said child.

In witness whereof the parties have hereunto set their hands the day and year first above written.

Signed and acknowledged in presence of
James E. Robinson
J. E. Strayer.

Mary E. Marshall.
L. F. Marshall.

The State of Ohio, Union County, ss.

Before me, a notary public in and for said county, personally appeared the above named Mary E. Marshall and L. F. Marshall, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

In testimony whereof, I have hereunto subscribed my name at Plain City, Ohio, this 25th. day of January, 1909.

(Seal)

James E. Robinson,
Notary Public.

8876 Entry.

John Cogray, Plaintiff,
vs.
Walter Weidman, et. als, Defendants,

Court of Common Pleas,
Union County, Ohio,
March 18th. 1909.

This day leave was granted defendant to plead within 15 days.

8825 Entry.

George D. Mitchell, Plaintiff,
Vs.
Susan J. Goff, Selwyn D. Mitchell,
Charles Mitchell, Clarence Mitchell, Florence Colwell, Metta Ewing, Lena Reynold, Kate King, Margaret King, William King, Jasper R. King, Ina Gill, Emily McDowell, Clyde Bidwell, Clifford Bidwell, Hattie Parish, Nellie Hunter, Minnie Lewis, Leon Mitchell, Ima Kramer, Defendants.

Court of Common Pleas,
Union County, Ohio,
March 13th, 1909.

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 said premises the second described tract to the purchaser, Orie M. Autan in consideration of the said purchase price of $601, the same being the highest and best price bid for said second tract of land and being more than 2/3 of the appraised value thereof.

It is further ordered that out of the proceeds of the said two tracts of land, to-wit; the first tract $1300, and the second tract $601, being a total of $1901. the Sheriff pay,

1st. To the Treasurer of Union County, Ohio, the taxes due on said premises said 2 tracts of land the sum of $.

2nd. To the Clerk of this Court the costs of this action, including a counsel fee of $67. to J. D. Kinkade for services herein, taxed at $144.18.

3rd. And of the residue of the proceeds of said two tracts of land to pay the same to the persons entitled thereto, as follows, to-wit: the sum of $1756.82, he shall pay to the persons entitled thereto as follows:-

To the plaintiff, George D. Mitchell, one equal 1/5 part thereof $351.36.
To Susan J. Goff, one equal 1/5 part thereof, $ 351.37.
To Selwyn D. Mitchell, one equal 1/30 part thereof, $ 58.56
To Charles Mitchell, one equal 1/30 part thereof, $ 58.56
To Clarence Mitchell, one equal 1/30 part thereof, $ 58.56
To Florence Colwell, one equal 1/30 part thereof, $ 58.56
To Metta Ewing, one equal 1/30 part thereof, $ 58.56
To Lena Reynold, one equal 1/30 part thereof, $ 58.56
To Kate King, one equal 1/20 part thereof, $ 87.84
To Margaret King, one equal 1/20 part thereof, $ 87.84
To William King one equal 1/20 part thereof, $ 87.84
To Jasper King one equal 1/20 part thereof, $ 87.84
To Ina Gill one equal 1/20 part thereof, $ 87.84
To Emily McDowell one equal 1/20 part thereof, $. 87.84
To Leon Mitchell, one equal 1/40 part thereof, $ 43.92
To Ima Krance, one equal 1/40 part thereof, $ 43.92
To Clyde Bidwell, one equal 1/100 part thereof, $ 17.57
To Clifford Bidwell, one equal 1/100 part thereof, $ 17.57
To Hattie Parish, one equal 1/100 part thereof, $ 17.57
To Nellie Hunter one equal 1/100 part thereof $ 17.57

To Minnie Lewis one equal 1/100 part thereof $17.57.

In the first order of this entry the tax is included in the 2nd. order, which amount was paid direct to the Clerk, who made the distribution of costs, atty. fee and taxes, leaving $1756.82, all the money named by Sheriff.

Entry 8881

Entry 8879.

Court adjourned to Saturday March 20th 1909.

Saturday, March 20th 1909, Court convened at 9 O'clock, A. M. present Honorable John M. Brodrick, Judge,

Entry 8881 — J. P. Kreitline vs W. John Dunfee et al — Court of Common Pleas, Union County, Ohio.

Now comes the plaintiff and dismisses this action at his own cost. Case dismissed without record.

Entry — Grace Thompson vs Ernest Thompson — Court of Common Pleas, Union County, Ohio.

8879. This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel, On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process; that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 27th day of February, 1905, as alleged in said petition. That one child was born of said marriage, Argus Thompson; And that the defendant has been guilty of gross neglect, and extreme cruelty as alleged in said petition; And that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and it is further ordered and adjudged and decreed that the sole and exclusive custody of the said minor child, and the same is hereby confided to the said plaintiff during its minority. And the said defendant is hereby enjoined from interfering in any manner with said child.

It is also ordered and adjudged that the Defendant Ernest Thompson pay the said Grace Thompson the sum of $2.00 Two Dollars per week, beginning on the 22d day of March, 1909, for the support of their minor child, and the said money to be left at the Union Banking Company, Marysville, Ohio.

The Court further finds that the contract entered into by the parties hereto, the original being attached and marked Exhibit "A," And made a part of this entry is a valid and subsisting contract; that its terms are satisfactory to both parties and therefore confirms the same.

And that the defendant pay the cost of this proceeding taxed at $10.00 and that this case be recorded.

John M. Brodrick.
Judge.

Articles of Separation.
Exhibit "A"

This agreement made at Marysville, Ohio, this 24th day of February, 1909, by and between Ernest Thompson and Grace Thompson, husband and wife, witnesseth:

That whereas, unfortunate differences have arisen between the parties hereto rendering it impossible for them to hereafter live together, and said parties have agreed upon the continuance of the separation all ready existing during the remainder of their natural lives, and. Whereas, the said Ernest Thompson has this day paid to the said Grace Thompson the sum of Twenty Two Dollars, the receipt of which is hereby acknowledged and has agreed to pay to the said Grace Thompson the sum of two dollars per week beginning with the 22 day of March, 1909, for the support of their minor child Argus Thompson.

Now, therefore, in consideration of the premises the said Grace Thompson hereby releases the said Ernest Thompson from all obligations of future support of herself and their said minor child, other than is specified above, and she does further release the said Ernest Thompson from all right or claim for alimony, other than is specified above, and she does further release said Ernest Thompson, his heirs, executors, administrators or assigns from all rights or claims by way of dower, inheritance and descent, in and to the real property of said Ernest Thompson, now owned or hereafter acquired, and any and all rights or claims to a distributive share of his personal estate, now owned or hereafter acquired, and all claims for an allowance for years support, and to reside in his mansion house, and all other rights and claims of every kind and nature arising or growing out of said marriage relation. And the said Grace Thompson, for the consideration aforesaid and in the consideration of the agreements of said Ernest Thompson, herein contained, does further covenant and agree that she will not, in any manner, incur or contract any debt on the credit of said Ernest Thompson and will not incur any liabilities on his behalf.

And that in case of an action for a divorce being instituted by her she will not ask for any alimony or allowance for counsel fees other than is specified above, but that the sum this day paid and agreed to be paid to her shall be in full satisfaction of all such claims for support for herself and her said minor child.

Entry

8885

in consideration whereof the said Ernest Thompson hereby covenants and agrees that the said Grace Thompson shall have the sole and exclusive custody, control and care of the said minor child, Argus Thompson, during his minority.

And the said Ernest Thompson, for the consideration aforesaid, does hereby release and relinquish to the said Grace Thompson, her heirs, executors, administrators and assigns all right or claim of dower, inheritance, descent, distribution and all other rights or claims, in any manner arising or growing out of the marriage relation now existing between said parties, in and to the estate of said Grace Thompson, real, personal or mixed, now owned or hereafter acquired; and by these presents the said Ernest Thompson shall be forever barred therefrom.

Witness the hands of said Ernest Thompson and Grace Thompson the day and year first above written.

Signed and acknowledged in the presence of James E. Robinson and John L. Loughrey.

Signed { Ernest Thompson.
Mrs Grace Thompson.

State of Ohio, Union County, ss.

Before me, a notary public in and for said County of Union, personally appeared Ernest Thompson and Grace Thompson, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed for the uses and purposes therein mentioned.

In testimony whereof, I have hereunto subscribed my name and affixed my notariel seal this 4" day of February, 1909.

James E. Robinson,
Notary Public.

Entry — Charles McIntire, a minor by his next friend, J. M. Halfhill vs Cora McIntire } Court of Common Pleas, Union County, Ohio.

8885 — This day this cause was settled by the parties, and all costs paid.

Court adjourned to Saturday March 27th 1909

Saturday, March 20th 1909, Court convened at 9 O'clock A.M. Present Honorable John M. Brodrick, Judge.

Certificate for Pay.

To Honorable John M. Brodrick, Judge.

Marysville, Ohio, March 25th 1909.

The Court charges for the January Term, A.D. 1909 Union County Common Pleas, are due for services rendered and are as follows;

Union County, Ohio.

To Cad Price, Sheriff, Dr.

To serving Grand Jury Venire	$ 4.50
" " Petit " "	4.50
" " Grand Jury Witnesses (34)	5.40
" Making 38 copies, Grand Jury Witnesses	5.80
" 263 miles travel, Grand Jury Witnesses	$21.04
Total	$41.24

I hereby certify the above bill to be correct.

Cad Price
Sheriff of Union County, Ohio.

To the Clerk of the Courts, Union County, Ohio.

You will make entry of the above bill and certify the same to the County Auditor.

John M. Brodrick
Judge.

Entry 8801.

G. C. Leffler et al. vs E. N. Guckert } Court of Common Pleas, Union County, Ohio.

This day leave was granted Defendant to Answer instanter and same is filed.

K A. M.

It is ordered that all matters causes and motions now pending in this Court not otherwise disposed of be and the same are hereby continued to the next term thereof.

The present term of this Court was begun on the 4" day of January, A.D. 1909, and continued from day to day and from time to time by regular adjournments until this 27" day of March A.D. 1909, and is now adjourned without day.

John M. Brodrick
Judge.

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The State of Ohio, Union County, ss:

This separate session of the Court of Common Pleas of the Tenth Judicial District and the Third Sub-Division of the State of Ohio, within and for the County of Union, of the March Term, A.D. 1909, held at the Court House in the Village of Marysville, County and State aforesaid, was begun on Monday, March 29th, A.D. 1909.

Present: Hon. John M. Brodrick, Judge.
Cad Price, Sheriff.

Attest: Charles Parrott, Clerk.

Grand Jury Facias.

The Venire Facias for a Grand Jury heretofore issued was duly returned by the Sheriff on March 29th, 1909, with his endorsement thereon as follows:

The State of Ohio, Union County, ss.

Sheriff's Office, March 22, 1909.

On the 4th day of March, 1909, 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 hereon.

No.	Names.	When Served.	How Served	No. of Miles. one way
1.	John Schidrere	March 8th/09	By Mail	3
2.	Richard Watson	" 6th "	" "	10
3.	James McIntire	" " "	" "	9
4.	L. H. Osborne	" 5th "	" "	5
5.	Dan Cross	" 6th "	" "	9
6.	Elias Cathaway	" 20th "	" "	8
7.	E. L. Bonner	" 8th "	" "	9
8.	N. H. Ford	" " "	" "	10
9.	J. A. Palistow	" " "	" "	14
10.	Elmer Liggett	" " "	" "	7
11.	James King	" 6th "	" "	17
12.	Monroe Lentz	" " "	" "	7
13.	Geo. N. Williams	" 8th "	" "	20
14.	Thomas Parish	" 10th "	" "	20
15.	Homer Southard	" 6th "	" "	2

Cad Price, Sheriff.

And upon calling the same in open Court all of the above named Jurors appeared in answer thereto, and thereupon the Court appointed Thomas Parish foreman, and he with his fellow jurors took the oaths in manner and form prescribed by law; and after being instructed by the Court in relation to their duties, were conducted to their room by the Sheriff.

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Court adjourned to Tuesday, March 30th 1909.

Tuesday, March 30th 1909, Court convened at 9 O'clock A.M. Present Honorable John M. Brodrick, Judge.

Entry 8867

The Globe Building and Loan Association Company, vs Mary Rogers } Court of Common Pleas, Union County Ohio.

Entry 8850

This cause came on for hearing on the petition of the plaintiff filed herein and the evidence, and the Court on consideration thereof finds that the defendant, Mary Rogers, has been duly served with Summons in this case, and that she is in default for answer and demurrer, and that the allegations of the petition are thereby confessed by her to be true.

The Court further finds that the defendant has failed to pay to the plaintiff the installments of dues and interest as in the petition set forth, and that there is due to said plaintiff as Calander of interest to the date of this decree, the sum of $29.71, and a balance due on the principal in the sum of $248.50, making a total of principal and interest due to the date of this decree in the sum of $278.21.

The Court further finds that in order to secure the regular payment of said dues and interest, as well as dues and interest hereafter to become due, the said Mary Rogers, widow, executed and delivered to this plaintiff her certain Mortgage deed in the petition described, and on the premises therein described; that said mortgage was on the 13th day of June, 1905, duly recorded in M.R. 52, pages 423, 424, 425 of the record of mortgages of Union County, Ohio, and that the same is a good and valid lien on the premises described in the petition.

It is therefore considered by the Court that unless the said defendant shall, within three days from the entry hereof, pay or cause to be paid to said plaintiff the sum of $278.21 so found due, and pay to the Clerk of Courts, the costs herein taxed at $____, that defendant's equity of redemption be foreclosed and said premises be sold, and that an order issue to the Sheriff of Union County, Ohio, ordering him to appraise, advertise and sell said premises as upon execution, and make return of his proceedings to this Court for further order.

For good cause shown German publication is hereby dispensed with.

C. K. John M. Brodrick,
Judge.

The Village of Marysville
Vs.
Entry The Title Guaranty and Surety Co. } Court of Common Pleas, Union County, Ohio.

8867 Now comes the Plaintiff, The Village of Marysville, Ohio, by its Attorney, John H. Kinkade and the defendant, The Title Guaranty and Surety Company, being in default for answer and not desiring to plead farther, the Court find that the allegations of the petition are confessed by the defendant to be true and that the said defendant is indebted to the Plaintiff in the sum of $1000.00

It is therefore considered by the Court that the said Plaintiff, the Village of Marysville recover of the said defendant, The Title Guaranty and Surety Company the said sum of $1000.00 and its costs herein expended, taxed at.

Report of the Grand Jury.
Court of Common Pleas, Union County, Ohio.
March Term, March 30th 1909.

In the matter of the Grand Jury:

This day appeared at the bar of this Court, the Grand Jury heretofore impaneled and sworn in, and for the body of this Union County, Ohio;

1. John Scheiderer,
2. Richard Watson,
3. James McIntire,
4. L.H. Osborne,
5. Dan Cross
6. Elias Hathaway
7. E.L. Borror,
8. W.H. Ford
9. J.A. Ralston,
10. Elmer Liggett,
11. James King.
12. Monroe Lantz,
13. George Williams,
14. Thomas Parish,
15. Homer Southard,

Cad Price — Sheriff.

And presented their certain two bills of Indictments each indorsed by Thomas Parish, foreman of the Grand Jury, "A True Bill" and against the following named persons, and for the following specified offenses; Viz:

1. Clarence Hyland — For neglecting to provide child a home.
2. Homer Raynor — For neglecting to provide child a home.

Also their report in writing to the Court in words and figures following to-wit:

Report of Grand Jury.

To the Honorable John M. Krodrick,
Judge of the Court of Common Pleas, Union County, Ohio.

The Grand Jury of the Court of Common Pleas of said County, of the March Term, 1909, beg leave to report that they have been in session two days, and herewith return to the Court the Indictments presented by said Jury: We have carefully examined in all such matters as have legitimately come to our notice, having examined over Twenty witnesses, covering five cases, and

presented Two bills, and ignored Three cases considered by us. The business has been transacted in as expeditious a manner as possible.

During our session we visited the County Jail, examined its state and condition, and inquired into the discipline and treatment of the prisoners, and their habits, diet and accommodations. We find, and respectfully report to the Court, that the rules prescribed by the Judge have been faithfully kept and observed, and we do not find that any provision of law for the regulation of County Jails has been violated.

The entrance from the Sheriff's residence to the jail is unsafe and incomplete; We reccommend that the door way be completed as originally designed, by placing steel casing on the side of the same.

Respectfully Submitted

March 30th 1909.

Thomas Parish
Foreman.

Court adjourned to March 31st. 1909.

Wednesday, March 31st, 1909. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

Appointment of Assistant Court Stenographer.

This day the Court of Common Pleas, of Union County, Ohio, being of the opinion that the business requires it, does hereby appoint Walter M. Scott, skilled in the profession, to be the assistant official Stenographer of such Court, who shall hold said appointment for the term of three months from the date hereof, unless removed by the Court, after good cause shown, for neglect of duty, misconduct in office or incompetency.

It is ordered by the Court that said assistant official Stenographer shall take an oath to faithfully and impartially discharge the duties of such position.

It is further ordered by the Court that the compensation of such assistant official Stenographer, be, and the same hereby is, fixed at the sum of Eighty Dollars for the aforementioned term of three months, payable out of the general fund of said County; such compensation to be in lieu of all per diem compensation in said Court.

Dated March 31st 1909.

John M. Brodrick
Judge, Court of Common Pleas, Union County, Ohio.

Court adjourned to Thursday, April 1st. 1909.

Thursday, April 1st, 1909. Court convened at 9 o'clock A. M. Present Hon. John M. Brodrick, Judge.

Appointment of Deputy Clerk.

Appointment of Deputy Clerk.

Court of Common Pleas, Union County, Ohio.

To Honorable John M. Brodrick, Judge of the Court of Common Pleas, Union County, Ohio.

This is to certify that I have this 1st. day of April, 1909 appointed Charles William Parrott as Deputy Clerk of Courts, and respectfully ask that his appointment be approved and confirmed.

Chas. Parrott,
Clerk of Courts.

The foregoing appointment is hereby approved and confirmed this 1st. day of April, 1909.

John M. Brodrick,
Judge of the Common Pleas Court.

Whereupon came the said Charles William Parrott and accepted said appointment and subscribed to the following oath:

I do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of Ohio; and that I will faithfully and impartially discharge the duties of Deputy Clerk of Courts, to which I have been appointed according to law, and the best of my ability.

Chas. W. Parrott.

Sworn to before me and subscribed in my presence this 1st. day of April, 1909.

Charles Parrott,
(Seal) Clerk of Courts.

Appointment of Deputy Sheriff.

Appointment of Deputy Sheriff.

To the Hon. John M. Brodrick, Judge.

I have this day appointed O. B. Davis Deputy Sheriff for this Union County, Ohio, subject to your confirmation and approval.

Cad Price,
Sheriff.

The above appointment approved and confirmed by me, this 1st day of April, 1909.

John M. Brodrick, Judge.

Whereupon came the said O. B. Davis and accepted said appointment and subscribed to the following oath:

I do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of Ohio; and that I will faithfully and impartially discharge the duties of Deputy Sheriff, to which I have been appointed according to law, and the best of my ability.

O. B. Davis.

Sworn to before me and subscribed in my presence this 1st. day of April, 1909.

(Seal) Chas. Parrott, Clerk of Courts.

Appointment of Deputy Sheriff

8901 Entry.

Appointment of Deputy Sheriff

Appointment of Deputy Sheriff

To the Judge of the Court of Common Pleas in and for Union County, Ohio.

This is to certify that I have this 1st. day of April, 1909, appointed Lester McCrory as Deputy Sheriff and respectfully ask that her appointment be approved and confirmed.

Cad Orice, Sheriff.

The foregoing appointment is hereby approved and confirmed this 1st. day of April, 1909.

John M. Brodrick,
Judge of the Common Pleas Court.

Thereupon came the said Lester McCrory and accepted said appointment and subscribed to the following oath:

I do solemnly swear that I will support the Constitution of the United States of America, and the Constitution of the State of Ohio; and that I will faithfully and impartially discharge the duties of Deputy Sheriff to which I have been appointed according to law, and the best of my ability.

Lester McCrory

Sworn to before me and subscribed in my presence this 1st. day of April, 1909.

Chas. Parrott,
Clerk of Courts.

(Seal)

8901 Entry.

John A. Dodge, as Executor of the Will &c. of John K. Dodge, deceased,
Plaintiff
Vs.
Electa Douglas, Defendant.

Court of Common Pleas.
Union County, Ohio.
April 1st. 1909.

This day came the Plaintiff by James McCampbell, his Attorney, and also came Frank J. Ballinger, one of the Attorneys of record of this Court, on behalf of the Defendant, Electa Douglas, and by virtue of a Warrant of Attorney for that purpose, duly executed by the said Defendant, and now produced in open Court, waived the issuing and service of process and entered the appearance of the said Defendant herein; and, by virtue of the said Warrant of Attorney, confessed that there is due from the said Defendant to the said Plaintiff, as is alleged in the said Plaintiff's petition, the sum of One Hundred and Twenty ($120.00) Dollars, bearing interest at the rate of Six per centum per annum, and that the Plaintiff ought to recover from the Defendant a judgment for that sum and interest from the 27th. day of January, A.D. 1908, to this day.

It is, therefore, considered and adjudged by the Court that the said John A. Dodge, Plaintiff, as Executor as aforesaid, do recover from the said Electa Douglas, defendant, the said sum of $120.00 with interest thereon to be computed from the 27th. day of January, A.D. 1908, to this day, so as aforesaid confessed to be due, and his costs, as such Executor, in this behalf expended, taxed at $

And by virtue of the said Warrant of Attorney, all errors in this action and judgment are released, and all right of appeal in the premises is waived.

Entry 8863

John Pfarr
Vs
Rose Kuhlman et al } Court of Common Pleas, Union County, Ohio.

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 upon examination that the same have been 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, George Schwartzkopf, free of the dower of John Leonard Kuhlman.
And the said John Leonard Kuhlman having by his answer elected to receive in lieu of his dower, its value in money, the Court find the just and reasonable value thereof to be $600.88.
And the said John Leonard Kuhlman having by his answer admitted that there is due the plaintiff and the defendants for rents and profits the sum of $243.55; It is ordered adjudged and decreed that he pay to the Clerk of this Court for distribution as hereinafter provided said sum of $243.55.
And the Court now coming to the distribution of the proceeds of said sale and said rents and profits orders that the Sheriff pay -- First to the Treasurer of Union County, $7.22 being the taxes and penalty due on said premises.
Second. - To the Clerk of this Court the costs of this action, including a Counsel fee of $110.62 to Hoppes & Robinson for their services herein, taxed at $154.08.
Third to the said John Leonard Kuhlman the said sum of $600.88 for his full dower interest in said premises, and $81.15 for his interest in said rents and profits.
Fourth — And of the residue of the proceeds of said sale and rents and profits to John Pfarr, Rose Kuhlman, Philip Kuhlman and John Kuhlman each one fourth, to wit, to John Pfarr $796.93, to Rose Kuhlman, $796.93, to Philip Kuhlman, $796.93, and to John Kuhlman $796.93.

A. H. Kollefroth.
Attorney for John Leonard Kuhlman.

Court adjourned to Friday April 2nd 1909.

Friday April 2 1909. Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned to Saturday April 3 1909.

Saturday, April 3rd 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Entry 8686

Court adjourned to Monday, April 5th 1909.

Monday, April 5th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8886

Vanna Lee, Mary A. Long, Louisa A. Graham, Mary E. Slagle, John C. Battee, Chas. R. Henderson; Mary Henderson, Homer Henderson, Ethel Henderson, Thelma Henderson, and Ruth Henderson, minors by Lottie J. Henderson their next friend. Plaintiffs

Vs.

Frank G. Ballinger as Executor of the estate of William T. McCrary, deceased; Jesse H. Payne and Mary Payne and the Unknown Heirs of Elizabeth Draper, deceased. Defendants

Court of Common Pleas, Union County, Ohio.

The parties by their attorneys come, and are at issue, and a jury being called, come to-wit: N. W. Hill, Oliver Shaw, Sylvester Southard, Jerry Kirk, R. B. De Good, Lem Baldwin, Joseph Donohoe, John Rausch, Guy A. Robinson, Frank Ruhlen, John Harris and B. C. Bennett, Who, being duly impanelled and sworn, and after hearing the testimony and arguments of counsel and the charge of the court, do find that the paper writing described in the petition and produced at the trial of this case, purporting to be the last Will and Testament of William T. McCrary, deceased, is the last Will and Testament of said William T. McCrary, deceased.

It is therefore considered and adjudged by the Court, that said paper writing produced at the trial, and described in the petition, purporting to be the last Will and Testament of William T. McCrary, deceased, is the last Will and Testament of said William T. McCrary, deceased, and by agreement of the parties hereto the costs of this case are adjudged against the defendants.

O. K. Hoopes and Robinson
Attorneys for Plaintiff.
J. L. Cameron.

Court of Common Pleas, Union County, Ohio.

Appointment of Soldier's Relief Commissioner.

This day the Court appointed S. L. Irwin, Member of the Soldier's Relief Commission, in and for said Union County Ohio, in place of William L. Snodgrass, said term to commence the first Monday in April, 1909, and to expire the 1st Monday in April, 1912.

April 3rd 1909

Capitola Kleiber
vs.
Emanuel Kleiber } Court of Common Pleas, Union County, Ohio.

Entry 8884

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process and copy of petition; That at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union, for one year next preceding the filing of said petition, and that said parties were married on the 20th day of November, 1909, as alleged in said petition.

That no children have been born of said marriage; And that the defendant has been guilty of gross neglect of duty and extreme cruelty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be and she hereby is restored to her maiden name of Capitola Melching, and that the defendant pay the costs of this proceeding taxed at $9.00, and that this case be recorded.

John W. Brodrick,
Judge.

Entry 8814

Entry 8905

Court adjourned to Tuesday, April 6th 1909.

Tuesday, April 6th 1909, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Martha A. Crary, et al.
Vs
Robert McCrory as exct. etc et al } Court of Common Pleas, Union County, Ohio.

Entry 8814

This day came this cause to be heard upon the motion of the Plaintiff to strike out certain parts of the answer, and the Court being fully advised in the premises, orders that the following allegation be stricken from said answer, to-wit: "The said Rosetta nursed and cared for Beamers parents, and treated them with great kindness while they lived." As to all other matters said motion is overruled, to which the plaintiff excepts. Thereupon Plaintiff asked and had leave of the Court to file reply in 10 days.

L. C. Beem
Vs.
James E. Inskeep } Court of Common Pleas, Union County, Ohio.
Conditional order of Revivor.

Entry 8905

In this cause, on the motion of said Plaintiff L. C. Beem and it being made to appear to the Court that the said Judgment herein has become and is dormant, and that there is still due thereon the sum of One Hundred and Twenty Eight and 51/100 Dollars, and $3.35 costs.
It is therefore ordered that said James E. Inskeep be and he is hereby ordered to show cause why the said judgment for said sums of money should not be revived on or before the 8th day of May A. D. 1909, and in default of such showing, that said judgment to stand revived for said sums of money.
C. K. John M. Brodrick, Judge.
Witness my hand and the seal of said Court at Marysville this 6th day of April A. D. 1909.
Charles Parrott, Clerk.

Court adjourned to April 7th 1909.

Wednesday April 7th 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned to Thursday April 8th 1909

Thursday, April 8th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned to Friday, April 9th 1909.

Friday, April 9th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Order to draw Special Venire.

Entry

Court of Common Pleas, Union County, Ohio.
March Term April 9th 1909.

To the Clerk of said Court:

You are hereby directed to proceed according to law at Ten O'clock on Friday the 9th day of April, 1909, to draw from the Jury Wheel of Union County, the names of four persons to serve as petit jurors for the March Term, 1909, of the Court of Common Pleas of said County, and the persons four in number, whose names are so drawn from said Jury Wheel, you will cause to be summoned to appear and serve as Petit Jurors for said Term to fill the regular panel of the term in said County at Nine O'clock, A. M. on Monday the 12th day of April, 1909;

And for so doing, this shall be your sufficient warrant.

Witness my hand officially this 9 day of April, 1909.

John M. Brodrick, Judge.

Judge of the Court of Common Pleas of the Third Sub-Division of the Tenth Judicial District

Court adjourned to Saturday, April 10th 1909.

Saturday, April 10th 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Vessie Easterday an infant etc. vs B. F. Carmean } Court of Common Pleas, Union County, Ohio.

This day leave was granted Defendant to plead within 60 days.

Entry No. 8892

Entry No. 8807

Court adjourned to Monday April 12th 1909.

Monday, April 12th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

F. J. Arthur, Plaintiff,
vs
Alva E. Drumm, executor of the estate of George W. Drumm, deceased. Defendant
} Court of Common Pleas, Union County, Ohio.

Entry

No. 8892

This day this cause came on to be heard upon the petition and evidence. The defendant having failed to appear by answer or demurrer, the court find the allegations of the petition to be true, and that the Plaintiff ought to recover the amount claimed in the petition with interest as stated.

It is therefor ordered adjudged and decreed that the plaintiff do recover of the defendant as such executor the sum of $1444.00, with 6% interest from the 29th day of March, 1909, as prayed for in said petition, with costs of suit, and that in default of payment of the same, that execution issue from this Court to the Sheriff of this County, commanding him to make said amount with costs and return the same into Court, And that all further and necessary relief be granted to this Plaintiff as is authorized by law.

F. J. Arthur Atty.

W. H. Crottinger et al
vs
J. H. Hush
} Court of Common Pleas, Union County, Ohio.

Entry

No. 8807

This day came the parties herein, by their attorneys, also came the following named Jurors, to-wit: N. W. Hill, Sylvester Southard, Jerry Kirk, R. B. De Good, Joseph Donohoe, Cyrus Zimmerman, Frank Torry, Frank Haggard, Andy Pierce, J. H. Monroe, Elliott Southard and Joseph Shetterly, who were duly impaneled and sworn according to law, and thereupon the case came on for hearing on the pleadings and evidence, And the said Jury having heard the testimony adduced in part in this case, this case was continued until to morrow morning at 9 O'clock.

Court adjourned to Tuesday, April 13th 1909.

Tuesday, April 13th 1909, Court convened at 9 O'clock A. M.
Present, Honorable John M. Brodrick, Judge.

May Kelley
vs
William Kelley } Court of Common Pleas, Union County, Ohio.

Entry 8830

This day leave was granted defendant to withdraw his answer, and same is withdrawn.

Entry 8890

W. H. Crottinger et al
vs.
J. H. Hush } Court of Common Pleas, Union County, Ohio.

This day again came the 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 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: We, the Jury, being duly impaneled, and sworn and affirmed, find that there is due the plaintiff's from the defendant as alleged in plaintiff's petition the sum of $258.61, Two Hundred Fifty Eight and 61/100 Dollars, and we find that there is due the Defendant J. H. Hush from the Plaintiffs W. H. Crottinger et al the sum of $136.61, Amount due W. H. Crottinger et al, $122.00

J. H. Monroe,
Foreman

the said

May Kelley
vs.
William Kelley } Court of Common Pleas, Union County, Ohio.

This day leave was granted Defendant to withdraw his answer, and same is withdrawn.

J. Roger Poling, Plaintiff.
Vs.
William Henry Poling, John Poling
Fletcher Poling, Orpha Burton, Luke Burton
Arthur and Earl Poling, Adeline Poling
} Court of Common Pleas, Union Co. Ohio.

Entry 8890

And now come the said J. Roger Poling, by John L. Laughrey his Attorney, and thereupon this cause came on to be heard, upon the petition and evidence, and was argued by counsel; on consideration whereof the Court do find that due notice of the pendency of this action has been given to all of the Defendants herein, as required by law; and the Court do further find that the said J. Roger Poling has a legal right to and is seized in fee simple of Two Sevenths (2/7) part of the said premises; and the Court do further find that the said William Henry Poling, Fletcher Poling, Orpha Burton and Luke Burton, husband and wife, Arthur Poling (a minor), and Earl Poling (a minor). are tenants in common in said premises with the said Plaintiff, in the following proportions to-wit: That the said Adeline Poling is seized of no dower, (being divorced).

the said J. Roger Poling is seized of Two Sevenths (2/7) part thereof;
The said William Henry Poling is seized of One Seventh (1/7) part thereof;
The said Fletcher Poling is seized of One Seventh (1/7) part thereof;
The said Orpha Burton and Luke Burton (husband and wife) seized One Seventh (1/7) part thereof;
The said Arthur Poling (minor) seized of one fourteenth (1/14) part thereof;
The said Earl Poling (minor) seized of one fourteenth (1/14) part thereof;
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

partition be made of said lands in the following proportions, to-wit: To the said J. Roger Poling Two Sevenths (2/7).
William Henry Poling, One Seventh (1/7)
Fletcher Poling, One Seventh (1/7)
Orpha Burton and Luke Burton, One Seventh (1/7)
Arthur Poling (minor) One Fourteenth (1/7)
Earl Poling (minor) One Fourteenth (1/7)
And it is further ordered, that the Sheriff return his proceeding in the premises, (forthwith), to the Court,
O. K. J. M. Brodrick, Judge.

Court adjourned to Wednesday April 14th 1909.

Wednesday, April 14th 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

M. E. Gutman,
vs.
Edward Dobie,
} Court of Common Pleas, Union County, Ohio.

Entry 8880

Entry 8812.

This day came the parties herein, by their Attorneys; also came the following named persons as Jurors, to wit: N. W. Hill, Oliver Shaw, Jerry Kirk, R. B. De Good, Lem Baldwin, Joseph Donohoe, John Rausch, Guy A. Robinson, Frank Kuhlen, Moses George and May Chapman, who were duly impaneled and sworn according to law, and thereupon the case came on for hearing on the pleadings and evidence; and after hearing the evidence, arguments of Counsel 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, being duly impaneled and sworn and affirmed, find the issues in this case in favor of the plaintiff and assess the amount due the plaintiff from the defendant at the sum of $217.25, Two Hundred and Seventeen Dollars and Twenty Five cents.

Guy A. Robinson,
Foreman.

April 14 - 1909.

John Rosebrook
Vs.
Fay Rosebrook.

Court of Common Pleas, Union County, Ohio.

Entry

8880

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 her in default for answer and demurrer to said petition, and find that the allegations thereof are therefore confessed by her to be true.

The Court also find that the plaintiff at the time of the filing of his petition has 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 further find upon the evidence adduced, that the defendant has been guilty of gross neglect of duty towards 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 the Court that the marriage contract heretofore existing between the said plaintiff and the said defendant, 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 Benjamin Rosebrook, the minor child of said parties, be, until the further order of the Court, confined to the said plaintiff exclusively.

It is further considered by the Court that the plaintiff pay the cost of this proceeding; and execution is awarded.

C. K. John M. Brodrick,
Judge.

Court adjourned to Thursday, April 15th 1909.

Thursday, April 15th, 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge,

Appointment Of Deputy Sheriff.

Entry 8869.

To the Judge of the Court of Common Pleas, in and for Union County, Ohio.

This is to certify that I have this 15th day of April, 1909, appointed D. C. Bolenbaugh as Deputy Sheriff and ask respectfully that his appointment be approved and confirmed.

Cad Price, Sheriff.

The foregoing appointment is hereby approved and confirmed this 15th day of April, A. D. 1909.

John M. Brodrick,
Judge of the Common Pleas Court.

Whereupon came the said D. C. Bolenbaugh and accepted said appointment and subscribed to the following oath:

I do solemnly swear that I will support the Constitution of the United States of America, and the Constitution of the State of Ohio; and that I will faithfully and impartially discharge the duties of Deputy Sheriff to which I have been appointed according to law, and the best of my ability.

D. C. Bolenbaugh.

Entry 8890

Sworn to before me and subscribed in my presence this 15th day of April, A. D. 1909.

Charles Parrott,
Clerk of Courts.

Resignations of Hester McCrory and O. B. Davis as Deputy Sheriffs.

Marysville, Ohio, April 15th 1909.

To the Honorable Cad Price, Sheriff of Union County, Ohio,

We hereby respectfully tender our resignation as Deputies in your Office, same to take effect at once, in so doing we wish to express to you our kindest regards.

Hester McCrory
O. B. Davis

April 15 - 1909.

Albert J. Porter
vs.
Charles Bayman and
O. F. Davison
} Court of Common Pleas, Union County, Ohio.

Entry 8869.

This day came the parties herein, by their attorneys; also came the following named persons as Jurors, to-wit: N. W. Hill, Sylvester Southard, R. B. De Good, Joseph Donohoe, Guy Robinson, Frank Ruhley, Moses George, B. C. Bennett, O. B. Davis, Lou Bambaugh, James Guy, and Andrew Ferree, who were duly impaneled and sworn according to law; and after hearing the evidence, argument of Counsel, and charge of the Court, the Jury retired to their room in charge of the Sheriff for deliberation. And now comes said Jury into open Court, with their verdict in writing, signed by their foreman, and say; We, the Jury, being duly impaneled and sworn, and affirmed, find the issues in this case in favor of the plaintiff, and assess the amount due the Plaintiff from the Defendants at the sum of $167.57, One Hundred and Sixty Seven Dollars and Fifty Seven cents. Signed — O. B. Davis
Foreman.

J. Roger Poling,
vs.
William Henry Poling et al
} Court of Common Pleas, Union County Ohio.

Entry 8890

Decree of Confirmation, Distribution and Election.

This cause came on hearing upon the return of the Sheriff and the report of the Commissioners heretofore appointed herein, and on motion, and on motion to confirm the same. And it appearing from said report that the said estate could not be divided by meets and bounds without injury to the value thereof and have made and returned their appraisement of said estate at Fifteen Hundred and Fifty Dollars ($1550.00), the Court find the said return and proceedings in all respects correct, and in conformity to law, and do therefore approve and confirm the same.

And it appearing to the Court that the said J. Roger Poling has elected to take the said estate at its appraised value, and has paid to the Clerk of this Court the Costs of this case, Attorney fees to John L. Loughrey, and to the other parties herein their respective proportions of its appraised value, the said estate is hereby adjudged to the said J. Roger Poling; and the Sheriff is ordered to execute a deed to him therefore.

Court adjourned to Friday April 16th 1909.

Friday, April 16th 1909, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

State of Ohio, ex rel.
Florence M. Murphy,
vs.
Arthur M. Irwin } Court of Common Pleas, Union County, Ohio.

Entry 8886

Entry 8839.

Now came the parties herein, by their attorneys; also came the following named persons as Jurors, to wit M. W. Hill, R. B. De Good, Oliver Shaw, Sylvester Southard, Joseph Donohoe, John Rausch Jerry Kirk, Guy Robinson, Frank Ruhlen, John Harris Moses George and May Chapman, who were duly impaneled and sworn according to law. And thereupon, after hearing the evidence, 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, on the issue formed, find, the defendant guilty, as charged.

It is therefore adjudged by the Court, that the defendant, Arthur M. Irwin, is the reputed father of said child, and that he stand charged with the maintenance thereof in the sum of Two Hundred Dollars ($200.00); and that he pay said sum to the plaintiff, or her attorney, forthwith, and also that he pay the cost of this proceeding. All of which has been done, the receipt whereof, so far as said sum of Two Hundred Dollars is concerned, is hereby acknowledged by said Florence M. Murphy.

Entry 8895

Entry

Court adjourned to Saturday, April 17th 1909.

Saturday, April 17th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Orpha Barber, vs Chas. E. Barber } Court of Common Pleas, Union County, Ohio.

Entry 8886

This day this cause came on to be heard upon the pleadings evidence and argument of Counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication according to law, and that the defendant is in default for answer, that at the time of the filing of the petition herein the Plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 11th day of Sept. 1895, as alleged in said petition, Margaret Ada Barber and John Victor Barber are children born of said marriage; and that the defendant has been guilty of Drunkenness for last three years, and has been guilty of failure to provide, or gross neglect of duty for three years last past as alleged in said petition; and that said Plaintiff is therefore entitled to a divorce as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said Plaintiff is decreed the custody, care and education of said minor children and the same are confided exclusively to her, and that the Plaintiff pay the cost of this proceeding taxed at $10.00 and that this case be recorded.

John M. Brodrick,
Judge.

Smith, T. O'Harra vs Dora O'Harra et al } Court of Common Pleas, Union County, Ohio.

Entry 8895

This day leave was granted Defendant to file answer within thirty days.

Entry

A. B. Montgomery vs Josephine Barnes } Court of Common Pleas, Union County, Ohio.

This cause came on to be heard, and it appearing that the Plaintiff has failed to file an amended petition or otherwise prosecute this action. It is ordered by the Court that this action be and the same is dismissed without prejudice to a new action. And it is further ordered and adjudged that the defendant recover of the plaintiff his costs herein expended.

O. K. John M. Brodrick — Judge

April 17 — 1909.

May Kelly
Vs.
Wm. Kelly } Court of Common Pleas, Union County, Ohio.

Entry 8830

This day this cause came on to be heard upon the pleadings, evidence and argument of Counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process; that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 4th day of February, 1906, as alleged in said petition.

And that one child was born, Frankie; and that the defendant has been guilty of extreme Cruelty and gross neglect of duty towards Plaintiff as alleged in said petition; and that said Plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom.

It is further ordered and decreed that the defendant be given the said child to maintain, control, care for and educate, but the Plaintiff shall be permitted to visit said child once a month at proper hours.

It is further ordered that the Plaintiff pay the costs of this proceeding taxed at $12.80.

O. K. John M. Brodrick, Judge.

State of Ohio
Vs.
Homer Raynor } Court of Common Pleas, Union County, Ohio.

Entry 1371

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, and for plea thereto saith "He is not guilty", and puts himself upon the Court and the prosecuting attorney doth the like.

Court adjourned to Monday, April, 19 — 1909.

Entry 8797

Monday, April 19 - 1909, Court convened at 9 O. clock A. M. Present Honorable Boston S. Young, Judge.

Jeremiah Poling.
Vs
James D. Poling et al } Court of Common Pleas, Union County, Ohio.

Entry

8797

This cause now coming on for hearing, was submitted to the Court upon the pleadings and the evidence, and after hearing the evidence adduced the Court adjourned the said cause until to-morrow morning at 8-30 O'clock, for the argument thereof.

Court adjourned to Tuesday, April 20th 1909.

Tuesday, April 20th 1909, Court convened at 8-30, O'clock
Present Honorable Boston G. Young, Judge.

Entry
8996

Court adjourned to Friday April 23rd 1909.

9 O'clock

Friday, April 23 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Matilda A. Amrine exct. et al
vs.
Ettie Hamilton et al.

Court of Common Pleas, Union County, Ohio.

Entry

8996 This day leave was granted defendants to file Demurrer, and same is filed.

Court adjourned to Saturday, April 24-1909.

Saturday, April 24th 1909, Court convened at 9, O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 8887

James D. Wood as Guardian of John C. March, Plaintiff, vs. Elizabeth M. Wood, Defendant | Court of Common Pleas, Union County, Ohio.

Entry 8908

This cause came on to be heard upon the plaintiff's petition and the evidence, the defendant Elizabeth M. Wood, defendant, having filed herein her written waiver of Summons and entered her appearance herein and consented to the partition of said premises as prayed for in the petition.

On consideration whereof, the Court finds that the allegations of the petition are true; that the said John C. March has a legal right to one half of the estate in the petition described, and is entitled to have said estate apparted as prayed for. The Court further finds that the said James D. Wood is the duly appointed and qualified guardian of the person and estate of said John C. March and that it will be to the interest of said wards estate to have said estate partitioned as prayed for by said guardian. The Court further finds that the defendant Elizabeth M. Wood has a legal right to one half of said estate, being the lands described in the petition.

It is therefore ordered that a writ of partition be issued to the Sheriff of this County, commanding him that by the oaths of Lanson B. Harvey, James Shirk and O. B. Davis, who are hereby appointed commissioners for the purpose, he cause to be divided and set off to each of the named parties the portion of said estate to which he or she is herein found entitled to-wit: To the said John C. March the one half thereof and to the said Elizabeth M. Wood the one half thereof.

John Kelley, Plaintiff.
vs.
Mary Kelly, Defendant } Court of Common Pleas, Union County, Ohio.

Entry
8887

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 her in default for answer and demurrer to said petition, and that the allegations thereof are confessed by her to be true. The court also find, that the plaintiff, at the time of filing his petition, had been a resident of the State of Ohio for one year next preceding the same, and was at that time a bona fide resident of this county of Union, and that the parties hereto were married as in said petition set forth.

The Court further find, upon the evidence adduced, that the defendant has been guilty of wilful absence from this plaintiff for three years and more, and by reason thereof the plaintiff is entitled to a divorce as prayed for.

It is therefore ordered and adjudged, by the Court that the marriage contract heretofore existing between the said John Kelley and Mary Kelley be, and the same hereby is, dissolved, and both parties are released from the obligations of the same.

And the Court find that the defendant is the owner in fee simple of the following described real-estate to-wit: A house and lot in South Plum Street in the Village of Marysville, Ohio, and bounded on the North by a lot owned by John H. McKee; on the east by an alley; on the south by William Kane's lot: and on the west by said South Plum Street. It is therefore ordered and decreed that the plaintiff be forever divested of all and every claim, title, or interest, by curtesy, dower, or otherwise, in, or to, any of the real-estate herein before described; and that the defendant have full power to lease, rent or dispose of the same at her pleasure. And the plaintiff is enjoined from interfering in any manner with her rights, and from setting up any claim of interest in said real-estate.

It is further considered by the Court that the plaintiff pay the costs of this proceeding.

O. K. John M. Brodrick
Judge.

Court adjourned to Monday April 26th 1909.

Monday, April 26th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 8897.

H. H. Beaver, vs James Cochran, } Court of Common Pleas, Union County, Ohio.

On motion of defendant and by consent of plaintiff time for defendant to plead herein is extended for sixty days.

Entry 8606

A. F. Bigler vs Wm. Stahl } Court of Common Pleas, Union County, Ohio.

This day came the parties herein, by their Attorneys, also came the following named persons as Jurors, to wit: N. W. Hill, Sylvester Southard, Jerry Kirk, Joseph Donohoe, Guy A. Robinson, Frank Kuhlen, Cyrus Zimmerman, May Chapman, Andrew Ferree, Byrl McLoughlin, Will Arnold and May Gilcrist, who were duly impaneled and sworn according to law; and thereupon the cause came on for hearing upon the pleadings and evidence, and the said Jury having heard the testimony adduced in this case, said cause was continued until to-morrow morning at 9 O'clock.

Notice

Entry of Co for Children Home

Entry 8606.

Court adjourned to Tuesday, April 27th 1909.

Tuesday, April 27th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Notice

Honorable John M. Brodrick,
Judge of the Court of Common Pleas.

Dear Sir:

I am directed by the Board of County Commissioners to advise you that under the provisions of Statute an architect has been selected to prepare plans for a new building, to be used as a Children's Home. Said plans will probably be ready for approval within a week or ten days, and the Board would kindly ask that you make the appointment required by statute of the additional members of the commission to sheet in conjunction with the Board, so that the same could be taken up at the time indicated.

Yours very truly,
Dwight B. Edwards.
County Auditor.

Entry of Com. for Children's Home.

In accordance with the foregoing notice and under the provisions of Section 797 Revised Statutes of Ohio, it is hereby ordered that Rev. D. P. Ebert, S. F. Barr Esq. and C. D. Webb Esq. be, and they hereby are, appointed as such Committee.

It is further ordered that the Clerk of this Court notify such persons of their appointment, and transmit a copy of this Entry to the County Commissioners of Union County, Ohio. April 27th 1907.

John M. Brodrick,
Judge.

A. F. Bixler,
vs
Wm. Stahl.

Court of Common Pleas, Union County, Ohio.

Entry 8606.

This day again came the same parties by their attorneys, and also came the jury, heretofore impaneled and sworn, and the trial proceeded, and the said jury having heard the argument of Counsel and the charge of the Court, retired to their room in charge of the Sheriff for deliberation.

And now come said jury into open Court with their verdict in writing, signed by their foreman, and say: "We the jury, being duly impaneled, ~~and~~ sworn and affirmed, find that there is due the plaintiff from the Defendant William Stahl the sum of $11.74, and we find that there is due the Defendant William Stahl from the said Plaintiff A. F. Bixler the sum of $56.25, leaving the amount due said Defendant $44.51.

S. F. Southard
Foreman.

Court adjourned to Wednesday, April 28th 1909.

Wednesday, April 28th 1909, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

State of Ohio
Vs
Tony Pfarr } Court of Common Pleas, Union County, Ohio.

Entry 8806

Entry 1374 This day came the defendant in the custody of the Sheriff, and this cause came on to be heard on the application of the said Tony Pfarr to be admitted to bail. And the Court having heard the evidence and finding the offense to be a bailable one, grants said application. It is therefore ordered that the said Tony Pfarr enter into a recognizance in the sum of One Thousand Dollars with sufficient Surety for his appearance on the first day of the next term then and there to answer said charge, and that upon giving such recognizance he be discharged, but in default thereof he be recommitted to the jail of the County.

Entry 8901

Thereupon came the said Tony Pfarr and entered in to the recognizance as required with Dorothea Pfarr and Conrad Pfarr as sureties hereby approved.
And the said Tony Pfarr is therefore released
O. K. John M. Brodrick, Judge.

Owen C. Fugua,
Vs.
The Toledo & Ohio Central Railway Co. } Court of Common Pleas, Union County, Ohio.

Entry 8806

This day came the parties herein, by their Attorneys, also came the following named Jurors, to wit: G. W. Hill, Oliver Shaw, Sylvester Southard, Jerry Kirk, R. B. De Good, Joseph Donohoe, John Rausch, Cyrus Zimmerman, May Chapman, Ernest Brown, Swayne Kennedy and A. G. Kirby Jr. who were duly impaneled and sworn according to law, and thereupon this cause came on for hearing.
On Motion of Defendant, and by consent of the Counsel of the Plaintiff, it is ordered that the Jury be conducted in a body, in charge of the Sheriff to view the premises in controversy herein, and the same being shown to them by the Sheriff, said Jury returned forthwith, and the trial proceeded upon the pleadings and evidence, and the said Jury having heard the evidence adduced in part, said cause was continued until to-morrow morning at 8 O'clock.

Court adjourned to Thursday, April 29th 1909 at 8 O'clock.

Thursday, April 29th 1909, Court convened at 8 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Owen C. Fugua,
vs
The Toledo & Ohio Central Railway Company, } Court of Common Pleas, Union County, Ohio.

Entry 8806

This day again came the said parties by their attorneys, and also came the jury heretofore impaneled and sworn, and the trial proceeded, and the said jury having heard the testimony continued, said cause was continued until to-morrow morning at 8-30 O'clock.

John R. Dodge, Exct. etc.,
vs
Electa Douglas } Court of Common Pleas, Union County Ohio.

Entry 8901

This day came the parties to this action and thereupon the same came on to be heard, on motion and showing of defendant to set aside the judgment heretofore entered herein in favor of plaintiff on warrant of attorney, and on proposed answer of defendant; On consideration whereof the Court find that there is good cause for setting aside said judgment, and that said answer shows a good defense, and therefore said judgment is set aside, and leave granted to file said answer to defendant, and answer filed.

Court adjourned to Friday, April 30th 1909, at 8-30 O'clock.

Friday, April 30th 1909, Court convened at 8-30 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Owen C. Fugua
Vs
The Toledo & Ohio Central Railway Company. } Court of Common Pleas, Union County, Ohio.

Entry 8806

This day again came the same 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 evidence adduced, the arguments of Counsel, and charge of the Court, retired to their room, in charge of the Sheriff for deliberation. And now come said jury into open Court with their verdict in writing, signed by their foreman, and say: We, the jury, being duly impaneled, sworn and affirmed, find that there is due the Plaintiff from the Defendant on the first cause of action set forth in plaintiff's petition the sum of $125.00.

We do find that there is due the plaintiff from the defendant, on the second cause of action set forth in Plaintiff's petition, the sum of $65.00.

We do find that there is due the plaintiff from the defendant, on the third cause of action set forth in Plaintiff's petition, the sum of $10.00.

We do find that there is due the plaintiff from the defendant on all the causes of action set forth in Plaintiff's petition the sum of $200.00.

April 30th 1909

Sylvester Southard
Foreman.

State of Ohio
Vs.
Homer Raynor } Court of Common Pleas, Union County, Ohio.

Entry 1371

Indictment for non support of child.

It being necessary to continue this case until the next term of said Court, It is ordered that the defendant do forthwith enter into a recognizance in the sum of Five Hundred Dollars, for his appearance at the next term of this Court, to answer the charge against him, and in default thereof that he be committed to the jail of this County. And this case is continued until the next term of this court.

Entry 8840

Saturday, May 1st 1909, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Pauline H. Carr
vs
William Carr } Court of Common Pleas, Union County, Ohio.

Entry
8840

This day this cause came on to be heard upon the pleadings, evidence and argument of counsel. On consideration thereof and the Court being fully advised in the premises, finds that the defendant has been duly and legally served, and upon his answer and cross petition said decree,
that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 18th day of October, 1903, as alleged in said petition. And that on the 23 day of December, 1908, the defendant filed his answer and cross petition herein against said plaintiff, alleging that the plaintiff has been guilty of abuse and cruelty against the defendant as alleged in said cross-petition; and that said defendant is therefore entitled to a divorce, as prayed for in said cross petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said Plaintiff is to receive in full settlement of all questions of alimony and support the following payments to-wit:
1st. On or before the 15th day of June 1909, out of the pension of said defendant Twenty Five Dollars, $25.00.
2d On or before 15th day of September 1909, also on the same as part of the same alimony ($25.00) Twenty Five Dollars out of the defendants alimony
3d Also on or before the 15th day of December 1909, as the last and in full of all claims for alimony and support Twenty Five Dollars out of his pension, said sums to be paid to the Clerk of this Court as above stated and to be receipted for by said Clerk of the Court.

James H. Wood as Guardian of John C. March, Plaintiff
Vs.
Elizabeth M. Wood, Defendant
} Court of Common Pleas, Union County, Ohio.

Confirmation of Partition:

Entry 8908

This cause came on to be heard on the report of the Sheriff and the commissioners of their proceedings under the writ of partition herein and upon motion of the plaintiff to confirm the same; and upon due consideration the Court finds that said proceedings have been in all respects correct and according to law, and that the said Elizabeth M. Wood has paid to said plaintiff as guardian the sum of Forty Dollars, so as to equalize the value of said lots, so that by receiving said lot No. 633 and Forty Dollars in money the said partition is just and equitable, and the same is approved and confirmed.

And it is ordered and decreed that said parties hold in severality the portions of said estate so set off and assigned to them respectively, to wit: that the said John C. March have and hold in severality said lot No. 633, and the said Elizabeth M. Wood have and hold in severality said lot No. 634.

It is further ordered that the costs of this action, including a fee of $25.00 for J. L. Cameron attorney for plaintiff for services herein, be paid by said parties to wit:- the plaintiff as such guardian, on half thereof, and the said Elizabeth M. Wood one half thereof.

And it ordered that a copy of this decree, or so much hereof as may be necessary to show the partition of said lands, be certified to the recorder of said County for record.

8873

The State of Ohio
Vs.
Fred Russell et al,
} Court of Common Pleas, Union County, Ohio.

Now comes the Prosecuting Attorney on behalf of the State, and the defendants being in default for answer or demurrer, the Court finds that the allegations of the petition are confessed by them to be true;

And it appearing to the Court that the said Fred Russell has been brought into court, and has plead guilty to the said indictment in the petition mentioned and that One Hundred Dollars will pay the expense incident thereto, all the penalty of the recognizance in the said petition mentioned except One Hundred Dollars is remitted.

And the Court finds that the defendants Fred Russell, Fannie Thomas, and Pearl McElroy are indebted to the plaintiff, The State of Ohio in the sum of $100.00.

It is therefore, considered by the court that the said plaintiff recover from the said defendants the sum of $100.00

Court adjourned to Monday May 10th 1909.

Monday, May 10th 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

State of Ohio
Vs
Fred Russell } Court of Common Pleas, Union County, Ohio.

Indictment for larceny.

Entry 1345 — It is hereby ordered that J. L. Cameron be allowed $46.00 Attorney fee for assistance of the prosecuting attorney in this case.

William C. Rockwell et al.
Vs.
W. L. Blaney et als } Court of Common Pleas, Union County, Ohio.

Entry 8902 — The motion to require the plaintiffs to give security for the costs of this action, is heard and granted, and the plaintiffs are ordered to give such security by June 7th 1909, and in default thereof, this action will be dismissed.

In the matter of the appointment of George Whitney.
Court of Common Pleas, Union County, Ohio.

Deeming it advisable and advantageous, and in aid of the performance of the duties required in and about the administration of justice and upon request of the Prosecuting Attorney, George C. Whitney is appointed Secret Service Officer for the Prosecuting Attorney's Office of the said County whose duty it shall be to aid the Prosecuting Attorney in the collection and discovery of testimony to be used in the trial of all criminal cases and in matter of a criminal nature.

Said appointment is for the term of one month from date, and the salary of said Officer shall be One Hundred Dollars Per Month.

John M. Brodrick
Judge.

Dated this 10th day of May, 1909.

Court adjourned to Saturday May 15th 1909.

Saturday, May 15th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Clara Hobert
vs.
French Hobert
} Court of Common Pleas, Union County, Ohio.

Entry 8889

Entry 8894

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication according to law; And that he is in default for answer or demurrer to the petition and that the allegations thereof are confessed by him to be true; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the first day of January, 1903, as alleged in said petition, and that one child Helen Louise, was born of said marriage who resides in the said County of Union, and that she will be six years old October 9th 1909; and that the defendant has been guilty of willful absence for more than three years last past from the plaintiff as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.
It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and it is further ordered, adjudged and decreed that the custody, care, education and control of said minor child, Helen Louise, be and the same is hereby confided exclusively to the said Clara Hobert, the plaintiff herein until the further order of this Court.
And it is further ordered that the defendant pay the costs of this action taxed at $13.80 and execution is awarded and that this case be recorded.

John M. Brodrick,
Judge.

P. H. Jackler
vs.
The Cleveland, Cincinnati, Chicago and St. Louis Ry Co.
} Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard upon the motion of the defendant for judgment in its favor upon the face of the pleadings.
Upon consideration whereof it is ordered and adjudged by the court, that unless the plaintiff file reply herein within ten days from this date that this cause shall stand dismissed at the plaintiffs costs.

C.K. John M. Brodrick, Judge.

Court adjourned to Saturday May 22d 1909.

Saturday, May 22 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Addie Garrington,
vs.
Nye Garrington } Court of Common Pleas, Union County, Ohio

Entry

8889. This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with a summons, and that William Gray, his legally appointed and acting guardian has been served with a summons, and the Court further finding that the said William Gray is interested adversely from his ward in this cause, appoints R. L. Cameron his guardian ad litem, and said guardian ad litem having filed his answer herein, the Court find that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 4" day of June, 1907, as alleged in said petition.

And that the defendant has been guilty of gross neglect of duty toward the plaintiff as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are herely released therefrom, and that said plaintiff recover from the defendant the sum of $66.$\frac{85}{100}$ as and for her reasonable alimony and dower, which shall be in full of all claims of every kind whatsoever for support, dower and alimony now and forever.

It is further ordered, adjudged and decreed that the plaintiff be restored to her maiden name of Addie Gray; And that the defendant pay the costs of this proceeding taxed at $16.07, and that this case be recorded.

John M. Brodrick
Judge.

Appointment of Jury Commission.

In pursuance of an act of the General Assembly of the State of Ohio passed September 30" 1902, the undersigned Judge of the Court of Common Pleas, for the Third Subdivision of the Tenth Judicial District of Ohio does hereby appoint, George E. Whitney, Cyrus Zimmerman, Benton Cahill and C. S. Kibler four Judicious Free Holders, Electors as Commissioners of Juries in and for Union County, Ohio, to serve until their successors are appointed and qualified, it is further ordered that said Commissioners meet in the office of the County Auditor on the 7 Fourth Monday in May, 1909, at 10 O'clock, A. M. and upon Oath select Two Hundred Judicious and discreet persons having the qualifications of Electors of said County, to serve as Jurors, said persons to be selected as nearly as may be from the several Wards and Townships of said County in proportion to their respective populations.

John M. Brodrick, Judge.

Court adjourned to Thursday May 27" 1909

Thursday, May 27th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8853

P. H. Fackler, Plaintiff
vs.
The Cleveland, Cincinnati, Chicago and St Louis Railway Company, - Defendant.
} Court of Common Pleas, Union County, Ohio.

Entry 8913

The Plaintiff having failed to file reply, as provided in the former order of this Court, the motion of defendant for judgment in its favor on the face of the pleadings is sustained. It is therefore considered and adjudged by the court that this action be dismissed at the costs of the plaintiff and that the defendant recover of the plaintiff its costs herein expended taxed to 8

O. K. John M. Brodrick, Judge.

Entry 8907

Meda Miller, Plaintiff
vs.
Robert McCrory Admst. etc. Defendant
} In the Court of Common Pleas of Union County Ohio.

On motion of the defendant it is ordered that the plaintiff give security for costs in 30 days from this date, May 27-1909.

Court adjourned to Saturday June 12th 1909.

Saturday, June 12" 1909, Court convened at 9 O'clock A.M. Present Honorable John M. Brodrick, Judge.

Entry

Columbus Slate Company, Plaintiff
Vs.
Beaver Brothers, Defendants

Court of Common Pleas, Union County, Ohio.

8913

The Plaintiff by its attorney now comes, and the defendant is in default of answer or demurrer, and the allegations of the petition are taken as confessed by them to be true. Thereupon the Court takes the account, and finds that said defendants do owe the plaintiff, as damages the sum of Two Hundred and Twenty Two and 59/100 Dollars.

It is therefore considered that said plaintiff recover of said defendants its said damages, and also its costs of this suit, to be taxed.

C. K. John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio.

In The Matter of The Appointment of George E. Whitney.

Deeming it advisable and advantageous, and in aid of the performance of the duties required in and about the administration of Justice and upon request of the Prosecuting Attorney, George E. Whitney is appointed Secret Service Officer for the Prosecuting Attorney's Office of the said County whose duty it shall be to aid the Prosecuting Attorney in the collection and discovery of testimony to be used in the trial of all criminal cases and in matters of a criminal nature. Said appointment is for the term of 2 months from date, and the salary of said Officer shall be Seventy Five Dollars per month.

Dated this 12" day of June A.D. 1909.

John M. Brodrick.
Judge of the Common Pleas Court.

June 12 - 1909.

Entry 8909

May Latimer
Vs.
Thomas E. Latimer

Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication for six weeks in the Marysville Tribune, a paper of general circulation throughout Union County, Ohio; that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 12th day of September, 1905, as alleged in said petition.

That there was born of said marriage one child, a boy, named Ira Latimer, aged 2 years June 30th 1908;

And that the defendant has been guilty of gross neglect of duty towards the plaintiff as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed, that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and, that said Plaintiff is awarded the care, custody, control and education of said minor child, Ira Latimer, It is further ordered, adjudged and decreed that the defendant pay the cost of this proceeding taxed at $10.00 and that this case be recorded.

John M. Bydrick.
Judge.

Entry 8921

Entry 8812

M. E. Gutman
Vs.
Edward Dobie

Court of Common Pleas, Union County, Ohio.

This case being heard on motion for a new trial the Court on consideration and for good cause grants the same, the verdict is accordingly vacated and a new trial granted, to which plaintiff excepted.

O. K. H. & H. for Defendant
S. F. C.

Court adjourned to Friday, June 18th 1909.

Friday, June 18th 1909 Court convened at 2 O'clock P. M. Present Honorable John M. Brodrick, Judge.

F. A. Herd,
vs.
J. E. Pratt and Laura Pratt } Court of Common Pleas, Union County, Ohio.

Entry 8921

This day came the plaintiff by E. W. Porter, Attorney, and filed his Petition against said Defendants, and thereupon F. A. Thompson an Attorney-at-Law of this Court, by virtue of a Warrant of Attorney for that purpose, duly executed by said Defendants now produced in open Court, proven shown to the Court, and filed with the Clerk thereof, appeared in open court in behalf of the said Defendants, waived the issuing and service of process, entered the appearance of said Defendants herein, and acknowledging that said Defendants did owe and was indebted unto the Plaintiff as he has in his petition alleged by virtue of said Warrant of Attorney, confessed that there was due from said Defendants to said Plaintiff, on said indebtedness, the sum of Five Hundred And Twenty Eight and 16/100 Dollars, bearing interest at 8 per cent, per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court here that the said F. A. Herd Plaintiff do recover of the said J. E. Pratt and Laura Pratt Defendants the sum of Five Hundred and Fifty Five and 15/100 Dollars so confessed, as aforesaid, with interest from June 18th 1909, at 8 per cent. per annum, and also costs in their behalf expended, taxed to $ and by virtue of said Warrant of Attorney all errors in this action, judgment and proceeding, and all proceedings, petitions and writs of error thereon, are by said Defendants waived and released.

Court adjourned to Thursday June 24th 1909

Thursday, June 24th 1909, Court convened at 5 O'clock P.M. Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas of Union County, Ohio.

Entry 8924

Walter Pratt
Vs.
John G. Pratt

This day came the Plaintiff, by his Attorney; also came Frank J. Ballinger one of the Attorneys of this Court, on behalf of the defendant J. G. Pratt, and, by virtue of a warrant of Attorney for that purpose duly executed by the said J. G. Pratt, and now produced to the Court, waived the issuing and service of process, and, with the assent of the Plaintiff confessed that the said J. G. Pratt is justly indebted to the said Plaintiff in the sum of $132.21, as claimed in the petition.

It is, therefore, considered and adjudged by the Court that the plaintiff Walter Pratt, recover from the said defendant the said sum of $132.21 together with his costs herein expended taxed at $.

Frank J. Ballinger as Attorney in fact for the defendant. — John G. Pratt.

Entry 8902

Entry 8923

Court adjourned to Saturday June 26 - 1909.

Saturday, June 26th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Wm. C. Rockwell et als
vs
Wm. L. Blaney et al } Court of Common Pleas, Union County, Ohio.

Entry
8902

This day came the defendants and asked and had leave to file answer instanter and same is filed.
It is ordered that the Plaintiff plead to said answer by the 24th day of July, 1909

V. K. John M. Brodrick, Judge.

Laura L. Pratt,
vs.
John G. Pratt et al } Court of Common Pleas, Union County, Ohio.

Entry
8923

This cause coming on for hearing upon the motion of plaintiff for the appointment of a receiver herein, which motion is supported by the affidavit of said plaintiff, and it appearing by the returns of the Sheriffs of Union and Logan Counties that due notice of said motion was served upon all the defendants, and leave having been asked to make Walter Pratt and J. S. Robb parties defendants and their appearance having been entered by their respective attorneys, James McCampbell and J. H. Willis, the same was granted; and it appearing to the Court that the appointment of a receiver in this cause is necessary for the preservation of the real estate, chattels and effects of said John G. Pratt and the interest of the creditors and the plaintiff and her minor children therein.

It is therefore ordered adjudged and decreed that H. L. Green of Liberty Township, Union County, Ohio, be and he hereby is, appointed receiver of the real estate, chattels and effects of said John G. Pratt, whether the same be in the possession of the plaintiff or any of the defendants or wherever the same may be found, and the said defendants and the said plaintiff are ordered to turn over to the said Receiver any and all property of the said John G. Pratt which they may have in their possession, whether the same be held by them by attachment, execution or by whatever color of title they may be holding same.

And said receiver is ordered to preserve the priorities of the respective liens of said defendants, as the same shall be determined by this Court; and upon the final disposition of said real estate, chattels and effects to pay said defendants in the order of their respective priorities, as so determined by this Court.

And said receiver is ordered to continue the business of said John G. Pratt in farming said real estate and

growing and harvesting the growing crops thereon, and to market same, and to convert all of said real estate, chattels and effects into money under the order of this court, with the usual powers and duties according to law and the practice of this Court.

That before entering upon his duties said receiver execute to the State of Ohio for the benefit of the plaintiff and the defendant creditors, and the creditors generally of John E. Pratt, and file with said Clerk, a Bond with good and sufficient Sureties, to be approved by this Court, in the sum of $20.000.00, conditioned for the faithful discharge of his duties as receiver and for the due accounting for all money and property received by him.

Mandate 8511

George Lyon
vs
The Unknown Heirs of Benjamin Lyon, deceased } In the Court of Common Pleas of Union County, Ohio.

C.C. 203

Entry 8872

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 that the allegations of the petition are confessed by them to be true. The Court further finds that at the time of the bringing of this action, the said plaintiff was in possession of the real estate described in the petition, and that he had the legal estate in and was entitled to the possession of the same. That the said Benjamin Lyon and Mary Lyon did enter into the contract as set forth in the petition herein, and that the said Mary Lyon fully performed all the terms of the same on her part to be performed, and that said Mary Lyon and this plaintiff have been in the continuous, open, notorious and uninterrupted possession of said lands for more than 21 years last past. That the said George Lyon is entitled to have a specific performance of said contract and that none of the defendants have any estate in, or are entitled to the possession of said real estate, or any part thereof and that the plaintiff ought to have his title quieted as against said defendants, as prayed for in his petition.

It is therefore ordered adjudged and decreed, that the title and possession of the said George Lyon, to all and singular the premises described in the petition, to wit: Beginning at a stake corner to the lands of C. J. Johnson and the southerly corner to said Survey No. 14192 and in the Northerly line of Survey No. 4278; thence with the Northerly line of said Survey No. 4278, North 67° 30' West 45 1/2 poles to a stake in the Easterly line of the C.C.C and St. L. Ry. right of way; thence with the Easterly line of said right of way North 41° 15' East 53 1/4 poles to a stake in the line of A. A. Boylan's land and in the westerly line of Survey No. 4071 and the easterly line of Survey No. 14192; thence with the Easterly line of said Survey No. 14192, South 7° East 57 1/2 poles, passing a stone at 29 1/2 poles in the Westerly margin of the Marysville and Milford Center Gravel Road to the place of beginning. Containing 7 acres of land more or less, said land being situated in the Township of Union, County of Union and State of Ohio, and part of Survey No. 14192.

Be and the same are hereby, quieted as against the defendants, and each and every one of them, and all persons claiming under them or any of them, and they 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 George Lyon, his heirs and assigns, thereto; and it is ordered that the plaintiff pay the costs herein taxed at $29.25

Court adjourned to Saturday July 3d 1909

Saturday, July 3rd 1909, Court convened at 9, O. Clock A. M.
Present Honorable John M. Brodrick, Judge.

Supreme Court of the State of Ohio.
January Term, A. D. 1909.

The State of Ohio,
City of Columbus } To wit: Friday, June 25th.

Edwin R. Hotsenpiller et al.
vs.
George W. McGhee, } 11003 S. C. Rs. Error to the Circuit Court of Union County

Mandate

8511

C.C. 203

This cause came on to be heard upon the transcript of the Record of the Circuit 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 Circuit Court be, and the same is hereby, affirmed;

And it appearing to the Court that there were reasonable grounds for this proceeding in error, it is ordered that no penalty be assessed herein.

It is further ordered that the defendant in error recover from the plaintiff in error his 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 Circuit Court of Union County, "for entry".

I John S. McNutt, 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 25th day of June, A. D. 1909.

John S. McNutt, Clerk
By E. W. Horn - Deputy.

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

To the Honorable Court of Common Pleas,
Within and for the County of Union, Greeting:

We do hereby command you that you proceed, without delay, to carry the within and foregoing judgment of our Supreme Court of Ohio, in the cause of Edwin R. Hotsenpiller, et al, vs George W. McGhee into execution, the Petition in Error herein and heretofore granted, to the contrary notwithstanding.

Witness John S. McNutt Clerk of our said Supreme Court of Ohio, at Columbus, this 25th day of June A. D. 1909.

John S. McNutt Clerk,
By E. W. Horn Deputy.

Court of Common Pleas, Union County, Ohio.

In the matter of the appointment of George E. Whitney, Secret Service Officer to assist the Prosecuting Attorney.

Entry

In the Matter of the appointment of G. E. Whitney S. S. Officer.

It is hereby ordered by the Court that George E. Whitney be allowed One Hundred Dollars as his compensation for his services as such secret service officer for the month beginning May 10, 1909, and ending June 10th 1909.

The Auditor of said County is hereby ordered to draw his warrant on the Treasurer of said County for the said Amount of $100.00, in favor of the said George E. Whitney.

John M. Brodrick

Entry 8923

Laura L. Pratt, vs. John G. Pratt et als } Court of Common Pleas, Union County, Ohio.

Entry

8923 This day this matter coming on to be heard on the motion of Henry L. Green, Receiver herein, for an order to take an inventory and appraisement of the goods and chattels of the John G. Pratt, under said Receivership, the Court finds the same necessary and that said motion should be sustained. It is therefore, considered and ordered by the Court that said motion be, and the same is, sustained; And it is further ordered that an Inventory and Appraisement of the property, and assets aforesaid be made, under oath, by J. P. Evans, James McIlroy and Harry Logan, residents of the vicinity, whom the Court appoints for that purpose; and that upon the completion thereof, said Inventory and Appraisement be delivered by said Appraisers to said Receiver to be by him returned to this Court, and matters adjourned for further order.

8928

8749

Entry

Court adjourned to Saturday, July 10th 1909.

Saturday July 10th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Laura L. Pratt
vs.
John G. Pratt et al } Court of Common Pleas, Union County, Ohio.

Entry

8923 This cause coming on for hearing upon the motion of the plaintiff for an allowance of temporary alimony; the Court find upon the evidence adduced that she is entitled to same; It is therefore ordered and adjudged that the defendant, John G. Pratt, pay to the plaintiff the sum of Ten Dollars per week, beginning with Monday July 12th 1909, until the further order of the Court, and that upon the default of the said defendant, that the Receiver in this cause, Henry L. Green, pay the same out of the assets in his hands as he may receive the money and can spare the same.

Gertrude H. Miller Plaintiff
—vs.—
A. C. Eggert Defendant } Court of Common Pleas, Union County, Ohio.

Entry

8928

Now comes the plaintiff, by her attorney, and the defendant having waived the issuing and service of a summons and having entered his appearance herein and having filed his consent that this cause may be for hearing on and after June 15, 1909, and being in default for answer and demurrer, the court find that the allegations of the petition are confessed by him to be true: and find that the defendant, A. C. Eggert, is indebted to the plaintiff, Gertrude H. Miller, in the sum of five hundred and thirty two and 50/100 dollars.

It is therefore considered by the court that the said plaintiff recover from the said defendant the said sum of $532.50 and her costs herein expended, taxed at $. The court further find that the defendant executed the chattel mortgage, as stated in the petition, and that the same is a valid and subsisting lien on the property in the petition described; and that the plaintiff is entitled to have said chattel property sold to pay the amount due her as aforesaid.

It is therefore ordered that unless the defendant, within three days from the entry hereof, pay to said plaintiff said sum of $532.50, with interest and costs of suit, the chattel property described in the petition shall be sold by the sheriff of this county, as upon execution; and that an order issue for that purpose.

8749 Providence Westlake
vs
Josiah Westlake Admr. } Court of Common Pleas, Union County, Ohio.

Entry

This day this case was dismissed and costs paid.

Etta Nelson, Plaintiff
-vs.-
Edward C. Nelson, Defendant.
} Court of Common Pleas, Union County, Ohio.
March Term, 1909
July 10th 1909

Entry 8906

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the court being fully advised in the premises, finds that the defendant has been duly and legally served with summons according to law that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 24th day of December 1909, as alleged in said petition, and that the defendant has been guilty of Gross neglect of duty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition. It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and it is ordered that the said defendant pay the costs of this proceeding taxed at $, and that this case be recorded.

John M. Brodrick
Judge.

Kate Raynor, Plaintiff
-vs-
Homer Raynor, Defendant
} Court of Common Pleas, Union County, Ohio.
April Term, 1909
July 10th. 1909

Entry 8911

This day this cause came on to be heard upon the pleadings, evidence, and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and a copy of the petition by personally delivering to him true copies and that he is in default for answer or demurrer to the petition and the allegations thereof are confessed by him to be true, that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition and that said parties were married on the 9th day of November 1902, as alleged in said petition and that the defendant has been guilty of gross neglect of duty towards the plaintiff as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition. It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be given the exclusive care, custody and control of their child Harold Raynor, with the privilege to the defendant to visit said child at all reasonable times and so long as he conducts himself in a proper manner and it is further ordered that the defendant pay the plaintiff as her reasonable alimony the sum of One Thousand ($1000.00) Dollars and that the defendant pay the costs of this proceeding taxed at $, and that this case be recorded.

John M. Brodrick,
Judge.

Court adjourned to Monday July 12th 1909.

Monday, July 12th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Order to Sheriff to draw Grand Jury Venire.

The Grand Jury having been discharged and it being deemed necessary by the Court; it is hereby ordered, by the Court that the Sheriff call together a new Grand Jury from the bystanders or neighboring citizens, of Fifteen good and lawful men, having the qualifications of a Grand Juror to act as a special Grand Jury, at the March, 1909 Term of this Court.

John M. Brodrick,
Judge.

Whereupon, the following named persons were called by the Sheriff, in answer thereto, to-wit:- Elliott Southard, O.B. Davis, L.B. Demorest, Jerry Miller, Marion Hopkins, Joseph Parthemore, Joseph Roff, Burl Southard, Thomas Lovell, T.C. Tracey, Ernest Borin, L.H. Bombaugh, Jasper Gosnell, David Danforth and John Laird; and the Court appointed L.B. Demorest, 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 jury being instructed by the court in relation to their duties, were conducted to their room, attended by the proper officer.

This day also appeared at the bar of this Court the grand jury heretofore impaneled and sworn in, and for the body of the county aforesaid, Viz:- Elliott Southard, O.B. Davis, L.B. Demorest, Jerry Miller, Marion Hopkins, Joseph Parthemore, Joseph Roff, Burl Southard, Thomas Lovell, T.C. Tracey, Ernest Borin, L.H. Bombaugh, Jasper Gosnell, David Danforth and John Laird, and presented to the Court, through their foreman, L.B. Demorest, their certain bill of indictment against Jasper Calloway, for "Assault with intent to kill," indorsed, "A true bill, L.B. Demorest, foreman of the grand jury.

And also their certain other bill of indictment against, Samuel Mayo, Carter Mayo, Emanuel Mayo, Ed. Bunch, Pearl Hogan, and Jasper Calloway for Riot, with Count for Rout, indorsed, "A true bill, L.B. Demorest, foreman of the grand Jury," and there being no further business for the jury, the Judge ordered the Clerk to allow said jurors for two days work, they were discharged finally.

Report of Special Grand Jury.

To the Honorable John M. Brodrick,
Judge of the Court of Common Pleas, Union County, Ohio.

The Special Grand Jury of the Court of Common Pleas of Union County, Ohio, of the March Term, 1909, beg leave to report that they have been in session one day and herewith return to the Court the Indictments presented by said Jury; We have carefully examined in all such matters as have legitimately come to our notice, having examined Twenty One witnesses, covering three cases, and presented two bills, and ignored one case considered by us. The business has been transacted in an expeditious a manner as possible.

Respectfully submitted.
L. B. Demorest.
Foreman.

Entry

8932

Court adjourned to Saturday July 17th 1909.

Saturday, July 17th 1909, Court convened at 9 O'clock, A M, Present Honorable John M. Brodrick.

James Cutler and B. L. Talmage, Partners as Bank of Richwood, Plaintiffs
vs.
E. H. Perkins Defendant
} Court of Common Pleas, Union County, Ohio.

Entry 8932

This day came the plantiff's by their attorney; also appeared in open court, for and on behalf of said defendant, an attorney at law of this Court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendant, entered the appearance of said defendant and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendant and in favor of said plaintiffs for Forty Four Hundred and Thirty Four Dollars and twenty cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.

It is therefore considered that said Plaintiffs recover of said defendant the sum of Forty Four Hundred and Thirty Four Dollars and Twenty cents, being the amount of said note with interest computed at eight per cent. per annum, from the 27th day of July, A.D. 1898, and with interest at said rate of eight per cent. per annum on all installments of interest due and unpaid, from the time the same became due respectively, and also their costs herein expended, taxed at $7.00.

Court adjourned to July 23d 1909.

Friday, July 23rd 1909, Court convened at 9 O'clock a. M.
Present Honorable John M. Brodrick, Judge.

Entry 8923

Laura L. Pratt
Vs
John G. Pratt et al } Court of Common Pleas, Union County, Ohio.

This day leave was granted Plaintiff to file Supplemental Petition and same filed.

Entry 8926

Court adjourned to Saturday July 24th-1909

Saturday, July 24th A.D. 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Jemri Webb.
vs
William W. Kinney Exch.
} Court of Common Pleas, Union County, Ohio.

Entry
8926

This day leave was granted defendant to plead within ten days.

Court adjourned to Tuesday July 27th 1909.

Tuesday, July 27" 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Adele M. Cheney
Vs
Sterling S. Cheney } Court of Common Pleas, Union County, Ohio.

Entry

8919 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 find 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 that time a bona fide resident of the County of Union, and that the parties were married as in said petition set forth. 8919

The Court further find, upon the evidence adduced, that the defendant has been guilty of gross neglect of duty towards the plaintiff and that by reason thereof the plaintiff is entitled to a divorce, as prayed for.

It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between said Adele M. Cheney and Sterling S. Cheney, 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 their minor child, Helen Jeanine Cheney, be, until the further order of the Court, confided to the plaintiff exclusively.

But it is hereby ordered that the defendant have the privilege of visiting said child and of having said child visit him at all reasonable times and places.

It is further ordered and adjudged that the defendant pay to the plaintiff as her reasonable alimony for the support of herself and said minor child the sum of Thirty Five Hundred and Forty Dollars, payable as provided in the contract of separation executed between said parties on the 9" day of June, 1909, which said contract is approved and confirmed by this Court and ordered recorded as a part of the record in this cause. And in default of any of said payments when due, execution is allowed to issue therefor.

And said $3500.00 is hereby mad a lien upon the lands of the defendant, described as follows, situated in the County of Union, State of Ohio, Township of Taylor, and bounded as follows, beginning at a stone in the center of the Marysville and Kenton Gravel Road and in the North line of Surveys No's, 3629 and 6493; thence with said line N. 80° 45' W. 200 poles to a stone, a corner to the lands of Morris Lyons, and Mary M. Kenton, and Thomas C. Hardin; thence with the East line of

Thomas C. Hardin's land S. 8° 45' W. 71.50 poles to a stone and brick, a corner to D. J. Sanderson's land; thence S. 8° 30' East 153 poles to a stone and brick; thence N. 81° 20' E. 232.32 poles to a stone and brick in the center of the Marysville, and Kenton Gravel Road; thence with the center of said road N. 16° W. 156.88 poles to the place of beginning, containing 257 acres of land.

It is further considered by the Court that the said plaintiff recover from the said defendant her costs herein expended.

O.K. John M. Brodrick, Judge.

Agreement.

8919 This agreement made at Marysville, Ohio, this 9th day of June, 1909, by and between Sterling S. Cheney and Adele M. Cheney, husband and wife, Witnesseth:

That whereas, unfortunate differences have arisen between the parties hereto rendering it impossible for them hereafter to live together, and said parties have agreed upon a immediate separation, and

Whereas, the said Sterling S. Cheney has this day assigned, conveyed and transferred to the said Adele M. Cheney all the household furniture in the residence heretofore occupied by said parties, except an unabridged dictionary, an encyclopedia, a Ridpath's History and a few other books and has agreed to give her the custody of their child, Helen Jeanine Cheney, and has agreed to pay to said Adele M. Cheney for the support of said child and for alimony the sum of $120.00 per year until February 2 1911, $150.00, per year from that date until February 2 1917, $200.00 per year from said last named date until February 2, 1923, and has agreed to pay towards a college education of said child the sum of $300.00 per year for so many years as said child may attend college not exceeding four years;

Now, therefore, in consideration of the premises the said Adele M. Cheney hereby releases the said Sterling S. Cheney from all obligations of future support for herself, and she does further release and relinquish unto the said Sterling S. Cheney, his heirs, executors, administrators or assigns, all rights or claims by way of dower, inheritance and descent, in and to the real property of the said Sterling S. Cheney, now owned or hereafter acquired, and any or all rights or claims to a distributive share of his personal estate, now owned or hereafter acquired, and all claims for an allowance for years support, and to reside in his mansion house, and all other rights and claims of every kind and nature growing out of or arising from said marriage relation.

And the said Adele M. Cheney, for the consideration

aforesaid and in consideration of the agreements of said Sterling S. Cheney, herein contained, does further covenant and agree that she will not, in any manner, incur or contract any debts on the credit of said Sterling S. Cheney and will not incur any liability on his behalf; and that in case an action for divorce should be hereafter instituted by her that she will not ask or apply for any allowance for alimony either temporary or permanent, except to ask the Court to carry out the provisions of this contract, and that the same shall be in full satisfaction of all such claims and demands, as well as of support, rights of dower, inheritance and distribution, and that she will immediately quit claim to him all her interest in his real estate.

In consideration whereof the said Sterling S. Cheney hereby covenants and agrees that the said Adele M. Cheney shall have the sole and exclusive control, custody and care of said Helen Jeanine Cheney during her minority, subject however to the privilege of the said Sterling S. Cheney visiting her and having her visit him at all reasonable times.

Said Sterling S. Cheney hereby covenants and agrees to pay the said Adele M. Cheney for her Alimony and for the support and education of said child the sum of $120.00 per year until February 2nd 1911, $150.00, per year from that date until February 2d 1917, $200.00, per year from said last named date until February 2d 1923, payable quarterly at the end of each quarter at the Bank of Marysville at Marysville, Ohio, and further that should said child desire to attend college to contribute towards her college education the sum of $300.00 per annum during the time she attends college, not to exceed four years.

And the said Sterling S. Cheney for the considerations aforesaid, does hereby release and relinquish to the said Adele M. Cheney, her heirs, executors, administrators and assigns, all rights or claims of dower, inheritance, descent, distribution, and all other rights or claims, in any manner arising or growing out of the marriage relation now existing between said parties, in or to the estate of the said Adele M. Cheney, real, personal or mixed, now owned or hereafter acquired; but by these presents the said Sterling S. Cheney shall be forever barred.

In case, however, of the death of said child, Helen Jeanine Cheney, before the expiration of the period of payments hereinabove provided for, then the said Sterling S. Cheney agrees to pay her funeral expenses and give her a decent burial, and the said Adele M. Cheney agrees that in that event that he be released from all further payment of alimony to her.

And the said Adele M. Cheney further agrees that in case of her death before said child reaches majority that the care, custody and control of said child shall be given to the said Sterling S. Cheney exclusively and that there shall be no further obligation upon the said Sterling S. Cheney by reason of the contract which might descend to her estate.

Witness the hands of said Sterling S. Cheney and Adele M. Cheney the day and year first above written.

Sterling S. Cheney
Adele M. Cheney.

Signed in presence of
James E. Robinson
W. T. Hoopes.

State of Ohio, Union County, SS.

Before me, a notary public in and for said County, personally came the above named Sterling S. Cheney and Adele M. Cheney who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

In Testimony whereof I have hereunto subscribed my name and affixed my notarial seal this 9th day of June, 1909.

Seal

James E. Robinson
Notary Public.

Court adjourned to Friday, July 30th 1909

Friday, July 30th 1909, Court convened at Nine O'Clock, A. M. Present, Honorable John M. Brodrick, Judge.

Entry 8922

H. E. M. Covert
Vs.
F. H. Bates
} Court of Common Pleas, Union County, Ohio.

Now comes the plaintiff by his Attorney, J. H. Kinkade and the defendant being in default for answer and demurrer. The pleadings were submitted to the Court, and the Court upon consideration thereof finds that the allegations of the petition are confessed to be true; and find that the defendant F. H. Bates is indebted to the plaintiff, A. E. M. Covert in the sum of $140.00

It is therefore considered by the Court that the said plaintiff recover from the said defendant the said sum of $140.00, and his costs herein expended taxed at $____ and execution is awarded therefor.

Entry 8937

Sarah A. Miller
Vs.
Joseph H. Miller
} Court of Common Pleas, Union County, Ohio.

On July 29th 1909, this cause was dismissed by Plaintiff and all costs paid.

Entry 8874

David M. Skidmore
Vs.
Joseph Mann & c.
} Court of Common Pleas, Union Co. Ohio.

This day the plaintiff was granted leave to file reply to the answer and cross-petition of defendants by August 14th 1909.

A. K. John M. Brodrick, Judge.

Court adjourned to August 4th 1909.

Wednesday August 4th A.D. 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Jennie E. Hartwell
Plaintiff,
vs
Eugene B. Hartwell,
Defendant,

Court of Common Pleas, Union County, Ohio.

This cause came on to be heard on pleadings and evidence, and upon due consideration thereof the Court find that the allegations of the petition are true; that the plaintiff was a resident of the State of Ohio for one year next preceding the filing of her petition, and at the time was a resident of the County of Union, that the parties were married as stated in the petition.

The Court further find that the defendant has been guilty of wilful absence from the plaintiff for three years prior to the filing of her petition and by reason thereof the plaintiff is entitled to a divorce as prayed for. It is further ordered by the Court here that the plaintiff have exclusive custody, care and control of the children of said parties and that permission be granted by the plaintiff to the defendant to see said children at all reasonable times.

It is further ordered by the Court that the defendant pay to the plaintiff for the support of the children Grace Eugene Hartwell and Aletha John Hartwell the sum of Thirty Dollars ($30.) per month. It is further decreed by the Court here that the title to land owned by the defendant in the County of Magoffin in the State of Kentucky be vested in the plaintiff as and for her reasonable alimony: Said land is bounded and described as follows; Situate in Magoffin County in the State of Kentucky, Viz: Beginning at the South east corner of Lot 79; thence South two hundred poles (200); thence West two hundred (200) poles: thence North two hundred (200) poles; thence East two hundred (200) poles to the beginning Containing two hundred and fifty (250) acres more or less.
This is a part of forty thousand (40.000) acres granted to S.B. Duvall, William Duvall and Lewis Ford by James Garrard, Governor of Kentucky, Feb. 2 1801. the above is known as lot no. 82.

It is further considered that said plaintiff recover of the said defendant her costs of this suit for which judgment is rendered against him.

O.K. John M. Brodrick. Judge.

Court adjourned to August 6th 1909.

Friday, August 6th A.D. 1909 Court convened at 9 O'clock A.M. Present Honorable John M. Brodrick, Judge.

Charles R. Lash
vs.
Bertha Lash

Court of Common Pleas, Union County, Ohio, March Term, 1909

Entry 8888

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons together with a certified copy of the petition and she has failed to appear and is in default for answer or demurrer to said petition; that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union, for one year next preceding the filing of said petition, and that said parties were married on the 4th day of October, 1900, as alleged in said petition, that three children were born of said marriage the said Lucile, Edna and Helen; and that the defendant has been guilty of Adultery with one Harry Grant, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therfore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are herely released therefrom, and it is further ordered, adjudged and decreed that the custody, care and maintenance of the said child Edna be and the same is given exclusively to the said Charles R. Lash until the further order of the Court, And no order is made in regard to the other two children, and that the Plaintiff pay the costs of this proceeding, and that this case be recorded.

John M. Brodrick
Judge.

Entry 8797

Court adjourned to Thursday August 12th 1909.

Thursday, August 12th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio
March Term, August 12th A. D. 1909.

To the Clerk of said Court:

You are hereby directed to proceed according to law at 10 O'clock on Monday the 16th day of August, 1909, to draw from the Jury Wheel of Union County, the names of Thirty Three persons to serve as grand and petit jurors for the September Term, of the Court of Common Pleas of said County.

The first Fifteen persons whose names are so drawn from said Jury Wheel you will cause to be summoned to appear and serve as Grand Jurors of said Term; and the remaining persons Eighteen in number, whose names are so drawn from said Jury Wheel, you will be caused to be summoned to appear and serve as Petit Jurors for said Term.

The Grand Jurors you will cause to be summoned to appear for such service at the Court House in Marysville in said County, at 10 O'clock A. M. on Monday the 13th day of September, 1909; and the petit jurors you will cause to be summoned to appear for such service at the same place at 10 O'clock A. M. on Tuesday the 14th day of September, 1909.

And for so doing, this shall be your sufficient warrant.

Witness my hand officially this 12th day of August, 1909

John M. Brodrick
Judge of the Court of Common Pleas of the Third Sub-division of the Tenth Judicial District

Jeremiah Poling — Plaintiff
vs.
James D. Poling — Defendant
} In the Court of Common Pleas, Union County, Ohio.

Entry 8797

This cause having on a former day of this term, been submitted to the Court upon the pleadings and evidence, was taken under advisement by the Court, and the Court upon due consideration now finds and decides as follows: That each and all of said defendants have been duly and legally served with process, and that all of said defendants, except James D. Poling, are in default for demur or answer to the petition, and the Court finds that none of said defendants, except the said James D. Poling, have any estate or interest in the premises in the petition described, and they are forever barred from claiming any interest therein.

The Court further finds that there has never been any ademption or satisfaction of the estate devised to said James D.

Poling by the Will of said Joseph Poling, by the execution of the receipt set forth in the petition or in any other manner whatsoever, but that the provisions of said Will are in full force and effect and the said James D. Poling is entitled to his full one half of said estate as therein provided.

The Court further finds that the partition set forth in the answer of the said James D. Poling was not a legal and binding partition of said estate and that the plaintiff is entitled to partition of said premises as prayed for in his petition.

The plaintiff Jeremiah Poling and the said defendant James D. Poling are each seized in fee simple of the undivided one half of the premises in the petition described, and are tenants in common therein.

It is therefore ordered and adjudged by the Court that a writ of partition be issued to the sheriff of said county of Union commanding him that by the oaths of James Shirk, Samuel J. Wiley and Walter M. Staley, who are hereby appointed commissioners for that purpose he cause to be divided and set off to the said Jeremiah Poling the one half of said premises and to the said James D. Poling the one half thereof.

And it is further ordered that of his proceedings said sheriff shall make due return.

And it is further ordered by the Court that the plaintiff pay that portion of the costs herein arising from his claim to the entire title to said land, taxed at $14.00, and that the remainder of the costs herein be paid one half by Jeremiah Poling and one half by James D. Poling as in other cases of Partition.

Saturday

Entry

1379

Court adjourned to Saturday August 14th, 1909.

Saturday August 14th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Befor John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio.

State of Ohio
vs.
William Tanner

On Affidavit, for selling and furnishing intoxicating liquors in violation of Rose County Local Option

Entry
1379

Now, comes the Prosecuting Attorney on behalf of the State and the defendant being brought before said Judge and arraigned on the complaint in said affidavit, saith he is not guilty, thereupon by agreement of the parties the Court fixed Wednesday August 18th 1909 at 9 O'clock, A. M. as the time for trial, and fixed the bail at $300.00.

Court adjourned to August 18th 1909.

Wednesday, August 18th 1909, Court convened at 9 O. clock, A. M. Present Honorable John M. Brodrick, Judge.

State of Ohio,
vs.
William Tanner

Before John M. Brodrick, Judge of the Court of Common Pleas, Union County, Ohio.

Entry 1379

Entry 8943

Now Comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant coming into Court with Counsel, thereupon the case came on for hearing upon the same heretofore named before the said Judge; and the said Judge having heard the testimony of the Witnesses, and the argument of Counsel; finds the said William Tanner guilty, thereupon the said William Tanner having been asked if he had anything further to say why sentence should not be pronounced and he having nothing to say, the said Judge sentenced the said defendant to pay a fine of One Hundred Dollars and the costs of this action taxed at $ 37,48, and that he stand committed to the Columbus City Workhouse until the fine and costs are paid or until he is discharged therefrom by allowing a credit thereon of Sixty Cents a day, a provision by Statute.

Court adjourned to Friday August 20th 1909.

August 20th 1909, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8943 — Isaac Weil and Abraham Weil, Co-partners as Weil Bros. & Co. vs. Elbert G. Garwood — In the Court of Common Pleas.

This day came the plaintiffs by their attorney; M. G. Bell an attorney-at-law of this court, on behalf of the defendant, and by virtue of a warrant of attorney duly executed by said defendant, and now produced to the Court, and a copy of which is filed with the Clerk of this Court, entered the appearance of said defendant, waived the issuance and service of process in this action, and, with the assent of the plaintiffs, confessed that the said defendant is justly indebted to the said plaintiffs in the sum of Two Hundred and Sixty Five and 85/100 dollars; and also released and wained all exceptions, errors and right of appeal herein.

It is therefore considered by the Court that the said plaintiffs recover from said defendant the said sum of Two Hundred and Sixty Five and 85/100 dollars together with there costs herein expended, taxed at $ ____

M. G. Bell
Atty. for Defendant.

Court adjourned to Monday August 23rd 1909

Monday, August 23d 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge,

Entry 8945

Perry B. Whitsit Co. a Partnership composed of Perry B. Whitsit and Frank A. Drake
vs.
Edward A. Schambs

Court of Common Pleas, Union County, Ohio.

Judgment by Confession for $112.25.

This day came the Plaintiff by, S. W. Van Winkle Attorney; and filed his petition against said Defendant Edward A. Schambs and thereupon Frank J. Ballinger one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendant Edward A. Schambs and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendant, 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, confessed that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiff's petition, the sum of One Hundred and Twelve and 25/100 Dollars, $112.25, bearing interest at 6 per cent. per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum. It is therefore considered by the Court that said Perry B. Whitsit Company Plaintiff do recover from said Edward A. Schambs Defendant the said sum of One Hundred and twelve and 25/100 Dollars, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 23 day of August, 1909, at the rate of 6 per cent. per annum. And by virtue of said warrant of Attorney all errors in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

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Court adjourned to August 28" 1909,

Saturday, August 28th 1909 Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry 1380

State of Ohio ex rel Josie Poling, vs. George Robinson } Court of Common Pleas, Union County, Ohio.

This day came the defendant, George Robinson and confessed in Court that the charge of the plaintiff herein is true.

He is therefore adjudged by the Court to be the reputed father of the said child, and it is ordered that he stand charged for the maintenance thereof in the sum of One Hundred Dollars ($100.00) and also that he pay the costs of this proceeding, both

Entry 8931

In the matter of the appointment of George E. Whitney, Secret Service Officer to assist the prosecuting Attorney.

It is hereby ordered by the Court that George E. Whitney be allowed Seventy Five Dollars per month as his compensation for his services as such Secret Service Officer for the Months beginning on the 12th day of June, 1909, and ending on the 11th day of August, 1909.

The Auditor of said County is hereby ordered ~~by the Court~~ to draw his warrant on the Treasurer of said County, for the said amount of $150.00, in favor of the said George E. Whitney.

John M. Brodrick,
Judge.

Entry 8907

Court Adjourned to Saturday September 4th 1909

Saturday, September 4th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Jessie Hatch
vs.
Walter Pryor and
Mary Pryor
} Court of Common Pleas, Union County, Ohio.
Judgment by confession for $256,50.

Entry
8931

This day came the plaintiff by John L. Loughrey Attorney, and filed his petition against said Defendants, and thereupon Leonidas Piper an Attorney-at-Law of this Court, by virtue of a Warrant of Attorney for that purpose, duly executed by said Defendant, now produced in open Court, proven, shown to the Court, and filed with the Clerk thereof, appeared in open Court in behalf of the said defendants, waived the issuing and service of process, entered the appearance of said Defendants herein, and acknowledging that said defendants did owe and was indebted unto the Plaintiff as she has in her petition alleged by virtue of said Warrant of Attorney, confessed that there was due from said Defendant to said Plaintiff, on said indebtedness the sum of Two Hundred Fifty Six and 50/100 Dollars, bearing interest at 6 per cent. per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court here that the said Jessie Hatch Plaintiff do recover of the said Walter Pryor and Mary Pryor Defendants the sum of Two Hundred Fifty Six and 50/100 Dollars so confessed, as aforesaid, with interest from September 6 to at 6 per cent. per annum, and also costs in her behalf expended taxed at and by virtue of said Warrant of Attorney all errors in this action, judgment and proceeding, petitions and writs of error thereon, are by said Defendant waived and released. It is further by the Court here that the defendants have waived all exemptions under the law and thence not entitled thereto.

Meda Miller
vs.
Robert McCory Admr.
of Thomas Mapes.
} Court of Common Pleas, Union County, Ohio.

Entry
8907

On motion of the defendant, and it appearing to the Court that the plaintiff has failed to give security for costs as required by the former order herein, it is adjudged by the Court that this cause be and the same is dismissed at the cost of the plaintiff.

It is therefore adjudged that the Defendant recover of the Plaintiff his cost herein expended

O. K. Brodrick Judge

Lola Bebee,
vs.
Louis W. Bebee } Court of Common Pleas, Union County, Ohio.

8931
Entry

This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with a summons and a copy of the petition, that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the eighth day of September, 1908, as alleged in said petition.

And that the defendant has been guilty of extreme cruelty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said Petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff recover from the said defendant as for her reasonable alimony the sum of Five Hundred dollars ($500.00) payable on or before sixty days from this date, and the same be, and hereby is, made a lien upon the lands of said defendant as described in plaintiff's petition herein for said amount. And execution is allowed to issue therefor at the end of said sixty days. That upon the payment of said Five Hundred Dollars, ($500.00) the plaintiff be divested of all right of dower in said premises, and that she execute a quit claim deed to said defendant therefor.

And that the plaintiff pay the cost of this proceeding taxed at $ and that this case be recorded.

John M. Brodrick,
Judge.

Entry
8939

In the matter of vacating certain Lots, Streets and Alleys in Schoppert's Addition to Magnetic Springs. } Court of Common Pleas, Union County, Ohio.

Entry 8939

This day this cause came on for hearing on the Petition and submitted to the Court.

On consideration whereof the Court find the allegations of the Petition to be true.

It is therefore considered, ordered and adjudged by the Court that all Lots, Streets and Alleys laying and being South of a line commencing in the West Line of Wills John Street, and at the South East corner of Lot No. 143. and Northeast corner of Lot No. 144, and crossing to the West line of Rose Street, a distance of 231 feet; thence with the said line of said Street 13° East 32¾ feet to the Northeast corner to Lot No. 150; Thence with the South line of an alley and crossing May Street N. 77° W. 215 feet to the West line of said Addition; the portion herein vacated includes all of Lots Nos. 144-148-149-150-151-152-153-154-155 and 156, All of Fountain Avenue and Cross Street and part of said Rose Street, and May Street, laying South of the above described line.

John M. Brodrick, Judge.

Court adjourned to Tuesday Sept. 7th 1909

Tuesday, September 7th 1909, Court convened at 9 O'clock, A. M. Present, Honorable John M. Bredrick, Judge.

Jeremiah Poling,
Vs.
James O. Poling, et al } In the Court of Common Pleas of Union County, Ohio.

Entry

Entry

8945

8797. By agreement of the parties hereto this cause is settled, and further proceedings herein are dispensed with and the costs paid in full.

James McCampbell and J. L. Cameron,
Attorneys for Jeremiah Poling.
McCrory and Cameron
Attorneys for James O. Poling.

Court adjourned to Saturday, September 11th 1909.

Saturday, September 11th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Perry B. Whitsit Co.
Vs.
Edward A. Schambs,

Court of Common Pleas, Union County, Ohio.

Entry
8945

This day this cause was continued for hearing on the motion to vacate judgment, until the next term of this Court, by agreement of parties, by their attorneys.

C. K. John M. Brodrick, Judge.

In Court of Common Pleas, Union County, Ohio.

It is ordered that all matters, causes and motions now pending in this Court not otherwise disposed of, be, and the same are hereby continued to the next term thereof. The present term of this Court was begun on the 29th day of March, A.D. 1909, and continued from day to day and from time to time by regular adjournments until this 11th day of September A.D. 1909, and is adjourned without day.

John M. Brodrick Judge.

Attest Charles Parrott, Clerk,

Entry

Entry

8965

The State of Ohio, Union County, SS.
This separate session of the Court of Common Pleas of the Tenth Judicial district, and the third Sub-Division of the State of Ohio, within and for the County of Union, of the September Term, A.D. 1909, held at the Court House in the Village of Marysville, County and State aforesaid, was begun Monday, September 13th A.D. 1909.
Present Honorable John M. Brodrick, Judge.
Cad Price - Sheriff.
Attest - Charles Parrott, Clerk.

Entry

In the matter of the Report of the County Commissioners. } Court of Common Pleas of Union County, Ohio.

The County Commissioners of this County having filed in this Court their annual report as provided by Section 917. Revised Statutes of Ohio, it is hereby ordered that said Report be investigated and examined by the prosecuting attorney of said County together with John L. Loughrey and T. A. Thompson, two suitable persons who are hereby appointed by the Court for that purpose
O.K. John M. Brodrick. Judge.

Entry

Cassie Fish, Vs. James Raymond Fish } Court of Common Pleas, Union County, Ohio.

8965

By agreement of the parties hereto, I allow a temporary restraining order in the above action as prayed for as to the real estate and the household furniture, and I further order that separate sale notes be taken for all the cattle and that the same be deposited with the Clerk of this Court until further order.
John M. Brodrick
Judge.

Entry 8914

Grand Jury Facias

The Venire Facias for a Grand Jury heretofore issued was duly returned by the Sheriff on September 13" 1909, with his endorsement thereon a follows.

On the

The State of Ohio, Union County, SS.

Sheriff's Office September 13" 1909.

On the 16" day of August, 1909, I received this Venire and served the same on the several persons therein named, at the time and in the manner placed opposite their names endorsed hereon.

Names	When served			How served	No of Miles.
1. E. M. Jones	August	17th"	1909	By Mail	12
2. O. K. Eastman	"	18"	"	" "	10
3. Sam. Church	"	17"	"	" "	—
4. H. O. Barnthouse	"	18"	"	" "	—
5. O. C. Storms	"	20"	"	" "	15
6. Walter Hartman	"	18"	"	" "	16
7. J. W. Fagan	"	17"	"	" "	9
8. William Stahl	"	26"	"	" "	—
9. Albert Phillips,	"	23"	"	" "	7
10. Arthur Bywater,	"	26"	"	" "	4
11. Ira Tossey	"	18"	"	" "	8
12. L. C. Beem	"	19"	"	" "	16
13. Chas. Warford	"	20"	"	" "	7
14. Rheuben Stultz	"	18"	"	" "	15
15 John McKitrick	"	17"	"	" "	5

Cad Price Sheriff.

And upon calling the same in open Court all of the above named Jurors appeared in answer thereto except H. O. Barnthouse and William Stahl, and the panel being incomplete, the Sheriff summoned as talesman, to complete the same, the following named persons, who appeared in answer thereto, to wit, H. W. Mills and Ernest Bown.

And the panel being full the Court appointed L. C. Beem 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.

L. G. Church, T. W. Weld,
and S. L. Church, under
Entry the firm name of
Church Church Bros. & Weld.
8914 Vs. J. C. Kleiber

Court of Common Pleas, Union County, Ohio.

Now comes the plaintiff by his Attorney, and the defendant being in default for answer and demurrer, the Court find that the allegations of the petition are confessed by him to be true. And the Court further find that the defendant J. C. Kleiber is indebted to the plaintiffs in the sum of $185.24.

It is therefore considered by the Court, that the said plaintiffs recover from the said defendant the said sum of One Hundred Eighty Five and 24/100 Dollars, and his costs herein expended taxed at $—

Robert McCrory, Attorney for Plaintiff.

Court adjourned to Tuesday Sept. 14th 1909.

Tuesday, September 14" 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Bredrick, Judge.

The Grand Jury continued their examination of Witnesses.

lock

ses.

Court adjourned to Wednesday, Sept. 15th 1909.

Wednesday, September 15th 1909 Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge,

Report of Grand Jury.

Court of Common Pleas Union County, Ohio.

September Term 1909

In the matter of the Grand Jury.

This day appeared at the bar of this Court, the Grand Jury heretofore impanelled and sworn in and for the body of this Union County, Ohio.

1 O. M Jours	9 Jno. Tossey
2 O. K. Eastman	10 L. C. Berry
3 Sam Church	11 Chas. Harford
4 O. C. Storms	12 Reuben Stults
5 Walter Hartman	13 John McKitrick
6 F. W. Fagan	14 H. W. Mills
7 Albert Phillips	15 Earnest Brown
8 Arthur Byerlier	

Cad. Price Sheriff.

And presented their certain eleven bills of indictment each indorsed by L. C. Berry Foreman of the Grand Jury. "A True Bill" and against the following named persons and for the following specified offenses.

1st William Gibson. One bill for Petit Larceny with Count for concealing stolen property.

2. William Gibson for Petit Larceny with Count for concealing Stolen Property.

3rd " Lewis Croft. One bills for Forgery.

4 " Lewis Croft One Bill for Forgery

5 " Anthony Parr. One bill for Rape.

6 " William Gibson, Petit Larceny, with Count for concealing stolen property

7th " Lloyd. Biggs. Pearl Gibson, and Oliver Phelps One bills for Petit Larceny.

8th Lloyd Biggs, Pearl Gibson and Oliver Phelps for Larceny.

9th " Lloyd. Biggs. and Pearl. Gibson One bill for Burglary with Count for Larceny.

10th " William. E. Pepperd. One bill for keeping a gambling Room

11th " William E. Pepperd, one for suffering gaming upon device for gain in house.

To the Honorable John. M. Brodrick.

Judge of the Court of Common Pleas

Union County, Ohio.

The Grand Jury of the Court of Common Pleas of said County, of the September Term 1909 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 carefully examined in all such matters as have legitimately come to our notice.

having examined over Forty witnesses covering Fourteen cases and presented eleven bills, and ignored Three cases considered by us.

The business has been transacted in an expeditious a manner as possible.

During our session we visited the County Jail, examined its state and condition, and inquired into the discipline and treatment of the prisoners, and their habits, diet and accommodations. We find and respectfully report to the Court that the rules prescribed by the Judge have been faithfully kept and observed, and we do find that No provision of law for the regulation of County jails has been violated.

We the Grand Jury recommend to the Commissioners that the following repairs be made.

That there be placed a piece of boiler iron at the left of the basket door. This we think is very important, also that the wash bowls be repaired on those where the enamel is cracked or scaled. We also recommend new Linoleum on the floor of the Grand Jury Room, and that new Casters be placed on the table legs, or the old ones removed, and that new Chairs be furnished for the Grand Jury Room, and the walls and wood be redecorated.

An Elevator would look good.
An Elevator would be good.
An Elevator could be used.
But please don't put one in.

Respectfully submitted.
L. C. Beem
Foreman

September 15th 1909

Attest Chas. Parrot Clerk

Court adjourned to Thursday September 16th /1909

Thursday September 16th 1909
Court convened at 9 oclock A. M. present
Honorable John. M. Brodrick Judge.

Court adjourned to Friday September 17th 1909.

Friday, September 17th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8957

In the matter of Homer Raymor,
Plaintiff.
Vs.
The Sheriff of Union County
Defendant

In the Court of Common Pleas of Union County, Ohio.

Application being this day made by Homer Raymor for a writ of Habeas Corpus on his own behalf and it appearing that the said Homer Raymor is in custody of the Sheriff of Union County under process issued by the Court of Common Pleas of Union County, Ohio, which said Court had jurisdiction to issue said process, and said writ is refused.

Entry 1373

Court adjourned to Saturday September 18th 1909

Saturday September 18th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

State of Ohio - Plaintiff
vs.
Entry William Gibson, Defendant } Court of Common Pleas of Union County, Ohio.

1375 Now comes the prosecuting Attorney on behalf of the State of Ohio, and the defendant coming into Court and being arraigned on the said Indictment for plea thereto sayeth, "He is not guilty", and puts himself upon the Country, and the prosecuting Attorney doth the like, thereupon the bond was fixed at $300.00 and thereupon the said defendant with William Wellwood as surity entered into bond in the sum of $300. conditioned that the said defendant appear forthwith and from day to day and not depart without leave and obey the order of the Court.

Court adjourned to Monday September 20th 1909.

Monday, September 20th 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Entry 8895

Smith T. O'Harra
Plaintiff,
Vs.
Dora O'Harra et al
Defendants

In the Court of Common Pleas, Union County Ohio.

This day this cause came on to be heard on said Plaintiff's motion to make the answer of said Dora O'Harra more definite and certain, the same was argued by Counsel and submitted to the Court, Whereupon, the Court, on consideration thereof and being fully advised, overrules the said motion; To which ruling of the Court the said Plaintiff, by his Counsel excepts.

C. K. John M. Brodrick, Judge.

Entry

Entry 1387

Court adjourned to Tuesday Sept. 21st 1909.

Tuesday, September 21st 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry — In the matter of the appointment of Marion Hopkins, as Secret Service Officer } Court of Common Pleas, Union County, Ohio.

Deeming it advisable and advantageous and in aid of the performance of the duties required in and about the administration of Justice, and upon request of the Prosecuting Attorney, Marion Hopkins is appointed Secret Service Officer for the Prosecuting Attorney's Office of the said County whose duty it shall be to aid the Prosecuting Attorney in the collection and discovery of testimony to be used in the trial of all criminal cases and in matters of a criminal nature.

Said appointment is for the term of Four Months from date, and the salary of said officer shall be Fifty Dollars per month.

Dated this 21st day of September, 1909

John M. Brodrick,
Judge of the Common Pleas Court.

Entry — State of Ohio vs. William E. Pepperd } Court of Common Pleas, Union County, Ohio.

1387 Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the Defendant coming into Court, and arraigned upon said Indictment, saith he is "Guilty" The Court asked said Defendant if he had any thing to say why judgment should not be pronounced against him; and having nothing but what he had already said; The Court ordered that the said Defendant, William E. Pepperd, pay a fine of $50.00, and the costs of this prosecution, and execution is awarded.

Court adjourned to Wednesday Sept. 22 1909.

Wednesday, September 22 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Amos Miller
Vs.
Entry Robert McCrory Adm'r, of Thomas, Mapes } Court of Common Pleas, Union County, Ohio.
8950

This day this cause came on to be heard upon the motion of Defendant to require Plaintiff to give security for costs. On consideration whereof the Court orders that the Plaintiff give a bond in the sum of One Hundred and Fifty Dollars to the approval of the Clerk of the Court, or that he deposit said sum of money with the Clerk in cash by the 7" day of October, 1909, and in default that the case stands dismissed.

O. K. John M. Brodrick, Judge.

In the matter of the
Entry Estate of Indiana Webb, Deceased } Entry
Vs } Court of Common Pleas, Union
8898. Zimri Webb. County, Ohio. 1374

This cause came on to be heard on the motion of the defendant Zimri Webb by his council to dismiss this action on his answer filed that showed he claimed ownership in the certificates of deposit, accused by the executor herein as having concealed embezzled and converted to his use; which motion the Court overruled, and to which hearing of the Court said accused did at the time except.

Thereupon said Zimri Webb, accused, by his counsel asked leave to withdraw his answer herein filed which was permitted by the Court, and the Court ordered the Jury empaneled and the plaintiff examined the accused under oath, which was accordingly done, and the plaintiff rested, and the accused filed a motion that by the order of the Court that the Jury be directed to return a verdict of acquital to the charges made against him in the amended complaint of William Kinney, executor. Whereupon the Court sustained said motion and ordered the Jury to return such verdict of Acquittal. Entry

Whereupon the jury retired and by its foreman returned the following verdict: "We the jury, being duly empaneled and sworn, find the issues in this case in favor of the defendant, and that the accused Zimri Webb, is not guilty as charged in the amended complaint of said William Kinney, executor herein. 1388

J. R. Brannon.

Dated September 22 1909.

To which ruling by the court in directing said verdict William W. Kinney, executor complainant herein by his council did at the time except.

Thereupon complainant, William W. Kinney, executor by his council filed a motion for a new trial which was by the Court overruled, to which ruling of the Court the complainant executor did by his council at the time except.

Whereupon the court on said verdict rendered judgment against William W. Kinney as executor of the estate of Indiana Webb, deceased, in favor of Zimri Webb, the accused for his costs herein taxed at $ ___ dollars, to which ruling judgment of the Court the complainant William W. Kinney executor did at the time except, and also the accused Zimri Webb did at the time except, for the reason that said judgment should be against the said William W. Kinney personally.

Entry 1374	The State of Ohio, vs. Plaintiff. Anthony Pfarr. Defendant	Court of Common Pleas of Union County, Ohio.

Now comes the prosecuting attorney on behalf of the State of Ohio and the defendant coming into Court and being arraigned on the said Indictment, for plea thereto sayeth he is not guilty, and puts himself upon the country, and the prosecuting attorney doth the like; thereupon it was ordered that the said defendant enter into a recognizance in the sum of $1000.00, with good and sufficient surety for his appearance in Court forthwith and not to depart without leave and to obey the order of the Court and to answer to said Indictment; and thereupon came the said Anthony Pfarr with Dorothea Pfarr and Conrad Pfarr as surities and entered into a recognizance in the sum of $1000. as required.

Entry 1381	The State of Ohio vs. Plaintiff, Lewis Croft. Defendant	Court of Common Pleas of Union County, Ohio

This cause coming on to be heard upon the demurrer to the indictment, the Court, on consideration, thereof, overruled the same.

Entry 1381

The State of Ohio
Plaintiff
vs.
Lewis Croft. - Defendant

Court of Common Pleas, Union County, Ohio.

Indictment for Forgery.

Now Comes 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 saith he is "guilty"; thereupon the Court being fully advised in the premises, and the defendant being inquired of if he had anything to say why sentence should not be pronounced against him, and having nothing to say; it is therefore adjudged by the Court that the said Lewis Croft be imprisoned in the Ohio State Reformatory.

Entry 8961

Entry 1382

State of Ohio - Plaintiff.
vs.
Lewis Croft - Defendant

Court of Common Pleas, Union County, Ohio,

Nolle Prosequi is entered herein, by the order of the Court by the request of the prosecuting attorney.

Court adjourned to Thursday September 23 1909.

Thursday, September 23 1909, Court convened at 7 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 8961	Elizabeth M. Court as Executrix of the Estate of George W. Court, Deceased Plaintiff. vs Harry E. Palmer and Mrs S. E. Donley, Defendants.	Court of Common Pleas, Union County, Ohio. Judgment by Confession for $121.34

This day came the plaintiff, by James McCampbell Attorney; and filed her petition against said defendants, Harry E. Palmer and Mrs S. E. Donley, and thereupon Frank G. Ballinger, one of the Attorneys of Record of this Court, also appeared in open Court, for and on behalf of said Defendants Harry E. Palmer and Mrs S. E. Donley, and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendants, and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiffs Petition, the sum of One Hundred and Twenty One and 34/100 Dollars, ($121.34), bearing interest at Eight per cent. per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said Elizabeth M. Court, as Executrix Plaintiff do recover from said Harry E. Palmer and Mrs S. E. Donley Defendants the said sum of One Hundred and Twenty One and 34/100 Dollars, ($121.34/100), so as aforesaid confessed to be due, together with costs of suit herein, to be taxed, and with interest to be computed from the 23 day of September 1909, at the rate of Eight per cent. per annum. And by virtue of said Warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal and all right to file a petition in error are waived.

875-4

Court adjourned to Saturday September 26th 1906

Saturday September 25th 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Sheriff's Certificate for Pay.

Sheriff's Office, Union County, Ohio.

To Honorable John M. Brodrick, Judge.

Marysville, Ohio, September 25th, 1909.

The Court charges for the March Term, A.D. 1909, Union County Common Pleas, are due for services rendered and are as follows;

Union County, Ohio.

To Cad Price, Sheriff, Dr.

To Serving Grand Jury Venire	$ 4.50
" " Petit " "	4.50
" " Special " "	4.50
" " Grand Jury Witnesses (including Speed)	3.60
To Making 36 copies, Grand Jury Witnesses " "	3.60
To 157 miles travel, " " " " "	12.56
Total	$ 33.26

I hereby certify the above bill to be correct.

Cad Price Sheriff.

To the Clerk of the Courts, Union County, Ohio.

You will make entry of the above bill and certify the same to the County Auditor.

John M. Brodrick,
Judge of the Common Pleas, Court.

8754 The State of Ohio ex rel. Oscar M. Andrews vs James Patrick } In the court of Common Pleas, Union Co., Ohio

This day this case was dismissed, and costs assessed against defendant, except $2.70, which is assessed against the Plaintiff

Court adjourned to Monday September 27, 1909.

Monday, September 27 "1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry

William Riley,
Vs.
George Riley et al. } Court of Common Pleas, Union County, Ohio.

This day leave was granted Emma Wilson one of the defendants in this case to file pleadings and same filed.

Matilda A. Amrine, executrix etc.
Plaintiff.
Vs.
Ettie Hamilton et al } Court of Common Pleas, Union County, Ohio.

Entry

8930

And now this cause came on to be heard on the petition of the plaintiff, asking for the direction and judgment of the Court in construing certain parts of the Will of James Amrine, deceased, of which said Plaintiff is executrix, and upon certain questions presented in said petition.

The Court finds that the defendants have all either been served with a summons or have waived the issuing of the same and have voluntarily entered their appearance.

And the Court further find, after careful consideration, and adjudge the true intention and construction of said Will to be as follows, to wit; Said Matilda A. Amrine takes a life estate in the seventy eight acres of land under the provisions of Item First of said Will. Said Ettie Hamilton takes an estate in remainder in fee simple in the twenty eight acres mentioned in Item Third of said Will, subject to the life estate therein of said Matilda A. Amrine under Item First of said Will; the bequest to said May Fish of one hundred dollars under Item Fourth of said Will, is to be paid in equal proportions by said Lewis J. Amrine and Ettie Hamilton at the death of said Matilda A. Amrine; all the proceeds of the personal property of said testator remaining in the possession of said Matilda A. Amrine, at her death either personally or as executrix, as well as all money remaining in her possession unconsumed as income from the use of said real estate will pass under the provisions of said will to said Lewis J. Amrine and Ettie Hamilton in equal proportions.

It is therefore ordered, adjudged and decreed that the said Matilda A. Amrine have and possess, during her natural life, the 78 Acres mentioned in said Will with out any let hinderance, ejection or molestation on the part of the said Lewis J. Amrine or the said Ettie Hamilton; that the said Ettie Hamilton have an estate in fee in the 28 acres mentioned in Item Third of said Will subject to the life estate

Entry

1371

of said Matilda A. Amrine; that upon the death of said Matilda A. Amrine the said May Fish recover from the said Ettie Hamilton $50.00, and from the said Lewis J. Amrine $50.00 and that any unconsumed portion of the personal estate or the proceeds and income of the real estate of said James Amrine at the death of said Matilda A. Amrine be divided equally between the said Ettie Hamilton and the said Lewis J. Amrine.
And that the executrix pay the Cost of this proceeding out of the funds of said estate.
To all of which the said Ettie Hamilton excepted at the time.
Approved by - J. H. Willis and John L. Loughrey, Attorneys for Ettie Hamilton.

Lizzie Bancroft - Plaintiff.
Vs.
Entry Bert Bancroft - Defendant } Court of Common Pleas, Union County Ohio

8930 This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 20" day of March, 1895, as alleged in said petition. That the issue of said marriage was William Bancroft of the age of 13 years on July 8" last; Hutty Bancroft of the age of 10 years on December 8" last. And that the Defendant has been guilty of Gross Neglect of Duty and Extreme Cruelty, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.
It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be decreed all the household furniture now in her possession as alimony, and that the defendant pay the costs of this proceeding taxed at $ — and that this case be recorded
John M. Brodrick, Judge.

State of Ohio - Plaintiff
Vs.
Entry Homer Raynor - Defendant } Court of Common Pleas, Union County, Ohio.

1371 This day the Court finding that the defendant, Homer Raynor, is in indigent circumstances, and unable to employ Counsel, the Court, at his request, assign Milo L. Myers, as Counsel to defend him.
Court adjourned to Tuesday, September 28" 1909.

Tuesday, September 28th 1909, Court convened at 9 O'clock A. M. Present, Honorable John M. Brodrick, Judge.

Entry 8933

Arthur Graham - Plaintiff
vs.
Dorothea Pfarr - Defendant
} Court of Common Pleas, Union County, Ohio.

This cause being heard on the demurrer to the petition, the Court, on consideration thereof, sustain the same.
And thereupon, the plaintiff failing to plead further, it is considered by the Court that the defendant go hence without day, and recover from the plaintiff his costs herein expended. To all of which plaintiff excepts.

Entry 8895.

Smith, T. O'Harra - Plff.
vs.
Dora O'Harra et al, - Defts.
} Court of Common Pleas, Union County, Ohio

This day this cause coming on to be heard on Plaintiffs' Demurrer to the second ground of defense in the answer of Dora O'Harra, states, the same was argued by Counsel and submitted to the Court.
Whereupon, the Court, on consideration thereof, do overrule said demurrer, to which ruling of the Court the Plaintiff, by his Counsel, Excepts.

O. K. John M. Brodrick, Judge.

Entry 8816

Martha A. Crary et al. - Plaintiffs
vs.
Robert McCory, as executor &c. et al
Defendants.
} Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard upon the amended petition of the Plaintiffs, the separate answer of Robert McCory, as executor of the estate of Rosetta Holycross, deceased, and Christ's Hospital of Cincinnati, Ohio, defendants, and the reply thereto of the Plaintiffs, and upon the testimony, and was argued by counsel; On consideration whereof the Court doth find upon the issues joined in favor of the plaintiffs, to-wit; Martha A. Crary, Robert C. Holycross, Nancy C. Jordan, Lobitha Burroughs, P. F. Holycross, A. M. Jenkins, Lydia Dunlap, Jane Dunlap, Lillie Smith, Mattie Eirrard, Nellie Hensel and Maud Clinger, and against the defendants; and that the said plaintiffs at the death of Rosetta Holycross became the owner in fee simple of the following described real estate, to wit, Situated in the County of Union, State of Ohio, and Township of Allen, and bounded as beginning at low water mark on Darby Creek and corner to Robert C. Holycross' land; thence N. 55½° E. 210 poles to a stone in the line of Alfred Ream's land; thence N. 34½° W. 53 poles to the center of the Epps and Holycross gravel road; thence S. 55½° W. 202.88 poles to the low water mark of Darby Creek;

thence with said creek to the place of beginning, containing 68 acres of land more or less.

It is therefore ordered, adjudged and decreed that the title of said plaintiffs in and to said real estate, be and the same hereby is forever quieted against any claim of the said Robert McCrory, as executor of the estate of Rosetta Holycross, deceased, Christ's Hospital of Cincinnati, Ohio, The Methodist Episcopal Church of North Lewisburg, Ohio, The Darby Methodist Episcopal Church, The Home Missionary Society of the Methodist Episcopal Church of North America, Rosina Beltz, Willis Epps and George Jordan, and that each of them be and hereby is forever restrained and enjoined from asserting or setting up any claim to said real estate or any interest therein; and it is further ordered, adjudged and decreed that the said Robert McCrory, as executor of the estate of Rosetta Holycross, deceased, within thirty days, make, execute and deliver a deed of conveyance, in due form of law to pass title to said real estate, and that in default of the execution of such deed of conveyance by him within said thirty days, this decree shall operate as such conveyance; and it is further ordered and adjudged that the said Robert McCrory, as such executor, pay the costs of this action. To all of which the said defendants, Robert McCrory, as executor of the estate of Rosetta Holycross, deceased, and Christ's Hospital of Cincinnati, Ohio, excepted at the time.

Thereupon the defendant, Christ's Hospital of Cincinnati, Ohio filed its motion for a new trial herein, which motion is heard and overruled by the Court, to which the said defendant then and there excepted; And the defendant Robert McCrory as executor of said Rosetta Holycross filed his motion for a new trial herein, which motion is heard and overruled by the Court, to which said Robert McCrory as such executor excepted. The defendant Christ's Hospital of Cincinnati, Ohio gave notice of its intention to appeal this cause to the Circuit Court, and the Court fixed its bond for appeal at $200.00.

The said Robert McCrory as executor, defendant, gave notice of his intention as such executor to appeal this cause to the Circuit Court, and it appearing to the Court that said Robert McCrory as such executor has executed his bond in the sum of $9800, in the probate Court of this county and the said bond has been approved and filed by said probate court, no further bond for appeal is required of him as such executor defendant.

Approved — Hoppes & Robinson for Plaintiffs. Cameron & Cameron attys. for Christ's Hospital and Robert McCrory Exct. Defendants.

Court adjourned to Wednesday, Sept. 29th 1909.

Wednesday, September 29th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned to Thursday, September 30th 1909.

Thursday, September 30th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Court adjourned to Friday, October 1st 1909.

Friday, October 1st 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

State of Ohio
Vs
William Gibson } Court of Common Pleas, Union County, Ohio.

Indictment for Larceny.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant coming into Court with Counsel, and this case coming on to be heard on the application and affidavit of the defendant for a continuance, and for good cause shown this case is continued till the next term of this Court and the defendant is ordered to pay the costs of the continuance taxed at $8
And the Court further orders that the defendant be held to bail in the sum of Three Hundred Dollars for his appearance at the first day of the next term of this Court to answer the charge against him, and in default thereof, that he be committed to the custody of the Sheriff.

Court adjourned to Saturday, Oct. 2d 1909.

Saturday, October 2nd 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick Judge.

E. V. Rhodes, Plaintiff
Vs.
A. F. Edelblute and
J. W. Edelblute - Defendants
} Court of Common Pleas, Union County, Ohio.

Judgment Entry $318.15

Entry 8965

This day came the plaintiff, by his attorneys; also appeared in open court, for and on behalf of said defendant, J. L. Cameron, an attorney at law of this Court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendant, entered the appearance of said defendant, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendant, and in favor of said plaintiff, for Thre Hundred and Eighteen Dollars and Fifteen Cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors, and right of appeal in the premises.

It is therefore considered that said Plaintiff recover of said defendant the sum of Three Hundred and Eighteen Dollars and Fifteen cents, being the amount of said note with interest computed at 8 per cent. per annum, from the 1st day of April, 1909; and also his costs herein expended taxed at $ _____

The State of Ohio,
Vs.
1374 Anthony Pfarr
} Court of Common Pleas, Union County, Ohio.
Indictment for Rape.

Entry

Now comes the prosecuting Attorney on behalf of the State of Ohio, and the defendant coming into Court with Counsel, and this case coming on to be heard on the application and the affidavit of the defendant for a continuance, and for good cause shown, this case is continued till the next term of this Court and the defendant is ordered to pay the costs of this continuance taxed at $ _____

And the Court further orders that the defendant be held to bail in the sum of One Thousand Dollars for his appearance at the First day of the next term of this Court to answer the charge against him, and in default thereof to be committed to the custody of the Sheriff.

Thereupon came said defendant with Conrad Pfarr and Dorothea Pfarr as sureties and entered into a recognizance in the sum of $1000.00, for his appearance at the next term of this Court as required by the order of the Court.

Court adjourned to Monday October 4th 1909.

Monday, October 4th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 8954

Levi Snuffin Jr. Admst. etc.
vs.
The estate of Levi Snuffin, Deceased

} Court of Common Pleas, Union County, Ohio.

This day this cause was dismissed at the cost of the Plaintiff.

Court adjourned to Tuesday, October 5th 1909.

Present

Union
, Ohio.

Plaintiff.

Tuesday, October 5th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned to Wednesday, October 6th 1909

Wednesday, October 6th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 1371

State of Ohio - Plaintiff.
vs.
Homer Raynor - Defendant
} Court of Common Pleas of Union County, Ohio.

Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant being brought into Court in the Custody of the Sheriff; also attended by Counsel, also came the following named persons as jurors, to-wit; - Oscar Bell, W. H. Pence, Henry Eickemeyer, George W. Cox, Dana D. Reed, John Clemens, Fred Kyle, Fred. Loschky, Ed. Court, E. L. Chapman, C. M. Haines and L. C. Mapes, who were duly impaneled and sworn according to law. And the said Jury having heard the testimony adduced by the parties, and the argument of Counsel, and the charge of the Court, retired to their room in charge of the Sheriff for deliberation.

And afterward came the Jury, conducted into Court by the Sheriff, and returned the following verdict in writing. "We the Jury, on the issue joined in this case, find the Defendant, Homer Raynor, Guilty, in manner and form as he stands in the Indictment.

Signed John Clemens,
Foreman.

Dated October 7th 1909.

Whereupon, on request of Defendant's Counsel, the Court ordered that the Jury be polled. And upon each Juror being called by name and inquired of if the verdict just read was his verdict, each for himself separately answered, "It is."
And thereupon said Defendant is ordered into the custody of the Sheriff to await sentence.

After which the Court discharged said Jury until Wednesday, October 12th 1909.

Court adjourned to Thursday, Oct. 7th 1909.

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Thursday, October 7th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Court adjourned to Friday October 8th 1909.

Friday, October 8th 1909 Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry
8862

Entry
8953

Entry
8953

Court adjourned to Saturday October 9th 1909.

Saturday, October 9th 1909 Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8862

In the matter of the estate of Thomas A. Mapes, Deceased
Vs
Lizzie Ferguson
} Court of Common Pleas, Union County, Ohio.

It is ordered by the Court that this cause be and the same is dismissed by the Court.
It is further ordered and adjudged that the costs of this action be paid by the said Robert McCrory administrator out of the funds of said Thomas A. Mapes estate - No Record.

Entry 8950

Amos Miller - Plaintiff
Vs.
Robert McCrory a Administrator of the estate of Thomas Mapes, Deceased, Defendant.
} Court of Common Pleas, Union County, Ohio.

The plaintiff having failed to comply with the former order of this Court, in regard to giving security for costs, It is ordered and adjudged by the Court that this cause be, and the same is, dismissed at the cost of the plaintiff.
It is therefore adjudged that the defendant recover of the Plaintiff his costs herein expended.

Entry 8953

C. F. Bishop, et al
Vs,
E. G. Adams, et al
} Court of Common Pleas, Union County, Ohio.

This day leave was granted defendants to file answer within thirty days.

Court adjourned to Monday Oct. 11th 1909.

Monday, October 11" 1909, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry

Gertrude Jones,
Vs Plaintiff
Fay Jones,
Defendant

Court of Common Pleas, Union County, Ohio.
September Term, 1909.
Decree of Divorce.

8924.

This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel.
On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with a copy of the petition and of a summons; that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union, for one year next preceding the filing of said petition, and that said parties were married on the _ day of February, 1904, as alleged in said petition. And that one child was born of said marriage to wit: Arlo Jones, aged 3 years; And that the defendant has been guilty of gross neglect of duty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.
It is therefore ordered adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and by agreement the custody, care and maintenance of said minor child is awarded to the defendant, and he is charged with its maintenance.
And the defendant pay the costs of this proceeding taxed at $ and that this case be recorded.

John M. Brodrick,
Judge.

Entry

Laura L. Pratt - Plaintiff
Vs.
John L. Pratt, et al, Defendants

Court of Common Pleas, Union County, Ohio.

8923

It appearing to the Court that the plaintiff and said John L. Pratt are living together as husband and wife, and that the allegations set up in the petition and supplemental petition have been condoned; it is ordered by the Court that the petition and supplemental petition be and they are dismissed. It is further ordered that this cause be retained as to the receiver, to pay debts of judgment creditors and lienholders and that this cause be consolidated with cause No. 8924, and that the petition in No. 8923 be treated as an answer and cross-petition.

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Court adjourned to Tuesday October 12th 1909.

Tuesday, October 12" 1909, Court convened at 9 O'clock A.M. Present Honorable John M. Brodrick, Judge,

Entry 8774	Emeline C. Bird Plaintiff vs. Oliver Marion Bird Defendant	Court of Common Pleas, Union County, Ohio.

This day came the parties herein, by their Attorneys; also came the following named persons as Jurors, to-wit: 1st Oscar Bell, 2 Henry Eickemeyer, 3d Dana D. Reed, 4" John Clemens, 5" Fred Kile, 6" John Horn, 7" Fred Loschkey, 8" Edward Court, 9" R. E. Kerr, 10" Walter Stuart, 11" Bert Shelton, 12" John Morris; and after hearing the evidence, arguments of Counsel, and Charge of the Court, the Jury retired to their room, in charge of the Sheriff for deliberation, and on the 13" day of October A.D. 1909 at 2 O'clock A.M. came said Jury into open court with their verdict in writing, signed by their foreman, and say, We, the Jury, being duly impaneled and sworn and affirmed, find the issues in this case in favor of the Plaintiff and assess the amount due to the Plaintiff from the Defendant at the sum of $90.00, Ninety Dollars, with interest up to date; Interest $9.07, Total $99.07.

Signed Fred Kile.
Foreman.

After which the Court discharged the regular Jurors until to-morrow morning at 9 O'clock, and the Talesman were discharged for good, being each allowed for two days by the Court.

Court adjourned to Wednesday, Oct. 13" 1909.

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Wednesday October 13th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned to Thursday, Oct. 14th 1909.

Thursday, October 14th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

State of Ohio.
vs.
Jasper Calloway et al

Court of Common Pleas, Union County, Ohio.

Indictment for Riot

Entry 1377

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendants with their Counsel, also came the following named persons as jurors, to-wit: Oscar Bell, George W. Cox, Dana D. Reed, Fred Kile, Edward Court, C. A. Haines, L. O. Mapes, Harrisson McCley, Howard Vosburg, George B. Gregg, Newton Graham and Will, Kubrecht, who were duly impangled and sworn according to law, And the said Jury having heard the Testimony adduced in part, the Court adjourned until to-morrow morning at 9. O'clock.

Entry 1377

Court adjourned to Friday October 15th 1909.

Friday, October 15th 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

State of Ohio – Plaintiff
vs.
Jasper Calloway, et al – Defendants

Court of Common Pleas, Union County Ohio.

Indictment for Riot.

Entry 1377

This day again came the said parties, with 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 arguments of Counsel, and charge of the Court, retired to their room in charge of the Sheriff for deliberation, and on the 16th day of October, 1909, at 5 O'clock, A. M. 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.

Court adjourned to Saturday October 16th 1909.

Saturday, October 17th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio.

Entry 8973

The Marysville Cabinet Co.,
vs.
W. C. Hake and James Russell } Judgment by confession.

This day came the Plaintiff by John H. Kinkade, Attorney; and filed its petition against said Defendants W. C. Hake and James Russell, and thereupon one of the Attorneys of Record of this Court also appeared in open Court, for and in behalf of said Defendants W. C. Hake and James Russell and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendants, and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition, the sum of One Hundred Twenty Nine Dollars and Twenty cents bearing interest at 7 per cent per annum from date, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said The Marysville Cabinet Company Plaintiff do recover from said W. C. Hake, and James Russell Defendants the said sum of One Hundred and Twenty Nine Dollars and Twenty Cents, ($129.20) so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 16th day of October, 1909, at the rate of 7 per cent per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

Entry 8902

Court adjourned to Wednesday Oct. 20th 1909.

Wednesday, October 20, 1909, Court convened at 9 O'clock A. M. Present Honorable Wm. T. Duncan Judge.

Entry 8902 William C. Rockwell, et al. vs. W. L. Blaney et al } Court of Common Pleas, Union County Ohio.

This day this case was submitted to the Court, and after hearing the evidence and argument of Counsel the Court took the case under advisement.

Court adjourned to Saturday, October 23 1909.

Saturday, October 23 1909, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Times For Holding Common Pleas Courts, A.D. 1910,

Entry 8816

State Of Ohio,
Tenth Judicial District,
It is ordered that the Terms of the Common Pleas Courts of the several Counties in said Judicial District, for the year 1910 be fixed as follows, to-wit;

Hancock County	on the	7"	day of	Feb.	and the	18"	day of	April	and the	12"	day of Sept.
Hardin "	"	" 3"	"	Jan.	"	4"	"	April	"	10"	" Oct.
Seneca "	"	" 3"	"	Jan.	"	4"	"	April	"	10"	" Sept.
Wood "	"	" 3"	"	Jan.	"	9"	"	May	"	10"	" Oct.
Crawford "	"	" 24"	"	Jan.	"	16"	"	May	"	17"	" Oct.
Marion "	"	" 24"	"	Jan.	"	16"	"	May	"	17"	" Oct.
Wyandot "	"	" 21"	"	Feb.	"	6"	"	June	"	19"	" Sept.
Logan "	"	" 7"	"	Feb.	"	9"	"	May	"	17"	" Oct.
Union "	"	" 3"	"	Jan.	"	4"	"	April	"	12"	" Sept.

Entry

8898

It is further ordered that the Courts of the first sub-division be held by Judges Frank A. Baldwin, William P. Henderson and Wm. F. Duncan.
That the Courts of the Second Sub-Division be held by Judges Daniel Babst and William E. Scofield.
That the Courts of the third sub division be held by Judge John M. Brodrick.

It is further ordered that Daniel Babst be designated as Supervising Judge, and that said Terms of Court begin at 9 O'clock, A. M.

William F. Duncan,
Daniel Babst,
Frank A. Baldwin,
Wm P. Henderson,
William E. Scofield,
John M. Brodrick,
Judges tenth Judicial District.

Dated at Kenton, Ohio, this 19" day of October, A.D. 1909.
Daniel Babst,

Martha A. Crary et al
Plaintiffs
Vs.
Entry Robert McCrory Exct. H. C. et al
8814

Court of Common Pleas, Union County Ohio

This day came the said Robert McCrory, as executor of the estate of Rosetta Holycross, and presented to the Court his Bill of Exceptions which is allowed and signed by the Court and ordered to be made part of the Record in this case.

In the matter of the estate of Indiana Webb, deceased.
Entry Vs. Plaintiff
Jemri Webb,
8898 Defendant

Court of Common Pleas, Union County Ohio

This day came William W. Kinney as executor of the estate of Indiana Webb, deceased, and presented to the Court his Bill of Exceptions, which is allowed and signed by the Court, and is made a part of the Record of this case.

Court adjourned to Monday, October 25th 1909.

Monday, October 25th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County, Ohio.

Entry 8958

The Franklin Trust Company, Plaintiff
Vs.
The Marysville Light & Water Company, Defendant } Entry requiring security for costs.

Entry 1371

This cause coming on for hearing upon the motion of the Defendant that the Plaintiff be required to give security for costs, the Court orders that the Plaintiff shall within 30 days give security for costs in this case according to law and to the satisfaction of the Clerk of this Court; and that the defendants time for pleading to the Plaintiffs petition is extended for the same period of 30 days from this date (Oct. 25th 1909).

In the Court of Common Pleas of Union County, Ohio.

Entry 8963.

O. L. Stoddard, Plaintiff.
Vs.
Aaron Boylan, Defendant }

This cause coming on to be heard upon the motions of the Defendant, for security for costs, and to make more definite and certain the Petition of the Plaintiff, upon argument of Counsel, and submission of same to the Court, the Court finds and orders that the said Plaintiff shall be required to give security for costs in this action to the satisfaction of the Clerk, and that the plaintiff shall make his petition more definite and certain as required by the motion of the defendant, which is sustained, and by consent the Plaintiff thereupon made his petition more definite and certain by interlining the following words, "That the defendant still retains said $100. cash payment and refuses to return same to this Plaintiff." said interlineation being immediately after the allegation of refusal to deliver abstract of title to plaintiff.

It is further ordered by the Court that the Plaintiff secure said costs within 30 days from this date and that the defendant shall answer within the same period of 30 days, for which period defendants time to plead is extended.

Court of Common Pleas of Union County, Ohio.

Entry 1371

State of Ohio, Plaintiff
Vs.
Homer Raynor, Defendant } Indictment for Non. Support of child.

This day Milo L. Myers, Attorney is allowed Thirty Five ($35.00) Dollars for services as Attorney for defendant.

In the Court of Common Pleas of Union County, Ohio.

State of Ohio, — Plaintiff
vs.
Homer Raynor — Defendant } Entry
Indictment for non support of child.

Entry 1371

This cause this day coming on to be heard on motion for a new trial, after full consideration by the Court, the same was overruled; Thereupon this cause further coming on to be heard on motion for arrest of judgment, after full consideration by the Court, the same was overruled,

And thereupon the defendant being in Court in the custody of the Sheriff, was informed of the verdict of the jury, and inquired of him if he had any thing to say why judgment should not be pronounced against him, and having nothing to say but what he had already said.

It is therefore adjudged by the Court, that the said Defendant, Homer Raynor stand committed to the Ohio State Reformatory, at Mansfield, Ohio, and it appearing to the Court that said Defendant had not been previously convicted or imprisoned in this State or elsewhere, and it further appearing to the satisfaction of the Court that the character of the Defendant and the circumstances of the case are such that he is not likely to engage in an offensive course of conduct, and that the public good does not demand or require that the defendant shall suffer the penalty imposed by law.

It is therefore ordered that the execution of sentence be suspended upon the following conditions, to-wit: That said Defendant pay ($1.50) One Dollar and Fifty Cents per week to a Trustee for the support of his child Harold Raynor, said payments to begin December 1st 1909. and to continue until said child arrives at the age of Sixteen Years, or until the further order of this Court, And Charles Parrott is hereby appointed Trustee for said purpose.

It is further adjudged by the Court that the defendant pay the cost of this prosecution, taxed at $145.69, and execution is awarded against him for the same.

Entry
8978

Court adjourned to Friday October 29th 1909.

Friday, October 29" 1909, Court convened at 2-45 P. M. Present Honorable John M. Brodrick, Judge.

Entry 8978

The Belle Center Bank Company, Plaintiff. vs. George Borders et al } Court of Common Pleas, Union County, Ohio.

Judgment Entry.

This day came the Plaintiff by its attorney; also appeared in open court for and on behalf of said defendant W. T. Hoopes an Attorney at law of this Court, and by virtue of the warrant of Attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendants entered the appearance of said defendants, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendants, and in favor of said plaintiff for Two Hundred and Three dollars and forty Three Cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors, and right of appeal in the premises.

It is therefore considered that said Plaintiff recover of said defendants the sum of Two Hundred and Three Dollars and Forty Three Cents, and that said judgment bear interest at 8 per cent. from the 29" day of October, A.D. 1909; and also costs herein expended, taxed at $

Court adjourned to Saturday, October 30" 1909.

Saturday, October 30th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio.

Emma Osborn - Plaintiff.
vs
Leven Osborn - Defendant
} Sept. Term, 1908
Decree of Divorce

This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and copy of Petition as required by law; That at the time of filing the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 25th day of December as alleged in said petition. And that no children were born of said marriage; And that the defendant has been guilty of gross neglect of duty as alleged in said petition; And that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be restored to her maiden name of Emma Cook.

And it is further ordered that the plaintiff have as and for her Alimony the sum of One Thousand Dollars for which defendant has given her his promissory note payable on demand without interest. The same being secured by mortgage.

It is further ordered that said defendant shall pay the plaintiff the sum of Two Dollars per week so long as said note remains unpaid, and when part of said note is paid, the weekly allowance shall be reduced in proportion to the payment, and when the whole of said note is paid the Two Dollars per week allowance shall cease.

The Plaintiff is divested of her dower interest in defendants land.

The plaintiff is to also have her Wearing Apparel and such portion of the house hold goods as she may desire, to be selected by her within two weeks after this date.

The Two Dollars per week allowance is in lieu of interest on said note.

Plaintiff to pay the cost of this proceeding taxed at $10.00 and that this case be recorded.

John M. Brodrick,
Judge.

Court adjourned to Saturday Nov. 6th 1909.

Entry
8698

Entry
8953

Entry
8897

Saturday, November 6th 1909 Court convened at Nine O'clock A. M. Present Honorable John M. Brodrick, Judge.

Entry 8698

Orpha M. Hughesby, et al. Plaintiff. vs. Della A. Snider et al. Defendant } Court of Common Pleas, Union County, Ohio.

This day defendants by their Attorneys asked leave of Court for 30 days extention of time in which to plead in the above cause, and the same is granted.

Entry

Ida Dilsaver - Plaintiff. vs. Fred Dilsaver et al Defendants } Court of Common Pleas, Union Co. Ohio.

This day this cause was dismissed by order of Plaintiff.

Entry 8953

Cassie Fish - Plaintiff. vs. James Raymond Fish Fish, Defendant } Court of Common Pleas, Union Co. Ohio.

On Motion for leave to file a supplemental petition in the above cause, the same is granted, without any additional deposit of Costs C. K. John M. Brodrick, Judge.

Entry 8897

Henry Beaver. Plaintiff vs. James Cochran, Defendant } Court of Common Pleas of Union County, Ohio.

This day this case was dismissed by order of Plaintiff's Attorney, and all costs paid.

John E. Burns, Plaintiff
Vs
The Commissioners of
Union County, et al, Defendants

The Court of Common Pleas, Union County, Ohio.

Entry

8941 This cause coming on to be heard on the demurrer to the answer, the Court, on consideration overrules the same.
And the case coming on further to be heard on the temporary injunction heretofore granted in this case, and the Court being fully advised in the premises dissolves the same, and finds that the same ought not to be granted.
And to said finding of the Court plaintiff by his attorney excepts.
Thereupon on motion plaintiff was granted leave to file an amended petition within thirty days.

Entry

8948

Ent

Court adjourned to Saturday Nov. 13th 1909.

Saturday November 13th 1909 Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio.

Entry 8948 J. F. Blair, Executor, etc. Vs. N. G. Smith et al.

This cause was settled and this day dismissed at the costs of the Plaintiff. No Record.

Entry The Peoples Bank Vs. J. B. Thompson, Maye Thompson and Mrs Tyler Thompson } Court of Common Pleas, Union County, Ohio. Judgment by Confession, $102.34

This day came the Plaintiff by James McCampbell its Attorney and filed its Petition against said Defendants, J. B. Thompson, Maye Thompson and Mrs Tyler Thompson, and thereupon Milo L. Myers, one of the Attorneys of Record of this Court, also appeared in open Court, for and on behalf of said Defendants and who by virtue of a warrant of Attorney for that purpose duly executed by said Defendants, and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition, the sum of One Hundred and Two and 34/100 Dollars, ($102.34). bearing interest at Eight per cent. per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum. It is therefore considered by the Court that said The Peoples Bank Plaintiff do recover from said ~~The Peoples Bank~~ J. B. Thompson, Maye Thompson and Mrs Tyler Thompson Defendants the said sum of One Hundred and Two and 34/100 Dollars, $102.34, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 13th day of November, 1909, at the rate of eight per cent. per annum. And, by virtue of said Warrant of Attorney, all errors in this action, judgment and proceeding are released and all right of appeal and all right to file a petition in error are waived.

Court adjourned to Monday November 15th 1909

Monday, November 15th 1909, Court convened at 9 O'Clock, A. M. Present Honorable John M. Brodrick, Judge.

Mabel Turner - Plaintiff,
vs.
Frank O. Turner
and George A. Rausch - Defendants

Court of Common Pleas, Union County, Ohio.

Entry 8964

On motion of the Plaintiff and for good cause shown it is ordered that Cad Price as Sheriff of said County, be, and he is hereby appointed Receiver in this cause, to take possession of all notes, due bills, books of Accounts, accounts and all other evidence of debt of the said Defendant Frank O. Turner, in the partnership of Turner and Rausch in the Garage and etc. business. Said partnership being Frank O. Turner and George A. Rausch partners doing business as Turner and Rausch.
And to take over the interest of said Frank O. Turner in said partnership, and do all acts authorized by law and necessary in the case, and carry on the business of said partnership acting for said Frank O. Turner therein, and report same to this Court for its order.
And it is ordered that the undertaking of the said Cad Price - Sheriff be given in the sum of $2000.00, with Surety to the approval of the Clerk.
And now came the said Cad Price and was duly sworn as said Receiver.

Sheriff's Certificate For Pay.
Sheriff's Office, Union County, Ohio.
To Hon. John M. Brodrick, Judge.
Marysville, Ohio, November 8th, 1909.
The Court charges for the September Term, A.D. 1909, Union County Common Pleas, are due for services rendered and are as follows.
Union County, Ohio.
To Cad Price, Dr.

To Serving Grand Jury Venire	$4.50
To Serving Petit Jury Venire.	4.50
To Serving Grand Jury Witnesses (44)	4.40
To making 46 Copies Grand Jury Witnesses	4.60
To 183 Miles travel, Grand Jury Witnesses	14.64
To Fees Section 1231	$300.00
Total	$332.64

I hereby certify the above bill to be correct.
Cad Price - Sheriff
By D. C. Bolenbaugh - Deputy.

Entry 8953

To the Clerk of the Courts, Union County, Ohio.
You will make entry of the above bill and certify the same to the County Auditor.
John M. Brodrick
Judge.

Court adjourned to Friday, November 19th 1909.

Friday, November 19th 1909. Court convened at 8 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 8964

William E. Mitchell
Vs.
Clio Mitchell
} Court of Common Pleas, Union County, Ohio. Decree of Divorce.

This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and copy of the petition herein; That the said defendant has failed to appear herein, and is in default for answer or demurrer to the Petition; and that the allegations made in the petition, are, by such default confessed by her to be true. The Court further finds that at the time of the filing of the Petition herein the Plaintiff was a bona fide resident of the State of Ohio, and of the County of Union, for one year next preceding the filing of said petition, and that said parties were married on the second day of March, 1893, as alleged in said petition; That three children, viz. Jesse C. Mitchell, aged 16 yrs. Marlowe W. Mitchell, aged 14 years and Frances Mitchell aged 13 years, have been born of said marriage and reside in said County; that the defendant has been guilty of gross neglect of her marital duties in neglecting, failing and refusing to prepare and cook meals for the Plaintiff, though physically able so to do. as alleged in said petition; and that said Plaintiff is therefore entitled to a divorce as prayed for in said petition.

It is therefore ordered, adjudged and decreed; That the said marriage relation now existing between said parties, be and the same is now here dissolved, and the said parties are hereby released therefrom; that said Plaintiff have the custody, care, education and control of the said Jesse C. Mitchell and Marlowe W. Mitchell, until further order; and that the said defendant have the custody, care, education and control of the said Frances Mitchell until further order; It is further ordered and adjudged that said Plaintiff and defendant shall each have the privilege of visiting at all proper times, in sickness or health the said children or either of them and that said children or either of them shall be permitted at all proper times in sickness or health, to visit one another or either of said parents.

It is further ordered and adjudged that said William E. Mitchell, Plaintiff, pay the cost of this proceeding taxed at $10.10, and that that this case be recorded.

John M. Brodrick
Judge.

Entry 8953

C. F. Bishop and John E. Bishop.
Vs.
Albert Adams et al
} Court of Common Pleas, Union Co. Ohio. For balance of Entry see next page at +

Court adjourned to Saturday Nov. 20th 1909.

Saturday, November 20th 1909 Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Willis Epps - Plaintiff
Vs.
Rosina Beltz - Defendant
} Court of Common Pleas, Union County Ohio.

- Entry 8949

Order of Interpleader:

This cause coming on to be heard on the motion and affidavit of defendant for an interpleader, it is ordered that defendant pay to the clerk of this Court the amount claimed in this action, to-wit; the sum of $500.00, within twenty days from the entry of this order, and that the Plaintiff serve a copy of this order on Robert McCrory as executor of the estate of Rosetta Holycross, and upon Martha A. Crary, Robert C. Holycross, Nancy C. Jordan, Sobitha Burroughs, P. F. Holycross, A. M. Jenkins, W. L. Jenkins, John A. Jenkins, Lydia Dunlap, Jane Dunlap, Lillie Smith, Mattie Girard, Nellie Hensel and Maud Clinger, and make due return thereof to this Court, and that if they fail for thirty days after service thereof to appear and maintain or relinquish their claim against Defendant, they shall be barred of all claim in respect to said money, against the defendant herein, and the plaintiff may apply for an order that said money be paid over to him, and that if said Robert McCrory as executor of the estate of Rosetta Holycross or the other parties named in said order, appear they may set up their respective claims thereto, and they shall thereupon be considered as substituted as defendants in place of said Rosina Beltz, who shall, on compliance with this order, be discharged from liability, either to the plaintiff or any of the parties named in this order.

+ Continued from preceding page.

Now comes the plaintiffs, by their attorneys, and the defendants. Albert Adams, E. E. Adams, Levi Wagner, Charles Sergeant, Lee Horn, Cal. Liggett, George Durban, J. W. Price and D. D. Ketch being in default for answer and demurrer, the court find that the allegations of the petition are confessed by them to be true; and find that the said defendants are indebted to the plaintiffs in the sum of One Hundred and Twenty Five Dollars.

It is therefore considered by the Court that the said plaintiffs recover from the said defendants the said sum of $125.00, with interest from the first day of this Term, and their costs herein expended, taxed at.

C. K. John M. Brodrick
Judge.

Madison Spain, Plaintiff,
vs.
Evie Josephine Spain, Defendant

Court of Common Pleas, Union County, Ohio.

Decree of Divorce.

- Entry 8949

This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with a summons and a copy of the Petition herein; that at the time of the filing of the petition herein the Plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 5 day of February, 1887, as alleged in said petition. And that there were born of said marriage six children five of which, to-wit: Clyde Spain, Earl Spain, Eley Spain, Carl Spain and Mack Spain are minors; and that the defendant has been guilty of Gross Neglect of duty towards the Plaintiff as alleged in said petition; and that said Plaintiff is therefore entitled to a divorce, as prayed for in said petition. It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said Plaintiff convey to the defendant a life estate in the 5 and 33/100 acres of land where said parties have heretofore resided, and that the care, custody, control, education and maintenance of Eley Spain and Mack Spain be awarded and charged to the defendant; and that the care, custody, education and maintenance of the other minor children be awarded and charged to the Plaintiff and that the provisions of a contract in writing heretofore entered into by and between said parties as to a separation be and they hereby are confirmed, and that the plaintiff pay the costs of this proceeding taxed at $8 and that this case be recorded.

John M. Brodrick,
Judge.

Court adjourned to Tuesday November 23 1909.

Tuesday, November 23rd 1909, Court convened at 9, O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8940.

William Riley — Plaintiff
vs.
George Riley et al — Defendants
} Court of Common Pleas, Union County, Ohio.

And now this cause coming on to be heard upon the petition and the answer of the defendants, Emma Wilson and Stanley Brown and Lloyd Winter, and the evidence, the Court find that all the defendants have had due legal notice of the pendency and demand of the said petition, and that, with the exception of those above named they are in default for answer thereto.

Therefore the Court further find that the Plaintiff and the defendants hereinafter named are defendants in common in the estate described in the petition: That the plaintiff William Riley has a legal right to the undivided one tenth (1/10) part thereof; and the defendants George Riley, Joel H. Riley, Beckey Riley, Frances M. Riley, Joseph C. Riley, Sarah Ann Snider, Emma Wilson, Melvina Murphy, and Sherman Riley each have a legal right to the undivided one tenth (1/10) part thereof; and that the plaintiff is entitled to have partition of said estate made as prayed in his petition.

It is therefore ordered, adjudged and decreed that partition of said estate be made in favor of all parties in interest; and that John M. Bell, David Austin and Perry Brown, three judicious and disinterested freeholders of the vicinity are hereby appointed Commissioners to make the same. And it is ordered that a writ of partition issue to the Sheriff of Union County commanding him that by the oaths of the Commissioners above named he cause to be set off and divided to each party above named the part and portion of said estate to which they are severally above found entitled.

And of his proceedings herein the said Sheriff is ordered to make due return.

Entry 8790.

Riddle, Graff and Co.,
vs.
A. C. Temple et al
} Court of Common Pleas, Union County, Ohio.

This day this case was settled by parties, costs paid by Plaintiff, and case dismissed.

Court adjourned to Saturday November 27th 1909.

Saturday, November 27th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8973

William A. Wadsworth
Vs. Plaintiff } Court of Common Pleas, Union County, Ohio.
Ernest L. Atkinson

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; that the defendant, Ernest L. Atkinson, and Eliza Atkinson his wife, executed and delivered to the plaintiff, William A. Wadsworth the mortgage deed in the petition described and on the premises therein described, that said mortgage was duly recorded in Vol. 55 Page 423 of the records of mortgages of Union County, and is the first and best lien on the premises described in the petition.

The Court further find that the condition of defeasance in said mortgage has been broken and that the said Plaintiff is thereby entitled to have the defendant's equity of redemption foreclosed.

It is therefore considered and decreed that unless the said defendants shall within three days from the entry of this decree, pay, or cause to be paid to the Clerk of this Court the costs in this case, and to said plaintiff the sum of Eighteen Hundred and Forty Five Dollars ($1845.00) with interest from the 25th day of April, 1909, at Eight per cent 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, Ohio, directing him to sell said premises as upon execution, and bring the proceeds into Court for further order

Entry

Annis Spain
vs. Plaintiff.
Alonzo Spain,
Defendant } Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard upon the pleadings, evidence and arguments of Counsel, On consideration thereof, And the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and a copy of the petition in this case; that at the time of the filing of the petition herein the plaintiff was a bona-fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 4th day of April, 1880, as alleged in said petition. And that the defendant has been guilty of Gross Neglect of duty and wilful absence for more than three years last past as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition. It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff is given the care and custody of their minor child; And Plaintiff to pay the costs of this Proceeding, and that this case be recorded.

John M. Brodrick,
Judge.

Entry

George W. Fox, Plaintiff
vs.
Frederick C. Fox et al. Defendants. } Satuyday November 27th 1909 in the Court of Common Pleas, Union County, Ohio.

8972

Findings and Decree.

This day this cause coming on to be heard upon the petition and the evidence, the Court finds; that all of the defendants have been duly served with summons or have voluntarily entered their appearance to this action by written waiver of process; that each of the said defendants is in default for answer and demurrer; and that the allegations in the petition contained, are confessed by each defendant to be true.

The Court further finds; That, on the 1st day of September A.D. 1880, as alleged, one George Geier conveyed the premises in the petition described to the plaintiff and his father, George A. Fox; That said premises were purchased as and for a homestead for said Plaintiff, that the said George A. Fox paid one-half of the purchase price of said premises as a loan to said Plaintiff, that the said deed from said Geier, as to said George A. Fox, was a mortgage, merely, to secure the payment of the loan aforesaid; and that the said deed

is of record in the deed records of Union County, Ohio, at Vol. 51. page 233, thereof.

The Court further finds that the boundaries, West High and West Streets mentioned in the description of said premises set forth in the petition, are now called respectively, West Eighth and Court Streets and that said description should be accordingly corrected.

The Court further finds that the said claim and security of the said George A. Fox, (now deceased) was devised and bequeathed by him to his wife Susanna M. Fox; and that the said Susanna M. Fox (now deceased) directed in her last Will that the said Plaintiff should pay to her estate the amount of the loan aforesaid, but without interest.

The Court further finds that the plaintiff has paid to Frederick C. Fox as executor of the Will of said Susanna M. Fox, deceased, the full amount of the said loan, to wit, the sum of $725,00, That the said Plaintiff, by such payment, has become the equitable owner of the real estate so as aforesaid conveyed to said George A. Fox, and is thereby, entitled to receive the full legal estate therein; and that the said defendants, as the sole heirs at law and devisees of the said Susanna M. Fox, deceased, are the present holders of the legal title to the undivided one-half of said premises in trust for the said Plaintiff.

Wherefore, it is ordered, adjudged, and decreed, by the Court that the said defendants, as the heirs at law and devisees of Susanna M. Fox, deceased, do, on or before the 15" day of December A.D. 1909, convey the undivided one-half of the premises in the petition described to the said Plaintiff in fee simple by a good and sufficient deed; and, in default of such deed, within the time aforesaid, that this judgment and decree have the effect of, and operate as, such deed of conveyance.

It is further ordered and decreed that the description of said premises, as set forth in the petition, be, and stand, corrected pursuant to the foregoing findings and as prayed. It is further ordered that the Clerk of this Court have so much of the foregoing judgment and decree as will show the transfer of the legal title aforesaid put upon the record in the office of the Recorder of this County, and —

It is ordered and adjudged that the costs, in this behalf taxed at $. be paid by the said executor, defendant, out of the estate of the said Susanna M. Fox, deceased.

James McCampbell
Attorney for Plaintiff.

Mabel Turner
vs.
Frank O. Turner, et al.

Court of Common Pleas, Union County, Ohio.

Entry

This cause coming on to be heard upon the motion to confirm the final report of, and to discharge the receiver herein, it is ordered, on motion of the said receiver, that he be allowed and paid the sum agreed upon by himself, and the plaintiff and defendants herein, to be paid according to the terms of said agreement, in full for his services herein. And the Court finding the said report correct, and that the said receiver has fully obeyed the orders of the Court to him issued, and has duly paid over all moneys coming into his hands as such receiver:

It is therefore ordered that all acts and things done by him, as well as his said report, be, and they hereby are, approved and confirmed; and the said Cad Price is discharged from his duties, liabilities and responsibilities as such receiver, and his undertaking therefor is vacated and cancelled.

It is further ordered that the contract of settlement made between the plaintiff herein, as party of the first part, and Owen H. Thorpe and George A. Rausch, as parties of the second part, dated November 29th, 1909, wherein a full settlement is made of the partnership affairs of said Turner and Rausch, and a dissolution of said partnership is effected, the plaintiff is compensated in full, all creditors of said firm are protected, and property interests are transferred to said Owen H. Thorpe and George A. Rausch, be, and it hereby is, approved and confirmed; and the recission and dissolution of said co-partnership heretofore existing between said Frank O. Turner and the said George A. Rausch, under the firm name of Turner and Rausch, is hereby ordered.

Court adjourned to Saturday, December 4th 1909.

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