JOURNAL

22

Appointment of Soldiers Relief Commission 66-254-301-450
" " Jury " 102-109.-288-
" " Court Stenographer 143
" of Committee to investigate Commissioners Report 173-
" of Deputy Sheriff 234
" " Chas. N. Parrott Deputy Clerk of Court 318
" " Geo. C. Edwards Law Librarian 318
" " Albert La Dow Deputy Recorder 329
Adjournment of April Term 1911-332
Appointment of David L. Hartshorn Dep. Clerk of Court 343
" of Pros. Atty. P. H. Smith & L. J. Blue to Examine Com. Rep. 354.

Mrs C.A. Alexander	Vs.	Gruber Harry et al	50-
Armstrong Belle	"	Armstrong William,	93-
Armstrong Belle	"	McLean Wayne	196-276
Alexander Mrs C.A.	"	Gruber Harry	228-
Allinger John W. et al	"	Middlesworth C.A.	246-
Apple Gertrude	"	Auer Fred	252-276
Ahlefeld A.G. et al	"	Horch Mathias	261-289-
Armintrout, Harley C. et al	"	Gibson, Sarah E, et al-	385
atkinson, Clark J.	"	E.W. Porter, admr est Conrad Decker	2165
Andrews, Edward R.	"	Andrews, Eva	447
Anderson, Zeva	"	Anderson, Harvey S.	581

A B C D E F G H I J K L M Mc N O P Q R S STATE T U V W Y Z

A

Bishop C. F. et al	Vs.	Adams Albert et al 1-	
Bishop McKendre	"	Kuhn Leo et al 29-	
Beem L.C. et al. as Trustees of the		M. P. Church, Richwood, Ohio. 47-53	
Beem L. C.	Vs.	Innkeep James C. 53.	
Baker B. & C.	"	Smith D. B. 105-	
Baker B. C.	"	Davis O. T. et al. 105-	
Burns John G.	"	The Board of County Commissioners etc. 120.	
Beckwith Sallie M. (9070)	"	Fugua O. C. 125-133-138-136 162-162	
Beckwith Sallie M. (9072)	"	Fugua 129-130-130-135-135-155-171-177-199.	
Bitler Gladys	"	Temple Roy C. 157-167-	
Bowersmith Maud	"	Bowersmith Labourne, et al, 183-200-	
Beaver H. D.	"	Tobie E. J. 196	
Burchnell Mary	"	Burchnell Edward 219-	
Bailey Alice B.	"	Bailey Charles C. 247-	
Blake L. L.	"	Wills C. M. 252-	
Beaver H. H.	"	Erie R. R. Co. 268.	
Brooks C. E.	"	Black J. A. 271-291-304	
Bown, S. J et al (9031)	"	Flora Daggert et al 320-110	
Blumenschine Elizabeth	"	Blumenschine, Carl H et al 329-348-354	
Beginning Sept 1911 Term	333		
Bledwin, W. M. L.	Vs	Goff, Susan D. -342-364	
Barlow, L. L.	"	Herd, Isidora et al 342-386	
Bee, Walter D.	"	Kezertee, Ruth D. -344-409-467	
Burroughs Adding Machine Co	"	The Davis Chain Co. 377-389-448-562	
Bower, J	"	Barlow, Clark -400	
Belleville, Martha E.	"	Ingram, R. L admr -449-554	
Bowlus, Addie L. et al	"	Fogle, William S. -482	590
Bowlus, George C.	"	Houston, Ida M.	579
Bigelow, Besty M.	"	Mech, H. C. et al	546
Brunstutter, Dora	"	Brunstutter, John W.,	558
Benton, Samuel	"	Hildreth, W. S. et al 570	566-571
Bates A. A.	"	Depp, Beverly & Booker, Harry	578
Baugh, Clara L.	"	Baughn, Mont C. et al	575

B

Cruikshank Mantie	Vs.	The Mutual Life Insurance Co. of N.Y. 9-13- 203.	
Cody John	"	White Eagle Tribe etc 16-67-167.	
Cahill Margaret	"	Cahill William, et al 47-96-97	
Cook Mark	"	Jennings John 52-112-156-190-334	
Certificate for pay Sheriff		54-113-188-244-283-467	
Cary Mantie	"	Cary Jacob 74	
Cody Wm. T. et al	"	Lavelle W.A. et al 123-	
Clark Emma	"	Clark Frank 128	
Crary Martha A. et al	"	McCrory Robert, exct. etc. et al, 184.	
Cake Amelia	"	Cake David 204-	
Carlton Lumina	"	Pixler Chas. F. et al, 243-245-253-	
Cody E.C.	"	Kelly G.B. 275-	
Conkright H. C.	"	Ford W. E. 311-.	
Clark, Edea	"	Clark, George W.	322
Clark, Fern	"	Groom, Augustus E. 342-551-565	
C. C. Mengel + Bros. Co.	"	The Davis Chair Co.-380	
Closing September Term-1911	—	392-	
Closing January Term 1912	456		
Columbia, Lewis N.	vs	Moore, Mirtie et al- 471-497	
Critzer, Josie	"	Critzer, William	506
Channell, Frank	"	Tuhn, Leo et al	539
Chapman, Maggie J.	"	Chapman, Thomas H.	549
Cameron, Bert	"	Bixler, A. F.	553

Citizens' Home + Savings Co, The	vs	Schlegel, Chas, et al	561	

Dodge John R. Exct.	Vs.	Douglas Electa 23-25-77-79-102	
Decker Rose	"	Decker Samuel 140-	
Davis J. L.	"	Mitchell Anna E. et al 177-	
Dodge Frank	"	The Toledo & Ohio Central Railway Co. 240-	
Davis Rebecca A.	"	Davis Oral T. et al, 316-324	
Daniel Mc Caffertys Sons	"	Mathers, Birt 308	
Drumm, Hazetta E	"	Village of Richwood 341	
Dilsaver, John	"	The Board of County Commissioners 482-327 346-371	
Donohoe & Turner	"	Douglass, Grant & Electa-388-449-528-356	
Disher, Anna et al	"	Higgins, T. J. et al-388-436-465	
Dixon, Lulu A.	"	Dixon, James B- 397	
Davis, Louis	"	Dripp, Beverly-503-504-505	
Douglass, Ida May	"	Douglass, Leo H.-502	
Dubois Review	"	The Davis Chair Co.-499	

A B C D E F G H I J K L M Mc N O P Q R S STATE T U V W Y Z

D

Elliott William	Vs.	Dodge A. J. 22-
Epps Willes	"	Belts Rosina 26-184.
Epps, Willis	"	Huffman, Reuben-339-394
Epps, Willis	"	Mc Crory, Robt.-159

E

Frederick J. T.	Vs.	Crothers O. S. et al	28-
Fawn Edward B	"	Charles B. C. et al	73-
Fox Frederick C.	"	Fox George W. 99-107-120-	
Fish Cassie M.	"	Fish James R. 130	
Fisher Georgia A.	"	Fisher Stephen A. 132-	
Freshwater Charles	"	Freshwater Amanda et al, 144-194	
Fugua O. C.	"	The Erie Railroad Company 157-	
Furer Rosa	"	The Acme Food Co, 169-	
Fletcher William	"	Fletcher Ella 168-	
Fullington Walter et al	"	Mitchell Arnie C. et al. 191.	
Fletcher William	"	Fletcher Ella 196.	
Foyt Della	"	Foyt Blaine L. 242-	
Fillman J. J.	"	David C. S. 312-	
Flaherty M. J.	"	Core O. E. et al. 142-	
Fox, Joel B.	"	Fox, Dora B. - 334-528	
Florence, Cleo T.	"	Dixon, Oscar and Lena	361-370
Fish, Frank	"	John M. Horn.	514
Farmers and Merchants Bank Co.	"	Depp, Beverly et al	577

F G H I J K L M Mc N O P Q R STATE T U V W Y Z

F

Fillman, J. J. vs Davids, C. S. - 401

Gutman M. Co.	Vs.	Dobie Edward 25- 119.
Grand Jury Facias 69-	148-	
Gabriel J. Harlan	Vs.	Gabriel Olive H. 149
Gardner Emma	"	Gardner 208
Greenawalt Jamie J.	"	Kirby A. G. et al. 245- 389-421-435
Guthrey James C.	"	Eppl Willis - 258-
Grand Jury Sept ~~1911~~	333-534	
Gallaut, Norris	"	Gallaut, Jeannette 549
Graham, Eunice	"	N. Y. Underwriters' Agency Hartford Fire Ins. Co. 536-
Geer, J. W.	"	Pennington, Frank et al - 475

G

Hatcher Eliza	Vs.	Hatcher Alexander 2-
Haynes John B	"	Haynes Emma L. 52-
Hathaway Elias,	"	Culbertson Robert C. 57-61-63-74-75-101-0
Hamilton Ettie	"	Amrine Matilda et al 67- 206
Hull W. Thomas	"	Hitt Florence J. 158- 180
Houser Gilbert	"	Houser Sophia 160-
Hill Waterman	"	Hill Ella 163-163
Holycross Forest A. et al	"	Depp Beverly 196
Hammond Nellie C.	"	Durnell, Lena M. 205-
Holycross Forest A.	"	Douglas Electa J. et al 218-
Heath Elmer	"	Schlegel Chas. 218-
Hurlburt Florence	"	Hurlburt Alpha M. 240.
Harrison Abigal	"	Harrison John D. 251- (353) 334-350
Heath James W.	"	Webb Arthur et al 257-261-279-275-314
Heller Frank	"	Copyright Chas. E. 282-
Hobart W. S.	"	Shields Richmond L. et al 305-
Heisner John W.	"	Holsenpiller Frances Guard. etc, 313 389
Hill, Sherman	"	McEuire, Laura et al 356-371-429-452
Hobert, W. S.,	"	Shields, T. P. - 340
Herbert, Broaddus	"	Jones, Evan T. et al 342-422
Hoopes, Jessie Admx	"	Cody, Michael et al 342-425-
Hill, M. W.,	"	Drumm, Etta J and A.E 367
Hill, M. W.,	"	Maugans Wray and Crider D. M 367
Hoskins, Clara H,	"	The Village of Richwood Ohio et al 410
Herd, Charles O,	"	R. L. Ingram admr. - 448-545-546-552
Hoover, A. D.	"	Spicer, C. W. 455-
Hogue, Dora	"	The Trustees York Township et al 470
Hill M.W.	"	Luther Ward. - 518- 534 515
Hall, Corinne Snider	"	Snider, Flora et al - 524-358

H

In th
In Re
In the
Adel
In th
"
"
"
"
"
"
" M
" th
" the
In Re
In t
In re
In th
In the
In th

In the matter of the appointment of Marion Hopkins Secret Service Officer 30.
In Re Dissolution of The Novelty Manufacturing Company 160- 206-207-216-217-247-293-295-249
In the Matter of the Death of Robert L. Woodburn 176.
Idelman Mabel Vs. Idelman Erle 196-
In the Matter of Clerk and Stenographer fees for Prosecuting Atty. 13-211-
" " " " the application of the Trustees of the First Baptist Church of Richwood, Ohio, to sell Real Estate 214-214-
" " " " " Naturalization of Angus McIvor 114
" " " " " " Antonino Dinovo 317
" " " " " " Lewis Chiesa 117
" " " " ap. Chas. W. Parrott Deputy Clerk of Court. 318
" " " " John C. Hartshorn Trustee State of Ohio vs Howard Eckley 322
" re Status County Detective Law 330.
" Matter of Sheriff's Allowance for Deputy etc for 1917 — 369-501
" the Matter of Conveyance Real Estate by First Presbyterian Ch Marysville 410
" the matter of the Naturalization of Frank Chiesa 403-
In Re Dissolution of The Farmers' Hardware Co. - 467-485-565
In the Matter of the Compensation of L. C. Edwards, Court Constable 517-534-544-558
In re C. M. Jones et al Trustees Plain City M. E. Church - 509-523
In the Matter of Naturalization of Chas. M. Forbes - 542
In the Matter of Petition G. A. Currier et al transfer territory to Plain Cy Sch. 547
In the Matter of Examiners of Coun. Report - 578

I J K L M Mc N O P Q R STATE T U V W Y Z

I

Johnson John Vs. Hodge John W. 23-24-219-
Johnson Wm. Co. et al " Johnson Thomas J. 56-110-112-230
Jail Rules 66-80.
Jarvis Addie " Shirk Mary C. 284-
Johnson, A. B, - " Cody, Richard - 339-525-
Johnson, Oliver S, " Johnson, Jay Co et al 372-386
Jury Sept. Term 1911 discharged 376 [illegible] ch [illegible]
Jones C. M. Trustees Plain City M.E. Church 509.
Jarvis John. Gibson a s a. 511
Johnson, Wm. B.

J K L M Mc N O P Q R S STATE T U V W Y Z

J

Kennedy William M.	Vs.	Kennedy Mira etc 3-3-8-3	
Kinney William H. exck. etc	"	Webb Gemri 38-44-68-83-223-224.	
Klein Nancy M. et al	"	Opphile James d. et al, 300-309-328	
Kendall Marie	"	Speicher Warren 308-	
Kelley, Frank G	"	Cleveland, Cincinnati, Chicago & St L Ry	327-369-378
Keel, Nick	"	C. C. C & St L. Ry Co.	328
Klein et al	"	Opphile et al	328
Keeran Eli M.	"	Keran William M, et al 365	373
Keeran, Elizebeth E,	"	Keeran, Eli, Admr - 413	
Kohler, May	"	Kohler, John - 435.	
Kinkade, J. H. - oath of ex Referee		ex Stanford vs Brewer - 490	

K

Le May Cora Ex.	Vs.	Le May Oscar 32.
Lewis John J.	"	Hazen Susan R. 91-207-462
Lewis Seth L.	"	Lewis Amanda J. 103.
Lenty J. M. et al	"	Rhodebaugh H.A. et al, 147-234-242-
Leffler D.C.	"	Puckett A. M. 167-225-266-277-
Lenox and Woolard	"	Erie Railway Co. 285-380-520
Lewis Ellsworth	"	Lewis Zelna 285-286.
Landis Letha	"	Landis Matthew 294-
Lentz, J. M Adst etc	"	Rhodebaugh H. A 324
Lenox and Woolard	"	Erie Railway Co.- 380-520
Laird, Drusie	"	Laird, Eva et al - 528

Main Arthur B.	Vs.	Magee Christopher Jr 11-79-394
Moniger Frank	"	Mitchell A, E, et al 22-
Magee Christopher	"	Main Arthur B, 107-
Mitchell Wesley	"	Elson Edith V. 250-
Mitchell Wesley	"	Mitchell Sarah 241-
Michael Hannah	"	Michael Joseph 270
Miller, Mable M	"	Miller, William W, -363
Morrison, W. H. Rec. Keystone Dup	"	Peterson, Chas. E, 391
Moore, Jane	"	Arthur, F.J, admr est. John M. Homey 466
Marriott, Sisson S.	"	Peet, Lydia et al, -478-484
Martin, Morgan W. et al	"	Turner, John H, et al (9314) - 494-499

L

Miller Manasses	Vs.	Beechey Cornelius L. 102-324-337-338	
Middleton David W.	"	Drake Mary E. 108-114-117	
Maple Maud	"	Maple Clifford C. 226-	
Moffett, Ralph	"	Village of Richwood O-341	
Militia - Members Co. E. 4th O.N.G.		- 345	
Mulvaine, Mary vs Mulvaine, Hamilton		369	
Manville, Herbert E.	vs	Unknown heirs ets Allen G. Trunks	440-476
Mitchell, Ira A.	vs	Mitchell, Blanche	359
Moody, Stewart	"	Atkinson, Clark J.	575

M

McGhee George W.	Vs.	Holsinpiller Ed. R. et al 67-70-71-73
McIlroy Lafayette	"	Leif John L. 67-91-157-158
McCloud Chas. T. Exect.	"	Schwartz Imogene et al 92-
McEntire Laura	"	McEntire John W. 116-131-
McGown James	"	McGown S.E. 174.
McIlroy Igama, executrix	"	Thomas Lon, et al 192-
McNeal S.W. Admst. etc	"	Smith George et al 197-
McCloud Chas. T. et al	"	McCloud Smith Newton et al. 218-269-274-
McMahan Sarah	"	McMahan Walter S. 290-381-394
McLean Mayme	"	McLean O.B. 303-355-405
McConnell Eugene	"	McConnell Blanch 307-
McCafferty's Daniel Sons	"	Mathers, Birt 308-343
McMahan, Walter S.	"	McMahan, Sarah E. 340-341-397 378-389-401
McNeil, Charles	"	The Marysville Wire Fence & Lumber Co. 355
McNeil, Charles	"	The Marysville Wire Fence & Lumb Co. 469-587

Mc

Noggle Daisy — Vs. — Noggle Ray 101-
Norvell L. Melvill — " — McWade Ed. V. 138-189.-164-201.
Nelson, Dina — " — Nelson, Roy — 368

N

Order to draw Jury. 1-48-54-136-197-245-273-377-432-514-580
O'Harra Smith V. Vs. O'Harra Dora 22-31-40-
Organ W. O. " Glendening A. M. 68-85-
Orahood R. D. et al " Hardinger L. et al-283-304-387
Orahood, Rosetta " Sivey, Jacob 330-431-496-531
Opening of the January Term A. D. 1912-393
Ormerod, Mary vs Ormerod, Fred-199
Oath of Stenographers in Stanford vs Brewer 491-492
Owens, Frank vs Owens, Grace -559

O P Q R S STATE T U V W Y Z

Prá
Patel
Pfff
Pat
Paris
Peuv
Pyer
Paro
Pót
Petr

Pratt Laura L.	Vs.	Pratt John G. et al	4-33-39-	
Patch Harmon	"	Fugua O. C.	11-	
Poffenberge Grace M.	"	Poffenberger Frank J.	115-	
Patterson Robert	"	Woodburn C. H. et al	288-	
Parrish, Daisy L,	"	Parrish, John J,	464-469	515-516.
Penrose, Bennie	"	Morse, Wallace C. & Ella	474	
Pyers, L	"	Mintz, S.	469	
Parsons Fred E.	"	The Board of Education of Mill Creek Tp.	498-498 527-508	
Potts, John A. & Hattie	"	Mc Guthie, Laura	528	
Petit Jury Venire - 538				

P Q R STATE T U V W Y Z

Petit Jury Facius Sept 1911	335		
Parsons, Fred E.	vs	Board of Ed. Millcreek Tp.	498

P

98

Q R S STATE T U V W Y Z

Q

Riley William vs. Riley George et al, 1-50-51-96-134
Robinson James G. Guardian etc " 7 Leding Wilson 5-6.
Report of Grand Jury 18-69-183-212-391-454-463-557
Rockwell Wm C. vs. Blaney Wm L. et al 13-
Rules for County Jail 66-80.
Rules for the Court of Common Pleas, for the Tenth Judicial District 87.
Resolutions upon the death of Honorable Duncan Dow. 98.
Riebel Margaret vs. Riebel Henry et al 110-
Rogers William " Rogers Samuel 181-
Rowe John M " Ellenwood George P.B. 178.
Rogers Mary L. " Rogers Victor W. 208-
Rogers John " The State of Ohio 204-
Rogers Olive " Rogers Samuel 221-
Reed Isaac N. " Reed Alma 273-
Resolutions upon the death of Honorable William H. West. 264-
Resignation of Chas. W. Parrott Deputy Clerk of Court 334
" " Cecil C. Watts as J.P. - 344
Robison, Everet V., vs Robison, Mamie 359.
Rogers, John C, " Rogers, Victor W. et al - 334-394-576
Ross, Nancy et al " The Board of Commissioners Mr. Co. 372-403-472
Richards, Charles C, " Crabb, F. C, - 385
Report of Grand Jury, September Term 1911 - 391
Rogers, George vs Elliott, Walter - 390
Roots, Willis Y, " Roots, Willis Y. admr 460-579
Rinehart, Ross " The County Commissioners et al 521
Ross, W. F " Village Council of Richwood 473

STATE RSTUVWYZ

R

Soldiers Memorial Trust Fund, by its Trustee Ex Parte - 2 - 4				
Stoddard C. L.	Vs.	Boylan, Aaron 7 -		
Scott, J. H	"	Brobeck R. J. 13 - 58 - 259 -		
Skidmore David M.	"	Mann Joseph Etc. et al, 19 - 19 - 20.		
Stoddard C. L.	"	Boylan Aaron 24 -		
Strosnider Milo et al	"	The Erie Railroad Co. 56.		
Strosnider Milo	"	The Erie Railroad Co. 56.		
Smith Anna C. et al	"	Bodley Oscar et al 59 -		
Shrowalter Isabel P.	"	Watson David H - 58.		
Schlitz Joseph (Brewing Co.)	"	Stoll Fred 127		
Snyders J. M. et al	"	Granewitsch W. et al 134 -		
Scheiderer Jacob	"	Mitchell Arnie et al 174		
Smith Bessie	"	Shaw Oliver et al, 205 - 283 - 284 - 453 511 - 513		
Spain Sarah J.	"	Spain Elijah 263 -		
Smith, Hester (9201)	"	Kegerice, Frank et al	336 - 337 - 355 - 373	
Saygrover, Lewis	"	Shenneman Wm. H.	335 - 396 - 398 - 404	
Smith, Amanda P.	"	Gugle, John F. - 323 - 423		
Stallsmith, J. F. et al	"	The Board of County Comr.	344 - 371 - 373 - 483	
Sheriff's Pay Sept Term 1911	388			
Stanford, Charles W.,	vs	Brewer, J. 388 - 389 - 400 - 481 - 490 - 557		
Shenneman, W. H.	"	Lincoln, Sarah, et al - 417		
Simmons, Hazel	"	Simmons, Claud L - 418		
Shaffer, Margaret	"	Murphy, Maurice et al - 428 - 458		
Stahler, Sarah E.	"	Stahler, John - 432		
Shelton, Nettie W.	"	Shelton, Burt J. - 434		
Shearer, Quisinus et al	"	Popenoe, Lucy H. Paul et al	451	488
Sanderson, John H. et al	"	" " " "	450	489
Skidmore, Foster J.	"	Skidmore, Freeman et al 467 - 536 - 554 - 563		
Shepard, Harry D.	"	Shepard, Henry C. et al (9287)	465 -	
Shepard, Harry D.	"	Shepard, Henry C. (9288) - 465 -		
Shepard, Wm A.	"	Shepard, Henry C. (9289) - 465 -		
Stroup, John	"	Sittler, A. - 475 -		
Spicer, Henry Exc. Est Ray L. Jordan	"	Kautzman, Leah Ann	486	
Skidmore, A. J. et al	"	Van Vorkis, B. S. - 528		
Sheriff's Pay April Term 1912	529			
Snider, Phillip	vs	Cole, J. B.	548	
Stierhoff, Mike	"	The Village of Milford Ctr - 567		
Sanders, J. M. Co	"	Mc Mahon, W. L. - 507		

STATE TUVWYZ

Shinn William Co.	Ala.	Shinn Lillie M, 118-			Sta
Smith, Amanda P	"	Sugle, J.F. - 339.			"
Sheppard, Harry D.	"	Shepard, Henry C.	442	491	"
Shepard, Harry D.	"	Shepard, Henry C. et al 1287	442	491	"
Shepard, Wm A,	"	Shepard, Henry C. - 442-492			"
Smith Bessie	"	Shaw, Oliver - 507			"
					"
					"

State of Ohio			Vs.	Lloyd Biggs and Pearl Gibson 23-94-94	
"	"	"	"	Pfarr Anthony 34-79-93-95.	
442 491	"	"	"	Gibson William 35-36-37-94-163-205 297-307	
442 491	"	"	"	Pratt Fred L. 71	
"	"	"	"	Decker Samuel 71-	
"	"	"	"	Keckley Howard 104-107-	
"	"	"	"	Warrick Wm W. 131	
"	"	"	"	McEntire John W. 168-169-190.	
"	"	"	"	Boyd Minnie 168-169-190.	
"	"	"	"	Carter Valentine C. 213-	
"	"	"	"	Whittemore William H. 213-232	
"	"	"	"	Whittemore Emma 213-232	
"	"	"	"	Wills Chas. M. 214-222	
"	"	" on rel John H. Wills Pros atty	"	The Union Banking Company	420
"	"	" " " " "	"	Bank of Marysville	421
"	"	" " " " "	"	The Richwood Deposit Bank	420
"	"	" " " " "	"	The Commercial Savings Bank	420
"	"	" " " " "	"	The Peoples Bank	420
"	"	" C. J. Fipes	"	Wright, James	266
"	"	" on rel John H. Willis pros atty	"	Weil, Roth & Co Company	404
"	"	"	"	Hogue, Wilber	441-560
"	"	"	"	Patmall, Lora - 562-560-563	
"	"	"	"	Horch, Mathias - 560-559	
"	"	"	"	Hogue, Frank - 559	
"	"	"	"	Algeier, Carl	561
"	"	"	"	Stump, Ernest	529
"	"	"	"	Gibson, Court	569
"	"	"	"	Page, James	568
"	"	"	"	Page, Lewis	568
"	"	"	"	Scott, John	569
"	"	"	"	Guy, Robert G., - 462-556	
"	"	" ex rel Allie Drumm	"	Pedro, Wayne - 570.	
"	"	"	"	Mathers, Birt - 459	

STATE T U V W Y Z

T U V W Y Z

The Franklin Trust Company	Vs.	The Marysville Light & Water Co.	2-26-112-203.
The State of Ohio ex rel Frank Ballinger etc	"	Edwards & Dwight B.	16
The Mishawaka Woolen Manufacturing Co.	"	Crandall & Clemans et al	18-
The Marysville Hardware Company	"	Hudson Grace G.	13-
The State of Ohio ex rel Agnes Ida Rausch	"	Phipps Albert	42
The System Company	"	The Marysville Cabinet Co.	99-112-394
The State of Ohio, ex rel Laura McEntire	"	John H. McEntire	116-119.
Lorence Margaret et al.	"	The Wooster University etc	130-278-287-
The State of Ohio ex rel Lewis Heaver	"	Shaw Willie	58.
The Ostrander Banking Co.	"	Mary & Chas. Jewell	137-161
Thornton & Dudley Co.	"	Thornton Iva D.	139.
The Peoples Bank	"	The Columbus News Company	145
The Consolidated Land and Improvement Co.	"	Herd C. O.	224.
The Citizens Home and Savings Co.	"	Spicer H. L. et al,	229
The Citizens Home and Savings Co.	"	Kleiber Barbara, et al	233-
The Citizens Home and Savings Co.	"	Howell Wyatt, et al	237-265-
The Peoples Bank.	"	Stevens W. L. et al	254
The Citizen's Home and Savings Co.	"	Wharton W. C.	298-325-360
The Union Banking Company	"	Hines H. W. et al,	299-
The Marysville Wire Fence & Lumber Co	"	J. H. Steinmetz	318
The Citizen's Home & Savings Co.	"	Wm. C Wharton	325-358-477
The Commercials Saving Bank	"	Chas. G Emery et al	325-379-379
The Board of Commissioners	"	Miller, S. M	340-387-395-313
The International Harvester Co.	"	Westlake, Charles H. et al	352-362-377 427-452
The International Harvester Co.	"	Westlake, J. N. et al	352-362-378
The Marysville, Hay, Feed & Fuel Co.	"	Lenox & Elliott	323-401
The Board of County Commissioners	"	Edwards Dwight B,	339-390-421-440 467
The Union Banking Co.	"	William C. Wharton & N. Guy Jones	371-382-436 464
The Bank of Marysville	"	Dillon, J. B. et al	382-438
The John Wildi Evap. Milk Co.	"	Tovey, E. J	386
The Farmers & Merchants Bank Co.	"	Hatfield, H & Frank	402
The Farmer's Hardware Co., In Re	Dissolution		413.
The Farmers and Merchants Bank	"	Daum Bros and John Daum	414
The Citizens' Home & Savings Co.	"	Armstrong, George N, et al	443-448 479
The Citizens' Home & Savings Co.	"	Corbin, Thomas B. et al	445 480
The Brown Manufacturing Co	"	Howison, Edwin et al	452
The Citizens' Home and Sav. Co.	"	Power, Sadie et al	474
The Union Banking Co.	"	Temple, Isaac & Lettie	494
The John Wildi Evap. Milk Co.	"	Thomas, W. L.	496
The Central National Bank	"	Wright, C. C.	521
The Bank of Marysville	"	McKigan, J. N. & F. C.	535
The Marysville Cabinet Co	"	Durpie, William et al	573
Pelton, John F.	"	Northup, W. N.	459

6-112-203.

394

27-

60

-313
427-452
2-362-377
-378

390-421-440
464
371-382-436

414
479
443-448
445 480
452
474
494

521
535
573

Saylor F. M. Vs. Morgridge William 157-226-227-229
Times for holding Court 179-
Thomas W. Mary " Gaunt Annie E. et al ~~185~~ 186-188-191
Saylor Laura L. " McGoon David 202, 233-
Thompson Ernest " Miller Chas. 252- 334-399-424
Tway Pearl " Tway Carl W. 280-
Times for holding Common Pleas Courts 357-564
Townsend Howard " Farrington Lawrence) 449 340-389-449-539-541
Turner, Roxana J. " Turner, Otto et al - 347
Treece, Frank " Dillon, May and Jesse) - 381
Trout, Lonetta E. " Trout, Golda C et al-407-426
Trout, Emma J. " Trout, Charles N. 452
Thomas, John " Pretz, Paul - 555
Thompson, F. A. " Dept. Bundy-500

T
U
V
W
Y
Z

T

Unglesby Orpha M. et al	Vol	Snyder Della a. - 10-49-141-141-143-142

U V W Y Z

U

Vaughn, Henry M.	vs	Vaughn, Jessie A.	473	

V
W
Y
Z

V

Whitsit Perry B.	Vs.	Schambs Rd. 7-249	
Weldon S. J.	"	Weldon Frances et al 29-43-44	
Wadsworth William A.	"	Atkinson E. L. et al 37	
Warren Gella M.	"	Warren Frank L. 243-	
Wood W. C.	"	Dumm Alva et al 86-86-90.	
Wells Abbie J.	"	Wells Millard 108.	
Whelpley Hylas H. et al	"	Whelpley Edwin, et al. 111-111-125-126. 260-	
Williams Olive	"	Bird Oliver Marion 66;	
Webb Rosetta	"	Webb Ginzi 136-182.	
Wood Clara	"	Wood Earl 185-186.	
Wood L. F. et al	"	Wood Mercy, et al 188-	
Web Simon	"	Kinney William H. Exr.-223-224	
Welch Marie C. et al	"	Welch Richard D. et al 224-239-343-363	
Warren & Southwick Co.	"	Fry A. H (No. 7193) - 323 341-375 376-395 541-542 543-551	
Wootton, John	"	Stallsmith, John F, - 346 - 416-455	
W. H. Dawkins Lumber Co.	"	The Davis Chair Co. - 375	
Weaver, Katherine	"	Weaver, William - 378	
Westlake, Nellie T.	"	Westlake, C. H. - 417-425	
Walker, John A,	"	Walker, Thomas et al	78-423-437
Washington Brewing Co., The	"	Schirtzinger, Albert - 429	
Wren, Charles W.	"	Wren, Mina - 439	
Willey, Winifred M.	"	Willey, Sherman - (9309) -	
Watson, Sarepta G,	"	Porter, Harvey N. - 551	
Wood, L. F,	"	Wood, Will W, - 308	
Worden, Sylvia	"	Worden, George W. et al	580

W
Y
Z

9220	Woodruff, Ethel S.	05	Woodruff John E	349	

Yoder Benj. J.	Vs.	Beechey Cornelius A. 102.		
Young H. Bertha	"	Young Sidney G.	517-520	

Jane Mae	Ut.	Jane Jonathen E. 281-

Entry
8953.

Entry
8940

Y
Z

Saturday, December 4" 1909, Court convened at 9 O'clock, A. M.
Present, the Honorable John M. Brodrick, Judge.

Entry

C. T. Bishop et al.
Vs.
Albert Adams, et al } Court of Common Pleas, Union County, Ohio.

8953. On the 4" day of December, A.D. 1909, this motion was heard by the Court upon the affidavit of Frank Latham, defendant, thereupon the Court ordered said judgment heretofore rendered vacated as to the said Frank Latham, defendant, and said Frank Latham thereupon in open Court entered his appearance, and filed his answer herein

John M. Brodrick, Judge.

Order to Draw Grand and Petit Jury.
Court of Common Pleas, Union County, Ohio.
January Term, A.D. 1910

To the Clerk of said Court:

You are hereby directed to proceed according to law at 10 O'clock on Saturday the 11" day of December 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 January Term, 1910, 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 cause to be summoned to appear and serve as Petit Jurors for said Term.

The Grand Jurors you will 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 third day of January, 1910; 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. Tuesday the fourth day of January, 1910

And for so doing this shall be your warrant.

Witness my hand officially this 4" day of December, 1909.

John M. Brodrick, Judge of the Court of the Third Sub-Division of the Tenth Judicial District.

Entry

William Riley - Plaintiff.
Vs.
George Riley et al - Defendants } Court of Common Pleas, Union County, Ohio.

8940 This case 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 at $825.00, the Court find the said return and proceedingings in all respects correct and in conformity to law, and do therefore approve and confirm the same. John M. Brodrick - Judge.

Soldiers Memorial Trust Fund, by its trustee, Ex Parte. } In the Court of Common Pleas, Union County, Ohio.

This cause came on to be heard on the application of John L. Sellers, trustee, of a fund to be applied to the purpose of procuring a soldiers monument, memorial building or room in the Village of Marysville, and the Court finds that said John L. Sellers has in his hands the sum of Fifty Dollars which he holds in trust for the purposes aforesaid; It is therefore ordered by the Court that said money be brought into Court and placed in the hands of J.L. Cameron, James E. Robinson, W.C. Fullington George E. Whitney, B.F. Carmean, Charles Braun and Jerry Miller, who are hereby appointed trustees to take charge of said trust fund and hold the same subject to the further order of the Court. It is further ordered that said trustees before entering on their duties shall execute a bond payable to the State of Ohio in the sum of One Hundred Dollars, conditioned for the faithful performance of their duty as such trustees, and it is further ordered that upon bringing said money into Court and delivering the same as aforesaid, the said John L. Sellers be forever discharged from all liability on account thereof.

John M. Brodrick, Judge.

Entry 8981

The Franklin Trust Company
Vs.
The Marysville Light and Water Company } Court of Common Pleas, Union County, Ohio.

Entry 8981

Entry 8958

This cause came on to be heard upon the motion of defendants to require the Plaintiff to reform its petition as in said motion stated. On consideration whereof the Court sustains said motion and the plaintiff asked and has leave to file an Amended Petition by January 1st 1910.

Eliza Hatcher,
Vs
Alexander Hatcher } In Court of Common Pleas, Union County, Ohio.

Entry

Entry 8974

Now comes the Plaintiff and dismisses the above entitled cause of action and asks the Court to dismiss the same without record as the Plaintiff and defendant have been living and cohabiting together for the ten days last past — Richwood, Ohio, November 29" 1909.

Eliza Hatcher

This day this case was dismissed and costs paid.

Court adjourned to Monday, December 6" 1909.

Monday, December 6th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

William M. Kennedy, Vs. Mira Kennedy, an infant and Wm. M. Kennedy her guardian } Common Pleas Court, Union County, Ohio.

Entry — Order to appraise and sell.

8981

This day this cause came on to be heard upon the application of Wm. M. Kennedy, guardian of Mira Kennedy for an order of the Court, giving him its consent and approbation that the real estate described in said petition and application may be sold to Emanuel Bishop for the sum of $4390.00: and it appearing to the Court that it is for the best interest of the estate of said ward that sale be made, the said Guardian is hereby authorized and directed, by the oaths of Ray E. Morse, John R. Taylor, and Walter C. Tullington, three disinterested free holders of the County in which said real estate is situate, and who are of no kin to the said Guardian, be, and they are hereby appointed to appraise said real estate at its fair cash value, and return the same to this Court for its confirmation.

William M. Kennedy - Plaintiff Vs. Mira Kennedy et al - Defendants } Court of Common Pleas, Union County Ohio.

Entry

8981

This day this cause came on to be heard upon the return of the appraisement heretofore ordered in this cause, and the same was submitted to the Court. Whereupon after careful examination of the same, the Court finds that the appraisement has been in all respects in accordance with law and the orders of this Court, and the same hereby is approved and confirmed.

And it appearing to the Court that it would be to the interest of said estate to sell the real estate at private sale, it is now ordered that said William M. Kennedy as such guardian, proceed and sell said real estate, at not less than the appraised value thereof, on the following terms to wit:

Wm. M. Kennedy, Plaintiff, Vs. Mira Kennedy et al, Defendants } Court of Common Pleas, Union County, Ohio

Entry on appointment of Guardian.

It appearing to the Court that the defendant, Mira Kennedy, is a minor, under the age of fourteen years, and has been duly and legally served with summons herein, and that Wm. M. Kennedy her guardian is claiming an interest adverse to his said ward, on motion of the plaintiff, Richard L. Cameron is hereby appointed guardian for the suit for said minor defendant. And now comes the said Richard L. Cameron and in open Court accepts said appointment.

John M. Brodrick, Judge.

Court adjourned to Tuesday, December 7th 1909.

Tuesday, December 7th 1909 Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry

Laura L. Pratt, Plaintiff
Vs.
John G. Pratt, et al, Defendants } In the Court of Common Pleas of Union County, Ohio.

8923

On motion by John G. Pratt and it appearing to the Court that he has given bond to apply the proceeds of the personal property now in the hands of Henry L. Green, receiver, to the payment of creditors, and that a receiver is no longer necessary, it is ordered that said Henry L. Green, receiver release said personal property to the said John G. Pratt, and that he make report to this Court of his receivership, together with a statement of any and all moneys that have come into his hands as such receiver, and any and all costs and expenses incurred by him as such receiver,

John M. Brodrick, Judge.

Soldiers' Memorial Trust Fund by its Trustees, Ex Parte } No. 8993

This day came J. L. Cameron, James E. Robinson, W. O. Fullington, Geo. E. Whitney, P. F. Carmean, Chas. Braun and Jerry Miller, Trustees heretofore appointed by this Court to take and have charge of a Trust Fund for Soldiers' Memorial purposes and filed their application to the Court setting forth that the funds in their hands have been supplemented by the Village of Marysville, Ohio, and now amount to $3050.00 for Soldiers' Memorial purposes and that said fund is insufficient to procure a site and erect a suitable building thereon, but by buying a site for a State armory Building and taking the title thereto in the name of the State of Ohio, the State will erect thereon an armory building and taking and provide in it a room and meeting place for the Soldiers of the Civil War and Spanish-American War and which room can be furnished and utilized as a Soldiers' Memorial Room, and asking judgment and direction of the Court in the matter, And the Court being fully advised in the premises, approves the proposition of procuring said armory site in the manner proposed and the said Trustees are authorized and directed to expend said funds or so much as may be necessary in the purchase of said armory site, taking the title thereto in the name of the State of Ohio and that whatever sum may remain of said funds after procuring said site and paying costs and expenses of Trustees may be by them expended in furnishing and equipping said room and in placing therein such records, memorials and tablets as they may deem proper.

O.K. John M. Brodrick, Judge.

Court adjourned to Thursday December 9th 1909.

Thursday, December 9th 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8977

James E. Robinson as guardian of Erwin Fleming, a minor Plaintiff, Vs. Wilson Fleming, } September Term, 1909. In Partition

Now comes said James E. Robinson as guardian of Erwin Fleming the Plaintiff herein, by Hoopes and Robinson his Attorneys, and thereupon this cause came on to be heard upon the petition and evidence; on consideration whereof the Court find that all of the defendants have had due legal notice of the pendency and demand of the said petition; that the said Wilson Fleming, Widower is entitled to dower in the premises described in the petition, and that, subject thereto, the said plaintiff is seized of, and has a legal right to, the undivided one fourth part of the estate described in the petition, and is entitled to have partition made of said premises; that the defendants are tenants in common with the said plaintiff in said premises, in the following proportions, to-wit: that subject to such dower of the said Wilson Fleming, the said Wilson Fleming is seized of, and has a legal right to, the undivided three fourth part thereof.

And no reason appearing why partition should not be made; It is therefore ordered, that the said Wilson Fleming, as dower be endowed of one full equal third of said premised, and that subject thereto, partition of said estate be made; and that an order issue to the Sheriff of said County of Union commanding him that by the oaths of Elliott Southard, E. L. Price and C. B. Davis three judicious and disinterested freeholders of the vicinity, who are hereby appointed Commissioners for that purpose, he set off and assign such dower to the said Wilson Fleming according to law, and cause to be set off and divided to the said plaintiff and to each of said defendants the part and portion of said estate to which they are hereinbefore severally found entitled. And it is ordered that if, in the opinion of the said Commissioners said premises can not be divided by metes and bounds without manifest injury to the value thereof, they appraise the same free from the dower of the said Wilson Fleming. And of his proceeding herein, the said Sheriff is ordered to make due return forthwith.

John M. Brodrick,
Judge.

Entry 8977

James C. Robinson as guardian of Erwin Fleming, a minor — Plaintiff
vs.
Wilson Fleming — Defendant

Court of Common Pleas, Union County, Ohio.

September Term 1909
Confirmation And distribution

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 free from the dower estate of Wilson Fleming at $5070.00, the Court find the said return and proceedings correct and in conformity to law, and do therefore approve and confirm the same.

And it appearing to the Court that the said Wilson Fleming has elected to take the said premises at their appraised value, and that the terms of payment are to be cash, and the Court finding that the costs of this action, by agreement are to be paid by plaintiff, it is therefore ordered by the Court that upon payment being made to the Sheriff by the said plaintiff said costs to wit; the sum of $, and upon the defendant paying in cash the proportion of the appraised value due to the other parties, as heretofore found by the court, the said estate, subject to the dower of the said Wilson Fleming be, and it hereby is, adjudged to him, and the Sheriff is ordered to make and execute to him a conveyance thereof, subject to all taxes and assessments.

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: to the Clerk of this Court the costs of this action, Secondly to the plaintiff in cash the sum of $993.18.

Approved E. H. Porter, Attorney for Wilson Fleming.

John M. Brodrick, Judge.

Entry 8963

Court adjourned to Saturday, December 11" 1909

Saturday, December 11th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Perry B. Whitsit Co.
Vs.
Edward A. Schambs } In Court of Common Pleas, Union County, Ohio.

This cause being heard on the motion of the defendant to vacate the judgment rendered by said Court August 23rd 1909, the Court, on consideration, find that the defendant was not served with summons before judgment, being taken on warrant of an attorney, 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.

John M. Brodrick, Judge.

Court adjourned to Tuesday, December, 14th 1909.

Tuesday December 14th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry
8963
C. L. Stoddard, Plaintiff,
Vs.
Aaron Boylan, Defendant } In the Common Pleas Court, of Union County, Ohio.

By leave of the Court the time to give security for costs and time to answer in this cause is extended until January 1st 1910.

Court adjourned to Thursday, December, 16th 1909.

Thursday, December, 16th 1909, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 8981

William M. Kennedy, Plaintiff
Vs.
Mira Kennedy, and her guardian, William M. Kennedy
Defendants

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

Confirmation of sale and distribution.

Entry 8985

This cause came on to be heard this day, upon the report of the Plaintiff of the same made to Emanuel Bishop, for the sum of Four Thousand Five Hundred and Ninety Dollars, ($4590) as hereinbefore ordered and the proceedings appearing in all respects regular and in conformity to law, they are ordered approved and confirmed.

And the said William M. Kennedy, guardian, is ordered to execute and deliver to the said Emanuel Bishop, the said purchaser a good and sufficient deed for the premises so sold.

And the said William M. Kennedy, by his answer having elected to receive in lieu of his Life Estate, its value in money, the Court further finds the just and reasonable value thereof to be $2073.99, Two Hundred and Seventy Five Dollars and Ninety Nine cents.

And the Court further finds, that there is due to the said plaintiff herein, for money advanced by him, in payment of a mortgage indebtedness upon said land the sum of $1086.66. and also a debt of $300. which was a lien on said lands, making a total indebtedness of $1386.66, as set forth in his petition.

And the Court coming now to distribute the proceeds of said sale, amounting to Forty Five Hundred and Ninety Dollars ($4590.00).

It is ordered that said William M. Kennedy, as such guardian, pay; First to the Treasury of this County, the taxes, penalty, and interest thereon against said property, to-wit: the sum of $27.64.

Second. The costs and expenses incurred in the sale of said property, amounting to the sum of $10.00

Third: To William M. Kennedy the amount found due him as set forth in his petition in the sum of $1386.66.

Fourth: To William M. Kennedy, the sum of $2073.99, which the Court finds to be the value of his life estate in said premises.

It is ordered that the balance of said fund, amounting to the sum of $889.71, as found by the Court, to be the estate of Mira Kennedy, in said property, be accounted for by said Guardian according to law.

Court adjourned to Saturday, December 18th 1909.

Saturday, December 18th 1909 Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Mantie Cruikshank, Plaintiff
Vs.
The Mutual Life Insurance Company of New York, Defendant } In the Common Pleas Court of Union Co. O.

Entry
8985

It is agreed by and between the parties hereto, by their respective Attorneys, that the defendant may file its motion, demurrer or answer herein on or before the 27th day of December, 1909.

Court adjourned to Wednesday, December 22nd 1909.

Wednesday, December 22nd 1909, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8968

Orpha A. Unglesby et al. Plaintiffs
vs.
Della A. Snider et al. Defendants
} Court of Common Pleas, Union County, Ohio.

It appearing to the Court that the defendants, Jay Reed and Lottie Reed, are minors under the age of 12 years, and have been duly and legally served with a summons herein, on motion of Myrtle Reed the mother of said minors, James E. Robinson is appointed guardian for the suit, for said minor defendants.

And now comes the said James E. Robinson, and in open Court accepts said appointment.

Entry 8883

Entry 8960

Court adjourned to Friday December 24th 1909.

M.

unty, Ohio.

Lottie
been
motion
on is
ndants.
open

Friday, December 24" 1909, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick Judge.

Entry

8883. Arthur B. Main
Vs.
Christopher Magee Jr } In the Court of Common Pleas, Union County, Ohio.

Now comes the Plaintiff, by his attorneys, 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 $164.41, with interest thereon at six per centum from September 13" 1909.

It is therefore considered by the Court that the said Plaintiff, Arthur B. Main, recover from the said defendant, Christopher Magee Jr., the said sum of $164.41, with interest thereon at six per centum from September 13" 1909, the first day of this Term of Court, and his costs herein expended.

John M. Brodrick,
Judge.

Court adjourned to Tuesday December 28" 1909

Tuesday, December 28" 1909 Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry

8960 Harmon Patch
- Vs. } Court of Common Pleas, Union County, Ohio.
A. C. Fugua

This day came the plaintiff and made application for leave to file petition herein.

On consideration whereof the Court do grant such leave, whereupon plaintiff filed said petition.

Entry

8983

Entry

8927

Entry

8987

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 13th day of September A. D. 1909, and continued from day to day and from time to time by regular adjournments until this 31st day of December, A. D. 1909. and is adjourned without day.

John M. Broderick
Judge

Attest Charles Parrott.
Clerk.

January Term, 1910.

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. 1910, held at the Court House in the Village of Marysville, County and State aforesaid, was begun Monday January 3 A.D. 1910.

Present Honorable John M. Brodrick,
Judge.

Cad Price - Sheriff.
Attest - Charles Parrott, Clerk.

Entry 8985 — Mantie Cruikshank, Vs. The Mutual Life Insurance Company of New York } Court of Common Pleas, Union County, Ohio.

This day leave was granted Defendant to file answer and same filed.

Entry — J. H. Scott, Vs. D. J. Brobeck. } Court of Common Pleas, Union County, Ohio.

8927 Leave is this day granted the Plaintiff to file reply by January 5th 1910.

Entry — The Marysville Hardware Co. Vs. Grace Jane Hudson } Court of Common Pleas, Union County, Ohio.

8987 This day this cause came on to be heard on defendants motion to require the Plaintiff to make its petition more definite and certain, by separately stating and numbering its cause of action.
Upon consideration whereof, the Court, by agreement of the parties, finds said motion well taken and sustains the same.
And Plaintiff is given leave to amend at bar, by inserting in the petition the words, "Second cause of action" at the beginning of the second paragraph of the petition. And defendant is given Thirty days in which to plead herein.

ending
e
ptember
to time
D. 1909.

In the matter of fixing the aggregate amount that may be paid for Clerk and Stenographer by the Prosecuting Attorney.

I John M. Brodrick, Judge of the Common Pleas Court of Union County, Ohio, Hereby fix the aggregate amount to be expended by the Prosecuting Attorney for Clerk and Stenographer for the year of 1910, at Two Hundred Dollars.

John M. Brodrick,
Judge.

Grand Jury Facias.

Entry 8902

The Venire Facias for a Grand Jury heretofore issued was duly returned by the Sheriff on January 4" A.D. 1910, with his endorsements thereon as follows.

The State of Ohio, Union County, ss.

In the Sheriff Office

On the 11" day of December, 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.

Names	When Served	How Served.	No. Miles
T. J. Powers	December 14" 1909,	By Mail	7
J. S. McGinnis	" 14" "	" "	17
Frank E. Lowe	" 23 "	" "	8
C. Luther Perkins	" 14 "	" "	9
John H. Montgomery	" 23 "	" "	
John Wenger	" 15 "	" "	9
Frank Andrews	" 18 "	" "	7
Charles Butler	" 14 "	" "	12
Harrison McVey	" 11 "	" "	
C. H. Lockwood	" 13 "	" "	11
M. E. Stamates	" 17 "	" "	16
Delmore Snodgrass	" 16 "	" "	12
H. E. Gray	" 14 "	" "	17
Leonard Temple	" 13 "	" "	22
Chas. Chappel	" 14 "	" "	

Cad Price - Sheriff.

And upon calling the same in open Court all of the above named Jurors appeared in answer thereto except John H. Montgomery and Charles Chappel, and the panel being incomplete the Sheriff summoned as Talesmen, to complete the same, the following named persons, who appeared and answered thereto, to-wit: L. B. Demorest and George Stokes.

And the panel being full the Court appointed H. E. Gray 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.

William C. Rockwell, et als - Plaintiffs
Vs.
William L. Blaney et als - Defendants
} Court of Common Pleas, Union County, Ohio.

Entry

8902

This day came the parties and their attorneys, and this cause came on to be heard upon the petition of the plaintiffs asking for a construction of the Will of Samuel Ryan, deceased, and the answer of Wm. L. Blaney and A. Lee Seeley and the Board of Education of Jerome Special School District, together with the exhibits and testimony; And the Court having heard the evidence and arguments of Counsel, and being fully advised in the premises finds that all the allegations contained in the answer of said defendants are true, except the Court finds that the plaintiff are the only heirs at law and next of kin of the said Samuel Ryan. That said Samuel Ryan died on the 27th day of June, 1903 leaving no issue of his body, or any adopted child or legal representative of either. That his Will, a copy of which is attached to the petition has been duly admitted to Probate, and the said Wm. L. Blaney and A. Lee Seeley have been appointed and are qualified as executors thereof, and that they are ready, able and willing to accept the said bequest and devise of Samuel Ryan, and act with the present Board of Education of Jerome Special School District in applying the funds in their hands as such executors to the erection of a school building in said district as provided in said Will, and that the said board of education is ready, able and willing to accept the said bequest and devise of Samuel Ryan and act with the said executors of said Will in the erection of said school building for the benefit of said district.

The Court further finds that the beneficiaries under said 6th item of said Will, are the people residing within the said school district, and that the plaintiffs have no right to, or interest in, the property mentioned in said Will.

The Court finds and decrees the true intention and construction of said Will to be that said testator desired the legacy mentioned in the 6th item thereof to be expended in the erection of a school building within the territory embraced in said Jerome Special School District, that it is a charitable devise in the interest of education and that the intention of said testator can be fully carried out, by the application of said funds to the erection of a school building, by the present board of education of Jerome Special School District, acting with the executors under the terms of said Will, and the Court orders the said legacy to be so applied.

It is further ordered by the Court that the costs of this action be paid by the Plaintiffs.

To which finding and decree the Plaintiffs except. Bond for the appeal is fixed by the Court at $300.00.

Tuesday, January 4th 1909 Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Entry 8791

John Cody - Plaintiff
Vs.
White Eagle Tribe No. 94 Improved Order of Red Men, Marysville, Ohio, and the Anderson Carnival Co. Defendants

} Court of Common Pleas, Union County, Ohio

This cause now coming on for hearing, on the Motion of the defendant, White Eagle Tribe No. 94, Improved Order of Red Men, to require the Plaintiff to make his petition more definite and certain by setting out who and what the White Eagle Tribe No. 94 Improved Order of Red Men is, whether it is a corporation, a partnership, a voluntary association or whatever it may be, also that he may be required to set out who and what The Anderson Carnival Company is, the Court, on consideration thereof, grants the same, To which the Plaintiff excepts.

Leave is granted to the Plaintiff to amend his Petition within 60 days.

Entry 8803

The State of Ohio, ex rel Frank G. Ballinger, Prosecuting Attorney,
Vs.
Dwight B. Edwards.

} Court of Common Pleas, Union County Ohio.

This cause dismissed at the cost of the Plaintiff, by agreement of Counsel.

The Grand Jury continued their examination of Witnesses.

lock

County,
ls

defend-
y to
nite
le
is a
or
ek out
the
which

tion

County
is.

eement

ues.

Court adjourned to Wednesday Jan. 5th - 1910.

Wednesday, January 5th 1910, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

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, 1910, 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 Thirty Three witnesses, covering Five Cases, and presented Two Bills and ignored Three Cases considered by us, The business has been transacted in an expeditious 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.

The Grand Jury reccomend that new Linoleum be placed on the floor of the Grand Jury Room, and that the ceiling and walls be redecorated and that the same be refurnished.

The Grand Jury find the County Jail in a very clean and sanitary condition, and commend Sheriff Price and Wife for the excellent manner in which the Jail and property is kept.

Respectfully Submitted.
H. E. Gray,
Foreman.

Entry 8874

The Mishawaka Woolen Manufacturing Company
Vs
Crandall and Clemans et al
} Court of Common Pleas, Union County, Ohio.

Entry 8998 This day leave was granted Plaintiff to file Amended Petition by January 10th 1910.

Entry

David M. Skidmore, Plaintiff
Vs.
Joseph Mann et al, Defendants
} Court of Common Pleas, Union County, Ohio

Entry

8874

Now comes said David M. Skidmore the Plaintiff herein, by E. W. Porter, his Attorney, and thereupon this cause came on to be heard upon the petition and evidence; on consideration whereof the Court find that all of the Defendants have had due legal notice of the pendency and demand of the said petition; that there is no widow; The said David M. Skidmore is seized of, and has a legal right to, the undivided three-fourths 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 David M. Skidmore in said premises, in the following proportions, to-wit; the said Joel Mann is seized of, and has a legal right to, the undivided one-twelth part thereof, the said Margery Crahood to the undivided one-twelth part thereof, the said Lycurgus Mann to the undivided one-twelth part thereof, as the only heirs at law, and next of kin of said Joseph Mann, who is declared by the Court to be deceased; And no reason appearing why partition should not be made;

It is therefore ordered, that partition of said Estate be made; and that an order issue to the Sheriff of said County of Union commanding him that by the oaths of three Judicious and disinterested freeholders of the vicinity, who are hereby appointed Commissioners for that purpose according to law, and cause to be set off and divided to the said David M. Skidmore and to each of said defendants the part and portion of said estate to which they are hereinbefore severally found entitled.

And it is ordered that if, in the opinion of the said Commissioners said premises can not be divided by metes and bounds without manifest injury to the value thereof, they appraise the same in accordance therewith.

And of his proceedings herein, the said Sheriff is ordered to make due return to the next term of this Court to which time this action is continued.

David M. Skidmore — Plaintiff
Vs.
Joseph Mann &c. Joel Mann, Margery Crahood and Lycurgus Mann, Defendants
} Court of Common Pleas, Union County, Ohio.

Entry

Report of Commissioners Confirmed, Sale Ordered.

This day this cause came on for hearing on the return of the Sheriff and the report of the Commissioners heretofore appointed herein, and upon the plaintiff's motion to confirm same. Upon consideration whereof, and the Court being fully advised in the premises, and upon careful examination of said report

and it appearing from said report and return, and the Court also being satisfied that said estate cannot be divided without manifest injury thereto, and that said commissioners have made and returned their appraisement and estimate of the value of said premises in the petition, described as follows;
Situated in the Township of York, in the County of Union, and State of Ohio, and bounded and described as follows;
Part of Survey No. 2984, on the waters of Bokes Creek, and Beginning at a stone in the center of a road known as the Newland road, and S.W. corner of Survey No. 2984; thence N. 8° 7' E. 39 4/10 poles to the center of said road to a stake, corner to J. Keller's; thence S. 9° W. 74 poles with David Davis West line to a stone planted on pieces of broken Crocks; thence N. 77 1/2 W. 107 68/100 poles to the place of beginning, Containing Forty-four and 83/100 acres.

David M. Skidmore, —Plaintiff
Vs.
Joseph Mann &c. Joel Mann,
Margery Orahood and Lycurgus Mann,
Defendants

Court of Common Pleas, Union County, Ohio.

Confirmation and Distribution

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, have made and returned their appraisement free of all dower at $2814.60, and that the share of the defendants is appraised at $728.65, 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 David M. Skidmore has elected to take the said premises at their appraised value, and that the terms of payments are to be cash in hand, and the Court finding that the costs of this action, including a counsel fee of $62.00 to E.H. Porter for his services herein, And that there is not due to the Treasurer of Union County, Ohio, any thing as taxes and penalty on for the reason that the same have been paid in full to date by Plaintiff, it is therefore ordered by the Court that upon payment being made to the Sheriff by the said David M. Skidmore of his proportion of said costs, to-wit: The sum of $, be, and it hereby is, adjudged to plaintiff, and the Sheriff is ordered thereupon to make and execute to him a conveyance thereof.
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 Clerk of this Court the costs of this action including Counsel fee the sum of $.

Court adjourned to Thursday Jan. 6th 1910

Thursday, January 6" 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned to Friday, Jan. 7" 1910.

Friday, January 7" 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned to Saturday, January 8" 1910.

Saturday, January 8, 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned to Monday January 10" 1910.

Monday, January 10" 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 8988

Frank Moniger – Plaintiff
Vs
A. E. Mitchell and
Amy E. Mitchell – Defendants
} Court of Common Pleas, Union County Ohio.

And now comes said Frank Moniger, and the said A. E. Mitchell having failed to demur or answer to the petition of Frank Moniger, It is considered that he ought to recover the said sum of One Hundred and Fifty Six and 34/100 dollars, so demanded in his petition together with the sum of Two and 34/100 dollars, which the Court find due as interest thereon as prayed for in said petition. It is therefore considered that Frank Moniger recover against A. E. Mitchell and Amy E. Mitchell the said sum of One Hundred and Fifty Eight 68/100 dollars together with his costs in and about this suit in this behalf expended taxed to dollars and cents

Entry 8993

Smith T. O'Harra – Plaintiff
Vs.
Dora O'Harra – Defendant
} Court of Common Pleas, Union County, Ohio

This cause now coming on for hearing was submitted to the Court upon the pleadings and the evidence, and after hearing the evidence adduced in full, the further hearing of this cass was aajourned to — day of —.

Entry 8994

Wm Elliott, Plaintiff
Vs.
A. J. Dodge – Defendant
} 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 that the defendant A. J. Dodge is indebted to the Plaintiff William Elliott in the sum of Five Hundred Forty Three and 14/100 dollars ($543,14). It is therefore considered by the Court that the said plaintiff recover from the said defendant the said sum of $543,14 dollars and his costs herein expended taxed at $—. The Court further find that said amount of $543,14, was due on the 3d day of January, 1910, the first day of the present Term of this Court, and orders Judgment from that day. And that said judgment of $543,14 bear interest at 8 per cent from said 3d day of January, 1910, the same as the original note sued on.

Court adjourned to Tuesday January 11" 1910.

Entry 1386

Entry 8995

Tuesday, January 11" 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick Judge.

State of Ohio - Plaintiff
Vs.
Entry — Lloyd Biggs and Pearl Gibson, Defendants } Indictment for Burglary with Count for Larceny
Court of Common Pleas, Union County, Ohio.
1386

And now the defendant Pearl Gibson 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 W. T. Hopes, as counsel for his defense.

John Johnson - Plaintiff.
Vs.
Entry — John W. Hodge - Defendant } Court of Common Pleas, Union County, Ohio.
8899

This day came the parties herein, by their attorneys; also came the following named persons as jurors, to-wit: 1st George Stevens, 2" J. F. Hoffman, 3" J. L. Clevenger, 4" George W. Burgoon, 5" Ned Barnett, 6" Thomas Cody, 7," Dan Campan, 8", Clyde S. Davis, 9" J. J. Davis, 10" H. W. Waggle, 11" W. C. Thomas, 12", George W. Stokes, 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 evidence having been adduced in full, the Court adjourned the further hearing of this case until to-morrow morning at 9 O'clock.

Court adjourned to Wednesday Jan. 12" 1910

Wednesday, January 12th 1910, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Entry 8963

C. L. Stoddard, Plaintiff
Vs.
Aaron Boylan, Defendant
} Court of Common Pleas, Union County, Ohio

This day this case was settled, and all costs paid.

Entry 8901

Entry

John Johnson - Plaintiff
Vs.
John W. Hodge - Defendant
} Court of Common Pleas, Union County Ohio.

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 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 the issues in this case in favor of the Plaintiff, and assess the amount due to the Plaintiff from the Defendant John W. Hodge at the sum of Four Hundred and Sixty Nine ($469.00) Dollars.

Dated - January 12-1910. W. C. Thomas - Foreman.

Entry 8812

Court adjourned to Thursday January 13-1910.

Thursday, January 13" 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8901 — John R. Dodge exct. etc. Vs. Electa Douglas. | Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard upon the pleadings and the evidence, and the regular Jury was called, and by agreement of parties this case was adjourned to a future date, and the said Jury was discharged until to-morrow morning at 9 O'clock.

John R. Dodge, exct. etc. Vs. Electa Douglas | Court of Common Pleas, Union County, Ohio.

On hearing, motion of defendant sustained as to admission "Until death", of Agency, and overruled as to all other matters, Exceptions.

Court adjourned to Friday, January 14" 1910

Friday, January 14" 1910, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8812 — M. E. Gutman Vs. Edward Dobie | Union Common Pleas.

This day by agreement of parties this cause is continued to September 1st" 1910.

John M. Brodrick, Judge.

Court adjourned to Saturday, January 15th. 1910.

Saturday, January 15th 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry	The Franklin Trust Co. Vs. The Marysville Light & Water Co.	Court of Common Pleas, Union County, Ohio.
8948	Now comes the plaintiff and by leave of the Court files herein its amended petition.	
Entry.	Willes Epps, Vs. Rosina Belty	Court of Common Pleas, Union County, Ohio.
8967	This day leave was granted defendant to file answer and Cross Petition, and same filed.	

Court adjourned to Tuesday Jan. 18- 1910

Tuesday, January 18" 1910, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned to Wednesday, January 19" 1910.

Wednesday, January 19" 1910, Court convened at 9 O'clock A. M. Present, Honorable John M. Brodrick, Judge.

Court adjourned to Thursday January 20" 1910

Thursday, January 20" 1910, Court convened at 9 O'clock, A.M. Present Honorable John M. Brodrick, Judge.

Entry

9007

D. F. Frederick, Plaintiff
Vs
O. S. Crothers and Nettie Henderson

} Court of Common Pleas, Union County, Ohio, Judgment by confession for $ 161.43.

This day came the Plaintiff by Robert McCrory, Attorney, and filed his Petition against said Defendants, and thereupon, L. Piper 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 were 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 One Hundred and Sixty One Dollars, 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 here that the said D. F. Frederick, Plaintiff do recover of the said O. S. Crothers and Nettie Henderson Defendants, the sum of One Hundred and Sixty One and 43/100 Dollars so confessed, as aforesaid, with interest from January 20" 1910, 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 proceeding, and all proceedings, petitions and writs of error thereon, are by said Defendants waived and released.

John M. Brodrick, Judge.

Entry

9008

Entry

8962

Court adjourned to Friday, Jan. 21-1910.

Friday, January 21st 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 9008.

McKendre Bishop
Vs
Leo Kuhn and
Martin Kuhn

Court of Common Pleas, Union County, Ohio.

This day came the Plaintiff by Robert McCrory Attorney, and thereupon came Milo L. Myers one of the Attorneys of Record of this Court, who by virtue of a Warrant of Attorney duly executed and now produced in Open Court and duly proven, waived the issuing and service of process, and entered appearance of said Defendants herein, and by virtue of the same Warrant of Attorney, confesses that there is due from said Defendant to said Plaintiff as alleged in said Plaintiff's Petition, the sum of $236.67.

It is therefore, considered that said Plaintiff do recover of said Defendant the said sum of $236.67 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.

Entry 8962

S. J. Weldon - Plaintiff
Vs.
Frances Weldon et al
Defendants

Court of Common Pleas, Union County, Ohio.

Now comes the said S. J. Weldon the Plaintiff herein, by Milo L. Myers his Attorney, and thereupon this cause came on to be heard upon the petition, the answer of Frances Weldon ~~administratrix~~ Administratrix of the estate of Martha B. Weldon Deceased, and answer of Frank J. Hegman Guardian of Louise and Frances Smith minors, and the evidence, On consideration whereof the Court find that all of the defendants have had due legal notice of the pendency and demand of said Plaintiff's petition.

That the said Plaintiff S. J. Weldon is seized of, and has a legal right to, the undivided one eighth part of the estate described in the said petition, and is entitled to have partition made of said premises; that the defendants are tenants in common with the said Plaintiff S. J. Weldon in said premises, in the following proportions to-wit; the said Frances Weldon is seized of and has a legal right to, the undivided one-eighth part thereof; the said Isaac Weldon to the undivided one eighth part thereof; the said Fred E. Weldon to the undivided one eighth part thereof; the said Samuel K. Weldon to the undivided one-eighth part thereof; the said Martha J. Robinson to the undivided one eighth part thereof

the said Emma V. Earl to the undivided one-eighth part thereof;

That the Heirs of Belle Weldon Smith deceased are entitled to, and seized of, and have a legal right to the one eighth part of the premises described in said Plaintiffs Petition in the following proportions to wit: the said Gertrude Haley to the undivided 1/48 part thereof; the said Gladys Smith to the undivided 1/48 part thereof; the said Leroy Smith to the undivided 1/48 part thereof; the said Lester Smith to the undivided 1/48 part thereof; the said Frances Smith to the undivided 1/48 part thereof; the said Louise Smith to the undivided 1/48 part thereof; but subject however to the dower interest of their Father Eugene C. Smith who is entitled to dower in the one eighth part of the premises described in the Plaintiff's Petition of which the said Jesse Weldon died seized.

And no reason appearing why partition should not be made;

It is therefore ordered that an order issue to the Sheriff of said County of Union commanding him that by the oaths of Fred Kile, George A. Courrier and McKendre Bishop, three judicious and disinterested freeholders of vicinity, who are hereby appointed Commissioners for that purpose, he set off and assign such dower to the said Eugene C. Smith according to law, and cause to be set off and divided to the said Plaintiff S. J. Weldon, and to each of said defendants the part and portion of said Estate to which they are hereinbefore severally found entitled;

And it is ordered that if, in the opinion of the said Commissioners said premises cannot be divided by metes and bounds without manifest injury to the value thereof, they appraise the same free from the dower interest of the said Eugene C. Smith and of his proceedings herein, the said Sheriff is ordered to make due return.

Approved this 21st day of January, 1910

John M. Brodrick,
Judge.

In the matter of the appointment of Mr. Hopkins,

In the matter of the appointment of Marion Hopkins, Secret Service Officer to assist the Prosecuting Attorney.

It is hereby ordered by the Court that Marion Hopkins be allowed Fifty Dollars per month as his compensation for his services as such Secret Service Officer for the term of Four Months beginning on the 21st day of September, 1909.

The Auditor of said County is ordered to draw his warrant on the Treasurer of said County for the amount of $ 200.00. in favor of said Marion Hopkins.

Dated this 21st day of January, 1910

Entry, 8895

Smith T. O. Harra
Vs.
Dora O'Harra et al

In the Court of Common Pleas, Union County Ohio

This day came the parties, by their respective Attorneys, and, thereupon, this cause came on to be heard on argument of Counsel upon the pleadings, and the evidence heretofore adduced to the Court. And the argument of Counsel proceeded and, the same being completed, this cause was submitted to the Court.

Whereupon, the Court took the same under advisement for decision and adjourned this cause therefor.

Court adjourned to Saturday, January 22nd 1910

Saturday, January 22nd 1910, Court convened at 9 O' clock, A. M. Present Honorable John M. Brodrick, Judge.

Cora E. LeMay,
Vs.
Oscar LeMay
} In Court of Common Pleas, Union County, Ohio.

Entry 8923

Entry 8991

Now came the plaintiff, and the defendant having been legally summoned by publication, and having failed to appear, the Court find him in default for answer and demurrer to said petition, and that the allegations thereof are confessed by him to be true.

The Court further find that the plaintiff, at the time of filing her petition, had been a resident of the State of Ohio, for more than one year next preceding the same, and was, at that time a bona fide resident of this County of Union; and that the parties 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 this plaintiff and her said child, and that the said defendant has been wilfully absent from the said Plaintiff and her said child for more than three years preceeding the date of the filing the petition by 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 Oscar LeMay and Cora E. LeMay be, and the same hereby is, dissolved, and both parties are released from the obligation of the same.

It is further ordered that the custody, care, education, and control of the said child Clara Ethelyn LeMay of the parties hereto, be, until further order, confided to the said Cora E. LeMay exclusively.

And the said Oscar LeMay is hereby enjoined from interfering in any manner with said child or with the care, education or custody of her, until further order of the Court;

It is further considered by the Court that said Cora E. LeMay recover from the said Oscar LeMay her costs herein expended.

John M. Brodrick
Judge.

Court adjourned to Monday, January 24th 1910.

Monday, January 24th 1910, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry

Laura L. Pratt - Plaintiff
vs.
John S. Pratt, Defendant

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

8923

This day this cause came on to be heard upon motion to confirm the Receiver's Report, and upon exceptions thereto, heretofore filed herein. Thereupon, the Court heard the same upon the testimony adduced by the respective parties, and the said motion and exceptions were submitted to the Court upon the evidence so presented.
Whereupon, the Court took said matters under advisement for decision, and cause adjourned.

Court adjourned to Tuesday, January 25th 1910.

Tuesday, January 25th 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

State of Ohio – Plaintiff
vs.
Anthony Pfarr – Defendant
} Court of Common Pleas, Union County, Ohio.

Indictment for Rape.

Entry 1372 Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant with his Counsel, also came the following named Jurors, to wit:- 1st. George Stevens, 2d J. F. Hoffman 3d J. L. Clevenger, 4th. G. H. Burgoon, 5th. Ned Barnett, 6th Don Carmean, 7th. T. J. Davis, 8th H. H. Waggle, 9th. Lee Elson, 10th Bruff Dunham, 11th Lewis Curry, 12th William Longbrake, who were duly inpaneled and sworn according to law, and the said Jury, having heard the testimony adduced in full, the argument of Counsel, and the Charge of the Court, the Jury at 5 O'clock P. M. retired to their room in charge of the Sheriff for deliberation, and after deliberating until 11 O'clock P. M. did now come said Jury into open Court, and state that they are unable to agree upon a verdict; whereupon they are, by the Court, discharged from further consideration of this case, and the case is continued.

Entry 1373

Court adjourned to Wednesday January 26-1910

Wednesday, January 26" 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

State of Ohio - Plaintiff
Vs.
William Gibson - Defendant
} Court of Common Pleas, Union County, Ohio.
Indictment for

Entry
1373

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: 1st George Stevens, 2" J. F. Hoffman, 3" J. L. Clevenger, 4 George W. Burgoon, 5th" Thomas Cody, 6" Don Carmean, 7th" Lee Elson, 8" John Low, 9" George Moder, 10th Alfred Carr 11th" George Trapp, 12. David Danforth, who were duly impaneled and sworn according to law, and the said jury having heard the testimony adduced in part, said cause was continued until to-morrow morning at 9 O'clock.

Court adjourned to Thursday, January 27" 1910.

January Term 1910.

Thursday, January 27th 1910; Court convened at 9 O'clock. A. M. Present Honorable John M. Brodrick, Judge.

Entry 1375

State of Ohio, - Plaintiff
vs.
William Gibson - Defendant
} Court of Common Pleas, Union County, Ohio.

8975

Entry

Indictment for Petit Larceny, with Count for Concealing Stolen Property.

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, and the Court adjourned until to-morrow morning at 9 O'clock.

Entry 1375

Court adjourned to Friday January 28th - 1910

Friday January 28th 1910, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

William A. Wadsworth - Plaintiff
Vs.
8975 Ernest L. Atkinson and Eliza J. Atkinson, and W. M. Keller. Defendants. } In Court of Common Pleas, Union County, Ohio.

Entry

On motion of the plaintiff, by his Attorney, F. A. Thompson, and the defendant, Ernest L. Atkinson and Eliza J. Atkinson, having deposited with the Clerk of said Court, the full amount of money necessary to pay the judgment of William A. Wadsworth, and the judgment of Wm. M. Keller, on their notes and mortgages, and the full amount of the costs in this action, it is ordered that the sale of said premises described in the order of sale, be withdrawn, and that there be no further publication of said sale.

And the Court coming now to distribute the amount of money so deposited with the said Clerk by the said defendants, Ernest L. Atkinson and Eliza J. Atkinson, amounting to $1946.48, it is ordered that the Clerk of said Court, out of the money so deposited in his hands, pay, First. The costs of this action, including costs of publication, of notice of sale, taxed at $52.66,

Second - To the plaintiff, William A. Wadsworth, the amount heretofore found due him, with interest, to-wit the sum of $1932.02.

Thirdly - The said defendant Wm. M. Keller having on the 28th day of January, 1910. assigned his said claim to Charles W. Southard, there was no amount of said Wm. M. Keller's claim to be distributed January 28th 1910.

State of Ohio, Plaintiff
Vs.
Entry William Gibson, Defendant } Court of Common Pleas, Union County, Ohio. Indictment for Petit Larceny, with Count for Concealing Stolen Property.

1375

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 arguments of Counsel, and the charge of the Court, the Jury at 4 O'clock, P. M. retired to their room in charge of the Sheriff for deliberation, and after deliberating until 11 O'clock, P. M. 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. Said Court allowed said Jurors Two days for Friday, January 28th 1910. Said Regular Jurors were dismissed for the rest of the term or until further order of the Court.

Court Adjourned until Monday, January 31st 1910

Monday, January 31st 1910, Court convened at 9 Oclock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8970

William W. Kinney, as Executor of Indiana Webb deceased, Plaintiff
Vs
Gemri Webb, — Defendant.

Court of Common Pleas, Union County, Ohio.

Entry 8923.

This day this cause came on to be heard upon the motion of the plaintiff to strike the answer of Gemri Webb from the files for reasons in the motion stated, and was argued by Counsel and submitted to the Court.

On consideration whereof, the Court being fully advised in the premises, sustains said motion and it is ordered that the said answer be stricken from the files.

To which ruling the defendant excepted. Thereupon the said Gemri Webb, by his Counsel asked and had leave of the Court to file another answer by February 7th 1910.

John M. Brodrick,
Judge.

Court adjourned to Tuesday A.M. February 1st 1910.

Tuesday, February 1st 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry
8923.

Laura L. Pratt, Plaintiff
Vs.
John G. Pratt, Defendant
} In the Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard for decision by the Court upon the Receiver's Report, the exceptions thereto, and the evidence, heretofore submitted herein.

Whereupon, the Court, having carefully examined said report and the vouchers therewith presented, the exceptions thereto, and the evidence and being fully advised in the premises, finds:-

That the said Report is, in all respects, just and correct except as to Receiver's compensation which the Court fixes at $100.00 instead of $131.00, as asked, otherwise the said exceptions are overruled and the said Report is approved and confirmed.

Wherefore, it is considered and adjudged by the Court that the said John G. Pratt, defendant, pay, as a part of the costs of this case and the administration of the Receivership herein, the following items, to-wit: 1st The general balance on account shown by said Report, $72.38. 2d The amount asked in said Report for Attorney fees $125.00. 3d The amount asked in said Report for personal expenses $8.80. 4th The amount allowed by the Court as compensation $100.00 to-wit; the aggregate sum of $306.18.

And thereupon, the said John G. Pratt, by his Counsel, excepted to the said findings and orders of the Court, in the premises except as to said Attorney fees and personal expenses.

Entry

Smith L. O'Harra - Plaintiff
vs.
Dora O'Harra - Defendant
} In the Court of Common Pleas, Union County, Ohio.

8895 This day came the parties, by their respective Attorneys, and, thereupon, this cause came on to be heard on decision by the Court upon the pleadings, the evidence, and the argument of Counsel, heretofore submitted herein.

Whereupon, the Court having considered the same, and being fully advised in the premises, finds.—

1st That the defendant, Dora O'Harra, has, not personally, nor by employment or authorization of the other defendants, been guilty of waste of the Plaintiff's estate in remainder in the lands in the petition described.

2d That the Plaintiff has not suffered damage, in any sum or amount by reason of the cutting of the trees charged and described in the Petition; And—

3d That a decision of the issue of title, raised by the pleadings, is unnecessary in the premises and the same is, accordingly, passed and not decided.

Wherefore, it is considered, ordered, and adjudged by the Court that the Injunction heretofore granted herein be, and the same is hereby dissolved and the petition dismissed.

It is further considered and adjudged by the Court that the said Defendant go hence without day and recover from the said Plaintiff her Costs in this behalf expended, taxed at $—.

Thereupon the said Plaintiff, by his Counsel, excepts to all of said findings, orders, and judgments of the Court and gives notice of his intention to appeal this cause to the Circuit Court of this County.

Whereupon the Court fixes the penalty of the undertaking for such appeal at $ 300.00.

Court adjourned to Wednesday, Feb. 2d 1910.

Wednesday, February 2 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Court adjourned to Friday February 4" 1910.

Friday, February 4" 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Court adjourned to Saturday, February 5" 1910.

Saturday February 5th 1910, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry 9000

In Vacation

Entry 8996 — The State of Ohio, ex rel. Agnes Ida Parrott vs Albert Phipps | Court of Common Pleas, Union County, Ohio. February 10th 1910

This day this case was dismissed and all costs paid by Plaintiff.

a. m.

Tuesday, February 15th 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry
9000

Zella M. Warren
vs.
Frank L. Warren
} 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 he has failed to appear and is in default for answer or demurrer to the petition and that the allegations thereof are confessed by him to be true; 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 9th day of March, 1889, as alleged in said petition. And that there have been no children born of said marriage. And that the defendant has been guilty of Wilful absence for more than three years last past, namely since, 1895 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 $8.50 And that this case be recorded.

John M. Brodrick
Judge.

Court adjourned to Friday February 18th 1910.

Friday, February 18th 1910, Court convened at 9 O'clock, A.M.
Present Honorable John M. Brodrick, Judge.

William W. Kinney exentor
of the estate of Indiana Webb,
Deceased
Entry vs.
Cyenri Webb, et al.
8970

This day leave was granted defendant Eliza Jones to file motion to strike defendant Eliza Jones to file motion to strike Defendant Cyenri Webb's amended answer from the files, and granted, and same filed.

S. J. Weldon - Plaintiff
vs.
Frances Weldon et al
Defendants
} Court of Common Pleas, Union County Ohio.

Entry 8962. On motion of E. H. Porter, leave was granted B. M. Rutan, The Farmers National Bank of Plain City and Matilda Arty. to file answer in the above entitled case, and same filed.

Entry
8962

Saturday, February 19th 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

S. J. Weldon, Plaintiff,
vs.
Entry Frances Weldon, et al, Defendants } Court of Common Pleas, Union County, Ohio.

8962 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 estates 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 estates jointly (and free from the dower of the said Cyrus C. Smith), at $9360.00, the court finds the said return and proceedings in all respects correct and in conformity to law, and do therefore approve and confirm the same.

And it further appearing to the Court that the said plaintiff S. J. Weldon 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, together with the amounts of the respective liens thereon, and that upon said S. J. Weldon paying the same, together with his proportion of the costs of this case, (including a counsel fee which the court finds to be $30.20, to Milo L. Myers for his services herein) in all amounting to $334.81, and his proportion of the taxes and penalty due on said premises amounting in all to $174.30, he. and it hereby is adjudged to him the said S. J. Weldon, and the Sheriff is ordered thereupon to make, execute and deliver to him a proper deed for said premises, which is hereby ordered combined by the Court and now described as follows:-

Being situated in the Township of Jerome, the County of Union and State of Ohio, and part of Survey No. 6420, Beginning at a stake in the center of the Marysville and Columbus Gravel Road and in the North line of Survey No. 6420; thence with said line N. 80° East 73.60 poles to a (witnessed by two beeches and an elm) North-west corner of lands formerly owned by J. W. Michaels; thence with the West line of said lands S. 10° E. 114.80 poles to a stake (witness by a sugar, beech and lynn) North east corner to land formerly owned by John Robinson in the center of a public road; thence with the center of said road S. 80° W. 146 poles (passing stone in the center of said Marysville and Columbus Road at 22.40 poles) to a stake; thence N. 10° W. 114.80 poles to a stake in the North line of said Survey No. 6420;

thence with said line N. 80° E. 72.40 poles to the beginning containing 104.46 acres, be the same more or less, after excepting therefrom about one quarter of an acre used as a Cemetary situated in the South-east corner of said tract of land.

And the Court coming now to distribute the proceeds of said estates, be, and it is hereby ordered that the said S. J. Weldon pay, First:- The Treasurer of Union County, Ohio, ~~the~~ the taxes and penalties due thereon $ 174.30,
Second; the Clerk the Costs and Atty. fees $ 334.81,
Third;- To the Plaintiff his claim of $ 213.77,
Fourth;- To Ben M. Rutan his mortgage claim of $ 2612.50,
Fifth;- To The Farmers Nath. Bank, Plain City, O. $ 654.00,
Sixth;- To Matilda Arty her mortgage claim of $ 1163.64,
Seventh; To Frances Weldon, Administratrix &c. $ 2202.97,
Eighth; To S. J. Weldon Frances Weldon, Samuel J. Weldon, Martha J. Robinson and Emma L. Early each the sum of $ 250.30, and in all amounting to $ 1753.50,
Ninth; To Cyrus E. Smith his dower interest 52.21,
Tenth; To Gertrude Haley, Gladys Smith, Leroy Smith, Lester Smith, each the sum of $33.05, in all amounting to $ 132.20
Eleventh:- To Frank J. Hegman Guardian of Frances Smith and Louise Smith, each the sum of $33.05 in all amounting to $ 66.10

Said amounts being in full of their respective rights and interests in the estate of the said Jesse Weldon, deceased.

Approved

John M. Brodrick,
Judge.

Court adjourned to Saturday March 5th 1910.

Entry 9006

Entry 8630.

Saturday, March 5th 1910, Court convened at 9 Oclock, A. M. Present, Honorable John M. Brodrick, Judge.

Entry 9006

L. C. Beem, et al, Board of Trustees of the Methodist Protestant Church of Richwood, ex parte.

This cause came on to be heard on the petition and evidence; and upon due consideration the Court finds that due notice of the proceedings has been given according to law, and that the allegations of the petition are true. That the sale of the property described in the petition is desired by all the members of the Society, and that it is right and proper that authority be given therefor. Wherefore the prayer of the petition is granted, and the petitioners are authorized to sell and convey said real estate for the highest price that can be obtained therefor, payable in cash at the time of such sale, and that they report their proceedings to this Court by 2nd of May of 1910.

O. K. John M. Brodrick,
Judge.

Entry 8630.

Margaret Cahill, Plaintiff
vs.
William Cahill, et al
} Court of Common Pleas, Union County, Ohio.

This cause coming on for hearing upon the motion of the plaintiff to more fully describe the land in said petition described as 77 acres in York Township, Union County, Ohio, upon which the plaintiff and her said husband lived together until his death, by describing the same by metes and bounds as follows, Situated in the County of Union, in the State of Ohio and in the Township of York, and bounded and described as follows: Beginning at a stake in the center of Bokes Creek, 5 poles and 9 links from a sycamore on an island, and North East corner to A. E. Knox's land and South east corner to Joseph A. Ralston's land; thence northerly with said Ralston's East line 21 1/2 poles to 2 hickories, beech and buckeye, in North line of Survey No. 3237; thence S. 82° E. with the original north line of said Survey far enough that a line drawn parallel with said Ralston's East line to the center of Bokes Creek shall include 77 acres; thence up the creek with the meanderings thereof to the beginning, containing 77 acres of land. And the Court being satisfied that the land described in said petition is the same land as the land above described by metes and bounds; it is therefore ordered and decreed that in the further proceedings of this case that the description herein contained, by metes and bounds

be used as the description of said land.
And it appearing further to the Court that this cause was brought in the name of "Margaret Cahill, administratrix of the estate of Truman R. Cahill." as appears by the caption to the pleadings in said cause, and it appearing further that said action was in fact brought for Margaret Cahill as an individual and for her benefit and not for the benefit of the estate of Truman R. Cahill, deceased, It is therefore ordered that in the further proceedings of this case that the words "administratrix of the estate of Truman R. Cahill" be dropped, and the court further find that said words are merely descriptive and that all the things heretofore ordered to and for the plaintiff in this cause are ordered to and for Margaret Cahill.

John M. Brodrick,
Judge.

Entry 8968

Order to draw Grand and Petit Jury.

Court of Common Pleas, Union County, Ohio.
April Term, A. D. 1910.

To the Clerk of said Court:

You are hereby directed to proceed according to law at Ten O'clock on Friday the 11" day of March, 1910, to draw from the Jury Wheel of Union County, the names of thirty three persons to serve as grand and petit jurors for the April Term, 1910, of the Court of Common Pleas of said County. 8943

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 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 Fourth day of April, A. D. 1910; 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 fifth day of April, 1910.

And for so doing, this shall be your sufficient Warrant.
Witness my hand officially this 5" day of March, 1910.

John M. Brodrick.
Judge of the Court of Common Pleas of the Third Sub-Division of the Tenth Judicial District.

Entry

Court adjourned to Saturday March 12-1910.

Saturday, March 12" 1910, Court convened at 3 O'clock, P. M.
Present Honorable John M. Brodrick, Judge.

Entry 8968 — Orpha M. Anglesby, et al, Plaintiffs, Vs. Della A. Snyder, et al, Defendants — In Court of Common Pleas, Union County, Ohio.

This day came the parties and submitted this cause to the Court upon the demurrer of the plaintiffs, Myrtle Reed, and Jay Reed and Lottie Reed by their guardian ad litem, to the answer of the defendant John C. Reed, and the same was argued by counsel; On consideration whereof, the Court, being fully advised in the premises, overrules the said demurrer, to which ruling the parties demurring excepted.

Thereupon said parties asked and had leave of the Court to file reply to said answer, instanter and the same is filed.

Perry B. Whitsit and Frank A. Drake, a Partnership, Perry B. Whitsit Co. Vs. E. A. Schaubs. Plaintiffs, Defendants — In Court of Common Pleas, Union County, Ohio. Receipt and Settlement.

8945

Entry

Received of E. A. Schaubs, Defendant, Seventy Five Dollars, in full settlement of all claims in the above entitled cause of action, the said amount so received being the consideration in a settlement this day made and effected by and between plaintiffs and defendant, in full satisfaction of the claim of plaintiffs in said cause of action of $112.25.

Defendant is to pay all court costs now accrued in said action.

Said cause of action is dismissed without further record of the case, except this entry.

Perry B. Whitsit and Frank A. Drake
By S. W. Van Winkle, Attorney for Plaintiff.

Agreed to by H. C. Spicer, Attorney for Defendant.

C. A. Alexander,
Plaintiff,
Vs.
Entry — Court of Common Pleas, Union County, Ohio.
9028 — Harry Gruber, David Bonowitz, and Sarah Bonowitz,
Defendants.
Judgment by confession.
$108.85

Entry 8940

This day came the Plaintiff by Hoopes & Robinson, their Attorneys, and filed her petition against said defendants, and thereupon C. A. Hoopes 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 Plaintiffs Petition the sum of One Hundred Dollars $100.00, bearing interest at 6 per cent. per annum, and that Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said Plaintiff do recover from said Defendants the said sum of One Hundred Dollars, $100.00, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 19" day of September, 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.

William Riley, Plaintiff
Vs.
Entry — George Riley, et al Defendants
Court of Common Pleas, Union County, Ohio

8940 This day leave was granted to Plaintiff to plead to answer and cross petition of George Riley in 20 days.

William Riley-Plaintiff
Vs.
Entry. George Riley et al, Defendants } Court of Common Pleas, Union County, Ohio.

8940 On motion of the plaintiff to the Court, two of the parties herein having elected to take the premises at the appraisement it is ordered that the Real Estate in the petition described be sold at public auction and that an order issue therefor to the Sheriff of Union County.

It is further ordered that each of the said Tracts of Real Estate be offered for sale separately and as a whole, and that they be sold for cash and that the said Sheriff is ordered to return his proceedings to this Court without unnesary delay.

John M. Brodrick
Judge.

Court adjourned to Saturday, March 19th 1910.

Saturday, March 19th 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 9016

Mark Cook, Plaintiff. / Vs. / John Jennings, et al, Defendants } Court of Common Pleas, Union County Ohio

This day this cause coming on to be heard on motion of the Plaintiff, and it appearing to the Court that the defendants Robert A. Jennings and John H. Jennings under the age of 14 years, and has been duly and legally served with summons herein, and on good cause shown it is ordered that Edward W. Porter, be, and he hereby is, appointed guardian ad litem, for said minor defendants, and is ordered to file necessary answer for said minors instanter

John M. Brodrick,
Judge.

Entry 9012

John B. Haynes, Plaintiff. / Vs. / Emma V. Haynes, Defendant } Court of Common Pleas, Union County, Ohio. January Term. 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 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 9th day of April, 1891. as alleged in said petition; no children have been 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 pay the costs of this proceeding taxed at $14.00 and that this case be recorded.

John M. Brodrick,
Judge.

ck,

n County
Ohio

the
ndants
e of
th
dered
d

nd is
s)

/.

County,
Ohio.

s,

and
defendant.
to law.
tiff
County
petition
il, 1891.
of
ilty
d that
ged

aid
ties
aid
aid
t

Court adjourned to Wednesday, March 23d 1910

Wednesday, March 23rd 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Certificate for pay.

Certificate for pay. Sheriff.

Sheriff's Office, Union County, Ohio.

To the Honorable John M. Brodrick, Judge.

Marysville, Ohio, March 23rd 1910.

The Court charges for the January Term, A. D. 1910, 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
To serving Petit Jury Venire	$	4	50
To serving Grand Jury Witnesses (32)	$	3	20
To making 33 copies, Grand Jury Witnesses	$	3	30
To 173 miles travel, Grand Jury Witnesses	$		
	$		
Total	$	29	34

I hereby certify the above bill to be correct.

Cad Price, Sheriff.
By W. C. Bolenbaugh, Deputy.

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.

Court of Common Pleas, Union County, Ohio.
April Term. March 23rd A. D. 1910.

To the Clerk of said Court:

You are hereby directed to proceed according to law at Ten O'clock on Saturday the 26th day of March, 1910, to draw from the Jury Wheel of Union County, the names of six persons to serve as petit jurors for the April Term, 1910, of the Court of Common Pleas of said County, 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; and the petit Jurors you will cause to be summoned to appear for such service at the Court House at Ten O'clock A. M. on Tuesday the 5th day of April, 1910
And for so doing this shall be your sufficient warrant.

Witness my hand officially this 23rd day of March 1910.

John M. Brodrick.
Judge

Court adjourned to Saturday March 26th 1910

Entry 8899

Entry 9006

Entry 8905

Saturday, March 26th 1910, Court convened at 9 O'clock,
Present Honorable John M. Brodrick, Judge.

Entry
8899

John Johnson, Plaintiff,
Vs.
John W. Hodge, Defendant,
} Court of Common Pleas, Union County, Ohio.

The jury in this action, having, on a former day of this term, rendered a verdict for the plaintiff, and assessed his damage at $469.00, and no motion for a new trial having been made;

It is therefore considered by the Court that the said John Johnson recover from the said John W. Hodge the said sum of Four Hundred and Sixty Nine Dollars, together with his costs herein expended.

And it appearing from the answer of Wesley A. Garrard, garnishee herein, that he has in his possession certain money of the said defendant, to-wit, the sum of $100.00, on motion of the plaintiff he is ordered to pay said sum to the Clerk of this Court, and that said garnishee, be thereupon discharged.

Entry
9006.

L. C. Beem et al, Board of Trustees, of the Methodist Protestant Church of Richwood, Ohio, ex parte
} Court of Common Pleas, Union County, Ohio.

This cause came on to be heard, on the report of the petitioners by their Attorney, Carl L. Smith of their proceedings under the former order herein; and the Court being satisfied that said proceedings have been in all respects regular and according to its order, the same are approved and confirmed; and it is ordered that the money realized from said sale shall be used by said petitioners for the purpose mentioned in their petition in this cause. It is further ordered that said petitioners pay the costs of this proceeding.

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

Entry
8903,

L. C. Beem, Plaintiff
Vs.
James E. Inskeep, Defendant
} Order of Revivor.

This day this cause came on to be heard by the Court, and the Court, finding that said defendants have (each and every of them) been duly served with a copy of the Conditional Order of Revivor heretofore issued herein, and having failed and still fail to show sufficient cause why said judgment herein should not stand revived as prayed for by said Plaintiff, it is ordered by the Court that the said judgment herein, for the sum of One Hundred Twenty Eight and 51/100 Dollars and Three and 56/100 Dollars costs, with interest at the rate of 6 per cent. per annum be, and the same doth stand revived against the said James E. Inskeep; And that the Plaintiff recover against him his costs in and about this proceeding of revivor, incurred and expended taxed at.

Witness my signature and the Seal of said Court at Marysville, this this 26th day of March, 1910.

Charles Parrott, Clerk.

Entry 8903

Milo Strosnider,
and John Storey,
Vs.
The Erie Railroad Company,

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

This day this cause being called in open Court and, thereupon, it appearing to the Court that the parties to this action have settled all demands arising thereunder by compromise thereof, which settlement is approved by the Court; and it further appearing that the costs in this behalf have been fully paid; it is ordered by the Court that this action stand dismissed without record.

Entry 9010

Entry 8904

Milo Strosnider
Vs.
The Erie Railroad Company

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

This day this cause being called in open Court and, thereupon, it appearing to the Court that the parties to this action have settled all demands arising thereunder by compromise thereof, which settlement is approved by the Court; and it further appearing that the costs in this behalf have been fully paid; it is ordered by the Court that this action stand dismissed without record.

William E. Johnson, et al. Plaintiffs
Vs.
Thomas J. Johnson Defendant

In the Court of Common Pleas, Union County, Ohio.
Entry modifying injunction, &c.

Now comes J. H. Kinkade one of the attorneys for the Plaintiffs herein and dismisses this case as to Emma Ford and Davis Johnson, Plaintiffs, and then and thereupon the Court over-rules the motion of said Emma Ford to strike the petition from the files. And leave is given unto the said Emma Ford and Davis Johnson to file answer herein in 30 days.

This cause then coming on to be heard on the motion to vacate the provincial injunction herein, the Court, on consideration thereof and of the affidavits filed in support thereof, does order that the said injunction be modified and is hereby so changed as to allow the defendant Thomas J. Johnson, to enter into possession of said premises pending suit and until further order of the Court herein, but to be held accountable to this Court for the rents, issues and profits thereof, during his occupancy thereof; And in all other respects said injunction shall stand in full force until the further order of this Court.

Court adjourned to Monday, March 28th 1910.

Monday, March 28" 1910 Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio.

Elias Hathaway — Plaintiff.
Vs.
Entry Robert C. Culbertson, Samuel D. Culbertson,
John M. Culbertson, Anna M. Adda,
Frank Culbertson, Elizabeth Amman,
9010 Mary G. Kilbreth, J. William Kilbreth,
John W. Kilbreth and Martha Culbertson,
Defendants

And now this cause coming on to be heard on 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 they are in default for answer, but that by the agreement of Counsel for the plaintiff and counsel for all of the defendants leave is granted to the defendants to file answers on distribution and that an order of partition may issue at this time.

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 defendants Robert C. Culbertson, Samuel D. Culbertson, John M. Culbertson, Anna M. Adda and Frank Culbertson, have each a legal right to the one seventh part thereof; that the defendant Elizabeth Amman, has a legal right to the one-fifty sixth part thereof; that the defendants, Mary G. Kilbreth, J. William Kilbreth and John C. Kilbreth, have each a legal right to the one-one hundred and sixty eighth part thereof subject to the dower estate of John W. Kilbreth in said three-one hundred and sixty eighth parts thereof; that the said John W. Kilbreth has a legal right to dower in said three-one hundred and sixty eighth part thereof; that the defendant, Martha Culbertson, has no interest in said premises; that the plaintiff, Elias Hathaway, has a legal right to the one-fourth part of said premises and 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 be assigned to the said John W. Kilbreth; And that Arthur Webb, B. L. Robinson and William G. Snodgrass, three judicious and disinterested freeholders of the vicinity, are hereby appointed Commissioners to make and set off the same.

And it is ordered that if said estate is entire, and can not be divided by metes and bounds, the dower of the said John W. Kilbreth be assigned as of a third part of the rents, issues, and profits of three-one hundred and sixty eighth

thereof, and that said estate be appraised, both subject to and free from the dower estate of the said John W. Kilbreth.

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 John W. Kilbreth.

And of his proceedings herein, the said Sheriff is ordered to make due return without unnecessary delay.

S. C. 11694

Isabel P. Showalter,
Vs.
David H. Watson

Entry 8627

C.C. 208

This cause is dismissed, without prejudice, at the costs of the plaintiff.

It is therefore adjudged by the Court that the defendant recover of the plaintiff his costs herein expended.

J. H. Scott, Plaintiff
Vs.
D. J. Drobeck, Defendant
} Court of Common Pleas, Union County, Ohio.

Entry 8927

C.P 8669

This day leave was granted Plaintiff to file Amended Reply and same is filed

The State of Ohio, ex rel.
Lewis Weaver.
Vs.
Willie Shaw
} Court of Common Pleas, Union County, Ohio.

Entry 8982

This day this cause was dismissed for the want of prosecution.

Court adjourned to Wednesday, March 30" 1910

Wednesday, March 30th 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Mandate from the Circuit Court.

State of Ohio, Union County SS. } Circuit Court, Union County, Ohio.

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 F. Norris and 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;

S. C. 11694

Anna E. Smith et al.
C.C. Vs
208 Oscar Bodley et al.

Tuesday, March 29th 1910.
Supreme Court of Ohio. } January Term, A.D. 1910.
City of Columbus, } Error to the Circuit Court of Union County.

This cause came on to be heard upon the transcript of the
C.P Record of the Circuit Court of Union County, and was argued
this. 8669 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 their costs herein expended taxed at $.

Ordered,—That a special mandate be sent to the Court of Common Pleas of Union County, to carry this judgment into execution.

Ordered,—That a copy of this entry be certified to the Clerk of the 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 29th day of March, A.D. 1910.

John S. McNutt, Clerk
By E. W. Horn, Deputy.

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 30th day of March, 1910
Charles Parrott, Clerk of Circuit Court.

State of Ohio, } Circuit Court of Ohio.
County of Union. } Within and for the County of Union.

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 in the Cause of Anna E. Smith et al vs. Oscar Bodley, et al. into execution.

Witness Charles Parrott, Clerk of our said Circuit Court, at Marysville, Ohio, this 30" day of March, A.D. 1910

Chas. Parrott
Clerk.

Entry
1910.

Court adjourned to Friday, April 1st 1910

April 1st 1910.

Friday, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 1910.

Elias Hathaway, Plaintiff
Vs.
Robert C. Culbertson, et al, Defendants
} Court of Common Pleas, Union County, Ohio.

This cause came on for hearing upon the motion of the plaintiff for an order to sell the land described in plaintiff's petition in parcels as follows:
First Tract: In Union Township, Union County, Ohio, and part of Survey No. 5708, Commencing at a stake in the center of the Marysville and Irwin Gravel road and at the intersection of said road with the Connor gravel road; thence with the center of said Marysville and Irwin gravel road S. 31° 30' W. 38.70 poles to a stake on the bank of Treacles Creek; thence S. 33° 15" E. 10 poles to a stake; thence S. 24° W. 4 poles to a stake (crossing said creek); thence S. 76° E. 10.64 poles to a stake in the easterly line of said Survey; thence with the easterly line of said Survey S. 4° E. 70.32 poles to a stone corner to said Survey; thence with the Southerly line of said survey N. 82° 30' W. 131.65 poles to a stake in the easterly line of the C. C. C. and St. L. Ry. right of way; and 33 feet from the center of said main track; thence with the easterly margin of said right of way N. 32° 45" E. 120 poles to a stake in the center of the Connor gravel road and 33 feet from the center of the main track; thence with the center of said Connor gravel road S. 87° 30' E. 62.75 poles to the place of beginning, containing 61¼ acres, be the same more or less.
Second Tract: In Union Township, Union County, Ohio, and part of Survey No. 5708 and Commencing at a stone in the center of the Marysville and Irwin gravel road and southerly corner to John Harris' land; thence with the center of said gravel road S. 31° 30' W. 89.30 poles to a stake at the intersection of said road with the Connor gravel road; thence with the center of said Connor gravel road; N. 87° 30' W. 62.75 poles to a stake in the easterly margin of the C. C. C. & St. L. Ry. right of way; thence with the easterly margin of said right of way and 33 feet from the center of the main track N. 32° 45" E. 124.25 poles to a stake in the southerly line of John Harris' land; thence with the southerly line of said Harris' land S. 54° 30' E. 52 poles to the place of beginning, containing 35.20 acres, be the same more or less.
Third Tract: In Union Township, Union County, Ohio, part of Surveys Nos. 5708-9798, Commencing at a stone in the center of the Connor gravel road and in the easterly line of Elias Hathaways' land; thence with the easterly line of said land N. 4° W. 27.30 poles to a stone; thence with another line of said land N. 23° E. 176.30 poles to a stone, corner to John Harris'

land; thence with the southerly line of said land S. 54° 30' E. 154 poles to a stake in the westerly line of the C.C.C.& St.L. Ry. right of way; thence with the westerly line of said right of way and 33 feet from the center of the main track S. 32° 43' W. 124.25 poles to a stake in the center of the Connor gravel road; thence with the center of the said gravel road N. 87° 30' W. 124.45 poles to the place of beginning, containing 141.9 acres, be the same more or less;

Entry 9010

Fourth Tract: In Union Township, Union County, Ohio, part of Survey No. 5708, Commencing at a stone in the center of the Connor gravel road and in the easterly line of Elias Hathaways' land; thence with the center of said gravel road S. 87° 30' E. 124.45 poles to a stake in the westerly line of the C.C.C. & St.L. Ry. right of way; thence with the westerly line of said right of way and 33 feet from the center of the main track S. 32° 43' W. 120 poles to a stake in the southerly line of said survey No. 5708; thence with the southerly line of said survey N. 82° 30' W. 32.70 poles to a stake corner to Surveys No. 5708, 5726, 7492; thence with the westerly line of said survey No. 5708 and the easterly line of Elias Hathaway's land N. 4° W. 99½ poles to the place of beginning containing 56.1 acres be the same more or less.

And it appearing to the Court that in all probability said premises will bring more money so divided than in any other way and Counsel for both the plaintiff and the defendants having agreed that said premises will sell for more money so divided,

It is ordered, adjudged and decreed that said premises be appraised, advertised and sold in four tracts as above described, in case the commissioners heretofore appointed be of the opinion that the same can not be partitioned in land between the parties hereto, without manifest injury to the same.

Court adjourned until Saturday April 2d 1910.

Saturday, April 2d 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry

Elias Hathaway
Vs.
Robert Culbertson, et al

} Court of Common Pleas, Union County, Ohio.

9010

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 in four seperate tracts as follows; 1st Tract, $3368.00; 2d Tract, $2640.00; 3rd Tract $10642.00, And 4th Tract $1683.00, the Court find said return and proceedings in all respects correct and in conformity to law, and do therefore approve and confirm the same.

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 3d day of January, A.D. 1910. and continued from day to day and from time to time by regular adjournments until this 2d day of April, A.D. 1910, and is adjourned without day

D. Shumway Broderick
Judge

Attest - Charles Parrott,
Clerk.

April Term, 1910.

The State of Ohio, Union County, ss.
This seperate 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 April Term, A.D. 1910, held at the Court House in the Village of Marysville, County and State aforesaid, was begun Monday April 4" 1910.

Present Honorable 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 April 4" 1910, with his endorsements thereon as follows.
The State of Ohio, Union County, ss.

On the 11" day of March, 1910, 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. Miles
1	George Trapp.	March 12-1910	by mail	2.
2.	E.E. Epps	" 14" 1910.	" "	11.
3.	John Bell	" 14" 1910.	" "	12.
4.	Francis McCloud	" 14" 1910	" "	5.
5	Clayton Herd,	" 16" 1910	" "	11.
6.	F.A. Holycross.	" 16" 1910	" "	8.
7	J. M. Coleman,	" 14" 1910	" "	2.
8	Frank Horton	" 14" 1910	" "	20.
9	W.E. Tigley.	" 14" 1910	" "	12.
10.	W.L. James,	" 17" 1910	" "	6.
11.	W.L. Farrington	" 14" 1910	" "	9.
12	David S. Argo.	" 31" 1910.	personally	
13	John F. Kilbury	" 14" 1910	By Mail	11
14	Christopher Overholser	" 14" 1910	" "	13
15	Cone Howard	" 15" 1910	" "	5.

Cad Price, Sheriff.

And upon calling the same in open Court all of the above named Jurors appeared in answer thereto except George Trapp and David S. Argo, and the panel being incomplete the Sheriff summoned as Talesmen to complete the same, the following named persons who appeared and answered thereto, to-wit L.H. Bombaugh and Frank L. Forry.

And the panel being full the Court appointed Frank Horton 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.

Entry

8511

George W. McGhee, Plaintiff
Vs.
Edwin Hotsinpiller et al. 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; George Rigel, J. J. Maddex, William Turner, James Field, George Taylor, Joseph Gabrid, A. W. Beard, W. K. Baughn, Albert S. White, J. W. Mitchell, W. A. Herd, and Murry Hamilton, who were duly impanelled and sworn according to law; and thereupon this cause came on for hearing on the pleadings and evidence, and the said Jury having heard the evidence adduced in part, the Court took a recess until to-morrow morning at Nine O'clock.

Soldiers' Relief Commission.
Appointment.
Court of Common Pleas, Union County, Ohio.

April 4th 1910.

It is ordered, that James M. McIlroy a resident of this County, be and he hereby is appointed a member of the Soldiers' Relief Commission of said Union County, Ohio, to serve during the term of three years from this date.

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

Rules governing County Jail.
See Page 80.

Entry

8721

Olive Williams, Plaintiff,
Vs.
Oliver Marion Bird, Defendant
} Court of Common Pleas, Union County, Ohio.

This day this cause was dismissed at the cost of the Plaintiff. Judgment against Plaintiff for cost.

Court adjourned to Tuesday, April 5th 1910.

Entry

9014

Entry

9017

Entry

8791

Tuesday, April 5th 1910 Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 8511

George W. McGhee Plaintiff
Vs.
Edwin Hotsinpiller et al Defendants
} 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; George Rigel, J. J. Maddey, William Turner, Jones Field, George Taylor, Joseph Gabriel, A. W. Beard, M. K. Baughn, Albert S. White, J. H. Mitchell, W. A. Heid, and Murry Hamilton, who were duly impaneled and sworn according to law; and thereupon this cause came on for hearing on the pleadings and evidence, and the said Jury having heard the evidence adduced in part, the Court took a recess until to morrow morning at 9 O'clock.

Entry 9014

Ettie Hamilton
Vs. Plaintiff
Matilda A. Amrine, et al Defendants
} Court of Common Pleas, Union County, Ohio.

This cause being heard on the motion to require plaintiff to seperately state and number his different causes of action; on consideration the Court overruled the same, and on motion leave was granted defendants to answer by April 16th 1910.

Entry 9017

Lafayette McElroy.
Vs. Plaintiff
John L. Leib. Defendant
} Court of Common Pleas, Union County, Ohio.

This cause being heard on the demurrer to the petition, that the same does not state facts sufficient to constitute a cause of action, on consideration thereof, the Court overrules the same.

Entry 8791

John Cody
Vs. Plaintiff.
White Eagle Tribe of Red Men, et al.
Defendants
} Court of Common Pleas, Union County, Ohio.

This cause came on to be heard upon the motion of the Defendants to strike from the files the Amended Petition of the plaintiff; the Court on due consideration thereof, sustains the same.

W. O. Organ,
Pl. Plaintiff.
vs.
A. M. Glendening.
Defendant.
} Court of Common Pleas, Union County Ohio.

Entry
8918. This cause being heard on the motion to make Plaintiff's first cause of action more definite and certain: And also to make Plaintiff's second cause of action more definite and certain; Motion sustained as to first cause of action, and overruled as to second cause of action.

Wm W. Kinney, Exct, etc
Pl. Plaintiff.
vs.
Ginni Webb, et al
Defendant.
} In the Court of Common Pleas., Union County, Ohio.

Entry
8970 This day this cause came on to be heard upon the motion of Eliza Jones a defendant, to strike the second answer of the defendant, Ginni Webb, from the files, and the same was argued by Counsel and submitted to the Court.

Whereupon, the Court, on consideration thereof sustains the said motion and orders that the said answer be, and the same is hereby, stricken from the files of this case as an improper pleading in the premises.

And, thereupon, the said Ginni Webb, by his Counsel, excepted to the order aforesaid

John M. Brodrick
Judge.

Court adjourned to Wednesday, April 6th 1910.

Wednesday, April 6" 1910, Court convened at 9 O' clock, A. M. Present, Honorable John M. Brodrick, Judge.

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 April Term, 1910, 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 thirty witnesses, covering eight cases, and presented six bills, and ignored two 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.

Respectfully Submitted

Frank Horton,
Foreman.

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. E. E. Epps,
2. John Bell,
3. Francis McCloud,
4. Clayton Herd,
5. T. A. Holycross,
6. J. M. Coleman,
7. Frank Horton,
8. W. E. Figley,
9. W. L. James,
10. W. L. Farrington,
11. John T. Kilbury,
12. Christopher Overholser,
13. Cone Howard,
14. L. H. Bombaugh,
15. Frank L. Torrey,

And presented their certain Six bills of indictments, each indorsed by Frank Horton Foreman of the Grand Jury, "A True Bill", and against the following named persons for the following specified offenses, Viz:

1. Wilber Hogue, for Assault with intent to kill and Count for shooting at with intent to wound.
2. Anthony Pfarr, Rape with consent.
3. Paul Adams, Assault with intent to rape.
4. Samuel Decker, Indictment for Neglecting to provide Child Home, etc.

5 Samuel Decker, for Failure to furnish child Home etc.
6 Fred Pratt, for. Neglecting to provide child Home, etc.
Frank Horton

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

Entry
8311

Entry
8311

George W. McGhee, Plaintiff.
vs.
Edwin K. Holsinpiller, et al, Defendants.
} Court of Common Pleas, Union County, Ohio.

This day again came the said parties, by their attorneys, and also came the jury heretofore impaneled and sworn, and the said jury having heard further evidence in the case, this cause was continued until to-morrow morning at 9 O'clock.

Entry
1393

Entry
1394

Court Adjourned until to morrow morning at 9 O'clock.

Thursday, April 7th 1910 Court convened at 9 O'clock, Present Honorable John M. Brodrick, Judge.

Entry 8311 — George W. McGhee, Plaintiff, Vs. Edwin R. Holsinpiller, et al. } Court of Common Pleas, Union County, Ohio.

This day again came the said parties, by their attorneys, and also came the Jury heretofore impaneled and sworn, and the said Jury having heard further evidence in the case, this cause was continued until to-morrow morning at 9 O'clock.

Entry 1393 — State of Ohio, Vs. Fred L. Pratt } Court of Common Pleas, Union County, Ohio. Indictment for neglecting to support his child.

Now comes the Prosecuting Attorney in behalf of the State, and the defendant coming into open Court and being arraigned on said indictment for plea thereto saith he "is guilty". Thereupon the defendant offering to give bond for the support of his said child the Court fixed the sum of One Dollar and fifty cents per week to be paid for the support of said child until further order of the Court, and the Clerk appointed Charles Parrott, Clerk of the Court trustee under the statute in such case made and provided, to receive said weekly payments.

Thereupon the Court further order the defendant pay the Costs of this prosecution and that he be committed to the jail until said costs are paid.

The defendant is further ordered to give a bond in the sum of Five Hundred Dollars conditioned that he will promptly pay the said one dollar and fifty cents per week to the said Chas. Parrott, Clerk of Court.

Thereupon came the said Fred L. Pratt and entered into the required recognizance with John E. Pratt as Surety, which is hereby approved.

Entry — The State of Ohio, Vs. Samuel Decker } Court of Common Pleas, Union County, Ohio. Indictment for non support of child.

1394 Now comes the prosecuting attorney on behalf of the State and the defendant coming into Court with Counsel, and being arraigned on said indictment for plea thereto saith he is "not guilty". Thereupon the Court order that the defendant enter into a recognizance in the sum of Five Hundred Dollars for his appearance, the first day of the next term of Court, and this cause is continued.

Thereupon the said Samuel decker entered into the recognizance required with William Decker as surety, hereby approved and the defendant was discharged.

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

Friday, April 8" 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry
8511.

George H. McGhee. Plaintiff
Vs.
Edwin R. Hotenpiller Defendants
} Court of Common Pleas, Union County, Ohio.

This day again came the said parties by their attorneys, also came the Jury heretofore impaneled and sworn, and the said Jury hearing the remainder of the evidence, and argument of Counsel in part, said Court took recess until to-morrow morning at 9 O'clock.

Entry
9036

Entry
8511.

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

Saturday, April 9th 1910. Court commenced at 9 O'clock, A.M. Present Honorable John M. Brodrick, Judge.

Entry 9036

Edward B. Fawn, Plaintiff. Vs. B.C. Charles, Edwin Howison, Belle C. Howison, M.W. Hill, Defendants } Court of Common Pleas, Union County, Ohio.

Judgment Entry $321.13.

This day came the plaintiff by his attorney; also appeared in open Court, for and on behalf of said defendants, 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 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 Three Hundred and Twenty One dollars and Thirteen 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 Three Hundred and Twenty One dollars and Thirteen cents, being the amount of said note with interest computed at eight per cent. per annum, from the 21st day of May A.D. 1909. Said interest is figured to April 9th 1910.; And also costs herein expended, taxed at.

Entry 8511.

George W. McGhee, Plaintiff. Vs. Edwin R. Hotsinpiller et al Defendants } Court of Common Pleas, Union County, Ohio.

This day again came the said parties, by their attorneys, also came the Jury heretofore impaneled and sworn, and the said Jury after hearing the remainder of the argument 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 with their verdict in writing and say, "We the Jury, being duly impaneled and sworn, find the issues in this cause in favor of the defendant. M.K. Baughn, Foreman.

Entry 9013

Mantie Cary, Plaintiff
Vs.
Jacob Cary, Defendant

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; 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 11" day of May, 1880, as alleged in said petition.
And that the defendant has been guilty of habitual drunkenness 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.
It is further ordered and decreed that the plaintiff recover of defendant the sum of Five Hundred Dollars and as her reasonable alimony the receipt of which is hereby acknowledged and it is further ordered and decreed that the same bar all her right of dower or right of maintenance, and that Plaintiff pay costs of this proceeding taxed at $ ___ and that this case be recorded.

John M. Brodrick
Judge.

Entry 9010.

Entry 9010.

Elias Hathaway, Plaintiff
Vs.
Robert C. Culbertson et al, Defendants

Court of Common Pleas, Union County, Ohio.

Election to take premises at appraisement.

Now comes Elias Hathaway, the plaintiff in the above entitled cause and elects to take, tract No. 1, tract No. 2, tract No. 3 and tract No. 4 at the appraisement returned by the Commissioners in this cause and offers to pay all cash therefor.

Elias Hathaway
By Cameron & Cameron
and Hoopes & Robinson
his Attorneys.

Court adjourned to Monday April 11" 1910.

Monday, April 11" 1910, Court convened at 9 O'clock A. M, present Honorable John M. Brodrick, Judge.

Entry
1910.

Elias Hathaway
Vs. Plaintiff.
Robert C. Culbertson, et al,
Defendants
} Court of Common Pleas, Union County, Ohio.

Upon the motion of the plaintiff and it appearing to the Court that the said plaintiff, Elias Hathaway, has elected to take all of the premises described in the plaintiff's petition herein, to-wit, Tract 1, Tract 2, Tract 3, and Tract 4, 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, and that upon said Elias Hathaway paying the same, together with his proportion of the costs of this case, including counsel fee of $486.66, to the firms of Cameron & Cameron and Hoopes & Robinson for their services herein, and his proportion of the taxes and penalty due on said premises, amounting in all to $ the said estate be and it hereby is, adjudged to him, and the sheriff is ordered thereupon to make and execute to him a conveyance thereof.

Entry
8901

Court adjourned to Tuesday April 12th 1910.

Tuesday, April 12th 1910, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry
8901 John R. Dodge Exct, etc. Plaintiff. vs. Electa Douglas, Defendant } Court of Common Pleas, Union County, Ohio.

This day came the parties hereinto, by their attorneys; also came the following named persons as jurors, to-wit: 1st George Rigel; 2nd Elmer Herriott; 3rd William Turner; 4th James Field; 5th George Taylor; 6th Joseph Gabriel; 7th William King; 8th A. W. Beard 9th L. A. Wood; 10th M. K. Baughn; 11th Albert S. White; 12th J. W. Mitchell; 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, argument of Counsel, 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, an say: "We, the jury, being duly impaneled and sworn, 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 Twenty Dollars, without interest;

William King,
Foreman

Court adjourned to Friday, April 15th 1910.

Friday, April 15, 1910 Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County Ohio.

9101

Partition

John A. Walker,
Plaintiff
vs
Thomas Walker et al,
Defendants.

No. 9101 (Should be under date of)
Apr. 10, 1911.

Entry 8883

Now came the parties herein, by their attorneys, and thereupon this cause came on to be heard upon the petition, the answer of said Thomas Walker, the demurrer thereto of the plaintiff, and the evidence; on consideration whereof, the Court find said demurrer to be well taken and accordingly sustains the same.

And said defendant, Thomas Walker, declining to plead further, the Court further finds 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 said Thomas Walker, they are in default for answer and demurrer; and that said petition is thereby confessed by them to be true, and the plaintiff having moved for judgment on the pleadings. Thereupon the Court find, that the plaintiff, John A. Walker, is seized of, and has a legal right to, the undivided one-third part of the estate described in the petition, and is entitled to have partition made of said premises; that the defendants are tenants in common with the said plaintiff in the said premises, in the following proportions, to-wit: that the said Thomas Walker is seized of, and has a legal right to, the undivided one-third part thereof; and the said Gary Horn to the undivided one-sixth part thereof, and the said Kenneth Horn to the undivided one-sixth part thereof. And no reason appearing why partition should not be made:

Entry 1397

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 William Goff, Benjamin Robinson and William Bailey, three judicious and disinterested freeholders of the vicinity, who are not of kin to either party, and who are hereby appointed commissioners for that purpose, to cause to be set off and divided to the plaintiff and to each of the defendants the part and proportion of said estate to which they are hereinbefore severally found entitled.

Entry 8901

John M. Brodrick, Judge.

Court adjourned to Saturday April 16" 1910.

Saturday, April 16th 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8883

Christopher Magee Jr. Plaintiff,
Vs.
A. B. Main, Defendant
} Court of Common Pleas, Union County, Ohio.

It is agreed by Counsel for the plaintiff and defendant that the judgment heretofore entered in the case of Main Vs. Magee, et al, shall be vacated, and the case set down for hearing upon the merits.

Signed this 13th day of April, 1910, at Delaware, Ohio.

Marriott, Freshwater and Bliss,
Attorneys for Christopher Magee Jr.
Jewell and Benton,
Attorneys for A. B. Main.

Entry 1397

The State of Ohio, Plaintiff
Vs.
Anthony Pfarr, Defendant
} In the Court of Common Pleas Union County, Ohio.

Indictment for Rape with consent.

Now comes the prosecuting attorney in behalf of the State, and the defendant coming into Court and being arraigned on the said indictment for plea thereto saith he is "not guilty." Thereupon the Court ordered the said defendant to enter into recognizance in the sum of Five Hundred Dollars for his appearance on the Twenty Sixth day of April, 1910, and answer to said indictment and obey the further order of the Court, and this case is continued.

Entry 8901

John K. Dodge, as Executor, etc., Plaintiff,
Vs.
Electa Douglas, Defendant
} In the Court of Common Pleas of Union County, Ohio.

Judgment on Verdict.

The jury in this action, having, on a former day of this term of this Court, rendered and returned a verdict for the said plaintiff in the premises and having assessed his damages, on the promissory note herein sued upon at $120.00; and no motion for a new trial having been made; It is; therefore considered and adjudged by the Court that the Plaintiff, John K. Dodge, as Executor of the estate of John K. Dodge, deceased, recover from the defendant Electa Douglas, the said sum of $120.00, together with his costs in this behalf expended and taxed at $

John M. Brodrick,
Judge.

Court adjourned to Monday, April 18th 1910.

Rules and Regulations.

Prescribed by the Court of Common Pleas, of Union County, Ohio, at the April Term, A.D. 1910, for the Government of the Jail of said County.

1st. The inside of the prison shall be thoroughly cleaned at least once at the end of each quarter, and oftener if the Jailer shall deem it necessary for the health and comfort of the prisoners.

2. At sunrise each morning a proper notice shall be given to the prisoners, either by ringing a bell or sounding a gong, and within thirty minutes thereafter each prisoner (unless sick or disabled) shall rise, dress himself, fold his bed-clothes and sweep out his cell; all of which shall be done within thirty minutes of the notice aforesaid.

3d. Suitable vessels, towels and other conveniences for washing shall be provided and each prisoner shall be required to wash himself and dress his hair every morning before breakfast. The Sheriff shall call a barber who may cut the hair of a prisoner and shave him whenever he deems the same necessary.

4th. The shirts and undergarments of the prisoners, sheets, pillow cases and such other articles of clothing and bedding as require it shall be washed once a week, and all other articles as often as may be necessary for cleanliness and health of prisoners.

5th. The area of the jail shall be swept every morning and the hall and area around the same shall be scrubbed at least once a week, and each cell or room in the jail shall be scrubbed at least once in each month and oftener if necessary. The Jailor shall keep a sufficient supply of mops, soap, lye, etc., to carry out the above order.

6th. Each bed tick shall be filled with good, clean, dry straw in the months of May and November of each year and oftener when necessary. All bedding shall be kept free of vermin and the Jailor is required to furnish the prisoners the means necessary thereto, and also to furnish sufficient bedding.

7th. No prisoner shall permit any filth to be or remain about his cell, and each one shall be accountable for the cleanliness of his own apartment, and shall be required to take good care of his bedding and all other articles furnished him or which may be placed in his cell.

8th. No prisoner shall in any way deface the prison, nor shall he cut, carve write or print any letters, figures, or any matter whatever upon any part of said prison or the furniture thereof, nor permit the same to be done, and no profane vulgar or obscene language, nor any disorderly conduct of any kind shall be used or allowed therein, and all prisoners shall be required to act with propriety toward others.

9th. No prisoner shall be permitted to interfere with the articles furnished to or placed in the cell of another, nor enter the same without the permission of the Jailor.

10th. The labor necessary to carry into effect these, as well as

such other rules hereafter prescribed, shall be done by the prisoners as far as is practicable, and each inmate shall be required to perform his share of such labor.

11th. Each cell shall be furnished with a padlock and key, a broom, vessel for drinking water, night bucket, spittoon, mirror, comb and brush.

12th. Each prisoner shall be supplied with five cents worth of tobacco once a week, if the Jailor deems the same necessary.

13th. The Jailor shall keep on hands a sufficient amount of common drugs, such as are used in emergency cases where it is not necessary to call a doctor.

14th. Male and female prisoners shall be kept separate.

15th. So far as the construction of the jail will permit, all prisoners under 17 years of age shall be excluded from the society of adult prisoners during their confinement, and in all other cases such exclusion shall be had as the interest of the state and the prisoners may require.

16th. The jail shall be kept comfortably warm and properly lighted and ventilated, and shall be supplied with sufficient water for drinking, scrubbing and bathing. All lights shall be extinguished at 9 O'clock each evening, excepting in case of the sickness of a prisoner, such light shall be allowed him as the physician or Jailor may deem necessary. All prisoners charged with misdemeanors or felonies shall be securely locked in the cells thereof from 9 O'clock P. M. until 5 O'clock A. M. of each night, unless otherwise ordered.

17th. Proper medical and surgical aid shall be furnished the prisoners when necessary.

18th. No intoxicating liquors shall be furnished any prisoners excepting as prescribed by the jail physician.

19th. The prisoners may be furnished with copies of the Bible, and they shall be permitted and encouraged to read such books, magazines and papers of literary and moral character as may be furnished them. The Jailor shall, at the request of a prisoner, invite a clergyman or priest to visit him, and shall on Sundays or other suitable occasions in the exercise of a proper discretion, permit any proper person to give instructions or conduct religious exercises in the presence of any or all prisoners therein.

20th. Counsel shall be permitted to communicate with their clients at all reasonable times. And the members of the family of a prisoner and other friends may visit him therein at the discretion of the Jailor, subject to the right of the Jailor to be present at all interviews, excepting with Counsel.

21st. When counsel visit their clients therein, they shall not be allowed to communicate with other prisoners except by special permit of the Jailor.

22nd. The Jailor shall not permit any person except counsel to visit a prisoner without having first satisfied himself from a thorough search of such person that he has not in his possession anything which might either directly or indirectly be used in escaping from prison or enable such prisoner to commit any

act of violence upon the keeper of such jail or inmate thereof, and before confining a prisoner therein the Jailor shall in all cases make a like search of him, and remove from his person everything which might in any way be used in making his escape therefrom, or in committing acts of violence upon the keeper thereof or other persons.

23. For the purpose of enforcing obedience to the foregoing rules or for the violation thereof, the Jailor shall have power to confine a prisoner in his cell and feed upon bread and water only for such time as such prisoner shall manifest an unwillingness to comply therewith, and for a violation thereof such punishment continue for a reasonable time, and shall be graded in accordance with the character of the offence.

24th The Jailor shall keep a perfect register of any violation of the foregoing rules and also of the punishment inflicted therefor together with a memorandum of the conduct of each prisoner confined therein, and deliver the same to the Judge of the Court of Common Pleas on the first day of each term of Court for his inspection.

25th Should any prisoner wish to complain of his treatment, either by the Jailor or other employees of the Sheriff, he shall be furnished with the proper writing material, envelope for that purpose, and after sealing such complaint shall direct the same to the Judge of this Court, which shall be immediately delivered by the Jailor to such Judge.

26th That whenever the masculine gender is used herein it shall include the feminine, and the singular number the plural.

That copies of these rules and regulations shall be printed and put up in each cell of the jail.

The Sheriff is ordered to strictly enforce the foregoing rules.

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

te thereof,
shall
ne from
sed in
violence

ing rules
to
and
nifest
olation
ime,
e offence,
the
d therefor
risoner
e of
e of

ter by
nished
urpose,
ne to
livered

it shall
ural.
nd put

g rules,
K,
mon Pleas,

Monday, April, 18th 1910, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned to Tuesday April 19th 1910.

Tuesday, April 19th 1910, Court convened at 9 O clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry
8920

Entry
8971

Court adjourned to Wednesday, April 20th 1910.

ck,

Wednesday, April 20th 1910 Court convened at 9 Oclock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry
8920.

W. O. Organ
Vs. Plaintiff
A. M. Glendening.
Defendant

Court of Common Pleas, Union County, Ohio.

This day leave was granted Plaintiff to file Amended Petition, and same is filed.

Entry
8970.

William W. Kinney as executor of the estate of Indiana Webb, deceased.
Vs. Plaintiff.
Lyemri Webb, Grafton Jones, Anna B. Golding, Rosa May Jeff, Lemuel Jones, Eliza A. Jeff, Phoebe A. Johnson, Izella M. Arnold, Carrie Bohnsedt, Benjamin Jones, Addie Chase, Stella B. Jones, Louis Jones, Leroy Jones, A. W. Jones, Guy Jones, Everett Jones, Myrtle Riggs, William Riggs, William, Riggs, Clifford Riggs, Irvin Riggs, Jerusha Brothers, Nancy Johnson, Morgan Johnson, Ross Baker Johnson, Lemuel C. Johnson, John Jones, Eliza Jones, W. H. Hedges, Ida Jones, Florence Jones, Olive Estella Moore, Eugene E. Moore, And Bessie V. Moore, Defendants

Entry Construing Will.

And now this cause came on to be heard upon the petition of the plaintiff, praying for a construction of the Will of said Indiana Webb, and for advice and direction from the Court as to his duties as such executor in administering said estate. The defendants Lyemri Webb, Eliza Jones, W. H. Hedges, Olive Estella Moore, Eugene E. Moore, and Bessy V. Moore, being represented by Counsel, who together with Counsel for plaintiff, submitted briefs and arguments as to the true construction to be placed upon said Will, and the manner in which said estate should be administered.

And the Court being fully advised in the premises finds that a true copy of said Will is set forth in the petition, and that all the defendants to this action have been duly and legally notified by proper process of the filing and pendency of the petition and that the defendant Lyemri Webb, widower of said Indiana Webb, has elected not to take under said Will. And the Court finds and declares the true meaning and construction of said Will to be as follows: That the testatrix did not die intestate as to her personal estate, but that she intended by said Will to dispose of her entire estate both real and personal.

Further construing said Will and advising the plaintiff as to his duties as such executor, the Court makes answer to the various questions propounded by the plaintiff as follows:
Answer to question 1st: The testatrix intended to include her personal as well as the proceeds of her real estate in the monies mentioned in Item 4 of her Will, and she did not die intestate as to her personal estate.
Answer to question 2: Eliza Jones takes a one-sixth interest under said Will.
Answer to question 3: The heirs of Lemuel Jones, Ross Jones, Gideon Jones and Rachael Ann Johnson mentioned in Item 4 of said Will, take per stirpes and not per capita; And in like manner the children of any such heirs as may be deceased.
Answer to question 4: W. H. Hedges, as the only heir of Morgan Hedges, named in Item 4 of said Will takes a one-sixth interest undey said Will.
Answer to question 5: The testatrix intended that her debts, funeral expenses and costs of administration should be paid out of her personal estate.
To all of which the defendants excepts.
The defendant Lyemi Webb, Aline Estella Moore, Eugene E. Moore and Bessie V. Moore each gave notice of an intention to appeal this cause to the circuit Court, and the bond for appeal, for each of said defendants is fixed at $300.00.

Entry

W. C. Wood, Plaintiff
Vs.
Alva E. Drumm, et al, Defendants } Court of Common Pleas, Union County Ohio.

9001. 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. H. Porter, Attorney for Plaintiff.

Entry

W. C. Woods, Plaintiff,
Vs.
Alva E. Drumm, et al, Defendant, } Court of Common Pleas, Union County, Ohio,
This Entry is prior to one above.

9001 This cause coming on for hearing, was submitted to the Court upon the pleadings and evidence; on consideration whereof, the Court find that the defendants, Alva E. Drumm and Etta J. Drumm, his wife, executed and delivered to the plaintiff, W. C. Woods, the mortgage deed in the petition described and on the premises therein described; that said mortgage was duly recorded in Book 54, page 159, of the record of mortgages of Union County, and is the first and best lien on the premises described in the petition.
The Court further find that the condition of defeasance in said mortgage has been broken and that the said plaintiff is thereby entitled to have the defendant's equity of redemption foreclosed.
It is therefore considered and decreed, that unless the said defendants shall, within twenty 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 One Thousand

Continued on Page 90.

First

Secon

Third

Fourt

Fifth

Sixth

Seventh

Eighth

Ninth

Rules.

Of the Court of Common Pleas, in and for the Tenth Judicial District of Ohio. It is ordered that the following Rules of practice be adopted for the Court of Common Pleas of the Tenth Judicial District, until otherwise provided.

First - The Clerk shall enter on the trial docket all cases when filed, noting the date of the filing of the same.

Second - A call of the docket will be made on the first day of the term when all cases for disposition during the term will be noted. Cases marked "passed" on this call will not be called again by the Court during the term.

When any case has been assigned for hearing or trial, the same will not be passed out of the assignment, except by agreement, and leave of the Court, or upon proper showing of the necessity therefor. When any cause is passed out of the assignment, the same will pass to the heel of the docket.

Third - In assigning cases for trial, and in the trial of the same the Court will consider the foreign business of local counsel, but foreign Counsel must arrange their business to suit the assignments of this Court.

Fourth - Cases will not be assigned for trial until the issues are or should be made up.

Fifth - All divorce and alimony cases will be assigned for hearing the same as other cases, whether contested or not.

Sixth - The Clerk shall provide a motion docket in which shall be entered any case not already on the trial docket, in which an order or entry is desired. In cases standing on the trial docket all interlocutory orders and entries in term time shall shall be made on the trial docket.

No case standing on the trial docket shall be entered on the motion docket.

Seventh - Motions and demurrers filed in vacation shall be for hearing on the first day of the term, and each monday thereafter during the term will be motion and demurrer day, at which times all applications, motions - including motions for new trial, and demurrers, filed on or before the preceding Wednesday - shall stand for hearing, without notice to Counsel other than the provisions of this rule.

Eighth - The Clerk shall on Thursday morning of each week prepare and post in the Court room a list of the cases in which hearings are to be had on the following Monday under this rule. Motions and demurrers will not be heard on any other than motion day, except on leave or order of the Court, reasonable notice being given to opposite Counsel. All motions and demurrers remaining undisposed of on any motion day will be passed to and stand for hearing at the next motion day in the order in which they appear upon the docket.

Ninth - The facts on which motions for first continuances are founded must be verified by affidavit unless they appear of record

and shall be submitted without argument. As to second continuances the rules promulgated by the Supreme Court shall apply.

After a case has been assigned for trial or hearing, a party in default can only plead or leave and cause shown for neglect to plead within rules, and on condition that the cause proceed to trial or stand continued at the option of the adverse party. All costs incident to the default, shall be taxed to the party in default.

Tenth. Entries and orders in cases in term time will be made only in open and public session of the Court. Counsel desiring any order or entry shall call the attention of the Court to the case by its number, whereupon the Court will respond by giving the title of the case and counsel shall then state publicly the order or entry desired.

Eleventh. Stipulations and private agreements of Counsel or parties to a case concerning the progress or management of any matter touching the case, not made in open Court will not be recognized, unless the same be reduced to writing and signed by the parties thereto.

Twelfth. No confirmation of any sale by the Sheriff or by any master or receiver appointed by the Court shall be entered within one week from the Monday following such sale unless consented to by all parties interested.

Thirteenth. In partition cases no election to take, or the report of partition shall be confirmed within one week from the Monday following the report of the commissioners therein, unless the other co-tenants consent thereto.

Fourteenth. In no case when pleadings are amended shall the original pleadings be withdrawn from the files, nor shall and part be obliterated, unless leave be given by the Court to substitute the amendment for the amended pleading. Nor shall the amendment be made by interlineation except on special leave by the Court; and in all cases where an amendment by interlineation is permitted the journal must state what changes are made in the original pleading.

Fifteenth. When judgments are rendered by default or on confession in actions commenced prior to the first day of the term, the interest shall be computed to the first day of the term, and included in the judgment, and in actions commenced during the term in which judgment is taken at the same term, interest shall be computed to the day of the rendering of the judgment, in which latter case the entry of the judgment shall state the day upon which interest on the judgment shall be computed.

Sixteenth. Neither attorneys nor other officers of the Court shall be accepted as bail or surity nor shall any bond be approved having the names of such persons thereon as surety.

Seventeen

Eighteen

Nineteen

Twenties

Twenty F

Twenty S

Twenty T

Seventeenth. But one counsel on each side will be permitted to examine a witness on the trial of a case. A witness once dismissed from the stand shall not again be called to further testify until all of the other testimony for the same party has been given except by order of the Court.

Eighteenth. If both parties have attended and examined a witness in the taking of a deposition either party may use the deposition on the trial of the case.

Nineteenth. In all error cases coming into this Court the bills of exceptions must be typewritten or written in a legible hand and on one side of the paper, pages numbered and with marginal references to the parts relied upon. Each bill must contain a full index, having a paste board or other substantial cover and not folded or rolled. Failure to comply with these requirements in any case will be deemed sufficient reason for disregarding or striking the bill from the files.

Twentieth. Counsel appointed to defend indigent prisoners will be allowed not to exceed $25.00 when the defendant pleads guilty, and the sum of $35.00 as a maximum fee when a trial is had, except in cases requiring extraordinary services and except as provided in Section 7246 of the Revised Statutes.

Twenty First. A deposit of $15.00 is required in divorce and alimony cases and as much more, as in the judgment of the Clerk, the nature of the case and the circumstances may require. But in lieu thereof the costs may be secured in such manner as will be satisfactory to the Clerk and no such case will be assigned for hearing unless this rule has been complied with.

Twenty Second. In fixing fees of Counsel in partition cases, the Statute fixing compensation to administrators in administration of estates will be followed as a rule, except only in extraordinary cases.

Twenty Third. The Clerk will be responsible for all pleadings and papers in cases on file and they shall not be taken from his office without leave of the Court. In pending cases in which the parties or their Counsel deem it necessary to have copies of the pleadings, the Clerk shall on request furnish the same, omitting the exhibits unless ordered by the Court to include them, and the expense of one copy of each pleading made, may be taxed in the cost bill. Other copies shall be furnished by the Clerk upon request and payment of the statutory fee therefor or by order of the Court. The Clerk shall permit any party to an action, his attorney or agent, to make a copy of any of the files in any case, the same being made without removing the original papers from the Clerk's office.

The above rules are ordered entered on the Journal this 1st day of December, 1909.

Judges, Hon. Wm. T. Duncan, - Findlay, Ohio
Hon. John M. Brodrick, Marysville, Ohio.
Hon. Daniel Babst. - Crestline, Ohio.
Hon. Frank A. Baldwin, - Bowling Green, Ohio.
Hon. W. G. Schofield. - Marion, Ohio.
Hon. Wm. T. Duncan, - Supervising Judge.

9001 Dollars and the interest on each of said notes described in said petition, at the rate of six per cent. on each, from said 11th day of March, A.D. 1908, interest payable annually, according to the terms of said mortgage deed, the defendant's equity of redemption be foreclosed, and said premises shall be sold, and an order of a sale shall issue, thereon, 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

W. C. Wood, Plaintiff,
vs.
Alva E. Drumm, et al, Defendants } Court of Common Pleas, Union County, O.

9001. This day this cause came on to be heard upon the petition of W. C. Wood, and upon the several answers, and cross petitions filed herein, and the evidence. On consideration whereof, the Court find; First. That Chas. H. Willis has paid the taxes on said premises, and that there is now due him for said taxes, interest, and penalty, the sum of $109.16, which said sum is the first and best lien on said premises.

Second. The Court further finds that there is now due to said John H. Howison, one of the defendants herein, upon his idemnifying mortgage claim, including interest, the sum of $, which is the second lien upon said premises.

Third. The Court finds that the notes and mortgage, set forth in the petition of the plaintiff, W. C. Wood, were executed, and the mortgage recorded, as therein stated, and that all the allegations set forth in said petition, are true. The Court finds the present value of the 1st note given by said Defendants, Alva E. Drumm, and Etta J. Drumm, as set forth in said mortgage is $367.42, and that the present value of the second note therein set forth is $367.42, which said sums are a lien upon said premises, and comes in priority next after the lien of John H. Howison. 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 W. C. Wood 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 all lien holders then, that they be paid pro rata out of such sums as may remain after paying said prior liens.

Fourth. That the lien holders, as shown by the records, to-wit; W. C. Wolgamot, B. K. Herbster, Richwood Department Store Co., Bruce Streets, and A. J. Glick, shall be paid pro rata, out of any surplus that may remain after said John H. Howison, and said W. C. Wood, are paid in full.

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 all dower, and that out of the proceeds of said sale the Sheriff pay the costs of this proceeding, and that he pay the several liens in the priority herein found, to-wit;

First to Chas. H. Willis the sum of $109.16 paid by him for taxes.

Second. To said John H. Howison the sum of $537.50.

Third. To said W. C. Wood the sum of $1,134.84.

Fourth. The balance, if any, to be paid to said above named Wolgamot, Herbster, Richwood Department Store Co., Bruce Streets, and A. J. Glick, and that of his proceedings the Sheriff make due return.

Court adjourned to Saturday, Monday 23rd 1910.

Monday, April 25th 1910, Court convened at 9 Oclock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 9003 — John J. Lewis, Plaintiff vs. Susan K. Hazen, Defendant } Court of Common Pleas, Union County, Ohio.

This day came this cause on to be heard upon the motion of the defendant to set aside the alleged service made upon her, together with the evidence.

Upon consideration whereof the Court finds that said defendant have no usual or other place of residence within said County at the time of said alleged service, and that no service was made as alleged.

Whereupon, the Court sustains said motion, and it is ordered that said service be and the same is set aside and held for naught.

Entry 9017. — La Fayette McElroy, Plaintiff vs. John A. Leib, Defendant } Court of Common Pleas, Union County, Ohio.

This day leave was granted defendant to file answer and same is filed.

Charles F. McCloud, Executor
of the Will of S. H. McCloud, Dec'd.
Plaintiff,

vs.

Entry 9024 Imogene Schwartz, Chas. F. McCloud, Lena E. Friedell, John J. McCloud, Nellie G. Hoopes, Erdean F. McCloud, and Charles L. Schwartz, Executor,
Defendants

} Court of Common Pleas
Union County, Ohio.

Entry 9025

This day this cause came on to be heard, and J. L. Cameron, an attorney of this Court appeared for the defendants, Imogene Schwartz, Erdean F. McCloud and Charles L. Schwartz, Executor, and entered their appearance herein and consented to the construction of the Will of S. H. McCloud, particularly of Item 3 thereof as prayed for in the Petition.

All of the other Defendants having heretofore waived service and entered their appearance herein, so that now all the parties are before the Court.

This cause was thereupon submitted to the Court without argument on the petition of the Plaintiff, asking for the direction and judgment of the Court in construing Item 3 of the Will of S. H. McCloud deceased, which said Item 3 is in the words and figures following, to-wit:

Item 3:- I direct that the business incorporated as the "Davis Chair Company" shall be continued as it is for the term of 3 years after my death, and upon the expiration of said term of 3 years the stock of said Company shall be equally divided among my six children To-wit: Chas. F. McCloud, Imogene Schwartz, Lena McCloud, John J. McCloud, Nellie G. McCloud and Erdean F. McCloud, share and share alike.

And thereupon the Court, after careful consideration, find and adjudge that said Item 3 is void and of no effect being contrary to Public policy and in restraint of trade, the Court also finds that "The Davis Chair Company" is an incorporated Company, under the laws of the State of Ohio and therefore cannot be controlled by the Will of Testator. That a trust is not created by said Will. That the Defendants Imogene Schwartz, Lena E. Friedell, John J. McCloud, Nellie G. Hoopes, Erdean F. McCloud and Charles F. McCloud are all and the only children of said S. H. McCloud, deceased, and therefore entitled to have and receive of the executors of said S. H. McCloud, deceased, all his interest in the said "Davis Chair Company" equally share and share alike upon the settlement of his said estate and distribution may be made in kind by the Executors, if so desired, upon final settlement.

The costs of this action shall be paid by the executors out of the estate of S. H. McCloud.

John M. Brodrick
Judge.

Court adjourned until to morrow morning at 9 Oclock.

Entry 139

Tuesday, April 26" 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

9025 Entry — Belle Armstrong, Pltf. vs. William Armstrong, Deft. — Court of Common Pleas, Union County, Ohio.

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 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 18" day of September, A.D. 1898, as alleged in said petition. No children have been born of said marriage; 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 said defendant pay the costs of this proceeding taxed at $ and that this case be recorded.

John M. Brodrick, Judge.

1397 Entry — State of Ohio, Pltf. vs. Anthony Pfarr, Defendant — Court of Common Pleas, Union County, Ohio.

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: 1st George Rigel; 2 Elmer Herriott; 3 William Turner; 4 H. Crottinger; 5th M.K. Baughn; 6 Amos Soar; 7 Albert S. White; 8 J.H. Mitchell; 9 W.H. Herd; 10 Clayton Powell; 11 Chas. Snider; 12 Sylvester Southard, who were duly impaneled and sworn according to law, and the said Jury having heard the testimony addduced in full, the argument of Counsel, and the charge of the Court, the Jury at 4:30 O'clock, P.M. retired to their room in charge of the Sheriff for deliberation, and deliberating until 5:30 O'clock, P.M. 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, say the Defendant is "Guilty" as he stands charged in the Indictment; and thereupon said Defendant is ordered into the custody of the Sheriff to await sentence.

Court adjourned until to-morrow morning at 9 O'clock,

Wednesday, April 27" 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 1383 — The State of Ohio, Vs. William Gibson, Defendant. Court of Common Pleas, Union County, Ohio. Indictment for Larceny.
This day this case was continued on the motion and showing of the defendant, and under his bond already given.

Entry 1397 — The State of Ohio, Vs. Lloyd Biggs et al, Defendants. In the Court of Common Pleas of Union County, Ohio.

1386 In this case it being the opinion of the Court that the public interest request it, E. K. Porter is hereby appointed to assist the Prosecuting Attorney, and his compensation therefor is fixed by the Court at Twenty Five Dollars.
John M. Brodrick, Judge.

Entry 1386 — The State of Ohio Vs. Lloyd Biggs, et al Defendants. Court of Common Pleas of Union County, Ohio. Indictment for Burglary and Larceny.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, the defendant Pearl Gibson being brought into Court; thereupon said defendant retracts his plea of not guilty heretofore entered in this case and for plea to said Indictment saith he is guilty.

Thereupon the said defendant Pearl Gibson being inquired of whether he had any thing to say why judgment should not be pronounced against him and having nothing but what he had already said;

It is therefore considered and adjudged by the Court that said defendant, Pearl Gibson be imprisoned in the Ohio Penitentiary at hard labor, no part of the time in solitary confinement for the term of one year and that he pay the costs of this prosecution and execution is awarded for the costs.

Court adjourned until to morrow morning at 9 o'clock

Thursday, April 28th 1910. Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

	The State of Ohio. Vs. Anthony Pfarr Defendant	Court of Common Pleas, Union County, Ohio.
Entry		Indictment for Rape.

1397 The defendant herein having been heretofore convicted of Rape was this day brought into Court, in custody of the Sheriff and informed by the Court of the verdict of the Jury and inquired of if he had any thing to say why judgment should not be pronounced against him; and having nothing but what he has already said, it is therefore adjudged by the Court that the said defendant Anthony Pfarr be imprisoned and confined at hard labor no part of the time in solitary confinement, in the Ohio State Reformatory at Mansfield, Ohio, and that he pay the costs of this prosecution taxed at $37.86 Dollars, and execution is awarded against him for the costs.

Court adjourned to Saturday April 30th 1910.

Saturday, April 30th 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8630. Margaret Cahill, Admst, etc. Plaintiff, Vs. William Cahill, et al Defendants } Court of Common Pleas, Union County, Ohio.

This day leave was granted plaintiffs attorneys to file Answer and Supplemental Petition and same is filed.

Entry 8630 Margaret Cahill, Plaintiff Vs. William Cahill, et al, Defendants } Court of Common Pleas, Union County, Ohio.

Election to take at Appraisement.

Now comes Margaret Cahill and elects to take the premises described in this proceedings at the appraisement thereof.

Margaret Cahill,
By Hoopes, Robyson & Hoopes
her Attorneys.

Entry 8940. William Riley, Plaintiff Vs. George Riley et al, Defendants } 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 on examination that the same have been had in all respects according to law; the said proceedings and sale are hereby approved and confirmed, and the said Sheriff is ordered by Deed duly executed to convey said premises to the purchaser, Robert Elliott.

It is further ordered that out of the proceeds of said sale the Sheriff pay. First-to the Treasurer of Union County $ Dollars, being the taxes and penalty due on said premises.

Secondly - To the Clerk of this Court the costs of this action including a counsel fee of ($ 50.52) Fifty Two and 52/100 Dollars to J. W. VanWinkle for his services herein.

Thirdly Lloyd Winter the sum of Seventy Five ($ 75.) Dollars being claim allowed by the tenants in common.

Fourthly, To Dr Stanley Bown the sum of Sixty Five (65.) being claim allowed by the parties and tenants in common.

Fifthly - It is further ordered by the Court that the residue of the proceeds of said sale be retained by the said Sheriff subject to the further order of the Court.

John M. Brodrick,
Judge.

Court adjourned until Monday Morning at 9 O'clock, A. M.

Monday, May 2d 1910, Court convened at 9 O'clock, A.M. present Honorable John M. Brodrick, Judge.

Entry 8630

Margaret Cahill, Plaintiff, vs. William Cahill, et al Defendants } Court of Common Pleas, Union County, Ohio

This cause came on for hearing upon the return of the Sheriff and the report of the commissioners heretofore appointed herein, and upon 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 same and the value thereof, and that said commissioners have made and returned their appraisement of said estate at $4500.00, the Court finds 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 Margaret Cahill has elected to take said real estate at its appraised value, said real estate is hereby adjudged to her and the Sheriff of Union County is ordered to make and execute a conveyance to her therefor, upon her compliance with the conditions hereinafter named.

And coming now to the distribution of said $4500.00, the Court find the costs in this case to be $222.73, which includes an attorney fee of $200.00, to Hoopes, Robinson and Hoopes; that on the 26th day of September, 1908, the Probate Court of this County found $167.71, to be due said Margaret Cahill from the estate of Truman Cahill, deceased, and the Court therefore orders that out of said $4500.00 said $167.71 with interest from the 26th day of September, 1908, be paid, to-wit the sum of $183.62; that her 9/28 of said real estate amounts in value, after deducting its proportion of the costs, to $1374.84, and that her life estate in the 19/28 of said real estate amounts in value, after deducting its proportion of the costs, to $1023.99; and that the estate in remainder in said 19/28, after praying its share of said costs is of the value of $1694.80, and the Court further find that under the provisions of the will of Truman Cahill said $1694.80 can not be distributed until after the death of said Margaret Cahill, except as it may be necessary for her support, therefore the Court appoints Cad Price a trustee in trust for the benefit of the plaintiff and the defendants to take charge of and manage said fund and report to this Court his proceedings as such trustee.

And since under the findings herein all of said $4500.00, except the $222.73 costs, and the $1694.80 above referred to, is adjudged to said Margaret Cahill, and since no part of said $1694.80 can be distributed at this time, it is ordered that upon the payment of said costs and the execution of two equal notes secured by a mortgage on said real estate due in one and two years payable to said trustee as such, that the said Sheriff execute said deed and convey said premises to said Margaret

Cahill, and that this case be continued as to the further disposition of said $1694.80.

John M. Brodrick, Judge.

Resolutions on the death of Honorable Duncan Dow.

Whereas, The Bar Association Of Union County have heard with deep regret and profound sorrow of the death of Honorable Duncan Dow, for ten years Judge of the Third Subdivision of the Tenth Judicial District of Ohio.

Therefore, Be it resolved, that the reputation made by Judge Duncan Dow in his fields of labor will survive, untarnished by time, as a lasting tribute to his memory and a living guide for his successors.

Resolved that he has hung along the highway of legislation no dim, flickering or uncertain light. His tireless industry in behalf of the cause of Temperance and high standard of morals, both on the Bench and in the Halls of Legislation will illumine the pathway he has traced for generations to come. He appreciated the full measure of public duty and official fidelity.

He realized the great weight of every burden he had to bear.

His long and useful career, his rugged honesty and unflinching directness of purpose had disarmed enmity and he was one of the few men in public life who lived unassailed. He leaves a stainless name an unblemished reputation. Mistaken he may have been at times, but always sincere, and his influence in the community was always on the side of Christianity and Civic righteousness.

Resolved that by the death of Judge Duncan Dow the Bench has lost one worthy of the Judicial Ermine; the Country a tried and trusted advisor; the Home a fond Father and devoted husband; one of whom it could be truthfully said, he was "The Soul of Honor".

Resolved that we tender to the bereaved widow and children our sincere sympathy in their sorrow.

Resolved that these resolutions be spread upon the Journal of the Court of Common Pleas of Union County, Ohio and that copies be furnished to the newspapers for publication.

W. T. Hoopes,
Richard L. Cameron,
John M. Brodrick } Committee.

Entr

9033

The System Company.
Vs. Plaintiff.
The Marysville Cabinet Company,
Defendant
} In the Court of Common

This cause coming on to be heard upon the motion of the defendant to require the Plaintiff to give security for costs because of non-residence; The Court find that the deposit of $10.00 made by the plaintiff herein is not amply security for costs, and the Court therefore sustains said motion and orders that the Plaintiff give security to the satisfaction of the Clerk as required by Statute.

John M. Brodrick, Judge.

Entry

9033

Frederick C. Foy.
Vs. Plaintiff.
George W. Foy, et al.
Defendants
} In the Court of Common Pleas of Union County, Ohio.
Order for Re-Survey and Partition.

This day this cause coming on to be heard upon the Petition and the evidence, the Court finds that all of the defendants have each had due legal notice of the pendency and demand of the said petition, or have waived in writing, in person or by guardian, the issuing and service of summons in this case and have, in terms, voluntarily entered their appearance to this action and consent to the partition and distribution of property as prayed in the said petition; and the Court finds that each defendant is in default for answer or other controverting pleading in the premises.

Whereupon, the Court further finds that the said plaintiff and the defendants hereinafter named are seized in fee simple, as tenants in common, Frederick C. Foy, has a legal right to the one-fifth of said property; the defendant George W. Foy a legal right to the one-fifth thereof; the defendant Nannette S. Bauman, Katherine J. Shepper, Marie B. Reed, Celia M. Foy, and Emanuela Jr. E. Foy, each a legal right to a one twenty-fifth thereof; the defendants Lillie A. Nied, Louisa M. Mader, Flora M. Foy, Margaretta B. Foy, Charlotte B. S. Foy, Frank E. Foy, George A. Foy, and Ruth C. F. Foy, each a legal right to a one fortieth thereof; and the defendants, Frederika M. Holman and Emanuel M. Shepper, each a legal right to a one tenth thereof; and the Court finds that the said Plaintiff is entitled to have partition of the said real estate as prayed in his petition.

The Court further finds that, by reason of the several conveyances of the parcels of real-estate set forth in the petition, there is uncertainty of description as to the lines and corners of the homestead farm, mentioned in the petition; and that, likewise for the same reasons, there is uncertainty of description as to the remainder of In-Lot No. 51 mentioned in the petition in the description of the 7th parcel of real-estate.

Wherefore, the Court finds that the said farm and In-Lot,

should be re-surveyed for the protection of the purchaser, or purchasers thereof.

It is, therefore, adjudged, and decreed, by the Court that the said real-estate be re-surveyed, as prayed, by L.B. Harvey who is hereby appointed by the Court for that purpose; and that upon a written report of such re-survey to the Court, partition of said real-estate in accordance therewith be made in favor of all the parties in interest, aforesaid, in the proportions aforesaid and C. L. Chapman, Chas. A. Morelock, and James Shirk, three judicious and disinterested freeholders of the vicinity, are hereby appointed commissioners to make such partition.

And it is further ordered by the Court that, upon the filing of the descriptions upon re-surveys, as aforesaid ordered, a writ of partition 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 each of the above named parties the part and proportion of said real-estate to which they are severally found entitled as aforesaid.

And of his proceedings, under the orders aforesaid, the said Sheriff is ordered to make due return.

Entry 9022

Continued from page 101.

Hathaway Vs. Culbertson, et al.

To J. William Kilbreth $54.24; To John C. Kilbreth $133.46; To John W. Kilbreth $133.46; To E. W. Porter Attorney fees as attorney for said defendants $317.63; To H. W. Morey funeral expenses of Joseph M. Culbertson, deceased, $90.00; The Court therefor confirms said distribution and orders the plaintiff to pay said sums to said defendants and to said E. W. Porter and to said H. W. Morey, and to take receipts therefor and to file said receipts in this case and that the same be made a part of the record.

Entry 9010.

Approved - Cameron & Cameron and Hoopes & Robinson.
Attorneys for Plaintiff.

Approved - E. W. Porter,
Attorney for defendants, Robert C. Culbertson, John M. Culbertson, Samuel D. Culbertson, Anna M. Adda, Frank Culbertson, Elizabeth Annan, Mary E. Kilbreth, J. William Kilbreth, John C. Kilbreth and John W. Kilbreth.

Court adjourned to Wednesday May 5th 1910.

Wednesday, May 5th 1910, Court convened at 9 Oclock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
9022.

Daisy Noggle — Plaintiff
Vs.
Ray Noggle — 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 copy of petition 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 preceding the filing of said petition, and that said parties were married on the 19th day of May, 1909, as alleged in said petition. And that no children have been 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 be and that she hereby is restored to her maiden name of Daisy Moore. And that she recover of the said defendant as alimony the sum of One Hundred Dollars, and that the defendant Roy Noggle be ordered to pay the costs of this proceeding taxed at $7.37, and that this case be recorded.

John M. Brodrick, Judge.

Elias Hathaway, — Plaintiff.
Vs.
Court of Common Pleas, Union County, Ohio.

Entry
9010.

Robert C. Culbertson, Samuel D. Culbertson, John M. Culbertson, Anna M. Adda, Frank Culbertson, Elizabeth Amman, Mary E. Kilbreth, J. William Kilbreth, John C. Kilbreth, John W. Kilbreth and Martha Culbertson. Defendants.

This cause came on for hearing upon distribution of the proceeds of the sale of the premises in this case described, and it appearing to the Court that all matters and differences between the plaintiff and the defendants herein in reference to the title of the plaintiff to the undivided one fourth of said premises has been settled by agreement between said parties by the payment to said defendants by the plaintiff of the sum of one thousand dollars in addition to the purchase price at which said plaintiff purchased said premises, and it further appearing to the Court that said defendants have agreed among themselves upon the following distribution of said one thousand dollars and the proceeds of said sale to-wit; To Robert C. Culbertson $2619.83; To Samuel D. Culbertson $2619.83; To John M. Culbertson $2619.83; To Anna M. Adda (proper name Anna C. Adae, $2521.43; To Frank Culbertson $2619.84; To Elizabeth Amman (proper name Elizabeth C. Amman, $454.62; To Mary E. Kilbreth $133.46; For balance of this entry see page 100.

Court adjourned to Saturday, May 14th 1910.

Saturday, May 14" 1910, Court convened at 9 O'clock, A. M. Present, Honorable John M. Brodrick, Judge.

Entry 9041

Benjamin J. Yoder, Plaintiff, Vs. Cornelius L. Beechey et al. Defendants } Court of Common Pleas, Union County, Ohio.

On May 13" 1910, this case was dismissed by the parties, and costs paid by the defendant.

Entry. 9042.

Manasses Miller, Plaintiff, Vs. Cornelius L. Beechey, et al, Defendant. } Court of Common Pleas, Union County, Ohio.

On May 13" 1910, this case was dismissed by the parties, and costs paid by the defendants.

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 Charles W. Smith, Thomas Parish, William L. Blaney and Edward A. Emmert, four judicious freeholders, 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 Monday, May 23" 1910, at 10 O'clock, A. M, and upon oath select 150 judicious and discreet persons having the qualification 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.

John M. Brodrick,
Judge.

Entry 8901

John R. Dodge, Exct. Plaintiff, Vs. Electa Douglas, Defendant } Court of Common Pleas, Union County, Ohio.

This day this Cause coming on to be heard upon the said Defendant's motion for a new trial in the premises, the same was argued by Counsel and submitted to the Court.

Whereupon, the Court, on consideration thereof and being fully advised, finds the said motion not well made and, therefore, overrules the same.

To which finding and ruling of the Court in the premises, the said defendant, by her Counsel, excepts.

John M. Brodrick, Judge.

Entry
9032.

Seth L. Lewis, Plaintiff,
Vs.
Amanda J. Lewis, Defendant
} 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 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 willful absence for three years, 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 Seth L. Lewis, and the said Amand J. Lewis 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 in fee simple of the undivided one-half of the following described real-estate, to-wit: Situated in the County of Logan, in the State of Ohio, and in the Village of West Mansfield, in Survey No. 775 and 6155, and bounded and described as follows: Beginning at an iron stake in the East line of Dean Street, and S.W. Corner, to W.L. Brown's land; thence N. 74½° E. 120 feet with said Brown's South line to a stake; thence S. 14½° E. 69½ feet with the West line of land owned by Rebecca J. Line to a stake; thence S. 74½° W. 120 feet to a stake in the E. line of Dean Street; thence with the East line of said Street N. 14½° W. 69½ feet to the place of beginning, containing 19/100 of an acre of land, more or less.

And the Court further find, that the parties hereto have agreed to quit claim to each other all their right, title, and interest, including dower in the real-estate of the other, and also that the defendant herein has agreed to deed to the plaintiff the remaining undivided one-half interest in said above described real-estate. It is therefore ordered and decreed that each of the parties hereto be forever divested of all and every claim, title, or interest, by dower or otherwise, in, or to, any of the real-estate hereinbefore described or referred to; and that the plaintiff and defendant each have full power to lease, rent or dispose of their own separate real-estate, at her pleasure, or his pleasure. And each is enjoined from interfering in any manner with the rights of the other, and from setting up any claim or interest in the real estate of the other.

It is further ordered and adjudged by the Court that the custody, care, education, and control of said child, Lowell H. Lewis, son of the parties hereto be, until further order, confided to the said Amanda J. Lewis exclusively. But it is hereby ordered that the plaintiff have the privilege of visiting said child on the last Saturday of each month between the hours of 3 and 5 O'clock, P.M. And any violation of this privilege may be reported to this Court.

It is further ordered by the Court that the plaintiff pay the costs herein expended.

This decree to be conditional upon the execution of deeds as above specified.

John M. Brodrick, Judge.

Entry. 1343.

State of Ohio, Plaintiff
vs.
Howard Keckley, Defendant
} Court of Common Pleas, Union County, Ohio.

Now comes Aaron Boylan as Trustee in this case, and as such tenders his resignation to the Court, whereupon, on consideration the Court signed the following.
"The above resignation accepted this 14" day of May, 1910, And Emery Coe is this day appointed as such Trustee in place of the said Aaron Boylan.

Entry 9044

Entry 9049

Court adjourned to Monday May 16" 1910

Monday, May 16th 1910, Court convened at 9 O'clock, A. M. Present. Honorable John M. Brodrick, Judge.

Entry 9048

B. E. Baker, Plaintiff. Vs. D. B. Smith, Defendant. } Court of Common Pleas, Union County, Ohio. Judgment by Confession for $915.22.

This day came the plaintiff by Cameron and Cameron, his Attorneys and filed his Petition against said Defendant, and thereupon T. A. Thompson 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 Nine Hundred and Fifteen and 22/100 ($915.22). Dollars, bearing interest at six per cent. per annum, and that said Plaintiff ought to recover from said Defendant a judgment for that sum.

It is therefore considered by the Court here that the said B. E. Baker, Plaintiff do recover of the said D. B. Smith, Defendant the sum of Nine Hundred and Fifteen and 22/100 ($915.22) Dollars so confessed, as aforesaid, with interest from this date at six 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 proceeding, and all proceedings, petitions and writs of error thereon, are by said Defendant waived and released.

Entry 9049.

B. E. Baker, Plaintiff. Vs. O. T. Davis and D. B. Smith, Defendants } Court of Common Pleas, Union County, Ohio. Judgment by Confession for $175.31.

This day came the Plaintiff by Cameron and Cameron his Attorneys, and filed his Petition against said Defendants, and thereupon T. 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 were 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 One Hundred and Seventy Five and 31/100 ($175.31) Dollars, bearing interest at six 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 B. E. Baker

Plaintiff do recover of the said O. T. Davis and D. B. Smith Defendants, the sum of One Hundred and Seventy Five and 31/100 ($175.31) Dollars. so confessed, as aforesaid, with interest from this date at six 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 proceeding, and all proceedings, petitions and writs of error thereon, are by said Defendants waived and released.

Entry
9004

Entry
9033

Entry
1344

Court adjourned until to morrow morning at Nine O'clock.

Tuesday, May 17" 1910, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge of said Court.

Entry 9004

Christopher Magee, Jr.
Vs.
Arthur B. Main, et al.
} Court of Common Pleas, Union County, Ohio.

In accordance with the written agreement of the parties filed herein, it is ordered by the Court that the judgment rendered in the case of Arthur B. Main Vs. Christopher Magee Jr. No. 8883, be and the same is vacated and set aside, and the said Christopher Magee Jr. given leave to file answer in said Cause No. 8883, within thirty days from this date.

John M. Brodrick, Judge.

Entry 9033

Frederick C. Fox – Plaintiff,
Vs
George W. Fox, et al, – Defendants
} Court of Common Pleas, Union County, Ohio.

This day this cause came on for hearing upon the report of survey, heretofore ordered, the return of the Sheriff, and the report of the commissioners heretofore appointed herein, and on motion to confirm the same.

And it appearing that said survey has been properly made, that said tracts or parcels of real estate cannot be divided by metes and bounds without injury to the value thereof, and that the said commissioners have made and returned their appraisement thereof, the Court finds the said Survey, return, and proceedings, in all respects correct and in conformity to law, and therefore approves and confirms the same.

And thereupon neither of said parties electing to take the said real-estate, or any part or parcel thereof, at its appraised value, on motion of Plaintiff it is ordered that said real-estate be sold in tracts or parcels, as re-surveyed, at public auction, at the door of the Court House, in Marysville, Ohio, and that an order issue for such sale to the Sheriff of Union County, Ohio.

And the said Sheriff is commanded to make due return of his proceedings under the foregoing order without unnecessary delay, and cause adjourned.

Entry

State of Ohio, Plaintiff,
Vs.
Howard Keckley, Defendant
} Court of Common Pleas, Union County, Ohio.

1343 This day upon the refusal of Emery Coe to act as Trustee in the above case, the Court upon consideration appoints Chas. Parrott, Clerk to act as Trustee until his successor is appointed.

Saturday, May 21st 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
8946.

Abbie J. Wells, Plaintiff
Vs.
Millard Wells, Defendant
} Court of Common Pleas, Union County, Ohio.
April Term, 1910
Decree of Divorce.

This day this cause came on to be hard 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 4th day of December, 1879, as alleged in said petition And that the defendant has been guilty of gross neglect of duty, and of Wilfull absence from said 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 Defendant be forever barred from Dower interest in any Real Estate or other property that Plaintiff now owns or may acquire.

And that that the Defendant pay the cost of this proceeding taxed at $8.15cts, and that this case be recorded.

John M. Brodrick, Judge.

Entry
9035

David W. Middleton,
Vs. Plaintiff.
Mary E. Drake, et al
Defendants,
} In the Court of Common Pleas of Union County, Ohio

This day this cause coming on to be heard upon the petition, the answers of Rachael M. Patrick, David E. Patrick, James M. Patrick, Ora A. Patrick and Blaine Patrick, and the evidence, the Court finds that all the defendants have, by written waiver of process or by service of summons, had due legal notice of the pendency and demand of said Petition, and that (with the exception of those above named) they are in default for answer and demurrer thereto.

Thereupon, the Court further finds that the Plaintiff and the defendants hereinafter named are tenants in common in the life-estate in the lands in the petition described; that the Plaintiff, David W. Middleton, has a legal right to one third of said lands for his life, the defendant, Mary E. Drake, a legal right to one third of said lands for her life, and the defendant Rachael M. Patrick, a legal right to one third of said lands for her life; And that the plaintiff is entitled to have

partition of said estate made as prayed in his petition.
The Court further finds that, by reason of indefiniteness and uncertainty of description, the said lands should be resurveyed.
It is, therefore, ordered, adjudged, and decreed, that partition of said estate be made in favor of the said life tenants, in interest, as aforesaid, and George H. Moore, J. F. Watts and V. T. Sanaft, three judicious and disinterested freeholders of the vicinity, are hereby appointed Commissioners to make the same; and Lanson B. Harvey is hereby appointed to make said re-survey, and such other Surveys as may be required in the premises.
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 life tenants the part and proportion 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.

John M. Brodrick, Judge.

Court Adjourned to Monday, May 23 1910.

Monday, May 23 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

This day appeared before me, the Clerk of the Courts of Union County, the following named members of the Jury Commission, to-wit; Chas. W. Smith, Edward A. Emmert and William L. Blaney; and it appearing that Thomas Parish, one of the duly appointed members of the said Jury Commission is unable to be present, the Court hereby appointed Clarence Parish to fill the vacancy. And thereupon, the said Jury Commission having met in the Auditor's Office, as ordered, and having been duly sworn, adjourned to Tuesday, May 24" 1910, And on Tuesday May 24" 1910, said Jury Commission again met and resumed work and adjourned until Thursday, May 26" 1910, when said Jury Commission again met, whereupon they finished their work and were discharged from duty for the present.

John M. Brodrick, Judge.

Court adjourned to Friday, May 27" 1910.

Friday, May 27th 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 8995 — Margaret Kiebel – Plaintiff. vs. Henry Kiebel, et al – Defendant. } Court of Common Pleas, Union County, Ohio.

This day leave was granted Herman Monska to file answer and same filed.

Entry 9019. — William E. Johnson, et al, Plaintiffs vs. Thomas J. Johnson, Defendant } Court of Common Pleas, Union County, Ohio.

This day leave was granted Emma Ford and Davis Johnson to file answer and same filed.

Court of Common Pleas Union County and State of Ohio.

9031 Publication — S. J. Brown, Alvia Green, Benjamin Thomas executors of the Estate of Benjamin Thomas deceased, Plaintiffs, vs Flora Daggett et al Defendants, | Cause No. 9031. Entry Approving Publication

Now come the Plaintiffs and offer proof of publication of the pendency and prayer of the petition herein, and the Court find said publication and proof to be in all respects regular and according to law and hereby approves the same.

John M. Broderick, Judge.

Court adjourned until to-morrow morning at Nine O'clock.

Saturday, May 28" 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

9040 Entry

Hylas Whelpley and Mary A. Whelpley, Plaintiffs. Vs. Edwin M. Whelpley, et al Defendants } In the Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard on motion of Plaintiffs to appoint a guardian ad litem for the minor defendants in the above entitled case, and it appearing to the Court that Maxwell Horney, Claudie Amrine, Jesse Horney, Marion Whelpley and Janet Whelpley are minor defendants and that they each have been duly served with summons, and that Maxwell Amrine, Claudie Amrine and Jesse Amrine are over the age of 14 years and have not applied for the appointment of a guardian ad litem although more than 20 days has elapsed since the return of the summons upon them.

The defendants Marion Whelpley and Janet Whelpley are infants under the age of 14 years.

On application of Plaintiffs it is ordered that James Mc Campbell be appointed guardian ad litem for all of said minor defendants, and thereupon said James Mc Campbell in open Court accepts said appointment.

Entry 9040.

Hylas H. Whelpley and Mary A. Whelpley. Plaintiffs. Vs. Edwin M. Whelpley et al. Defendant } In the Court of Common Pleas, Union County, Ohio.

This cause coming on to be heard upon the petition and the answers of the several defendants herein, and the Court being satisfied that all the parties interested have been made parties hereto, and have been duly served with process or have waived the same, and that plaintiffs have an interest in said premises in the petition described and as therein alleged, and it appearing to the court by satisfactory proof that a sale of said premises will be beneficial to the plaintiffs, and that such sale will do no substantial injury to the heirs in tail, the defendants, it is ordered by the Court that said premises in the petition described be sold free from the entailment, limitation, or condition by the Sheriff of said County of Union at public auction in the same manner as execution sales are made, and that he report his proceedings to this Court, And that A. F. Barr, Charles A. Murdock and George M. Wilbur are hereby appointed by the Court as three disinterested freeholders to appraise said real estate described in said petition, as a whole and also in three separate tracts of One Hundred and Fifteen acres, Sixty Two and one-half acres, and Fifty Two and one-half acres. and the same be offered for sale both as a whole and in separate tracts, on the on the premises. John M. Brodrick, Judge.

Entry 9019. William E. Johnson, Vs. Thomas J. Johnson, } Court of Common Pleas, Union County, Ohio.

This cause coming on to be heard upon the application of the Plaintiff for leave to plead.
The Court gives the Plaintiff leave to file Reply in 30 days.

Entry 9037 The System Company. Vs. The Marysville Cabinet Co. } Court of Common Pleas, Union County, Ohio.

This Cause coming on to be heard upon the application of the Defendant for leave to plead.
The Court gives the Defendant leave to file answer in 30 days.

Entry 8958 The Franklin Trust Co. Vs. The Marysville Light and Water Co. } Court of Common Pleas, Union Co. Ohio.

This Cause Coming on to be heard upon the application of the plaintiff for leave to plead. The Court gives the Plaintiff leave to file reply in 30 days.

Entry 9016 Mark Cook — Plaintiff Vs. John Jennings, et al, Defendants } Court of Common P[illegible]

This cause now coming on for hearing, was submitted to the Court on the pleadings (the petition of the plaintiff and answer of Edward H. Porter guardian-ad-litem for Robert A. Jennings and John H. Jennings minors defendant therein), and the Court finds that the defendants John Jennings, Harry Jennings, Effie Jennings, Robert A. Jennings, and John H. Jennings have been duly served with summons in this case, and that John Jennings, Harry Jennings and Effie Jennings are in default for answer and demurrer, and that the allegations of the petition are thereby confessed by them to be true.
The Court also finds that there is due from the defendants to said Plaintiff, with interest to the 28th day of May 1910, the sum of $799.77 being taxes, assessments, penalty and interest paid by said Plaintiff upon the premises described in said Plaintiffs petition, and that the said Plaintiff has a valid tax lien thereon for the said amount, which is the first and best lien on said premises; and that the said plaintiff is entitled to have the same sold for the payment and satisfaction of the same.
It is therefore ordered, adjudged and decreed, that unless said defendants or either of them shall within ten days from the entry of this decree, pay, or cause to be paid, to the Clerk of this court the costs of this case and to the plaintiff herein the sum so found due as aforesaid $799.77. with interest from this day, that their equity

of redemption be foreclosed, and that they or either of them or any one claiming any interest in said premises by or through them be forever barred therein, and that said premises be sold as upon execution, and that an order of sale issue therefor to the Sheriff of Union County, directing him to bring the proceeds of said sale into Court for further order.

John M. Broderick, Judge.

Court adjourned until Saturday, June 4th 1910

Saturday, June 4th 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry
9035

David W. Middleton
vs. Plaintiff
Mary E. Drake, et al
Defendants. } In the Court of Common Pleas, Union County, Ohio.

On motion to the Court by the plaintiff, and upon producing the return of the Sheriff and the report of the Commissioners heretofore appointed herein, and the same having been examined by the Court, and found in all respects correct, and in conformity to law and the former orders of this Court, the said proceedings and report are hereby approved and confirmed.

It is, therefore, ordered and decreed by the Court that the said David W. Middleton, Mary E. Drake, and Rachael M. Patrick, hold in severality the parts and premises so set and assigned to each respectively for their respective lives.

And the Clerk of this Court is hereby directed to have so much of this decree as will show the transfer of title to the said several life tenants, put upon record in the Office of the Recorder of this County.

And it is further ordered that the assessment of the costs of this action be adjourned for further hearing by the Court.

And, thereupon, come the defendants, Rachael M. Patrick, David E. Patrick James H. Patrick, Ora A. Patrick and Blaine Patrick, by their Counsel, and except to the orders and decree of the Court in the premises confirming the said partition of the lands in the petition described.

John M. Brodrick, Judge.

Court adjourned until Saturday June 11th 1910

Saturday, June 11th 1910, Court convened at 9 O'clock, A. M. Present

9002
Honorable John M. Brodrick Judge.

Entry
In the matter of the Petition of Angus McIvor to be admitted a Citizen of the United States of America. } Court of Common Pleas, Union County, Ohio.

This cause coming on for hearing and being submitted to 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 Angus McIvor after making oath to the Constitution of the United States and renouncing absolute allegiance and fidelity to Edward 7th King of Great Britain and Ireland 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 5th day of August, 1899, and in the State of Ohio for one year prior to this time, since the 20th day of August 1899, 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 Angus McIvor a certificate of Naturalization.

John M. Brodrick
Judge

Entry
9023

Saturday, June 11" 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Certificate for Pay.

Sheriff's Office, Union County, Ohio.
Honorable John M. Brodrick, Judge.

Marysville, Ohio, June 9", 1910.

The Court Charges for the April Term, A.D. 1910. 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.
To Serving Petit Jury Venire		4.50.
To Serving Grand Jury Witnesses	(28)	2.80.
To Making 29 copies, Grand Jury Witnesses.		2.90.
To 162 Miles travel, Grand Jury Witnesses		12.96.
Total		27.66

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

Grace M. Poffenbarger, Plaintiff
Vs.
Frank T. Poffenbarger, Defendant. } Court of Common Pleas, Union County, Ohio.

Decree of Divorce.

9023

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 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 14" day of September, 1882, as alleged in said petition. And that four children were 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 that said plaintiff have the custody and care of said children; and that said defendant pay the costs of this proceeding taxed at $ and that this case be recorded.

John M. Brodrick.
Judge.

Court adjourned to Friday June 17" 1910.

Friday, June 17" 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry

Laura McEntire, Plaintiff
Vs.
John W. McEntire, Defendant
} Court of Common Pleas, Union County, Ohio.

9052 And now Laura McEntire having filed with the Clerk of this Court certain written charges against John W. McEntire, alleging the disobedience of the said John W. McEntire to the former order of the Court, restraining the defendant, John W. McEntire, from interfering with the plaintiff, Laura McEntire, in the possession of the property described in her petition in this cause and restraining the defendant from incumbering or disposing of the same, on motion of the said Laura McEntire an attachment is allowed to issue against the said John W. McEntire, commanding the Sheriff of Union County, Ohio, to arrest and bring him before this Court forthwith, to show cause why he should not be punished as for contempt for his said disobedience.

John M. Brodrick
Judge.

Entry

The State of Ohio, ex rel
Laura McEntire, Plaintiff.
Vs.
John W. McEntire,
Defendant
} Court of Common Pleas, Union County, Ohio.

Entry

9060 Now came the said John W. McEntire in custody of the Sheriff, and was arraigned to answer his alleged disobedience of the injunction of this Court in the case of Laura McEntire Vs. John W. McEntire, and pleaded not guilty.

It is therefore ordered that the hearing of the above charge be continued until the first day of July, 1910, and that the said John W. McEntire enter into a further undertaking in the sum of $100.00 to the said Laura McEntire, with good security to the acceptance of the Clerk, that he will appear on said date to answer to said charge, and that he will obey said injunction as heretofore allowed pending said hearing.

Court adjourned to Saturday June 18" 1910.

Entry

9033

Entry

9003

Saturday, June 18th 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
9035

David W. Middleton,
Vs. Plaintiff,
Mary E. Drake, et al,
Defendants.
} Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard by the Court, pursuant to adjournment, as to the assessment of costs herein, and the same was submitted to the Court.
Whereupon, it is considered, ordered, and adjudged by the Court that the costs of this action, including a counsel fee of $ 105.00, to James M^c Campbell, Attorney for services herein taxed at $ be paid by the plaintiff, David W. Middleton, and the defendants Mary E. Drake and Rachael M. Patrick, all life tenants in the proportions of one-third each.

John M. Brodrick
Judge.

Entry
9003

In the matter of the Petition of Lewis Chiesa to be admitted a citizen of the United States.
} Court of Common Pleas, Union County, Ohio.

On June 11th 1910, this cause came on for hearing and being submitted to the Court on 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 Lewis Chiesa after making oath to the Constitution of the United States and renouncing absolute allegiance and fidelity to Victor Emmanuel III, King of Italy, 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, nor a polygamist nor a believer in the practice of Polygamy, and able to speak the English Language.
The Court further find that the Petitioner has resided in the United States for five years since the 12th day of March 1904, and in the State of Ohio for one year prior to this time since the 27th day of April, 1903, 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 Lewis Chiesa a certificate of Naturalization.

John M. Brodrick.
Judge.

Court adjourned to Saturday, June 25th 1910.

Saturday, June 25th 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

9046 Entry

William E. Shinn, Pltf
vs.
Lillie M. Shinn, Deft
} Court of Common Pleas, Union County, Ohio.

8812 Entry 9060

Now comes the plaintiff, by his attorney, and offers proof of publication of the pendency and prayer of the petition herein: and the court find said publication and proof in all respects regular and according to law, do approve the same.
And further that the defendant having been legally summoned by publication, 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 further finds 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 willful absence for three years 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 William E. Shinn and Lillie M. Shinn, 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 plaintiff pay the costs of this proceeding; and execution is awarded.

Approved, John M. Brodrick,
Judge.

Court adjourned until June 30th 1910

June 30th 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge

8812 — M. E. Gutman, Plaintiff vs. Edward Dobie, Defendant — Common Pleas Court, Union County, Ohio. Journal Entry of settlement.

June 25th 1910, This case settled by defendant paying the Plaintiff $137.50, and the costs of $17.33, case dismissed, without record, costs paid.

Entry 9060 — The State of Ohio ex rel, Laura McEntire, Plaintiff vs. John W. McEntire, Defendant — Court of Common Pleas, Union County, Ohio.

This day this cause was dismissed by agreement of the parties, and on order of the Court.

Court adjourned until Tuesday July 5th 1910.

Tuesday, July 5th 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Bradrick, Judge.

8941 — John E. Burns, Plaintiff, Vs. The Board of County Commissioners of Union County, Ohio, et al. Defendants } Court of Common Pleas, Union County, Ohio.

Entry — This day came the parties, and by agreement the entry in this cause, in Journal 21 page 574. of the date of November 6th 1909, is set aside, and this cause is dismissed at the costs of the plaintiff, for the reason that the improvement mentioned in the petition has been abandoned. No record.

9033 — Fred C. Fox, Plaintiff Vs. George W. Fox et al, Defendants } In the Court of Common Pleas of Union County, Ohio.

Entry

On motion of the Plaintiff, and upon producing the return of the Sheriff of his proceedings and sales under the former order of this Court, and the Court being satisfied, on examination, that the said proceedings and sales have been had in all respects according to law, the same are hereby approved and confirmed.

And the said Sheriff is ordered, by Deed duly executed, to convey the first tract of land in the Writ of Sale described, to wit: the tract of seventy four acres, to Martin Burns, the purchaser thereof; and The said Sheriff is ordered by Deed duly executed, to convey the second tract of land in the Writ of Sale described, to wit; Part of In-Lot No. 51 in the Town of Marysville, Ohio, to Charles Braun, the purchaser thereof.

And the Court coming now to the distribution of the rents derived from the said real estate and the first installment of the proceeds of the said sales thereof, now in the hands of the Court, finds; That on the 27th day of April, 1886, George A. Fox and Susanna M. Fox, decedents mentioned in the petition, conveyed to John L. Fox (now deceased), And Anna W. Fox, a defendant, by deed, as alleged, the farm of 133 Acres and 111 poles of land, mentioned in the petition; that the said farm, to the extent and value of $5000.00 was so conveyed to the said John L. Fox and Anna W. Fox, jointly, as a gift, or advancement, of the amount aforesaid, to be charged against the interest of the said John L. Fox in the estate of the said George A. Fox, deceased, on final distribution thereof; and the Court also finds that the conveyance of a part of said lands to the said Anna W. Fox was with the knowledge of the said John L. Fox, and with his consent that the same, in the sum and to the value last aforesaid, be charged as an advancement to him as aforesaid.

The Court further finds that the note and mortgage given by the said John L. Fox and Anna W. Fox, to the said George A. Fox,

as alleged in the petition, were given and received, as alleged, upon no other consideration than the advancement aforesaid; and that the expressed consideration of the said note, to-wit; $5000.00, represents the agreed valuation of said farm for the purpose of the charge and distribution aforesaid.

The Court further finds that the said Susanna M. Foy was the sole legatee and devisee of the said George A. Foy, deceased; and that the said Susanna M. Foy, deceased, devised and intended that the said note and mortgage should represent the advancement aforesaid, and that the same should be accordingly so charged in the settlement of her estate.

Wherefore, it is considered, ordered and adjudged by the Court that the said note and mortgage be accounted an advancement, as aforesaid, and, in the sum of $5000.00, without interest, charged against the aggregate share of the defendant heirs-at-law of the said John L. Foy, deceased, in the estate of the said Susanna M. Foy, deceased; and that the same be applied first against said share in the total sum of the proceeds of said sales and the rents, aforesaid; and that the balance of said advancement, if any there be, be charged against the said share on distribution of the personal estate of the said Susanna M. Foy, deceased.

It is further ordered that the Clerk of this Court cause satisfaction of the said mortgage to be entered upon the record thereof at Vol. 51, Page 422, of the Mortgage records of Union County, Ohio.

The Court further finds that, as agent for the owners of the real estate in the petition described, parties to this suit, the Plaintiff paid the current taxes on said real property, due and payable December 20" 1909, in the sum of $83.73 as alleged; and that the said taxes, with interest from January 1st 1910, to July 1st 1910, constitute a lien upon said real estate to be satisfied and paid, out of the proceeds aforesaid, to said Plaintiff.

The Court further finds that the Account of Rents tendered by said Plaintiff, as agent for the parties last aforesaid, as in the petition set forth, is true and correct and the same is by the Court approved.

Wherefore, it is considered and ordered by the Court that the said rents, in the said sum of $997.43, be added to the cash proceeds of said sales and distributed as a part thereof to the said tenants in common in accordance with their respective interests in said real property.

It is further ordered by the Court that the Sheriff, out of the proceeds of said sales, pay:

First: To the Treasurer of Union County, $83.70, being the taxes due on said premises.

Second: To the Clerk of this Court the costs of this action, including a counsel fee of $231.97, to James McCampbell, for his services herein, taxed at $375.00.

Third: To Frederick C. Foy, in satisfaction of his tax lien, the sum of $83.73, and interest thereon as aforesaid, to-wit, the sum of $108.85;

Fourth; It appearing to the Court that the advancement to John L. Fox, aforesaid, is in excess of the aggregate distributive share of his heirs at-law in the total proceeds of said sales and rents, it is ordered by the Court that the balance of said cash proceeds and the notes for deferred payments be paid and distributed as follows, viz:-
First;-To Frederick C. Fox the plaintiff, one-fourth of the balance of said cash payment and rents, to-wit $1527.22, and also two notes, one for $531.62, the other for $531.63, due in one and two years, respectively, with interest representing deferred payments on said sale to Charles Braun; also two notes for $888.00 each, due in one and two years, respectively, with interest representing deferred payments on said sale to Martin Burns;
To George W. Fox, one-fourth of said balance, to-wit, $1527.22, and also two notes, one for $531.63, the other for $531.62, due in one and two years, respectively, with interest, representing the deferred payments on said sale to Charles Brown; also two notes for $888.00, each due in one and two years, respectively, with interest, representing the deferred payments on said sale to Martin Burns.
To Nanette S. Bauman, Katherine J. Shepherd, Marie B. Reed, Otelia M. Fox, and Emanuella J. E. Fox, each one-twentieth of said balance of cash payments and rents, to-wit; to the first three, each $305.44, and to the last two each $305.45; also to each of said first three of said distributees two notes, each for $106.32, due in one and two years, respectively, with interest, and to said last two of said distributees two notes to each, for $106.33, respectively, due in one and two years respectively, with interest, and all of said notes representing the deferred payments on said sale to said Charles Braun; also, to said last named five distributees two notes each, for $177.60 each, due in one and two years, respectively, with interest, and all of said notes representing the deferred payments on said sale to said Martin Burns; and
Fredrika M. Holman and Emanuel M. Shepper, each one-eighth of said balance of cash payments and rents, to-wit; to each $763.61; also, two notes to the said Fredrika M. Holman calling for $265.81 and $265.82, respectively and two notes to the said Emanuel M. Shepper for $265.82 and $265.81 respectively, each two of said notes due in one and two years, respectively, with interest, and all representing deferred payments on said sale to said Charles Braun; and, also, to said last named distributees each two notes for $444.00, each due respectively, in one and two years with interest and all representing deferred payments on said sale to said Martin Burns.
The Court further finds that the excess of said advancement above the aggregate share of the said heirs-at-law of the said John L. Fox, deceased, in the net proceeds of said sales and rents, is $356.82, which sum, last aforesaid, the Court directs shall be charged against the distributive share of the said heirs-at-law in the personal estate of the said Susanna M. Fox, deceased.
Court adjourned to Saturday, July 9th 1910.

End
906

Saturday, July 9th 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

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

William F. Cody and
Gordon W. Lillie, Plaintiffs,
vs.
Entry V.C. Berner (first name unknown)
C.F. Gordon (first name unknown).
9066 Charles F. Rhodes and
William A. Lavelle, Defendants } Judgment Entry

This cause came on to be heard upon the petition and answer, the evidence, affidavits and exhibits, the Court on consideration thereof finds for the plaintiffs and further finds that the restraining order heretofore issued herein to be made permanent.

It is therefore ordered, adjudged and decreed by the Court that Defendant, William A. Lavelle, be perpetually restrained and enjoined as prayed for in the petition as follows:

(A.) From engaging in unfair competition with plaintiff.

(B.) From giving a wild west show and calling it a wild west show without clearly distinguishing said show from plaintiffs show by words and designations clearly indicating that said wild west show under the name of a wild west show, is a wild west show of said defendant.

(C.) From using trade name or trade designations in conjunction with a wild west show or wild west exhibition or exhibition of western life wherein is used the word Buffalo or any word or words similar thereto or that might be mistaken therefor.

(D.) From using as a trade designation in conjunction with a wild west show or wild west exhibition or exhibition of western life wherein is used the representation of a Buffalo or any representation similar to or that might be mistaken therefor.

(E.) From advertising, billing or posting a wild west show or wild west exhibition of western life wherein shall be used the word Buffalo or the representation of the Buffalo, as trade names or trade designations for such wild west show or wild west exhibitions or exhibitions of western life.

(F.) From using signs, lithographs, printed, or written matter, or banners in reference to a wild west show or wild west exhibition or exhibition of western life wherein shall be used the word Buffalo or the representation of a Buffalo as trade names or designations for such wild west show or wild west exhibition or exhibitions of western life.

(G.) From giving any wild west show, or wild west exhibition, or exhibition of western life, which shall have advertised, billed, or posted, or designated, wherein shall be used the word Buffalo or the representation of a Buffalo as trade names or trade

designations for such wild west show or wild west exhibitions or exhibitions of western life.

(H). From directly or indirectly by word, action, or deed, representing a wild west show or wild west exhibition or exhibition of western life that might be mistaken for or taken for a wild west show or wild west exhibition, or exhibition of western life given by plaintiff.

That plaintiff recover from defendant, William A. Lavelle their costs herein expended.

Col. W. A. Lavelle.

Court adjourned to Wednesday, July 13", 1910.

Wednesday, July 13" 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9070

Sallie M. Beckwith
Vs. Plaintiff,
O.C. Fugua,
Defendant } Common Pleas Court of Union County, Ohio.

Judgment.

This day came the plaintiff by her attorneys also came John L. Loughrey 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 plaintiff, confessed that the said defendant is justly indebted to the said plaintiff in the sum of Two Thousand one hundred forty seven and 39/100 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 defendant the said sum of Two Thousand one hundred forty seven and 39/100 dollars, together with her costs herein expended, taxed at $

Entry 9040

Hylas H. Whelpley and
Mary A. Whelpley, Plaintiff.
Vs.
Edwin M. Whelpley et al.
Defendants } In the Court of Common Pleas of Union County, Ohio.

This cause came on to be heard on the return of Cad Price, Sheriff of Union County, Ohio, heretofore appointed to make the sale of the premises in this case 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 Cad Price make to the purchaser a deed in fee simple for the premises so sold.

It is further ordered by the Court that, inasmuch as said sale was mad upon the following terms, one-third of the purchase price to be cash in hand, one-third in one year from date of sale and one-third in two years from said date and that the proceeds of such sale amounted to the sum of $16.100.00, $5373.33 of which has been paid in cash by the purchaser, and notes calling for the further sum of $5362.50, and $5362.50, respectively, bearing six per cent interest from date and due in one and two years respectively, after payment of the costs taxed at $238.97, to wit, the sum of $133.03, be invested in certificates of the funded debt of this State or bonds of any political subdivision thereof, or of the United States, or in bonds or notes secured by Mortgage on unincumbered real estate situated in the

proper county, or said moneys may be invested in real estate within this state, under such restrictions as the Court may provide and in any other manner as provided by Sections 11931 and 11933 of the General Code of Ohio, which investments shall be reported to the Court and be subject to the courts approval and confirmation.

It is hereby further ordered that upon the payment of the notes heretofore referred to and executed by the purchaser, that said funds so realized shall be managed and invested in the manner and form as hereinbefore ordered and provided.

Said notes and mortgages of the purchaser to be made payable and executed to the Trustees hereinafter named and by him to be held for the use of the beneficiaries under the Will of Henry Amrine, deceased.

For the purpose of making such investments and managing the same the Court hereby appoints Edwin M. Whelpley and James H. Whelpley, Trustees, who before entering upon their duties as such shall give an undertaking to the approval of the Court for the faithful performance thereof in the sum of $20,000.00.

Entry 9040.

Hylas H. Whelpley and
Mary A. Whelpley, Plaintiffs
Vs
Edwin M. Whelpley et al,
Defendants

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

And now comes Edwin M. Whelpley and James H. Whelpley heretofore appointed trustees in this case and present their undertakings in the sums of $20000.00 with Mary A. Whelpley, Arpa Whelpley and Elizabeth Sharrer as such sureties on the bond of said Edwin M. and James H. Whelpley as such trustees, which bond is hereby accepted by the Court and approved.

And it is further ordered that Cad Price by whom the sale in this case was made, turn over to these Trustees all moneys, notes and securities in his possession arising from said sale,

Court adjourned until Thursday, July 14" 1910.

Thursday, July 14th 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge

Entry 9044

Joseph Schlitz Brewing Company, Plaintiff
Vs.
Fred. Stoll, Defendant. } In the Court of Common Pleas of Union County, Ohio.

The Plaintiff by his attorney comes, and the defendant is in default of answer or demurrer, and the allegations of the petition are taken as confessed by him to be true. Thereupon the Court takes the account, and finds that said defendant does owe the Plaintiff as damages, the sum of One Hundred Fifty Seven and 50/100 Dollars ($157,50).

It is therefore considered that said plaintiff recover of said defendant his said damages, and also his costs of this suit to be taxed.

Filed

Court adjourned to Wednesday, July 20th 1910.

Wednesday July, 20" 1910, Court convened at 9 Oclock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9054

Emma Clark, Plaintiff.
Vs.
Frank Clark, 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 process, and that he has failed to appear, and is in default for answer or demurrer to the petition: and that the allegations theref are confessed by him to be true, 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 26" day of September, 1902, as alleged in said petition; And that two children are the issue of said marriage, and that all questions as to their care, education, maintenance, and control have been settled between said parties, and also all questions as to alimony.

And that the Defendant has been guiltz of Wilfull Absence From The Plaintiff For 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.

It is further ordered, adjudged and decreed, that the custody, care, education, maintenance and control of said minor children be, and the same are hereby confided exclusively to the said Emma Clark until the further order of this court. And the said Frank Clark is hereby enjoined from interfering in any manner with either of said children, or with the said Emma Clark in the custody thereof, and from visiting said children until the further order of this Court.

The Court further finds that the contract entered into by the parties hereto, as to alimony, and the amount thereof, is a valid and subsisting contract; that its terms are satisfactory to both parties, and therefore confirms the same.

It is further ordered, adjudged and decreed that the said Frank Clark pay the costs of this proceeding taxed at $ and that this case be recorded.

John M. Brodrick,
Judge.

Entry 907

Entry 9072

Sallie M. Beckwith Vs. Plaintiff,
Oscar C. Fugua and Martha J. Fugua Defendants.
} The Court of Common Pleas, Union County, Ohio.

This day this cause came on for hearing and the Court granted the plaintiff herein leave to file an amended petition.
Dated July 20," 1910.

Court adjourned until Monday, July 25" 1910.

Monday, July 25th 1910, Court convened at at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Entry 9072

Sallie M. Beckwith
Vs. Plaintiff
Owen C. Fugua and
Martha J. Fugua.
Defendant

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

This day this cause came on for hearing, and the Court granted the Plaintiff herein leave to file an amended petition Dated July 25th 1910.

Entry 9047

Margaret Torrence, et al.
Vs. Plaintiff.
The Wooster University of Wooster, Ohio, et als. Defendants

Leave is this day given to S. J. Brown, Alva Green, and Benjamin Thomas, as executors of the Will of Benjamin Thomas deceased, to file answer instanter and same filed.

Entry 9072

Sallie M. Beckwith
Vs. Plaintiff
Owen C. Fugua and
Martha J. Fugua, Defendants

In the Court of Common Pleas Union County, Ohio.

This day leave was granted John H. Willis, assignee of the defendant Owen C. Fugua, to be made a party defendant herein and leave was also granted the said John H. Willis as such assignee to file answer herein and the same filed, to all of which the plaintiff then and there at the time excepted.

Entry 8955

Cassie Fish
Vs.
James R. Fish

Court of Common Pleas, Union County, Ohio.

This day came the parties and this cause coming on to be further heard; It is ordered and decreed by the Court that this action be and the same is dismissed. And it is further ordered that the plaintiff pay her witnesses their fees, and that the defendant pay the balance of the cost.

John M. Brodrick, Judge.

Court adjourned until Tuesday July 26th 1910,

Tuesday, July 26th 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry
8942

The State of Ohio. Vs. William Warrick. } Court of Common Pleas, Union County, Ohio. Peace Warrant Proceedings.

The defendant now coming, in accordance with the conditions of his recognizance, entered into before E. J. Bault a justice of the peace, and the complainant failing to appear to prosecute her said complaint, the said defendant is hereby discharged from his said recognizance.

It is ordered that the costs of this proceeding be paid by the said complainant, and execution is awarded therefor.

Court adjourned until Wednesday Morning at 9 O'clock

Wednesday, July 27th 1910, Court convened at 9 O'clock, A. M. present Honorable John M. Brodrick, Judge.

Entry 9053.

Georgia A. Fisher, Plaintiff
vs.
Stephen A. Fisher, Defendant
} Court of Common Pleas, Union County, Ohio.

Entry 9070

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, and that he has failed to appear and 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 19th day of April, 1904, as alleged in said petition. That Mabel J. Fisher and David L. Fisher are the issue of said marriage, and reside with their mother Georgia A. Fisher in said Union County Ohio; and that the defendant has been guilty of Wilful absence from said 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 be decreed the custody and control of their said children Mabel J. Fisher and David L. Fisher, until otherwise ordered by the Court.

It is further ordered and decreed by the Court that the said defendant pay the sum of $30.00 to said plaintiff, said sum to be in full of all rights to alimony; and which amount has been heretofore agreed upon between the parties hereto, the receipt of which is hereby acknowledged by said plaintiff. And that said plaintiff pay the costs of this proceeding taxed at $8.00, and that this case be recorded

John M. Brodrick,
Judge.

Court adjourned to Monday, August 1st 1910.

Monday, August 1st 1910. Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Sallie M. Beckwith, Plaintiff,
Vs.
O. C. Fugua, Defendant } The Court of Common Pleas, Union County, Ohio.

Entry

9070

This cause came on for hearing this day to vacate the judgment heretofore rendered herein and was argued by counsel. Upon consideration whereof it is ordered by the Court that the said judgment be, and the same is hereby opened up and the said defendant, O. C. Fugua, has leave to file answer herein and the same is filed; and on motion by him made John H. Willis as assignee in trust for the benefit of the creditors of said O. C. Fugua, is made a party defendant herein with leave to file answer in twenty days. And any lien which the plaintiff, Sallie M. Beckwith may have on property levied upon under an execution issued upon the judgment in this case shall be preserved to her until the final disposition of the case.

And it is further ordered that Cad Price as Sheriff of Union County, Ohio, be and he is hereby appointed receiver to take charge of the property levied upon under the execution issued on the judgment heretofore rendered in this case; and to preserve and care for the same until a final disposition of this case or until the further order of the Court.

To the filing of the answers of O. C. Fugua and John H. Willis as assignee in trust for the creditors of O. C. Fugua, and to the opening up of the judgment herein the plaintiff excepts.

Approved - Hoopes, Robinson and Hoopes, Attorneys for plaintiff.
Approved - John H. Willis and John A. Price, Attorneys for Defendant.

Court adjourned until Tuesday August 2d 1910.

Tuesday, August 2nd 1910, 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.

Entry 9072.

Upon the motion of the plaintiff by his Attorney, L. W. Van Winkle, and upon the agreement of the parties, it is further ordered by the Court that eighty (80) dollars from the proceeds of the sale of the real estate be paid to the Richwood Monumental Works for the erection of a monument and that the residue of the proceeds of the said sale be distributed equally between William Riley, Emma Wilson, F. W. Riley, S. Riley, H. Riley, J. S. Riley, Rebecca Riley, George Riley, Iva Murphy, and Sarah Snyder being the tenants in common; and that the Sheriff is ordered to pay the same as above directed,

John M. Brodrick, Judge.

Entry 9072

Court adjourned to Monday, August 8th 1910.

Monday, August 8," 1910, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Sallie M. Beckwith, Plaintiff
Vs.
Owen C. Fugua, et al Defendants
} The Court of Common Pleas, Union County, Ohio.

Entry
9072.

This cause came on for hearing upon the 1st day of August, 1910, upon the application of the plaintiff herein for the appointment of a receiver to take charge of the property described in Plaintiff's petition and was argued by Counsel. Upon consideration whereof it is ordered by the Court that Cad Price, Sheriff of Union County be appointed receiver, and the said Cad Price is hereby appointed receiver for the real estate described in Plaintiff's petition being a farm of 421.75 acres belonging to Owen C. Fugua and situated in Liberty Township, Union County, Ohio, to preserve and collect the rents and profits thereof and return the same to this Court for further order. To all of which defendant Owen C. Fugua and John H. Willis, Assignee objects.

John M. Brodrick, Judge.

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

Tuesday, August 9" 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Sallie M. Beckwith, Plaintiff.
Vs.
Owen C. Fugua, Defendant
} Court of Common Pleas Union County, Ohio.

Entry
9072

It appearing to the Court that a large portion of the hay under execution in this case and now in the hands of the Sheriff of Union County, Ohio, as receiver, is stacked out of doors and is exposed to the weather and that the same has a market value and can be sold for its market value at private sale and with less loss by depreciation of quality by reason of exposure than by holding the same until this case is finally determined and then sold; and that the oats now in the hands of said receiver is also exposed to the weather and will depreciate in quality by reason of such exposure, and that when thrashed said receiver will, if he holds same until this case is finally determined, be obliged to rent a place to put same and that same has a market value and can be sold for said market value, and that the sale of all of the hay and oats now in the hands of said receiver as soon as possible at private sale would be to the benefit of all parties to said suit, on motion of the said plaintiff, it is ordered that said receiver sell said property at private sale for the highest price he can procure as soon as possible and that he hold the money received from said sale pending the further order of this Court.

John M. Brodrick,
Judge.

Court adjourned until August 13" 1910, (~~Saturday~~ Sunday)

Saturday, August 13th A.D. 1910, Court convened at 9 O' clock, A.M. Present, Honorable John M. Brodrick, Judge.

Order to draw Grand and Petit Jury.

Court of Common Pleas, Union County, Ohio. Entry
September Term, A.D. 1910,
To the Clerk of said Court; 9065

You are hereby directed to proceed according to law at Ten O. Clock, on Monday, August 22, 1910, 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, 1910 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 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, September 12th, 1910; 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 19th day of September, 1910.

And for so doing this shall be your sufficient warrant.

Witness my hand officially this 13th day of September, 1910.

John M. Brodrick,

Judge of the Court of Common Pleas of the Third Sub-Division of the Tenth Judicial District.

Entry

Rosetta Webb, Pltff.
Vs. } Union County, Ohio, Common Pleas Court.
Cyrus Webb, Deft.

9076.

This day this cause came on for hearing on motion of the plaintiff for alimony pending the suit, and the same was submitted to the Court on affidavits, oral testimony and the arguments of the Court. Entry

On consideration whereof it is considered, ordered and decreed 9070
that Plaintiff pay to defendant the sum of five Dollars on the first day of September, 1910, and a like sum of five Dollars on the first day of each and every month thereafter until the further order of the Court.

John M. Brodrick, Judge.

The Ostrander Banking Company, Plaintiff
Vs.
Mary J. Jewell & Charles S. Jewell, Defendants
} In the Court of Common Pleas, Union County, Ohio.

Entry

9065

This cause coming on for hearing, was submitted to the Court on the pleadings, on the petition, and the evidence, and on consideration thereof, the Court find on the issue by default of the defendants, and that there is due the plaintiff from the defendant on the promissory note set forth in the petition, with interest to August 13" 1910, date of this decree the sum of One Thousand, Twenty One, Dollars.

The Court further find in order to secure payment of said note the defendants Mary J. Jewell and Charles S. Jewell, husband and wife, delivered and executed to said The Ostrander Banking Company, the plaintiff their certain mortgage, as in the petition described, and on the premises therein described; that said mortgage was duly recorded in Book 68, page 308, of the records of mortgages of Union County, 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 plaintiff recover from the defendant the said sum of $1021,00, and his costs herein expended. And it is further adjudged and decreed that unless the 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 of this case and to the plaintiff herein the sum so found due as aforesaid, with interest from the 13" day of August, 1910, the defendants equity of redemption be foreclosed, and said premises be sold, and that an order of sale issue therefore to the Sheriff of Union County, Ohio directing him to appraise and advertise and sell said premises as upon execution, and report his proceedings to this Court for further order.

Sallie M. Beckwith
Vs. Plaintiff,
A. C. Fugua, Defendant.
} Court of Common Pleas, Union County, Ohio.

Entry

9070

Upon the application of Cad Price receiver herein, the court finds that it is necessary that the said receiver have legal Counsel to advise and assist him in the discharge of his duties as receiver and he is therefore authorized to employ such legal counsel as he deems advisable.

John M. Brodrick,
Judge.

Court adjourned until Saturday, August 20" 1910.

Saturday, August 20th 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

A. Melvin Norveil, Plaintiff, vs. Edward H. McWade, Defendant } In the Court of Common Pleas, Union County, Ohio.

Entry 9080

Entry 9064

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 partnership existing between the parties to this action is one dissolvable at will, and that the defendant in neglecting the business of the firm, whereby there is danger of the property of the said firm being lost;

It is therefore ordered that Cad Price be, and he is hereby appointed receiver of all the debts, property, equitable interests and things in action belonging to said firm, The Marysville Rug Company, that said receiver upon being duly qualified proceed to collect the debts of the firm, and in case there are any rugs made up being the property of different individuals, and ready for delivery, that he deliver the same, receiving the contract price, and also procure help, and fill all orders for rugs.

And the said parties here, and all other parties having any of said property in their possession or under their control, are hereby ordered to deliver the same, and all persons owing any such money belonging to said firm are hereby directed to pay over the same to the said Cad Price, as such receiver on his demand.

John M. Brodrick.
Judge.

Court adjourned until Wednesday August 24th 1910.

Wednesday, August 24th 1910, Court convened at 9 O'clock, A. M. Present, Honorable John M. Brodrick, Judge.

9072

Sallie M. Beckwith, Plaintiff, vs. Owen C. Fugua, et al, Defendants } Court of Common Pleas, Union County, Ohio.

This day leave was granted defendant to file amended answer and same filed.

Court adjourned until Saturday August 27th 1910

Saturday, August 27" 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

State of Ohio, Union County, Ss.

Entry 9064

Dudley E. Thornton, Plaintiff, } In the Court of Common Pleas.
Vs.
Eva D. Thornton, Defendant } Journal Entry.

This cause came on to be heard on the pleadings and evidence, and upon due consideration thereof, the Court finds that the allegations of the petition are true.

The Court further finds that the defendant has been guilty of gross neglect of duty to said plaintiff and by reason thereof the plaintiff is entitled to a divorce as prayed for. It is further adjudged and decreed that the marriage contract heretofore existing between the parties hereto, be, and the same is hereby dissolved and both parties are released therefrom.

It is further ordered and decreed that the defendant have the custody, care and control of said child. And the plaintiff is enjoined from in any manner interfering with said defendant in said custody and control and from in any way interfering with said child until further order of the Court.

But it is ordered that the said defendant shall permit the plaintiff to visit said child at its home at all reasonable times and to have the custody of said child during the month of July of each year.

The defendant is hereby allowed and decreed as reasonable alimony, the sum of Three Thousand Eight Hundred Dollars ($3,800.) in addition to the $200. already paid, payable forthwith and the same is hereby made a lien upon all of the plaintiff's real estate, and execution is awarded against said plaintiff for the collection of said sum.

It is further ordered that the said plaintiff pay the defendant for the maintenance and support of said child the sum of One Hundred and Fifty Dollars ($150.00) per year, payable quarterly in advance, for a period of five years from May 4" 1910, and subsequent to that date as the parties may agree or the Court order.

It is further ordered and decreed that the defendant have and possess in her own right and divested of all right, interest or claim of the defendant, all of the personal property of every kind and character now in her possession, whether heretofore belonging to plaintiff or defendant.

It appearing that the plaintiff is the owner of certain real estate the same is hereby restored to him divested of all and every claim, title and interest by dower, or otherwise, of said defendant. This is in consideration of the payment of the alimony above named.

It is further ordered and adjudged that said plaintiff pay the costs of this suit, taxed at $8.08, and for which judgment is rendered against him.

O. K. John M. Brodrick, Judge.

Rose Decker.
Vs. Plaintiff
Samuel Decker
Defendant

Court of Common Pleas, Union County, Ohio,
April Term, 1910
August 27th 1910. Decree of Divorce.

Entry
9057

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 demurer or answer to the same; that at the time of the filing of the petition herein the plaintiff was a bonafide 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 May 1902, as alleged in said petition. And that the following children were born of said marriage, Leota Decker aged six years and Mabel Decker aged four years; 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 recover of the defendant her costs in this action, the same being paid, and that he pay her the sum of Twenty Five ($25.00) Dollars alimony as per agreement between the parties, the same being paid; the care, custody and control of the said minor children is to remain with Sarah E. Decker, where said children are at present, and the present arrangement is to continue, the defendant to pay for the care and maintenance of said children, but the plaintiff is to have said children every other week upon Saturday and Sunday, and is to be at once notified should either become ill and is to have the privilege of visiting them when ill. All of said order as to said children to stand until further order of this Court. And that this case be recorded.

John M. Brodrick,
Judge.

Court adjourned Wednesday August 31st 1910.

Wednesday August 31st 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 8968 — Orpa M. Unglesby et al Vs. Della A. Snyder et al. — Plaintiffs, Defendants — Court of Common Pleas, Union County, Ohio.

Upon motion of James E. Robinson guardian ad litem etc. leave is granted to said guardian ad litem to file an answer in this cause instanter.

Entry 8968 — Orpha M. Unglesby and her husband, William S. Unglesby, Vs. Della A. Snyder, et al, — Plaintiffs, Defendants — State of Ohio, Union County, ss. Court of Common Pleas.

This day this cause came on to be heard upon the petition, the answer of J. Charles Reed, the answer of James E. Robinson guardian ad litem of Fay Reed and Lottie Reed Minors, the return of the summons issued herein, the record and the evidence and was submitted to the Court; the Court being fully advised in the premises on due consideration thereof, finds; that all of the defendants have been duly and legally served with process, and had due and legal notice of the pendency of said petition and the prayer thereof, and that all parties are legally before the Court.

The Court further finds, that said plaintiff Orpha M. Unglesby and the defendants, Della A. Snyder, Clara J. Hinton, John C. Reed, and Fay Reed and Lottie Reed, both of the latter minors and heirs at law of Ross Reed, deceased, are tenants in common in the real estate in the petition described; that Plaintiff Orpha M. Unglesby has the legal right to and is entitled to the undivided one fifth part thereof, and that Della A. Snyder, Clara J. Hinton and John C. Reed are each entitled to and have the legal right to an undivided one fifth part thereof; and that said minors Fay Reed and Lottie Reed, are each entitled to and have the legal right to an undivided one tenth part thereof, and that plaintiffs are entitled to have partition of said premises as in the petition prayed for.

The Court further finds; that the parties have agreed among themselves that said John C. Reed is to keep and maintain the crops raised by him on said land and have and hold his lease hold estate until the first day of March, 1911, and that he is not to be charged with any portion of the costs in this proceeding, and upon consideration ~~he~~ of which he will he will surrender his lease to the party electing to take said premises or a purchaser thereof as the case may require, this agreement the Court finds to be just and reasonable and the same is approved and confirmed. And there being no

further objections to the partition as prayed for.
It is therefore ordered adjudged and decreed, that partition of said premises be made in favor of all parties in interest, and that William B. Sudgrass, Howard Cosburg and George E. Whitney three judicious and disinterested freeholders of the vicinity be and they are appointed commissioners to make such partition.
It is further ordered that a writ of partition be issued, directed to the Sheriff of Union County, Ohio, commanding him that by the oaths of the above named Commissioners, he cause to be set off and divided to each of the herein named parties, the part and parcel and proportion of said real estate to which they are respectively entitled, or if said Commissioners are of the opinion that said premises cannot be divided without manifest injury to the value thereof, that they return that fact to the Court, with a just valuation of said real estate, in manner as provided by law: and of his proceedings herein said Sheriff is ordered to make due return to this Court.

Entry 8968.

Court Adjourned until Thursday, September 1st 1910.

Thursday, September 1st 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 8968.

Orpha M. Hugglesby, et al, Plaintiffs
Vs.
Della A. Snyder, et al, Defendants
} Court of Common Pleas, Union County, Ohio.

Election.

Orpha M. Hugglesby one of the parties to the above entitled cause now comes and elects to take the premises described in the plaintiff's petition at the appraised value thereof, to-wit, at $9021.00.
And the other co-tenants of said land hereby consent that said election may be confirmed to said Orpha M. Hugglesby without waiting for the expiration of the time provided in the rules of practice of this Court.

Entry

Entry 8813

M. J. Flaherty, Plaintiff
Vs.
O. E. Pore, et al, Defendant
} In the Court of Common Pleas, Union County, Ohio.

Now came the parties herein, by their attorneys, and thereupon this cause came on for hearing on the pleadings and evidence, and was submitted to the Court on consideration whereof the Court find, on the issue joined for the plaintiff, and that the plaintiff is entitled to the relief prayed for.
It is therefore, on motion of the plaintiff adjudged and decreed that the injunction heretofore granted in this action be, and the same hereby is, made perpetual. It is further considered that the said plaintiff recover from the defendant his costs herein expended, taxed at, $ —.

State of Ohio, Union County, S. S.

Orpha M. Unglesby, et al. Plaintiffs,
vs.
Della A. Snyder, et al. Defendants,
} Court of Common Pleas.

Entry

8968. This day this cause came on to be heard upon the return of the Sheriff, the report of the Commissioners herein and heretofore appointed by the Court, and the motion of plaintiffs to confirm the same; and the Court having examined said return and report and being fully advised in the premises, does find that they are in all respects in conformity to law and the orders of the Court, and the same hereby are approved and confirmed.

And it appearing to the Court that Orpha M. Unglesby one of the parties to this action has elected to take all of said real estate, described in the petition, at the said valuation of the Commissioners, said Commissioners having found that said premises cannot be divided without manifest injury thereto, and having returned their valuation of said real estate at $9021.00 And said Orpha M. Unglesby having paid to the Clerk of this Court the costs of this case, and to the other parties herein their respective proportions of the appraised value of said real estate, said real estate is hereby adjudged to the said Orpha M. Unglesby, and the Sheriff is hereby ordered and directed to execute a proper deed for the same to the said Orpha M. Unglesby according to the statutes in such case made and provided.

It is further ordered, that the costs and expenses of this case, taxed at $327.56, which includes an attorney fee to J. D. Miller and Hoopes, Robinson and Hoopes of $300.00 for their services herein be assessed against Orpha M. Unglesby 1/4, against Della A. Snider 1/4, against Clara J. Hinton 1/4, against Fay Reed 1/8 and against Lottie Reed 1/8.

Entry

This day the Court of Common Pleas of Union County, Ohio, being of the opinion that the business requires it, does hereby appoint 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 four hundred and fifty dollars per annum, payable out of the general fund of said county, in equal monthly installments; and that her compensation for transcribing stenographic notes into long hand shall be at the rate of eight cents per folio of one hundred words. Such compensation to be in lieu of all per diem compensation in said court. September 2nd, 1910.

John M. Brodrick.

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

Court adjourned until Thursday, September 8th 1910.

Thursday, September 8th 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

9027 Entry

Charles E. Freshwater, Plaintiff, Vs. Amanda Freshwater, et al, Defendants. } Court of Common Pleas, Union County, Ohio.

Now come Plaintiff herein, by his attorney, and his petition thereupon coming on to be heard, the Court find that all of the defendants have had due legal notice of the 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 Amanda Freshwater, widow has surrendered her right of dower, and elected to take as an heir herein. That the said Charles E. Freshwater and the defendants Amanda Freshwater, Clarinda Liggett, David M. Freshwater, Sarah C. Long are each seized of the one undivided sixth part of the undivided half of the first tract described in the said petition consisting of seventeen acres and commonly known as the old home place, and located in Pharisburg, Union County, Ohio, and of the permanent improvements thereon. And that said defendants Sarah H. Berlet, Eliza H. Loveless, Alice H. Moore and Minnie McCloud each seized of the one equal undivided twenty fourth part thereof including said permanent and valuable improvements, That the defendant W. E. Scott, became seized of the undivided one sixth part of the other undivided one half of the said property; that the said Elizabeth Campbell, Lissa A. Wise, Adda Jackson, Frank McAllister and Bertie Freshwater each are seized of equal undivided one thirtieth part thereof; that the said Cash Scott, Nate Scott, Frank Scott, and Charles Scott are each seized of an equal undivided one thirtieth part thereof; that said Maud Wassen and Alfred Scott are each seized of equal undivided one twelth part thereof; that said Edna East, Ethel Dixon, and Ino Aller are each seized of the one equal undivided one seventy second part thereof, subject to dower estate of their mother said Ida Scott; that Clifford Scott, Hamilton Scott, and Mattie Huggard are each seized of the one equal undivided one twenty fourth part thereof; that the said Elizabeth S. Coe is seized of the one undivided sixth part thereof; subject to the dower estate of the said defendant Lydia Scott, and all are entitled to have partition made on said premises. 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 issued to Sheriff of said County of Union, Commanding him that by the oaths of three judicious and disinterested free-holders of the vicinity who are not of Kin to either of the parties, and who are hereby appointed commissioners for that purpose, and to set off and assign such dower to said Ida Scott and to said Lydia K. Scott according to law, and that by the like oaths of the said named commissioners 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.

Entry

9089

And it is ordered that in case a partition of said premises can not be made without manifest injury to the value thereof, then that they may be sold free of all rights of all persons, parties to this suit and those interested who may be born, and it is further ordered that the said Commissioners take into account the said permanent and valuable improvements and appraise them separate from the land, also that the land and permanent and valuable improvements therein be appraised together and all appraised free of all dower rights.

And on the proceedings herein, that said Sheriff is ordered to make due return without unnecessary delay.

Court Adjourned until to-morrow morning at 9 O'clock.

Friday, September 9th, 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry

9089

The Peoples Bank, Plaintiff,
Vs.
The Columbus News Company, W. P. Harrison and S. A. Hoskins, Defendants.

In the Court of Common Pleas of Union County, Ohio.
Journal Entry of Judgment on Note.

This day came The Peoples Bank, plaintiff herein, by James W. Campbell, its attorney; also came E. W. Porter, an Attorney-at-Law of this Court, on behalf of the said Defendants, and, by virtue of a Warrant of Attorney duly executed by the said Defendants, and now produced to the Court, and a copy of which is set forth in the petition filed with the Clerk of this Court, entered the appearance of the said Defendants to this action, waived the issuing and service of process herein, and, with the assent of the Plaintiff, confessed that the said Defendants are justly indebted to the said Plaintiff in the sum of One Thousand and Fifty One and 17/100 Dollars; and also released and waived all errors in these proceedings, petitions in error, and the right of appeal from the judgment rendered herein.

It is, therefore, considered and adjudged by the Court that the said Plaintiff recover from the said Defendants the said sum of One Thousand and Fifty One and 17/100 dollars, together with its costs herein expended, taxed at $.

John M. Brodrick.
Judge.

Court adjourned until September 10th 1910.

Saturday, September 10th 1910, Court convened at 9 O'clock, A. M. Present, Honorable John M. Brodrick, Judge.

Ettie Hamilton, Plaintiff
Vs.
Matilda A. Amrine et al.

This day leave was granted defendants, Lewis D. Amrine and Matilda A. Amrine to file answers, and same filed.

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

This present Term of this Court was begun on the 4th day of April A.D. One Thousand Nine Hundred and Ten, and continued from day to day, and from time to time, by regular adjournments, until this 12th day of September of the year aforesaid, and is now adjourned without day.

D. Shaw Broderick

Judge.

September Term, A. D. 1910.

The State of Ohio, } ss.
County of Union }

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, for the Term of September, in the year of our Lord One Thousand Nine Hundred and Ten, held in the Court House in the Village of Marysville, County and State aforesaid, was begun on Monday, the 12th day of September, in the year aforesaid.

Present: Honorable John M. Brodrick
Judge of the Court of Common Pleas.
Cad Price — Sheriff of Union County, Ohio.
Attest — Charles Parrott, Clerk of the Common Pleas Court of Union County, Ohio.

J. M. Lenty, et al.,
Vs. Plaintiffs.
H. A. Rhodebaugh et al.,
Defendants. } In the Court of Common Pleas of Union County, Ohio.

This cause now coming on for hearing on the demurrer of the Defendant to the petition of the plaintiff, the Court, on consideration thereof, overrules the same, and the defendant is granted leave to answer in fifteen days.

Entry 9073

Grand Jury Facias.

The Venire Facias for a Grand Jury heretofore issued was duly returned by the Sheriff on September 12", 1910, with his endorsements thereon as follows,

The State of Ohio, Union County, ss.

Sheriff's Office, September 12" 1910.

On the 22 day of August, 1910, 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	Miles
1.	J. H. Cheney	August 24" 1910	By Mail	18
2.	Monroe Leuty	" 24" 1910	" "	6
3.	C. H. Shirk,	" 24" 1910	" "	10,
4.	James Heath	" 24" 1910	" "	13
5.	Frank Young (excused)	" 26" 1910	" "	—
6.	C. E. Baker	" 24" 1910	" "	18
7.	M. P. Guy	" 24" 1910	" "	11.
8.	O. Fields	" 26" 1910	" "	20.
9	J. M. Peel	" 23" 1910	" "	—
10.	David McCloud	" 23" 1910	" "	6.
11.	Wash. Sprague	" 23" 1910	" "	11.
12	Arthur Graham,	" 26" 1910	" "	9.
13	C. D. Miller	" 24" 1910	" "	10
14	George Myers	" 25" 1910	" "	9
15	Curry H. Raston	" 24" 1910	" "	7

And upon calling the same in open Court all of the above named jurors appeared in answer thereto, except Frank Young who having been excused previously by the Court, and the panel being incomplete the Sheriff summoned as Talesman to complete the same, the following named person, who appeared and answered to his name, John M. Lee.

And the panel being full the Court appointed John M. Peel 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,

J. Harlan Gabriel,
Vs. Plaintiff
Olive H Gabriel
Defendant

Court of Common Pleas, Union County, Ohio
September Term, September 12" 1910.

Entry

9073

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 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 12" day of January, 1910, as alleged in said petition.

And that no children were borne of said marriage.

And that the defendant has been guilty of gross neglect of duty, and unfaithful to said 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; The Court further finds that the contract entered into by the parties hereto, is a valid and subsisting contract, and its terms are satisfactory to both parties and therefore confirms the same, as attached to this entry marked Exhibit A, and made a part thereof.

It is adjudged that the Plaintiff pay the costs of this proceeding taxed at $ and that this case be recorded.

John M. Brodrick, Judge.

"Exhibit "A,"

Separation Agreement.

The articles of separation made and concluded at Marysville, Ohio, this 12" day of July, 1910, by and between J. Harlan Gabriel, and Olive H. Gabriel, and wife, Witnesseth:—

That whereas, the parties have hereunto agreed upon an immediate separation, and do hereby agree to live separate and apart the remainder of their natural lives, and

Whereas, in consideration of one dollar, paid by the husband to the wife, and other considerations, 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 relations, and said parties mutually agree that each party hereto may freely sell or otherwise dispose of his or her own property, by gift, deed, or will and testament, and each party is by these presence hereby barred from any and all rights or claims by way of dower, inheritance, descent, distribution, allowance for years support, and all other rights or claims whatsoever, in or the estate of the other, whether real or personal 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, administrators, and assigns of the other, all claims or rights of dower and inheritance in and to all the real property of the other, whether now owned or hereafter acquired, all right or claim to a distributive share of the personal estate of the other, now owned or hereafter acquired, and all claim of rights or claims whatsoever. Entry 9069

In witness whereof, the parties have hereunto set their hands the day and year first above written.

Signed and acknowledged in the presence of John L. Loughrey and J. Walter Kennedy.

J. Harlan Gabriel
Olive H. Gabriel.

The State of Ohio, Union County, ss.

Be it remembered that on this 12" day of July, 1910, before me the subscriber, a notary public, in and for said County, personally came the above named J. Harlan Gabriel, and Olive H. Gabriel, husband and wife, who acknowledged the signing of the foregoing instrument to be their voluntary act and deed.

In testimony whereof, I have hereunto subscribed my name and affixed my seal, on the day and year last written.

John L. Loughrey,
Notary Public,
Union County, Ohio. Entry 9052

Court adjourned until Tuesday at 9 O'clock

Tuesday, September 13" 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 9069

O. C. Fugua, Plaintiff
Vs.
The Erie Railroad Company, Defendant
} In the Court of Common Pleas, Union County, Ohio.

This day came the parties hereto, by their respective Counsel, and thereupon this cause came on to be heard upon the said Defendant's motion to dismiss the Appeal herein filed upon the grounds that the Justice of the Peace had not jurisdiction of the subject matter of the action, and that this Court has not appellate jurisdiction thereof; and the same was argued by Counsel and submitted to the Court.

Whereupon, the Court, on due consideration thereof, sustains the said motion. Wherefore, it is ordered and adjudged by the Court that the said action and appeal be, and the same Hereby are dismissed.

And, thereupon, the Plaintiff, by his Counsel, excepted to the said ruling and order of the Court in the premises.

Entry 9052.

Laura McIntire
Vs. Plaintiff,
John W. McIntire,
Defendant
} In the 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 finds the defendant in default for answer and demurrer to said petition, and find that the allegations thereof are confessed by said Defendant 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 has been guilty of adultery with one Minnie Boyd as alleged in Plaintiff's petition, and of extreme cruelty and of gross neglect of duty as alleged in plaintiff's petition, and that by reason thereof the plaintiff is entitled to a divorce as prayed for.

It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Laura McIntire and John W. McIntire, be, and the same hereby is, dissolved, and both parties are released from the obligations of the same.

It is further ordered and adjudged by the Court, that in pursuance of the agreement entered into between plaintiff and defendant June 27" 1910, defendant is to have the blind gray gelding, now on the farm owned by said Laura and being one of the two

described in the petition, the heavy spring wagon, now on the farm, being one of the two one horse wagons described in the petition, the second best set of single light harness described in the petition, and one old Jersey cow, now with calf at her side, not mentioned in the petition.

It is further ordered and adjudged by the Court that in pursuance of said agreement between plaintiff and defendant, defendant is barred of all claim, title and interest in all other property now on the farm mentioned in the petition, except his personal clothing, and is barred of all claims by way of dower or otherwise in all the property of the plaintiff, whether real or personal.

It is further ordered and adjudged by the Court in pursuance of said agreement, that the plaintiff is to have the care, custody and control of the minor children mentioned in the petition, so long as she does not call upon the said John W. McIntire for aid in their support, but the said John W. McIntire is to have the right to visit said children at reasonable hours, so long as he comes in a peaceable and sober manner.

It is further ordered and adjudged by the Court in pursuance of said agreement that plaintiff be barred of all he claim by way of dower or otherwise to any property the defendant may acquire and to the black gelding defendant bought since this suit was begun, and to the tract of new ground he rented of T. J. Davis. Also that plaintiff is to have the money for the milk sold from the cows on said farm to be paid the 10th of July, 1910, and defendant is to have the pay for the milk that he hauls or had hauled to the milk plant, but the daughter of plaintiff and defendant is to receive the pay for the milk she hauls.

It is further considered by the Court that the plaintiff pay the costs of this proceeding.

John M. Brodrick,
Judge.

Court of Common Pleas, Union County, Ohio.
September Term, September 13th 1910.
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. J. W. Cheney
2. Monroe Lenty,
3. C. W. Shirk,
4. James Heath,
5. P. G. Baker,
6. M. P. Guy,
7. O. Fields,
8. J. M. Peel.
9. David Mc Cloud
10. Wash Sprague.
11. Arthur Graham.
12. C. D. Miller.
13. George Myers
14. Curry H. Easton
15. John M. Lee.

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

John McEntire for Cohabiting in a state of adultery,
Minnie Boyd for Cohabiting in a state of adultery.

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, 1910, 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 Thirty Three 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 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 regulations of County Jails has been violated.

Respectfully submitted,
John M. Peel.
Foreman.

September 13th 1910
And there being no further business for said Grand Jury, they were discharged finally.

Court adjourned until Wednesday Morning at 9 Oclock.

Wednesday, September 14" 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge,

Entry 9091. J. M. Sanders and Percy Sanders, Plaintiffs
vs.
W. Granewitsch and A. Granewitsch, Defendants
} Court of Common Pleas, Union County, Ohio. Judgment by confession.

This day came the Plaintiffs by Cameron and Cameron their Attorneys, and filed their Petition against said Defendants, and thereupon James E. Robinson 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 were 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 Defendants to said Plaintiffs, on said indebtedness, the sum of One Hundred and Three and 69/100 ($ 103.69) Dollars, bearing interest at 8 per cent. per annum, and that said Plaintiffs ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court here that the said J. M. Sanders and Percy Sanders Plaintiffs do recover of the said W. Granewitsch and A. Granewetsch Defendants the sum of One Hundred and Three & 69/100 ($ 103.69) Dollars so confessed, as aforesaid, with interest from this day at 8 per cent. per annum, and also costs in their behalf expended, taxed to $ 6 —, 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.

Sallie M. Beckwith, Plaintiff
vs.
O. C. Fugua, et al. Defendants
} In the Court of Common Pleas, Union County, Ohio.

Entry 9072. This cause came on for hearing upon the demurrer of the plaintiff to the first defense of John H. Willis assignee of the defendant, Owen C. Fugua to the second amended petition of plaintiff and upon the demurrer of said plaintiff to the first defense of Owen C. Fugua to said second amended petition, and the Court, on consideration, sustains both of said demurrers.

And said defendants not asking to plead further the Court find that there is due the plaintiff from the defendant, Owen C. Fugua, on the promissory notes described in the petition the sum of Ten Thousand Fifty Three and 32/100 Dollars with interest from the 28" day of July, 1910, less such a sum as the Court may hereafter determine the defendant, Owen C. Fugua, may be entitled to credit by reason of the allegations of the Fourth ground of defense of said Owen C. Fugua as

answer to said second amended petition of plaintiff, and less such a sum, if any, as may be realized on a judgment heretofore obtained by said plaintiff in this Court against said defendant, Owen C. Fugua, in Case No. 9070. The Court further find that, in order to secure the payment of said notes described in said petition the defendants, Owen C. Fugua and Martha J. Fugua, his wife, executed and delivered to said plaintiff their certain mortgage, as in said petition described, and on the premises therein described; that said mortgage was duly recorded in Book No. 62, page 48 of the record of mortgages of Union County, Ohio, on the 12th day of May, 1909, at 3:45 O'clock P.M., and is a good and valid lien on said premises and second only to the mortgage of The Northwestern Mutual Life Insurance Company as alleged in answer of said company; and that the conditions of said mortgage have been broken.

It is therefore adjudged and decreed that, unless said defendant, Owen C. Fugua, said defendant Martha J. Fugua and said defendant John H. Willis as assignee, or either of them, shall within three days from the entry of this decree, pay, or cause to be paid to the Clerk of this Court the said sum of ten thousand fifty three and 32/100 dollars with interest from the 28th day of July, 1910, together with the costs of this proceedings, the equity of redemption of said Owen C. Fugua, Martha J. Fugua and John H. Willis as assignee, in said premises, 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. To all of which the defendant Owen C. Fugua, Martha J. Fugua and John H. Willis as assignee excepts.

Court adjourned until September 19th 1910.

Monday, September 19" 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9070.

Sallie M. Beckwith,
Vs. Plaintiff.
O.C. Fugua,
Defendant } Court of Common Pleas, Union County, Ohio

This cause came on for hearing on the motion of the plaintiff;
First:- To strike from the amended answer of the defendant, O.C. Fugua the paragraph marked "1".
Second:- To strike from said Amended Answer of said defendant the following allegation, Beginning with the paragraph which reads, "And the defendant further says that at the time of entering said judgment and the issuing and levying of the execution herein, he was the owner of a large farm etc." and from that point to the end of said amended answer.
Upon consideration the Court sustains said motion as to said paragraph marked "1" and as to said second part of said motion except the following of the prayer "wherefore the defendant prays that the petition of the plaintiff be dismissed with costs, that the judgment herein rendered be vacated and the execution and the levy be set aside and held for naught, and for costs.

Entry 9026

Entry 9016

Mark Cook.- Plaintiff.
Vs.
John Jennings, et al.
Defendants, } Court of Common Pleas, Union County, Ohio.

This cause now coming on for hearing on motion of plaintiffs' attorney, the Court finds that all parties defendant have been duly and legally served with summons, and that the proper returns have been made thereof. That all of said defendants except guardian ad-litem are in default for answer or demurrer to said plaintiffs petition and that the allegations thereof are thereby confessed by them to be true, and that the findings and orders made in the Journal Entry dated the 28" day of May, 1910, is hereby approved and confirmed.
Further the Court finds that for a valuable consideration the plaintiff has assigned all his right and interest in the within action and the claim or claims sued thereon to Aden W. Goff, and it is hereby ordered that he be substituted as party plaintiff to to this action.
And it is further ordered by the Court that the appraisement of the premises heretofore made by the Sheriff be approved and confirmed, and that said Sheriff now proceed to sell said premises according to law as herein before ordered.

John M. Brodrick
Judge.

Entry 9017

Entry 9018.

Court adjourned until Thursday, September 22 1910.

Thursday, September 22 1910, Court convened at 9 O'clock, A. M,
Present: Honorable John M. Brodrick, Judge.

Entry
9026

Gladys Bitler,
Vs. Plaintiff.
Roy C. Temple.
Defendant.
} In the Court of Common Pleas, Union County, Ohio.

This day came the defendant, Roy C. Temple, and confessed in open court that the charge of the plaintiff herein is true.

The said Roy C. Temple is now therefore adjudged by the Court to be the reputed father of the bastard child of said Gladys Bitler, and it is ordered that he stand charged with the maintenance thereof in a sum hereafter to be determined by the court, and that he pay the costs of this proceedings, and this cause is continued to some fyture day of this term.

It is further ordered that the bond heretofore given by the said Roy C. Temple for his appearance in Court be continued in force until the final disposition of this case.

Entry
9017

Lafayette McElroy
Vs. Plaintiff.
John R. Leib
Defendant
} In the Court of Common Pleas of Union County, Ohio.

This day came the parties herein by their attorneys; also came the following named persons as jurors, to-wit; 1st Elwood Smith, 2" Oliver Shaw, 3" C. E. Kagey, 4" S. T. Barr, 5" Austin Carey, 6" W. S. Fogle, 7" Luther Perkins, 8" Oscar Murphy, 9" E. B. Knotts, 10" A. W. Fry, 11" Harry Williams, 12" Ray White, 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 evidence adduced in full, said cause was continued until to-morrow morning at 9 O'clock.

Entry
9018.

F. M. Taylor,
Vs. Plaintiff.
William Hoagridge.
} In the Court of Common Pleas, Union County, Ohio.

This cause now coming on for hearing, on the motion of the defendant to strike Plaintiff's petition from the files, the Court, on consideration thereof, overrules the same.

Court adjourned until Friday, September 23d 1910.

Friday, September 23, Court convened at 9 O'clock, A. M. Present, Honorable John M. Brodrick, Judge.

Entry 9017.

Lafayette M. McElroy,
Vs. Plaintiff,
John L. Leib,
Defendant.
} In the Court of Common Pleas of Union County, Ohio.

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 argument of Counsel and charge of the Court, 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, find the issues in this case in favor of the Plaintiff, and assess the amount due to the Plaintiff at the sum of Forty three and 95/100 Dollars.

Edward P. Smith
Foreman.

September 23 1910.

W. Thomas Hull,
Vs. Plaintiff
Florence S. Hutt, et al
Defendants.
} In the Court of Common Pleas of Union County, Ohio. 9083

This day came the parties herein, by their attorneys; also came the following named persons as jurors, to wit: 1st. Edward P. Smith, 2. Oliver Shaw; 3. C. E. Kagey; 4" S. F. Barr; 5". Austin Carey; 6" W. S. Fogle; 7". Luther Perkins; 8" Oscar Murphy; 9". E. B. Knotts; 10" A. W. Fry; 11" Harry Williams; 12" Ray White; 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, argument of Counsel, and charge of the Court, the jury retired to their room, in charge of the Sheriff for deliberation. Dismissed

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, find the issues in this case in favor of the Defendants, and we do find that the paper writing produced is the valid last Will and Testament of said Joseph C. Hull.

Signed C. E. Kagey,
Foreman.

Court adjourned until Saturday Sept. 24 - 1910.

Saturday, September 24th court convened at 9 O'clock A. M. present Honorable John M. Brodrick, Judge.

Court adjourned until Monday, September 26" 1910

Monday September 26" 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge

Court adjourned until Tuesday, September 27" 1910.

Tuesday, September 27" 1910 Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County O.

9083	Willis Epps. Plaintiff. vs		No. 9083
Dismissed	Robt. McCrory Defendant		

This case settled. Judgment against Plaintiff for costs.

Court adjourned until Wednesday, September 28" 1910.

Wednesday, September 28th 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 9075.

Gilbert Houser, Plaintiff,
Vs.
Sophia Houser, Defendant

Court of Common Pleas, Union County, Ohio
September Term, 1910.

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 the petition 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 on the 13th day of March, 1884, as alleged in said petition. That there are no minor children, 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 $11.74, and that this case be recorded.

John M. Brodrick,
Judge.

Entry 9058

In Re Dissolution of The Novelty Manufacturing Company.
The Court of Common Pleas, Union County, Ohio.

And now this cause coming on for hearing on the report of Edward W. Porter, as Referee, and it thereby appearing to the Court that said corporation is insolvent and that a dissolution thereof will be beneficial to the stockholders, and not injurious to the public interest and that the objects of the corporation have wholly failed and have been entirely abandoned and that it is impracticable to accomplish the objects for which said corporation was organized.

And no good cause to the contrary being shown, it is therefore ordered and adjudged by the Court that said corporation, The Novelty Manufacturing Company of Peoria, Ohio, be dissolved and H. O. Orahood is hereby appointed receiver of all the estate and effects of the said dissolved corporation.

It is further ordered that the penalty of the undertaking to be given by said receiver be and the same is hereby fixed at Twenty Five Hundred Dollars.

And now came the same H. O. Orahood and presented his said undertaking in said sum with F. L. Kegerice and W. S. Thompson and W. W. Orahood as sureties to the approval of the court and was duly sworn as such receiver.

Entry 9065

The Ostrander Banking Company, Plaintiff,
Vs.
Mary J. Jewell, and Charles S. Jewell, Defendants } In the Court of Common Pleas, Union County, Ohio.

Entry 9065

Decree of confirmation order for deed, and distribution of proceeds.

On motion of the plaintiff, and on his producing the return of the Sheriff of the sale made under the former order of the Court; and the Court, on careful examination of the proceedings of the said sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this Court, it is ordered that the said proceedings and sale be, and they are hereby, approved and confirmed; And it is further ordered that the said Sheriff convey to the purchaser Henry Blumenschine 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 the sale, Amounting to One Thousand Six Hundred and Twenty Five ($1625.00), it is ordered that the Sheriff out of the money in his hands, pay.— First to the Treasurer of this County the taxes penalty and interest against said property, to-wit, the sum of $29.76

Secondly; The Costs of this action taxed at $34.70

Thirdly:- To the plaintiff The Ostrander Banking Company the amount heretofore due him with interest, to wit: the sum of $1027.79

Fourthly; To the defendants Mary J. Jewell and Charles S. Jewell, the balance of the money remaining in his hands, to wit, the sum of $, And a writ of possession is hereby awarded to put said purchaser into possession of said premises.

John M. Brodrick,
Judge.

Court adjourned until Thursday Sept. 29th 1910, at Nine O'clock A.M.

Thursday, September 29th 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9070

Sallie M. Beckwith, Plaintiff
vs.
O. C. Fugua, Defendant
} The Court of Common Pleas, Union County, Ohio.

This day leave was granted John H. Willis, assignee of the defendant, O. C. Fugua, to file answer and the same filed.

Entry 9070.

Sallie M. Beckwith Plaintiff
vs.
O. C. Fugua, Defendant
} The Court of Common Pleas, Union County, Ohio.

On motion J. O. Fugua was granted leave to be made a party defendant and to file answer and cross petition herein, and the same filed.

Court adjourned until Friday, Sept 30th

Entry 9061

Entry 1375

Entry 9061

Court adjourned until Friday, September 30th 1910

Friday, September 30th 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry
9061

Waterman Hill,
Vs. Plaintiff,
Ella Hill,
Defendant
} Court of Common Pleas, Union County, Ohio.

This day leave of Court was granted to defendant to file her answer herein, and same was filed.

Entry
1375

The State of Ohio,
Vs. Plaintiff
William Gibson,
Defendant
} In the Court of Common Pleas of Union County, Ohio.

It is the opinion of the Court that the public interest requires the appointment of an attorney to assist the prosecuting attorney in the trial of the accused in this case and J. L. Cameron is hereby appointed.

John M. Brodrick,
Judge.

Entry
9061

Waterman Hill, Plaintiff,
Vs.
Ella Hill, Defendant
} Court of Common Pleas, Union County, Ohio.

This day came the parties, and the defendant asked and had leave of the Court to withdraw her answer and her motion for alimony and the affidavits in support of the same, and the plaintiff asked and had leave of the Court to withdraw his affidavit in support of his defense to said motion.

Thereupon this cause was submitted to the Court upon the petition and the evidence, and on consideration whereof the Court finds that due and legal notice has been given to the defendant according to law. The Court find that the plaintiff has been a resident of the State of Ohio for more than the year next before filing his petition and that the time of filing the same he was a bona fide resident of the said County of Union.

The Court also find that the parties were married as stated in the petition, and that previous to said marriage the parties entered into the ante nuptial agreement a copy of which is attached to the petition, which agreement the Court finds to be just and reasonable and the same is approved and confirmed.

The Court finds that the defendant has been guilty of gross neglect of duty as alleged in the petition and that by reason thereof the plaintiff is entitled to a divorce.

It is therefore adjudged and decreed by the Court that the marriage relation heretofore existing between the parties be and the same is set aside and wholly annulled and both parties released from the obligations of the same.

And it is further ordered and decreed that the plaintiff be divested of all interest, by dower or otherwise in the property of the defendant and that the defendant be divested of all interest in the property of the plaintiff and that each party hold their respective property wholly released from any estate or claim of the other party.

And it is further ordered that the costs of this proceeding be paid by the plaintiff.

Court adjourned until Saturday October 1st 1910.

Saturday, October 1st 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Court Adjourned until Monday, October 3rd 1910.

Monday, October 3rd 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge

Court adjourned until Tuesday, October 4th 1910.

Tuesday, October 4th 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Court adjourned until Wednesday October 5th 1910,

Wednesday, October 5th 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Court adjourned until Thursday, October 6th 1910.

Thursday, October 6th 1910 Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Court adjourned until Friday, October 7th 1910.

Friday, October 7th 1910 Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 8918.

W. A. Organ, Plaintiff
Vs.
A. M. Glendenning, Defendant.
} In the Court of Common Pleas, Union County, Ohio.

Case dismissed at Plaintiff's Cost

J. H. Willis, Attorney for Plaintiff.

Entry 9080.

I. Melvin Norveil
Vs. Plaintiff.
Edward McWade
Defendant
} The Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard upon the motion of the defendant to strike certain words and figures from the petition, and was argued by counsel, whereupon the Court doth sustain said motion in part and order the following words and figures stricken from the petition:- "When the plaintiff purchased said business, the defendant and one Thomas Corbin represented to him, that he was purchasing a one half interest in the same that belonged to E. L. Deysinger, and he represented to him that said factory was on a paying basis, and he also had men hired to represent to him these facts, and on the strength of said

representation, he paid Eight Hundred ($800.00) for said interest, and he afterwards found said $800.00 check had been turned over to the defendant, and the money was received by him. That the business has never been a paying investment, before or since the date of his partnership, and said business at the present time has been conducted by the defendant at great loss to said plaintiff."

"The plaintiff further says, the defendant as manager has permitted the said Thomas Corbin, and one George B. Pounds, to constantly loaf and loiter in said office of The Marysville Rug Company, and part of the time pay them, the former $2.00 per day, and the latter $1.50 per day, being an unreasonable price, for unexperienced help, and many times they would try to collect firm money, manage and direct the hands, and also give the plaintiff his orders, and on August 12" 1910, the said Thomas B. Corbin tried to take complete possession, around said factory, all to the damage and business of said firm, and against the plaintiff's wishes, and part of the time these parties claimed to be doing real estate business, while in fact they were doing nothing."

"The plaintiff further alleges that it is impossible to state accurately the damages the plaintiff has suffered by reason of the grievances herein alleged, and the threatened grievances by the defendant, and persons around the office; and the time that has been lost by the plaintiff, and the missrepresentations in selling the one half interest to him for $800.00, when the whole of said business was not worth more than said amount. The plaintiff alleges that his damage will amount to the sum of $1000.00, and that for the plaintiff to pursue a remedy by law would involve a multiplicity of suits, and he further asks that if the Court find by the evidence that he has been defrauded to the value of said factory after it is appraised, and after the debts have been paid, that he may order the title of said factory turned over as his own property."

"But in case the Court find that the plaintiff has been defrauded by the defendant out of his money as aforesaid $800.00, and the value of the factory, that he may order the balance of said money after the sale, or the title of said factory turned over to him, as his own property."

"That reasonable attorney fees may be allowed council for the plaintiff."

And further the court doth overrule said motion as to the remaining words and figures therein asked to be stricken from the petition.

Entry
8791.

Entry
8801.

Entry
9026.

Tuesday, October 11th 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 8791. John Cody Vs. White Eagle Tribe, No. 94. Improved Order of Red Men of Marysville, Ohio, et al Defendants } In the Court of Common Pleas, Union County, Ohio.

This cause now coming on for hearing on the motion of the defendants to dismiss this cause for want of prosecution, and the Court being fully advised in the premises, hereby orders that this cause be dismissed at plaintiff's cost. It is therefore considered by the Court that the defendants recover the sum of $1 being the full amount of the costs herein.
To all of which plaintiff then and there excepted.

Entry 8801. E. C. Lefler and W. C. Ogris Plaintiffs. Vs. E. H. Guckert Defendant. } In the Court of Common Pleas, Union County Ohio.

This day this cause came on to be heard upon the motion of the plaintiff herein for a continuance, and the Court being fully advised in the premises orders this cause to be continued until the January, 1911. term of this Court at the cost of plaintiffs.
And it is therefore considered by the Court that defendant recover from plaintiffs the sum of $ being the costs of this continuance.

Entry 9026. Gladys Bitler, Vs. Plaintiff Roy C. Temple, Defendant } In the Court of Common Pleas, Union County, Ohio.

It appearing to the Court that the said Gladys Bitler, plaintiff herein is a female under the age of eighteen years, it is therefore ordered that Elmer Bitler, father of said Gladys Bitler, be, and the said Elmer Bitler is hereby named as next friend of said Gladys Bitler and this cause will hereafter proceed under the title of Gladys Bitler by her next friend Elmer Bitler, Plaintiff, Vs. Roy C. Temple, defendant.
And it further appearing to the Court that the said Roy C. Temple, defendant herein is a male under the age of twenty one years, it is therefore ordered that Marion Temple, father of the said Roy C. Temple, be, and the said Marion Temple is hereby appointed guardian ad litem for the said Roy C. Temple for the purposes of this suit.
The said Roy C. Temple on a former day of this term having confessed in open Court that the charges of the plaintiff herein are true, and the Court having adjudged the said Roy C. Temple to be the reputed father of the child of the said

Gladys Bitler.

It is therefore ordered and adjudged that the said defendant stand charged with the maintenance of said bastard child in the sum of four hundred dollars; and that he pay said sum to the Clerk of this Court for the use of plaintiff as follows, to-wit: One Hundred Dollars cash in hand, and one hundred Dollars in one year from date, and One Hundred Dollars in two years from date, and One Hundred Dollars in three years from date; and also that he pay the costs of this proceeding. For all of which execution is awarded.

It is further ordered that the said defendant give security to the acceptance of this Court for the performance of this order. And in default of such payment, or security, that he be committed to the jail of the County, there to remain until he shall comply with the requirement of the Court.

Entry 8893.

Entry 1402

The State of Ohio,
Vs. Plaintiff
John W. McEntire,
Defendant

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

It is the opinion of the Court that the public interest requires the appointment of an attorney to assist the prosecuting Attorney in the trial of the accused in this case and William T. Hoopes is hereby appointed.

John M. Brodrick, Judge.

Entry 1402

Entry 1403

The State of Ohio,
Vs. Plaintiff,
Minnie Boyd.
Defendant

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

It is the opinion of the Court that the public interest requires the appointment of an attorney to assist the Prosecuting Attorney in the trial of the accused in this case, and William T. Hoopes is hereby appointed

John M. Brodrick,
Judge.

William Fletcher,
Vs. Plaintiff,
Ella Fletcher
Defendant

} Court of Common Pleas, Union County, Ohio.

The State of Ohio, Union County, ss.

This day came the Plaintiff and filed herein an affidavit under the Statutes in that behalf for the purpose of procuring service by publication and it appearing that service of summons on her cannot be made in this State; that the residence of said defendant Ella Fletcher unknown to the plaintiff. It is ordered that the publication be made for six consecutive weeks, in a newspaper printed in this County, that it contain a summary statement of the object and prayer of the petition, mention the Court wherein it is filed, and notify the persons thus to be served when they are required to answer.

John M. Brodrick, Judge.

Entry 1403

Court adjourned until Wednesday, October 12" 1910,

Wednesday October 12" 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 8893.

Rosa Furer,
Pl's. Plaintiff,
The Acme Food Co. et al } In the Court of Common Pleas, Union County Ohio.

This cause came on to be heard on the 28" day of September A.D. 1910, and was submitted to the Court upon the pleadings and the evidence, and on consideration thereof the Court find on the issues joined that the plaintiff and the defendants, other than the defendant The Acme Food Co. have a valid defense to the cause of action set out by the said The Acme Food Company as plaintiff, in the case of The Acme Food Company Vs. Harmon, et al Court of Common Pleas of Union County, Ohio, No. 8736, and it is therefore ordered that the judgment rendered in said last named case, be, and the same is, hereby vacated, and the defendants therein are hereby granted leave to plead, and the said cause is continued until the January 1911 term of the said Court.

John M. Brodrick, Judge.

Entry 1202

The State of Ohio
Vs.
John W. McEntire } Court of Common Pleas, 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 said indictment for plea thereto saith he is guilty. Thereupon, the defendant being inquired of whether he had anything to say why sentence should not be pronounced against him and having nothing to say, it is ordered and adjudged by the Court that the said John W. McEntire pay a fine of twenty five dollars and be imprisoned in the Columbus City Workhouse at Columbus, Ohio, for the term of sixty days at hard labor, no part of the time in solitary confinement, and that the defendant pay the costs of this prosecution taxed at $6.00. It is further ordered that the defendant stand committed until the costs and fine are paid or until he be discharged by allowing him a credit of sixty cents per day for imprisonment, or until he be otherwise legally discharged. It is further ordered by the Court that the execution of the sentence, except as to costs, be suspended pending defendants good behavior.

Entry 1203

The State of Ohio,
Vs.
Minnie Boyd, } Court of Common Pleas, Union County, Ohio.
Indictment for cohabiting in a state of fornication.

Now comes the Prosecuting Attorney on behalf of the State of Ohio and the defendant coming into Court and being arraigned on said Indictment for plea thereto saith she is guilty. Thereupon, the defendant being inquired of whether she had anything to say why sentence should not be pronounced against her and having nothing to say, it is ordered and adjudged by the Court that the said Minnie Boyd pay a fine of twenty five dollars and be imprisoned in the Columbus City Workhouse at Columbus, Ohio, for the term of Sixty days at hard labor, no part of the time in solitary confinement and that the defendant pay the costs of this prosecution taxed at $6.00. It is further ordered that the defendant stand committed until the costs and fine are paid or until he be discharged by allowing her a credit of sixty cents per. for imprisonment, or until she be otherwise legally discharged. It is further ordered by the Court that the execution of the sentence, except as to costs, be suspended pending defendants good behavior.

Court adjourned until Thursday October 13" 1910.

Thursday, October 13" 1910, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry
9070.

Sallie M. Beckwith
Vs. Plaintiff,
O. C. Fugua,
Defendant. } In the Court of Common Pleas, Union County, Ohio.

This cause coming on for hearing upon the demurrer of the defendant O. C. Fugua to the petition of the plaintiff, upon consideration whereof the Court overrules the same.

And by agreement of Counsel for plaintiff and counsel for the defendant O. C. Fugua, the defendant J. O. Fugua and the defendant John H. Willis, assignee, the Court find that the plaintiff Sallie M. Beckwith is entitled to judgment in this cause in the sum of $2179.80, upon the note in said petition described.

And by agreement of Counsel the defendant J. O. Fugua is entitled to receive on the chattel mortgage described in his cross petition herein the sum of Five Hundred Dollars, but the plaintiff Sallie M. Beckwith is subrogated to all the rights of said J. O. Fugua under said chattel mortgage to the chatted property in said chattel mortgage described.

And by agreement of Counsel for said O. C. Fugua the said O. C. Fugua waives all right to an exemption in lieu of a homestead, and as a farmer and as the head of a family.

It is therefore considered and adjudged by the Court that the plaintiff, Sallie M. Beckwith recover from the defendant O. C. Fugua the said sum of $2179.80, and his costs in this cause expended taxed at $, and execution is awarded therefor.

It is further considered and adjudged by the Court that the Sheriff of Union County now acting as receiver in this cause pay out of the funds in his hands in this cause to J. O. Fugua the sum of $500.00, and that the plaintiff be and she hereby is subrogated to all the rights of the said J. O. Fugua under the chattel mortgage described in his cross petition herein to the chattel property in said mortgage described.

And the Court further finds that the said O. C. Fugua is indebted to the defendant B. F. Carmean in the sum of $203.35 and that his lien by reason of the chattel mortgage described in his cross petition herein is the first and best lien on the chattel property therein described. It is therefore considered and adjudged that the defendant B. F. Carmean recover from the defendant O. C. Fugua the sum of $203.35, and that out of the proceeds of the sale of the chattel property described in said B. F. Carmean's cross petition herein that he be first paid the amount of said judgment.

And the Court further finds that the said O. C. Fugua is indebted to the defendant The Emmert Conrad Company, in the sum of $522.17, and that his lien by reason of the chattel mortgage described in his cross petition herein is the first

Entry
9072.

best lien on the chattel property therein described. It is therefore considered and adjudged that the defendant The Emmet Conrad Company recover from the defendant O.C. Fugua the sum of $522.17, and that out of the proceeds of the sale of the chattel property described in said The Emmet Conrad Co's. cross petition herein that he be first paid the amount of said judgment.

John M. Brodrick, Judge.

Sallie M. Beckwith, Plaintiff,
vs
Owen C. Fugua et al, Defendants
Entry
In the Court of Common Pleas, Union County, Ohio.

9072. This cause came on for hearing upon the pleadings and upon the agreement of Counsel for the plaintiff Sallie M. Beckwith and for the defendants O.C. Fugua and J. O'Fugua and John H. Willis assignee.

Upon consideration whereof the Court find that the defendant Martha J. Fugua has been legally summoned by publication, and is in default for answer and demurrer and the allegations of plaintiff's second amended petition are therefore confessed by her to be true.

The Court further find that there is due the defendant The Northwestern Mutual Life Insurance Company upon the promissory note described in its cross petition herein the sum of $1500.00 with interest at the rate of 5% per annum payable semi-annually from the first day of April, 1910.

The Court further find that in order to secure the payment of said notes the defendants Owen C. Fugua and Martha J. Fugua executed and delivered to said The Northwestern Mutual Life Insurance Company their certain mortgage upon the premises, as in said cross petition described; that said mortgage was duly recorded in Volume 63 on pages 88 et seq. of mortgages, in the recorder's office of Union County, Ohio, on the 12th day of May 1909, at 3-30 O'clock, P.M., and that said mortgage after the taxes and costs of this case is the first and best lien on said premises.

The Court further find that there is due the plaintiff Sallie M. Beckwith upon the notes described in her second amended petition herein the sum $10733.32 with interest from the 15th day of July, 1910, upon the notes described in said second amended petition; that to secure the payment of two of said notes to-wit the note for $1500.00, and the note for $2500.00 in addition to the real estate mortgage executed to the plaintiff an order of foreclosure and sale upon which has been heretofore issued in this cause the defendant Owen C. Fugua, executed a chattel mortgage to the plaintiff as in said second amended petition in the third cause of action thereof described, and that the same is a valid and subsisting lien on the goods and chattels therein described, and that the plaintiff is entitled to have said chattel property sold to pay the amount due her upon said last mentioned notes.

The Court further find that in order to secure the payment of another of the notes described in said second amended petition, to wit the note for $3000.00, in addition to the said real estate mortgage upon which an order of foreclosure and sale has heretofore issued in this cause the defendant Owen C. Fugua executed and delivered to the plaintiff a chattel mortgage as described in said second amended petition and in the fourth cause of action thereof and upon the chattel property therein described, and that the same is a valid and subsisting lien upon the property therein described and that the plaintiff is entitled to have said chattel property sold to pay the amount due her on said last mentioned note.
The Court further find that the plaintiff Sallie M. Beckwith has been subrogated to all the rights of the defendant J.O. Fugua under the chattel mortgage in his cross petition herein described to the chattel property therein described to satisfy so far as it may be needed all of the indebtedness of the said Owen C. Fugua to the plaintiff as set forth in said second amended petition of plaintiff.
It is therefore considered and adjudged that the defendant The Northwestern Mutual Life Insurance Company recover from the defendant Owen C. Fugua the sum of $15000.00, with interest at the rate of 5% per annum payable semi annually from the first day of April, 1910.
It is further considered and adjudged that the plaintiff Sallie M. Beckwith recover from the defendant Owen C. Fugua the sum of $8727.52.
It is further ordered that the chattel property described in the third and fourth causes of action of said second amended petition of plaintiff and the chattel property described in the cross petition of J.O. Fugua be sold as upon execution, and that an order issue for that purpose.
It is further ordered and adjudged that out of the proceeds of the sale of the real estate in said second amended petition of the plaintiff and in said cross petition of The Northwestern Mutual Life Insurance Company described, an order of foreclosure and sale of which has heretofore issued in this cause the sheriff first pay the taxes on said real estate now due, and the costs of this case.
Second to The Northwestern Mutual Life Insurance Company the sum of $15000.00, with interest at the rate of 5% per annum payable semiannually from the first day of April, 1910, third to the plaintiff Sallie M. Beckwith the amount of her judgment herein against the Defendant, Owen C. Fugua, together with the amount of her judgment in the case of Sallie M. Beckwith V. O. C. Fugua, No. 9070. in this Court said judgment being upon a note collateral to the notes described in plaintiff's second amended petition herein to-wit, the sum of $10907.32; And that out of the proceeds of the sale of said chattel property that the Sheriff pay to said plaintiff so much if any, as may be required to satisfy said judgments

of plaintiff against the defendant Owen C. Fugua, to-wit the sum of $1907.32.

John M. Brodrick, Judge.

In the matter of the Report of the County Commissioners.

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

The County Commissioners of this County

In the matter of the Report of the County Commissioners. | In the Court of Common Pleas, Union County, Ohio.

The County Commissioners of this County having filed in this Court on the 19" day of September, A. D. 1910, their annual report as provided by Section No. 917, Revised Statutes of Ohio, New Code Section 2507, it is hereby ordered that said Report be investigated and examined by the Prosecuting Attorney of said County together with John R. Dodge and E. T. Bault two suitable persons who are hereby appointed by the Court for that purpose.

John M. Brodrick, Judge.

Court adjourned until Friday, October 14" 1910.

Friday, October 14" 1910, Court commenced at 9 O'clock, A. M. Present. Honorable John M. Brodrick, Judge.

Court adjourned until Saturday, October 15" 1910.

Court adjourned until Saturday October 22d 1910.

Saturday, October 22d 1910, Court Convened at 9 O'clock, A M.
Present, Honorable John M. Brodrick, Judge.

Entry
9088

James McGoron.
Vs. Plaintiff
A.E. McGoron,
Defendant

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 process, and that she has failed to appear and is in default for 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 29th day of December 1870, as alleged in said petition; And that there are no minor children unmarried; and that the defendant has been guilty of wilful absence for 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 pay the cost of this proceeding taxed at $13.41, and that this case be recorded.

John M. Brodrick,
Judge.

Entry
9103

Jacob Scheiderer,
Vs. Plaintiff
A.E. Mitchell and
Amy E. Mitchell, Defendants

Court of Common Pleas,
Union County, Ohio.
Judgment by Confession.

This day came the Plaintiff by A. H. Kollefrath, Attorney; and filed his petition against said Defendants Arnie E. Mitchell and Annie E. Mitchell, and thereupon John L. Loughrey one of the Attorneys of Record of this Court, for and on behalf of said Defendants Arnie E. Mitchell and Annie E. Mitchell 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 Ninety One and 41/100 Dollars $191.41, 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 Jacob Scheiderer, Plaintiff do recover from said Arnie E. Mitchell and Arnie E. Mitchell, Defendants the said sum of One Hundred Ninety One and 41/100 Dollars ($191.41) so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the date October 22nd 1910, 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.

In the Matter of the Death of Robert L. Woodburn, Attorney-at-Law.

Report of Committee on Memorial Resolutions.

To the Bar Association of Union County:—

Your committee, heretofore appointed to prepare and report resolutions in memory of Robert L. Woodburn, a member, late deceased, begs leave to present the following tribute in that behalf.

Whereas, Robert L. Woodburn practiced in the Courts of Union County continuously for a period of thirty eight years; and—

Whereas: Mr. Woodburn's practice of the law was characterized by attentiveness, industry, fidelity to his clients, and a genial courtesy toward his professional associates; and:—

Whereas: Mr Woodburn, as a citizen, County Official, and legislator, was a close observer of current events and always demanded honesty, efficiency, and a wise economy, in the administration of public affairs; and: Whereas: The dominant trait of Mr Woodburn's character was kindness, manifesting itself in a tender devotion to the care and comfort of his family; in a multitude of quiet, self-effacing, acts of charity and in an earnestly expressed desire for the betterment of this community in its material and intellectual interests. Therefore—

Be it Resolved, That, in the death of Robert L. Woodburn, the Bar of Union County suffers the loss of a kindly member, a faithful practioner, and a staunch defender of the integrity of our judicial system; and:

Resolved, That, in Mr Woodburn's death, this community loses a public spirited and benevolent citizen whose benfactions are monumental. And—

Be it further resolved that the foregoing preamble and resolutions be spread upon the journal of our Court of Common Pleas as a standing Testimonial of the esteem and appreciation in which we hold the memory of our departed associate.

Committee. { James McCampbell.
E. H. Porter
W. T. Hoopes.

Entry 9070

Entry 9072

Entry 9093.

Court adjourned until Friday, October 28" 1910.

Friday, October 28th 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 9070

Sallie M. Beckwith, Plaintiff
Vs.
Owen C. Fugua, et al, Defendants
} Common Pleas Court, Union County, Ohio.

This day this cause came on to be heard upon the application of Owen C. Fugua for a stay of the proceeding herein pending proceedings in Bankruptcy in the United States Court, Southern District of Ohio, and was argued by Counsel, and the Court being fully advised and upon consideration it is ordered that the application be and the same is hereby overruled. To all of which the defendant then and there excepted.

John M. Brodrick, Judge.

Entry 9072

Sallie M. Beckwith
Vs. Plaintiff
Owen C. Fugua,
Defendant
} Common Pleas Court, Union County, Ohio.

This day this cause came on to be heard upon the application of Owen C. Fugua for a stay of the proceedings herein pending Proceeding in Bankruptcy in the United States Court, Southern District of Ohio, and was argued by Counsel, and the Court being fully advised and upon consideration it is ordered that the Application be and the same is hereby overruled. To all of which the defendant then and there excepted.

Entry 9093.

J. L. Davis,
Vs. Plaintiff.
Arney E. Mitchell and
A. E. Mitchell, defendants
} In the 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, and find that the defendants Arney E. Mitchell and A. E. Mitchell are indebted to the plaintiff J. L. Davis in the sum of $443.17.

It is therefore considered by the Court that the plaintiff recover from said defendants the said sum of $443.17, and his costs herein expended taxed at $.

John M. Brodrick, Judge.

Tuesday, November 1st 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9038, John M. Rowe, Plaintiff, Vs. George P. G. Ellenwood, Defendant. } Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard upon the demurrer of the said plaintiff to the answer of George P. G. Ellenwood, and the same was argued by counsel and submitted to the Court.

Upon consideration whereof, the Court, being fully advised in the premises, overrules the said demurrer.

And the plaintiff not desiring to file further pleading, the Court finds from the evidence that the answer of the said defendant is true and that by reason thereof the defendant is entitled to the affirmative relief asked in his said answer and cross petition.

It is therefore considered and decreed by the Court that the title of said George P. G. Ellenwood to the premises in the petition described be, and the same is, quieted and put at rest, and the plaintiff and all claiming through or under him is forever and perpetually enjoined from interfering with the said defendant or his heirs or assigns in the possession and enjoyment of said premises.

And it is further decreed that the costs of this proceeding be paid by the plaintiff, and execution is awarded therefor.

To all of which rulings and decision of the Court the plaintiff then and there excepted.

John M. Brodrick, Judge.

November 1st 1910

Times for Holding Common Pleas Courts, A.D. 1911.

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, 1911. be fixed as follows, to wit:

Crawford County on the 24th day of Jany, and the 16th day of May, and the 17th day of Oct.
Marion County on the 24 day of Jany, and the 16th day of May, and the 17th day of Oct.
Wyandot County on the 20th day of Feby, and the 6th day of June, and the 19th day of Sept.
Logan County on the 6th day of Feby, and the 8th day of May, and the 16th day of Oct.
Union County on the 3rd day of Jan. and the 3rd day of April, and the 11th day of Sept.
Hancock, County on the 3rd day of Jan. and the 3rd day of April, and the 18th day of Sept.
Hardin County on the 13th day of Feby. and the 8th day of May, and the 16th day of Oct.
Seneca County on the 3rd day of Jany. and the 3rd day of April, and the 18th day of Sept.
Wood County on the 3rd day of Jany. and the 8th day of May, and the 25th day of Sept.

It is further ordered that the Courts of Wood County of the first sub-division be held by Judge Frank A. Baldwin,

That the Courts of Marion County of the second Subdivision be held by Judge William C. Scofield, and that he hold the September Term of Wyandot County in said sub-division.

That the Courts of Union and Logan Counties in the third sub-division be held by Judge John M. Brodrick.

That the Courts of Hardin County in the first sub-division be held by Judge Wm. P. Henderson.

That the Courts of Seneca County in the first sub-division be held by Judge Wm. P. Henderson.

That the courts of Hancock County in the first sub-division be held by Judge Wm. Z. Duncan.

That the Courts of Crawford County in the second subdivision be held by Judge Daniel Babst and that he will hold the February and June Terms of Wyandot County in said sub-division.

It is further ordered that the Honorable Daniel Babst be designated as Supervising Judge, and that said Terms of Court begin at 9 O'clock. A. M.

Frank A. Baldwin
W. Z. Duncan,
John M. Brodrick,
Wm. P. Henderson,
Wm. C. Scofield,
Daniel Babst,
Judges Tenth Judicial District

Dated at Bucyrus, Ohio, this 18th day of October, A.D. 1910.

Court recessed until Thursday November 3rd 1910.

Thursday, November 3rd, 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

W. Thomas Hull.
Vs. Plaintiff,
Florence I. Hitt, et al. } In the Court of Common Pleas, of Union County, Ohio.
Defendant.

Entry

Entry
9110.

9043 This cause coming on to be heard upon the said Plaintiff's motion to set aside the verdict of the jury in the premises, and for a new trial herein, 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.

Wherefore, it is considered, ordered, and adjudged by the Court that the defendants, Florence I. Hitt, W. L. Hitt, and Sarah R. Austin, go hence without day and recover from the said Plaintiff their costs in this behalf expended, taxed at $.

And, thereupon, to all said orders and judgments, overruling said motion and adjudging said costs, aforesaid, the said Plaintiff, by his Counsel, excepts.

Court adjourned until Saturday, Nov. 5, 1910.

Saturday, November 5th 1910, Court convened at 9 O'clock, A. M. Present, Honorable John M. Brodrick, Judge.

Entry 9110.

William Rogers
Vs. Plaintiff
Samuel Rogers,
Defendant

Court of Common Pleas, Union County, Ohio.
Judgment by Confession.
For $2310.00.

This day came the Plaintiff by E. W. Porter Attorney; and filed his Petition against said Defendant Samuel Rogers, 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 Samuel Rogers 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 Twenty Three Hundred and Ten Dollars, $2310.00, 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 William Rogers Plaintiff do recover from said Samuel Rogers Defendant the said sum of Twenty Three Hundred and Ten Dollars, $2310.00, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 5th day of November, 1910, 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.

Rosetta Webb, Plaintiff,
Vs.
Ginnri Webb, Defendant

November 5th 1910

Court of Common Pleas, Union County, Ohio.
Decree of Divorce.

Entry 9076

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 and defendant were bona-fide residents of the State of Ohio, and for 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 March, 1910, as alleged in said petition. That no issue has been born of said marriage.

That the Defendant has filed Answer and Cross Petition herein and that plaintiff failed to appear and submit any testmony. And that the Plaintiff has been guilty of gross oreglect of duty false and fraudulent representations, to defendant as alleged in his 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 petition of plaintiff be dismissed for want of proof to sustain the same and stricken from the files.

The Court finds that the property rights of said plaintiff and defendant have been fully adjusted and settled out of Court and the same is now approved and confirmed by the Court. And the Court therefore refuses any alimony to Plaintiff. The Court orders and adjudges that defendant pay the cost of this proceeding taxed at $, and that this case be recorded.

John M. Brodrick.
Judge.

Entry 9099.

Court adjourned until Monday November 7th 1910.

Monday, November 7th 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9099.

Maud Bowersmith, Vs. Labour Bowersmith, et al, } Entry in Partition Common Pleas Court, Union County, Ohio.

This cause came on to be heard upon the petition of Maud Bowersmith, the answer of H.C. Liggett, widower of Jennie Liggett, deceased, who is the mother of Clifton Liggett a minor mentioned in the petition and daughter of Norris Bowersmith, deceased, and who was a son of Mary J. Bowersmith, deceased, and the Exhibits - On consideration whereof, and it appearing to the satisfaction of the Court, that all the parties have had due notice of the pendency and demand of the said petition as required by law; and that the Petitioner has a legal right and estate to the premises described in the petition and as therein set forth, And no sufficient reason appearing why partition should not be made it is ordered that by the oaths of L.F. Wood, J.W. Field and Pearl McElroy, three judicious disinterested free holders of the vicinity, the dower estate in one twelfth (1/12) be set off and assigned to H.C. Liggett, husband of said Jennie Liggett, deceased, of the lands in said petition described, And that by the like oaths of the same persons partition be made of said lands subject to said dower estate in the following proportions to-wit; To Maud Bowersmith 4/12; To Rose Laughrey wife of S.A. Laughrey 4/14; To Labourne Bowersmith 1/12; To Bainum Bowersmith 1/12; To Louis Bowersmith 1/12 and to Clifton Liggett (Minor, Mary P. Carr his Guardian 1/12 subject to the dower of H.C. Liggett Minors Father - If the same can be done without manifest injury to the premises - And if in the opinion such division cannot be made without manifest injury to the premises, then and in that case that they return the true value in money of said premises to this Court; And that a Writ of Partition issue to the Sheriff of this County to cause said Partition to be made in accordance with this order.

John M. Brodrick, Judge.

Court adjourned until Wednesday, November 9th 1910.

Wednesday, November 9th 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9967

Willis Epps
Vs. Plaintiff.
Rosina Belty, et al
Defendants
} The Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard on the pleadings and the testimony, and was submitted by Counsel; On consideration whereof it is ordered and adjudged that the Clerk of this Court pay to the Plaintiff, Willis Epps, the Five Hundred Dollars therein deposited by the defendant Rosina Belty, deducting first however from said sum the costs herein taxed.

Entry 9094.

Entry 8816

Martha A. Crary, et al,
Vs. Plaintiffs.
Robert McCrory, as Executor, &c, et al.
Defendants
} Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard upon the pleadings 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, Martha Burroughs, P. F. Holycross, A. M. Jenkins, W. L. Jenkins, Earl Jenkins, Lydia Dunlap, Jane Dunlap, Lillie Smith, Mattie Girard, Nellie Hensel, and Maud Clinger and against the defendants; and that the said plaintiffs at the death of Rosetta Holycross became the owners 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 and described as beginning at low water mark on Darby Creek and corner to Robert C. Holycross' s land; thence N. 33½°, E. 210 poles to a stone in the line of Alfred Keam's land; thence N. 3½° West 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 Sixty eight 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, Christs Hospital of Cincinnati, Ohio, The Methodist Episcopal Church of North Lewisburg, The Darby Methodist Episcopal Church, The Home Missionary Society of the Methodist Church of North America, Rosina Belty, 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 that the plaintiffs herein pay the costs of this action.

Entry 9092

Entry 9070

Court adjourned until Saturday, November 12th 1910.

Saturday, November 12" 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Mary W. Thomas, Plaintiff.
Against,
Anna E. Gant and
V. Adell Rinehart, a minor, &c.
Defendants.
} Court of Common Pleas, Union County, Ohio.

Entry

9094. Now came the plaintiff herein, and the defendants being in default for answer and demurrer, the Court find that Lawrence Elmer Rinehart was, in his life-time, seized in fee simple of the real estate and premises described in the petition, and that the plaintiff is the widow of the said Lawrence Elmer Rinehart, deceased; and that she is entitled to her dower in said premises assigned and set off to her, as prayed for in her said petition.

And the Court finding that said property cannot be divided by metes and bounds:

It Is Therefore Ordered, adjudged, and decreed, that the said plaintiff be endowed in a special manner as of a third part of the rents, issues, and profits of the premises described in the petition, and that a writ issue to the Sheriff of Union County, commanding him that by the oaths of Willis Amrine, Virgil Crist and Asa Marshal, three judicious, disinterested men of the vicinity, in said County, who are not of kin to either of the parties; and who are hereby appointed commissioners for that purpose, he set off and assign such dower to said plaintiff, according to law. And that of such proceedings, together with the said Commissioners appraisement of the yearly net value of said real estate, the said Commissioners and the said Sheriff make return without unnecessary delay.

John M. Brodrick,
Judge.

Clara Wood, Plaintiff.
Vs.
Clara Wood, Defendant
} Court of Common Pleas, Union County, Ohio.

Entry

9092 This day leave was granted the defendant to withdraw his answer herein filed.

Sallie M. Beckwith, Plaintiff.
Vs.
O. C. Fugua, Defendant.
} Court of Common Pleas, Union County, Ohio.

Entry

9070

Upon the showing of the receiver herein that he has paid for legal services to Hoopes, Robinson and Hoopes the sum of One Hundred Dollars as receiver, and that the same is a fair and reasonable attorney fee, the Court order that out of the proceeds of the sale of goods and chattels herein that he reimburse himself in that sum.

John M. Brodrick,
Judge.

November 12" 1910.

Clara Wood, Plaintiff,
Vs.
Earl Wood, Defendant

Court of Common Pleas, Union County, Ohio.
September Term, 1910.

Entry.

9092. 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 personal service; 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 June, 1910, as alleged in said petition. And that no children were born to said marriage union; 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 is restored to her maiden name of Clara Lane, and that the plaintiff be given the household goods as alimony, and that the defendant pay the cost of this proceeding taxed at $8,94, and that this case be recorded.

John M. Brodrick,
Judge.

Mary W. Thomas, Plaintiff,
Against.
Anna E. Gant, and U. Adell Kinehart, A Minor, &c., Defendants

Court of Common Pleas, Union County, Ohio.

Entry.

9094. Now came the plaintiff herein, by her attorney, and her petition thereupon coming on to be heard, the Court find that all of the defendants have had due legal notice of the pendency and demand of the petition, and that they are in default for answer and demurrer; and that the petition is thereby confessed by them to be true. Thereupon the Court find that the plaintiff is entitled to dower in the premises described in the petition, and that subject thereto the defendants are tenants in common with the said plaintiff in the said premises, in the following proportions, to wit; that subject to such dower of the said Mary W. Thomas the said Anna E. Gant is seized of and has a legal right to the undivided one-half part thereof; and the said U. Adell Kinehart to the undivided one half-part thereof, and no reason appearing why partition should not be made;

It is therefore ordered, adjudged and decreed, that the said Mary W. Thomas be endowed of one equal third part of said premises; and that an order issue to the Sheriff of the said County of Union,

commanding him that by the oaths of Willis Amrine, Virgil Aust, and Asa Marshall, three judicious and disinterested free-holders of the vicinity, who are not of kin to either party, and who are hereby appointed commissioners for that purpose, he set off and assign such dower to the said Mary W. Thomas according to law; and that by the like oaths of the said commissioners he cause to be set off and divided to each of said defendants the part and proportion of the said estate to which they are hereby severally found entitled.

And it is ordered that if, in the opinion of said commissioners said premises cannot be divided by metes and bounds without injury to the value thereof, they appraise the same subject to, and also free from the dower of the said Mary W. Thomas.

And of his proceedings herein, the said sheriff is ordered to make due return without unnecessary delay.

In the matter of the purchase }
of the General Code of Ohio. } Court of Common Pleas, Union County, Ohio.

This day it was by the Court ordered that the Clerk of this Court purchase for the use of the Court one copy of the General Code of Ohio; and that the costs thereof be paid out of the County Treasury of this County.

John W. Brodrick.

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

Court adjourned until Wednesday, November 16" 1910.

Wednesday, November 16" 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 9024

Mary W. Thomas, Plaintiff,
Vs.
Anna E. Gault, et al, Defendants } Court of Common Pleas, Union County, Ohio.

This day this cause coming on to be heard, and it appearing to the Court that V. Adell Kinchart, minor defendant herein, has been duly and legally served with process herein, and notified of the pendency and prayer of Plaintiff's petition, the Court, on motion of E. H. Porter, Counsel for said Mary W. Thomas, aforesaid, hereby appoints Angus McIvor guardian ad litem for said minor defendant, and thereupon the said Angus McIvor appearing in open Court accepts said appointment.

John M. Brodrick,
Judge.

Sheriff's Certificate for pay.

Sheriff's Office, Union County, Ohio.

Sheriff's certificate for pay.

To Honorable John M. Brodrick, Judge.

Marysville, Ohio, November 16" 1910.

The Court charges for the September Term, A. D. 1910, 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
To serving Petit Jury Venire	4.50
To serving Grand Jury Witnesses (31)	3.10
To making 32 Copies, Grand Jury Witnesses.	3.20
To 154 miles travel, Grand Jury Witnesses,	12.32
To Section 1231	300.00
	$ 327.62.

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.

Entry 8947.

L. T. Wood and Howard McAdow, Executors, Vs. Mercy Wood, et al, } The Court Common Pleas, Union County, Ohio.

And now this cause came on to be heard on the Plaintiff's petition asking for the direction and judgment of the Court in construing certain parts of the Will of Thaddeus Wood of which said plaintiffs are Executors, and all the defendants being in default for pleading; and thereupon the Court finds and decrees the true intention and construction of said will to be as follows; to-wit,—

From an examination of this will there can be no question

Entry 9080.

as to the intention of the testator.

The trust fund for the afflicted daughter is especially exempted out of the estate granted to the wife, from both the personal and real estate. Testator had an afflicted daughter, evidently mental, who was unable to care for and controll herself, so much that a guardian is appointed for her, not only of her property but of her person also. Did testator intend that in case his personal property should all be exhausted in the payment of his debts and expenses that the appointment of a guardian should be a mere and wholly useless one and said guardian be left with the care and controll of the person with no funds for her support, Certainly not. His first thought was of his afflicted daughter, and the other objects of his bounty were made subordinate to her care and control. He intended that she should be provided for as expressed in his will, and if the personal property should be insufficient to furnish a sufficient fund, then the real estate is to be looked to to supply the deficiency. The Court therefore in construing said will answers the questions submitted as follows:-

First- the bequest of $3000.00 as a trust fund for the maintenance of the afflicted daughter, Irene, is a charge upon both the personal and real estate, after payment of his debts and expenses of administration, and if the personal property is insufficient to create such fund, then enough of the real must be sold to supply this deficiency.

Second - Said sum so bequeathed as a trust fund is especially excepted out of the life estate given to the widow, Mercy Wood, and is to be deducted from the estate of the testator, real and personal, and the life estate of said Mercy Wood is only in the remainder of said property personal and real.

It is therefore considered and adjudged by the Court that the executors proceed to administer the said estate according to the findings herein made and if the personal estate is insufficient to provide said trust fund of $3000.00, then they shall proceed without unnecessary delay to sell enough of the real estate to provide the balance of said trust fund, and to cause the life estate of said widow to vest in the remainder of said estate; that the cost hereof be paid by said executors out of said estate.

S. Melvin Norvick, Plaintiff
vs.
Edward W. McWade, Defendant
} The Court Common Pleas, Union County, Ohio.

Entry 9080.

On motion of the defendant herein, and good cause appearing, it is ordered that all the personal property, goods and chattels belonging to the Marysville Rug Company and in hands of Cad Price, Sheriff of said County as Receiver, herein, be sold by said Receiver at public sale for cash, after advertising such sale in a newspaper of general circulation in said County for ten days and that he report such sale to the Court, and that he bring the proceeds of such sale into Court to await the further order of the Court upon an accounting of said partnership.

Court adjourned until Saturday November 19th 1910.

Saturday, November 19" 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 1402 — The State of Ohio, Plaintiff, Vs. John W. McEntire, Defendant } In the Court of Common Pleas, Union County, Ohio.

In this case it being the opinion of the Court that the public interest request it, William V. Hoopes is hereby appointed to assist the Prosecuting Attorney, and his compensation therefor is fixed at Twenty Five Dollars.

Entry 9119.

Entry 1403, — The State of Ohio, Plaintiff Vs. Minnie Boyd, Defendant, } In the Court of Common Pleas of Union County, Ohio.

In this case it being the opinion of the Court, that the public interest request it, William V. Hoopes is hereby appointed to assist the Prosecuting Attorney, and his compensation therefor is fixed at Twenty Five Dollars.

Entry 9016. — Mark Cook, Plaintiff, Vs. John Jennings, et al, Defendants } Court of Common Pleas, Union County, Ohio.

This cause now coming on for hearing on motion of Plaintiffs Attorney, and on his producing the return of the Sheriff of the Sale made under the former order of this Court, and the Court, on careful examination of the proceedings of said Sheriff, and 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 Lewis J. Temple, by deed, according to law, the property so sold. And the Court coming now to distribute the proceeds of said sale amounting to $3100.00, it is ordered that the Sheriff out of the money in his hands, pay:—

First; To the Treasurer of Union County the taxes, penaltys and interest against said property for the year 1909, amounting to (and which has been paid by plaintiff) $33.70.

Second; To the Treasurer of Union County the taxes and assessments against said property for the year, 1910, Amounting to $30.17.

Third; The costs of this action taxed at $73.76.

Fourth; To the Plaintiff herein A. W. Goff, the amount heretofore due him, with interest, amounting to $811.75.

Fifth; It is ordered by the Court that any amount remaining in the hands of said Sheriff, be held by him, until further order by the Court.

John M. Brodrick, Judge.

Entry 9094

Court adjourned until Tuesday November 29" 1910.

Tuesday, November 29th 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Bradrick, Judge,

Entry 9119.

Walter C. Tullington and Aaron Boylan, Partners, D.C. as Milford Center Bank, Plaintiff Vs A. E. Mitchell, Amy E. Mitchell and B. L. Robinson, Defendants. } Court of Common Pleas, Union County Ohio. Judgment by Confession.

This day came the Plaintiff by E. H. Porter, Attorney; and filed its Petition against said Defendants A. E. Mitchell, Amy E. Mitchell and B. L. Robinson; and thereupon John H. Wills one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants A. E. Mitchell, Amey E. Mitchell and B. L. Robinson 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 and Thirty six and 90/100 Dollars, $236.90, bearing interest at 8 per cent. per annum, payable annually and that said Plaintiff ought to recover of said Defendants a judgment for that sum. It is therefore considered by the Court that said Milford Center Bank Plaintiff do recover from said A. E. Mitchell, Amey E. Mitchell and B. L. Robinson Defendants the said sum of Two Hundred and Thirty Six 90/100 Dollars $236.90, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 29th day of November, 1910, at the rate of 8 per cent per annum payable annually. 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 9094

Mary W. Thomas, Plaintiff. Vs. Anna E. Gant, et al Defendants } Court of Common Pleas, Union County, Ohio.

This cause coming on for hearing upon the return of the Sheriff and the report of the Commissioners heretofore appointed herein, and on motion to confirm the same. And it appearing that said estate can not be divided by metes and bounds without manifest injury to the value thereof, and that said commissioners have made and returned their appraisement of said premises, subject to the dower of said Mary W. Thomas, to wit, in the sum of $2,632.50, 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 Mary W. Thomas has elected to take the said premises at their appraised value, the same subject to said dower charge of the said Mary W. Thomas, are, upon payment by the said Mary W. Thomas of the said sum of $2.632.56, and also one third the costs herein, 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 sale, pay:-
First: To the Treasurer of Union County ---- dollars, being the taxes and penalty due on said premises.
Secondly: To the Clerk of this Court two-thirds of the costs of this action, including a Counsel fee of $125.30. to E. H. Porter, Attorney, for his services herein, and including also a fee of $16.00. to Angus McIvor for his services as guardian ad litem herein, taxed at $149.22.
Thirdly: And of the residue of the proceeds of said sale, to the defendant, Anna E. Gault, one-half the balance of the cash proceeds, to-wit, the sum of $1241.64, To the said defendant, N. Adell Kinehart, through said Mary W. Thomas, her duly appointed and qualified guardian, the remaining one-half of the balance of the cash proceeds, to wit, the sum of $1241.64.
And it appearing to the Court that all questions of rent have been settled between the parties hereto, the same is approved and confirmed.

Entry 9123. Emma McIlroy executrix of the estate of John McIlroy, deceased, Plaintiff, vs. Lon Thomas, Flora Thomas and Huston Thomas, Defendants. } Court of Common Pleas, Union County Ohio. Judgment by Confession for $274.80.

This day came the Plaintiff by her Attorneys and filed her Petition against said Defendants Lon Thomas, Flora Thomas and Huston Thomas, and thereupon Richard L. Cameron one of the Attorneys of Record of this Court, for and on behalf of said Defendants Lon Thomas, Flora Thomas and Huston 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 two hundred and seventy four and 80/100 Dollars, $274.80, 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 Emma McIlroy Plaintiff do recover from said Lon Thomas, Flora Thomas and

Huston Thomas. Defendants, the said sum of two hundred and seventy four and 80/100 Dollars, $274,80, was aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 29th day of November, 1910, at the rate of 8 per cent. per annum. And by virtue of said warrant of Attorney, all errors in this action, judgment and proceedings are released, and all right of appeal, and all right to file a petition in error are waived.

John M. Brodrick, Judge.

Court adjourned until Saturday, December 3rd 1910.

Saturday, December 3rd 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
9027.

Charles E. Freshwater,
vs. Plaintiff,
Amanda Freshwater, et al.
Defendants

Court of Common Pleas, Union County, Ohio.
Entry as to Confirmation, Deed, and Distribution.

This cause came on for hearing upon the return of the Sheriff and the report of the Commissioners heretofore appointed herein, and on motion to confirm the same. And it appearing that two of the tracts described in the petition have been dropped out of this case, and that the tract remaining, to-wit, the Old Home Place, the tract first described therein, is the subject of this proceeding, and 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 $2,700.00, for the whole tract, the court find that the said return and proceedings in all respect correct and in conformity to law, and do therefore approve and confirm the same.

Entry
9100

And it appearing to the Court that the said Charles E. Freshwater has elected to take the said premises at their appraised value, the same are, upon payment by the said Charles E. Freshwater of the said sum of $2,700.00, hereby adjudged to him; and the Sheriff is ordered to convey said premises to him accordingly by deed in fee simple.

It is further ordered that the Sheriff out of the proceeds of the said sale, pay—

First; To the Treasurer of Union County Dollars, being the taxes and penalty due on said premises;

Secondly; To the Clerk of this Court the costs of this action, including a counsel fee of $125.00, to E.H. Porter, for his services herein, taxed at $ Dollars.

And of the residue of the proceeds of said sale one half of the balance of the cash proceeds, to-wit;—the sum of $ to the Freshwater heirs first above named, as follows; to the plaintiff, Charles E. Freshwater $, it being one sixth thereof; to the said defendants Amanda Freshwater, Clarinda Ligget, David M. Freshwater and Sarah C. Long, each one-sixth of the balance of the cash proceeds, to-wit, the sum of $, To said defendants Sarah H. Berlet, Eliza H. Loveless, Alice H. Moore, and Minnie H. McCloud each of the one equal twenty fourth part thereof, to-wit, the sum of $. And of the remaining one-half of the balance of the cash proceeds, to-wit, the sum of $, to the Scott heirs, as follows: to William E. Scott, the one-sixth part thereof, to-wit, the sum of $; to each of said defendants Elizabeth Campbell, Lissa A. Wise, Adda Jackson, Frank McAllister and Bertie F. Freshwater, one thirtieth part thereof, to-wit, the

sum of $; to the defendants Cash Scott, Nate Scott, Frank Scott, George Scott, and Charles Scott, the one equal one-thirtieth part thereof, to-wit, the sum of $; to Maud Wasson and Alfred Scott, each the one twelth part thereof, to-wit, the sum of $; to Edna East, Ethel Dixon, and Ina Aller, each the one seventy second part thereof, to-wit; the sum of $; to Clifford Scott, Hamilton Scott, and Mattie Huggard, each the one twenty-fourth part thereof, to-wit the sum of $; to Elizabeth Scott Coe, the one sixth part thereof, to-wit, the sum of $: :

Entry 9100 — William Fletcher, Plaintiff. vs. Ella Fletcher Defendant. } Court of Common Pleas, Union County, Ohio.

This cause coming on for hearing, was submitted to the court upon the pleadings and evidence; on consideration whereof the Court find that the plaintiff at the time of filing 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. That defendant has been duly notified by publication as provided by law.

The Court further find upon evidence adduced, that the defendant has been guilty of gross neglect of duty and adultery 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 William Fletcher and Ella Fletcher be, and the same hereby is, dissolved, and both parties are released from obligations of the same.

It is further ordered that the custody, care, education, and control of the said children of the parties hereto be confided to the said William Fletcher exclusively. And the said Ella Fletcher is hereby enjoined from interfering in any manner with either of said children or with him in his custody of them, and from visiting said children until further order of the Court.

And the Court find that the plaintiff is the owner in fee simple of the following described real estate, to-wit:- Part of Survey No. 6307, being one fourth of an acre off of six acres sold to John M. Horn and Edgar M. Horn by H. H. Marriott and wife by deed dated January 25th, 1889, said land lying west of Beem's Addition to Richwood, Ohio, and described as follows:- Beginning at the South West corner of H. C. Hamilton's West line, thence West 52½ feet; thence North parallel with John M. Horn's East line 202 feet to the South line of Rose Watson's Estate, thence East 52½ feet to the North East corner of H. C. Hamilton's West line; thence South 202 feet to the place of beginning, containing one-fourth (¼) acre of land.

It is therefore decreed and orderd that defendant be forever divested of all and every claim, title or interest, by dower or otherwise, in, or to, any of the real estate hereinbefore described.

and that the Plaintiff have full power to lease, rent, or dispose of the same at his pleasure, and the defendant is enjoined from interfering in any manner with his rights, and from setting up any claim of interest in said real estate.
It is further ordered that the plaintiff pay the costs herein, and execution is awarded therefor.

John M. Brodrick, Judge.

Mabel Idelman, Pl. vs. Erle Idelman, Def. } In Court of Common Pleas, Union County, Ohio.

Entry 9102

Now come the plaintiff, and the defendant having been duly served with summons and a copy of the petition herein, and having failed to appear, the court find him in default for answer and demurrer to said petition, and that the allegations are by him confessed to be true.
The Court further finds that the plaintiff was a resident of this State for a year before filing the petition and had a bona fide residence in this County at the time of filing the same, that the parties were intermarried as alleged in the petition, and that the defendant, in violation of his marital duties, has been guilty of extreme cruelty towards plaintiff, and that plaintiff is entitled to a divorce.
It is therefore adjudged and decreed that the marriage relation subsisting between said parties be and hereby is, dissolved, and both parties released from the obligation of the same and the plaintiff be restored to her maiden name of Mabel Drumm. It is further decreed that plaintiff pay costs herein.

John M. Brodrick, Judge.

Walter Holycross by J.A. Holycross his next friend Vs. Beverly Depp. } Court of Common Pleas, Union County, Ohio.

Entry 9120 — Entry 9074

This day this case was settled and costs paid Defendant.

Belle Armstrong, Plaintiff Vs. Mayme McLean, Defendant } Court of Common Pleas, Union County, Ohio.

Entry 9104

This day leave was granted Defendant to file answer and same filed.

H.D. Beaver, Plaintiff Vs. E.J. Tobie, Defendant } Court of Common Pleas, Union County, Ohio.

9108 Entry

This day this case was settled and costs paid by defendant.

Court adjourned until Tuesday, Dec. 6" 1910

Tuesday December, 6" 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Order to draw Jury.

Court of Common Pleas, Union County, Ohio.
January Term A.D. 1911.

To the Clerk of said Court:

You are hereby directed to proceed according to law at 4" O'clock on Tuesday the 6" day of December, 1910, to draw from the Jury wheel of Union County, the names of Thirty Three persons to serve as grand and petit jurors for the January Term, 1911, 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 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 Tuesday the 3" day of January, 1911.; 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 Wednesday the 4" day of January, 1911.

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

Witness my hand officially this 6" day of December, 1910.

John M. Brodrick,

Judge of the Court of Common Pleas of the third Sub-division of the Tenth Judicial District.

Entry

L. A. McNeil, Administrator with the Will annexed of the estate of Robert Smith, deceased, Vs. Plaintiff,

9074 George Smith, Mary Smith, F. W. Beem, Mary Beem, guardian of J. W. Beem, Defendants

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

This cause coming on this day for hearing upon the pleadings and was submitted to the Court on the evidence and the argument of counsel. The Court finds that the defendant Mary Beem, who is the wife of J. W. Beem, has been duly appointed guardian of J. W. Beem, one of the devisees and legatees named in said will of Robert Smith, deceased; that said J. W. Beem is insane and has been insane for more than a year last past, and is confined in the State Hospital at Columbus, Ohio.

The Court further finds that the testator, Robert Smith, did not die intestate as to all or any part of his estate; that the proper devisees and legatees to whom distribution of said estate should

be made are Mary Smith, Mary Beem, guardian of J. W. Beem, and T. W. Beem, to each one equal one third part left for distribution on the final settlement of testator's estate, and finds that the policy of insurance held by the testator in the Knights Templars and Masonic Mutual Aid Association, in which the wife, Minnie Smith, is the beneficiary, reverted to the testator on the death of said beneficiary Minnie Smith, prior to the death of the testator, and said policy of insurance therefore becomes and is a part of the testator's estate, passing by and under the provisions of his said will to the residuary legatees above named.

It is therefore considered, ordered and adjudged that said will of Robert Smith, deceased, be construed that Robert Smith did not die intestate as to all or any part of his estate; that the proper devisees and legatees to whom distribution shall be made are Mary Smith, Mary Beem, guardian of J. W. Beem and T. W. Beem, to each one equal one third part of said estate left for distribution on the final settlement of said Robert Smith's estate, and that the policy of insurance held by the testator, Robert Smith, in the Knight Templars and Masonic Mutual Aid Association, in which his wife, Minnie Smith, was named as the beneficiary, reverted to the testator on the death of the said Minnie Smith, the beneficiary, prior to the death of the testator~~s estate~~, and that the same passes under the provisions of said will to said residuary legatees above named.

It is further considered, ordered and adjudged by the Court that the costs of this action, taxed at $ be paid by the plaintiff out of the assets of said estate.

To all of which rulings, findings and decree of the Court the plaintiff and George Smith then and there excepted.

And the plaintiff and George Smith gave notice of their intention to appeal this cause to the circuit Court, and the Court fixed the bond for appeal as to George Smith at $100.00; the Plaintiff not required to give bond, as he has already given sufficient bond as Administrator with Will annexed.

Entry 9072.

9085

Dismissed

Court adjourned until Saturday, December 10th 1910.

Saturday, December 10th 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Sallie M. Beckwith,
Vs. Plaintiff
Owen C. Fugua, et al
Defendants,
} In the Court of Common Pleas, Union County, Ohio.

Entry

9072. 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 has been had in all respects in conformance with 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 purchasers, William P. O'Brien, William T. Hopes and James E. Robinson, by deed, according to law, the real estate so sold; and the said purchasers are hereby subrogated to all the rights of said lienholders in said premises, so far as they may be paid out of the proceeds of the sale of said real estate, for the protection of their title; and a writ of possession is awarded to put said purchasers into possession of said premises.

It is further ordered that the Clerk of this Court cause satisfaction of the mortgages herein sued on to be entered on the records 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 ($19400,50) nineteen thousand four hundred dollars and fifty cents, it is ordered that the sheriff out of the money in his hands, pay:

First: To the Treasurer of this County the taxes, penalty and interest against said property, to-wit, the sum of $.

Second: The costs of this action, taxed at $.

Third: To the defendant The Northwestern Mutual Life Insurance Company the amount heretofore found due it with interest, to-wit, the sum of $.

Fourth: To the plaintiff Sallie M. Beckwith the balance of said money remaining in his hands, to-wit, the sum of $, to be applied as a credit upon her judgment herein against the said defendant, Owen C. Fugua.

John M. Brodrick, Judge.

9085

Mary Ormerod,
Plaintiff,
vs
Fred Ormerod,
Defendant.
} No. 9085

Dismissed

Case dismissed, Judgment against Plaintiff for costs.

Entry 9099

Maud Bowersmith
Vs.
Labourne Bowersmith, et al

} Court of Common Pleas, Union County, Ohio.

Entry 9080

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 appears from said report that said estate could not be divided by metes and bounds without injury to the value thereof, and that the Commissioners have made and returned their appraisement of said real estate in money. 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 Labourne Bowersmith 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 the other parties be paid in cash, and that upon said Labourn Bowersmith paying the same, together with his proportion of the costs in this case and his proportion of the taxes and penalty due on said premises the said estate be, and it hereby is adjudged to him; And the Sheriff is ordered thereupon to make and execute to him a conveyance thereof.

And it is further ordered, that the costs and expenses of this suit amounting to $119.76, including Attorney fees and the taxes for the year amounting to $23.42, be paid out of the money arising from said election to take in the following proportions, to wit; Maud Bowersmith 1/12 "$12.10, Rose Laughrey 1/12 $12.10, Labourn Bowersmith 1/12 $12.10, Baymen Bowersmith 1/12 $12.10, Lewis Bowersmith 1/12 $12.10, Mary P. Carr, Guardian of Clifton Liggett and H. C. Liggett together $12.10 - Estate of Jacob Bowersmith one half (1/2) $72.38. 403 807

And that the Sheriff distribute the residue of said estate as follows: First; To H. C. Liggett widower $39.74.
Second; - To Maud Bowersmith $134.57.
Third; To Rose Laughrey $134.57.
Fourth; To Labourn Bowersmith $134.57.
Fifth; To Baymen Bowersmith $134.57.
Sixth; To Lewis Bowersmith $134.57.
Seventh; To Mary P. Carr Guardian of Clifton Liggett $114.82 and to T. J. Arthur Executor of the last will and testament of Jacob Bowersmith, deceased. for distribution under the said will of the testator the balance of $927.41.

John M. Brodrick, Judge.

S. Melvin Norveil,
Vs. Plaintiff.
Edward W. McWade.
Defendant

The Court of Common Pleas, Union County, Ohio.
Judgment of Accounting; Report of Receiver.

Entry
9080

This cause now coming on to be heard upon the pleadings and the testimony and upon consideration the Court doth find the accounting of said partnership to be as follows:-

1st. That the debts and obligations of said firm remaining unpaid at this date are $238.88.

2nd. That the amount of money in the hands of the receiver herein is $500.00.

It is therefore ordered and adjudged by the Court that the Sheriff of this County as such receiver, distribute said money to the following persons,

1st.	To Treasurer of Union County for taxes	$ 16.40.
2nd.	To O. H. Thorpe,	30.00,
3.	To Marysville Light and Water Company,	31.11.
4.	To Union County Telephone Company,	14.40.
5.	To William Conrad.	4.32.
6.	To Motor Car Company,	6.83.
7.	To T.B. Corbin, J.H. Willis, Attorney,	20.30.
8.	To E.E. Peters	3.50.
9.	To U.S. Calender Co. J.H. Willis Attorney,	16.30.
10.	To Church Bros.	.55.
11.	To Bellefontaine Foundry, J.H. Willis Attorney.	20.00,
12.	To Adam Blumenschein,	10.73.
13.	To Sheriff for fee fund, Recorder,	50.00.
14.	To Clerk Court Costs herein.	14.00.
15.	To S. Melvin Norviel, partnership distribution,	69.32.
16.	To Edward W. McWade " "	191.80
		500.00

It is further ordered that the Receiver transfer the fire insurance property to said, S. Melvin Norveil without cost to him.

The Court doth find also that the foregoing is and shall be the report of the Receiver herein and that all the acts and proceedings of said Receiver have been regular and lawful.

And that his said proceeding and report are approved and confirmed and that he is hereby discharged.

Approved by John L. Loughrey, Attorney for Plaintiff
Approved by John H. Willis Attorney for Defendant.

Laura V. Saylor, Pl'ff. vs. David McGoon, et al. Defendants | Court of Common Pleas, Union County, Ohio. Decree in foreclosure with personal judgment and order quieting title.

Entry 9068.

This cause came on to be heard on the petition and the cross-petition of David McGoon Administrator of Nancy McGoon, deceased, the defendant David McGoon, being in default of answer or demurrer, although duly served with process; and the plaintiff Laura V. Saylor, being in default of answer or demurrer to the cross-petition of David McGoon, Administrator of the estate of Nancy McGoon, deceased. On consideration whereof the Court doth find, that at the time of the death of the said Nancy McGoon, to-wit, April 25th. 1909, she was seized in fee-simple of the undivided one-half of the premises as described in the petition; and that the same shall be sold by the Administrator of the said Nancy McGoon, deceased, through the Probate Court of said County to pay the debts of the said Nancy McGoon, deceased; and that at the time of the execution and delivery of the note and mortgage as set forth in the petition, to-wit, September, 28" 1909, the said David McGoon, defendant, was the owner in fee-simple of the undivided one half of said premises as described in the petition; that there is due from the defendant, David McGoon, to the plaintiff on the note and mortgage in her petition set forth the sum of Six hundred and Seventy dollars with interest thereon from the 10th day of December, 1910 at the rate of six per cent per annum, and is the first lien on the said undivided one half of said real estate as described in the petition.

It is therefore considered that said plaintiff recover of the defendant, David McGoon, said sum of Six Hundred and Seventy Dollars and his costs.

And it is ordered and decreed that unless the costs of this suit and the amount found due the plaintiff, with interest, shall be paid within three days from the date of this decree, the defendant's equity of redemption shall be foreclosed, and an order shall be issued to the Sheriff of said County directing him to appraise, advertise and sell said undivided one half of said premises according to law. And from the proceeds of said sale he shall pay: First: The costs of this suit and the taxes, penalties and interest, and assessments due on said premises; Second: To said Plaintiff, the sum of Six Hundred and Seventy Dollars with interest as aforesaid; and paying the balance, if any, to the defendant, David McGoon.

And it is ordered that a minute of this proceeding be entered on the margin of the record of said mortgage.

It is therefore further adjudged and decreed that the title and possession of the cross-petitioner, Nancy McGoon by her Administrator, David McGoon, to the undivided one-half of the premises in the petition described be, and the same are, hereby quieted as against the plaintiff and all persons

Entry 8958

Entry 8985

claiming under her. And said plaintiff and all persons claiming under her are hereby enjoined from setting up any claim to said premises adverse to the title or possession of the said Nancy McGoon and her Administrator, David McGoon, thereto, or any part thereof, or in any manner interfering with her or his use and enjoyment of the same.

Court adjourned until Tuesday December 13" 1910.

Tuesday, December 13" 1910, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, judge.

Entry 8958 — The Franklin Trust Company, Plaintiff, vs. The Marysville Light and Water Company, Defendant. — In the Court of Common Pleas of Union County, Ohio.

This day came the parties and their attorneys and submitted this cause to the Court upon the pleadings and evidence, a jury being waived.

On consideration whereof the Court finds that there should be an abatement from the plaintiffs claim on account of defects in said engine, and that the plaintiff is entitled to recover the sum of $300. and no more on account of the claim set forth in his petition.

It is therefore considered and adjudged by the Court that the plaintiff recover from defendant the sum of $300. and its costs herein expended.

By agreement of parties there is to be no record.

John M. Brodrick, Judge.

Court adjourned until Tuesday, December 13" 1910.

Tuesday, December 13" 1910, Court convened at 9 O'clock, A. M. Present, Honorable John M. Brodrick, judge.

Entry 8985 — Montie Cruikshank, Plaintiff, vs. The Mutual Life Insurance Company of New York, Defendant.

The issues in this case having been settled, the same is hereby dismissed without record — costs paid.

Court adjourned until Thursday, December 15" 1910.

Thursday, December 15th 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9097.

Amelia Cake,
Vs. Plaintiff
David Cake,
Defendant

September Term, 1910
Court of Common Pleas, Union County, Ohio.
Decree of Divorce.

This day this cause came on to be hard 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 12th day of December, 1883, as alleged in said petition. That no children have been born of said marriage; And that the defendant has been guilty of willful 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 pay the cost of this proceeding taxed at $8.75, and that this case be recorded.

Court adjourned until Friday December 16th 1910.

Friday, December 16th 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9026

John Rogers, Plaintiff in error
Vs.
The State of Ohio, Defendant in error

The Court of Common Pleas, Union County, Ohio.

This cause came on for hearing upon the petition in error, the transcript and the original papers, and was argued by counsel; on consideration whereof, the court finds that there is error therein apparent upon the record to the prejudice of the plaintiff in error in this to-wit:- that the Justice of the Peace ought to have sustained the motion of the defendant to dismiss the proceedings at the close of the Plaintiff's testimony.

It is therefore considered by the Court that the judgment aforesaid be reversed and held for naught and that the said John Rogers, Plaintiff in error be discharged and that the defendant in error pay the costs herein.

Court adjourned until Monday, December 19th 1910.

Entry 9079

Entry 9116.

13[illegible]

Entry

December 19" 1910, Tuesday, Court convened at 9 O'clock, A. M. Present, Honorable John M. Brodrick, Judge,

Entry
9079

Bessie Smith, Plaintiff
Vs.
Oliver Shaw, et al, Defendants } Court of Common Pleas, Union County, Ohio.

This day came the parties by their attorneys and submitted this cause to the Court upon the motion of plaintiff to strike out certain parts of the answer of Oliver Shaw, and the Court being fully advised in the premises sustains the said motion and it is ordered that the answer of said Oliver Shaw be amended by striking out the matter referred to in the said motion.

John M. Brodrick, Judge.

Entry
9116.

Nellie C. Hammond, Plaintiff
Vs.
Lena M. Durnell, et al Defendants, } Court of Common Pleas, Union County, Ohio.

This day upon motion of plaintiff this action is dismissed. Record waived. The defendants in said action shall pay all the costs of this action.

Court adjourned until Tuesday, December 20" 1910.

Tuesday, December 20" 1910, Court convend at 9 O'clock, A. M. Present, Honorable John M. Brodrick, Judge.

Entry
1355.

The State of Ohio.
Vs. Plaintiff
William Gibson, Defendant. } Court of Common Pleas, Union County Ohio

Now comes F. G. Ballinger, Prosecuting Attorney, on behalf of the State, and Hoopes, Robinson and Hoopes Counsel for the defendant, and this cause coming on to be heard on motion and showing of defendant for continuance, is continued to the next term of Court on account of the illness of defendant and one of defendant's Counsel, and under the same recognizance to appear herein.

Court adjourned until Thursday, December 22" 1910.

Thursday, December, 22nd 1910, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, judge.

Entry
9014

Ettie Hamilton.
Vs. Plaintiff.
Matilda A. Amrine and
Lewis D. Amrine,
Defendants

The Court Common Pleas, Union County, Ohio.
Judgment for Plaintiff.
Perpetual injunction.

This day this cause came on to be heard upon the pleadings, and the Court being fully advised in the premises doth find the issues joined in favor of the plaintiff and against the defendants. Therefore it is ordered, adjudged and decreed that each the said Matilda A. Amrine and Lewis D. Amrine be and they are hereby forever enjoined from cutting and carrying away any growing trees from the 28 acre tract of land devised to the plaintiff, Ettie Hamilton, by her father, James Amrine, deceased, and being 28 acres off the east end of the 78 acre tract of land of which the said James Amrine died seized; except that the said Matilda A. Amrine may from time to time cut and carry away of the cheaper and poorer class of trees growing on said 28 acre tract of land sufficient in number to make 28/78 of what stove wood she would require for her own personal use in the event she use only wood, and also excepting that the said Matilda A. Amrine may from time to time cut from said 28 acre tract of land trees sufficient to make 28/78 of what lumber and posts may be required to keep said premises in reasonable repair; and it is further ordered, adjudged and decreed that said Matilda A. Amrine and Lewis D. Amrine, he and they are hereby forever enjoined from committing any waste of whatsoever kind upon said 28 Acre tract of land.

Entry
9005

And it is further adjudged that the plaintiff pay the costs herein taxed at $13.07.

And it is further adjudged that said defendants may retain and use the lumber cut from said 28 acres and sawed into lumber, and that the two logs from said 28 acres remaining unsawed be used in repairing the fences on said 28 acre tract.

The Court of Common Pleas, Union County, Ohio.

In R The Dissolution of the Novelty Manufacturing Company.
Order appointing Appraisers.

On the application of the Receiver herein, for the appointment of Appraisers herein, J. W. Hamilton, C. M. Forbes, and Harrison Turner, are appointed appraisers to appraise all the property, real and personal, in the hands of H. C. Orahood, Receiver herein who shall make report thereof to the court.

John M. Brodrick.
Judge.

Court adjourned until Friday, Dec. 23rd 1910.

Friday, December 23rd 1910, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

The Court Common Pleas, Union County, Ohio.

In Re Dissolution Of The Novelty Manufacturing Company.
Order to notify Appraisers.

To H. O. Orahood, Receiver of said The Novelty Manufacturing Company:

You are hereby ordered to notify J. W. Hamilton, C. M. Forbes and Harrison Turner that they have been appointed, by this Court, to make appraisement of all the goods, chattels, moneys and credits of The Novelty Manufacturing Company, and also to appraise upon actual view the real estate of the said The Novelty Manufacturing Company and do such other things as is required by law of such appraisers.

John M. Brodrick, Judge.

Entry. 9005

John J. Lewis
Vs. Plaintiff,
Susan R. Hazen
Defendant

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

This day came the parties by their attorneys and this cause came on for hearing upon the motion of plaintiff to set aside the former order of this Court; in which order the service upon the defendant was set aside. The Court, having heard the evidence and arguments of Counsel and being fully advised in the premises, overrules the motion of plaintiff, and refuses to set aside said former order, to all of which the plaintiff by his counsel excepts.

Court adjourned until Saturday, December, 24th 1910.

Saturday, December 24" 1910, Court convened at 9 O'clock, A. M. Present, Honorable John M. Brodrick, Judge.

Entry 9111

Emma Gardner, Pl. Plaintiff
Vs.
Cyrus Gardner, Defendant

September Term, 1910.
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 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, 1889, as alleged in said petition. 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 defendant, Cyrus Gardner is forever barred from contingent dower in Plaintiff's land, And that said Defendant pay the costs of this proceeding taxed at $10.25, and that this case be recorded.

John M. Brodrick,
Judge.

Entry 9132.

Mary L. Rogers, Pl. Plaintiff
Vs.
Victor W. Rogers, Defendant

Court of Common Pleas, Union County, Ohio.
Judgment Entry $1185.20

This day came the plaintiff, by her attorney; also appeared in open court, for and in behalf of said defendant, F. B. 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 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 Eleven Hundred and Eighty-five 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 plaintiff recover of said defendant the sum of Eleven Hundred and Eighty-five dollars and twenty cents, being the amount of said note with interest computed at six per cent per annum, from the 22d day of Dec. 1910 and also for costs herein expended,

It is ordered that all causes, motions and matters now pending in this Court and not otherwise disposed of, be, and the same are herby continued to the next term thereof.
This present term of this Court was begun on the 12" day of September A.D. One Thousand Nine Hundred and Ten, and continued from day to day, and from time to time, by regular adjournments, until this 3 day of January, A.D. 1911, and is now adjourned without day.

Edw. W. Brodrick
Judge.

Entry

The State of Ohio, } ss.
County of Union, }

8576

This separate Session of the Court of Common Pleas of the Tenth Judicial District of the State of Ohio, within and for the County of Union, for the Term of January in the Year of our Lord One Thousand Nine Hundred and Ten, held in the Court House in the Village of Marysville, County and State aforesaid, was begun on Tuesday, the 3rd day of January, in the year aforesaid.

Present, Honorable John M. Brodrick, Judge.
Cad Price, Sheriff.
Attest - Charles Parrott, Clerk of Union County, Ohio.

Grand Jury Facias.

The Venire Facias for a Grand Jury heretofore issued was duly returned by the Sheriff on January 3. A.D. 1911. with his endorsements thereon as follows.

The State of Ohio, Union County, ss.

On the 6th day of December, 1910. 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	Miles.
1. Charles Freshwater	December 12th	1910.		By mail	16
2. A. J. Miller	" 20th	"		" "	16
3. Casper Rausch	" 12th	"		" "	10.
4. John Kilbury	" 13th	"		" "	
5. Sterl McElroy	" 10	"		" "	15
6. Elmer Hall	" 9	"		" "	16
7. Joseph Figley	" 10	"		" "	12
8. A. Cheney	" 10	"		" "	20
9. Nell McKitrick	" 12	"		" "	12
10 Charles Curry	" 10	"		" "	8
11. John Hush	" 12	"		" "	6
12. Anson Howard	" 12	"		" "	
13 L. C. Ford	" 12	"		" "	8
14 O. Collier	" 12	"		" "	12
15 John Laird	" 9	"		" "	

And upon calling the same in open Court all of the above named jurors appeared in answer thereto except, Charles Freshwater, John Kilbury and Anson Howard. 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:- Brough Dunham, W. E. Robinson, and S. F. Southard. And the panel being full, the Court appointed Brough Dunham 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.

Tenth
unty
Ford
House
id,
year
.
.
ned by
llows.
the same
ners
iles.
16
10.
10
16
12
20
12
8
6
8
12

L. P. Spensley, Plaintiff
Vs.
Harry Tabor, Defendant
} The Court Common Pleas, Union County, Ohio.
Judgment for plaintiff.

Entry
8576

The plaintiff by his attorney comes, and the defendant is in default of 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 claimed in the petition, the sum of $234.65. with interest thereon from the 3rd day of January, 1911. It is therefore considered that said plaintiff recover of said defendant the sum of $234.65, with interest thereon from the 3rd day of January, 1911, and also his costs of this suit, to be taxed.

In the matter of fixing the aggregate amount that may be paid for Clerk and Stenographer by the Prosecuting Attorney

I John M. Brodrick, judge of the Common Pleas Court, of Union County, Ohio, hereby fix the aggregate amount to be expended by the Prosecuting Attorney for Clerk and Stenographer for the year 1911, at $300.00.

John M. Brodrick, Judge.

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

Wednesday, January 4th A.D. 1911. Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

This day the Grand Jury continued their examination of Witnesses.

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

Thursday, January 5th 1911, Court convened at 9 O'clock A. M.
Present, Honorable John M. Brodrick, Judge.

Journal Entry on Report of Grand Jury.

Court of Common Pleas, Union County, Ohio,
January Term, January 1911.

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. A. J. Miller
2. Casper Rausch
3. Sterl McElroy.
4. Elmer Hall.
5. Joseph Fegley.
6. A. Cheney.
7. Dell McKitrick.
8. Charles Curry.
9. John Hush.
10. T. C. Ford.
11. O. Collier.
12. John Laird.
13. Brough Dunham.
14. M. G. Robinson.
15. S. T. Southard

Entry 1407

And presented their certain Five bills of indictments, each indorsed by Brough Dunham Foreman of the Grand Jury, "A True Bill," and against the following named persons for the following specified offenses, Viz;

Valentine C. Carter for Barbering on Sunday.
Valentine C. Carter for Barbering on Sunday.
Charles M. Wills for Assault and Battery.
William H. Whittemore for Practicing medicine within the State of Ohio, before obtaining a certificate from the State Medical Board of the State of Ohio;
Emma Whittemore for Practicing medicine within the State of Ohio before obtaining a certificate from the State Medical Board of the State of Ohio.

Entry 1405

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, 1911, 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 36 witnesses, covering Eight cases, and presented Five 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 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.

Respectfully submitted,

Brough Dunham.

Foreman.

January 5th 1911.

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

Entry 1407

The State of Ohio. Plaintiff
vs.
Valentine C. Carter
Defendant.

} The Court Common Pleas, Union County, Ohio.

Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant coming voluntarily into open court, and arraigned upon said indictment, and waiving the service of copy, and of the reading of, and further time to consider and examine said indictment, for plea thereto saith he is "guilty"; thereupon it is ordered and adjudged by the Court that the defendant Valentine C. Carter pay a fine of Fifteen Dollars and the costs of this prosecution, and that he stand committed to the Jail of Union County, Ohio, until the amount of said fine and costs shall be paid.

Court adjourned until Friday, January 6th 1911.

Friday, January 6th 1911. Court convened at 9 O'clock A. M. Present, Honorable John M. Brodrick, Judge.

Entry 1405

The State of Ohio, Plaintiff,
vs.
William H. Whittemore, Defendant

} Court of Common Pleas, Union County, Ohio. Indictment for practicing medicine without a certificate.

Now comes the Prosecuting Attorney on behalf of the State of Ohio and the defendant coming voluntarily into open Court and arraigned upon said indictment, acknowledging the service of copy of said indictment, and waiving the reading of, and further time to examine said indictment, for plea thereto says he is "not guilty." and puts himself upon the county, and the Prosecuting Attorney does likewise. And there upon recognizance in the sum of Two Hundred Dollars was required by the Court.

The State of Ohio, Plaintiff,
vs.
Emma Whittemore, Defendant.

} The Court Common Pleas, Union County, Ohio. Indictment for practicing medicine without certificate.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the Defendant coming voluntarily into open Court and arraigned upon said indictment, acknowledge the service of copy of said indictment and waiving the reading of, and further time to examine said indictment, for plea thereto says she is "not guilty," and puts herself upon the County, and the Prosecuting Attorney does likewise. and there upon recognizance in the sum of Two Hundred Dollars was required by the Court.

Court adjourned until Saturday morning at 9 O Clock.

Saturday, January 7th 1910, Court convened at 9 O'clock A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9118

In the Matter of the Application of the Trustees of the First Baptist Church of Richwood, Ohio to sell real estate } Court of Common Pleas, Union County, Ohio.

This Cause coming on for hearing and the Court finding that notice of the prayer of said petition has been given for four consecutive weeks in the Richwood Gazette, and the Court being satisfied upon the proofs that the members and officers of said Church desire to sell the real estate described in the petition, and that it is right and proper that authority be given to accomplish the same, It is therefore ordered, adjudged and decreed that the Trustees of said Church be, and the same are hereby authorized and directed to sell and convey by deed of general warranty, the following described real estate, to wit: Situate in the County of Union, State of Ohio, and in the Village of Richwood, being Lots Nos. (33 & 34) Thirty-three and Thirty-four in the Original Plat of said Village. It is further ordered that said Trustees make due return of their proceedings hereunder to this Court for its approval within ten days.

John M. Brodrick,
Judge.

Entry 9118.

In the matter of the Application of the Trustees of the First Baptist Church of Richwood, Ohio, to sell Real Estate } Court of Common Pleas, Union County, Ohio.

Entry Confirming Sale.

Now come the Trustees of said Church and make return of their proceedings as hereinbefore ordered and directed, as follows, to-wit:— Said Trustees have sold to William H. Richards, and conveyed to him by deed in fee simple the premises ordered and directed to be sold by said Trustees in a previous order and decree herein for the sum of $1950.00, which deed they herewith present to the Court and ask that the same be approved and confirmed.

And the Court having carefully examined said deed, and finding it in all respects regular and in conformity with previous orders of the Court, the same are hereby approved and confirmed; and it is further ordered by the Court that the proceeds arising from the sale of said real estate be applied as asked in the petition herein.

John M. Brodrick,
Common Pleas Judge.

Entry 1409

The State of Ohio, Vs. Charles M. Wills } The Court Common Pleas, Union County, Ohio.
Indictment for Assault and Battery.

Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant being brought into open Court in the custody of the Sheriff, and arraigned upon said indictment and acknowledging the service of copy of said indictment, and the reading of, and further time to examine, said indictment, for plea thereto, saith he is "guilty," and is remanded to the custody of the Sheriff until sentence, and is required to furnish recognizance in the sum of $300.00, for his appearance before the court on the 16th day of January, to receive sentence.

Court adjourned until Monday, January 9th 1911.

Monday, January 9th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Court adjourned until Tuesday, January 10th 1911.

Tuesday, January 10" 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9058

Appraisal of Real Estate and Chattel Property.
The Court Common Pleas, Union County, Ohio;
In re the Dissolution of the Novelty Manufacturing Company.
We, the undersigned disinterested freeholders and residents of Union County, Ohio, having been duly summoned by H. O. Orahood, Receiver herein, and duly sworn by John H. Willis, a Notary Public within and for said County of Union and State of Ohio, impartially to appraise upon actual view the following described lands and tenements, to-wit:—

Situated in the County of Union, the State of Ohio, and in the Town of Peoria and being part of Survey No. and bounded and described as follows:

Being Lot Numbered One Hundred Forty Eight (148) in Snidiths Addition to Peoria, Union County Ohio, but subject to all legal highways.

And to impartially appraise upon actual view all the goods, chattels, moneys and credits of said The Novelty Manufacturing Company in the hands of said Receiver:- Automatic Cut offs made up and partly worked cut off material $ 23 00; money in bank $ 11.38; Four mortgage notes of face value with interest to Dec. 31st 1911, $ 142.56; secured by mortgage on lots the value of which is $ 30. less cost of foreclosure - Net Value $ 10 00.

The real estate and the goods, chattels and credits to be sold on an order of sale issued from the Court of Common Pleas, Union County, Ohio, in the action of In Re The Dissolution of The Novelty Manufacturing Company; do forth with after actual view of said premises and said goods and chattels, make return and say that the real value in money of Nine Hundred Dollars, and the goods and chattels are of the real value in money of Forty Six 38/100 Dollars.

Given under our hands and seals this 24" day of December, 1910.
C. M. Forbes (Seal) J. W. Hamilton, (Seal) Harrison Turner (seal).
State of Ohio, Union County:

I hereby certify that the within appraisers, J. W. Hamilton, C. M. Forbes and Harrison Turner, are freeholders, and were duly summoned by me, and sworn by John H. Willis, a Notary Public within and for said county, to appraise the within described real estate and the goods, chattels, moneys and credits, this 24" day of December 1910,

H. O. Orahood,
Receiver of the Novelty Manufacturing Co.

State of Ohio, Union County, ss.

We the undersigned do make solemn oath that we will truly and impartially appraise all the real estate and personal property of the said The Novelty Manufacturing Company, located in Peoria, Union County, Ohio, and perform all the other duties required by law of us in the premises as appraisers to the best of our ability.

C. M. Forbes — Harrison Turner — J. W. Hamilton, Appraisers.

Entry 9058

Sworn to before me and subscribed in my presence this 24" day of December, 1910.

John H. Willis,
Notary Public.

In Re The Dissolution of The Novelty Manufacturing Company.
The Court of Common Pleas, Union County, Ohio.

Entry
9058

Confirmation Of Appraisment And Order Of Sale.

This day this cause came on to be heard on the application of the receiver herein for an order of the Court approving and confirming the report of the appraisers heretofore appointed by this Court to appraise the real estate and chattel property of The Novelty Manufacturing Company described and enumerated in said order, and on consideration thereof the Court finds that said appraisement has been made and returned according to law and the former order of this Court, and it is further ordered that said appraisement be, and the same is hereby approved and confirmed.

And this cause coming on further to be heard upon the application of said receiver for instruction as to the sale of said real estate and chattel property of the said Company described and enumerated in said appraisement, and on consideration whereof the Court having found that it will be necessary to sell all of said real estate and chattel property of said company in order to wind up the affairs of said company, to pay its debts and to distribute the residue among the Stockholders of said company, the Court further finds that it will be for the best interests of all the parties that said property be offered at public sale.

It is therefore ordered by the Court that said receiver proceed to advertise said real estate and personal property described and enumerated in said appraisement for sale by publication in a newspaper of general circulation in said County of Union, State of Ohio, for thirty days, and that he then proceed to sell the same as hereinafter directed, at public auction upon the premises of said Company at Peoria, Ohio, at not less than two-thirds of the appraised value thereof, and for cash, to wit:

Description of Real Estate:-

Situated in the town of Peoria, Ohio, in the County of Union and State of Ohio, and being Lot Number One Hundred Forty Eight (148) in Suddith's Addition to the town of Peoria, Ohio, but subject to all legal highways.

Personal Property:-

Personal Property:- Automatic sporting cut-off and material partly made up; four mortgage notes in all of the sum of $ 142.56, and secured by mortgage on vacant lots in Suddith's Addition to Peoria, Ohio.

Said receiver is further directed to report his proceedings in the premises to this court for confirmation and for further orders.

John M. Brodrick, Judge.

January 10th 1911.

Entry 8992

Forest A. Holycross. Plaintiff
Vs.
Electa J. Douglas, et al.
} In the Court of Common Pleas of Union County, Ohio.

Now came the parties herein, by their attorneys, and thereupon this cause came on for hearing on the pleadings, and upon statements of Counsel, and was submitted to the Court; On consideration whereof, the Court find, on the issue joined, for the plaintiff, and that the plaintiff is entitled to the relief prayed for.
It is therefore, on motion of the plaintiff, adjudged and decreed that the injunction heretofore granted in this action be, and the same hereby is made perpetual.
It is further considered that the plaintiff recover from the said defendant his costs herein expended, taxed at $.

Error. See below.

Entry 8999

Elmer Heath — Plaintiff
Vs.
Charles Schlegel, Defendant
} In the Court of Common Pleas of Union County, Ohio.

The Plaintiff hereby acknowledges the receipt of $ 10.00, in full settlement of all claims by him made in this action and orders this action dismissed without record at his cost.

Elmer Heath.

Entry 9087

Entry 9134

Charles F. McCloud, et al.
Vs. Plaintiffs.
Smith Newton McCloud jr. et al,
Defendants
} In the Court of Common Pleas of Union County, Ohio.

This day it appearing to the Court that the defendant, Smith Newton McCloud jr. is a minor under the age of fourteen years, and has been duly and legally served with summons herein, on motion of Nan S. McCloud the mother and legal guardian of said minor, the said Nan S. McCloud is hereby appointed guardian for the suit in the premises for the said minor defendant: And the said Nan S. McCloud accordingly accepts the said appointment.

Entry 8992

Forest A. Holycross — Plaintiff
Vs.
Electa Jane Douglas, et al, Defendants.
} In the Court of Common Pleas of Union County, Ohio.

Now comes the parties herein, by their attorneys, and thereupon this cause came on for hearing on the pleadings, and upon statements of Counsel, and was submitted to the Court; On Consideration whereof, the Court find on the issue joined, for the plaintiff, and that the plaintiff is entitled to the relief prayed for.
It is therefore, on motion of the plaintiff, adjudged and decreed that an injunction be granted plaintiff as prayed for in the petition herein, and this Court hereby enjoins defendant from erecting or maintaining fences gates or other obstructions, on the easement described in plaintiff's petition herein, and from locking gates across the same and from interfering in any way with his enjoyment of said easement.
It is further considered that the plaintiff recover from the said defendant his costs herein expended, taxed at $.

John M. Brodrick, Judge.

Court adjourned until Wednesday January 11th 1911.

Wednesday, January 11th 1911, Court convend at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned until Thursday, January 12th 1911.

Thursday, January 12th 1911, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Mary Burchnell, Plaintiff
vs.
Edward Burchnell, Defendant } In Union County, Ohio, Court of Common Pleas.

Entry

9087

This cause came on to be heard upon the pleadings and the evidence; On consideration whereof, the Court finds that the plaintiff is not entitled to a divorce. The Court further finds that the allegations in the defendants cross petition are true; that the parties were duly married as therein stated, and that the plaintiff has been guilty of gross neglect of duty, as charged in the cross petition, and that by reason thereof the defendant is entitled to a divorce as prayed for by him.

It is therefore adjudged and decreed that the marriage relation, and contract heretofore, existing between the parties be and the same is hereby dissolved, and both parties released from the obligations of the same.

It is further ordered that the defendant pay the costs of this action.

John Johnson - Plaintiff,
vs.
John W. Hodge - Defendant. } In the Court of Common Pleas of Union County, Ohio.

It appearing that the garnishee herein has paid into Court certain money belonging to the said John W. Hodge, to wit: the sum of $100.00, it is now ordered by the Court that the same be applied on the judgment herein, First to the payment of the costs in cases No. 8900, and 8899, and that the balance be paid to plaintiff as a credit on his judgment. And the Clerk is ordered to pay over said money in accordance herewith.

Court adjourned until Friday, January 13th 1911.

January 13" 1911.

Friday. Court convened at 9 O' clock. A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
9106

Court adjourned until Saturday, January 14" 1911.

Saturday, January 14" 1911. Court convened at 9 O'clock, A. M,
Present Honorable John M. Brodrick, Judge.

Court adjourned until Monday. January 16" 1910.

Monday, January 16th 1911, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 9106

Olive Rogers, Plaintiff
vs. In the Court of Common Pleas of Union County, Ohio.
Samuel Rogers, Defendant

This day came the Plaintiff, and thereupon this cause came on to be heard; and it appearing to the Court that the Defendant has been duly served with summons and a copy of the Petition herein and has failed to respond thereto, the Court finds the defendant in default for answer and demurrer to said petition; and finds that the allegations of the petition are confessed by the Defendant to be true.

The Court further finds 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 such filing, and was at that time a bona fide resident of the said County of Union, and that the said parties were married as set forth in the petition.

The Court further finds, upon the evidence adduced, that the Defendant, Samuel Rogers, has been guilty of gross neglect of duty toward the Plaintiff, Olive Rogers, by abandoning, and failing to support and maintain, her as alleged; and that, by reason of such gross neglect, the Plaintiff is entitled to a divorce as prayed in her petition

It is, therefore, ordered and adjudged by the Court that the marriage contract heretofore existing between the said Olive Rogers and the said Samuel Rogers be, and the same hereby is, dissolved; and both parties are released from the obligations of the same. And, pursuant to a written agreement, heretofore entered into by and between said parties, as to occupancy of Real Estate, disposition of household goods and kitchen furniture, and payment of money alimony which agreement the Court approves and embodies in its orders herein following, it is ordered and adjudged that each party shall be barred from all claim or right in the property of the other, whether real or personal, (except as to occupancy of premises by the Plaintiff, hereinafter mentioned), by way of dower, inheritance, distribution allowance for year's support, or other claims whatsoever.

And the Court further finds that the said Samuel Rogers is the owner in fee simple of In Lots, Nos. 675, 676, and 677, in Welches Addition to the Village of Marysville, Union County, Ohio; Whereupon, it is further ordered and adjudged that said Plaintiff have and possess the said real estate, by way of occupancy thereof, until the 1st day of April, A.D. 1911, free of charge therefor, as and for a part of her alimony in the premises.

It is further ordered and adjudged that the plaintiff have, possess, and enjoy, as and for a further part of her alimony, the following personal property, with the right to use, sell, or dispose thereof, at her pleasure, to wit: All her wearing apparell, and all house-hold goods, kitchen furniture and effects now in her possession and situated in the dwelling house upon the In Lots aforesaid.

It is further ordered and adjudged that the said Defendant pay to the said Plaintiff or to her attorney as her reasonable alimony in money, the sum of $250.00, payable on the entry of this decree. And the same is made a lien upon all the real estate of the said Defendant. And in default of payment of said sum for one day, execution may issue therefor.

It is further ordered and adjudged that said plaintiff be and she hereby is, restored to her former name of Olive Grantham.

It is further considered and adjudged by the Court that the plaintiff recover from the said defendant her costs in this behalf expended taxed at $ —.

John M. Brodrick.
Judge.

Entry 8971

The State of Ohio. Vs. Charles M. Wills. } In the Court Common Pleas, Union County, Ohio. Indictment for Assault and Battery.

Entry 1409.

Now comes the prosecuting Attorney on behalf of the State of Ohio, and the defendant appearing in open Court in response to his recognizance and the Court after hearing testimony thereupon and being fully advised in the premises, it is ordered and adjudged by the Court that the said Charles M. Wills pay the fine of Fifty Dollars and the costs of this prosecution and that he stand committed to the jail of Union County, Ohio, until the amount of said fine and costs are paid.

Entry 9115

Court adjourned until to morrow morning at 9 O'clock

Tuesday, January 17th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
8971

William V. Kinney, executor of the will and estate of Indiana Webb, Plaintiff
Vs.
Jemmi Webb et als. Defendants

} In the Court of Common Pleas Union County, Ohio

This day came the parties by their attorneys and waived a jury and submitted this cause to the court upon the pleadings and the evidence.

On consideration whereof the court finds that there is now deposited in the Richwood Bank of Richwood, O. the sum of $1691 for which a certificate of deposit has been taken in the name of said Indiana Webb, and also the sum of $226.00 for which a certificate of deposit has been taken in the name of Jemmi Webb defendant, and that said certificates of deposit represent funds of the estate of Indiana Webb, and should be turned over to the plaintiff as such executor, and be paid to him by the said bank.

The court further finds that said Jemmi Webb listed said money for taxes for the years 1909 and 1910 and that he has paid the taxes thereon for the year 1909 in the sum of $22.80 and that he is charged with the taxes thereon for the year 1910 in the sum of $39.98 making a total of $62.78 which the said plaintiff shall pay to him, and the court further orders that the plaintiff pay to said Jemmi Webb out of said money the sum of $225.00

It is therefore ordered by the court that said certificates of deposit of $1691.00 and $226.00 be turned over to said plaintiff and that said Richwood Bank is ordered and adjudged to pay the same to the plaintiff with any and all accrued interest thereon, and that the plaintiff out of said money pay to said Jemmi Webb the said sum of $62.78 to reimburse him for said taxes, and also the sum of $225.00 which the court allows him out of the same.

It is further adjudged by the court that the costs of this action be paid by the plaintiff as such executor, out of the funds of said estate.

Entry
9115

Jemmi Webb Plaintiff
Vs
William V. Kinney Executor of Indiana Webb, Defendant

Entry

This day came the plaintiff by his attorneys and the said William V. Kinney Executor by his attorney, and it appearing to the court that in consideration of the adjustment of former cases between said parties, this action is not to be further prosecuted.

It is therefore ordered and adjudged by the court that this action be and the same is dismissed.

It is further ordered and adjudged that the costs of this action be paid by the said William V. Kinney as such executor out of the funds of said estate.

Jan. 17 - 1911.

Entry 8926. Lemon Webb, Plaintiff Vs. William W. Kinney, Executor of Endiana Webb Defendant } In the Court of Common Pleas, Union County, Ohio

Entry

This day came the parties by their attorneys and waived a jury and submitted this cause to the court upon the pleadings and the evidence.

On consideration whereof the court finds in favor of said plaintiff Lemon Webb in the sum of Three Hundred and Twenty Five Dollars.

It is therefore considered and adjudged by the court that the said Lemon Webb recover of the plaintiff as such executor the sum of Three Hundred and Twenty Five Dollars.

And it is further ordered and adjudged that the defendant pay the costs of this action as such executor out of the funds of said estate.

Entry 9137. The Consolidated Land and Improvement Company Vs. C. A. Herd } Court of Common Pleas, Union County, Ohio.

This day this case was settled by parties, at the cost of the Plaintiff.

Entry 9117 Marie C. Welch, et al Vs. Richard D. Welch, et al } Court of Common Pleas, Union County, Ohio.

This cause being heard on the demurrer to the petition, the Court, on consideration, sustains the same; and the Plaintiffs are allowed to amend their petition within ten days.

Court adjourned until to morrow morning at 9 O'clock,

Wednesday, January, 18" 1911, Court convened at 9 Oclock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
8801

E. C. Lefler and W. E. Davis, Plaintiffs.
vs.
E. H. Guckert, Defendant.
} Court of Common Pleas of Union County, Ohio.

January 18" 1911.

This day came the parties herein by their Attorneys; also came the following named persons as jurors, to wit: 1st Guy Chapman; 2" C. H. Smith; 3" Silas Bell; 4" George Schalip; 5" A. B. Green; 6" John A. Scheidered; 7" William Schwarty; 8" J. C. Reed; 9" Philip Rausch; 10" Clark Rickard; 11" John Jarvis; 12th Philip Kupright; 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, said defendants by their attorneys presented the following motion to the Court, "Now comes the defendant by his attorneys and moves the Court for leave to amend defendants answer and cross petition herein"; And the Court being fully advised in the premises, said defendant is allowed to amend his said answer and cross petition, and this case was continued until the next Term of this Court at the cost of the Defendant for this Term, To all of which the Plaintiffs by their Attorneys excepted at the time. And execution is awarded against the defendant for the costs of the term amounting to $

John M. Brodrick,
Judge.

Court adjourned until to morrow morning at Nine O clock,

Thursday, January 19" 1910. Court convened at 9 O'clock, A. M. Present, Honorable John M. Brodrick, Judge,

Entry
9018

F. M. Taylor,
Vs. Plaintiff
Wm Mongridge
Defendant

Court of Common Pleas of Union County, Ohio.

This day came the parties herein, by their attorneys; also came the following named persons as jurors, to-wit:
1" Guy Chapman; 2" C. H. Smith; 3" Silas Bell; 4" George Schalip; 5" A. B. Green; 6" John S. Scheiderer; 7" William Schwartz; 8" Mark Reed; 9" Philip Rausch; 10" Clark Rickard; 11" John Jarvis; and 12" Philip Rupright; 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, said cause was continued until to-morrow morning at 9 O'clock.

Entry
9090.

Maud Maple,
Vs. Plaintiff
Clifford C. Maple,
Defendant

Court of Common Pleas, Union County, Ohio.
January Term, 1911.

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 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 12" day of September, 1907, as alleged in said petition. And that no children have been born of said marriage; and that the defendant has been 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 and she hereby is restored to her maiden name of Maud Moehn.
It is further ordered and adjudged that the defendant pay to plaintiff as her reasonable alimony in money the sum of Five Hundred Dollars payable at once. And the same is hereby made a lien upon all the real estate of the said defendant. And in default of any such payment for three days, execution is allowed to issue therefor.
It is further ordered by the Court that defendant pay the cost of this proceeding taxed at $. And that this case be recorded.

John M. Brodrick, Judge.

Court adjourned until to morrow morning at 9 O'clock.

Friday, January 20th 1911. Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry

F. M. Taylor
Vs. Plaintiff
Wm. Morgridge,
Defendant

Court of Common Pleas, Union County, Ohio.

9018

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 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 and sworn and affirmed find the issues in this case in favor of the Plaintiff from the defendant, William Morgridge, at the sum of $1.15.

Philip Rupright.
Foreman.

Dated January 20th 1911.

John M. Brodrick, Judge.

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

Saturday, January 21st 1911, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Common Pleas Court of Union County, Ohio.

Entry 9143. Mrs C. A. Alexander, Plaintiff vs. Harry Gruber, David Bonowitz and Sarah Bonowitz, Defendants.

This day came the plaintiff by her attorney; also came John L. Loughrey, an attorney at law of this court, on behalf of the defendants, and by virtue of a 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 One hundred fourteen and 3/100 dollars, and also released and wained all exceptions, errors and right of appeal herein. It is therefore considered by the Court that the said plaintiff recover from said defendants the said sum of one hundred fourteen and 3/100 dollars, together with her costs herein expended, taxed at $3 [illegible]

Entry
9018

Entry

Court adjourned until Monday, Jan. 23" 1911, at 9 O'clock, A. M.

Monday, January 23rd 1911, Court convened at 9 O'clock, A.M. Present Honorable John M. Brodrick, judge.

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

Tuesday, January 24th 1911, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, judge.

Entry

F. M. Taylor, Plaintiff,
vs.
William Morgridge, Deputy, } Court of Common Pleas, Union County, Ohio.

9018.

This cause having come on for trial upon the issues joined in the pleadings herein, and the jury having been duly impaneled and sworn and trial had, and the jury having on the 20th day of January A.D. 1911, duly rendered and returned its verdict in favor of the plaintiff and against the defendant and thereby assessed the damages due the plaintiff in the sum of one dollar and fifteen cents ($1.15) and no motion for a new trial herein having been filed by either the plaintiff or the defendant, and the Court duly having considered the same: It is by the Court considered and adjudged that the plaintiff F.M. Taylor, do recover from the defendant, William Morgridge the sum of one dollar and fifteen cents ($1.15) and his costs herein expended taxed in the sum of $.

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

Wednesday, January, 25th 1911, Court convened at 9 O'clock, A. M. Present, Honorable John M. Brodrick, Judge.

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

Thursday, January 26th 1911, Court convened at 9 O A. M. Present Honorable John M. Brodrick, Judge.

Entry

The Citizens Home and Savings Company
vs. Plaintiff,
H. C. Spicer et al, Defendant } Court of Common Pleas, Union County Ohio

H. A. M.

This cause dismissed upon the motion of the Plaintiff and costs paid.

William E. Johnson, Maggie E. Livingstone,
Samuel J. Johnson, Jennie E. Fields, and
Ella Cole, Plaintiffs.

vs.

Thomas J. Johnson, Emma Ford and
Davis Johnson, Defendants.

The Court Common Pleas,
Union County, Ohio.
Judgment for defendant,
Thomas J. Johnson.

Entry
9019

This cause came on to be heard on the pleadings and the evidence, and on consideration whereof the Court finds that neither of the said William E. Johnson, Maggie E. Livingstone, Samuel J. Johnson, Jennie E. Fields or Ella Cole, plaintiffs nor either of the said Emma Ford or Davis Johnson, defendants, has any estate in, or is entitled to the possession of the real estate in the petition described, or any part thereof; but that said defendant, Thomas J. Johnson is seized in fee simple and is rightfully in possession of the said real estate described in the petition. The Court further finds that the defendant, Thomas J. Johnson, is entitled to the relief prayed for in his answer and cross petition, and to have his title and possession to said real estate quieted.

It is therefore adjudged and decreed that the injunction hereinbefore granted is hereby dissolved.

It is therefore further adjudged and decreed that the title and possession of the said Thomas J. Johnson to the real estate described in the petition, be and the same are, hereby quieted as against the plaintiffs, William E. Johnson, Maggie E. Livingstone, Samuel J. Johnson, Jennie E. Fields, and Ella Cole, and as against his co-defendants, Emma Ford and Davis Johnson, and all persons claiming under them or anyone of them.

And said parties, and each of them, and all persons claiming under them, are hereby forever enjoined from setting up any claim to said real estate adverse to the title or possession of the said Thomas J. Johnson, thereto, or any part thereof, or in any manner interfering with his use and enjoyment of the same.

It is therefore adjudged and decreed that said deed be reformed and corrected as prayed in the answer and cross petition of the said Thomas J. Johnson, and that the word "grantee" appearing in the 3rd. and also in the 5th. line from the top of the second page of said deed, be and the same is hereby changed to "grantor", and that the word "grantor" appearing in the 7" line from the top of the second page of said deed, be and the same is hereby changed to "grantee", and that the word "grantee, appearing in the 9" line from the top of the second page of said deed, be and the same is hereby changed to "grantor," and that the word "grantor" appearing in the 10" line from the top of the second page of said deed, be and the same is hereby changed to "grantee."

It is further ordered that the Recorder of this said County of Union, make entry upon the margin of the deed records of said County, upon the page of said record upon which said deed is recorded, of the changes herein ordered, and of the

correction herein made in said deed.
It is further ordered that the costs of this suit be paid by the plaintiffs, for which judgment is rendered against them; and said plaintiff and the defendants Emma Ford and Davis Johnson waive all right of appeal and of proceeding in error herein.

John M. Brodrick.
Judge.

Court adjourned until to morrow morning at 9 O'clock.

Friday, January 27th 1911, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 1405 — The State of Ohio, vs. W. H. Whittemore } Court of Common Pleas, Union County, Ohio.

The defendant having paid the costs of prosecution herein, thereupon this day in open Court came the prosecuting Attorney and by consent of the Court entered a Nolle Prosequi herein.

John M. Brodrick,
Judge.

Entry 1406 — The State of Ohio, vs. Emma Whittemore } Union County, Ohio, Court of Common Pleas.

This day came the Prosecuting Attorney on behalf of the State of Ohio and the defendant appeared in answer to her recognizance, and was also represented by Counsel.

The defendant being arraigned in open Court and having waived the reading of the indictment for plea thereto saith, she is "guilty" as charged in said Indictment.

Being inquired of if she had anything to say why judgment and sentence should not be pronounced upon said plea, and having nothing to say, it is considered and adjudged by the Court that the defendant pay a fine of Twenty Five Dollars and the costs of prosecution amounting to $, and that she stand committed to the jail of the County until said fine and costs are fully paid.

John M. Brodrick,
Judge.

Court adjourned until Monday, January 30th 1911.

Monday, January 30th 1911. Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9068. Laura V. Taylor, Plaintiff. vs. David McGoon, Defendant } Court of Common Pleas, Union County, Ohio. Journal Entry, Confirming Sale.

On motion of the Plaintiff, and on his producing the return of the Sheriff herein, of the sale made under the former order of this Court; and the Court, on careful examination of the proceedings of the Sheriff, being satisfied that the same have been had in all respects in conformity to law and the orders of this Court, it is ordered that the 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, O. A. Wilgus, by deed in fee simple, the lands and tenements so sold, and a writ of possession is awarded to put said purchaser in possession of said premises.

And the Court coming now to distribute the proceeds of said sale, amounting to $360.00, it is ordered that the Sheriff, out of the money in his hands, pay, First, The costs of this action, taxed at $, Secondly, The Taxes due and now a lien against the said premises amounting to $.

Thirdly, To the Plaintiff Laura V. Taylor, the balance of the said money remaining in his hands, to-wit, the sum of $, to be applied as a credit upon her judgment against the said defendant, And there still remaining due to the said Laura V. Taylor, the sum of $, it is considered that she recover the same from the defendant, David McGoon, and execution is awarded therefor.

John M. Brodrick,
Judge.

The Citizens Home and Savings Co. vs. Barbara Kleiber, et al. } Court of Common Pleas, Union County, Ohio.

Entry 7268 Conditional Order Of Revivor of Dormant Judgment.

In this cause, on the motion of said Plaintiff, The Citizens Home and Savings Co., 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 Four Hundred and 4/100 Dollars, and costs, with interest from the 11th day of May, A.D. 1897. It is therefore ordered that said defendant Barbara Kleiber be, and she is hereby ordered to show cause why the said judgment for said sums of money should not be revived on or before the 4th day of March A.D. 1911, and in default of such showing, that said judgment to stand revived for said sums of money.

Witness my signature and the seal of said Court, at Marysville, this 30th day of January, A.D. 1911.

Charles Parrott, Clerk.

Entry
9029

J. M. Lentz, Admr. etc. et al. Plaintiffs.
Vs.
H. A. Rhodebaugh, et al. Defendants.
} In The Court of Common Pleas, Union County, Ohio.

On motion to the Court by the plaintiffs herein, and for good cause shown, it is ordered that this cause be, and it hereby is, referred to J. H. Kinkade, who is hereby appointed a special Master Commissioner for that purpose, who shall forthwith upon being duly qualified, proceed to take the testimony offered by the parties in writing, and report the same to the Court, with his conclusions of the law and facts involved in the issues, without unnecessary delay.
It is further ordered that the said Master require the witnesses severally to subscribe their testimony herein.

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 30th day of January, 1911, appointed Nellie Price as Deputy Sheriff and ask respectfully that her appointment be approved and confirmed, said appointment to take effect, February 1st 1911.

Cad Price, Sheriff.

The foregoing appointment is hereby approved and confirmed this 30th day of January, A. D. 1911.

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

(The Above Appointment of Deputy Sheriff is void.) C. Parrott, Clerk.

Whereupon came the said Nellie Price 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.

Nellie Price.

Sworn to before me and subscribed in my presence this 1st day of February, A. D. 1911.

Charles Parrott.
Clerk of Courts.

(The above appointment of Deputy Sheriff is void
Chas. Parrott, clerk.)

Court adjourned until Thursday, February 2nd 1911.

Thursday, February 2 / 911, Court convened at 9 O'clock A. M. Present Honorable John M. Brodrick, Judge.

Court adjourned intil Friday February, 3 A.D. 1911.

Friday February 3, 1911, Court convened at 9 O'clock, A. M. Present, Honorable John M. Brodrick, Judge.

Court adjourned until Saturday February 4" 1911.

Saturday, February 4" 1911. Court convened at 9 O. clock, A. M. Present Honorable John M. Brodrick, Judge.

Entr
9122

Court adjourned until Wednesday, February 8" 1911.

9 O.
ge.

Wednesday, February 8" 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
9122

The Citizens' Home and Savings Company, Plaintiffs,
Vs.
Wyatt Howell, Emma Howell and C. S. Davids Defendants.
} Court of Common Pleas, Union County, Ohio.

This cause now coming on for hearing on the petition and the answer and cross petition of the defendant, C. S. Davids, and the evidence, the Court find that the defendant Wyatt Howell and Emma Howell 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 and cross-petition are thereby confessed by them to be true; - and that there is due the plaintiff from the defendants, Wyatt Howell and Emma Howell on the promissory note and contract set forth in the petition, with interest to the date of this decree, the sum of six hundred twenty five and 61/100 dollars ($625.61).

The Court further find that in order to secure the payment of said note and contract the defendants, Wyatt Howell and Emma Howell, his wife executed and delivered to said plaintiff their certain mortgage as in the petition described, and on the premises therein described; that said mortgage was recorded in book 41 page 286 of the Records of Mortgages of Union County, Ohio, and is a good and valid and the first and best lien on the premises described in the petition, and that the conditions in said mortgage have been broken.

The Court further find that there is due the defendant, C. S. Davids, from the defendants, Wyatt Howell and Emma Howell, on the promissory note set forth in his answer and cross petition, with interest to the date of this decree, the sum of ninety seven and 87/100 dollars ($97.87).

The Court further find that in order to secure the payment of said note the defendants, Wyatt Howell and Emma Howell, his wife, executed and delivered to said defendant, C. S. Davids, their certain mortgage as in his answer and cross petition described, and on the premises therein described; that said mortgage was duly recorded in book No. page No. , of the records of Union County, Ohio, and is a good and valid lien on the premises described in said answer and cross-petition, and second only to the mortgage of the plaintiff herein, and that the conditions in said mortgage have been broken.

It is therefore considered by the Court that the plaintiff recover from the defendant, Wyatt Howell and Emma Howell, the said sum of six hundred twenty five and 61/100 dollars and its costs herein expended; and that the defendant, C. S. David recover from the defendants Wyatt Howell and Emma Howell, the said sum of ninety seven and 87/100 dollars and his costs herein expended.

and it is further adjudged and decreed that unless the defendants, Wyatt Howell and Emma Howell, shall within 3 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 this date, and to the defendant, C. S. Davids, the sum so found due him as aforesaid with interest at 8 per cent from this date, the defendants, Wyat Howell's and Emma Howell's 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. Entry 9117

Court adjourned until Tuesday Feb. 14th 1911.

less the
in 3
paid,
Plaintiff
interest
e sum
k from
owell's
be sold,
of Union
said
tings

Tuesday, February 14" 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Bodrick, Judge.

Marie C. Welch, et al.
vs.
Richard D. Welch, et al.
} Court of Common Pleas, Union County, Ohio.

Entry

9117 This day leave was granted Plaintiffs to file amended Petition and same filed.

Court adjourned until Saturday, February 18" 1911.

Saturday, February 18th 1911, Court convened at 9 O'clock, A.M. Present Honorable John M. Brodrick, Judge.

Entry 9130

Florence Hurlbut,
Vs. Plaintiff
Alpha M. Hurlbut,
Defendant

In 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 process, and that the defendant is in default for answer and demurrer, 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 3 day of June, 1896, as alleged in said petition. And that no children have been born of said marriage; 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 be and she hereby is restored to her maiden name, Florence Miller, that plaintiff pay the costs of this proceeding taxed at $. , and that this case be recorded.

John M. Brodrick, Judge.

Entry 9056

Frank E. Dodge,
Vs. Plaintiff,
The Toledo & Ohio Central Railway Co.
Defendant.

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

The Court having heretofore ordered the plaintiff to elect between his first and second causes of action, Plaintiff now comes and elects to base his right of action upon the first and third causes of action in plaintiff's Amended petition herein contained.

Hoopes, Robinson and Hoopes.
Attorneys for Plaintiff.

Entry 9063

Entry

9063

Wesley Mitchell - Plaintiff.
vs.
Sarah Mitchell - Defendant

} Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard upon the pleadings, evidence and statements of Counsel. And the Court being fully advised in the premises, and on consideration thereof, finds that the defendant has been duly and legally served with summons and process in the matter, that at the time of the filing of the plaintiff's petition herein he was a bona fide resident of the State of Ohio, and County of Union, and had been for one year preceding the filing thereof, that said parties were married on the 19th day of February, 1908, as alleged in said petition, and that no children was born to them as the issue of said marriage, 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 dissolved, and the said parties are hereby released therefrom, and that said defendant be and she is hereby restored to her former name of Sarah Vaugundy; The Court further finds that the contract entered into by the parties hereto on the 25th day of February, 1909, dividing their personal property, is a valid and subsisting contract, and satisfactory to both parties thereto, and therefore confirms the same.

Further it is ordered, adjudged and decreed that the said plaintiff pay to the said defendant the sum of Two Hundred and Seventy Five ($275,00) Dollars alimony as agreed upon between the parties hereto, and which shall be in full of any and all claims and demands of whatsoever nature between the parties hereto, including any inchoate right of dower that the said defendant may have in and to any and all real estate now owned by or heretofore or hereafter owned by said plaintiff, and in which the said defendant is hereby forever barred. And it is ordered that the plaintiff pay the costs of this proceeding taxed at $, and that this case be recorded, and by agreement plaintiff is barred from any interest in the defendants land.

Milo L. Myers
Attorney for Plaintiff.
Cameron and Cameron
Attorneys for Defendant
John M. Broderick, Judge.

Court adjourned until Thursday, February 23rd 1911

Thursday, February 23 1911, Court convened at 9 O'clock, A. M.,
Present: Honorable John M. Brodrick, Judge.

Entry 9029 — J. M. Lentz, Admst. &c, et al, Plaintiff, vs. H. A. Rhodebaugh, et al defendant. } Court of Common Pleas, Union County, Ohio.

This day came the said J. H. Kinkade and accepted the appointment of Master Commissioner in the above entitled case, and subscribed to the following oath

The State of Ohio } ss. In The Court of Common Pleas.
Union County }

Before me personally appeared the within named John H. Kinkade who being first duly sworn says that he will faithfully perform all duties devolving upon him as Master Commissioner in the Case of J. M. Lentz, Admst. &c, et al, Plaintiff vs. H. A. Rhodebaugh, et al defendant, to the best of his ability.

John H. Kinkade.

Sworn to before me and subscribed in my presence this 23. day of February, 1911.

Charles Parrott.
Clerk.

Entry 9107 — Della Fout, Plaintiff, vs. Blaine L. Fout 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 process, and he has failed to appear, and is in default for answer or other pleading, 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 24" day of January, 1907, as alleged in said petition. And 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 is entitled to the sum of ($ 100.00,) One Hundred Dollars, Alimony, and the defendant is further ordered to pay all costs in this case taxed at $, and that this case be recorded.

John M. Brodrick, Judge.

Court adjourned until Saturday, Feb. 25." 1911.

Entry 9141.

Saturday, February 25th 1911. Court convened at 9 Oclock, A. M.
Present, Honorable John M. Brodrick, Judge.

Lumina Carlton, Plaintiff.
vs.
Charles F. Pixler, et als. Defendants.
} Court of Common Pleas, Union County, Ohio.

Entry
9141.

This day came the parties by their attorneys and submitted this cause to the Court, upon the demurrer of the Plaintiff to the answer of the defendants.

On consideration whereof the Court, being fully advised in the premises, sustains said demurrer.

Sheriff's Certificate for pay.

Sheriff's Office, Union County, Ohio.

To Hon. John M. Brodrick, Judge,

Marysville, Ohio, March 1" 1911.

The Court charges for the January Term, A. D. 1911, 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
To Serving Petit Jury Venire		4,50
To Serving Grand Jury Witnesses	39-10	3,90
To Making 39 Copies, Grand Jury Witnesses @	10¢	3,90
To 247 Miles Travel, Grand Jury Witnesses	8¢	19,76
Total		36,36

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 of the Common Pleas Court.

Entry

9125

Entry

9141

Court adjourned until Saturday March 11" 1911.

Saturday, March 11th 1911, Court convened at 9 O. clock, A.M. Present, Honorable John M. Brodrick, Judge.

Order to Draw Grand and Petit Jury.

Court of Common Pleas, Union County, Ohio.

January Term, March 11th A.D. 1911.

To the Clerk of said Court:

You are hereby directed to proceed according to law at Nine o'clock on Saturday the 11th day of March, 1911, to draw from the Jury Wheel of Union County, the names of thirty three persons to serve as grand and petit jurors for the April term, 1911, 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, 18 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 3rd day of April 1911; 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 4th day of April, 1911.

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

Witness my hand officially this 11th day of March, 1911.

John M. Brodrick.

Judge of the Court of Common Pleas of the Third Subdivision of the Tenth Judicial District.

Entry 9125

Fannie J. Greenawalt
vs. Plaintiff.
A.G. Kirby, et al,
Defendants.

Court of Common Pleas, Union County, Ohio.

On the motion of the defendant leave is this day granted to them to answer to the amended petition of Plaintiff within 30 days from this date.

Entry 9141

Lumina Carlton
vs. Plaintiff
Charles F. Pixler,
Defendant

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

Entry of Judgment for $946.65, and for Writ of Possession.

This day this cause coming on to be heard and the plaintiff being in default for answer, the allegations of the petition are taken as confessed by him to be true.

Whereupon it is ordered that a writ of possession be issued to the Sheriff of Union County, Ohio directing him to eject the said defendants Charles F. Pixler and Winnie B. Pixler from

the following described premises;
Situate in the township, county of Union and State of Ohio, and bounded and described as follows; Beginning at a stone and brick, large white oak dead and two ashes gone, the easterly corner of Survey No. 5265, and corner to Mary A. Thurman's land; Thence with her Northerly line, N. 53,75° East 36.8 poles to a stone and brick, burr oak and hickory (white oak gone); Thence North 22° W. 172 poles to a stone; Thence N. 73,75° E. 42 poles to a stone; Thence S. 15,75° E. 7 poles to a stone; Thence N. 74,75° E. 46.68 poles to a stone; Thence N. 15,75° W. 34,25 poles to a tie center of the Hammond Pike; Thence with the center of said pike N. 82,5° W. 133,56 poles to the North east corner of land conveyed to Thomas Turpin; Thence with the East line of said Turpin's land S. 16,5° E. 16,5 poles; Thence N. 81,75° W. 38,75 poles to a stone with tile under it, corner to Haymond Ingram's land; Thence S. 20,75° W. 70,80 poles to a tile set on edge, witness an elm bears N. 87,5° E. 17 links; Thence S. 74,75° W. 17 poles to the Northeast corner of Survey No. 5265; Thence S. 39° E. 207,4 poles to the beginning.

Containing 153,21 Acres more or less. Being 148.21 acres in Survey No. 8523, 2 acres in Survey No. 12166 and 3 acres in Survey No. 8152, subject to the change in the line between Moses George's land and the above described tract.

And that the said Sheriff of Union County, Ohio put Lumina Carlton in possession of said premises; and a writ of Habere Facias is hereby awarded for that purpose.

And the Court taking the account and finding that the said defendants do owe the plaintiff the sum of $946.65, it is further ordered by the Court that the plaintiff recover of said defendants the sum of $946.65 with interest from this date and also all her costs of this suit taxed in the sum of $.

John M. Brodrick.
Judge.

Entry 9084

John H. Allinger et al.
Vs. Plaintiff.
C. S. Middlesworth
Defendant

Court of Common Pleas, Union County, Ohio.

Now comes the Plaintiffs herein, by their attorney and offers proof of service of Summons on the defendant herein, and the Court finding the same in all respects regular and according to law; and defendant being in default for answer and demurrer, the Court finds the allegations of the petition to be true, and that there is due to the plaintiffs from the defendant, the sum of $117.24, with interest from the 4th day of January, 1911. It is therefore considered that the said plaintiffs recover from said defendant said sum of $117.24, and the interest thereon from January 4th 1911.

E. W. Potter
Attorney for Plaintiffs.

Entry 9135

Entry 9058

Alice B. Bailey
Vs. Plaintiff
Charles C. Bailey.
Defendant.

Court of Common Pleas, Union County, Ohio

Entry

9135

Now comes the Plaintiff, by her attorney, and offers proof of publication of the pendency and prayer of the petition herein; and the Court finding said publication, and proof in all respects regular and according to law, do hereby approve the same. And the defendant having been legally summoned by publication, and having failed to appear, the court find him in default for answer and demurrer to said petition, and that the allegations thereof are confessed by him to be true.

The Court also 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 finds upon the evidence adduced, that the defendant has been guilty of Extreme Cruelty toward plaintiff, and that by reason 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 Alice B. Bailey and Charles C. Bailey, be, and the same hereby is, dissolved, and both parties are released from the obligations of the same.

It is further ordered that the petitioner be and she hereby is restored to her maiden name of Alice Beightler.

It is further considered by the Court that the defendant pay the cost of this proceeding; and execution is awarded.

John M. Brodrick,
Judge.

The Court of Common Pleas, Union County, Ohio.
In Re The Dissolution Of The Novelty Manufacturing Company.
Receiver's Report Of Sale.

Entry

9058

In obedience to the orders of this Court made and entered on the 10th day of January, 1911, ordering and directing me as receiver of the Novelty Manufacturing Company to proceed to advertise the said real estate and other property of the Novelty Manufacturing Company described and enumerated, in the said order of sale by publication in a newspaper of general circulation in Union County, Ohio for thirty days immediately following the date of the order and then to proceed to sell the same at public auction upon said premises of said company at Peoria, Ohio, the real estate at not less than two thirds of the appraised value thereof, and for cash and in the manner in said order directed, I caused to be advertised for sale in the Union County Journal, a newspaper of general circulation in Union County, Ohio, for said time as directed

in said order, said real estate and other property, in said order described enumerated to be by one, as receiver, sold at public auction on said premises in said Union County, Ohio, on the 13" day of February 1911, at 10 O'clock, A. M. on said day and did on said 13" day of February, 1911, at 10 O'clock, A. M. on said premises at Peoria, Ohio, proceed to offer at public auction, said real estate and other property as ordered and directed by Court, the following described real estate and other property: Discription of real estate; Situated in the County of Union in the State of Ohio and in the town of Peoria and described as follows; Being Lot No. one hundred and forty eight (148) in Sudduths addition to Peoria, Ohio, but subject to all legal Highway.

Description of chattel property; Automatic cut offs made up and partly worked up; four mortgage notes. And then and there came The Duwamish Tribe Company - - - - - - - - who bid for the same the sum of $600.00, and said sum being two-thirds of the appraised value thereof, and the highest bid made no further bid being made, I declared said bid accepted, and then and there publicly sold and struck off said real estate specifically described and enumerated above to the said The Duwamish Tribe Company, - - - at its said bid therefor, and declared the same sold to him, subject to be confirmed by this Court. And in there came G. V. Cory who bid for the sporting cut off and material the sum of $5.00, and for the four mortgage notes the sum of $15.00; And the same being the highest bid made therefor, no further bids being made, I declared said bids accepted, and then and there public sold and struck off said chattel property specified and specifically enumerated above to the said G. V. Cory at his said bids therefor and declared the same sold to him subject to be confirmed by this Court. And I now make return of my said proceedings under said order and sale made by me thereunder, to this Court for confirmation.

H. O. Crahwood.
As the Receiver of The Novelty Manufacturing Co.

Entry 9058

Court adjourned until Wednesday March 15" 1911.

Wednesday, March 15th 1911, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry confirming sale

The Court of Common Pleas, Union County, Ohio.
In Re The Dissolution of The Novelty Manufacturing Company.

Entry
9058

This day this cause came on to be heard on the report of H. O. Brahood Receiver of The Novelty Manufacturing Company herein, of the sale made by him on the 13th day of January, 1911, at 10 O'clock, A. M. upon the said premises at Peoria, Ohio, at which he, as said Receiver publicly sold in pursuance of an order of this court made and entered on the 10th day of January, 1911, that part of said real estate and other property of said The Novelty Manufacturing Company, ordered by this Court in said order to be offered for sale, to the Onwamish Tribe Company who bid for the same the sum of $600.00, which was two-thirds of the appraised value of said real estate; all the chattel property consisting of sporting cut offs and the four promissory notes, the property of the Novelty Manufacturing Company ordered by this Court in said order to be offered by sale, to J. X. Cory who bid for the same, the sum of $20.00, the same being the highest bid; and on motion of said receiver to confirm the same and the court having carefully examined said report and being satisfied that said sale has in all respect been made in conformity to law and the said orders of this court, it is ordered by the Court that the same be and it is hereby approved and confirmed, and said receiver is hereby ordered upon receipt by him of the purchase money for said real estate to convey said real estate to said purchaser, The Onwamish Tribe Company, the said real estate so sold and to be conveyed to said purchaser, The Onwamish Tribe Company, being bounded and described as follows: Situated in the County of Union, in the State of Ohio, and in the Town of Peoria and bounded and described as follows: Being Lot No. One Hundred and Forty Eight (148) in Siddath's Addition to Peoria, Ohio, but subject to all legal Highway. And also to deliver to J. X. Cory the said personal property by him purchased.

And it is further ordered by the Court, that said Receiver hold said funds arising from the sale of said real estate and other property subject to the further order of this Court.

John M. Brodrick,
Judge.

March 16th 1911.

Entry 9159

Wesley Mitchell — Plaintiff,
vs.
Edith C. Elson, et al, Defendants } Court of Common Pleas, Union County Ohio.

This cause coming on this day for hearing, was submitted to the Court upon the pleadings filed therein, and the Court being fully advised in the premises, and on consideration thereof, find on the issue joined that at the time of bringing 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 neither the defendants, or any one of them, have any estate in, or are entitled to the possession of said real estate, or any part thereof, and that the Plaintiff ought to have his title and possession quieted as against each and every one of said defendants, as prayed for in said Plaintiff's petition.

It is therefore ordered, adjudged and decreed, that the title and possession of the said plaintiff, Wesley Mitchell to the premises in said petition described, (to-wit: Being 25 acres and 13 poles, more or less, situate in the Township of Dover, County of Union, and State of Ohio, part of Survey No. 3007, and a part of Lot No. 5 of the sub-division of said Survey. Beginning at a stone in the center of the Sherman and Mackan Road and in the North East corner of said Lot. No. 5 of said division of Survey No. 3007; thence with the North line of said Lot S. 85° 15' W. 33.56 poles to a stake, Northeast corner to S. A. Sherman's land; thence with the East line of said land S. 4° 45' E. 72 poles to a stake corner to said land and in the North line of Peter Mackan's land; thence with said line N. 85° 15' E. 33.56 poles to a stone corner to said Peter Mackan's land and in the center of the Sherman and Mackan Gravel Road; thence with the center of said Road N. 4° 45' W. 72 poles to the place of beginning.) be, and the same hereby are, quieted as against the Defendants, and each and every one 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 plaintiff his heirs or assigns, thereto.

It is further ordered and decreed that the said plaintiff pay the costs of this action in full taxed at $.

John M. Brodrick,
Judge.

Entry 9124 5

Court adjourned until Saturday March 18th 1911.

Saturday, March, 18th 1911, Court convened at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 9125

Abigal Harrison, Plaintiff. / Vs. / John D. Harrison, Defendant } Common Pleas Court, Union County, Ohio.

This cause coming on to be heard upon the petition and proofs, the Court finds that the defendant has been duly served with summons personally.

The Court further finds that the plaintiff was a resident of this State for a year before filing the petition, and had a bona-fide residence in this County at the time of filing same, that the parties were intermarried as alleged in the petition, and that the defendant, in violation of his marital duties, has been guilty of gross neglect of duty towards plaintiff and has been wilfully absent from plaintiff for more than three years last past, and that the plaintiff is entitled to a divorce.

It is therefore adjudged and decreed that the marriage relation subsisting between said parties be and is hereby dissolved, and both parties released from the obligation of the same, and the plaintiff is hereby restored to the name Abigal Beddow.

It is further considered by the Court that the plaintiff recover her costs of defendant including a counsel fee of Ten Dollars to her attorney, Carl L. Smith.

John M. Brodrick,
Judge.

Court adjourned until Saturday March 25th 1911.

Saturday, March 25th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9124 — Ernest Thompson, Plaintiff. vs. Charles Miller, Defendant. } In the Court of Common Pleas of Union County, Ohio.

Leave was this day granted Plaintiff to file petition instanter and same filed.

Entry 8986 — Gertrude Appel, Plaintiff. vs. Fred Auer, Defendant } Court of Common Pleas, Union County, Ohio.

This cause came on for hearing on motion of Plaintiff to strike out certain parts of the answer; and on consideration thereof the Court sustains said motion and the Defendant has leave of the Court to file amended answer by April 1st 1911.

Entry 9138 — L. L. Blake, - Plaintiff. vs. C. M. Wills - Defendant } Court of Common Pleas, Union County, Ohio.

This cause came on for hearing upon the motion of the defendant to require the plaintiff to make his petition more definite and certain, upon consideration whereof the Court overrule same, to which the defendant excepted.

Court adjourned until Monday, March 27th 1911.

Monday, March 27th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
9141.

Lumina Carlton — Plaintiff
vs.
Chas. F. Pixler, et al, Defendants
} In the Court of Common Pleas, Huron County, Ohio.

This day this cause came on to be heard upon the motion of Ida C. Riddle to be substituted as party plaintiff for the said Lumina Carlton; On consideration whereof the Court finds that the said Lumina Carlton died on the 11th day of March, 1911, after the order for the Writ of Possession, and the judgment had been taken herein, That said Lumina Carlton died intestate and leaving the said Ida C. Riddle, her daughter, as her sole and only heir at law and legal representative, and that there are no outstanding debts and obligations of the estate of said Lumina Carlton, and, no need of the appointment of an Administrator and it is therefore, ordered, adjudged and decreed that this action stand revised in the name of Ida C. Riddle as the party plaintiff in place of the said Lumina Carlton, deceased.

John M. Brodrick, Judge.

Court adjourned until Saturday April 1st 1911.

Saturday, April 1st 1911, Court convened at 9 O'clock, A. M.
Present; Honorable John M. Brodrick, Judge.

Entry.
9167

The Peoples Bank, Plaintiff,
Vs.
W. L. Stevens and O. B. Sparks. Defendant.

Court of Common Pleas, Union County, Ohio.
Judgment by Confession for $ 138.48.

This day came the plaintiff by John L. Laughrey, Attorney; and filed his Petition against said Defendants W. L. Stevens and O. B. Sparks, and thereupon F. A. Thompson one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants W. L. Stevens and O. B. Sparks, 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 Thirty Eight 48/100 Dollars, $ 138.48, bearing interest at 8 Jo 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 Peoples Bank, Plaintiff, do recover from said W. L. Stevens and O. B. Sparks Defendants, the said sum of One Hundred and Thirty Eight and 48/100 Dollars $ 138.48, so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 1st day of April, 1911, 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
9168

C. E. Brooks, — Plaintiff.
Vs.
J. A. Black, — Defendant

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

This case coming on for hearing this 1st day of April, 1911, and it appearing to the Court that the property herein is in danger of being lost or depreciated in value, Cad Price is appointed receiver to take charge of the within named property until further ordered by the Court.

John M. Brodrick, Judge.

Soldiers' Relief Commission.
Court of Common Pleas, Union County, Ohio.

It is ordered that W. S. Burgoon a resident of this County, be and he hereby is appointed a member of the Soldiers' Relief Commission of said Union County, Ohio, to serve during the term of three years from this date.

John M. Brodrick,
Judge.

M.

unty Ohio.
38. 48,

; and
and
eys of
behalf
by
cuted
and
ess
ein,
fessed
ff as
Hundred
ut at
over
con-
do
s, the
lars
f suit
the
).
this
of
d.

ty, Ohio.

d it
being
er to
rdered
t, Judge.

e and
ission
three
t

It is ordered that all cases, motions, and matters now pending in this court, not otherwise disposed of, be and the same are hereby continued to the next regular term thereof

This separate session of this Court of Common Pleas, for the Term of January, A.D. 1911, was begun on the First Tuesday of January, A.D. 1911, and continued from day to day, And is now adjourned without day.

Thos. M. Brodrick
Judge.

April Term, A.D. 1911.

The State of Ohio } ss.
County of Union }

Entry 9153

This separate session of the Court of Common Pleas of the Tenth Judicial District, of the State of Ohio, within and for the County of Union, for the Term of April, in the year of our Lord One Thousand Nine and Eleven, held in the Court House in the Village of Marysville, County and State aforesaid, was begun on Monday, the 3 day of April, in the Year aforesaid.

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

Entry 9153

Cad Price,
Sheriff of Union County.

9153

Charles Parrott,
Clerk of the Court of Common Pleas, of Union County, Ohio.

Grand Jury Facias.

The Venire Facias for a Grand Jury heretofore issued was duly returned by the Sheriff on April 3rd A.D. 1911, with his endorsements thereon as follows.

The State of Ohio, Union County, ss.

Sheriff's Office, April 3rd, 1911.

On the 11th day of March, 1911, 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. Miles
1.	Charles Smith,	March 11th	By Mail	12
2.	John Piersol,	" 11"	" "	10
3.	Sam. Berke,	" 11"	" "	17
4.	Chester Seigman,	" 11"	" "	—
5.	F. J. Debolt.	" 11"	" "	23
6.	Levi Snuffin.	" 11"	" "	10
7.	John Jolliff,	" 11"	" "	18
8.	M. T. Cody	" 11"	" "	4
9.	Charles Robb,	" 11"	" "	12
10.	C. F. Mayers,	" 11"	" "	4.
11.	A. E. Mitchell	" 11"	" " Excused.	
12.	Warren Harris	" 11"	" "	3.
13.	Fred Hanson,	" 11"	" "	11,
14.	Willis Amrine,	" 11"	" "	6.
15	George Bishop	" 11"	" "	10.

C. W. Snider, Talesman

And in calling the same in open Court all of the above named jurors appeared in answer thereto except A. E. Mitchell, who had been previously excused by the Court; And the panel being incomplete the sheriff summoned C. W. Snider as talesman to complete the same. And the panel being full the Court appointed M. T. Cody, Foreman of the Grand Jury, and he with his fellow jurors took the oath 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.

Entry 9153 — James W. Heath Vs. Arthur Webb, et al. Plaintiff, Defendants. — Court of Common Pleas, Union County, Ohio.

The motions to require the Plaintiff to make his petition more definite and certain, is heard and refused. To which ruling the defendants except.

Entry 9153. — James W. Heath Vs. Arthur Webb, et al. Plaintiff, Defendants — Court of Common Pleas, Union County, Ohio.

The motion by the defendants to strike certain matters from the petition is heard and refused. To which ruling the Defendants excepts.

Journal Entry on Report of Grand Jury.

Court of Common Pleas, Union County, Ohio.
April Term, April 3rd 1911.

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 Charles Smith; 2 John Piersol; 3 Sam Berke; 4 "Chester Seigman; 5 F. J. Debolt; 6 "Levi Snuffin; 7 John Jolliff; 8 "M. L. Cody; 9 "Charles Robb; 10 "C. F. Mayers; 11 "Warren Harris; 12 "Fred Hanson; 13 "Willis Amrine; 14 "George Bishop; 15 "C. W. Snider,
And presented their no bills of indictments,
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 April Term, 1911, 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 over four witnesses, covering one case, and presented no bills, and ignored one case 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 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.
Respectfully submitted, M. L. Cody, Foreman.
And there being no further business for said Grand Jury, they were discharged finally.

April 3 1911.

Entry

James E. Guthrey, Plaintiff,
Vs.
Willis Epps, et al. Defendants.
} The Court of Common Pleas, Union County, Ohio.

This day this cause came on for hearing and upon agreement of Counsel it is ordered dismissed without record at the cost of the defendant Willis Epps.

Entry
8927

Entry
8927

Court adjourned until Tuesday, April 4th 1911.

Tuesday, April 4th 1911. Court convened at 9 O'clock, a. M. Present Honorable John M. Brodrick, Judge.

Entry
8927

J. H. Scott, Plaintiff
Vs.
L. J. Brobeck, 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 W. H. Andrews; 2nd W. A. Conklin; 3rd J. K. Norris; 4th H. E. Gray; 5th John Connelly; 6th Frank Lowe; 7th George Kleiber; 8th Frank Reely; 9th Jake Schneiderer; 10th Jeremiah Poling; 11th T. B. Montgomery; 12th Levi Graham, who were duly impaneled and sworn according to law; And thereupon the case came on for hearing on the pleadings and evidence. And the evidence for the plaintiff being heard; the defendant thereupon moved the Court to arrest the testimony from the jury, and for judgment; the Court on consideration grant the same, and thereupon the Court ordered said jury to retire to their room, to appoint one of their number as foreman and to render a verdict in favor of the defendant. 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 the issues in this case in favor of the defendant.

J. K. Norris, Foreman.

Entry
8927

J. H. Scott, Plaintiff,
Vs.
L. J. Brobeck, Defendant
} Entry on Judgment, In the Court of Common Pleas of Union County, Ohio.

The jury in this action having on a former day of this term, rendered a verdict for the defendant, and no motion for a new trial having been made;

It is therefore considered by the Court that the said defendant go hence without day and recover from the plaintiff his costs herein expended, taxed at $.

The State of Ohio, Union Co. ss. Sheriff's Office, April 4th 1911

On the 11th day of March, 1911, 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 miles.	Names	when served	how served	no miles
S. S. Watts,	March 13	By Mail	9.	Frank Lowe	March 13	By Mail	9
W. H. Andrews	" "	" "	12.	Frank Reely	" "	" "	22
W. E. Thickenger	Dead			George Kleiber	" "	" "	2
Ed Ledley	March 13	" "	16.	M. E. Frederick	" "	" "	12
Thomas Hillings	" "	" "		Jake Schneiderer	" "	" "	7
W. S. Conklin	" "	" "	10.	E. T. Bault	" "	" "	
J. K Norris	" "	" "	4	Albert Burnham	" "	" "	6
H. E. Gray	" "	" "	17.	Jeremiah Poling	" "	" "	6
John Connelly	" "	" "	4,	Walt Hill	" "	" "	

Cad Price, Sheriff.

Court adjourned until Wednesday, April 5th, 1911.

Wednesday, April 5th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
9040.

Hylas H. Whelpley and Mary A. Whelpley, Plaintiffs,
Vs.
E. H. Whelpley, et al. Defendants.
} In the Court of Common Pleas, Union County, Ohio.

On application of the Trustees heretofore appointed herein and for good cause shown, the Court being satisfied that it would be for the best interest of the estate, the Trustees are hereby authorized and directed to purchase of the Commercial Bank of Morris Sharp and Company, Washington Court House, Ohio, certain bonds of the County of Paulding, Ohio, the face value of which bonds is $5000.00; that as the consideration price to be paid by said Trustees for said bonds, said Trustees are hereby authorized and directed to assign and transfer to said Commercial Bank so much of a certain note held by said Trustees, calling for the sum of $3362.50. and secured by mortgage, as may be necessary to pay for said bonds.

John M. Brodrick, Judge.

Entry
9153

Court adjourned until Thursday, April 6th 1911.

Thursday, April 6th 1911, Court convened at 9 O'clock A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9149

A. E. Ahlefeld and J. F. Andrews, Plaintiffs, vs. Mathias Horch, Defendant } In Court of Common Pleas, Union County, Ohio.

This cause coming on for hearing, was submitted to the Court upon the motion of the plaintiff for judgment on the pleadings; on consideration whereof, the Court find that the defendant Mathias Horch, executed and delivered to the plaintiffs, A. E. Ahlefeld and J. F. Andrews, the mortgage deed in the petition described and on the premises therein described; that said mortgage was duly recorded in book 59, page 227, of the records of mortgages of Union County, Ohio, 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 defendant shall, within three days from the entry of this decree, pay, or cause to be paid, to the Clerk of this court the costs in this case, and to said plaintiffs the sum of Ten Hundred and Fifty Three Dollars and thirty three cents, ($1053.33), with interest at eight per cent from the 6th day of April, 1911, according to the terms of said mortgage deed, the defendant's 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.

John M. Brodrick,
Judge.

Entry 9153

James W. Heath, Plaintiff, vs. Arthur Webb, et al, Defendants } Court of Common Pleas, Union County, Ohio.

The demurrer to the petition is heard and sustained; to which ruling the plaintiff excepts, and has leave to amend his petition by the 8th day of April, 1911.

Court adjourned until to morrow morning at 9 O'clock.

April Term.

Friday, April 7th A. D. 1911, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry
9152

Court adjourned until Saturday April 8th 1911.

M.

Saturday, April 8th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
9152

Sarah J. Spain.
Vs. Plaintiff
Elijah 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, 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 January 1907, as alleged in said petition. That there were no children born to said marriage; and that the defendant has been guilty of gross neglect of duty and willful 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 Sarah J. Spain be restored to her former name of Sarah J. Vaughan, and to all of her rights as a feme sole. And that the defendant pay the Costs of this proceeding taxed at $8.34, and that this case be recorded.

John M. Brodrick.
Judge.

Court adjourned until Monday morning 9 O'clock, April 10th 1911.

Monday, April 10th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

In Estate of William H. West, Dec'd. } In the Probate Court of Union County, Ohio.

Entry
9128

At a meeting of the Union County Bar Association held at the Court House in Marysville, Ohio, on the 15th day of March, 1911, by reason of the death of Honorable William H. West, which occurred at his home in Bellefontaine, Ohio, on the 14th day of March, 1911, it was on motion ordered that a committee of three members of this Bar be appointed to draft resolutions touching the character and services of the deceased;

Thereupon Jesse L. Cameron, William T. Hoopes and L. Piper were appointed to prepare and report to this body suitable resolutions concerning this sad event.

Your committee therefore beg leave to make the following report:

Whereas God, in his providence has called away from earth the Honorable William H. West, a member of the Bar of Logan County; and

Whereas by his death one has been taken from the ranks of our profession who had proved himself a tried, trusty and true friend, and worthy brother; in whose character as a man, ability as a lawyer, and eloquence as an orator we may justly take pride, and

Whereas in his death we lose one of our profession who by his diligence, learning and skill had won an eminent position among his fellows, a seat on the Supreme Court Bench of this State, membership in both branches of the legislature, and filled the place of Attorney General as well, and in all positions acquitted himself with honor to himself and to all whom he represented; Neither had his voice been silent upon the political questions of the day, which involved the great principles of popular government, of the people, for the people and by the people, without distinction of race, color or creed; for upon these questions he had spoken with such courage, thoughts that breathe and words that burn, as to be called the Blind Man Eloquent.

Therefore be it resolved that by the death of the Honorable William H. West the legal profession has lost one of its most eminent, useful and exemplary members, and the public one of its most devoted and enthusiastic advocates for the promotion of all propositions which make for the uplift of its citizenship in all that is good and pure and true;

And be it further resolved that the family and friends of the deceased be tendered our heartfelt sympathy in their sad bereavement;

And be it further resolved that the family and friends of the deceased be tendered our heartfelt sympathy in their sad bereavement;

And be it further resolved that a copy of these resolutions be forwarded to the family, and that they also be spread upon the journal of this Court.

J. L. Cameron, W. T. Hoopes and L. Piper, Committee.

Court adjourned until Tuesday, April 11th 1911.

Entry
9128

9128

Dismissed

Tuesday April 11th 1911, Court convened at 9 Oclock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9122

The Citizens Home And Savings Company, Vs. Wyatt Howell, et al. } In the Court of Common Pleas, Union County, Ohio.

On motion of the plaintiff and on its producing the return of the Sheriff of the sale made under former order of this Court herein; 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 Essie Sparks by deed according to law the property so sold to her and to the purchaser Marlow Coughenour by deed according to law the property so sold to him; and the said purchasers are 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 their respective titles; and a writ of possession is awarded to put said purchasers in possession of their respective purchases.

It is further ordered the Clerk cause satisfaction of the mortgages herein sued upon to be entered on the records 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 Eight Hundred and three Dollars, it is ordered that the Sheriff pay the same over to the Clerk of this Court, and that the said Clerk out of the money in his hands pay.—

First: To the Treasurer of this County the taxes penalty and interest against said property, to wit, the sum of $.

Second: The Costs of this action taxed at $.

Third: To the Plaintiff, The Citizens Home and Savings Company, the amount heretofore found due it, with interest, to wit, the sum of $631.86.

Fourth to C. S. Davids, the balance of the money remaining in his hands, to wit the sum of $

John M. Brodrick,
Judge.

9128 Dismissed

Clark J. Atkinson, Plaintiff vs Edward W. Porter, Admr. estate Conrad Decker, dec. } No. 9128

This case dismissed. Judgment against Plaintiff for costs.

April 11th 1911.

G. C. Lefflet, et al. vs. E. H. Guckert. } Court of Common Pleas, Union County, Ohio

Entry

8801. This day came the parties herein, by their attorneys; also came the following named persons as jurors, to-wit: 1st W. H. Andrews; 2nd Ed. Ledley; 3rd W. A. Conklin; 4th J. K. Morris; 5th H. E. Gray; 6th John Connelly; 7th Frank Love; 8th Frank Keeley; 9th George Kleiber; 10th J. C. Frederick; 11th Jeremiah Poling; 12th C. W. Snider, 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 in the case, being duly impaneled and sworn, do find that at the commencement of this action the plaintiff was entitled to the possession of the property described in the petition, and that the defendant unlawfully detained the same; and we do assess the damages of the plaintiff against the defendant by reason of the premises, at One Dollar.

J. K. Morris
Foreman.

State of Ohio, Plf. vs James Wright, Def. } No. 9112

9112 Case dismissed. Judgment against relator.

Dismissed C. J. Fifer, for costs.

Court adjourned until Wednesday, April 12th 1911.

Wednesday, April 12 "1911, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge,

Ohio

also
;
orris;
Keeley;
Wickwire;
and
ings
nts of
their room,

lict in
in the
the
d to
and
and
the
.

d.

Court adjourned until Thursday, April 13 "1911.

Thursday, April 13" 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9160

H. H. Beaver
Vs. Plaintiff
The Erie Railroad Co.
Defendant

In Court of Common Pleas, Union County, Ohio.

Appeal Entry.

Now comes the plaintiff and defendant and agrees that the plaintiff shall recover in the sum of One Hundred and Fifty Dollars as damages in the above entitled cause of action, and his costs taxed at six dollars and seventy cents. That a voucher for said amount of $156.70, shall be sent to H. V. Spicer attorney for plaintiff, Delaware, Ohio, within ten days or execution shall issue hereon.

Dated, Delaware, Ohio, April 13" 1911.

H. H. Beaver, by
H. V. Spicer
his Attorney.

The Erie Railroad Co.
By James Burke.
The defendant. Eng. M. of Way.

Entry 9134

Court adjourned until Friday April 14" 1911.

Friday, April 14th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Charles F. McCloud, et al
Executors, Plaintiffs
vs.
Smith Newton McCloud, Jr
et als. Defendants
} In the Court of Common Pleas of Union County, Ohio.

Entry

9134 This day came the parties with their respective Counsel, and thereupon this cause came on to be heard to the Court upon the pleadings, the evidence, and the argument of Counsel; and the same was submitted to the Court thereon.

Whereupon the Court takes the issues of this cause under advisement for decision, and cause adjourned.

John M. Brodrick,
Judge.

Court adjourned until Saturday Morning 9 O'Clock.

Saturday, April, 15th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9144

Hannah Michael,
Vs. Plaintiff.
Joseph Michael,
Defendant.

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 process; and that the said defendant failed to appear and is in default for answer or demurrer to said petition, and that the allegations thereof are thereby 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 15th day of September, 1906, as alleged in said petition. And that no children have been born as the issue of said marriage, 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 be, and she hereby is restored to her former name of Hannah South.

And it is further ordered, adjudged and decreed that the said defendant, Joseph Michael pay the costs of this proceeding taxed at $, and that this case be recorded.

John M. Brodrick, Judge.

Court adjourned until Monday April 17th 1911.

Monday, April 17th 1911. Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry

C. K. Brooks, Plaintiff
Vs.
J. A. Black, Defendant
} Court of Common Pleas, Union County, Ohio.

9168

This day came the Plaintiff and filed herein an affidavit under the Statutes in that behalf for the purpose of procuring service by publication; and it appearing to the Court that the Defendant is a non-resident of Ohio, that service of Summons on him cannot be made in this State; or that the residence of said J. A. Black is unknown to the Plaintiff, that the defendant is a necessary party and his residence is unknown to the Plaintiff. that the residence of such defendant so unknown to the Plaintiff cannot with reasonable diligence be ascertained, and that service of Summons on such Defendant cannot be made; it is ordered that proceedings against said unknown heirs be had without naming them. It is ordered that the publication be made for six consecutive weeks, in a newspaper printed in this County, that it contain a summary statement of the object and prayer of the petition, mention the Court wherein it is filed, and notify the persons thus to be served when they are required to answer.

And it is further ordered that immediately after the first publication, the party making the service deliver to the Clerk of this Court Copies of the publication, with the proper postage, that said Clerk mail a copy to each of said Defendant, whose residence is known, to his repidence named therein, and make an entry thereof on the proper docket.

Court adjourned until Tuesday morning 9 O'clock.

Tuesday, April 18" 1911, Court convened at 9 O'clock, A. M,
Present, Honorable John M. Brodrick, Judge,

Court Adjourned until Wednesday, April 19" 1911,

Wednesday, April 19" 1911, Court convened at 9 O'clock, A. M,
Present, Honorable John M. Brodrick, Judge,

Entry
9147,

Court Adjourned until Thursday April 20" 1911,

m,

Thursday, April 20" 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Order to draw Special Jury Venire, For Petit Jurors.

Court of Common Pleas, Union County, Ohio.
April Term A.D. 1911.

To the Clerk of said Court; It appearing to the Court that it is necessary to draw additional jurors to fill the regular panel for this term,

You are hereby directed to proceed according to law at five O'clock on Tuesday the 20" day of April, 1911, to draw from the Jury Wheel of Union County, the names of eight persons to serve as petit jurors for the April Term, 1911, of the Court of Common Pleas of said County, whose names are so drawn from said Jury Whell, you will cause to be summoned to appear and serve as Petit Jurors for said term.

You will cause them to be summoned to appear for such service at Marysville at nine O'clock A.M. on Tuesday the 25" day of April, 1911.

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

Witness my hand officially this 20" day of April, 1911.

John M. Brodrick,

Judge of the Court of Common Pleas of Third Sub-division of the Tenth Judicial District.

Entry 9147.

Isaac H. Reed, Pltff.
vs.
Alma Reed, Deft.

April Term, 1911.
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 process and that she failed to appear and is in default for answer or demurrer to the petition, and that the allegations therein 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 3 day of February 1899, as alleged in said petition.

And that one child 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; It is further ordered and adjudged that the custody, care, maintenance, education and control of said minor child be and the same hereby is confided exclusively to said plaintiff until the further order of the Court But it is hereby ordered that the defendant herein have the privilege of visiting said minor child at reasonable times. It is further ordered that the plaintiff herein pay the

costs of this proceeding taxed at $, and that this case be recorded.

John M. Brodrick,
Judge.

Court adjourned until Friday, April 21" 1911.

Entry 9134

Friday, April 21" 1911. Court convened at 9 O'clock a. m. Present Honorable John M. Brodrick, Judge.

Charles F. McCloud, et al, Executors, Plaintiffs, vs. Smith Newton McCloud jr et al, Defendants } In the Court of Common Pleas of Union County, Ohio.

This day this Cause came on for decision by the Court pursuant to last adjournment; and thereupon came the parties hereto, by their respective Attorneys.

Whereupon, the Court, on consideration thereof and being fully advised in the premises, finds on the issues joined for the defendant, Smith Newton McCloud, jr.; and finds that the said defendant is the owner of ten shares of capital stock of The Davis Chair Company, a corporation, and is the holder, by his legal guardian, of a valid certificate of such shares issued by the said corporation.

It is, therefore, considered, ordered, and adjudged by the Court that the petition of the plaintiffs herein be dismissed, and that the Defendants go hence without day and recover from the plaintiffs their costs in this behalf expended, taxed at $,

Thereupon the plaintiffs, by their Counsel, excepted to the said findings, orders, and judgments of the Court, and gave notice of their intention to appeal this cause to the Circuit Court of Union County.

Whereupon the Court fixes the penalty of the Bond to be given, in case of appeal, at $ 300.00.

John M. Brodrick,
Judge.

Entry 9158

Entry 9133

Court adjourned until Saturday, April 22" 1911.

Saturday, April 22" 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
9158

E. C. Cody, Plaintiff
Vs.
F. G. Kelly, et al, Defendant
} Court of Common Pleas, Union County, Ohio.

This day this case was dismissed at the cost of the plaintiff, and costs paid.

Court adjourned until Monday, April 24" 1911.

Monday, April 24" 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

The State of Ohio, Union County, ss.
Sheriff's Office, Marysville, April 24" 1911.

On the 20" day of April, 1911, 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
W. F. Miller	April 20"	By Mail	12
Charles Sheets	" 20"	" "	8
Samuel Westlake	" 20"	" "	2
M. E. Bright	" 20"	" "	16
S. S. Johnson	" 20"	" "	12
J. F. Baldwin	" 20"	" "	7
Peter Gase	" 20	" "	6
W. B. Evans	" 20	" "	10

Cad Price, Sheriff.

Entry
9153

James W. Heath, Plaintiff.
Vs.
Arthur Webb, Lester W. Cline and Evan T. Jones, as Commissioners of Union County, Ohio, Defendants.
} In the Court of Common Pleas, Union Co. Ohio.

Now comes the said D. H. Burnham, administrator of the estate of James W. Heath deceased, and the conditional order of revivor herein having been duly served upon the said defendants, and no sufficient cause being shown against said revivor, it is hereby ordered that this action stand revived in the name of D. H. Burnham, administrator as aforesaid and proceed in his favor. To all of which the defendants by their attorney then and there excepted.

Court adjourned until Wednesday April 26" 1911.

Wednesday, April 26th 1911, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 9104 — Belle Armstrong, Plaintiff. Vs. Mayme McLain, Defendant. } Court of Common Pleas, Union County, Ohio. — Entry 8801

Now Comes the plaintiff in this Court and dismisses her petition at Plaintiff's Cost.

Entry 8986. — Gertrude Appel, Plaintiff Vs. Fred Auer, Defendant. } Court of Common Pleas, Union County, Ohio.

This Case settled between the parties and all matters in controversy in said case are fully adjusted and settled and the cost paid.

Court adjourned until Thursday, April 27th 1911.

a. m.

Union

Entry

8801

her

Ohio.

and

Thursday, April 27th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

J. C. Leffler, Plaintiff, vs. E. M. Guckert, Defendant. } Entry on Judgment In the Court of Common Pleas of Union County, Ohio

The jury in this action, having, on a former day of this term, rendered a verdict for the plaintiff, and assessed his damages at $1.00, 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 $1.00, together with his costs herein expended, taxed at $.

Court adjourned until Friday, April 28th 1911.

Friday April 28th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Court adjourned until Saturday April 29th 1911.

Saturday, April 29th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9047 — Margaret Torrence, et al, Vs. The Wooster University of Wooster, Ohio, et al, Plaintiffs / Defendants — Court of Common Pleas, Union County, Ohio.

Now Comes George A. Baker, Mary Crawford Hilliard and Jennie Crawford Blakeslee, and withdraw from this action and dismiss themselves out of the case and ask the Court to so enter this dismissal so far as they are concerned, without costs to them.

Mary Crawford Hilliard
Spartansburg, Pa. April 25-1911

Entry 9047 — Margaret Torrence, et al, Vs. The Wooster University of Wooster, Ohio, et al, Plaintiffs / Defendants — Court of Common Pleas, Union County, Ohio.

Now Comes George A. Baker, Mary Crawford Hilliard and Jennie Crawford Blakeslee, and withdraw from this action and dismiss themselves out of the case and ask the Court to so enter this dismissal so far as they are concerned, without costs to them. April 27th 1911. George A. Baker.

Entry 9047 — Margaret Torrence, et al, Vs. The Wooster University of Wooster, Ohio, et al, Plaintiffs / Defendants — Court of Common Pleas, Union County, Ohio.

Now comes George A. Baker, Mary Crawford Hilliard and Jennie Crawford Blakeslee, and withdraw from this action and dismiss themselves out of the case, and ask the Court to so enter its dismissal so far as they are concerned, at their costs.

Jennie Crawford Blakeslee

Entry 9047. — Margaret Torrence, et al, Vs. The Wooster University of Wooster, Ohio, et al, Plaintiffs / Defendants — In the Court of Common Pleas of Union County, Ohio.

Now comes the plaintiff other than George A. Baker, Mary Crawford Hilliard and Jennie Crawford Blakeslee, and withdraw from this action and dismiss themselves out of the case, and ask the Court to so enter its dismissal as far as they are concerned, at their costs.

Marriott, Freshwater & Bliss and Hoopes, Robinson and Hoopes, Attorneys for Margaret Torrence, Clara Torrence, William F. Smith, Serena Smith, Amelia Smith King, Florence Brown, Anna E. Hill, Ellis Thomas, Thomas Thomas, George F. Widman, Harry F. Widman and Emma C. Widman.

Court adjourned until Monday May 1st 1911.

Monday, May 1st 1911, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

James W. Heath,
Vs. Plaintiff,
Arthur Webb, et al
Entry
9153.

Court of Common Pleas, Union County, Ohio.

The demurrer to the amended petition is heard and sustained, to which ruling the plaintiff excepts, and has leave to amend his petition by the 1st day of November, 1911.
Approved:

Hoopes, Robinson & Hoopes
Attorneys for Plaintiff.
John H. Willis.
Attorney for defendants.

Court adjourned until May 2d 1911.

Tuesday, May 2d 1911, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Court adjourned until May 3d 1911.

Wednesday, May 3" 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Court adjourned until May 4" 1911.

Thursday, May 4" 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9157

Pearl Tway, Plaintiff, vs. Carl H. Tway, Defendant | In the Court of Common Pleas, Union County, Ohio. Journal Entry

This day came the Plaintiff, and the Defendant having been legally summoned by publication, Proof of which is here made, found regular, and approved, and having failed to appear, the Court finds him in default for answer and demurrer to Plaintiff's petition; and the Court further finds that the allegations of the said petition are confessed by the Defendant to be true.

The Court further finds from the evidence educed in support of the petition that the plaintiff, at the time of filing her petition, had been a resident of the State of Ohio for one year next preceding such filing, 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 finds, upon the evidence, that the Defendant has been guilty of Wilful absence from the Plaintiff for more than three years last past, as alleged; and that the Defendant has been guilty of gross neglect of duty toward the Plaintiff and their child, John Tway, in that he has wholly failed, for more than three years last past, to provide the Plaintiff and said child, or either of them, with the common necessaries of life, though physically able to do so; and, therefore, by reason of his dereliction in marital duty as aforesaid, the Plaintiff is entitled to a divorce as prayed in her petition,

It is, therefore, considered, ordered, and adjudged by the Court that the marriage contract heretofore existing between the said Pearl Tway, the plaintiff, and the said Carl H. Tway, the defendant, be, and the same hereby is, dissolved, and both parties hereto are released from the obligations thereof.

It is further ordered by the Court that the custody, care, education, and control of said John Tway, the only child of said marriage, be, until further order, confided to the said Pearl Tway, plaintiff, exclusively. And the said Carl H. Tway, defendant, is hereby enjoined from interfering in any manner with the said child, or with the said Plaintiff in her custody of said child, or

Entry 9169

individually, but said defendant shall have the privilege of visiting said child at all reasonable times.
It is further ordered and adjudged that the Defendant pay to the Plaintiff as her reasonable alimony in money the sum of $300.00. and in default of payment thereof for three days, Execution is awarded therefor.
It is further ordered and adjudged by the Court that the said Pearl Iway, Plaintiff, recover from the said Carl W. Iway, defendant, her costs in this behalf expended, taxed at $.

Entry
9169

Mae Gane, Plaintiff,
Vs.
Jonathen E. Gane et al Defendants.
} In the Court of Common Pleas, Union County, Ohio.

This day this cause came on to be heard and it appearing to the Court that the plaintiff and the defendant, Jonathen E. Gane, have entered into an agreement concerning the matters in issue in this case, which agreement appearing to the Court to be in all respects just and equitable.
It is therefore ordered and decreed that the temporary injunction hereinbefore granted in this cause may be made perpetual so far as the same applies to the real estate described in the petition and owned by the said Jonathan E. Gane and he is hereby enjoined from in any manner selling or further incumbering the same except that should said parties to this cause, Mae Gane and Jonathan E. Gane, desire to sell said real estate and invest the proceeds in other land then the injunction herein granted shall be subject to a motion for that purpose.
And said injunction is in all other respects hereby dissolved.
And the First National Bank of Richwood, Ohio, is dismissed as a party defendant and relieved from all obligations to file its answer herein.
It is further ordered and decreed that the said defendant, Jonathan E. Gane, pay the costs herein taxed at $.

John M. Brodrick,
Judge.

Court adjourned until Friday May 5th 1910.

Friday, May 5th 1911, Court convened at 9 O'clock, A. M.
Present. Honorable John M. Brodrick, Judge.

Entry 9177.

Frank Heller,
Vs. Plaintiff
Charles E. Courtright,
Defendant.
} Court of Common Pleas, Union County, Ohio.

This day this cause was dismissed, by order of Plaintiff's Attorney.
And costs paid.

Entry 9127

Entry 9079

Court adjourned until Saturday, May 6th 1911.

Saturday, May 6" 1911. Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9127.

K. D. Crahood, and
Mable Crahood, Plaintiffs,
Vs.
L. Hardinger, M. Hardinger,
H. O. Crahood and Ada Crahood,
W. G. Hosler and Grace Hosler,
Defendants.

} Court of Common Pleas, Union County, Ohio.

This cause now coming on for hearing on the petition of the plaintiff, and the evidence, the court finds that the defendants have been served with summons in this case, and that they are in default for answer and demurrer, and that the allegations of the petition are thereby confessed by them to be true.

It is further ordered that Cad Price, Sheriff of Union County, Ohio, be appointed receiver herein, as prayed for in the petition; and that he take charge of all personal and real property, as described in said petition, and to cause the same to be appraised, and sell the same according to law.

The Court further finds that the plaintiff and defendants are tenants in common in the estate described in the petition, and that the plaintiff has a legal right to the one fourth part thereof; L. Hardinger, has a legal right to the one fourth part thereof; H. O. Crahood, has a legal right to a one fourth part thereof; W. G. Hosler has a legal right to a one fourth part thereof.

It is therefore ordered, adjudged and decreed, that the partition of said Real Estate be made as prayed for in the petition, and that three disinterested free holders, be selected by the Sheriff to appraise both personal and real estate, and he is directed by the Court to advertise and sell said property according to law. And of his proceedings herein, said Sheriff, as such Receiver is ordered to make due return.

John M. Brodrick
Judge.

Entry 9079

Bessie Smith, Plaintiff.
Vs.
Oliver Shaw, et al.
Defendants

} Court of Common Pleas, Union County, Ohio.

The motion to strike the amended answer of the defendant, Oliver Shaw, from the files is heard and refused. To which ruling the Plaintiff excepts.

Entry
9079

Bessie Smith,
Vs. Plaintiff
Oliver Shaw et al
Defendants } Court of Common Pleas, Union County, Ohio.

This day the Court on its own motion required the defendant, Oliver Shaw, to separately state and number his defenses as set forth in his amended answer.

The defendant, Oliver Shaw excepts to said ruling and has leave to amend accordingly, without the prepayment of costs.

Entry
9112

Entry
9050

Addie Jarvis,
Vs. Plaintiff
Mary E. Shirk
Defendant } In the Court of Common Pleas, Union County, Ohio.

This case being heard, and under the evidence, the Court finds that plaintiff failed to prove that any waste was committed, on the part of the defendant, and the Court further finds that the defendant was honestly and earnestly trying to prevent any waste on the plaintiff's land.

On consideration the court finds, in favor of the defendant, and the temporary injunction is dissolved, and the petition is dismissed, and judgment against plaintiff for all costs.

Entry
9124

Court adjourned until May 13th 1911.

Saturday, May 13" 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9124

Lenox and Woolard,
Vs. Plaintiffs
Erie Railway Company,
Defendant,
} Court of Common Pleas, Union County, Ohio.

May 8" 1911. This day this case was dismissed and costs paid, with no record.

Entry 9126

Ellsworth Lewis
Vs. Plaintiff,
Zelma Lewis,
Defendant.
} In the Court of Common Pleas of Union County, Ohio.

Now comes the defendant and withdraws her answer and cross-petition and motion for temporary alimony heretofore filed in this action.

Zelma Lewis,

Certificate for Pay.

Sheriff's Office, Union County, Ohio.

To Hon. John M. Brodrick, Judge.

Marysville, Ohio, May 10" 1911.

The Court Charges for the April Term, A.D. 1911, 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
To Serving Petit Jury Venire		4.50
To Serving Special Jury Venire		4.50
To Serving Grand Jury Witnesses	6 - 10 ¢	.60
To Making 6 copies, Grand Jury Witnesses	10 ¢	.60
To 3 Miles travel, Grand Jury Witnesses	8 ¢	.24
Total		$ 14.94

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

Ellsworth Lewis
vs. Plaintiff
Zelna Lewis
Defendant.

Court of Common Pleas, Union County, Ohio.

9146

This cause came this day to be heard on the petition and the evidence, and it appearing to the Court that the defendant had been duly served by publication and that she had entered her appearance herein by filing an answer, and by an entry dismissing her answer, 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 gross neglect of duty toward the plaintiff as alleged in his petition, and that by reason thereof the plaintiff is entitled to a divorce, as prayed for.

It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Ellsworth Lewis and the said Zelna Lewis, 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 Josephine Lewis, the minor child of said parties, be, until further order, confined to the said Zelna Lewis exclusively.

But it is hereby ordered that the said Ellsworth Lewis have the privilege of visiting said child at all reasonable times.

It is further ordered that the said plaintiff pay the costs of this proceedings; and execution is awarded.

Entry

9047.

Court adjourned until Saturday, May 20th 1911.

In Vacation

	Margaret Torrence, et al. Vs. Plaintiffs. The Wooster University of Wooster, Ohio, et al Defendants.	In the Court of Common Pleas of Union County, Ohio.
Entry		
9047.		

Now comes Grace Timmons who withdraws from this action and dismisses herself from this case and asks the Court to so enter this dismissal without costs to her.

Saturday, May 20" 1911, Court convened at 9 O'clock, A. M.,
Present, Honorable John M. Brodrick, Judge.

Appointment Of Jury Commission.

Entry 9149

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 Mark Longbrake, George W. Harris, John M. Wilkins and Arnie E. Mitchell, 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 Monday, May 29," 1911, at 10 O'clock, A. M. and upon oath select 150 judicious and discreet persons having the qualification 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

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

Robert Patterson,
Vs. Plaintiff,
Entry 9166 — C. H. Woodburn and William Monroe, as Administrator, with the Will annexed, of Robert L. Woodburn, deceased,
Defendant.
} In the Court of Common Pleas of Union County, Ohio.

This day came the plaintiff, and the defendants and each and all of them made default, and came not, and thereupon this cause was by order of the Court assigned for hearing, and came on regularly to be heard, and the same was heard upon the petition and the evidence adduced, and was submitted to the Court; and on consideration whereof, the Court being fully advised in the premises, doth find that the defendant William Monroe and James H. Monroe are one and the same person and that the William Monroe named herein is the James H. Monroe who is the Administrator of the estate of Robert L. Woodburn, deceased, and that the said William Monroe was duly served with a summons herein.
The Court further find that the defendant C. H. Woodburn herein and Heber Woodburn mentioned in the last will and testament of Robert L. Woodburn, deceased, are one and the same person as set forth in plaintiff's petition herein, and that the said C. H. Woodburn has been duly and legally served by publication with notice of the pendency of this action,

For Balance of Entry See Page 292.

Court adjourned until Monday, May 22 1911.

Monday, May 22 1911. Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry 9149 — A. G. Ahlefeld and J. F. Andrews, Plaintiffs. vs. Mathias Horch, Defendant. } In Court of Common Pleas, Union County Ohio.

On motion of the plaintiff, and on his producing the return of the Sheriff of the sale made under the former order of this Court; and the Court, on careful examination of the proceedings of the said Sheriff, being satisfied that the same have been had in all respects in conformity to law and the orders of this Court; it is ordered that the said proceedings and sale be, and the same are hereby, approved and confirmed. And it is further ordered that the said Sheriff convey to the purchasers, A. G. Ahlefeld and J. F. Andrews, 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 Thirteen Hundred and Thirty ($1330.00) dollars, it is ordered, that the sheriff, out of the money in his hands, pay,
First - The costs of this action, taxed at $.
Secondly - To the Treasurer of Union County the taxes and assessments that are now a lien and due and payable by law, $.
Thirdly - To the Plaintiffs, A. G. Ahlefeld and J. F. Andrews, the amount due them, with interest, to-wit, the sum of $1062.00,
Fourthly - To the defendant Mathias Horch, the balance of the money remaining in his hands, to-wit, the sum of $.

John M. Brodrick,
Judge.

Court adjourned until Saturday. May 27th 1911.

Saturday, May 27th 1911, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 9162 — Sarah E. McMahan, Plaintiff vs. Walter S. McMahan, Defendant. } In the Court of Common Pleas, Union County, Ohio.

The motion to make petition more definite and certain is heard and overruled. To which ruling the defendant excepts. Leave granted the defendant to answer in thirty days.
Leave extended to July 15th ll.

Entry 9168

Court adjourned until Monday, May 29th 1911.

Monday, May 29th 1911. Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9168 — C. E. Brooks, Vs. Plaintiff, J. A. Black, Defendant } In the Court of Common Pleas, Union County, Ohio.

This cause now coming on for hearing on the petition of the plaintiff, and the evidence, the Court find that the defendant J. A. Black has been duly served with summons by publication in this case, and that he is in default for answer and demurrer, and that the allegations of the petition are thereby confessed by him to be true.

The Court further finds that the defendant executed the chattel mortgage, as stated in the petition, and that the same is 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 him as aforesaid.

It is therefore ordered that unless the defendant, pay to said plaintiff, at once, said sum of $324.10, with interest and cost of suit, the chattel property described in the petition, shall be sold by the Sheriff of this County, who is now receiver of said property, as upon execution, and that an order issue for that purpose.

John M. Brodrick,
Judge.

Court adjourned until Saturday June 10th 1911.

Continued from Page 288.

and the object and prayer of said petition and that said defendants and each and all of them are in default for answer and demurrer to the petition herein and that the allegations of said petition are confessed by said defendants to be true, and that said allegations of said petition are in fact true, and the court doth further find that the said Robert L. Woodburn during his life time and at the time of his death held the legal title to the real estate hereinafter described in trust for the plaintiff herein and that the terms of said trust were that the said Robert L. Woodburn was to hold said legal title until such a time as the plaintiff should have paid the sum of $200.00. upon a loan held by The Citizens Home and Savings Company of Marysville, Ohio, and that upon the payment of said $200.00. the said Robert L. Woodburn should thereupon at once convey said legal title to said plaintiff.

The Court further find that during all of the time that the said Robert L. Woodburn held the legal title to said real estate plaintiff held the equitable title therein and that long prior to the death of said Robert L. Woodburn plaintiff had paid said sum of $200.00. on said loan together with the interest upon all of said loan and all taxes and assessments upon said real estate during the whole period that the said Robert L. Woodburn held the legal title thereof.

That the said Robert L. Woodburn did not convey the legal title to said real estate to plaintiff upon the payment by the plaintiff of said sum upon said loan but on the contrary retained said legal title to said real estate and devised the same by last will and testament to the defendant C. H. Woodburn.

It is therefore ordered, adjudged and decreed by the Court that the defendant C. H. Woodburn, named in said will as Heber Woodburn, convey said premises to plaintiff herein, by a good and sufficient deed in fee simple, within ten days from the entry of this decree, or in default thereof, this decree shall operate in such conveyance, and said defendants herein and each of them are forever enjoined from setting up any claim to said real estate, or any part thereof, adverse to the title and possession of said plaintiff, his heirs or assigns thereto, and it is further ordered that the defendant William Monroe, as Administrator with the will annexed, of Robert L. Woodburn, deceased, pay the costs herein taxed at $

The above mentioned real estate is described as follows:

Situated in the Village of Marysville, County of Union and State of Ohio and bounded and described as beginning at a Stake in the North Margin of 4" Street, as conveyed by P. G. Buchanan to said Village, and S. E. corner to a tract of land conveyed by said Buchanan to A. S. Mowry in 1869; thence with the East line of said Mowry land Northerly about eighteen poles to the South line of Samuel Marsh's

heirs lot; thence with said Marsh line easterly 40 feet to a stake in said line; thence southerly parallel with the first above named line about 18 poles to a stake in the North Margin of said street; thence westerly with the North Margin of said street 40 feet to the place of beginning. Containing 43 poles.

Also the following in said Village and bounded and described as beginning at a stake N. W. Corner to a lot of land conveyed to Thomas Blown by O. E. Buchanan on the 29th day of April, 1869, and in the South line of said Samuel Marsh's heirs lot; thence with said line 88° W. 11 feet to a stake N. E. corner to a lot of land conveyed by Horace E. Fox to George Schepper, March 27, 1875; thence with the east line of said Schepper's lot S. 32° W. 19.80 poles to a stake S. E. Corner to said Schepper's lot and in the center of said 4th St.; thence with the center of said 4th St. S. 88° E. 11 feet to a stake in the West line of said Brown lot; thence with said line N. 23° East 19.80 feet to the beginning. Containing 1/16 of an acre more or less.

In Vacation

Letha Landis
Vs. Plaintiff
Matthew Landis.
Defendant

Court of Common Pleas, Union Co. Ohio
June 2 1911.
Orders, Service by Publication.

Entry 9058

Entry 9111

This day came the Plaintiff and filed herein an affidavit under the Statutes in that behalf for the purpose of procuring service by publication; and it appearing to the Court that the defendant Matthew Landis is a non-resident of Ohio, that service of Summons on him cannot be made in this State; that the residence of said Matthew Landis is unknown to the Plaintiff, that the Defendant is a necessary party, and his name and residence is unknown to the Plaintiff, that the residence of such defendant so unknown to the Plaintiff cannot with reasonable diligence be ascertained, and that service of Summons on such Defendant cannot be made; it is ordered that the publication be made for six consecutive weeks, in a newspaper printed in this County, that it contain a summary statement of the object and prayer of the petition, mention the Court wherein it is filed, and notify the persons thus to be served when they are required to answer.

Entry 9058

And it is further ordered that immediately after the first publication, the party making the service deliver to the Clerk of this Court copies of the publication, with the proper postage, that said Clerk mail a copy to each of said Defendants whose residence is known, to his residence named therein, and make an entry thereof on the proper docket.

Saturday, June 10th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
9058

In Re The Dissolution Of
The Novelty Manufacturing Company.

In Court of Common Pleas,
Union County, Ohio.

Allowance of Receiver's Account.

And now this cause coming on for hearing upon the report an account of the Receiver herein rendered by said receiver; the Court being fully informed finds said account correct and satisfactory and the same is allowed; and it is ordered and decreed that said account be final and conclusive upon all the creditors and stockholders of said corporation, and upon all persons having claims against or engagements with it.

Entry
9058

In The Court of Common Pleas, Union County, Ohio.
In Re Dissolution of The Novelty Manufacturing Company.
Final Account of Receiver.

To John M. Brodrick, Judge:

I the undersigned, H. O. Orahood, render the following account of my proceedings as Receiver for all the property of the said, The Novelty Manufacturing Company of Peoria, Ohio. Said property as described in the application for dissolution is described as follows: Lot No. 148 in Suddith's Addition to Peoria, Ohio: Sporting cut off and material and Four Mortgage Notes and $8.18 in money.

I was appointed as such Receiver by an order made and entered action on the 28th day of September, 1910.

After having collected all the collectable assets, the remainder of the assets pursuant to the order of this Court first obtained, I sold at public auction at the premises of said Company at Peoria, Ohio, on the 13th day of February, 1911, first giving due notice as was required by the order of the Court.

At such sale all of said property was sold to the highest bidder for sums aggregating Six Hundred Twenty and 30/100 ($620.30) Dollars. Schedule A. hereto annexed contains a statement of all the moneys received by me as such Receiver. Schedule B. hereto annexed contains a detailed statement of all moneys expended by me in the execution of my said trust, together with the object of such expenditure all the receipts, Statements and Vouchers hereto annexed from part of this account.

I charge myself as follows;
To total receipts as shown by Schedule A. $628.68.
I credit myself as follows:
Total expenditures and disbursements to Stockholders as shown by Schedule B. $628.68.

Schedule "A".

Total amount of Receipts $628.68.

H. O. Orahood, Receiver of The Novelty Manufacturing Company.

1911. Schedule "B" (Expenditures)

March	4	To Della Finley State Corp. tax years 1907 & 1908	$ 4.00	
"	6	" C. M. Forbes Appraisers fee	1.00	
"	6	" H. Turner " "	1.00	
"	6	" J. W. Hamilton " "	1.00	
"	16	" O. T. Turner, expense of attending Directors Meetings at Galion, Ohio, 9/26, 10/25, 11/7, 12/5 - 1904	15.20	
"	16	" O. T. Turner Note Corp. tax of March 1905 & 1907 & 1908	6.00	
"	27	" State of Ohio Corp. tax of March 1910 and the penalty thereon	13.00	
"	30	" H. O. Crahood expense of attending Directors meeting at Galion, Ohio 9/26, 10/3, 11/7, 12/7, 1904 and 1/20, 2/4, 1906, six trips	22.80	
"	30	" H. O. Crahood State Corp. tax years 1903-1907-8	6.00	
"	30	" Charles Parrott, Clerk, Costs	33.35	
"	30	" J. H. Willis Attorney fee.	50.00	
"	30	" Journal Publishing Co. for printing sale bills.	2.00	
"	30	" E. W. Porter, Referee.	25.00	
"	30	" Bessie Hoopes, Stenographer	2.50	Entry
"	30	" H. O. Crahood, Stat. Compensation	37.62	
"	30	" H. O. Crahood, actual expenses in settlement of trust	7.24	1375
"	30	" Journal Pub. Co. notice of account	2.00	
			$ 233.71	

Schedule "B." (Dividend paid to Stockholders).

After deducting the expenditure there is a balance of $394.97, to distribute among the 311 shares.

This distribution is made as follows.

Stockholders	Residence	No. of Shares	Amt. Paid.	
L. C. Reed	Pittsburg, Kansas,	8	$ 10.16	Entry
O. T. Turner	Marysville, Ohio	48	60.96	
Jesse Wygle	Peoria, Ohio	1	1.27	1376
Corbin Wygle	Peoria, Ohio	1	1.27	
C. C. Jarvis	Marysville, Ohio	1	1.27	
G. L. Cory	Bellefontaine, Ohio	165	209.55	
Stephen H. Chandler	Peoria, Ohio	1	1.27	
John H. Chandler	Sapulpa, Okla.	1	1.27	
Abraham Trout	Peoria, Ohio	1	1.27	
John Shirk	Peoria, Ohio	1	1.27	
E. E. Shirk	Peoria, Ohio	2	2.54	
T. W. McNeal	Broadway, Ohio	1	1.27	Entry
A. W. Shirk	Marysville, Ohio	1	1.27	
Thomas J. Stakebake	Peoria Ohio	1	1.27	1383
Geo. L. Ansley	Peoria Ohio	2	2.54	
J. L. Wilcox	Peoria, Ohio	2	2.54	
J. H. Grant	Peoria, Ohio	1	1.27	
Sam. Trout	Peoria, Ohio	1	1.27	
Lawrence Hardinger	Marysville, Ohio	2	2.54	
L. H. Dillon	Columbus, Ohio	1	1.27	
James T. Finley	Peoria, Ohio	20	25.40	
R. D. Finley	Peoria, Ohio	5	6.35	
Henry Turner	Peoria Ohio	1	1.27	
Frank Turner	Peoria Ohio	3	3.81	
H. O. Crahood	Peoria Ohio	40	50.80	
			$ 394.97	

H. O. Crahood, Receiver.

State of Ohio, } ss.
Union County, }

H. O. Orahood being duly sworn says that the account hereto attached is a correct statement of all the receipts and expenditures and disbursements to the stockholders received and made by him as Receiver of the said The Novelty Manufacturing Company; that the payments were made to the parties therein indicated, and that there is no money left in his hands as such Receiver after making such payment.

H. O. Orahood.

Sworn to before me and subscribed in my presence this 30" day of March, 1911.

John H. Willis
Notary Public.

Entry — 1375

The State of Ohio, Plaintiff
Vs.
William Gibson, Defendant

} Court of Common Pleas, Union County, Ohio. Indictment for Petit Larceny, with Count for Concealing Stolen Property.

The defendant having paid $100.00, upon the costs of prosecution herein, upon this day came the prosecuting Attorney on behalf of the State, in open Court and with leave of the Court, entered a Nolle Prosequi on the above indictment.

John H Willis Prosecuting Atty.. John M. Brodrick, Judge.

Entry — 1376

The State of Ohio, Plaintiff
Vs.
William Gibson Defendant

} Court of Common Pleas, Union County, Ohio. Indictment for Petit Larceny, with Count for concealing Stolen property.

This day came the Prosecuting Attorney on behalf of the State, and with leave of the Court, entered a Nolle Prosequi on the above Indictment.

John H Willis, Prosecuting Atty. John M. Brodrick Judge.

Entry — 1383

The State of Ohio, Plaintiff
Vs.
William Gibson Defendant

} Court of Common Pleas, Union County, Ohio. Indictment for Petit Larceny, with Count for Concealing Stolen Property.

This day came the Prosecuting Attorney on behalf of the State, and with leave of the Court, entered a nolle prosequi on the above Indictment.

John H. Willis, Prosecuting Atty. John M. Brodrick, Judge.

Court adjourned until June 16" 1911.

Friday, June 16" 1911, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry 9192

The Citizen's Home and Savings Company, Plaintiff. vs. William C. Wharton, et al, Defendants } In the Court of Common Pleas, Union County, Ohio

This day, upon application, leave was granted, W. H. Longbrake, Orville Merriott and D. C. Danforth as Infirmary Directors of Union County, Ohio, to be made parties defendants herein and with leave to file answer and cross-petition instanter.

John M. Brodrick,
Judge.

Entry 9196

Court adjourned until Saturday, June 17" 1911.

Saturday, June 17" 1911. Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Court adjourned until Monday, June 19" 1911.

Monday, June 19" 1911, Court convened at 9 O'clock, a. m.
Present, Honorable John M. Bodrick, Judge.

The Union Banking Company. Plaintiff.
Vs.
H. H. Hines and R. M. Hines. Defendant.
} Court of Common Pleas, Union County, Ohio.

Entry
9196 This day came the Plaintiff, by its attorney; also appeared in open Court, for and on behalf of said defendant, Milo L. Myers, 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 defendants, and in favor of said plaintiff, for Six Hundred and Fifteen Dollars and ninety four 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 six hundred fifteen dollars and ninety four cents, being the amount of said note with interest computed at 8 per cent. per annum, from the 8" day of December, 1911; and also 8 per cent until paid, and costs herein expended, taxed at $.

Court adjourned until Saturday, June 24" 1911.

Saturday, June 24th 1911, Court convened at 9 O'clock, A. M.
Present: Honorable John M. Brodrick, Judge.

Nancy M. Klein and
Cakaddah Welling, Plaintiffs.
Vs.
James S. Oppihle, John K. Oppihle,
Ora Oppihle and Mary Oppihle,
Defendants.

Entry 9178

And now this cause coming on to be heard upon the petition, answer of the widow and the evidence, the Court finds that all the defendants have had due legal notice of the pendency and demand of the said petition, and that they have waived the issue and service of Summons and have entered their voluntary appearance herein, and are in default for answer or demurrer except the defendant, Mary Oppihle, who has filed her answer and gross petition.

Thereupon, the Court finds that the plaintiff and the defendants hereafter named are tenants in common in the estate described in the petition; that the plaintiffs has, subject to the dower of the widow Mary Oppihle, a legal right to the one part thereof, and the defendants, James S. Oppihle, John K. Oppihle and Ora Oppihle each have a legal right to the one fifth part thereof, and that the plaintiff is entitled to have partition of said estate made as prayed for in said petition.

It is therefore ordered, adjudged and decreed that partition of said estate be made in favor of all parties in interest and that C. S. Chapman, H. E. Conkright and C. D. Webb, three judicious and disinterested free-holders of the vicinity, are hereby appointed commissioners to make the same.

But it is ordered, upon the answer of the said widow, Mary Oppihle, 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 from said dower interest.

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 to be set off and assigned the dower of the said widow, Mary Oppihle, if said estate can be divided in manner as above. And of his proceedings herein the said Sheriff is ordered to make due return.

Soldiers' Relief Commission.
Appointment,
Court of Common Pleas,
Union County, Ohio.
June 24th 1911.

Soldiers Relief Commission.

It is ordered, That William G. Snodgrass a resident of this County, be and he hereby is appointed a Member of the Soldiers' Relief Commission of said Union County, Ohio, to serve during the unexpired term of Samuel L. Turin, deceased, which would expire April 1st 1912.

John M. Brodrick,
Judge.

Court adjourned until Friday, June 30th 1911.

Friday, June 30th 1911, Court convend at 9 O'clock, A. M. Present Honorable John M. Brodrick, Judge.

Entry 1375

The State of Ohio.
Vs.
William Gibson
} Court of Common Pleas, Union County, Ohio.

Entry 9195

J. L. Cameron an attorney of this bar having been heretofore appointed by the Court to assist the prosecutor in this case, and having performed the services is hereby allowed the sum of Fifty Dollars which the Court finds a reasonable sum for the services rendered.

Approved, John M. Brodrick,
Judge.

Court adjourned until Saturday at 9 O'clock. A. M.

Saturday, July 1st 1911, Court convened at 9 O'clock, A. M.
Present Honorable John M. Brodrick, Judge.

Entry
9195

Mayme Mc Lean.
Vs. Plaintiff
Orville B. Mc Lean.
Defendant.

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

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 $200.00, for her support and maintenance during the continuance of this action up to the September Term, 1911, of this Court, and as and for her expenses in conducting this action until said September term.

It is therefore ordered that the defendant pay to the plaintiff the sum of one hundred dollars at once; and also the sum of one hundred dollars within thirty days from this date, And in default of any such payments execution is allowed to issue therefor.

O. K. John M. Brodrick.
Judge.

Court adjourned until Monday, July 3rd 1911.

Monday, July 3 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

C. E. Brooks.
Vs. Plaintiff, } In the Court of Common Pleas, Union County, Ohio.
Entry J. A. Black.
Defendant.

9168. On motion of the plaintiff, and on his producing the return of the Sheriff of the sale made under the former order of this Court, and the Court, on careful examination of the proceedings of said Sheriff, being satisfied that the same have been had in all respects in conformity to law and the order of this Court, it is ordered that the said proceedings and sale be, and they are hereby, approved and confirmed.

And the said Sheriff, convey to the purchaser C. E. Brooks, being the highest bidder according to law, the property so sold, title to said property; and the said purchaser is subrogated to all the rights of said lien holders, in said premises, so far as they may be paid herein, for the protection of his title; and a writ of possession is awarded to put said purchaser in possession of said property.

And the Court coming now to distribute the proceeds of said sale, amounting to Two Hundred and Thirty ($230.00) Dollars, it is ordered that the Sheriff out of the money in his hands pay:-

First:- The costs of this action, taxed at $54.05, including Receiver's Fees.

Second: To the Plaintiff C. E. Brooks, the balance of said money remaining in his hands, to-wit, the sum of $ to be applied as a credit upon his judgment against the said defendant.

And there still remains due to the said C. E. Brooks the sum of $175.95, and execution is awarded therefor.

Entry 9151

R. M. Crahood and Mable Crahood.
Against Plaintiffs. } Court of Common Pleas, Union Co. Ohio.
Entry L. Hardinger, et al.
Defendants

9127 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, and said proceeding and sales are hereby approved and confirmed. And the said Sheriff is ordered by deed duly executed to convey said premises to Andrew B. Thompson, the purchaser, free from all dower rights of all persons whomsoever.

It is further ordered that the Sheriff out of the proceeds of said

sale, pay:—
First:-To the Treasurer of Union County, Ohio, $, being the taxes and penalty due on said premises.
Second:-To the Clerk of this court the costs of this action including Counsel fee of $25.00 to John L. Loughrey, for his services herein.
It is ordered that the Sheriff hold the balance of money, until further ordered.

Entry
9151

W. S. Hobart, Plaintiff
vs.
Richmond L. Shields, et al. Defendants.
} In the Court of Common Pleas, Union County Ohio.

This cause having come on for hearing upon the pleadings and evidence and argument of Counsel, and the Court being fully advised in the premises finds in favor of the defendant.
Whereupon it is ordered that the defendant go hence without day and that he have judgment against the plaintiff for his costs herein, taxed at the sum of $.

Court adjourned until Saturday July 8th 1911.

Saturday, July 8th 1911, Court convened at 9 O'clock A. M.
Present Honorable John M. Brodrick, Judge.

Entry 9093

Rebecca A. Davis,
Vs. Plaintiff.
Oral F. Davis and
Jane Davis
Defendants

In the Court of Common Pleas of Union County Ohio.

Entry 9190

And now come the said Rebecca A. Davis, by Cameron and Cameron her attorneys and thereupon this cause came on to be heard upon the petition, and the defendants being in default for demurrer or answer to the petition, the Court finds, that due and legal notice of the pendency of this action has been given to all the defendants herein, and that said defendants are in default for demurrer or answer to the petition herein and the Court do further find that the said Rebecca A. Davis has a legal right to and is seized in fee simple of the undivided one-half part of the premises described in the petition and that she is entitled to Dower as the widow of Oliver B. Davis, in the other undivided one-half part thereof, and the Court does further find that the said Oral F. Davis and Jane Davis are tenants in common in said premises with the said Rebecca A. Davis in the following proportions, to-wit; That the said Oral F. Davis has a legal right to and is seized in fee simple of the undivided one-fourth part of said premises, and the said Jane Davis has a legal right to and is seized in fee simple of the undivided one-fourth part of said premises, subject to the Dower estate of the said Rebecca A. Davis 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 L. B. Demoret, J. H. Wood and Chas. Parrott, three judicious and disinterested free-holders of the vicinity, he make partition of that part of said premises situated in Union County, Ohio, and that by the oaths of C. D. Watts, E. E. McCann and E. E. Wilson, three judicious and disinterested free-holders of the vicinity he make partition of that part of said premises situated in Franklin County, Ohio.

And it is further ordered, upon the answer of the said widow, Rebecca A. Davis, 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 interest.

And it is further ordered that by the oaths of said Commissioners said Sheriff 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 herein before severally found entitled, and also to be set off and assigned the Dower of the said Widow, Rebecca A. Davis, if said estate can be divided without injury to the value thereof.

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

Court adjourned until Saturday, July 15th 1911.

Saturday, July 15th 1911, Court convened at 9 O'clock, A. M., present, Honorable John M. Brodrick, Judge.

Entry 9190. Eugene McConnell, Plaintiff Vs. Blanche M. McConnell, Defendant } Court of Common Pleas, Union County, Ohio. July 15th 1911. 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 a copy of the petition, and that she 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 3rd. day of April, 1898 as alleged in said petition. And that the following children have been born of said marriage, to-wit; Zelma McConnell, aged 12 Years and Cloyd McConnell, aged 7 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 that said plaintiff is awarded the custody, care, maintenance, education and control of the said minor children, Zelma McConnell and Cloyd McConnell, exclusively, except that said defendant may have the privilege of visiting said children during all reasonable hours and in case either of said children should become dangerously ill, then the said plaintiff is to notify the said defendant if he knows her address and the said defendant is to have the privilege of being with and helping care for said children during said sickness, should she so desire. The said parties heleto having heretofore agreed as to their property rights, said agreement is confirmed and mad a part of this decree and upon the payment to the defendant of the further sum of $300.00. now in the keeping of French Reynolds, Cashier of the Farmers and Merchants Bank of Milford Center, Ohio, each of said parties releases all claim by way of dower, or otherwise to any and all property of the other, and it is further ordered and decreed that the plaintiff pay the costs of this proceeding, taxed at $7.19. and that this case be recorded.

John M. Brodrick Judge.

Court adjourned until Monday July 17th 1911

Monday, July 17th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

L. In the Court of Common Pleas, Union Co. Ohio.

L. F. Wood,
Plaintiff
vs
Will N. Wood,
Defendant.

No. 9202.

9202

Temp. Inj. I allow a temporary restraining order in the above action as prayed for in the Plaintiffs petition, until the same can be further heard, upon the Plaintiff giving an undertaking conditioned according to law, to the satisfaction of the Clerk of this Court, in the sum of $200. Done this 17th day of July 1911.

John M. Brodrick, Judge.

Court adjourned until Tuesday, July 18th 1911.

Tuesday, July 18th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry

Marie Kendall
Vs. Plaintiff
Warren Speicher
Defendant.

} Court of Common Pleas, Union County, Ohio.

9197

Now comes the plaintiff and dismisses this action at her costs.

Court adjourned until Wednesday, July 19th 1911.

Entry

9178

Wednesday, July 19th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
9178

Nancy M. Klem, et al,
Vs. Plaintiffs,
James S. Oppihle, et al
Defendants,
} In the Court of Common Pleas of Union County, Ohio.

This cause came on to be heard upon the report of the Sheriff and Commissioners heretofore appointed under the writ of partition, and on motion to confirm the same, and upon due consideration the Court finds that said return and proceedings have been in all respects correct and in conformity to law and the same are approved and confirmed.

And it appearing that said estate cannot be divided by metes and bounds, without injury to the value thereof, and it appearing that said Commissioners have made and returned their appraisement of the various parcels thereof, free of the Dower of the said Mary Oppihle, she having by her answer herein, waived her dower by metes and bounds, and asked that in lieu thereof its value be paid her in money, as follows;

First parcel, appraised in the sum of $1500.00, and neither of said parties electing to take said parcel of said estate at its appraised value, and the second parcel, appraised in the sum of $4000.00, and neither of said parties electing to take said parcel of said estate at its appraised value, on motion of the plaintiffs, it is ordered that said premises be sold at Public Auction, by the Sheriff of said County, at the North door of the Court House, in Marysville, Union County, Ohio, free of the dower estate of said Mary Oppihle, and that an order issue therefor to the Sheriff of said County and by consent of all parties it is ordered that said sale shall be for one-third cash on the day thereof, one third one year and one third in two years, secured by Mortgage on property sold.

Third Parcel, Appraised in the sum of $800.00, and the defendant John R. Oppihle, having elected to take the same at the valuation returned by the Commissioners, the said estate is hereby adjudged to him. And it is ordered that on his making payment to the Sheriff of his proportion of the costs of this action, and also in cash, the proportion of said valuation due to each of the other parties as heretofore determined, said Sheriff shall execute and deliver to him a good and sufficient deed for said premises.

Approved - McHenry and Elliott, For the Plaintiffs and Mary Oppihle, and Cameron and Cameron, For all defendants except Mary Oppihle.

Court adjourned until Saturday July 22 1911.

Saturday, July 22 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Broderick, Judge.

Entry
9204

Court adjourned until Monday, July 24 1911.

Monday, July 24th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
9204

H. E. Conkright
Vs. Plaintiff
W. E. Ford,
Defendant.

Court of Common Pleas, Union County, Ohio.
Judgment by Confession
For $1

This day came the Plaintiff by E. W. Porter, his Attorney; and filed his petition against said Defendant W. E. Ford, and thereupon F. A. Thompson one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendant W. E. Ford 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 Seventy Seven Dollars, bearing interest at 8 per cent per annum, and 5 per cent Attorney fees, and that said Plaintiff ought to recover of said Defendant a judgment for that sum. It is therefore considered by the Court that said H. E. Conkright Plaintiff do recover from said W. E. Ford, Defendant the said sum of One Hundred and Seventy Seven Dollars, $177.00, 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 July, 1911, at the rate of 8 per cent. per annum. payable annually, and 5 % Attorney fees. 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.

O. K. except as to Attorney fees.

John M. Brodrick,
Judge.

Court adjourned until Thursday, July 27th 1911.

Thursday, July 27th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry 9203

J. J. Fillman,
Vs. Plaintiff,
C. L. David,
Defendant.

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

On motion of Marie M. Fillman, who claims an interest in this action, she has leave to become a defendant herein and file an answer and cross-petition by August 1st 1911.

9200 Entry

9208 Inj.

Court adjourned until Saturday, July 29, 1911.

. M.

Saturday, July 29" 1911, Court convened at 9 O'clock A. M.
Present, Honorable John M. Brodrick, Judge.

ty, Ohio. 9200 John W. Heisner. Pl. vs. Frances E. Holsenpiller. Entry as Guardian, etc. Defendant } In the Court of Common Pleas of Union County Ohio.

terest
ereon
1911.

This cause being heard upon the motion of the defendant to compel plaintiff to give security for costs, the Court, on consideration, grants the same; and orders that unless plaintiff shall give said security within 30 days from this date, the action be dismissed.

John M. Brodrick,
Judge.

Court adjourned until July 31, 1911 at 9. a. m.

Monday July 31, 1911 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.
In the Court of Common Pleas, Union County, Ohio.

Board of Commissioners of Union County, Ohio. Plaintiff. vs. S. M. Miller, Defendant } No # 9208.

9208

Inj.

I allow a temporary restraining Order in the above action, as prayed for in the the Plaintiff's petition, until the same can be further heard.

Done this 31st day of July, 1911.

John M. Brodrick, Judge

Court adjourned until Aug. 2, 1911 at 9 a. m.

Court adjourned until Wednesday, August 2d 1911.

August 2 1911.

Wednesday, Court convened at 9 O'clock, A. M.,
Present, Honorable John M. Brodrick, Judge.

Entry 9153 — James Heath Vs. Plaintiff; Arthur Webb, et al., as Commissioners, etc., Defendants — In the Court of Common Pleas, Union County, Ohio

This cause now coming on for hearing, on the motion of the defendants to strike from the second amended petition the following words and figures, to-wit:-
"And in that they negligently and carelessly allowed a large amount of dirt and sand to accumulate on the south end of the floor of said bridge to the depth of eight inches so that the timbers over the top of said bridge commonly called "cross-caps" were fourteen inches nearer the floor or roadbed of said bridge at said South end where said top and "cross caps" of said bridge were depressed as aforesaid, and where said dirt and sand had accumulated as aforesaid than at the other or north end of said bridge," and the following words and figures to-wit:-
"And negligently and carelessly allowed said accumulation of dirt and sand to remain on said south end of said bridge," and the following words and figures, to-wit:-
"And by reason of and because of said accumulation of sand and dirt on said bridge," the Court, on consideration thereof, grants the same.
It is therefore ordered and adjudged that the aforesaid portions of said second amended petition be stricken out. Exceptions noted for plaintiff. Leave given plaintiff to file amended petition within ten days.

John M. Brodrick,
Judge

Court adjourned until to-morrow morning at 9 O'clock,

Thursday August 3, 1911 Court convened at 9 o'clock A. M. Present Honorable John M. Broderick Judge,

Court of Common Pleas, Union Co. Ohio Term Sept. 1911, A.D.

To the Clerk of said Court:

You are hereby directed to proceed according to law at ten o'clock on Friday the 4th day of August 1911, 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 1911 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 18 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 11th day of September 1911; and the Petit Jurors you will cause to be summoned to appear for such service at the same place at ten o'clock on Tuesday the 12th day of September 1911. And for so doing this shall be your sufficient warrant.

Witness my hand officially this 3rd day of August 1911.

John M. Broderick
Judge of the Court of Common Pleas
of the 3rd Sub-division of the 10th
Judicial District.

Court adjourned until Friday, August 5th 1911.

Friday, August 4th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

Entry
9174

Court adjourned until to morrow morning 9 O'clock,

. M.

Saturday August 5th 1911, Court convened at 9 O'clock, A. M.
Present, Honorable John M. Brodrick, Judge.

In the matter of the Petition of Antonino Dinovo to be admitted a citizen of the United States of America. } Court of Common Pleas, Union County, Ohio.

Entry 9174

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, Antonino Dinovo, after making oath to the Constitution of the United States, and renouncing absolute allegiance and fidelity to Victor Emanuel III. King of Italy, 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 21st day of March, 1900 and in the State of Ohio, for one year prior to this time, since the 16th day of May, 1903 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 Antonino Dinovo, a Certificate of Naturalization.

John M. Brodrick, Judge.

ock,

Court adjourned until Monday August 7th 1911.

Monday August 7th, 1911 Court convened at 9 o'clock A. M.
Present Honorable John M. Broderick Judge.

Appointment of Deputy Clerk of Com. Pleas Court

To the Honorable John M. Broderick, Judge of the Common Pleas Court Union Co. Ohio.

This is to certify that I have this 7th day of August, 1911 appointed Charles William Parrott as Deputy Clerk of Courts, and respectfully ask that his appointment be approved and confirmed.

John C. Hartshorn, Clerk of Courts.

The foregoing appointment is hereby approved and confirmed this 7th day of August, 1911.

John M. Broderick
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 apponted according to law, and the best of my ability

Chas. W. Parrott

Sworn to before me and subscribed in my presence this 7th day of August, 1911.

John C Hartshorn
Clerk of Courts

Appointment of Law Librarian

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

We the undersigned Trustees of the Law Library Association would respectfully recommend for your approval as Librarian of said Association, George C. Edwards.

and { Compensation fixed at Five Hundred Dollars per year. J. L. Cameron, E. W. Porter } Trustees

Approved John M. Broderick Judge of the Common Pleas Court.

Entry 4214

The Marysville Wire Fence and Lumber Co. Plaintiff
vs
J. H. Steinmetz Defendant
} Cognovit

This day came the Plaintiff by Hooper, Robinson and Hooper its attorneys; also appeared John L. Dougherty an attorney at law of this court, and by virtue of said warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said Defendant and waived the issuing and service of process in this action

and confessed judgement on said notes against said Defendant and in favor of said Plaintiff for $886.10 being the amount of the principal and interest due on said note, and for 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 $886.10 being the amount of said note with interest computed at 8% per annum from the 23rd day of May 1911; and also the costs herein expended taxed at $_____.

John M. Broderick
Judge Court of Common Pleas.

Court adjourned until Monday Aug. 14th 1911 at 9 oclock A.M.

Monday August 14th 1911 Court Convened at 9 o'clock A.M.
Present Honorable John M. Broderick, Judge.

Entry in 9031

In the Court of Common Pleass of Union, Ohio.

S.J. Bown et al.,
Plaintiff,
vs
Flora Daggett et al.,
Defendants,

No. 9031
Entry.

This day came all the parties in person or by their attorneys, and this cause was submitted to the Court on the pleadings and evidence and was argued by counsel.

On consideration whereof, the Court being fully advised, answering the questions submitted in said petition, construes said last will and testament as follows:

First: Under the provisions of item six of the first codicil to said last will and testament, no power was or is given to the executors in express terms to sell the real estate of said testator, or any part thereof. Hence the Executors have no power to sell and convey the same, or any part thereof, without an order of a Court of competent Jurisdiction, made in a proceeding brought for that purpose.

But as the duties of fully administering the estate of said testator requires that all of said real estate be sold, the said executors, in the exercise of powers conferred upon them by said last will and testament have power to proceed now, in this, or in the Probate Court of Union County, to obtain an order for the sale of all and every part thereof and to sell the same.

Second: Upon the sale of said real estate said executors are entitled to such commissions and compensation for their services as are authorized by law, and may be allowed them on settlement of their accounts by the Probate Court to be paid as follows; in addition to all the costs, expenses and other charges of administering said estate which are payable out of the residuary portion of said estate, the said residuary estate shall pay sixty-four per cent of said executors compensation, before said residuary sum shall be paid to the University of Wooster; and the residue of said compensation or commission, to-wit thirty-six per cent shall be paid out of the special legacies other than the legacy of $100.00 bequeathed to the Son of Valarous Smith and $50.00 bequeathed to Radnor Burial Fund.

Third: The Court further finds that the amount devised and bequeathed to the said University of Wooster is pay-

able to it, its representatives, attorney or attorneys, upon the settlement of said estate, the net income and proceeds arising from the sum so received by said university to be applied for the benefit of the beneficiaries named in said will.

It is further ordered that a copy of this decree be certified by the Clerk of this Court to the Probate Court of this county and that the costs of this proceeding be paid by the Plaintiffs as such Executors.

John M. Broderick, Judge

Court adjourned until Friday August 18, 1911 at 9 o'clock, A.M.

Friday August 18, 1911 Court convened at 9 o'clock a. m.
Present Honorable John M. Broderick, Judge.

Ella Clark,
Plaintiff.
vs
George W. Clark,
Defendant.

April Term, 1911.
Aug. 18, 1911
Decree of Divorce.
No. 9199

No. 9199

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 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 1901, 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 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 and is restored to her former name of Ella Temple; that the defendant pay the costs of this proceeding taxed at $7.34 and that this case be recorded.

John M. Broderick, Judge.

Court of Common Pleas, Union Co. Ohio.

State of Ohio
Plaintiff,
vs
Howard Keckley,
Defendant.

No. 1343

Appointment Trustee
State of Ohio
vs
Howard Keckley
No. 1343

This day upon the retirement from office of Charles Parrott, the Court upon consideration appoints John C. Hartshorn, Clerk, to act as Trustee until his successor is appointed.

John M. Broderick, Judge.

Court adjourned until Monday Aug. 21st 1911 at 9 o'clock A.M.

Leave to file Answer 9193

9175

Leave to file Answer

Extended

9189

Leave to file Answer

Monday August 21, 1911. Court convened at 9 o'clock A. M.
Present, John M. Broderick, Judge.

In the Court of Common Pleas of Union Co. Ohio.

Warren Southwick Co.
Plaintiff.
vs
A. N. Fry,
Defendant.

Leave to file Answer 9193

Entry
Leave to file answer

This day leave ~~was~~ granted the Defendants herein to file his answer at once and the same was thereupon filed.

John M. Broderick, Judge.

Amand P. Smith
Plaintiff
vs
J. F. Gugle
Defendant

9175

No. 9175

Leave to file Answer Extended

Leave of Defendant to file answer extended until Sept. 1, 1911.
Court adjourned until August 29, 1911 at 9 o'clock a.m.

Tuesday August 29, 1911 - Court convened at 9 o'clock A. M.
Present Hon. John M. Brodrick, Judge.

The Marysville Hay, Feed and Fuel Co.
Plaintiff
vs
Lenox and Elliott
Defendant.

9189

No. 9189

Leave to file Answer

This day leave was granted to file answer instanter.

Court adjourned until Thursday at 9 o'clock 9 o'clock A. M.

Thursday August 24, 1911 Court convened at 9 o'clock A.M.
Present Hodorable John M. Broderick, Judge.

In the Court of Common Pleas Union Co. Ohio.

Manassas Miller,
Plaintiff.
vs
Cornelius S. Beechey, et al
Defendant
} Entry

9148 This cause was submitted to the Court upon the motion of Defendants to strike out certain parts of the reply as in said motion stated. On consideration whereof the Court sustains said motion. To which ruling and judgment of the Court the Plaintiff then and there excepted.
Leave to file Amd. Reply Plaintiff has leave to file an amended reply in ten days.

John M. Broderick, Judge.

J. M. Lentz, Admstrtr etc.,
Plaintiff.
vs
} No. 9029.

9029 Dismissed This day this cause was dismissed and costs paid by ~~Plaintiffs~~

In the Court of Common Pleas of Union County Ohio.

Rebecca A. Davis, Plaintiff.
vs
Oral Foster Davis et al Def.
} No. 9095. Entry Confirmation Report of Commissioners in Partition

9095 Confirm. Sale This cause came on for hearing upon the return of the Sheriff and the report of the Commissioners heretofore appointed herein and upon motion by the plaintiff by Cameron and Cameron her attorneys, to confirm the same. And it appearing that said estate can not be divided by metes and bounds without injury to the value thereof, and that said Commissioners have made and returned their appraisement thereof, free of the Dower estate of the said Rebecca A. Davis, as follows: First tract, situated in the Village of Marysville, Union county Ohio in the sum of $3900.00 and the second tract, situated in the city of Columbus, Franklin County, Ohio in the sum of $4000.00, the Court having examined all of said proceedings finds the said return and proceedings in all respects correct and in conformity to law and does therefore approve and confirm the same.

Continued on Page 326

Court adjourned until Wednesday Aug. 30, 1911 at 9 o'clock A.M.

9221 For Publica

9192 Judgment Order Sal

Wednesday August 30, 1911, Court convened at 9 o'clock A. M.
Present Honorable John M. Broderick, Judge.

Court of Common Pleas Union County Ohio

The Commercial Savings Bank
Marysville Ohio,
Plaintiff.

9221 vs No. 9221

Chas. G. Emery and
For Publication Catharine L. Emery
Defendants

This day came the Plaintiff and filed herein an affidavit under the General Code in that behalf for the purpose of procuring service by publication; and it appearing to the Court that the residence of the defendants Chas. G. Emery and Catherine L. Emery is unknown to the plaintiff and can not with reasonable diligence be ascertained and that service of summons on such Defendants can not be made.

It is ordered that the publication be made for six consecutive weeks in a newspaper printed in this county that it contain a summary statement of the object and prayer of the petition, mention the Court wherein it is filed and notify the persons thus to be served when they are required to answer.

John M. Broderick, Judge.

The Citizens' Home & Savings Co.
9192 Plaintiff

vs No. 9192 Entry

Judgment Wm. C. Wharton, W. Guy Jones
and Chas. H. Wiltsee
Order Sale Defendants

This cause now coming on for hearing on the petition and the evidence, the court find that the Defendants William C. Wharton, has been duly served with summons in this case and that the Defendants W. Guy Jones and Charles H. Wiltsee have been duly served with process by publication in the Marysville Tribune, a paper of general circulation throughout the county of Union, and that they are all in default for answer and demurrer and that the allegations of the petition are thereby confessed by them to be true.

The Court further find that there is due the Plaintiff from the Defendants William C. Wharton the sum of $379.73 with interest from the 7th day of June, 1911 on the note described in said petition.

The Court further find that in order to secure the payment of said note the defendant William C. Wharton, executed and

delivered to the Plaintiff his certain mortgage as in the petition described, that said mortgage was duly recorded as in said petition set forth, and is a good and valid lien on the premises described in said petition, and that the conditions of said mortgage have been broken.

It is therefore considered by the court that the Plaintiff recover from the defendant William L. Wharton the said sum of $379.73 with interest from the 7th day of June 1911 and its costs herein expended. And it is further adjudged and decreed that the defendants equity of redemption be foreclosed and said premises be sold and that an order of sale issue therefore to the Sheriff of Union Co., Ohio directing him to appraise said premises as upon execution and report his proceedings to this court for further order, and this case is continued as to distribution

J. O. M. Broderick Judge

9155 Leave to file Amended Petition

9180 Leave to File Petition

9203 Leave to file Ans.

9224 Injunction

9095 Continued from page 324

And thereupon the said Rebecca A. Davis having elected to take both of the said above mentioned tracts at the appraised value thereof and having filed her motion herein to that effect and all the parties hereto having consented to said election and the confirmation of the same without delay, the said estate is hereby adjudged to the said Rebecca A. Davis and upon the payment by her to the said Oral Foster Davis and June Davis of their respective portions of the appraised value thereof, the Sheriff of Union Co. is ordered to execute a deed in fee simple for the same to the said Rebecca A. Davis. And it is further ordered by the Court that the costs and expense of this suit, taxed at $35.43 and also an attorney fee of $278.00, allowed and to be paid to Cameron and Cameron attorneys for said plaintiff and the assessments for improvements against said properties in the sum of $305.64 be paid within ten days by the parties in the following proportions, to-wit; Rebecca A. Davis, one-half; Oral Foster Davis one-fourth and June Davis one-fourth and in default thereof, that executions issue therefor.

Cameron & Cameron Attys for Rebecca A. Davis
Hooper, Robinson & Hooper " " Foster Davis
O. M. Broderick Judge

Court adjourned until Saturday Sept. 2nd 1911 at 9 o'clock A. M.

Saturday September 2nd 1911 Court convened at 9 o'clock A.M.
Present Honorable John M. Brodrick, Judge.

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

Frank G. Kelley.
Plaintiff.
vs.
Cleveland, Cincinnati,
Chicago & St Louis Ry.
Defendant

No. 9155. Entry

9155 — Leave to file Amended Petition

This case comes on for hearing, and the Plaintiff is granted lief to file an amended petition.
John M. Brodrick, Judge.

Willis Epps
Plaintiff.
vs
Ruben Huffman
Defendant.

No. 9180

9180 — Leav to file petition

This day leave is granted Plaintiff to file petition

J. J. Fillman,
Plaintiff.
vs
C. S. David
Defendant

No. 9203.

9203 — Leave to file Petition

This day leave is granted Defendant to file answer within thirty days.

John Dilsaver,
Plaintiff.
vs
The Board of County
Commissioners Union Co. O

No. 9224

9224 — Injunction

I allow temporary restraining order in the above action, as prayed for in the petition until the same can be further heard, upon Plaintiff giving an undertaking, conditioned according to law, to satisfaction of the Clerk of this Court in the sum of Five Hundred Dollars $500.00

Done this 31st day of August 1911
John M. Brodrick, Judge.

Court adjourned until Tuesday Sept. 5, 1911 at 9 o'clock A.M.

Tuesday September 5th 1911 Court convened at 9 o'clock A.M.
Present Honorable John M. Brodrick, Judge.

Nick Kile,
Plaintiff,
vs
The Columbus, Cincinnati
Chicago & St Louis Ry Co.
Defendant.

No. 9182.

9182

Dismissed

This cause is dismissed at costs of Plaintiff.
It is therefor adjudged by the Court that the Defendant recover of the Plaintiff its costs herein expended.

Court of Common Pleas, Union Co. Ohio.

Nancy M. Klein and Okallah Melling
Plaintiffs,
vs
James Opphile, Ora Opphile,
John Opphile & Mary Opphile,
Defendants.

9178

Final Entry.

On motion of the Plaintiffs 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 in all respects according to law, the said proceedings and sales are hereby approved and confirmed. And the said Sheriff is ordered by deed duly executed to convey said premises to the purchasers, James S. Opphile and Ora G. Opphile, free of the dower of the said Mary Opphile. And the said Mary Opphile by her answer elected to receive, in lieu of her dower, its value in money, the Court finds the just and reasonable value thereof to be $661.27.

It is further ordered that out of the proceeds of said sale the Sheriff pay: First to the Clerk of this Court the costs of this action including a counsel fee of $189.40 which is paid by Sheriff direct to said J. M. McHenry counsel for plaintiffs and $25.00 to Cameron and Cameron for their services herein taxed at $28.19
Secondly: To the said Mary Opphile the sum of $661.27, as and for her full dower interest in the said premises,
Thirdly: And of the residue of the proceeds of said sale to the plaintiff Nancy M. Klein, one-fifth of the cash proceeds, to-wit, the sum of $376.69. To the plaintiff Okallah Melling one-fifth of the cash proceeds to-wit the sum of $376.69. To the defendant Jas S. Opphile one-fifth of the cash proceeds, to-wit, the sum of $376.69. To the defendant Ora G. Opphile one-fifth of the cash proceeds to-wit the sum of $376.69. To the defendant John Opphile one-fifth of the cash proceeds to with $376.69

(continued on page 329)

Court adjourned to Friday Sept. 8, 1911 at 9 o'clock A. M.

Appointm

Albert La D

Dep Re

9225

Ap. Guard
ad liten

Friday September 8th 1911 Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick Judge

Appointment — I hereby appoint Albert La Dow as Deputy Recorder of Union Co. for the term commencing Sept 4, 1911 and ending Sept 4, 1913.

Albert La Dow Dep Rec.

M. W. La Dow
Recorder Union Co.

Approved September 8, 1911 and clerk will please enter on Journal of Court.

John M. Brodrick
Judge Common Pleas Court

Court of Common Pleas, Union County, Ohio.

Elizebeth Blumenschein,
Plaintiff,
vs
vs
Carl H. Blumenschein,
Dora E. Blumenschine,
Walter P. Blumenschine,
Dora A. Blumenschein
Defendants.

No. 9225

Entry.

Partition Appointment of Guardian ad litem.

9225

Ap. Guardian ad litem

It is ordered by the Court that James B. Cole be and he is hereby appointed by the Court guardian for the suit of the infant defendants named in the petition herein, and the said James B. Cole appeared in open Court and accepted said appointment.

John M. Brodrick, Judge

(Continued from page 328)

and to each of the plaintiffs Nancy M. Klein and Otallah Walling and to each of the defendants John Opphile and Ora Opphile two notes of James Opphile payable in one and two years after date with interest at 6% per annum from date each note in the sum of $203.33.

Court adjourned until Saturday September 9, 1911 at 9 o'clock

Saturday September 9 1911 Court convened at 9 o'clock A.M.
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio.

In re Status of

County Detective Law

Now comes John H. Willis, Prosecuting Attorney of Union County, Ohio, and makes his application to the undersigned Judge of the Court of Common Pleas, for the fixing of the Compensation to be paid the Secret Service officer, as provided in Section 2915-1 of the General Code,

In re Status County Detective Law

Upon due consideration of which, it is found and held that said Section 2915-1 of the General Code of Ohio as passed April 18, 1911 (O.L. Vol 102, pps 77, 78, 79) is inoperative and void: for the reason that there is no such officer in Ohio, as "the presiding Judge of the Court of Common Pleas of a subdivision of that Judicial District."

It is also further held and found that that part of said Act passed April 18, 1911, which attempts to repeal the original sections 6184, 6185 and 6186 are still in full force and effect.

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

In the Court of Common Pleas of Union Co. Ohio.

Rosetta Orahood,
Plaintiff.
vs
Jacob Sivey et al,
Defendants.

No. 9081. Order of Partition.

9081

Order of Partition

This day this cause came on to be heard upon the pleadings and evidence and the Court being fully advised in the premises finds, that each and every of said Defendants have been duly and legally notified of the bringing, prayer and pendancy of this action. That at the time of the filing of the petition herein the said Starling Sivey, defendants herein were minors over the age of 12 years and that Rolla R Linn was their duly appointed, qualified and acting Guardian, and that the said Rolla R. Linn and both of said wards were each duly served with summons in this action by the Sheriff of said County, by personally handing each a copy thereof, and that said Starling Sivey has since the commencement of this action, to-wit on the 30th day of April 1911 arrived at the age of majority.

That the said Jacob Sivey, defendant herein, who claimed a right of Dower in the premises described in the petition, has deceased

since the filing thereof and that by said death all right of Dower or otherwise in said lands by the said Jacob Sivey, has been extinguished.

That the plaintiff has a legal right and estate in the premises described in the petition, as therein set forth, and is entitled to partition as prayed for therein.

It is therefore ordered by the Court on motion of Cameron and Cameron attorneys for the plaintiff, that by the oaths of Gordon Wheeler, Lyon Stamats and L. B. Harvey, judicious, disinterested freeholders of the vicinity, upon actual view of the premises, partition be made of said lands, which are bounded and described as follows:

Situated in the County of Union and State of Ohio and in the township of Washington and a part of Survey No. 12289: Beginning at a stake and stone in the East line of Survey No. 12289 and Southeast corner of Elizabeth Beard's land; Thence with said Survey line South 6° E. 47.42 poles to a stone and piece of tile, the Northeast corner of Rachael Sivey's land; Thence with the North line of said Sivey's land South 82° West 59.40 poles to a stone and pieces of tile in the East line of land owned by Burnside and Schertzer: Thence with their East land line North 7° West 5.40 poles to a stone and pieces of tile; Thence with the North line of said land owned by Burnside and Schertzer South 86° West 20 poles to a stone and pieces of tile in the original survey line: Thence with said Survey line North 7° West 42.20 poles to a stone and pieces of tile at the corner of said Survey No. 12289 and Southwest corner of Elizabeth Beard's land; Thence with her land line North 82°-30' East 81.36 poles to the beginning, Containing 23.40 acres more or less.

The description of the above tract contained in the petition being defective the same is corrected by the Court herein from the correct description of said land found in the deed recorded in Union County records of Deeds Vol. 63 page 465.

Also in the same County, State, Township and Survey the following described lands: Beginning at a stone at the Northeast corner of lands formerly owned by John H. Bosart and in the East line of Survey No. 12289: Thence with said line North 5¾° West 87.10 poles to a stone: Thence South 81¼° West 76.96 poles to a stone; Thence South 8½° East 85.75 poles to a stone in the North line of John H. Bosart's land: Thence with said land line North 82¼° East 71.96 poles to the beginning, Containing 40 acres more or less.

The description of the above tract contained in the petition being defective the same is corrected by order of the Court from the correct description of said lands contained in the deed recorded in Union County records of Deeds Vol. 61 page 582 and from the plat in the deed recorded in Vol. 54 page 208.

Also the following described lands; Being a strip 20 feet wide and 10 rods long off the Southeast corner of Samuel McMaid's land extending from the land of Elizabeth Beard to the Bogart

Road for the purpose of an out-let for the Beard farm to said road.

Also in the same county, state, townships and survey the following described lands; beginning at two buckeyes, sugar and beech, Southwest corner of said Survey and in the North line of Survey No. 9918 and Southeast corner of Survey No. 13427;

Thence with the East line of said Survey No. 13427 North 12° West 84 poles or far enough to make 36 acres to a stake; Thence North 78° East 82 poles and parallel with the North line of said 65 acres tract to a stake in the East line of said Survey No. 12289 South 9°-23' about 84 poles to a stake in the East line of said last mentioned Survey and Northeast corner of said Survey No. 9918: Thence with the North line of said Survey No. 9918 South 78° West 76½ poles to the place of beginning. Containing about 36 acres.

There is excepted from said last described tract 21.50 acres sold to W.C. Thomas by deed dated Jan. 1st, 1901 and recorded in Vol. 82 page 462 of the records of Deeds of Union County, Ohio and certain small tracts conveyed by Rachael Sivey in her life time to the imperfect description of said lands, it is ordered by the Court that a Survey of all the above tracts of land, which adjoin each other and constitute one large tract of land, and that the new description made be substituted for the descriptions given above, and for that purpose it is ordered that L. B. Harvey, Eigineer be made one of the Commissioners herein and that the costs of said Survey be taxed as a part of the costs of said Survey be taxed as a part of the costs herein.

That in said partition there be set off to the plaintiff Rosetta Orahood the one equal one sixth part of said premises and to each of the defendants Effie Sivey, Alice Daniels, Minnie Gast, and Cora McFadden the one equal one sixth part thereof and to the defendants Starling Sivey and Madeline Sivey, each the one equal one twelvth part thereof, subject to the Dower estate of Carrie Williams in the parts assigned to said Starling and Madeline Sivey, if the same can be done without manifest injury and if not that said premises be appraised at their true value in money. And it is further ordered that a writ of partition issue to the Sheriff of Union County, commanding him to cause said partition to be made accordingly.

Beginning Sept Term 1911

Grand Jury Sept. 1911

In Union County Ohio, Common Pleas Court.

April Term 1911

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

Adjournment

This seperate session of this Court of Common Pleas for the April term A.D. 1911, was begun on the 3rd day of April A.D. 1911 and continued from day to day and is now adjourned without day.

John M. Brodrick.
Judge.

In Union County Ohio, Common Pleas Court.

The State of Ohio } S.S.
County of Union }

Beginning Sept Term 1911

This separate session of the Court of Common Pleas of the Tenth Judicial District of the State of Ohio, within and for the county of Union, for the September term in the year of our Lord One Thousand, Nine Hundred and Eleven, held in the Court House in the Village of Marysville, County and State aforesaid was begun and Monday the 11th day of September 1911.

Present Honorable John M. Brodrick, Judge.
Cad Price, Sheriff.
Attest. John C. Hartshorn, Clerk of the Common Pleas Court, Union Co.

Grand Jury Sept. 1911

Grand Jury Facias

The venire facias for a Grand Jury heretofore issued was duly returned by the Sheriff on Sept. 11, 1911 with his endorsement thereon as follows:

The State of Ohio, Union County ss. Sheriffs Office Aug. 4, 1911

On the 4th day of August 1911, 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 hereon.

No.	Names	When served	How served	Miles
1.	T. J. Dodge	Aug. 5, 1911	By mail	7.
2.	C. F. Doudna	" " "	" "	15.
3.	A. J. Ralston	" " "	" "	14.
4.	J. C. Brown	" " "	" "	11.
5.	J. L. Hamilton	" " "	" "	7.
6.	~~B. L. Talmadge~~ ~~Uriah Cook~~	Sick in the First Deceased		
7.	Monroe Amrine	Aug. 5, 1911	" "	2.
8.	George Strong	" " "	" "	6.
9.	Clay Kegerise	" " "	" "	6.
10.	O. B. Eaton	" " "	" "	7.
11.	Ernest Bown	" " "	" "	0.
12.	C. Hoskins	" " "	" "	10.
13.	Moses George	" " "	" "	8.
14.	Otto Amrine	" " "	" "	7.
15.	N. S. Stamats	" " "	" "	18.
16.	Peter Rausch	" " "	" "	0.

Cad Price, Sheriff.

And upon calling the same in open court all of the above named Jurors appeared ~~except Uriah Cook~~ except B. L. Talmadge, and Peter Rausch was selected as talesman and thereupon the Court appointed Monroe Amrine 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.

Court of Common Pleas Union County Ohio.

Mark Cook, Plaintiff
vs. No. 9016
John Jennings

9016 This day day this cause came on to be heard on motion of defendants attorney, the Court being fully advised in the premises, does hereby, order and direct that the Sheriff of said Union County Ohio, proceed to pay remaining costs of this action Sheriff's Order to Pay Out taxed at $___ and out of the balance of the proceed remaining in his hand pay to Effie Jennings, Robert A. Jennings, and Harry Jennings, each an equal one fourth part thereof, or if either or all of them are minors, then to the duly appointed guardian or guardians of said minors, said amount above specified.

Approved this 11th day of September 1911.

John M. Brodrick, Judge.

This day Charles N. Parrott resigned as Deputy Clerk of Court and the same was accepted. Resignation Chas. N. Parrott Dep. Clerk

John L. Hartshorn, Clerk.

John C. Rogers, Plaintiff
vs
Victor N. Rogers et al. Defendants.
9071 No. 9071.
Motion

This day leave is granted to make William H. Rogers guardian party defendant.

John B. Fox, Plaintiff
vs
Dora B. Fox, Defendant.
8821 No. 8821
Motion

This day leave is granted Plaintiff to file an amended petition within ten days.

Ernest Thompson, Plaintiff
vs
Charles Miller, Defendant.
9124 No. 9124
Motion

This day leave is granted Defendant to answer by Sept. 9, 1911.

Continued on page 339

Court adjourned until Tuesday Sept. 12, 1911 at 9 o'clock a.m.

Petit Jury Jacias Sept. 1911

9223

Exception & Leave to F Answer

Tuesday September 12, 1911, at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

Petit Jury Facias

The Venire Facias heretofore issued for Petit Jurors, returnable Sept. 12, 1911 was this day returned by the Sheriff of this county with his endorsements thereon as follows:

Petit Jury Facias Sept. 1911

State of Ohio, Union County s.s. Sheriff's Office Sept 12, 1911.

On the 4th day of August 1911, 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,	Miles,
1.	H. H. Hammer	Aug. 4, 1911	By mail	9.
2.	Henry Conklin	" " "	" "	12.
3.	Louis Rupright	" " "	" "	2.
4.	O. G. Jackson	" " "	" "	8.
5.	Uriah Cook Dead	" " "	" "	Deceased
6.	John Fairbanks	" " "	" "	9.
7.	Noah Huffman	" " "	" "	8.
8.	S. N. Robertson	" " "	" "	21.
9.	O. S. Kibler	" " "	" "	8.
10.	W. H. Sidle	" " "	" "	20.
11.	Andrew Hock	" " "	" "	Excused
12.	William Shipley	" " "	" "	14.
13.	F. A. Martin	" " "	" "	16.
14.	Clarence Wells	" " "	" "	Excused
15.	Fred Smith	" " "	" "	9.
16.	Marshall Langstaff	" " "	" "	14.
17.	B. W. Converse	" " "	" "	9.
18.	William King	" " "	" "	12.

And upon calling the same in open Court Andrew Hock, & Clarence Wells, were for good cause excused and their names not returned to the box. Uriah Cook was reported deceased. The panel being complete no persons were summoned to supply the deficiency.

Court of Common Pleas Union County, Ohio.

Lewis Saygrover
Plaintiff,
vs
Wm. H. Sheneman
Defendant

9223

No. 9223,

Exception & Leave to File Answer

The motion to require the plaintiff to separately state and number his causes of action is heard and refused. To which ruling the defendant excepts, and has leave to answer.

Approved. Milo L. Myers, attorney for Plaintiff
John H. Willis attorney for Defendant.

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

Hester Smith, Plaintiff.
vs.
Frank Kezertee et al,
Defendants.

Petition for Partition.
No. 9201.

9201

Order of Partition

Now came the parties herein, by their attorneys, and thereupon this cause came on to be heard upon the petition, the answer of Ethel Grace Cochconever, one of the defendants, and the Court find that all other defendants have had due legal notice of the pendency and demand of 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. And it appearing from the said answer of the defendant Ethel Grace Cochconever that she admits the truth of the petition and unites in asking partition of the premises in the petition described, the Court thereupon find that Robert Grace is entitled to dower in the undivided one-third (1/3) interest of the premises, described in the petition and that the said plaintiff is seized of, and has a legal right to, the undivided one-third (1/3) 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 following proportions, to-wit: that subject to such dower of the said Robert Grace, the said Ethel Grace Cochconever is seized of, and has a legal right to, the undivided One-third (1/3) part thereof, and the said Frank Kezertee is entitled to, and has a legal right to, the undivided One-third (1/3) part thereof. And no reason appearing why partition should not be made:

It is therefore ordered, adjudged, and decreed that Robt. Grace be endowed of One full equal ninth 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, commanding him that by the oaths of C.C. Williams, Samuel McEntire and C.A. Morlock, three judicious and disinterested free holders of the vicinity, who are not of kin to either party, and who are hereby appointed commissioners for that purpose he set off and assign such dower to the said Robert Grace according to law, and that by the like oaths of the said commissioners, he cause to be set off and divided to the said plaintiff, and to each of said defendants the part and proportion of the said estate to which they are hereinbefore severally found entitled. and it is ordered that if in the opinion of the said commissioners, said premises can not be divided by metes and bounds without injury to the value thereof, they appraise the same both subject to, and also free from the dower of said Robert Grace,

And of his proceedings herein, the said Sheriff is ordered to make due return without unnecessary delay.

John W. Brodrick Judge,

Court adjourned until Wednesday Morning Sept. 13, 1911 at 9 o'clock a.m.

9201 Order of Sale

9045 Trial

9045 Trial

Wednesday Sept. 13, 1911, Court convened at 9 o'clock a. m.
Present Honorable John M. Brodrick, Judge.

In Court of Common Pleas, Union Co., Ohio.

9201
Order
of
Sale

Hester Smith, Plaintiff.
vs
Frank Kezertee et al
Defendants.

No. 9201
Order of Sale.

This cause came on for hearing upon the return of the Sheriff and the report of the commissioners heretofore appointed herein, and on the motion to confirm the same. And it appearing that said estate can not be divided by metes and bounds without injury to the value thereof, and that said commissioners have made and returned their appraisement of said premises, free from the dower of the said Robert Grace, in the sum of $1450.00 the Court find the said return and proceedings in all respects correct and in conformity to law, and do approve and confirm the same. And thereupon neither of said parties electing to take the said premises at their appraised value, on motion of the plaintiff, it is ordered that said premises be sold at public auction, free of the dower of the said Robert Grace (he having on the 10th day of August 1911, by Quit Claim deed, conveyed all his right, title and interest in said premises, to Ethel Grace Cochoneur, and recorded in Vol. of deeds 102 and Page 111 Union Co. Records of deeds) and that an order issue therefor to the Sheriff of Union County to sell for cash. and the said Sheriff is ordered to return his proceedings to this Court without delay.

John M. Brodrick, Judge.

Continued from Sept. 12, 1911
Entry in No. 9042

9045
Trial

Marcassas Miller, Plaintiff
vs
Cornelius S. Beechey, Jacob Farnwald
Noah Troyer and Benjamin Fry - Defendants

Sept. 12, 1911

This day came the parties and their attorneys; also came the following named persons as Jurors: H. H. Hauner, Louis Rupright, O. S. Jackson, John Fairbank, Noah Huffman, L. N. Robertson, W. H. Sidle, Wm. Shipley, F. A. Martin, Fred Smith, Marshall Langstaff, and B. W. Converse who were duly empannelled and sworn according to law; and thereupon, the case came on for hearing on the pleadings and evidence. And the jury having heard the testimony adduced in part, said cause was continued until to-morrow morning at 9 o'clock

Continued from

9045
Trial

Marcassas Miller Plaintiff
vs
Cornelius Beechy et al Defendants

No. 9042

(Continued to page 338)

This day came the parties and their attorneys and also
Court adjourned to Thursday Sept. 14, 1911 - 9 o'clock a. m.

Thursday Sept. 14, 1911, Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio.

Daniel McCaffery's Sons Co.,
Plaintiff,
vs
Birt Mathers
Defendant.

No. 9186

Journal Entry

9186

Demurrer

Overruled

The demurrer to the petition is heard and overruled. Leave given the defendant to answer in ten days. To all of which the defendant excepts.

Approved: John A. Willis, Attorney for Plaintiffs.
H. V. Spicer, Attorney for Defendant.

Continued from page 337

9048

Trial

Continued

came the jury heretofore impanelled and sworn and the trial proceeded. And the plaintiffs having concluded his testimony the defendants moved the Court to direct the jury to return a verdict for the defendants for reasons in said motion stated, which motion was sustained by the Court and the jury directed to return a verdict for the defendants to which the plaintiff excepted

And thereupon the jury retired to their room under the direction of the Sheriff. And now comes said jury into open court with their verdict in writing signed by their foreman and say:

We, the jury find on the issues joined, for the Defendant.

Court adjourned until Friday Sept. 15, 1911 at 9 o'clock A. M.

Friday Sept. 15, 1911, Court convened at 9 o'clock A. M.

Court adjourned until Saturday at 9 o'clock A. M.
Court Convened Saturday morning Sept. 16, 1911 at 9 A. M.

Court adjourned until Monday Sept. 18, 1911 at 9 o'clock A. M.
Monday Sept. 18, 1911 Court convened at 9. A. M. Present Hon. John M. Brodrick Judge
Manorad Miller, Plaintiff

vs

Cornelius S. Beechey et al Def.

No. 9042 Judgment

9042

Judgment for Defendants

The jury, on a former day of this court, having rendered their verdict in favor of the defendants and a motion for a new trial having been made and overruled by the Court: It is therefore considered and adjudged by the Court that the Defendants recover of the Plaintiff their costs in this action expended; and judgment is rendered against the plaintiff for his own costs. To all of which the Plaintiff excepts.

Court adjourned to Thursday September 21, at 9 o'clock a.m.

9153

Demurrer

overruled

9129

Motion

9133

Motion

9175

Motion

9180

Motion

Thursday Sept. 21, 1911, Court convened at 9 o'clock A. M.
Present, Honorable John M. Brodrick, Judge.

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

9153 James W. Heath, Plaintiff
vs
Demurrer Arthur Webb et al, Defendants. | No. 9153 - Entry

overruled This cause being heard on the demurrer to the third amended petition, the Court on consideration, overrules the same to which ruling the defendant excepts. Leave granted to the defendant to answer by Sept. 25, 1911.

Approved: John H. Willis, attorney for Plaintiff. Defendants.
Hooper, Robinson & Hooper, Atty for Plaintiff.

Sept. 11, 1911 Continued from page 334.

The Board of County Commissioners, Union Co. O
9129 Plaintiff
vs
Motion Dwight B. Edwards, Defendant | No. 9129.

This day leave is granted Defendant to answer by Sept. 23rd. 1911.

A. B. Johnson,
9133 Plaintiff
vs
Motion Richard Cody, Defendant | No. 9133

This day leave is granted Defendant to file answer and the same is filed.

Amanda P. Smith,
Plaintiff
9175 vs
Motion J. F. Gugle, Defendant. | No. 9175

Leave granted Defendant to file answer by Sept. 16, 1911.

9180 Willis Epps, Plaintiff
Motion vs
Reuben Huffman, Defendant | No. 9180

This day leave is granted Defendant to file answer by Sept. 23, 1911,

Court adjourned to Wednesday Sept. 27, 1911 at 9 o'clock A.M.

Wednesday September 27, 1911 Court convened at 9 o'clock A. M
Present Honorable John M. Brodrick, Judge.

The Board of County Commissioners of Union County, Ohio, Plaintiffs.
vs
S. M. Miller Defendant. } No. 9208. Entry

9208

This day this cause came on to be heard upon the motion of the Defendant to require the plaintiff to make its petition more definite and certain, by stating what roads and what bridges were damaged by the defendants engine and the Court being fully advised in the premises finds that said motion is well taken and that the plaintiff should set forth what roads and what bridges, giving their location as nearly as possible, were injured by the plaintiff took leave to file its amended petition hereinf.

Leave to file Amd Petition

Approved: John H. Willis
Attorney for Plaintiffs

Court of Common Pleas, Union Co., Ohio

Walter S. Mc Mahan, Plaintiff.
vs
Sarah E. Mc Mahan Defendant } No. 9161 - Entry

9161

Leave to file Reply

Defendant is given leave to file reply, and same filed.

John M. Brodrick,
Common Pleas, Judge.

For Sept. 11, 1911

Howard Townsend, Plaintiff
vs
Lawrence Farrington Defendant. } No. 9181

9181

Motion

This day leave is granted Plaintiff to file petition by Sept. 16, 1911.

N. S. Hobert, Plaintiff
vs
T. P. Shields, Defendant } No. 9183.

9183

Motion

This day Defendant is granted leave to answer by Oct. 1, 1911.

Court adjourned to Thursday Sept. 28, 1911 at 9 o'clock A. M.

Thursday September 28, 1911- Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

Warren & Southwick Car Co.
Plaintiff.
vs
9193 A. H. Fry,
Defendant.
No. 9193

Continuance

On motion and application of Plaintiff this cause is postponed until the 4th day of ~~December~~ 1911 at the cost of plaintiff.

It is therefore adjudged by the Court that the Plaintiff pay all costs occasioned by said postponement including the mileage and fees of witnesses for this days attendance.

Ralph Moffett, a taxpayer on behalf of the Village of Richwood, Union Co. O. Plaintiff.
vs
9216 Village of Richwood Ohio et al, Defendant.
No. 9216
On Demurrer

Demurrer Sustained

This day this cause came to be heard upon the Demurrer of the Defendant to the petition and upon consideration & the Court doth sustain said demurrer, and the plaintiff not desiring to amend or further plead in this court, It is considered that said Defendants go hence without day, and recover of said plaintiff their costs of this suit. To all of which the plaintiff excepts and gives notice of appeal, and the bond therefore is fixed for $200.00.

H. U. Spicer, Attorney for Plaintiff. John P. Maloney and John H. Willis Attorneys for Defendants.

Hazetta E. Drumm, a taxpayer on behalf of the Village of Richwood Union Co. O. Plaintiff
vs
Village of Richwood O. Defendants.
No. 9217
On Demurrer

9217

Demurrer Sustained

This day this cause came on to heard upon the demurrer of the Defendant to the petition and upon consideration the Court doth sustain said demurrer, and the plaintiff not desiring to amend or further plead in this court.

It is therefore considered that said Defendants go hence without day, and recover of said Plaintiff the costs of this suit. To all of which the plaintiff excepts, and give notice of appeal and the bond therefore is fixed for $200.00

H. U. Spicer, Attorney for Plaintiff. John P. Maloney & John H. Willis Atty for Def.

Sarah E. Mc Mahon, Plaintiff
vs
9162 Walter S. Mc Mahon, Defendant.
No. 9162

Demurrer

This cause being heard on the demurrer, the Court on consideration, sustain the first and second defenses.

Court adjourned until Friday September 29, 1911 at 9 o'clock A. M

Friday September 29, 1911 - Court convened at 9 o'clock A. M.
Present Hon. John M. Broderick, Judge.

For Sept. 11, 1911

Broaddus Herbert,
Plaintiff.
vs
9185 Evan T. Jones, et al,
Defendants.
No. 9185

Motion This day Defendants were granted leave to answer by Oct. 1, 1911.

Fern Clark,
9187 Plaintiff
vs
Motion Augustus E. Groom,
Defendant.
No. 9187.

This day leave is granted Plaintiff to reply instanter.

9188 Wm. L. Baldwin,
Plaintiff.
Motion vs
Susan J. Goff
Defendant
No. 9188

This day leave is granted Defendants to answer by Sept. 25, 1911

L. L. Barlow,
Plaintiff
vs
9219 Isidora Herd et al
Defendants.
No. 9219

Motion This day leave is granted Defendants to answer by Oct. 1, 1911.

For Sept 12, 1911.

9173 Jessie Hooper, Admin Plaintiff
vs
Demurrer Michael Cody et al, Defendant
No. 9173

This cause being heard on the demurrer and motion the same are overruled. Exceptions noted. Defendant given leave to file answer within — days.

Court adjourned until Monday October 2, 1911 at 9 o'clock a.m.

Monday Oct. 2, 1911 Court convened at 9 o'clock A. M.
Present Hon. John M. Brodrick, Judge.

Appointment of Deputy Clerk
Court of Common Pleas, Union Co. Ohio.

Appointment — This is to certify that I have this day appointed Dana L. Hartshorn as Deputy Clerk of the Common Pleas Court to serve one-half time. Dated this 2nd day of October 1911.

John C. Hartshorn, Clerk of Court.

Deputy — The foregoing appointment is hereby approved and

Clk of Court. confirmed, Oct 2, 1911. John M. Brodrick, Judge.

Whereupon came the said Dana L. Hartshorn and accepted and subscribed to the following oath:

I do solemnly swear that I will support the Constitution of the United States and of the State of Ohio, and that I will faithfully and impartially discharge the duties of Deputy Clerk of Court, to which I have been appointed according to law and the best of my ability.

Dana L. Hartshorn

Sworn to and subscribed in my presence this 2nd day of October 1911. John C. Hartshorn, Clerk of Court.

In the Court of Common Pleas for Union Co. Ohio.

9117 — Marie C. Welch et al, Plaintiffs
vs
Richard Welch et al Defendants. | No. 9117

Trial — This cause now coming on for hearing, was submitted to the Court upon the pleadings and the evidence. The Court having heard the evidence in full, the Court took the matters at issue under advisement.

Sept. 12, 1911

Daniel Mc Caffery Sons Co, Plaintiff
vs
9186 — Birt Mathers, Defendant | No. 9186

Motion — This cause being heard on the demurrer to the petition the Court on consideration, overruled the same. Leave granted Defendants to answer within — days.

Court adjourned until Tuesday Oct. 3, 1911 at 9 o'clock A. M.

Tuesday October 3, 1911 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

Resignation notice of Cecil C. Watts filed. as Justice of the Peace for York Township

In the Court of Common Pleas for Union Co. Ohio.

Marie C. Welch et al,
Plaintiffs,
vs
Richard Welch et al,
Defendants.

9117 — No. 9117

Trial

This day this cause came on again for hearing. The evidence being completed, the Court took the matters at issued under advisement.

Sept. 25, 1911.

Walter D. Bee,
Plaintiff,
vs
Ruth D. Kezertee et al
Defendants.

9165 — No. 9165

Motion

This day Plaintiff is granted leave to file reply to answer of Clay Kezertee.

Sept. 26, 1911.

9212

J. F. Stallsmith et al,
Plaintiff,
vs
Arthur Webb et al
Defendants.

Motion — No. 9212

This day leave is granted Plaintiff to amend petition and to substitute the Board of Commissioners instead of individuals, by Oct. 2, 1911.

J. F. Stallsmith et al
Plaintiff
vs
Arthur Webb et al
Defendants

9213 — No. 9213

Motion

This day leave is granted Plaintiff to amend petition and to substitute the Board of County Commissioners instead of individuals.

Court adjourned until Wednesday Oct. 4, 1911 at 9 o'clock A.M.

Wednesday October 4, 1911, Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge

The following list of members and contributing members of Co. E. 4th Infantry O. N. G. was filed by John T. Snitzler, Capt.
Officers: John T. Snitzler, Captain; Abe Newlove, 1st Lieut; Angus McIvor, 2nd Lieut.

Enlisted men:

Sergeants, Herman Doellinger, Orval Wharton, John L. Porter, Gilbert Belt, Marsten Bidwell, Albert Pearse, Corp. Harry Bugg, Edward Coleman, Asa Lee, Tony Pfarr, Robt. Beightler, John Smallwood, Louis Ferrell, Musician, Wm. Sellers, Robt Macdonald, Cook, Chester Carder, Harry Amrine, Privates, Dana Evans, Arthur Brooker, Earl B. Maves, Archie Fulton, Wm. Easterday, Robt. Porter, Elver Covey, John Dodge, Oakley Finch, Ray Baumgardner, Harrison Waeke, Ralph L. Pingrey, Chas. Strowbridge, Fred Easterday, Harry Brown, Don Drehorst, Louis Donley, John Ford, Wm. Drahood, George Doellinger, Lloyd Huffman, Boyd Huffman, Andrew Reed, Kenneth Pounds, John Niebler, Ernest Robinson, Cyril Jewell, George Niebler, Luther Ebright, Harry Hickey, Mike Gundeman, J. W. Machling, Meade Robinson, Asa Harvey, Rapph Clark, Ray Hannawalt, Henry Green, Elias Mitchell, Riley James, Luther Liggett, Max Hornby, Robt. Smith, Walter Eichenein, George Easterday, John J. Butler, Pearl Seamen, Paul Sellers, O. E. Evans, Chester A. Bartholomew,

Contributing Members:

R. L. Cameron, H. E. Conkright, H. G. Southard, Milton Haines, N. E. Liggett, A. L. Dickson, A. G. Kirby Jr., John N. Laird, G. E. Whitney, E. H. Hammer, George Edwards, L. J. Zwerner, James Robinson, C. D. Webb, C. A. Holycross, John Shearer, Joe Foley, N. V. Elliott, J. H. Willis, C. A. Mullen, J. M. Lentz, C. A. White, J. C. Kennedy, F. M. Galloway, E. G. McCann, E. F. Brant, E. F. Healey, Geo. M. Wilber, Guy Scott, Herman Nicol, Edwin Gueckert, Homer Southard, C. E. Rosette, E. F. Sawyer, R. C. Lentz, Walter Otte, Clarence Perfect, A. F. Twitchell, H. N. Morey, C. W. Hoopes, S. E. McIntyre, Robert H. Guy, F. D. Longbrake, Charles Brain, Hiram Guy, Bert J. Shelton, Chas. Morlock, Alvi Graham, L. M. Hazen, Court Wilkins, O. H. Thorpe, Earl Harvey, M. S. Peel, B. F. Carneau, C. E. Brooks, M. P. Beightler, M. O. Shearer, C. A. Chapman, J. M. Monroe, John Loughery, Brough Dunham, Herbert Spicer, Mr. Huffman, Erdean McCloud, Harry Spurling, D. G. Scott, M. E. Peppard, J. L. Reagle, M. P. O'Brien, H. R. Midman, Homer Mitchell.

Court adjourned until Thursday Oct. 5, 1911 at 9 o'clock A. M.

Thursday October 5, 1911 Court convened at 9 o'clock A. M.
Present John M. Brodrick, Judge.

Sept. 26, 1911

9211 — John Wooton, Plaintiff. vs John F. Stallsmith, Defendant. — No. 9211.

Motion — This day leave is granted Defendant to file an answer instanter.

9224 — John Dilsaver, Plaintiff. vs The Board of County Commissioners, Union Co. O — No. 9224

Motion — This day leave is granted Plaintiff to file an amended petition by Oct. 2, 1911.

9207 Demurre

Court adjourned to Friday October 6, 1911 at 9 o'clock A. M.

Friday October 6, 1911 - Court convened at 9 o'clock A. M.
Present John M. Brodrick, Judge.

Court of Common Pleas, Union Co. O.

Roxana J. Turner,
Plaintiff
vs
Otto F. Turner et al
Defendant

No. 9207

upon the demurrer This day this cause came to be heard
upon the demurrer of the Defendants to the petition and
9207 upon consideration the Court doth sustain said demurrer,
and the Plaintiff not desiring to amend or plead further,
Demurrer It is therefore considered that said Defendants go hence
without day and recover of said Plaintiff their costs of
this suit To all of which the Plaintiff excepts.

John M. Brodrick, Judge

Court adjourned until Saturday October 7, 1911 at 9 o'clock A.M.

Saturday October 7, 1911. Court convened at 9 o'clock A. M.
Present John M. Brodrick, Judge.

Court of Common Pleas, Union Co. Ohio.

Elizbeth Blumenschine,
Plaintiff.

9225 vs

Earl Blumenschine, et al
Defendants

No. 9225

Order of Partition.

Order of Partition

This cause came on to be heard upon the answer of the guardian for the suit for said minor defendants 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, pendancy 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 W. H. Kolleprath, attorney for said plaintiff, that by the oath of Peter Scheiderer, Casper Ruhl and Jacob Fisher, judicious disinterested freeholders of the vicinity upon actual view of the premises, one-half part of said lands in said petition, described to the widow Elizebeth Blumenschine, and also one-third interest in the half of said lands in the petition described, be assigned and set off to the said widow, Elizbeth Blumenschine as her dower estate, therein, one-fourth interest in said remaining lands to Earl H. Blumenschine. To Dora E. Blumenschine one-fourth interest, To Walter Blumenschine one-fourth interest, and to Bertha A. Blumenschine, one-fourth interest in said lands, described in the petition, And that by the like oaths of the same Peter Scheiderer, Casper Ruhl and Jacob Fisher upon actual view, partition, be made of said lands subject to said dower estate, one-half of said lands to widow also one-fourth to Earl H. Blumenschine, one-fourth to Dora E. Blumenschine, one-fourth interest to Walter P. Blumenschine and one-fourth interest to Bertha A. Blumenschine, subject to said dower estate, in the said one-half of said lands, if the same 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 Co. commanding him to cause said dower to be assigned and said partition to be made accordingly.

Oct. 7, 1911-

9220

Decre

Divor

Oct. 7, 1911 - Con.

In the Common Pleas Court in and for
Union County, Ohio.

9220 Ethel S. Woodruff,
Plaintiff.

Decree vs No. 9220

Divorce John E. Woodruff,
Defendant.

Now came the Plaintiff, and the Defendant having been served with summons and copy of the petition herein, and having failed to appear, the Court find him in default for answer and demurrer to said petition, and 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 has been guilty of gross neglect of duty and extreme cruelty in that on June 12, 1909, he abandoned the Plaintiff and has not contributed anything toward her support, and that since that date, she has been entirely dependent on her own exertions to make a living, as well as certain other satisfactory to the Court not alleged in the petition, and that by reason thereof the Plaintiff is entitled to divorce as prayed for.

It is therefore, Ordered and adjudged by the Court that the marriage contract heretofore existing between the said Ethel S. Woodruff and John E. Woodruff be and the same is hereby dissolved, and both parties are released from the obligations of the same.

It is further considered by the Court, that the said Plaintiff recover from the said Defendant her costs herein expended.

Court adjourned until Monday morning at 9 o'clock A.M.

Monday Morning October 9, 1911 - Court convened at 9 o'clock a.m
Present Honorable John M. Brodrick, Judge.

No. 9153 Trial

James N. Heath,
Plaintiff,
vs
Arthur Webb et al
as Commissioners of Union Co. O
Defendants.

No. 9153

Trial

9153

Trial

This day came the parties herein, by their attorneys; also came the following named persons as jurors, to-wit: H. H. Hammer, Louis Rupright, Noah Huffman, I. N. Robertson, W. H. Sidle, F. A. Martin, Fred Smith, Marshall Laugstaff, B. W. Converse, Sylvester Southard, H. C. Vosbury, and W. L. Blaney who were duly impaneled and sworn according to law; and thereupon the cause came on for hearing on the pleadings and evidence.

And the said jury having heard the testimony in part, said cause was continued until to-morrow morning at 9 o'clock

Court adjourned until Tuesday morning at 9 o'clock

Tuesday morning October 10, 1911- Court convened at 9 o'clock.
Present Honorable John M. Brodrick, Judge.

	James N. Heath vs Plaintiff Arthur Webb et al as Commissioners of Union Co. O. Defendants.	
9153		No. 9153 - Trial
Trial		

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 in part, said cause was continued until to-morrow morning at 9 o'clock.

Court adjourned until Wednesday morning at 9 o'clock.

Wednesday morning Oct. 11, 1911, Court convened at 9 o'clock,
Present Honorable John M. Brodrick, Judge,

9153 — Trial

James N. Heath,
Plaintiff.
vs
Arthur Webb et al,
as Commissioners Union Co. O.
Defendants.

No. 9153

Trial

This day came again 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 complete, said cause was continued until to-morrow morning at 9 o'clock to hear the argument and the charge of the Court,

Court of Common Pleas, Union Co. O.

9154 — Demurrer — Sustained

The International Harvester Co.
Plaintiff
vs
Charles H. Westlake et al,
Defendants

No. 9154

This cause being heard on the demurrer, to the petition, the Court does, on consideration, sustain the same, on the ground that the petition fails to state how Defendant, Chas. H. Westlake, has any interest in the lands except by a mere conclusion of fact, and on motion, plaintiff is allowed thirty days to amend its petition.

Court of Common Pleas Union County, Ohio.

9164 — Demurrer — Sustained

The International Harvester Co.
of America,
Plaintiff,
vs
J. N. Westlake et al,
Defendants,

No. 9164

This cause being heard on the demurrer to the petition, the Court does on consideration, sustain the same, on the ground that the petition fails to state how the Defendant, J. N. Westlake, has any interest in the lands except by a mere conclusion of fact; and on motion plaintiff is allowed thirty day in which to amend its said petition

Court Adjourned until Thursday morning at 9 o'clock,

9153 — Trial — Judgment

Thursday morning October 12, 1911- Court convened at 9 o'clock.
Present Honorable John M. Brodrick, Judge.

James W. Heath
Plaintiff.
vs
9153 Arthur Webb et al
as Commissioners of Union Co. O.
Defendants.

No. 9153 - Trial

Trial 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 complete, 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, as Say: "We, the Jury, being duly impaneled and sworn and affirmed, find the issues in this case for the Defendant.
Dated Oct. 12, 1911. W. H. Sidle, Foreman.

Court adjourned until Friday Morning Oct. 13, 1911 at 9 A. M.

Friday morning October 13, 1911, Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

James W. Heath,
9153 Plaintiff.
vs
Judgment Arthur Webb et al
Defendants.

No. 9153

This cause being heard on the motion of Plaintiff for a new trial, the Court on consideration overrules the same to which the Plaintiff excepts.

It is therefore considered by the Court that the said Defendants go hence without day and recover from the said Plaintiff the costs herein expended.
Ok John M. Brodrick Judge

Court adjourned until Saturday Oct. 14, 1911 at 9 o'clock A. M.

Saturday October 14, 1911- Court convened at 9 o'clock A.M.
Present Honorable John M. Brodrick, Judge

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

Appointment of Examiners — In the Matter of the Report of the County Commissioners Union Co. Ohio | Mis. Entry

Com. Report — The County Commissioners of this County, having filed in this court on the 18th day of September 1911, their annual report as provided by Section No. 917 Revised Statutes of Ohio, Now Code Section No. 2507,
then It is hereby ordered that said Report be investigated by the Prosecuting Attorney of said County, together with P. H. Smith and L. F. Blue two suitable persons, who are hereby appointed by the Court for that purpose.

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

Court of Common Pleas Union Co. Ohio,

Elizbeth Blumenschine Plaintiff. vs Carl H. Blumenschine et al Defendants | 9225 | Order Confirm. Election and Distribution.

9179

9225 — On motion to the Court by W. H. Tollefrath, attorney for the Plaintiff and upon producing the proceedings of the Sheriff, and the report and proceedings of the commissioners hereinbefore appointed and the same being examined, it is ordered by the Court that said proceedings and report be and the same are hereby approved and confirmed and thereupon the said Elizbeth Blumenschine electing to take said estate at the said valuation of said commissioners to-wit the sum of $6000.00 dollars and she having paid to the satisfaction of the Court or secured to be paid to the said Carl H, Dora E., Walter F., and Bertha A. Blumenschine their respective portions of the appraised value thereof, the said estate is hereby adjudged to the said Elizbeth Blumenschine, and the said Sheriff is ordered by the Court to execute a deed in fee simple for the same to the said Elizbeth Blumenschine according to the statute in such cases made and provided.

Demurrer

Distribution — And the Court coming now to distribute the proceeds of said sale amounting to the sum of six thousand dollars, it is ordered that the Sheriff out of such proceeds pay.

1st The costs and expenses of this action including a counsel fee of $240.00 to W. H. Tollefrath, taxed at $22.00.

2nd To the plaintiff Elizbeth Blumenschine, the full one-half of the remainder.

9195

Allowance

Alimony

3rd To the said Plaintiff the sum of $766.26 as and for the value of her dower interest in the one-half of said premises,
4th To the duly appointed guardian of said defendants, Carl H. Blumenschine, Walter F. Blumenschine, Dora E. Blumenschine and Bertha A. Blumenschine the remainder of said proceeds - to each the one-fourth part thereof, viz. $ ——

John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

Hester Smith,
Plaintiff.
vs
Frank Kegerice et al
Defendants.

No. 9201
Order to Sell Without Revaluation.

It appearing to the Court that the property described in the petition has been once offered for sale, and not sold for want of bidders, now on motion, and it being deemed expedient for the interest of all concerned, it is ordered that said property be sold without revaluation, but at not less than two-thirds of the formerly appraised value; and that an order of sale issue to the Sheriff accordingly.

9179
Demurrer
9195
Allowance
Alimony

Charles McNeil,
Plaintiff.
vs
The Marysville Wire Fence and Lumber Co.
Defendant.

No. 9179

This cause being heard on the demurrer to the petition, the same is sustained and leave granted Plaintiff to file an amended petition within thirty days. To which the Plaintiff excepted.

Wayne McLean,
Plaintiff.
vs
Orville B. McLean,
Defendant.

No. 9195

On motion of the Plaintiff herein, by her attorney, and good cause being shown,
It is hereby ordered that she be allowed temporary alimony to the amount of Fifty dollars payable: Twenty-five Dollars on the 1st day of November 1911 and Twenty-five Dollars on the 1st day of December 1911.

Court adjourned until Tuesday Oct. 17, 1911 at 9 o'clock A.M.

Tuesday October 17, 1911 - Court ~~not in session~~ at 9 o'clock A. M.
Present
Probate Court, Union County, Ohio
October 17, 1911

Dimes

Holding

C.P.

Court.

Sherman Hill,
Plaintiff,
vs
Laura Mc Entire
John A. Potts and
Hattie E. Potts
Defendants

No. 9231

In the Common Pleas Court of said County.

9231

Action for Inj. and Specific Performance Contract.

This day came the Plaintiff by Hoopes, Robinson and Hoopes his attorneys, and it appearing that the Judge of the Common Pleas Court, in which court the above action is pending, are absent from the County, this cause came on to be heard 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 Laura Mc Entire from conveying the premises described in plaintiff's petition to the defendants John A. Potts and Hattie E. Potts or to any one else prior to the 2nd day of April 1912, and restraining the defendants John A. Potts and Hattie E. Potts from receiving a conveyance of said premises prior to the 2nd day of April 1912 and restraining all of said defendants from interfering with this plaintiff in the possession of said premises, upon the said plaintiff giving to said defendants an undertaking, executed by sufficient surety in the sum of five hundred ($500.00) conditioned and to be approved as required by law.

Temporary Injunction

Dudley E. Thornton
Probate Judge.

Filed Oct. 15, 1912

Donohoe & Turner,
Plaintiffs,
vs
John L. Loughrey, Guard.
Grant Douglass, et al.
Defendants

No. 9256.

9256

Dismissed

This day came the attorney for the Plaintiff, paid the costs and dismissed this action without record.

Times for Holding Common Pleas Courts A. D. 1912

Times Holding C.P. Court.

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 1912 be fixed as follows, to-wit:

Crawford County on the 29 day of Jan., and the 13 day of May and the 14 day of Oct.
Hancock " " " 8 " " Jan. " " 8 " " April " " 9 " " Sept.
Hardin " " " 5 " " Feb. " " 6 " " May " " 14 " " Oct.
Logan " " " 12 " " Feb. " " 13 " " May " " 14 " " Oct.
Marion " " " 29 " " Jan. " " 13 " " May " " 14 " " Oct.
Seneca " " " 8 " " Jan. " " 8 " " April " " 9 " " Sept.
Union " " " 8 " " Jan. " " 8 " " April " " 9 " " Sept.
Wood " " " 8 " " Jan. " " 8 " " April " " 9 " " Sept.
Wyandot " " " 19 " " Feb. " " 3 " " June " " 16 " " Sept.

It is further ordered that the courts of first sub-division be held by Judges Frank A. Baldwin, William P. Henderson and William F. Duncan.

That the courts of second sub-division be held by Judges Daniel Babst and William E. Scofield.

That the courts of the third sub-division be held by John M. Brodrick.

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

Wm. P. Henderson,
Daniel Babst
Wm. F. Duncan
Frank A. Baldwin
William E. Scofield
John M. Brodrick
Judges Tenth Judicial District

Dated at Marion Ohio, this 17th day of October A. D. 1911.

Court adjourned until Friday October 27, 1911 at 9 o'clock A. M.

Friday October 27, 1911, Court convened at 9 o'clock A.M.
Present Honorable John M. Brodrick, Judge.

Common Pleas Court, Union County, Ohio.

9170

The Citizens Home and Savings Co.
Plaintiff.
vs
William C Wharton et al,
Defendants.

No. 9192

Decree

9192

Motion

On motion of the Defendant, W. Guy Jones, leave is granted said Defendant to file an answer and cross petition instanter.

John M. Brodrick, Judge.

Filed Oct. 22, 1912

Corrine Snider Hall,
Plaintiff.
vs
Flora Snider et al,
Defendants.

No. 9338.

Confirmation

This cause came on for hearing on motion to Court by John H. Kinkade, attorney for the plaintiff, and upon producing

Distribution

the proceedings of the Sheriff, and the sale of the premises by him made in pursuance of a former order of the Court, and the same being examined 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 that said Sheriff execute and deliver to said purchaser, Flora Snider, upon full compliance by her with the terms of such sale, a deed in fee simple for said lands and tenements by him sold as aforesaid free of Dower, taxes and street assessments, and

It is further ordered by the Court, that out of the moneys in the hands of the Sheriff, that he pay: 1- The costs and expense of this action $46.83; 2- And an attorney fee to John H. Kinkade, Atty for Plff $94.61; 3- To the County Treasurer, the years taxes a lien $38.42; 4- To Village of Marysville, St. assessments on premises $134.14; 5- To guardian of Susan Snider, widow, dower interest cash $288.12; 6- To Corrine Snider Hall, Plaintiff 1/7 of remainder $180.68; 7- To Mary Snider Byrd, defendant 1/7, $180.69; 8- To Bertie Snider Lloyd, defendant 1/7, $180.69; 9- To Phillip Snider, defendant 1/7, $180.68; 10- To Harriett Snider, 1/7, $180.68; 11- To Flora Snider as guardian of John T. Snider, 1/7, $180.68; 12- To Flora Snider in her own right, 1/7, $180.68, Total $1867.00.

The Court determines and fixes widow's dower interest in cash as above stated and also determines that the other defendants named are by these proceedings divested of all and any rights herein.

OK John M. Brodrick, Judge

Court adjourned until Saturday Oct. 28, 1911 at 9 o'clock A.M

Saturday October 28, 1911, Court convened at 9 o'clock A.M.
Present Honorable John M. Brodrick, Judge.

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

9170 Everet V. Robinson,
Plaintiff,
Decree vs
Mamie Robison,
Defendant.

No. 9170

Decree of Divorce.

Now came the plaintiff and the defendant having been legally summoned by publication, 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 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 willful absence from the plaintiff for more than three years prior to the date of filing his petition, and for gross neglect of duty towards this plaintiff for more than three years previous to the filing of his petition herein, 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 between the said Everet V. Robison and Mamie Robison 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 said plaintiff pay his own and all costs in this action.

John M. Brodrick, Judge.

In the Court of Common Pleas, Union County O.

Ira N. Mitchell, Plaintiff
vs
Blanch Mitchell, Defendant

No. 9226.

Now comes the Plaintiff herein, and the Defendant being in default for answer and demurrer, the Court find that she has not been guilty of gross neglect of duty as charged by the Plaintiff, but is guilty of willful absence only, and that three years have not expired as required by statute to entitle Plaintiff on that ground.

It is therefore considered by the Court that the petition herein be dismissed at the cost of the said Ira N. Mitchell.

John M. Brodrick, Judge.

Oct. 28, 1911

In the Court of Common of Union County Ohio.

The Citizens Home and Savings Co.
Plaintiff,
vs
Wm. C. Wharton,
W. Guy Jones and
Charles H. Wiltsee,
Defendants

No. 9192

9192

Sale

Confirmed

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 herein, and the Court, on careful examination of the proceedings of the said Sheriff, being satisfied that the same has been had in all respects in conformity to law and the orders of this Court, it is ordered that the said proceedings and sale be, and they are hereby approved and confirmed. And it is further ordered that the said Sheriff convey to the purchaser John L. Kuhlman by deed according to law the property so sold to him; and the said purchaser is hereby subrogated to all the rights of the said lien holders in said premises so far as they may be paid herein, for the protection of his title, and a writ of possession is awarded to put said purchaser in possession of his said purchase.

It is further ordered that the Clerk cause satisfaction of the mortgage herein sued upon to be entered on the records thereof, in the office of the Recorder of Union County, Ohio.

It is further ordered that the distribution of the proceeds of said sale be reserved pending the further hearing of this cause.

John M. Brodrick, Judge.

Court adjourned until Thursday Nov. 2, 1911 at 9 o'clock a.m.

Thursday Nov. 2, 1911 - Court convened at 9 o'clock A. M
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union Co. Ohio.

9236 — Cleo T. Florence, Plaintiff

vs

Cognovit — Oscar Dixon
Lena Dixon
Judgment — Defendants.

No. 9236

Cognovit

This day came the Plaintiff by H. V. Spicer attorney; and filed her petition against said Defendants Oscar Dixon and Lena Dixon 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 Defendants, Oscar Dixon and Lena Dixon 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 Dollars ($200.00) bearing interest at 8% 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 Cleo T. Florence, Plaintiff do recover from said Oscar Dixon and Lena Dixon, Defendants, the sum of Two Hundred Dollars ($200.00) so as aforesaid confessed to be due, together with costs of suit herein to be taxed and with interest to be computed from the 1st day of Nov. 1911 at the rate of 8 per cent per annum.

And by virtue of said warrant of Attorney, all errors in this action, judgment and proceedings are released, and all right of appeal, and all right to file a petition in error are waived.

John M. Brodrick, Judge.

Court adjourned until Saturday Nov. 4, 1911 at 9 o'clock, A. M.

Saturday Nov. 4, 1911 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

9154 International Harvester Co.
Plaintiff.
vs
Charles H. Westlake et al,
Defendants.
No. 9154

Motion On motion, Plaintiff was granted an extension of thirty days in which to file an amended petition.

9164 International Harvester Co.
Plaintiff
J. W. Westlake et al,
Defendants.
No. 9164

Motion On motion, Plaintiff was granted an extension of thirty days in which to file an amended petition.

Court adjourned until Monday Nov. 13, 1911 at 9 o'clock A. M.

9209

Decree

9117

Judgment

Monday November 13, 1911, Court convened at 9 o'clock A.M.
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio.

9209 Decree

Mable M. Miller,
Plaintiff.
vs
William W. Miller,
Defendant.

No. 9209
Decree of Divorce

This day this cause coming 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, Publication according to law, and failed to appear and is in default for answer or demurrer to petition, and the allegations in the same 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 22nd day of April 1904, as alleged in said petition, and one child was born to their marriage, Vera D. Miller, and that the Defendant has been guilty of gross neglect of duty, and willfull absence for more than three years, and also 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 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 care, education and control of said minor child, be and the same is hereby confided exclusively to the said Plaintiff, until further order by this Court. That the said Defendant is hereby enjoined from interfering in any manner with the said child. - It is further decreed that the said Plaintiff may have One Hundred Dollars ($100.00) alimony for her said cause and child. and that the Defendant pay the costs of this proceeding taxed at — $. and that this case be recorded.

John M. Brodrick, Judge.

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

9117 Judgment

Marie C. Welch and Walter S. Welch
Plaintiffs
vs
Richard D. Welch et al, Defendants

No. 9117
Judgment

This cause coming on for hearing on October 2, 1911, was submitted

to the Court upon the pleadings and the evidence, without the intervention of a jury, on consideration whereof the Court find on the issue joined for the Plaintiffs, and the Court further find that the Defendants, Richard D. Welch and Amelia Welch, his wife, and Nellie Welch and Heber C. Welch her husband her husband, did obtain from the Plaintiff the deed of conveyance to the following described property, to-wit: Situated in the County of Union in the State of Ohio, and in the Township of Darby, and being a part of Survey No. 5139 and bounded as follows: Beginning at a stone in the South line of said survey and S.W. corner to a lot of twenty acres in the name of Eli Mc. Neir; thence with the South line of said survey N. 62¼° W. 110.30 poles to a stone (witness a small hickory); thence N. 55¼° E. 18 poles to a stone, N. 35° W. 103.30 poles to a stake; thence N. 55½° E. 86.25 poles to the center of the Sagerville Road; thence with said road S. 40½° E., 100.60 poles to a large stone with pieces of brick under it; thence N. 55½° E. 3.30 poles to a stone with pieces of brick under it; thence S. 35½° E. 100.50 poles (passing P.S. Blumenschine corner at 2 poles) to a stone, northerly corner to said Eli Mc. Neir lot of twenty acres; thence with his line S. 56¾° W. 66.25 poles to the place of beginning, containing one hundred and fourteen acres of land be the same more or less, as in the petition described, by fraud and misrepresentation, as the plaintiffs have in their petition alleged.

9228 Partition

It is therefore adjudged and decreed that the said deed of conveyance from Maria C. Welch and Walter S. Welch her husband to Richard D. Welch and Nellie Welch, be and the same is hereby, set aside, vacated, and declared to be of no force or effect in law to affect the title of said premises, or to convey the same to the said defendants.

And it appearing to the Court that the said Richard D. Welch and Amelia Welch have heretofore reconveyed the undivided one-half of said premises to said plaintiffs it is considered and adjudged by the Court that the plaintiffs recover of the defendants Nellie Welch and Heber C. Welch their costs herein expended taxed at $____.

John M. Brodrick, Judge.

In the Court of Common Pleas, Union Co. O,

9188 Judgment

Wm. L. Baldwin
Plaintiff
vs
Susan I. Goff, et al
Defendants.

No. 9188

This cause coming on for hearing the Court finds that the parties hereto have agreed that the Defendants are indebted to the Plaintiff upon the matters and things set forth in the petition in the sum of $125.00 which sum the Plaintiff has agreed to accept as payment in full and said Plaintiff has agreed to pay the costs. It is therefore ordered and adjudged that

the Plaintiff recover of the Defendants the sum of $125.00 and that the Plaintiff pay the costs taxed at $5.00. No record to be made.

Approved John H. Willis
Attorney for Plaintiff.

9228 Partition

Eli M. Keeran,
Plaintiff,
vs
Wm N. Keeran et al
Defendants

No. 9228

Now came the parties herein, by their attorneys, and thereupon this cause came on to be heard upon the petition, the answer of the defendant Eva Keeran, deceased Levi Keeran's widow, and also the answer of Thomas Stillings, who claimed a lien against the defendant, William N. Keeran's interest in said estate in the petition and answer described, and all other defendants being in default for answer and demurrer, and it appearing from the said answer of the defendant Eva Keeran, that together with the other defendants admit the truth of the petition of the, and unite in asking partition of the premises in the answer of the said Eva Keeran, described.

The Court thereupon find that the said Eva Keeran, widow of Levi Keeran deceased, is entitled to dower in one half of 50 acres in the petition described, and also to dower in the premises in the answer of the defendant, Eva Keeran, described, and that subject thereto the said plaintiff, Eli M. Keeran, is seized of, and has a legal right to the undivided One Sixth (6th) part of the estate described in petition and also in that described in the answer of defendant Eva Keeran, and is entitled to have partition made of said premises; that the defendants, William N. Keeran, Albert Keeran, Louie Burkepile, Robert Keeran and Pearl Merritt, are tenants in common with the plaintiff in the said premises in the following proportions to-wit, that subject to such dower of the said Eva Keeran in the half of the lands described in plaintiff's petition and in the whole of the premises described in answer of the said Eva Keeran, the said Eli M. Keeran is seized of, and has a legal right to, the undivided One Sixth (⅙) part thereof, and the said Albert Keeran to the undivided One (⅙) Sixth part thereof; and William N. Keeran to the undivided ⅙ part thereof; and to the said Robert Keeran the undivided ⅙ part thereof; and to the said Louie Burkepile, the undivided ⅙ part thereof, and to the said Pearl Merritt the undivided ⅙ part thereof.

The Court further find, upon the evidence shown, that the said defendant John Knotts, widower of Eva Keeran Knotts, has no interest at dower or otherwise in any part of the said estate; that the said defendants Imo Knox, Clyde Knotts, Ellen Knotts, Hazel Knotts, and Mary Knotts and John Madison Knotts have no interest in the said premises in the petition described

neither in the premises in the answer of the said Eva Keeran said widow, and it is shown to the satisfaction of the Court that there is sufficient personal property to pay all debts against said estate, And no reason appearing why partition should not be made.

It is therefore ordered, adjudged and decreed that the said Eva Keeran be endowed of one equal third (1/3) part of 25 acres of the land described in plaintiffs petition, and of the full 1/3 part of the premises described in the answer of the defendant, Evan Keeran and that subject thereto partition of said entire estate be made, and that an order issue to the Sheriff of the said County of Union, commanding him that by the oaths of James W. Field, Sylvanus Belleville and W. B. Smith, three judicious and disinterested freeholders of the vicinity, who are not of kin to either party and who are hereby appointed commissioners for that purpose he set off and assign such dower to the said Eva Keeran according to law, and by the like oaths of the said named commissioners said premises, he cause to be set off and divided to the said plaintiff and to the said defendants, William W. Keeran, Robert Keeran, Louie Burkepile, Albert Keeran and Pearl Merritt the part and proportion of the said estate to which they are hereinbefore severaly found entitled.

And it it is ordered that if in the opinion of said commissioners, said premises can not be divided by metes and bounds without injury to the value thereof, they appraise the same free from the dower of the said Eva Keeran.

And of his proceedings herein the said Sheriff is ordered to make due return without unnecessary delay.

T. A. Thompson Atty
T. T. Arthur Atty.

9245

Judgmen

9246

Judgmen

Court adjourned until Saturday November 18, 1911 at 9 o'clock a.m.

Saturday November 18, 1911 - Court convened at 9 o'clock A.M.
Present Honorable John M. Brodrick, Judge.

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

9245 Judgment

M. N. Hill,
Plaintiff.
vs
Etta J. Drumm,
A. E. Drumm.
Defendants.

No. 9245

This day came the Plaintiff by his attorney; also appeared in open court, for and on behalf of said defendants N. 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 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 forty-nine (249) dollars and fifty-five (55) 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 249 dollars and 55 cents being the amount of said note with interest computed at six per cent per annum, from the 18th day of November 1911; and also his costs herein, taxed at $____.

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

9246 Judgment

M. N. Hill,
Plaintiff.
vs
Wray Maugans,
D. M. Crider,
Defendants

No. 9246

This day came the plaintiff, by his attorney; also appeared in open court, for and on behalf of said defendants, N. 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 One Hundred and Fifty-two dollars, being the amount of the principal and interest due on said note, and 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 and Fifty-two Dollars, being the amount of said note with interest computed at 6% per annum from the 18th day of November 1911; and also costs herein expended, taxed at $——.

9155

Motion

Court of Common Pleas, Union County, Ohio.

9215

Dina Nelson,
Plaintiff

Decree

vs

No. 9215.

Roy Nelson,
Defendant.

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 demurrer or answer to the petition and that the allegations therein are confessed by him to true, 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 24th day of December 1905, as alleged in said petition, that two children were born of said marriage, Virgil Nelson aged 5 years and Ruth Nelson aged 2 years, 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.

9244

Motion

It is therefore ordered, adjudged and decreed that the 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 awarded the care, custody and control of said children until the further order of this court.

It is further ordered, adjudged and decreed that defendant pay to plaintiff as her reasonable alimony the sum of ~~$100.00~~ $200.00, payable as follows: twenty-five dollars on or before Jan. 1, 1912; and twenty-five dollars on the first day of every second month thereafter until said sum is paid in full. In default of any of said payments for a period of three or more day, execution may issue therefore.

It is further ordered that the defendant pay the costs of this proceeding, taxed at $7.39, and that this case be recorded.

John M. Brodrick, Judge.

In the Court of Common Pleas, Union Co. O.

9155 — Frank G. Kelley, Plaintiff. vs Cleveland, Cincinnati, Chicago & St. Louis Ry. Defendants. — No. 9155

Motion

This day came the parties by their attorneys and submitted this cause to the Court, upon the motion of the defendant, to require the plaintiff to give security for costs, and the Court on the consideration thereof being fully advised in the premises sustains said motion and it is ordered by the Court that unless the plaintiff shall give security for costs in this action on or before the 18th day of December 1911, that this action stand dismissed.

Approved: John L. Loughry, J.L. Cameron Atty

In the Court of Common Pleas, Union Co. Ohio

9244 — Mary Mulvain, Plaintiff. vs Hamilton Mulvain, Defendant. — No. 9244.

Motion

This cause came on for hearing upon the motion of the plaintiff herein for an allowance of alimony pendente lite and upon 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 for her expenses in conducting this action; payable on the first day of December, 1911, and fifteen dollars on the first day of the month until this cause is finally disposed of.

It is therefore ordered and adjudged that the said Hamilton Mulvain pay to the said Mary Mulvain or to her attorneys, Hoopes, Robinson & Hoopes the sum of $15.00 on or before the first day of December 1911, and also the sum of $15.00 upon the first day of each and every month during the continuance of this action, and in default of any such payment for three days days, execution is allowed to issue therefor.

In the Matter of the application of Cad Price, Sheriff, for additional ~~Transfer~~ to Sheriff's Fee Fund. — Union County Ohio Court of Common Pleas.

This day came Cad Price, Sheriff of Union County Ohio, and filed herein his application for an additional allowance in order to carry on the business of his office. Thereupon on this day said application came on for hearing before the Honorable John M. Brodrick a judge of the Court of Common Pleas of said County and wherein said Sheriff was elected. On consideration whereof said John M. Brodrick as such Judge as aforesaid finds that under the General

Code of Ohio, it is necessary for an allowance of six hundred dollars for deputy assistants, book keepers and Clerks for said office; that under said General Code only three hundred and seventy-seven dollars and sixty-six cents can be allowed for such purpose, and the Court finds that a necessity exists for an additional allowance of two-hundred and twenty-two dollars and thirty-four cents.

It is therefore considered and ordered by said Court, John M. Brodrick as such Judge of said Court, that there be, and hereby is allowed to said Sheriff's office an allowance of two hundred and twenty-two dollars and thirty-four cents as provided in Section 2980-1 of the General Code of Ohio in the Laws of Ohio Vol. 102 page 136.

John M. Brodrick, Judge.

In the Court of Common Pleas Union Co, Ohio.

9236	Cleo T. Florence, Plaintiff. vs Oscar Dixon Lena Dixon Defendants.	No. 9236.
Settled		Entry filed Nov. 20, 1911.

This day came the Plaintiff's attorney and entered satisfaction of judgment in this case. Recalled execution. No record.

9234

Motion

9212

Motion

9213

Motion

9224

Motion

9231

Motion

Court adjourned until Saturday November 25th 1911 at 9 o'clock a.m

Saturday November 25, 1911 - Court convened at 9 o'clock A. M
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas Union Co. Ohio.

9234 Motion — The Union Banking Co. Plaintiff vs William C. Wharton et al, Defendants. No. 9234

This day upon application, leave was granted W. H. Longbrake, Orville Merriott and D. C. Danforth as Infirmary Directors of Union Co, Ohio, to be parties defendants herein and with leave to file answer and cross-petition instanter.

9212 Motion — J. F. Stallsmith Plaintiff. vs Arthur Webb et al, Defendants. No. 9212

This day on motion, leave was granted defendants to file answer to amended petition and the same filed.

9213 Motion — J. F. Stallsmith Plaintiff. vs Arthur Webb et al Defendants No. 9213.

This day on motion, leave was granted defendants to file answer to amended petition.

9224 Motion — John Dilsaver Plaintiff. vs The Board of Co. Com. Union Co. O. Defendants. No. 9224

This day on motion, leave was granted defendants to file answer and same filed.

9231 Motion — Sherman Hill. Plaintiff. vs Laura Mc Entire et al Defendants No. 9231

This day on motion, leave was granted John A. Potts and Hattie E. Potts to file answer and same filed. Leave to Laura Mc Entire to file answer and cross-petition within three days, granted.

Court adjourned until Saturday Dec. 2, 1911 at 9 o'clock A. M

Saturday December 2, 1911- Court convened at 9 oclock A.M.
Present John M. Brodrick, Judge

In Court of Common Pleas, Union Co. O.

9250 Nancy Ross et al.
Plaintiffs

Motion vs

The Board of Commissioners
Union Co. O.

Defendants

No. 9250

9201

Distribut

Now comes the plaintiffs and take leave of court to amend their petition instanter by interlining therein as follows: In the prayer second line change Baumford Ditch to Baumgardner County Ditch No. 973 And immediately preceding the prayer the following words: If the said proposed assessment is allowed to stand the 59 acres will be assessed $223.61 too much and not according the benefits derived from said ditch, as said ditch will not benefit said 59 acres so threatened to be assessed with the said $223.61. It will cut eight laterals of the said County ditch which is already constructed and which county ditch is not more than three rods from the proposed ditch and which constructed ditch is in good working order and condition and all sufficient for damage purposes for said 59 acres and will greatly damage said laterals.

John M. Brodrick, Judge.

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

Oliver S. Johnson
Plaintiff,

vs

9257 Jay C. Johnson, et al
The Farmers and Merchants Bank,

Injunction Defendants.

No. 9257

9228

Distributio

I allow a temporary restraining order in the above action, as prayed for in the Plaintiffs petition, until the same can be further heard, a bond herein being dispensed with under the statute. Done this 2nd day of December 1911.

John M. Brodrick, Judge.

In the Court of Common Pleas, Union Co. O,

Hester Smith,
Plaintiff
vs
Frank Kezertee, et al
Defendant

No. 9201.

9201
Distribution

On motion of the plaintiff, and upon producing the return of the Sheriff of his proceedings and sale, under the former order of this court, and the Court being satisfied on examination that the same have been had in all respects according to law, the said proceedings and sale are hereby approved and confirmed.

And the said Sheriff is ordered by deed duly executed to convey said premises to the purchaser, in fee simple, free of dower.

It is further ordered that out of the proceedings of said sale, the Sheriff pay - First, to the Treasurer of Union County, $47.15 being the taxes and penalty and assessment due on said premises. Second - to the clerk of this court the costs of this action, including a counsel fee of $58.20 to F. A. Thompson, for his services herein taxed at $76.41.

Thirdly - And of the residue of the proceeds of said sale, to the plaintiff, Hester Smith one-third (1/3) to-wit $262.74 and also one third each to the defendants, Frank Kezertee and Ethel Cochoneur, to-wit: to Frank Kezertee $262.73 also to Ethel Cochoneur $262.74.

F. A. Thompson, Atty for Plaintiff.

Eli M. Keeran,
Plaintiff.
vs
William N. Keeran, et al
Defendants.

9228
Distribution

No. 9228.

This cause came on for hearing upon the return of the Sheriff and report of the commissioners heretofore appointed herein, and on motion, to confirm the same and it appearing that said estate can not be divided by metes and bounds without manifest injury to the value thereof, and that said Commissioners have made and returned their appraisement of said premises free from the dower estate of the said Elizabeth E. Keeran, named in the pleadings as Eva Keeran, widow of the said Levi Keeran deceased in the sum of Four Thousand ($4000.00) dollars for the farm lands of Fifty (50) acres, and the sum of Fifteen Hundred ($1500.00) Dollars for the house and lot on Elwood Avenue, in the Village of Marysville, Ohio. 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 Eli M. Keeran has elected to take the said Fifty (50) acres of land at their appraised value the same are therefore, upon payment of the said sum of

of $4000.00, adjudged to him, and the Sheriff is ordered to convey said premises to him in fee simple. And it also appearing to the Court that the said Elizebeth E. Keeran, widow has elected to take the said house and lot as above named, on Elwood Avenue in the Village of Marysville Ohio, at the appraised value of the same, the same is therefore, upon payment of the sum of $1500.00, adjudged to her, and the Sheriff is ordered to convey said premises to her by deed in fee simple. It is further ordered, that out of the proceeds of said sale the Sheriff pay,

First, - to the trasurer of Union County $44.90, as taxes,

Secondly, - To the Clerk of this Court the costs of this action, including a counsel fee of $200.00 to F.A. Thompson for his services herein, and also including a counsel fee of $30.00 to F.T. Arthur for his services herein, taxed at $326.78.

Thirdly, - And the said Elizabeth E. Keeran having by her answer waived her dower by metes and bounds and asked that in lieu thereof its valuation be paid her in money, the Court find the just and reasonable value thereof of her said interest to be $670.00, and it is hereby ordered that she be paid the sum of $670.00, as and for her full dower interest in said premises.

Fourthly, - And the residue of said sale, to the plaintiff, Eli M. Keeran, One-sixth (1/6) of the proceeds, to-wit the sum of $-----,

To William N. Keeran, the sum of $ ——, out of which the Sheriff is ordered to pay to Thomas Stillings $212.28, in full of his judgment against said William N. Keeran, as set up in his cross-petition herein, leaving the balance of $—— to be paid to said William N. Keeran.

To Robert Keeran, Albert Keeran, Pearl Merrit, and Lewie Burkepile, each One-Sixth (1/6) of the proceeds to-wit, the sum of $ ——.

9253

Dismiss

9193

Trial

Court adjourned until Tuesday December 5, 1911 at 9 o'clock A.M.

Tuesday, December 5, 1911- Court convened at 9 o'clock a. m.
Present Honorable Daniel Babst, Judge.

9253	W. H. Dawkins Lumber Co. Plaintiff. vs	No. 9253
Dismissed	The Davis Chair Company. Defendants.	

This day this case was dismissed by Plaintiff's attorney.
No record.

9193	Warren & Southwick Car Co. Plaintiff. vs	No. 9193.
Trial	A. H. Fry, Defendant.	

This day came the parties herein by their attorneys; also came the following named as jurors, to-wit: H. H. Hamner, O. G. Jackson, John Fairbanks, Noah Huffman, I. N. Robertson, William Shipley, Clarence Wells, Fred Smith, Marshall Langstaff, B. F. Converse, G. F. Stokes and Andrew Ferree who being 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 evidence in part, said cause was continued until to-morrow morning at 8:30.

Court adjourned until to-morrow morning at 8:30

Wednesday December 6, 1911 - Court convened at 8:30 a.m.
Present Honorable Daniel Babst, Judge.

9193 Warren Southwick Car Co.
Plaintiff

Trial - Con. vs | No. 9193

A. H. Fry,
Defendant

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 Court Bailiff for deliberation.

And now come said jury into open court, and state that they are unable to agree upon a vridict.

Whereupon, they are by the Court discharged from further consideration of this cause and the case is continued.

Jury Discharged — Jury discharged sine die.

Order to draw Jury

9154 Motion

9238 Motion

Court adjourned until Saturday Dec. 9, 1911 at 9 o'clock A. M.

Saturday December 9, 1911 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

Order to Draw Grand and Petit Jury.

Court of Common Pleas, Union County, Ohio.
Term January 1912.

Order — To the Clerk of said Court:

to draw — You are directed to proceed according to law at 10 o'clock on Saturday the 9th day of December 1911, to draw from the Jury

Jury — Wheel of Union County, the names of Thirty three persons to serve as as Grand and Petit Jurors for the January Term 1912, 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 18 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 Ohio in said County, at ten o'clock A. M. on Monday the 8th day of January 1912 and the petit jurors you will cause to be summoned to appear for such services at the same place at 10 o'clock A. M. on Tuesday the 9th day of January 1912. And for so doing this shall be your sufficient warrant.

Witness my hand officially this 9th day of Dec, 1912.
John M. Brodrick, Judge of the
Court of Common Pleas of the 3rd
Sub-division of the Tenth Jud. Dist.

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

9154 — The International Harvester Co.
of America,
Plaintiff. | No. 9154.

Motion — vs

Charles H. Westlake, et al,
Defendants.

This case coming on to be heard and the Court on consideration grants plaintiff further time to plead, until Jan. 6, 1911.

John M. Brodrick,
Judge of Common Pleas Court.

9238 — Burroughs Adding Machine Co,
Plaintiff

Motion — vs | No. 9238

The Davis Chair Co., Defendant

This day leave is granted Defendant to file answer by December 30, 1911. John M. Brodrick Judge

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

9164 — International Harvester Co. of America, Plaintiff. vs J. N. Westlake, et al, Defendants. — No. 9164

Motion

This cause coming on to be heard and the Court on consideration grants further time to plead, until Jan. 6, 1911

John M. Brodrick, Judge Com. Pleas Court.

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

9155 — Frank G. Kelley, Plaintiff. vs The Cleveland, Cincinnati, Chicago & St Louis Ry, Defendant. — No. 9155.

Dismissed

This cause came on for hearing, and on motion of the plaintiff and at his request, this cause was dismissed without prejudice to bringing a new action. Judgment against plaintiff for the costs taxed at $5.88.

John M. Brodrick, Judge.

9221

Ap. Publica

Court of Common Pleas, Union County, Ohio.

9179 — Charles McNeil, Plaintiff. vs The Marysville Wire Fence and Lumber Co. Defendant. — No. 9179.

Motion

The defendant is given leave to plead to the plaintiff's amended petition by January 1, 1912.

John M. Brodrick, Judge.

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

9221

9218 — Katherine Weaver, Plaintiff. vs William Weaver, Defendant. — No. 9218.

Foreclosu

Decree

Now came the plaintiff, and the defendant having been legally summoned by publication, and having failed to appear in Court find him in default for answer and demurrer to said petition, and find 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 has been guilty of gross neglect of duty and and habitual drunkenness as set forth in plaintiff's petition, and that by reason thereof the plaintiff is entitled to a divorce as prayed for.

It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Katherine Weaver and William Weaver be, and the same hereby is, dissolved, and both parties are released from the obligations of the same.

It is further considered by the Court that said plaintiff recover her costs herein expended from said defendant.

John M. Brodrick, Judge.

In the Court of Common Pleas, Union Co. O

The Commercial Savings Bank,
9221 Marysville Ohio,
Plaintiff.

vs

Ap. Publication Charles G. Emery,
Catherine L. Emery,
Defendants

No. 9221

Now comes the plaintiff and offers proof of publication of the pendency and prayer of the petition herein; and the Court finding said publication and proof in all respects regular and according to law, and the former order of the Court is approved and confirmed.

John M. Brodrick, Judge.

In the Court of Common Pleas, Union Co. O.

The Commercial Savings Bank,
9221 Marysville O,
Plaintiff.

vs

Foreclosure Charles G. Emery,
Catherine L. Emery,
Defendants

No. 9221

This cause came on to be heard on the petition and evidence, the defendants being in default of answer or demurrer, although duly served with process; on consideration whereof, the Court finds that the allegations of the petition are true; that there is due from the defendants, to the

plaintiff, on the note and mortgage set forth in his petition, the sum of Two Hundred Four and 70/100 Dollars, which bears interest from the 9th day of December 1911, and is the first lien on the premises in the petition described.

It is therefore considered that said plaintiff recover of said defendants the sum of Two Hundred, Four and 70/100 Dollars and also his costs of this suit.

And it is ordered and decreed that unless the costs of this suit and the amount found due the plaintiff, with interest shall be paid within three days from the date of this decree, the defendants equity of redemption shall be foreclosed~~re~~ and an order shall be issued to the Sheriff of said county, directing him to appraise, advertise and sell said premises, according to law, and free and clear of any dower interest of each of said defendants.

Ordered that a minute of this proceeding be entered on the margin of the record of said mortgage.

John W. Brodrick, Judge.

9242 Motion

Lenox and Woolard,
Plaintiff
vs
Erie Railway Co.
Defendant

No. 9242

Leave granted Defendant to answer by Jan. 6, 1912.

Filed Dec. 12, 1911

9254 Settled

C.C. Mengel & Bros. Co.,
Plaintiff,
vs
The Davis Chair Co.,
Defendant

No. 9254

This day Plaintiff's attorney acknowledged receipt in in full our claim set forth in petition. Dismissed the case, costs paid. No record.

Court adjourned until Saturday Dec. 16, at 9 o'clock a.m.

Saturday Dec, 16, 1911- Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

9233 — Frank Preece, Plaintiff, vs May Dillon, Jas. B. Dillon, Defendants. — No. 9233

Judgment

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, and that they are indebted to the plaintiff in the sum of Two Hundred Dollars, with interest from Sept. 1, 1911.

It is therefor considered by the Court that the said plaintiff recover from the said Defendant, the said sum of $200.00, and his costs herein expended, and execution is awarded.

John M. Brodrick, Judge.

In Court of Common Pleas, Union Co. O

9162 — Sarah E. Mc. Mahan, Plaintiff, vs Walter S. Mc. Mahan, Defendant — No. 9162

Demurrer

The demurrer to the answer is heard and sustained as to the first and second defenses, and overruled as to the improper joinder of the separate defenses.

To all of which the defendant excepts.

Approved: John H. Willis
for Plaintiff.
Cameron & Cameron
for Defendants

In the Court of Common Pleas, Union Co. O

9227 — The Bank of Marysville O Plaintiff vs J. B. Dillon, May Dillon and Chas. H. Wiltsee, Defendants. — No. 9227

Judgment

This cause came on for hearing on the petition, the answer and cross-petition of the defendant, Charles H. Wiltsee, and the evidence, and was submitted to the Court: on consideration whereof, the Court find, that the defendants, J. B. Dillon and May Dillon, his wife, are indebted to the plaintiff herein, and that there is due to plaintiff from said defendants

on the promissory note set forth in the petition, with interest at eight per cent annually, from the 10th day of August 1911, the sum of Four Hundred and Forty-four and 25/100 Dollars.

The Court further find, that in order to secure the payment of said note, the defendants, J. B. Dillon and May Dillon, his wife, executed and delivered to said The Bank of Marysville, the plaintiff, their certain mortgage as in the petition described, and on the premises therein described; that said mortgage was duly recorded in Book 43, page 239, of the records of mortgages of Union Co.

It is therefore considered and adjudged, that unless the defendants, J. B. Dillon, and May Dillon, his wife, shall within five days from the entry of this decree, pay or cause to be paid, to the Clerk of this court the costs of this case, and to the plaintiff herein the sum of Four Hundred and Forty-four and 25/100 Dollars ($444.25) with interest at eight percent, payable annually from the 10th day of August, 1911, according to the terms of said mortgage deed, the defendants' equity of redemption be foreclosed, and said premises be sold, and an order of sale shall issue therefore to the Sheriff of Union County, directing him to sell said premises as upon execution, and bring the proceeds into court for further order.

John W. Brodrick, Judge.

9215 Divorc

The Court of Common Pleas, Union Co. O.

9234 Judgment

The Union Banking Co.
Plaintiff,
vs
William C. Wharton et al,
Defendants.

No. 9234.

This cause now coming on to be heard on the pleadings in this case, and the evidence, the Court finds that the defendant, William C. Wharton, has been duly served with summons in the case and he is in default of answer or demurrer and that the allegations of the petition are true and that there is due the plaintiff from the defendant, William C. Wharton on the promissory note set forth in the petition the sum of One Hundred and Eight and 46/100 Dollars with interest at the rate of eight percent per annum from the 23rd day of Sept. 1911.

The Court further finds that in order to secure the payment of the said note, the Defendant, William C. Wharton executed and delivered to the Plaintiff, The Union Banking Company, his certain mortgage in the petition described; that said mortgage was duly recorded in Book 56 and page 239 of the Record of Mortgages of Union County Ohio, and is a good and valid lien on the premises described in the petition and that the conditions of said mortgage have been broken.

It is therefore considered by the Court that the plaintiff recover from the Defendant William C. Wharton, the sum of One Hundred and Eight and 46/100 Dollars with interest at the rate of

eight per cent per annum from the 23rd day of September 1911 and the costs of this action taxed at —— Dollars,

And it is further adjudged and decreed that unless within three days from the entry of this decree, the defendant William C. Wharton, 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 as aforesaid with interest as aforesaid, the defendants equity of redemption be foreclosed and the premises be sold and that an Order of Sale issue therefore to the Sheriff of the County, directing him to appraise, advertise and sell said premises as upon execution and to report his proceedings to this Court for further orders.

Court of Common Pleas Union Co. O.

9215	Dina Nelson, Plaintiff vs Roy Nelson, Defendant.	No. 9215
Divorce		Filed Nov. 18, 1912 - On Journal Twice.

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 demurrer or answer to the petition and that the allegations therein 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 24th day of December, 1905, as alleged in said petition.

That two children were born of said marriage, Virgil Nelson aged 5 years and Ruth Nelson aged 2 years, and that the Defendant has been guilty of extreme cruelty and 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 is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be awarded the care, custody and control of said children until the further order of this court.

It is further ordered, adjudged and decreed that the Defendant pay to the plaintiff as her reasonable alimony the sum of $100.00 payable as follows: Twenty-five dollars on or before Jan. 1, 1913, and Twenty-five dollars on the first day of every second month thereafter until said sum is

paid in full. In default, Jany of said payments for a period of three or more days, execution may issue therefor.

It is further ordered that the Defendant pay the costs of this proceeding taxed at $7.39, and that this cause be recorded.

John M. Brodrick, Judge.

9237

Dismis

9230

Dismiss

Court adjourned to Monday Dec. 18, 1911, at 9 oclock A.M.

Monday Dec. 18, 1911 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

9237 — Harley C. Armentrout et al, Plaintiffs vs Sarah E. Gibson et al Defendants. — No. 9237

Dismissed

This day came the attorney for plaintiffs paid the costs and dismissed this case without record.

9230 — Charles G. Richards, Plaintiff, vs F. E. Crabb, Defendant. — No. 9230

Dismissed

This day came the attorney for the plaintiff, paid the costs and dismissed this action without record.

Court adjourned to Thursday Dec. 20, 1911 at 9 o'clock A. M.

Friday Dec. 20, 1911 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

The John Wildi Evap. Milk Co.
Plaintiff.
vs
E. J. Tobey,
Defendant.

9261 — No. 9261

Judgment

This day came the plaintiff by their attorney; also appeared in open court, for and on behalf of defendant, E. J. Tobey, an attorney at law of this court, and by virtue of the warrant of attorney annexed 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 Sixty-three Dollars and Sixty-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 right of appeal, exceptions and errors in the premises,

It is therefore considered that said plaintiff recover of said defendant the sum of Two Hundred and Sixty-five Dollars and Sixty-five cents, being the amount of said note with interest computed at 6% per annum from the 12th day of May 1911; and also costs herein expended taxed at—

John M. Brodrick, Judge

9127 Receivers Report

Olive S. Johnson,
Plaintiff,
vs
Jay C. Johnson,
Defendant.

9257 — No. 9257.

Dismissed — Filed Dec. 21, 1911.

This day came John H. Willis attorney for plaintiff dismissed this action and paid the costs. No record.

9208 Vac. Inj.

L. L. Barlow,
Plaintiff.
vs
Isidora Herd et al
Defendants

9219 — No. 9219

Dismissed

On Dec. 30, 1911 this case was dismissed at the costs of the Plaintiff.

Court adjourned to Saturday Dec. 23, 1911 at 9 o'clock A. M.

Saturday Dec. 23, 1911 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Common Pleas Court of Union Co. Ohio.

9127

R. S. Orahood et al Mabel Orahood,
Plaintiffs.
vs
L. Hardinger et al,
Defendants
No. 9127

Receivers Report

The Court further finds on report of the receiver, Cad Price, that he has received to-wit $101.05; $66.67 Sale of Lot; $27.00 Sale of cement machine; $3.48 Collected accounts; $0.90 Collected; $3.00 Collected accounts. $101.05 - Total money received.

The Court finds that the Receiver has paid out as follows:- $2.04 Taxes; $35.16 Court costs; $10.00 Allowance for Receivers fee by the Court; $25.00 Attorney fees. $72.20 Total paid out. Amount received $101.05. Amount expended $72.20, $28.85 amount to be distributed.

The Court further finds to-wit: (1) R. S. Orahood of East Liberty Ohio was owner of one-fourth interest and he is entitled to $7.22, (2) H. C. Orahood of Peoria Ohio, was owner of one-fourth interest and he is entitled to $7.21, (3) Lawrence Hardinger of Marysville Ohio was owner of one-fourth interest and he is entitled to $7.21, (4) W. J. Hosler of Zanesfield Ohio was owner of one-fourth interest and he is entitled to $7.21.

The Court further orders that the said Receiver distribute said accounts accordiny to their respective rights herein.

John M. Brodrick, Judge.

The Board of County
9208 Commissioners of Union Co O,
Plaintiff.
Vac. Inj. vs
S. M. Miller,
Defendant
No. 9208

This day came the parties and their attorneys and submitted this cause to the court upon the application of the defendant to set aside the temporary restraining order heretofore made herein, so as to permit the defendant to use his engine without hinderance, until this cause can be finally heard upon the merits.

On consideration whereof the Court orders that the temporary restraining order heretofore made herein, be and the same is set aside and annuled.

John M. Brodrick, Judge.

Court adjourned to Saturday Dec. 30, 1911 at 9 o'clock A. M.

Saturday Dec. 30, 1911, Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

9247 — Motion

In the Court of Common Pleas Union County, Ohio.

Charles N. Stanford,
Plaintiff,
vs
J. Brewer,
Defendant.

9247 — No. 9247

Jem. Inj — 9238

I allow a temporary restraining Order in the above action, as prayed for in the answer and cross petition and cross petition of the defendant until the same can be heard further, upon defendant giving an undertaking conditioned according to law, to the satisfaction of the Clerk of this Court, in the sum of Three Hundred Dollars. — Motion

Done this 30th day of December 1911. — 9181

John M. Brodrick, Judge.

Certificate for Pay.

Sheriff's Office, Union County Ohio Marysville O Jan 2, 1912

Sheriffs Pay — The Court Charges for the September term, A. D. 1911, Union Co. Common Pleas are due for services rendered are as follows: — 9179

Sept 1911 — Union County Ohio to Cad Price Dr.

To serving Grand Jury Venire	$4.50
" " Petit " "	4.50
Total	$9.00

To the I certify the above bill to be correct. — Motion

Cad Price, Sheriff.

To the Clerk of Courts, Union Co. O

You will make entry of the above bill and certify the same to the County Auditor. — 9125

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

Anna Disher et al,
Plaintiffs,
vs
F. J. Higgins et al,
Defendants.

9249 — No. 9249

Motion — 9200

Leave granted Samuel A. McNeil administrator to be made party defendant with leave to plead. — Dismissed

9256

Donohoe & Turner,
Plaintiff
vs
Grant Douglass 2nd Electa Douglass Def.

Motion — No. 9256

Leave granted Plaintiff to file petition within ten days.

9247 Motion

Charles M. Stanford,
Plaintiff
vs
Z. Brewer,
Defendant

No. 9247.

Leave granted the Defendants to answer within five days.

9238 Motion

Borroughs Adding Machine Co.
Plaintiff
vs
Davis Chair Co.,
Defendant.

No. 9238.

Leave granted Defendants to answer by Jan. 6, 1912.

9181 Motion

Howard Townsend,
Plaintiff,
vs
Lawrence Farrington,
Defendant.

No. 9181

Leave granted the Plaintiff to file petition and the same is filed.

9179 Motion

Charles Mc. Neil,
Plaintiff,
vs
The Marysville Wire Fence and Lumber Co.
Defendant.

No. 9179

Leave granted defendant to plead within ten days.

9125 Motion

Fannie J. Greenawalt,
Plaintiff.
vs
A. G. Kirby et al
Defendants

No. 9125

This day leave was granted defendants to file answer within thirty days.

9200 Dismissed

John N. Heisner,
Plaintiff,
vs
Frances E. Hotsenpillar,
Defendant.

No. 9200

This day this action was dismissed at Plaintiff's costs.

Approved: John L. Loughery Atty for Plaintiff.

Court adjourned until Jan. 4, 1912 at 9 o'clock a. m.

Thursday January 4, 1912 Court convened at 9 o'clock A. M.
Present John M. Brodrick, Judge.

9129 — The Board of County Commissioners Union Co. O. Plaintiff vs Dwight B. Edwards, Defendant | In Court of Common Pleas, Union Co. O. No. 9129

9150

Demurrer Sustained

Judgment

The demurrer to the answer of the defendant herein is heard and sustained, To which ruling the defendant then and there excepted, and has leave to plead within 30 days.

Approved: John H. Willis Atty for Plaintiff
Hoopes, Robinson & Hoopes Atty for Defendant.

In the Court of Common Pleas, Union County Ohio.

9251 — George Rogers Plff in Error. vs Walter Elliott, Def. in Error. | No. 9251

Jgmt affirmed

This cause came on for hearing upon the petition in error, bill of exceptions and the transcript of the proceedings and judgment of W. A. Garrad Justice of the Peace, in and for Paris township Union Co. Ohio, and the same was argued by counsel and submitted to the Court: on consideration the Court find, there is no error affecting the substantial rights of the Plaintiff in error in said proceeding and judgment, and the said judgment is therefore affirmed at the costs of the Plaintiff in error, taxed at $3.15. and execution is awarded therefor.

Report Grand Jury

It is further ordered that the Clerk of this Court certify this decision to the premises to the said Justice of the Peace, to carry the judgment into effect under the provisions of the General Code of Ohio, as if these proceedings in error had not been taken and a special mandate is awarded therefor.

To all of which the Plaintiff in error then and there excepted.

Approved: John H. Willis, attorney for the Plaintiff in error.
John L. Loughery, attorney for the Defendant in error.
John M. Brodrick, Judge.

Dec 22, 1911.

Court adjourned until Jan. 6, 1912 at 9 o'clock A. M.

Saturday Jan. 6, 1912, Court convened at 9 o'clock a.m.
Present John M. Brodrick, Judge

In the Court of Common Pleas, Union Co. O.

9150 — W. H. Morrison, receiver of Keystone Supply Co. Plaintiff vs Charles E. Peterson, Defendant — No. 9150

Judgment

Now comes the Plaintiff, W. H. Morrison, Receiver of the Keystone Supply Co, 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 him to be true, and the Court further finds that the defendant Charles E. Peterson is indebted to the Keystone Supply Co. in the sum of $164.20 with interest from the 30th day of January 1908, making the total amount of judgment to this date Jan 3rd, 1912 - $193.02

It is therefore considered by the Court that the said Plaintiff recover from the said Defendant the sum of $193.02 and his costs herein expended taxed at $193.02.

John M. Brodrick,
Judge.

Report of Grand Jury

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

Grand Jury — The Grand Jury of the Court of Common Pleas of said County of the September Term, 1911, 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 no witnesses covering No cases and presented no bills and ignored no cases considered by us. The business has been transacted in as expeditious a manner as possible, During our Session We have visited the County Jail and made a complete examination thereof, and find that the rules prescribed by the Court for the care thereof, and find that the care of its inmates have been carried out and properly enforced.

Respectfully submitted,
Monroe Aurine, Foreman.

Jan. 6, 1912.

Opening
Jan. Term

Closing September Term-1911

Closing

Sept. Term

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

This separate session of this Court of Common Pleas, for the Term of September, A. D. 1911, was begun on the Second Monday, the 11th day of September, 1911, and continued from day to day, by regular adjournments, until this 6th day of January 1912, and is now adjourned without day.

John W. Brodrick
Judge.

Jan. 8, 1912

Opening of the January Term A. D. 1912.

Opening

Jan. Term

The State of Ohio,
County of Union } S.S.

This separate session of the Court of Common Pleas of the Third Sub-division of the Tenth Judicial District of the State of Ohio, within and for the County of Union, for the Term of January, in the year of our Lord one thousand, nine hundred and twelve, held in the Court House in Marysville, county and state aforesaid, was begun on the Second Monday, the 8th day of January in the year aforesaid.

Present: Honorable John M. Brodrick, Judge of the Court of Common Pleas of the 3rd Sub-division of the Tenth Judicial District of Ohio.
Cad Price, Sheriff of Union County, Ohio.
S. J. Brown, Coroner of Union County, Ohio.

Attest: John C. Hartshorn, Clerk of the Court of Common Pleas of Union County, Ohio.

Venire for Jurors - Sheriff's Return.
Grand Jury.

State of Ohio, Union County, ss. Sheriff's Office Jan. 8, 1912

On the 9th day of December 1911, I received this Venire and served the same on the several persons named, at the times and in the manner placed opposite their names endorsed hereon.

No.	Names	When served	How served	Miles
1	John Frauskop	Dec. 9, 1911	By mail	18
2.	L. N. McKittrick	" " "	" "	12
3.	N. J. Graham	" " "	" "	2
4.	W. H. Jolliff	" " "	" "	13
5.	John Price	" " "	" "	7
6.	L. C. Beem	" " "	" "	16
7.	Mike Dilsaver	" " "	" "	16
8.	Casper Ruhl	" " "	" "	5
9.	H. J. Cahill	" " "	" "	Excused
10.	Eldon Huffman	" " "	" "	16
11.	Pearl Tossey	" " "	" "	5
12.	Guy Crawler	" " "	" "	12
13.	George Burns	" " "	" "	8
14.	Matt Sharp	" " "	" "	5
15.	John T. Wilkins	" " "	" "	15

Cad Price, Sheriff.

The Venire Facias for a Grand Jury, heretofore issued, and returnable this day at 10 o'clock A. M., was duly returned by the Sheriff, with his indorsements thereon as above set forth.

And upon calling the same in open court, and Homer J. Cahill was excused by the Court for good cause, and the panel being incomplete, the Sheriff summoned C. J. Reams as talesman,

The panel being full the Court appointed N.J. Graham, Forman of the Grand Jury, and he, with his fellow jurors, took the oaths in manner and form as prescribed by law; and the said jury being instructed by the Court in relation to their duties, were conducted to their room attended by the Sheriff. The following named persons compose the Grand Jury: N.J. Graham, forman, John Krauskop, L.N. McKitrick, N.H. Jolliff, John Price, L.C. Beem, Mike Dilsaver, Casper Ruhl, Eldon Huffman, Pearl Tossey, Guy Cramer, George Burns, Watt Sharp, John F. Wilkins and and E.J. Reums

9208 Continued

And no business coming up befor the Grand Jury, they were excused to meet at call of Prosecuting Attorney.

9193 Motion

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

9162 Sarah E. McMahon,
Plaintiff,
vs
Walter S. McMahon

No. 9162

Settled This case settled by parties to this suit. No record. Plaintiff to pay costs.

Arthur B. Main,
8883 Plaintiff,
vs
Continued Christopher McGee,
Defendant

No. 8883

This case continued by consent of attorneys.

The System Co.
9037 Plaintiff,
vs
Dismissed The Marysville Cabinet Co.
Defendant.

No. 9037

This case settled at costs of plaintiff. No record.

John C. Rogers,
9071 Plaintiff,
vs
Continued Victor W. Rogers,
Defendant.

No. 9071

This case continued by agreement of attorneys.

Willis Epps
9180 Plaintiff,
vs
Cont'd Ruben Huffman,
Defendant

No. 9180

This case continued by agreement of attorneys.

The Board of County Commissioners
Union County O,
Plaintiff.

9208

vs

No. 9208

Continued

S. M. Miller,
Defendant.

This case continued by agreement of Counsel.

Warren Southwick Car Co,
Plaintiff.

9193

vs

No. 9193

Motion

A. H. Fry,
Defendant.

Leave granted Plaintiff to file amended petition and same filed.

Court adjourned to Tuesday January 9, 1912 at 9 o'clock A. M.

Tuesday January 9, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

Return of Venire Facias for Petit Jury.

The Venire Facias heretofore issued for petit jurors, returnable January 9, 1912, was this day returned by the Sheriff of this County, with his indorsement thereon as follows to-wit:
The State of Ohio, Union County ss. Sheriff's Office Jan. 9, 1912.
On the 9th day of December 1911, 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.

9248
Decree

No.	Name	When served.	How served.	miles.
1	Jacob Blue	Dec. 9, 1911	By mail	
2.	J. N. Crawford	" " "	" "	
3.	Guy Hamilton	" " "	" "	6
4.	N. S. Burgoon	" " "	" "	22
5.	John Harris	" " "	" "	4
6.	J. D. Aurine	" " "	" "	9
7.	Wm. Staley	" " "	" "	
8.	Frank Miller	" " "	" "	11
9.	L. H. Stone	" " "	" "	13
10.	J. L. Horn	" " "	" "	
11.	Monnett Herd	" " "	" "	
12.	C. O. Jewett	" " "	" "	
13.	Peale Norris	" " "	" "	5
14.	Frank Hill	" " "	" "	13
15.	Wm. Ballinger	" " "	" "	18
16.	S. T. Greene	" " "	" "	11
17.	Ed Blaine	" " "	" "	
18.	Jake Reagle	" " "	" "	

Cad Price, Sheriff.

And upon calling the same in open court, Jacob Blue, J. N. Crawford, Wm. Staley, J. L. Horn, Monett Herd, C. O. Jewett, Ed Blaine and Jake Reagle were for good cause each excused.

In the Court of Common Pleas, Union County O,

9223
Trial

Lewis Saygrover,
Plaintiff
vs
Wm. H. Shenemau,
Defendant.

No. 9223

9161
Divorce

This day came the parties by their attorneys; also came the following named persons as Jurors, to-wit: Guy Hamilton, N. S. Burgoon, John Harris, J. D. Aurine, Frank Miller, L. H. Stone, Pearl Norris, Frank Hill, William Ballinger,

S. F. Green, J. S. McKittrick and D. C. Bolenbaugh, who were duly impaneled and sworn according to law; And thereupon the case came on for hearing on the pleadings and evidence.

After hearing the evidence, and by agreement the argument of counsel for defendant, the cause was continued until to-morrow morning at 9 o'clock.

Court of Common Pleas Union County O

9248 Decree

Lulu A. Dixon,
Plaintiff,
vs
James B. Dixon,
Defendant.

No. 9248

This day this cause came on to be heard upon the pleadings, evidence and argument of Counsel, and the Court being fully advised in the premises, finds that the Defendant has been duly and legally served with publication Law that he had failed to appear and is in default for answer or demurrer to the petition and that the allegations are confessed by him to be true, 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 6th day of May A.D. 1908, as alleged in said petition, And that no children have been born of said marriage and that the defendant has been guilty of willful absence from the 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 be and she hereby is restored to her maiden name of Lulu Augusta Drumm, And that the defendant pay the costs of this proceeding taxed at $9.50, and that this case be recorded.

John M. Brodrick, Judge.

9161 Divorce

Walter S. McMahon,
Plaintiff,
vs
Sarah E. McMahon,
Defendant.

No. 9161

This day came the parties and their attorneys, and this cause came on for hearing upon the pleadings and the evidence

(Continued on page 398)

Court adjourned until Wednesday January 10, 1912 at 9 o'clock

Wednesday January 10, 1912 - Court convened at 9 o'clock a.m.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union Co. O,

9223 Trial

Lewis Saygrover,
Plaintiff.
vs
Wm. H. Shenewalt,
Defendant

No. 9223

This day again came the parties by their attorneys, and also came the Jury heretofore impaneled and sworn and the trial proceeded, And the Jury having heard the argument of the counsel for the Plaintiff and the charge of the Court retired to their room in charge of the Bailiff, for deliberation.

" And now comes said Jury into open court and say We the Jury, being duly impaneled and sworn 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 Three Hundred & 00/100 Dollars

D. C. Bolenbaugh, Forman

(From page 397)

On consideration whereof, the Court being fully advised in the premises, finds, that the plaintiff has been a resident of this state for one year next before filing his petition, and that at the time of filing it, he was a bona fide resident of the said county of Union. The Court further finds that the parties were married at the time stated in the petition, and that the said defendant has been guilty of gross neglect of duty as charged in the petition and that by reason thereof the plaintiff is entitled to be divorced from said Defendant.

It is therefore considered, ordered and decreed by the Court that the marriage relation heretofore existing between the said parties be and the same is set aside and wholly annulled, and both parties released from the obligations of the same. It is further ordered and decreed by the Court that the defendant be and she is at her own request, restored to her former name of Sarah E. Weaver. It further appearing to the Court from the evidence, that the plaintiff and defendant have agreed with each other upon the terms of the adjustment of their property rights, to-wit; that the plaintiff is to release all claims for dower, inchoate, or otherwise in the lands of the defendant, and that the defendant has agreed to release all claims for dower, inchoate or otherwise in the lands of the plaintiff and that in consideration thereof the plaintiff is to pay to the defendant the sum of Six Hundred and Fifty dollars cash in hand.

(Con. on next page)

Court adjourned until Thursday January 11, 1912 at 9 o'clock a.m.

Thursday January 11, 1917 - Court convened at 9 o'clock a. m.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas Union Co. O.

9124 Ernest Thompson,
Plaintiff,
Trial vs No. 9124
Charles Miller,
Defendant

This day came the parties hereto, by their attorneys; also came the following named persons as jurors, to-wit: Guy Hamilton, W. S. Bidgood, John Harris, J. D. Aurine, L. H. Stout, Pearl Norris, William Ballinger, S. F. Green, Frank Miller, S. B. Smith, Burl Southard, and J. W. Monroe who were duly impaneled and sworn according to law; and thereupon the case came on for hearing on the pleadings and evidence.

After hearing the evidence and the charge of the Court, the case being submitted without argument, the jury retired to their room in charge of the Bailiff, for deliberation.

And now comes said Jury into open court with their verdict in writing signed by their forman, and say: "We, the Jury, being duly sworn and impaneled, find the issues in favor of the Plaintiff, and assess the amount due to the Plaintiff from the Defendant, at the sum of One Hundred, Twenty-two and 40/100 Dollars ($122.40),

Franck C. Miller, Jr Forman.

(Con. from page 393)

The Court finds the said agreement and adjustment of property rights to be just and reasonable and therefore approves and confirms the same, and it is ordered that the plaintiff be barred from all dower in the lands of the defendant and that the defendant be barred from all dower in the lands of the plaintiff, and that each hold, his or her land wholly free from all claims of the other for dower or otherwise.

It is further ordered that the plaintiff pay the costs hereof taxed to $15.96.

Approved: Cameron & Cameron
John L. Loughery
John H. Willis

Court adjourned until Friday January 12, 1917 at 9 o'clock a. m.

Friday January 12, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge

In the Court of Common Pleas, Union Co. O

9247 Continuance

Charles N. Stanford,
Plaintiff,
vs
J. Brewer,
Defendant.

No. 9247

This day this cause came on for hearing upon the motion of the Plaintiff to dissolve the injunction granted Defendant herein, and upon motion of Defendant said hearing was adjourned to January 19, 1912. It is ordered by the Court that the costs of said adjournment be assessed against Defendant.

John M. Brodrick, Judge.

9189 Continuance

9179

9176 Demurrer

J. Brewer,
Plaintiff,
vs
Clark Barlow,
Defendant.

No. 9176.

This day this cause came on to be heard upon the demurrer of the plaintiff to the answer of the defendant herein, and having been argued by counsel and submitted to the Court, the Court finds, that under the rule that a demurrer searches the whole record in the action, that the said demurrer should be treated as a demurrer to the petition in this cause, and thereupon having carefully examined the said petition, with the exhibits attached thereto, which are by said petition expressly made a part thereof, the Court finds that said petition does not state facts sufficient to constitute a cause of action and therefore said cause of action is dismissed at the cost of the plaintiff herein and by agreement.

John M. Brodrick, Judge.

9203 Demurrer

Court adjourned until Saturday Jan. 13, 1912 at 9 o'clock a. m.

Saturday January 13, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union Co. O.

9189 — The Marysville Hay, Feed and Fuel Co. Plaintiff, vs Lenora Elliott, Defendant — No. 9189

Continuance

This case continued by consent of attorneys.

9179 — Chas. McNeil, Plaintiff, vs The Marysville Wire Fence and Lumber Co. — No. 9179.

Demurrer

This day came the parties by their attorneys and this cause came on to be heard upon the demurrer of the defendants to the amended petition and the same was argued by counsel and submitted to the Court.

On consideration whereof, the Court, being fully advised in the premises overrules said demurrer, and the defendant is given leave to answer by Feb. 10, 1912.

To which ruling of the Court the defendant excepts then and there.

John M. Brodrick, Judge.

9203 — J. J. Fillman, Plaintiff, vs C. S. David, Defendant. — No. 9203

Demurrer

This day came the parties and this cause came on to be heard upon the demurrer of the Union Banking Co. to the supplemental petition, and the same was argued by counsel and submitted to the Court.

On consideration whereof the Court being fully advised in the premises, sustain the demur, to which ruling of the Court the plaintiff excepted; and thereupon the plaintiff asked and had leave of the court to file an amended petition by February 10, 1912.

John M. Brodrick, Judge.

Court adjourned until Monday January 15, 1912 at 9 o'clock A. M.

Monday January 15, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union Co. Ohio,

9272 Judgment

The Farmers and Merchants Bank Co,
Plaintiff,
vs
H. Hatfield and Frank Hatfield,
Defendants.

No. 9272

This day came the Plaintiff by E. W. Porter attorney; and filed its Petition against said Defendants H. Hatfield and Frank Hatfield and thereupon J. B. Cole one of the attorneys of record of this Court also appeared in open court, for and on behalf of said Defendants H. Hatfield and Frank Hatfield 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 $242.62 bearing 8% per annum, and that said Plaintiff ought to recover of said Defendants a judgment for that sum. $85.15 thereof at 8% from May 4, 1910 and $60.73 at 8% from April 1, 1911 against both also $101.74 at 8% from Nov. 16, 1911 against H. Hatfield only.

It is therefore considered by the Court that said The Farmers and Merchants Bank Co. Plaintiff, do recover from said H. Hatfield, Defendant, the said sum of Two Hundred and Forty-seven and 62/100 Dollars and against the said Frank Hatfield, the said sum of One Hundred and Forty-five and 88/100 ($145.88), so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 15th day of January 1912 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.

John M. Brodrick, Judge.

The State of Ohio on rel of John H. Willis pros. atty Union Co. O.
vs
Neil Roth + Co.

No. 9271.

This day this cause came on to be heard upon the petition of the Plaintiff and the answer of the defendant, and was submitted to the Court, and it appearing to the Court that the controversy involved herein has been duly compromised and and

Court adjourned until Tuesday January 16, 1912 at 9 o'clock A. M.

9250 Demurrer

9205 Naturalization

Tuesday January 16, 1912- Court convened at 9 o'clock a. m.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union Co. O.

9250 Demurrer

Nancy Ross, et al, Plaintiffs
vs
The Board of County Commissioners, Union Co. O.

No. 9250.

This cause came on to be heard on the demurrer to the petition, and on consideration by the Court, the same is overruled. To which the Defendant excepted. Leave granted Defendants to answer by Feb. 1, 1912.

9205 Naturalization

In the Matter of the Naturalization of Frank Chiesa to be a Citizen of the United States of America

No. 9205.

This cause coming on for hearing, on the 13th day of Jan. 1912, and being submitted to the Court upon the evidence produced, the Court finds that the Naturalization Department at Washington D. C. having been duly served and notice made according to law, and that this petitioner, Frank Chiesa, after making oath to the Constitution of the United States, and renouncing absolute allegiance and fidelity to Victor Emanuel III, King of Italy, find that he is not a disbeliever in or opposed to organized government, or a member of, or affiliated with any organization of persons teaching disbelief in organized government, and not a polygamist or a believer in polygamy, and able to speak the English language.

The Court further finds that the petitioner has resided in the United States, continuously for a term of five years at least, or since the 14th day of May A. D. 1905, and in the State of Ohio, for one year prior to this time, to-wit: since the 16th day of May, A. D. 1905, and that said plaintiff has complied with the requirements of the Naturalization laws of the United States.

Upon consideration of the petition of the said Frank Chiesa and affidavits in support thereof, and further testimony taken in open Court.

It is ordered that the said petitioner, who has taken the oath required by law, be, and hereby is admitted to become a citizen of the United States of America and the Clerk of this Court is hereby ordered to issue a certificate of citizenship.

John M. Brodrick,
Judge of the Common Pleas Court
for said county.

Court adjourned until Wednesday Jan. 17, 1912 - at 9 o'clock A. M.

Wednesday January 17, 1912 - Court convened at 9 o'clock a.m.
Present Honorable John M. Brodrick, Judge

In the Court of Common Pleas, Union Co. O,

9223 — Lewis Saygrover, Plaintiff, vs Wm H. Shenneman, Defendant. — No. 9223 — 9195 Decree

Judgment

The Jury in this action, having on a former day of this term, rendered a verdict for the Plaintiff, and assessed his damages at $300.00, 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 $300.00, together with costs herein expended.

John M. Brodrick, Judge.

9271 — The State of Ohio, on the relation of John H. Willis Pros. Atty of Union Co. O, Plaintiff, vs Weil, Roth and Company, Defendants. — No. 9271 — Filed Jan. 15, 1912.

Dismissed

This day this cause came on to be heard upon the petition of the plaintiff and the answer of the defendant, and was submitted to the Court; and it appearing to the Court that the controversy involved herein has been duly compromised and settled between the firm of Weil, Roth and Company and the Board of Commissioners of Union County Ohio, and that said defendant has paid the sum of One Thousand Dollars ($1000.00), in full full settlement and satisfaction of said claim,

It is now ordered and adjudged that said petition be dismissed and that each party pay one-half of the costs herein taxed at $2.50.

John M. Brodrick, Judge.

Court adjourned until Thursday Jan. 18, 1912 at 9 o'clock a.m.

Thursday January 18, 1912 - Court convened at 9 o'clock A. M.
Present John M. Brodrick, Judge.

In the Court of Common Pleas, Union Co. O,

9195 Decree

Maynie McLean,
Plaintiff,
vs
Orille B. McLean,
Defendant,

No. 9195

Now comes the parties herein and thereupon this cause came on for hearing on the petition of the plaintiff, the answer and cross petition of the defendant and the evidence; on consideration whereof the Court find that the parties hereto have agreed upon the amount of alimony due the plaintiff which contract is in the words and figures following:

These articles of separation made and concluded at Marysville Ohio, this 17th day of January, 1912. by and between Orville B. McLean party of the first part and Maynie McLean, party of the second part, witnesseth:

That whereas the parties hereto agreed upon an immediate separation, and do hereby agree to live separate and apart during the remainder of their natural lives, and

Whereas the said Orville B McLean has heretofore paid to the said Maynie McLean as temporary alimony the sum of two hundred and fifty dollars, the receipt of which is hereby acknowledged, and has assigned, conveyed and transferred and does hereby assign, convey and transfer to the said Maynie McLean all of the household furniture in the residence, lately occupied by said parties, and which was in said residence at the time the said Maynie McLean left the same, And the said Orville B. McLean hereby agrees to execute a deed of general warranty to the said Maynie McLean for the following described real estate: Situated in the County of Union, in the State of Ohio, and in the Village of Magnetic Springs, Being Lots Nos. 87 and 88 in N. S. Degood's addition to said Village. Also the following described premises situated in the same County State and Village. Being the north half of Lots Nos. 89 and 90 fronting on the Bill Johns Pike 60 feet and extending back 82 feet and 6 inches in N. S. DeGood's addition to said Village, within five days.

And the said Orville B. McLean agrees within sixty days from this date to pay to the said Maynie McLean the sum of twenty-three hundred and seventy-five dollars additional which is to be made a lien upon the lands of the said Orville B. McLean.

Now therefore in consideration of the premises, each party hereto does hereby release 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 relations;

and said parties mutually agree that each 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 is by these presents barred from any and all rights or claims by way of dower, 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, administrators and assigns of the other all claims or rights of dower and inheritance in and to all the real property 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 claims or right for an allowance for a year's support, or to reside in the Mansion house, and all other rights or claims whatsoever.

And each party hereto further agrees, upon the 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 apparent right of inchoate right of dower, or to each other in case the marital obligations should be dissolved by a proceeding in Court.

In witness whereof the parties have hereunto set their hands, the day and year first written above.

Signed in presence of
James E. Robinson
John L. Loughery

Orville B. McLean
Mayme McLean

State of Ohio, Union County, ss.

Before me, a Notary Public in and for said county, personally appeared the above named Orville B. McLean and Mayme McLean and 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 17th day of January 1912.

Seal.

Clarence A. Hoopes,
Notary Public

9210

Partition

And the Court having examined said contract find the same reasonable and approve the same, and said defendant is ordered to turn over to said plaintiff within five days the household goods mentioned in said agreement and to execute and deliver to said plaintiff a deed of general warranty for the premises therein described free from any right or claim of said defendant to any estate therein, and upon failure of said defendant to execute said deed within said period of five days, then this decree shall operate as such conveyance, and in that case it is ordered that the Court cause

so much of this decree to be recorded in the office of the Recorder of this county as will show such change of title.

And it is further ordered and adjudged that the said defendant pay to said plaintiff twenty-three hundred and seventy-five dollars within sixty days from date of said agreement, and the same is hereby made a lien upon all of the real estate of the said defendant. And in default of such payment after the term of sixty days execution is allowed to issue therefor.

And the Court further find upon the cross petition of the defendant and the evidence that the plaintiff at the time of the filing of her petition and the defendant at the time of the filing of said cross-petition, were residents of the County of Union and State of Ohio, and that the defendant had been a resident of said County and State for one year next preceding the filing of said answer and cross petition, and was at that time a bona fide resident of the County of Union, and that the parties hereto were married as set forth in said cross petition.

The Court further find upon the evidence adduced that the plaintiff has been guilty of extreme cruelty towards the defendant and that by reason thereof the defendant, Orville B. McLean, is entitled to a divorce as prayed for in said cross-petition.

It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Mayme McLean and Orville B. McLean be, and the same hereby is, dissolved, and both parties are released from the obligations of the same.

And each party hereto having voluntarily released all right by way of dower or otherwise in the property of the other, is hereby divested and barred of all and every claim, title and interest by way of dower or otherwise in or to the property of the other.

It is further ordered that the defendant pay the costs of this proceeding taxed at $16.65, for which execution is awarded.

John M. Brodrick, Judge.

9210 Partition

Loretta E. Trout,
Plaintiff.
vs
Golda C. Trout, et al
Defendants.

No. 9210

And now this cause coming on to be heard upon the petition and motion of John L. Longbery, administrator of John Trout deceased, and according to the evidence, the Court find that all the defendants have had due legal notice pendency and demand of petition and that the minor heirs of John Trout, deceased are in default for answer thereto. Thereupon the Court further finds that the plaintiff and defendants hereinafter named

are tenants and common in the Estate described in the petition; that the said Louretta E. Trout has a legal right to the one half thereof, and dower in the remaining one half thereof as the widow of John Trout, deceased, and the Court further finds that Golda C. Trout one of the Defendants herein having died since the begining of this action, and she being unmarried and without Children, and the Court further finds that the remaining portition of the said land, since the death of Golda C. Trout, that one third belongs to Frances L. Trout, one third to Violet V. Trout, and one third to Elnoria F Trout, and that the Plaintiff is entitled to have partition of said Estate made as prayed in his petition. 9165 Title Quieted

It is therefore ordered, adjudged, decreed that partition of said Estate be made in favor of all partiesin interest, and W. W. Blue, John Hamilton, E. J. Jackson, Three judicious and disinterested freeholders of the vicinity are hereby appointed Commissioners to make and appraise the same. It is ordered that a writ of partition issue to the Sheriff of Union County commanding that by the oath of the Commissoners above named, he cause to be set off and divided, and if said Commissoners find the same can not be divided among the parties, that they the same according to law, and of his proceedings herein the Sheriff has ordered to make due return.

John M. Brodrick, Judge.

9165

Motion

Court adjourned until Friday January 19, 1912 at 9 oclock A. M.

Friday January 19, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union Co. O,

9165 — Title Quieted

Walter D. Bee,
Plaintiff,
vs
Ruth D. Kezertee et al,
Defendants.

No. 9165

This cause coming on this day for hearing was submitted to the Court upon the pleadings and the evidence, and on consideration thereof the Court finds on the issues joined in favor of the Plaintiff, Walter D. Bee, and the defendant, Ruth D. Kezertee and against the defendant, Clay Kezertee.

The Court further find that at the time of bringing this action the said plaintiff, Walter D. Bee, and the defendant, Ruth D. Kezertee, were in actual possession and control of the real estate described in plaintiff's petition, and that the plaintiff, Walter D. Bee, and the defendant, Ruth D. Kezertee, had the legal estate in and were entitled to the possession of the same as cotenants; that the said defendant, Clay Kezertee, has no estate in and is not entitled to the possessiod of said real estate or any part thereof and that the plaintiff, Walter D. Bee, and the defendant, Ruth D. Kezertee, ought to have their title and possession quieted as against said Clay Kezertee as prayed for in plaintiff's petition and in the answer and reply of the defendant, Ruth D. Kezertee, to the cross petition of the defendant, Clay Kezertee.

It is therefore ordered, adjudged and decreed that the title and possession of the said Walter D. Bee and Ruth D. Kezertee to all and singular the premises in the petition described, be, and the same hereby are quieted as against the said Clay Kezertee and all persons claiming under him; and the said Clay Kezertee, his heirs and assigns 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 Walter D. Bee and the said Ruth D. Kezertee their heirs or assigns thereto.

And the Court further find that the defendant, Clay Kezertee, never at any time during his life time had any title or right to said premises or any part thereof.

John M. Brodrick, Judge.

9165

Walter D. Bee,
Plaintiff,
vs
Ruth D. Kezertee, Defendant.

(Shown as recorded proper above)

No. 9165.

Motion

Leave this day granted Ruth D. Kezertee to file an answer and reply to the answer and cross petition of Clay Kezertee and same filed.

In the Court of Common Pleas, Union Co. O.

9273 Injunction

Clara H. Hoskins et al.
Plaintiff,
vs
The Village of Richwood Ohio, et al,
Defendant.

No. 9273

On motion of the plaintiffs, by their attorneys, and good cause being shown therefor, it is ordered that, on an undertaking being given in the sum of $500.00, with sureties to the approval of the Clerk, an injunction be allowed to issue herein, enjoining the said defendants from further proceeding with the collection of the pretended assessment against the land & 8/100 acres of the plaintiffs' petition for the improvement of North Franklin Street, and from further certifying said assessment to the Auditor of Union County O and restraining said defendant Chas. A. Morlock, Auditor of Union County Ohio, from receiving any certificates with reference to the improvement in question from the Clerk of the Village of Richwood Ohio, and from placing any of said assessments upon the tax duplicate against the lands of plaintiffs and from further proceedings or attempt to proceed with collection of said assessment and restraining the defendant Henry J. Brooks, treasurer of Union County O, from collecting any part of the pretended assessment from the plaintiffs, or any part thereof, and from any further proceedings of the plaintiffs until further order of this court

John M Brodrick, Judge

Filed Jan. 23, 1911

9243 Title

In the Matter of the Conveyance of Title in 450 acres of Land in the Name of the First Presbyterian Church of Marysville Ohio.

No. 9243

This day this cause came on for hearing on the petition and the evidence, and was submitted to the court.

On consideration whereof the Court being fully advised in the premises finds that the required legal notice of this hearing has been given according to law.

That all the allegations of the petition are true and that it is advisable that the Petitioners should have a general order of the Court authorizing the Conveyance of Title as prayed for.

It is therefore considered, ordered, and adjudged by the Court that the said The First Presbyterian Church of Marysville Ohio, by its officials, The President and Secretary of the Corporation and the said Trustees, William H. Snodgrass, James E. Robinson, Brugh Dunham, W. F. Galleher and Levi Graham, and their successors in office as officials and trustees as aforesaid, be and they are hereby

authorized to execute deeds of conveyance for all or any part of the Title in said 450 acres in the petition described as may be held by the said The First Presbyterian Church of Marysville Ohio, or by said trustees therefor, at such times and to such persons for such considerations as the said Trustees deem just and equitable.

And this order for the purposes hereof, in so far as it affects the title to said 450 acres shall be general and perpetual to the said Church, its officials and their successors as such, for all time to come.

It is further ordered the petitioners, said Trustees pay the costs herein taxed at $2.75.

John M. Brodrick, Judge.

Court adjourned until Saturday January 27, 1912 at 9 o'clock A.M.

Saturday January 27, 1912, Court convened at 9 o'clock a.m.
Present John M. Brodrick, Judge.

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

Sherman Hill,
Plaintiff
vs
Laura Mc Entire, et al
Defendant.

No. 9231

9275
Dissolved

1231
Demurrer

The Demurrer of the defendant Laura Mc Entire is heard and overruled, to all of which the defendant Laura Mc Entire then and there excepted.

9231
Demurrer

The demurrer of the defendants John A. Potts and Hattie Potts is heard and overruled, to all of which the defendants John A. Potts and Hattie Potts then and there excepted.

9260
Judgment

Court adjourned until Monday January 29, 1912 at 9 o'clock a.m.

Monday January 29, 1912 - Court convened at 9 o'clock A. M.
Present John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

9275 — In Re Dissolution of The Farmer's Hardware Company. | No. 9275

Dissolved

1 The petition for the dissolution of said corporation, with the accounts, inventories and affidavit required by law having been filed, it is ordered that all persons interested in the corporation be required to show cause, if any they have upon O. W. McAdow who is hereby appointed referee for the purpose at his office, at Milford Center Ohio, on the first Monday of May 1912 at 9 o'clock A. M. and said referee shall hear the allegations and proofs of such parties, take testimony in relation thereto and report the same with all convenient speed to the Court, with a statement of the property, effects, debts, credits and engagements of the corporation and all matters and things pertaining to its affairs.

John M. Brodrick, Judge.

9260 — Elizebeth E. Keeran, Plaintiff, vs Eli Keeran, Admr. Defendant. | No. 9260

Judgment

This day this cause came on to be heard, and jury being waived, the same was submitted to the Court on the pleadings and the evidence; on consideration whereof the Court finds that there is due to the Plaintiff from the Defendant, as administrator, of the estate of Levi Keeran, deceased, on the cause of action set forth in plaintiff's petition, the sum of Three Hundred and Twelve dollars and forty-two cents with six per cent interest thereon from the first day of this term of court to-wit: Jan. 8, 1912.

It is therefore considered and adjudged by the Court that the amount so found due as aforesaid be allowed by the said defendant as such administrator as a valid claim against the estate of said Levi Keeran deceased, to be paid out of the assets thereof as provided by law. Def. to pay costs.

John M. Brodrick, Judge

Court adjourned until Tuesday January 30, 1912 at 9 o'clock A. M.

Tuesday January 30, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

9278

Judgment

The Farmers & Merchants' Bank Co.,
Plaintiff.

vs

Daum Brothers and John Daum,
Defendant.

No. 9278

9711

Trial

This day came the Plaintiff by E. W. Porter, attorney; and filed its petition against said Defendants Daum Bros and John Daum and thereupon John L. Loughery one of the attorneys of Record of this court also appeared in open Court, for and on behalf of said Defendants, Daum Bros and John Daum 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 and Fourteen & 60/100 Dollars ($814.60), bearing interest at 7% per annum and that said Plaintiff ought to recover of said Defendants the a judgment for that sum.

It is therefore considered by the Court that said The Farmers and Merchants Bank Co., Plaintiff, do recover from said Daum Bros and John Daum, Defendants the said sum of Eight Hundred and Fourteen & 60/100 Dollars ($814.60) so as confessed to be due, together with the costs of suit herein, to be taxed and with interest to be computed from the 30th day of January 1912, at the rate of Seven 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.

John M. Brodrick, Judge.

Court adjourned until Wednesday January 31, 1912 at 9 o'clock.

Wednesday January 31, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

John Wootton,
9211 Plaintiff.
vs
Trial John F. Stallsmith, Defendant. | No. 9211

and
ney
on
d
ly
l
ocess
nd
there
ged
d
mum
ups
id
m
of
fessed
d
ary
e
ppeal

Court adjourned until Thursday February 1, 1912 - at 9 o'clock A. M.

k.

Thursday February 1, 1912, Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

9211 — Trial

John Wooton,
Plaintiff
vs
John F. Stallsmith
Defendant

No. 9211.

9255 — Trial

This day came the parties hereto, by their attorneys; also the following named persons as jurors, to-wit: Jacob Blue, Guy Hamilton, W. S. Burgoon, J. S. Amrine, Frank Miller, L. H. Stone, Monett Herd, Pearl Norris, Frank Hill, William Ballinger, S. F. Green and William Epps who were duly impaneled and sworn according to law; and the trial proceeded thereupon on the pleadings and evidence. And after hearing the evidence, argument, and charge of the Court, the jury retired to their room in charge of the Bailiff, for deliberation.

And now comes said jury into open court with their verdict in writing, signed by their forman, and say: "We, the jury being duly impaneled and sworn, find the issues in this case in favor of the defendant.

S. F. Green, Forman.

9240 — Order ap. Service by Publication

9240 — Decree Quiet Title

Court adjourned until February 2, 1912 at 9 o'clock A. M.

Friday February 2, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

9255 Trial

Nellie T. Westlake,
Plaintiff
vs
C. H. Westlake,
Defendant.

No. 9255.

This day came the parties herein by their attorneys; also the following named persons as jurors, to-wit: Jacob Blue, Guy Hamilton, W. S. Burgoon, J. D. Aurine, Frank Miller, L. H. Stone, Monnett Herd, Frank Hiel, William Ballinger, S. F. Green, John Harris and Andrew Feree 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, argument, and the charge of the Court, the jury retired to their room in charge of the Bailiff, for deliberation.

And now comes said jury into open court with their verdict in writing, signed by their forman, and say: "We, the jury, being duly impaneled and sworn, 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 Eight Hundred and Seventeen and 47/100 Dollars.

S. F. Green, Forman.

9240 Order ap. Service by Publication

W. H. Shenemam,
Plaintiff
vs
Sarah Lincoln et al,
Defendants.

No. 9240

Now comes the plaintiff and offers proof of publication of the pendency and prayer of the petition herein; and the Court finding said finding and publication and proof in all respects regular and according to law, the same is approved and confirmed.

John M. Brodrick, Judge.

9240 Decree Quiet Title

W. H. Shenemam,
Plaintiff.
vs
Sarah Lincoln et al,
Defendants.

No. 9240.

This cause came on to be heard on the plaintiff's petition and the evidence, and each of the defendants being in default of answer and demurrer, although the defendants, Sarah Lincoln, Mary Rathburn, Amanda Moody and Moses Coledge were

each duly served with process and the defendants Francis Cooledge and George Cooledge Jr. have been duly and legally served by publication with notice of pendency of this action and the object and prayer of said petition, and upon due consideration thereof, the Court finds that the allegations of the petition are true: that at the commencement of this action the said plaintiff was in possession of the real property described in the petition, and that he had the legal estate therein, and was entitled to the possession thereof; that neither the defendants, nor any of them have an estate in, nor are they entitled to the possession of, said real estate or any part thereof, and that the plaintiff ought to have his title and possession quieted as against each and all of said defendants, as prayed for in his petition. It is

It is therefore adjudged and decreed that the title and possession of the said plaintiff to the premises in the petition described be, and the same are hereby quieted against the defendants and each 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 said plaintiff, his heirs or assigns thereto. Demurrer Sustained

It is ordered that the Plaintiff pay the costs of this suit for which judgment is rendered against him.

John M. Brodrick, Judge.

Court of Common Pleas, Union County Ohio.

9252

Hazel Simmons,
Plaintiff,
vs
Claud L. Simmons,
Defendant.

No. 9252.

Divorce and Alimony

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 according to law, and he has failed to appear and also being fully 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 22nd day of March A. D. 1907, as alleged in said petition that no children has been born to 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 dissolved, and the said parties are hereby released therefrom and that said plaintiff be, and she hereby is restored to her maiden name of Hazel Carr, and it is further ordered adjudged and decreed that said plaintiff recover from said defendant the sum of One Hundred Dollars as her reasonable alimony herein, and that the defendant pay the costs of this proceeding taxed at $ 7.55, and that this case be recorded.

John M. Brodrick, Judge.

Filed Feb. 3, 1912.

Howard Townsend,
Plaintiff
vs
Lawrence Farrington,
Defendant.

No. 9181.

Demurrer Sustained

The demurrer of the Defendant to the petition is heard and sustained; to which ruling plaintiff excepts, and has leave to amend his petition by Feb. 3, 1912.

Approved: John T. Willis,
Attorney for Defendant.

Court adjourned until Feb. 5, 1912 at 9 o'clock A. M.

Monday February 5, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas Union County Ohio.

9264 On Motion

9265 Motion

State of Ohio on Relation
of John H. Willis, Pros. atty
of Union County, Ohio. Plty.
vs
The Peoples Bank,
Defendant.

No. 9265

Upon motion of the defendant leave is hereby granted to the defendant to plead by March 15, 1912.

John M. Brodrick, Judge.

9125 On Motion

9267 On Motion

State of Ohio on Relation
of John H. Willis, Pros. Atty
of Union Co. Ohio,
Plaintiff
vs
The Commercial Savings Bank,
Defendant.

No. 9267

9129 On Motion

On motion of the defendant leave is hereby granted to the defendant to plead by the 15th day of March 1912.

John M. Brodrick, Judge.

9268 On Motion

State of Ohio on Relation
of John H. Willis, Pros. Atty
of Union County Ohio,
Plaintiff
vs
The Richwood Deposit Bank,
Defendant.

No. 9268

On motion of the defendant leave is hereby granted to the defendant to plead by March 15, 1912.

John M. Brodrick, Judge.

9266 On Motion

State of Ohio on Relation
of John H. Willis, Pros atty
Plaintiff
vs
The Union Banking Co.
Defendant.

No. 9266

On motion of the defendant leave is hereby granted to the defendant to plead by March 15, 1912.

John M. Brodrick, Judge.

9264 — On Motion

State of Ohio on Relation
of John H. Willis, Pros. Atty.
Plaintiff
vs
Bank of Marysville
Defendant.

No. 9264

Upon motion of the defendant leave is hereby granted to the defendant to plead by March 15, 1912.

John M. Brodrick, Judge.

9125 — On Motion

Fannie J. Greenawalt,
Plaintiff
vs
A. G. Kirby et al,
Defendants

No. 9125

Upon motion of the defendants leave is hereby granted to the defendants to plead within 30 days.

John M. Brodrick, Judge.

9129 — On Motion

The Board of County Commissioners
of Union County Ohio,
Plaintiff
vs
D. B. Edwards,
Defendant.

No. 9129

Upon motion of the defendant leave is hereby granted to the defendant to plead within 30 days.

John M. Brodrick, Judge.

Court adjourned until Thursday Feb. 8, 1912 at 9 o'clock A. M.

Thursday February 8, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

9185 | Broaddus Herbert et al, Plaintiffs vs Evan T. Jones, et al, Defendants. | No. 9185. | 9101

Title Quieted | Order of Sale

This cause came on this day to be heard upon the pleadings and the proof, and the Court having carefully considered the same and being fully advised in the premises, find that Edward D. Jones the grantor in the deed described in plaintiffs petition at the time he made said deed was of sound mind and that no undue influence dominated him in the making of said deed and that said deed was executed by said Edward D. Jones for a good and valuable consideration, and that the same conveyed to the said Evan T. Jones a life estate in the premises described in said deed and to the said defendants Sophia J. Stevens, Mary Jones, Edward T. Jones, Llewellyn E. Jones, Anna B. Jones, and Howell E. Jones an estate in remainder after the death of Evan T. Jones in fee in said premises.

It is therefore ordered, adjudged and decreed that the title and possession of the said Evan T. Jones to a life estate in all and singular the premises in the petition described, and the title of the defendants Sophia J. Stevens, Mary Jones, Edward T. Jones, Llewellyn E. Jones, Anna B Jones, and Howell E. Jones to an estate in remainder after the death of the said Evan T. Jones in fee in said premises be, and the same hereby is quieted as against the plaintiffs 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 said Evan T. Jones and his assigns to a life estate in said premises or any part thereof, adverse to the title of said Sophia J. Stevens Mary Jones, Edward T. Jones, Llewellyn E. Jones, Anna B. Jones, and Howell E. Jones, their heirs and assigns, to an estate in remainder after the death of the said Evan T. Jones in fee in said premises.

9185 Dismissed

It is further ordered that the costs of this action be paid by the defendants, and execution is awarded.

Approved: Overturf & Hough; Marriott, Freshwater & Bliss and Hoopes, Robinson & Hoopes.

John M. Brodrick, Judge.

Friday Saturday February 10, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas Union County Ohio.

9101 | John A. Walker, Plaintiff, vs Thomas Walker et al, Defendants. | No. 9101.

Order of Sale

This cause came on to be heard on the return of the Sheriff and the report of the commissioners heretofore appointed herein, an on motion to confirm the same. And it appearing that said estate can not be divided by metes and bounds without manifest injury to the value therefor, and that said commissioners have made and returned their appraisement of said premises, to-wit, in the sum of Five Hundred and Fifty Dollars ($550) the Court finds the return and proceedings in all respects correct and in conformity to law, and do therefor approve and confirm the same.

And thereupon neither of said parties electing to take the premises at their appraised value, on motion of plaintiff, it is ordered that said premises be sold at public auction, at the North Door of the Court House, in the Village of Marysville, and in said county, and state, and that an order issue therefor to the Sheriff of Union County, said sale to be free of dower.

And that said Sheriff return his proceedings to this Court without necessary delay.

John M. Brodrick, Judge.

Filed Feb. 13, 1912 - In Vacation

9175 | Amanda P. Smith, Plaintiff vs J. F. Gugler, Defendant. | No. 9175

Dismissed

This day this cause settled by parties and dismissed and costs paid. No record.

Court adjourned until Feb. 14, 1912 at 9 o'clock A. M.

Wednesday February 14, 1912 - Court convened at 9 o'clock a.m.
Present Honorable John M. Brodrick, Judge,

In the Court of Common Pleas, Union County Ohio.

9124

Judgment

Ernest Thompson,
Plaintiff
vs
Charles Miller,
Defendant.

No. 9124

This cause coming on to be heard upon the motion of the defendant to set aside verdict heretofore rendered by the Jury in this action and for a new trial herein, the Court, on consideration thereof, over-rules the same.

It is therefore considered by the Court that the said Ernest Thompson, Plaintiff, recover from the said Charles Miller, Defendant, the sum of One Hundred and twenty-two Dollars and forty cents ($122.40), as heretofore by the verdict of the Jury found and him, with interest from the 11th day of January 1912, together with his costs herein expended, to all of which the defendant by his counsel excepts.

9173

Judgment

9255

Judgment

Court adjourned until Thursday February 15, 1912 at 9 o'clock a.m.

Thursday February 15, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County O.

9173

Jessie Hoopes, administratrix
estate of Janet Reed,
Plaintiff.

vs

Judgment

Michael Cody, Elizabeth E. Cody
and J. F. Cody, and Elizabeth E. Cody,
administratrix of the estate of
John Reed, deceased,
Defendants.

No. 9173

This day this cause came on to be heard upon the demurrer of the defendant, Michael Cody, to the petition, and was argued by counsel and submitted to the Court. Whereupon the Court, being fully advised, finds said demurrer not well taken, and does overrule the same; to which ruling, order and judgment said Michael Cody excepts. And thereupon this cause came on for hearing upon the motions of Elizabeth Cody, J. F. Cody, and Elizabeth E. Cody, as administratrix, etc, to quash the summons served upon them, and was argued by counsel and submitted to the Court. Whereupon the Court, being fully advised, finds said motion not well taken, and does overrule the same; to which ruling, order and judgment in overruling said motion said defendants severally except.

And thereupon this cause came on for hearing upon the petition, the answer and the evidence, and was submitted to the Court upon the arguments of counsel, a trial by jury having been expressly waived by all parties, the defendants, Elizabeth E. Cody, J. F. Cody and Elizabeth E. Cody, as administratrix, still protesting against the jurisdiction of the Court over them. Whereupon the Court, being fully advised, finds upon the evidence and upon the issues joined in favor of the defendants and against the plaintiff.

It is accordingly ordered and adjudged by the Court that the petition herein be, and the same hereby is, dismissed at the costs of the plaintiff; to which judgment the plaintiff excepts.

Approved: Hoopes, Robinson and Hoopes for Plaintiff
Wilson and Pecor for Defendants.

9255

Nellie T. Westlake,
Plaintiff

vs

Judgment

C. H. Westlake,
Defendant.

No. 9255.

And now, neither party desiring a new trial of this cause,
It is therefore considered that said plaintiff recover of said defendant said sum of Eight Hundred and Seventeen and 47/100 Dollars, with 8% on on $354.35 and 6% on $463.12 and costs of suit. Judgment is rendered against said defendant for his costs herein.
Court adjourned until Friday February 16, 1912 at 9 o'clock A. M.

Friday February 16, 1912- Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

9210 Distribution

Louretta E. Trout,
Plaintiff,
vs
Golda C. Trout et al,
Defendants.

No. 9210,

9154 Judgment

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 their estate could not be divided by metes and bounds without manifest injury of the value thereof, and that said commissioners have made, and return their appraisement of said estate at Eighteen hundred and ninety five Dollars ($1895.00). The Court find the said proceedings in all respects correct, and in conformity to law and do therefor approve and confirm the same.

1- The Court further finds that Louretta E. Trout, being owner in fee simple of the one-half interest of said lands, is entitled to the sum of $947.50, and her dower in the remaining half according to the evidence, she being 36 years of age, she is entitled to $235.97, making the total entitled to said widow, in said estate $1183.47.

2- And it appearing to the Court that the said Louretta E. Trout has elected to take the said estate at its appraised value, and has paid to this Clerk of this Court the costs of this case, and the other parties herein their respective proportions of its appraised value the said estate, is hereby adjudged to the said Louretta E. Trout; and the Sheriff is ordered to execute, and deliver a deed to her therefor.

3- It is further ordered that the Sheriff turn over to the remaining amount of money to John L. Loughery, administrator of John Trout, deceased in the settlement of said estate, as certified in the Probate Court in the within entitled case, to apply on the same.

John M. Brodrick, Judge.

Court adjourned until Saturday Feb. 17, 1912 at 9 o'clock a.m.

Saturday February 17th 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge

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

9154

International Harvester Co.
of America,
Plaintiff.

No. 9154

Judgment

vs

Charles Westlake et al,
Defendant.

This cause coming on for hearing, was submitted to the Court on the pleadings, on the answer an cross-petition of Myrtle Reed, as Guardian, in the within entitled case, and the evidence, and on consideration thereof, the Court find on the issue by default of the defendants, and that there is due the defendant, Myrtle Reed as guardian, on the promissory note as set forth, in the answer and cross petition, with interest and to February 17, 1912, date of this decree the sum of One Thousand, Eighty-four and thirty two hundredths Dollars ($1084.32). The Court further finds in order to secure payment of said note the defendant, Leroy Walke and Wife executed and delivered to the said Myrtle Reed, guardian, their certain mortgage as in the answer and cross-petition of Myrtle Reed, guardian, described, and on the premises therein described; that said mortgage was duly recorded with the County Recorder Union County O. on the 26th day of December 1910, and is a good and valid lien on the premises described in the said answer and cross-petitions, and that the conditions of said mortgage have been broken,

It is therefore considered by the Court that Myrtle Reed recover from the defendant, Leroy Walke and wife and the parties defendants that have assumed said mortgage. The sum of One Thousand-Eighty-four and thirty two one hundredths Dollars ($1084.32), and her costs herein expended.

It is therefore adjudged and decreed that unless the defendant shall within three days from the entry of this decree, pay or cause to be paid to the Clerk of this Court the costs of this case, and to the defendant, Myrtle Reed, guardian, as aforesaid herein the sum so found due as aforesaid with interest, the defendants and all other parties to this suit the equity of redemption be foreclosed and said premises be sold and that an Order of Sale issue therefor to the Sheriff of Union County, directing him to appraise and advertise and sell said premises as upon execution, free from the rights of all the parties herein, and report his proceedings to this Court for further order.

John M. Brodrick, Judge.

Court adjourned until Tuesday February 20, 1912 at 9 o'clock A. M.

Tuesday February 20, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

9259

Partition

Margaret Shaffer,
Plaintiff.
vs
Maurice Murphy et al,
Defendants.

No. 9259

This day this cause coming on to be heard upon the petition and the answer of Michael Murphy, a defendant, and and the evidence, the Court finds 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 Michael Murphy, they are all in default for answer, or other pleading thereto. The Court further finds, from the evidence, that at the time of the beginning of this action the defendants, Maurice Murphy, and John Murphy were, each, the owners of a one-sixth part of the lands in the petition described; but that since they with their respective wives, Ella N. Murphy and Anna Murphy, defendants, have each conveyed their respective interests in said lands, by deed, to the said defendant, Michael Murphy. Therefore, the Court further finds that the Plaintiff and the defendants hereinafter named are tenants in common in the estate in the petition described, as follows, to-wit:- The plaintiff, Margaret Shaffer, has a legal right to one-half, or three sixths, thereof; the defendant, Dennis Murphy, has a legal right to the One-sixth part thereof; and that William Murphy, defendant, (for his heirs or assigns) has a legal right to the one-sixth part thereof; and further, that the plaintiff is entitled to have partition of said estate, made as prayed in her petition.

The Court further finds that there is some uncertainty as to the present ownership of the said interest of the said William Murphy, therefore, adjourns this cause, as to the ownership of said interest, for further hearing thereon.

It is therefore, ordred, adjudged and decreed by the Court that partition of said estate be made in favor of said parties in interest as aforesaid; and Lawson B. Harvey, Frank J. Robinson and Louis F. Aurine, three judicious and disinterested freeholders of the vicinity, are hereby appointed Commissioners to make such partition, to the Sheriff

And it is ordered that a Writ of Partition issue to the Sheriff of Union County, Ohio, commanding him by the oaths of the said Commissioners, he cause to be set off and divided to each of the said parties in interest, the part and portion of the said estate to which they are severally found entitled as aforesaid. And of his proceedings therein, the said Sheriff is ordered to make due return pursuant to law for such cases made and provided;

9274 Dismissed

9231 Judgment

and this cause is adjourned for such return, and further hearing as aforesaid.

John M. Brodrick, Judge.

Approved:

J. H. Kinkade, Atty for Michael Murphy, Def.

Filed Feb. 23, 1912.

In the Court of Common Pleas, Union County Ohio.

The Washington Brewing Co.
Plaintiff
vs
Albert Schirtzinger.
Defendant.

No. 9274

9274

Dismissed

This day came James E. Robinson, one of the attorneys for the Plaintiff paid the costs and dismissed this action without record.

Filed Feb. 23, 1912.

In the Court of Common Pleas, Union County Ohio.

9231

Judgment

Sherman Hill,
Plaintiff.
vs
Laura Mc Entire, et al,
Defendants.

No. 9231.

This day this cause came on to be heard upon the pleadings, and the evidence, and the same was argued by counsel and submitted to the Court, On consideration whereof the Court find that the allegations of the petition are sustained by the evidence; that the contract set forth in the plaintiffs petition was duly entered into between the plaintiff and the defendant, Laura Mc Entire, and that the same is valid and subsisting contract between said parties; that the contract subsequently entered into between said defendant, Laura Mc Entire, and said defendants John A. Potts and Hattie E. Potts, was so executed by them in derrogation of the rights of said plaintiff, and was so entered into by said defendants, John A. Potts and Hattie E. Potts, with full knowledge on their part of the existence of said contract between said plaintiff and said defendant, Laura Mc Entire.

The Court further finds that under the terms of the contract between plaintiff and said defendant, Laura Mc Entire, the time fixed therein for the consummation thereof is the 1st day of April 1912.

It is therefore considered and ordered by the Court that that the further consideration of this case be postponed until the 1st day of April, 1912, and that if on that day

the said plaintiff shall tender in this court to said defendant, Laura Mc Entire, full performance of said contract on his part to be performed, according to the terms thereof, and the same be not accepted by said defendant, Laura Mc Entire, and compliance with said contract on her part be not executed on said day in this court, that the plaintiff have leave to file his supplemental petition herein on the the 2nd day of April 1912. praying for the specific performance of said contract as provided by law. 9081

It is further considered and ordered by the Court that the temporary injunction heretofore granted herein be, and the same hereby is, continued in full force and effect until further ordered ~~of~~ by the Court. Continuation

It is further considered by the Court that said Defendant, Laura Mc Entire, pay the costs taxed at $ 119.94. To all of which the defendants, Laura Mc Entire and Hattie E. Potts then and there excepted.

John M. Brodrick, Judge.

Court adjourned until Saturday February 24, 1912 at 9 o'clock a.m.

Saturday February 24, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County O.

9081 Confirmation

Rosetta Orahood,
Plaintiff.
vs
Jacob Sivey,
Defendant

No. 9081.

Order confirming Report of Commissioners and the Election to take at the appraisement and Ordering Deed.

This day this cause came on to be heard upon the return of the Sheriff of the Writ of Partition herein before issued, and the report of the Commissioners therein appointed, and on motion to the Court by Cameron and Cameron, attorneys for the plaintiff, and upon producing the proceedings of the Commissioners herein before appointed, and the same being examined and found to comply with the former orders of this Court and the Law, it is ordered by the Court, that said report and proceedings be, and the same are, hereby approved and confirmed, and it appearing to the Court, that Lauson B. Harvey, one of the Commissioners herein, being a competent surveyor, has made a resurvey of the lands described in the Writ of Partition, and a complete description thereof, which said description is found in the land appraisal, which said description, is found in the land appraisal, returned and filed herewith, it is ordered by the Court that said description be substituted in all proceedings herein, from this date, for the description heretofore set forth in the petition herein, and thereupon the cause coming on to be heard, on the election of Alice Daniels to take said land at the appraised value thereof, to-wit the sum of Fix Thousand Four Hundred and Sixty Dollars, ($6460.00), and upon the motion of said Alice Daniels by Cameron and Cameron, her attorney, to confirm said election, the same is hereby approved and confirmed, and upon her payment to the Court of the taxes and assessments due on said land, and the costs and expense of this action, taxed at $ — and also an attorney fee of $229.30, allowed and to be paid to Cameron and Cameron, attorneys for the plaintiff herein, and upon her payment to Rosetta Orahood, Effie Sivey, Alice Daniels, Minnie Gast, Cora Mc Fadden, Sterling Sivey, Madeline Sivey and Carrie Williams, of their respective proportions of the appraised value of said lands, less the taxes, costs, expenses and attorney fees mentioned above, the said estate is hereby adjudged to the said Alice Daniels, and the said Sheriff is ordered by the Court to execute a deed in fee simple for the same to the said Alice Daniels, according to the statute in such case made and provided.

John M. Brodrick, Judge

Order to Draw Grand and Petit Jury.

Court of Common Pleas, Union County, Ohio,

Draw

To the Clerk of said Court:

Juries

You are hereby directed to proceed according to law at ten o'clock on Saturday the 2nd day of March 1912, to draw from the Jury Wheel of Union County, the names of Thirty-three persons to serve as grand & petit jurors for the April term 1912, 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 Eighteen persons 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 Ohio, in said County, at ten o'clock A. M. on Monday the 8th day of April 1912; 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 16th day of April 1912.

And for so doing this shall be your sufficient warrant.

Witness my hand officially this 24th day of February 1912.

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

Filed Feb. 24, 1912

In the Court of Common Pleas, Union County Ohio.

Sarah E. Stahler,
Plaintiff

9263

vs

No. 9263

Divorce

John Stahler,
Defendant

Now came the plaintiff, and the defendant having been duly served with summons and a copy of the petition herein, and having failed to appear, the Court find him in default for answer and demurrer to said petition, and that the allegations thereof are confessed by him to be true. The Court also find that the ptaintiff, 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 finds that the defendant has been guilty of gross neglect of duty and extreme cruelty, and that by reason thereof the plaintiff

is entitled to divorce, as prayed for.

It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Sarah E. Stahler and John Stahler be, and the same hereby is, dissolved, and both parties are released from the obligations of the same.

It is further ordered that the custody, care, education, and control of the said children of the parties hereto be, until further order, confided to the said Sarah E. Stahler exclusively. And the said John Stahler is hereby enjoined from interfering in any manner with either of the said children, or with the plaintiff in her custody of the same. But is hereby ordered that the defendant have the privilege of visiting said children once each month, and on the last Saturday thereof, between the hours of 3 and 5 o'clock P.M.; and any violation of this privilege by either party may be reported to this Court. And the Court find that the plaintiff is the owner in fee simple of the following described real estate, to-wit:

Situated in the County of Union, in the State of Ohio, and in Virginia Military Survey No. 3353, and beginning at the Southwest corner of the Daniel Longbrake land, on the, Marion (margin) Gravel Road; thence running easterly along said Longbrake's land line to Millcreek; thence southward with Millcreek old channel to the J. G. Zwerner land line; thence to said Marion Gravel Road; thence northerly with said road to the beginning, containing three quarters of an acre of land more or less. Being all the land lying between the Zwerner land and the said Longbrake land formerly owned by Dousilla Cassel, and conveyed by the Sheriff of Union County to J. W. Clark by deed bearing date September 27, 1877.

It is therefore ordered and decreed that the defendant be forever divested of all and ever claim, title or interest by dower or otherwise, in or to any of the real estate herein before described; and that the plaintiff have full power to lease, rent, or dispose of the same at her pleasure. And the defendant is enjoined from interfering in any manner with her rights and from setting up any claim or interest in said real estate. And plaintiff is divested of all rights of dower, and is enjoined from claiming and title or interest therein.

It is further considered by the Court that the said Plaintiff pay the costs of this proceeding.

John M. Brodrick, Judge.

Court adjourned until Saturday March 2, 1912 at 9 o'clock A.M.

Filed February 28, 1912

In the Court of Common Pleas, Union County Ohio.

9235 — Nettie N. Shelton, Plaintiff — vs — Bert J. Shelton, Defendant. — No. 9235 — Dismissed

Petition dismissed by Plaintiff and costs paid.

No. record.

E. N. Porter, Atty for Plaintiff.

9270 — Divorce

9125 — Dismissed

Saturday March 2, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

9270

May Kohler,
Plaintiff
vs
Frank Kohler,
Defendant.

No. 9270.

Divorce

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 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 are married as in the petition set forth. The Court further finds, upon the evidence that the defendant has been guilty of gross neglect of duty toward the plaintiff, and also guilty of extreme cruelty towards the plaintiff, and that by reason thereof the plaintiff is entitled to divorce, as prayed for.

It is therefor ordered and adjudged by the Court that the marriage contract heretofore existing between the said May Kohler and Frank Kohler 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 child, Robert Kohler, of the parties hereto be, until further order, confided to the said plaintiff exclusively. And the said Defendant is hereby enjoined from interfering in any manner with said child, or with the defendant in her custody of it.

It is further considered by the Court that the said Plaintiff recover from the said defendant her costs herein expended taxed at $75.

John M. Brodrick, Judge.

Filed March 5, 1912

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

9125

Fannie J. Greenawalt.
Plaintiff.
vs
A. G. Kirby et al.
Defendant.

No. 9125.

Dismissed

This cause coming on for hearing, and a jury being waived, was submitted to the Court upon the pleadings and

evidence. And on consideration thereof, the Court find that that the defendants are indebted to the plaintiff upon all the notes described in the plaintiff's petition in the sum of Two Hundred, Ninety-three and 13/100 Dollars:

It is therefore considered and adjudged that the plaintiff Two Hundred Ninety-three and 13/100 Dollars and that the Plaintiff recover of the defendants the costs in this case taxed at $6.87.

Hoopes, Robinson & Hoopes.
Attorneys for the Defendants.

John H. Willis
Attorney for the Plaintiff.

9101
Sale
Confirmed

Filed March 6, 1912.

In the Court of Common Pleas, Union County Ohio.

9249 Anna Disher et al, Plaintiff. vs F. J. Higgins et al, Defendant. | No. 9249.

Demurrer

Overruled

The demurrer to the petition by S. A. Mc. Neil, adm. de bonis non of Tendol F. Higgins is heard and overruled. And thereupon the defendant not desiring to plead further,

It is considered, therefor, that said plaintiffs recover of said defendant his costs herein taxed and judgment is rendered against defendant for his costs herein taxed at $0.60.

Approved: John H. Willis, Atty for Plaintiff.
F. J. Ballenger, Atty for Defendants.

Filed March 6, 1912

In the Court of Common Pleas, Union Co. Ohio

9234 The Union Banking Co. Plaintiff vs William C. Wharton et al Defendants. | No. 9234

Confirmation

Sale

The Sheriff having sold the property described in the order of sale issued to him in this case, the Court being satisfied of the legality of such sale, approves and confirms the same, and directs said Sheriff to execute and deliver to the purchaser a good and sufficient deed thereof and this cause is continued for hearing on distribution.

John M. Brodrick, Judge.

Filed Feb. 28, 1912.

In the Court of Common Pleas, Union County Ohio.

John A. Walker,
Plaintiff
vs
Thomas Walker et al,
Defendants.

No. 9101

9101

Sale

Confirmed

On motion of the plaintiff, and upon producing the return of the Sheriff, under the former order of this court, and the Court being satisfied on examination that the same have been had in all respects according to law, the said proceedings and sale are hereby approved and confirmed. And the said Sheriff is ordered by deed duly executed to convey said premises to the purchaser.

It is further ordered that out of the proceeds of said sale the Sheriff pay-

First, to the Treasurer of Union County $4 45 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 $41.41 to E. N. Porter, for his services herein taxed at $82 22,

Thirdly to the defendant, Thomas Walker, the taxes paid by him as alleged in his answer and cross petition herein, and the sum of $200 00. the cost of said barn. Also to said John A. Walker the sum of $, it being one-third the rent at $3 00 per month for four years, to wit, the sum of $48 00; to said Thomas Walker said sum of $ ——, it being one-third of said rent, as aforesaid; to said Gary Horn the sum of $24 00, it being one sixth of said rent, as aforesaid; and to said Kennith Horn the sum of $24 00, it being one-sixth of said rent as aforesaid.

Fourthly, And of the residue of the proceeds of said sale, to the plaintiff, John A. Walker, one-third of the cash proceeds to-wit, the sum of $55 18; to the defendant, Thomas Walker, one-third of the proceeds to-wit the sum of $55 20; to the defendant, Cary Horn, the sum of $27 59, it being one-sixth of said cash proceeds; and to the defendant, Kenneth Horn, the said sum of $27 59, it being one-sixth of said cash proceeds as aforesaid.

John M. Brodrick, Judge.

Filed Feb. 28, 1912

Court of Common Pleas, Union County Ohio.

9227 — The Bank of Marysville Plaintiff

vs

J. B. Dillon, et al Defendants.

No. 9227

9232

Sale

Confirmed

Divorce

This cause came on to be heard on the return of the Sheriff of the Writ of Execution issued herein, with his report of his proceedings and sale of lands and tenements under said writ. And the Court, having examined the said proceedings, being satisfied that the sale has, in all respects, been in conformity to the provisions of the statutes in such cases made and provided, finds the same to be legal, and does therefore approve and confirm the same.

It is further ordered that the Sheriff make to the purchaser, Henry Ruhlen, a deed in fee simple for the lands and tenements so sold, to-wit: Situate in the County of Union, and State of Ohio, and in the township of Liberty, and bounded and described as follows: Beginning in the North line of the Newton and Marysville Gravel road; thence in a N. W. direction in the line with the west line of Lot No. 30, in the Village of Peoria, Union County Ohio, (said lot being on the opposite side of said gravel road) 165 feet; thence in an Easterly direction parallel with said Newton and Marysville Gravel road 66 feet; then in a S. W. direction to north line of said gravel road 165 feet; thence along the North line of said gravel road 66 feet to the point of beginning, containing one-fourth acre. Being same premises conveyed to J. B. Dillon by Robert D. Finley and wife Aug. 30, 1897. (And the said purchaser is hereby subrogated to all the rights of any lien holder who shall be satisfied herein, for the protection of his title). And a writ of possession is awarded to put the said purchaser in possession of said premises.

And the Court coming now to the distribution of the purchase money in the hands of the Sheriff, orders that he pay-

Distribution

First to the Treasurer of of this county the taxes and penalty due upon the property so sold, the sum of $4.90.

Second, to the Defendant, Chas. H. Miltsie, the sum of $34.81, together with the interest thereon at the rate of six per cent per annum from the 6th day of October 1911, to-wit; the total sum of $35.46.

Third-to the Clerk of this Court the costs of this action, taxed at $35.60.

Fourth- To the Plaintiff, The Bank of Marysville on the amount of the judgment herein rendered, with interest to this date, to-wit: the sum of $373.24.

Fifth- To the G. W. Bobb + Co., herein the balance of said purchase money, to-wit the sum of $ —.

Sixth- To the defendant Freece the balance of said purchase money $ —.

Filed Jan. 13, 1912

Court of Common Pleas, Union County, Ohio.

Charles N. Wren,
Plaintiff

9232 vs

Mina Wren,
Defendant

No. 9232.

Divorce

This day this cause came on to be heard upon the pleadings, evidence and argument of counsel. On consideration thereof, the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process and she has failed to appear and is in default for answer or demurrer to the petition and the allegations 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 14th day of September A.D. 1911, as alleged in said petition, and that the defendant has been guilty of Gross neglect of duty toward the plaintiff and Extreme cruelty toward him, as alleged in said petition; and that said plaintiff is therefor entitled to a divorce, as prayed for in said petition.

It is therefor ordered, adjudged and decreed that the 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, and She hereby is divested of all dower rights in and to, any part of plaintiffs real estate and that plaintiff pay the costs of this proceeding taxed at $7.45, and that this case be recorded.

John M. Brodrick, Judge.

Court adjourned until Saturday March 9, 1912 at 9 o'clock A.M.

Saturday March 9, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge,

In the Court of Common Pleas, Union County Ohio.

9129 The Board of County Commissioners
Plaintiff

vs

Motion Dwight B. Edwards,
Defendant.

No. 9129.

Leave granted Defendant to file an answer within 30 days.

9292 Herbert E. Manville,
Plaintiff

vs

The Unknown Heirs,
Devisees, Legatees
and Legal Representatives
of Allen G. Dunkes,
Deceased.

No. 9292

Aff. for Service
Publication

This day came the plaintiff and filed herein an affidavit under the General Code in that behalf for the purpose of procuring service by publication; and it appearing to the Court that the name and residences of the heirs, devisees, legatees and legal representatives of Allen G. Dunkes, deceased, are unknown to the plaintiff, it is ordered that the notice of the pendency and object of this action be given to said unknown heirs, devisees, legatees and legal representatives of Allen G. Dunkes, deceased, by publication for six consecutive weeks, in the manner prescribed by law.

John M. Brodrick, Judge.

Court adjourned until Tuesday March 12, 1912 at 9 o'clock A. M.

1396 Reinstated

Tuesday March 12, 1912 - Court convened at 9 o'clock a. m.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

1396 — State of Ohio, Plaintiff — vs — Wilber Hogue, Defendant — No. 1396.

Reinstated

On motion of John H. Willis, Prosecuting attorney, this case is reinstated on the Trial Docket.

Court adjourned until Friday March 22, 1912 - at 9 o'clock a. m.

Friday March 22, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

9289 — Motion

Wm. A. Shepard,
Plaintiff,
vs
Henry C. Shepard,
Defendant.

No. 9289.

9283

Foreclosure

Leave granted Defendant to Answer within 30 days.

9287 — Motion

Harry D. Shepard,
Plaintiff,
vs
Henry C. Shepard, et al
Defendants

No. 9287.

Leave granted Defendants to answer within 30 days.

9288 — Motion

Harry D. Shepard,
Plaintiff,
vs
Henry C. Shepard,
Defendant

No. 9288.

Leave granted Defendant to answer within 30 days.

Court adjourned until Saturday March 23, 1912 at 9 o'clock A. M.

Saturday March 23, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

The Citizens' Home and Savings Co.
Plaintiff

9283

vs

George N. Armstrong, Fannie M. Armstrong,
Wm. J. Stover, Jennie Stover,
The Union Banking Company,
The Delaware Savings Bank,
Defendants

No. 9283.

Foreclosure

This cause now coming on for hearing on the petition of the plaintiff, the Cross petition of the defendant, The Delaware Savings Bank, and the evidence, the Court find that all the defendants, to-wit: George N. Armstrong, Fannie M. Armstrong, William J. Stover, Jennie Stover, The Union Banking Co. and The Delaware Savings Bank have been duly served with a summons in this case, and that the defendants George N. Armstrong, Fannie M. Armstrong, William J. Stover, Jennie Stover and The Union Banking Company are in default for answer and demurrer, and that the allegations of the petition are thereby confessed by them to be true, and that there is due the plaintiff from the defendants, George N. Armstrong and William J. Stover on the promissory note set forth in plaintiff's petition with interest to the date of this decree the sum of $1614 70.

The Court further find that in order to secure the payment of said note the defendants George N. Armstrong and Fannie M. Armstrong, his wife, executed and delivered to the plaintiff their certain mortgage as in the petition described, and on the premises therein described; that said mortgage was duly recorded in Book 60, Page 63, of the Records of Mortgages of Union County, at 9:31 o'clock A. M. on the 19th day of August 1908, and is a good and valid lien upon the premises described in the petition and that the conditions in said mortgage have been broken. That the defendant, William J. Stover purchased said premises and as a part consideration therefor assumed and agreed to pay to plaintiff the unpaid balance of said mortgage and note.

And the Court further find that on the 18th day of February 1911, at the January term of the Court of Common Pleas of Delaware County, Ohio, the defendant, The Delaware Savings Company recovered a judgment against the defendant William J. Stover and Jennie Stover et al, defendants for the sum of $105 45 and its costs therein taxed at $9 40, that said judgment bears interest at the rate of 6%, that on the 8th day of September 1911, the defendant, The Delaware Savings Bank Co, caused an execution to be issued out of said Court of Common Pleas of Delaware Co, Ohio to the

M.

Sheriff of Union County Ohio, commanding said Sheriff that out of the goods and chattels of said defendants William J. Stover and Jennie Stover he cause said judgment and costs to be made; and that for want thereof, then out of the lands and tenements of the said William J. Stover and Jennie Stover, he cause said judgment and costs to be made; that on the 9th day of September 1911, at 8 o'clock A. M. for want of goods and chattels said Sheriff levied said execution upon the lands and tenements set out and described in plaintiff's petition, and that said judgment and execution is unsatisfied.

It is therefore considered by the Court that the plaintiff recover from the defendants George N. Armstrong and William J. Stover the said sum of $1614 70 and its costs herein expended. And it is further adjudged and decreed that unless the defendant George N. Armstrong and William J. Stover shall within three days from the entry of this decree, pay or cause to be paid to the Clerk of this court the costs of this case, and to the plaintiff herein the sum so found due as aforesaid, with interest from the date of this entry, and to the defendant, The Delaware Savings Bank Co., the sum of $105 45, with interest at 6% from February 18, 1911, and its costs taxed at $9 40, the defendants George N. Armstrong's, Fannie M. Armstrong's, William J. Stover's and Jennie Stover's equity of redemption be foreclosed, and said premises be sold, and that an order of sale issue, directing him to appraise, advertise and sell said premises as upon execution, and report his proceedings to this court for further order. And this case is reserved for further hearing as to the distribution of the proceeds of said sale.

Approved: Hoopes, Robinson & Hoopes, Attys for Plaintiff
Marriott, Freshwater & Bliss " " Defendant
for Del. Sav. Bank Co.

The Citizens Home & Savings Co.
Plaintiff
vs
Thomas B. Corbin, Emma M. Corbin,
William J. Stover, Jennie Stover
The Delaware Savings Bank,
Defendants,

9284
Foreclosure
No. 9284.

This cause now coming on for hearing on the petition of the plaintiff, the cross petition of the defendant, The Delaware Savings Bank Company and the evidence, the Court find that the defendants, Thomas B. Corbin, Emma M. Corbin, William J. Stover and Jennie Stover and The Delaware Savings Bank Co. have been duly served with summons in this case, and that ~~said~~ defendants, Thomas B. Corbin, Emma M. Corbin, William J. Stover and Jennie Stover are in default for answer and demurrer, and that the allegations of the petition are thereby confessed by them to be true; and that there is due the plaintiff from the defendants, Thomas B. Corbin, Emma M. Corbin and William J. Stover on

the promissory note set forth in the petition, with interest from the date of this decree, the sum of $498.04.

The Court further finds that in order to secure the payment of said note the defendants, Thomas B. Corbin and Jennie M. Corbin, his wife, executed and delivered to said plaintiff their certain mortgage as in the petition described and on the premises therein described; that said mortgage was duly recorded in Book 60 Page 50 of the Record of Mortgages of Union County, at 2:20 o'clock P. M. on the 23rd day of June 1908, and is a good and valid lien upon the premises described in the petition, and that the condition in said mortgage have been broken, and that the defendant, William J. Stover, after said mortgage had been executed and filed purchased said premises, and as a part consideration therefor assumed and agreed to pay to plaintiff the unpaid balance of said mortgage and note.

And the Court further find that on the 18th day of February 1911, at the January term of the Court of Common Pleas of Delaware County, Ohio, the defendant, The Delaware Savings Bank Company recovered a judgment against the defendants, William J. Stover and Jennie Stover in cause No. 6553 entitled The Delaware Savings Bank Company, plaintiff vs William J. Stover, Jennie Stover et al, defendants, for the sum of $105.45 and its costs therein taxed at $9.40, that said judgment bears interest at the rate of 6%, that on the 8th day of Sept. 1911, the defendant, The Delaware Savings Bank Company caused an execution to be issued out of said Court of Common Pleas of Delaware County, Ohio to the Sheriff of Union County Ohio, commanding said Sheriff that out of the goods and chattels of said defendants William J. Stover and Jennie Stover, he cause said judgment and costs to be made; and that for want thereof, then out of the lands and tenements of the said William J. Stover and Jennie Stover, he cause to be made said judgment and costs; that on the 8th day of September 1911 at 8 o'clock A. M. for want of goods and chattels said Sheriff levied said execution upon the lands and tenements set out and described in plaintiff's petition, and that said judgment and execution is unsatisfied.

It is therefore considered by the Court, that the plaintiff recover from the defendant, Thomas B. Corbin, Emma M. Corbin, William J. Stover, the said sum of $498.04 and its costs herein expended, and it is further adjudged and decreed that unless the defendants, Thomas B. Corbin, Emma M. Corbin and William J Stover shall within three days from this entry of this decree pay or cause to be paid to the Clerk of this Court the costs of this case and to the plaintiff herein the sum so found due as aforesaid, with interest from the date of this entry, and to the defendants, The Delaware Savings Bank Company the

said sum of $1054.0 with interest at 6% from February 18, 1911, and its costs taxed at $9.40, the defendants, Thomas B. Corbin's, Emma M. Corbin's, William J. Stover's and Jennie Stover's equity of redemption be foreclosed and said premises be sold, and that an order of sale issue therefor to the Sheriff of Union County, directing him to appraise, advertise, and sell said premises as upon execution, and to report his proceedings to this court for further order. And this cause is reserved for further hearing as to the distribution of the proceeds of said sale. 9156

Divorce

Appearances: Hoopes, Robinson & Hoopes, Atty for Plaintiff.
Marriott, Freshwater & Bliss, Atty for Def. The Del. Sav. & Trust Co. Bank

Court adjourned until Thursday March 28, 1912 at 9 o'clock a.m.

Thursday March 28, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge

Court of Common Pleas, Union County Ohio,

9156 Divorce

Edward R. Andrews,
Plaintiff
vs
Eva Andrews,
Defendant.

No. 9156.

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 for answer or demurrer to the petition, and that the allegations thereof are confessed by her to be true 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 1st day of April A.D. 1909, 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, and 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 said plaintiff the Court further finds that the contract entered into by the parties hereto dividing the personal and real property is a valid and subsisting contract; that its terms are satisfactory to both parties, and therefore confirms the same, and further orders that each may be barred from any dower right the other may have in any personal or real property whatsoever; that the Plaintiff pay the costs of this proceeding taxed at $94.00, and that this case be recorded.

John M. Brodrick, Judge

Court adjourned until Friday March 29, 1912 at 9 o'clock A. M.

Friday March 29, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

9238 — Burroughs Adding Machine Co. Plaintiff. vs Davis Chair Company, Defendant } No. 9238.

Motion — Leave granted Plaintiff to file a reply and the same filed.

9282 — Motion

9283 — The Citizens' Home and Savings Co. Plaintiff vs Geo. N. Armstrong et al, Defendants. No. 9283.

Motion — Leave granted The Union Banking Co. to file an answer and cross Petition

9181 — Motion

9286 — Charles O. Herd, Plaintiff, vs R. L. Ingram, Admr. Est M. F. Winston, deceased, } No. 9286.

Motion — Leave granded defendant to answer within ten days.

9256 — Motion

Court adjourned until Saturday March 30, 1912, at 9 o'clock A. M.

Saturday March 30, 1912 - Court convened at 9 o'clock a. m.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County O.

9282 — Martha E. Belleville, Plaintiff. vs R. L. Ingram, Admr Estate Mariah F. Winston, deceased, and Daisy Belleville, Defendants. — No. 9282

Motion

On application of the plaintiff, she has leave to file an amended petition instanter. And it is ordered by the Court that Daisy Belleville, be and she is hereby made party defendant herein, with leave to answer.

9181 — Howard Townsend, Plaintiff vs Lawrence Farrington, Defendant. — No. 9181

Motion

Plaintiff has leave to file reply by April 6, 1912.

9256 — Donohoe & Turner, Plaintiff vs Grant Douglass, Electa Douglass, Defendant. — No. 9256.

Motion

Plaintiff has leave to file petition within 10 days.

Court adjourned until Monday April 1, 1912 at 9 o'clock a. m.

Monday April 1, 1912- Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio.

Soldiers' Relief

9308

Appointment of Wm. G. Snodgrass, Member of Soldiers' Relief Commission.

Serv. by Pub.

Commission

It is ordered that William G. Snodgrass, a resident of this County, be and he hereby is appointed a Member of the Soldiers' Relief Commission of said Union County, Ohio, to serve the term of three years from this date.

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

Oath of Office

The State of Ohio, Union County, ss.

William G. Snodgrass being duly sworn says that he will support the Constitution of the United States and the Constitution of the State of Ohio, and will faithfully discharge the duties devolving upon him as a Member of the Soldiers' Relief Commission of Union County, Ohio.

Wm. G. Snodgrass.

Sworn to before me and signed in my presence this 17th day of April 1912.

John C. Hartshorn, Clerk of Court.

John H. Sanderson,
Ida C. Sanderson,
Plaintiffs.

9306

vs

Lucy U. Paul Popenoe,
Charles Sayer,
Anna N. Newman, Lucy Brown,
Harriett E. Irwin,
Defendants

No. 9306.

Serv. by Pub.

This day came the plaintiffs and filed herein an affidavit under the General Code in that behalf for the purpose of procuring service by publication; and it appearing to the Court that the residence of each of the defendants are unknown and can not with reasonable diligence be ascertained, and that service of summons on said defendants are unknown and can not with reasonable diligence be ascertained, and that service of summons on said defendants can not be made in this State, and that this cause is one of those mentioned in Sec. 11292 of the General Code of Ohio, It is therefore ordered that notice of the pendency and object of this action and the prayer thereof be given to said defendants by publication for six weeks consecutive, in the manner prescribed by law.

John M. Brodrick, Judge.

Court of Common Pleas, Union County Ohio.

9308 Onisimus A. Shearer
Mary A. Shearer,
Plaintiffs.
vs
Serv. by Pub. Lucy N. Paul Popenoe,
Chas. Sayre, Anna N. Newman,
Lucy Brown, Harriett E. Irwin.
Defendants.

No. 9308

This day came the plaintiffs and filed herein an affidavit under the General Code in that behalf for the purpose of procuring service by publication; and it appearing to the Court that the residences of each of the defendants are unknown and can not with reasonable diligence be ascertained, and that service of summons on said defendants can not be made in this State, and that this cause is one of those mentioned in Sec. 11292 of the General Code of Ohio.

It is therefore ordered that notice of the pendency and object of this action and the prayer thereof be given to said defendants by publication for six consecutive weeks, in the manner as prescribed by law.

John M. Brodrick, Judge

Court adjourned until Wednesday April 3, 1912 at 9 o'clock A.M.

Wednesday April 3, 1912, Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

9154 — Dismissed as to Int. Harv. Co.

International Harvester Co.
Plaintiff.
vs
Charles H. Westlake,
Defendant.

No. 9154.

9079 — Partition

The within case as to the International Harvester Co. of America is settled in full and costs paid as to their part, but in the matter on answer and cross petition of Myrtle Reed, judgment is unsatisfied, and costs unpaid, and case still pending.

Emma J. Trout,
Plaintiff
vs
Charles N. Trout,
Defendant

9034

No. 9034.

Dismissed — This day came the attorney for the plaintiff dismissed this case and paid the costs.

The Brown Manufacturing Co.
Plaintiff.
vs
Edwin Howison,
Belle C. Howison,
Defendants.

9781

Judgment

The Plaintiff by its 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 account and finds that said defendants do owe the plaintiff as damages the sum of One Hundred, Fourteen and 92/100 Dollars.

It is therefor considered that the said plaintiff recover of said defendants its said damages and also its costs of this suit to be taxed.

John M. Brodrick, Judge.

Sherman Hill,
Plaintiff
vs
Laura Mc. Entire
Defendant

9231

Judgment.

No. 9231.

Continued on Page 456.

Court adjourned until Thursday April 4, 1912 at 9 o'clock a. m.

Thursday April 4, 1912. Court convened at 9 o'clock a. m.
Present Honorable John M. Brodrick, Judge.

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

Bessie Smith,
Plaintiff,

9079 vs

Partition

Oliver Shaw, Lewis P. Shaw,
Howard Shaw, Harry Shaw,
William Shaw, Minnie Amrine,
Dana Giffin, Vera Giffin,
Gail Hamilton, Madeline Hamilton
Byron Hamilton & Mildred Hamilton,
Defendants.

No. 9079.

And now this cause coming on to be heard on the petition, the second amended answer of the defendant, Oliver Shaw, and the reply thereto, and the Court find that all of the defendants have had due and legal notice of the filing and pendency and demand of the said petition, and that with the exception of the said Oliver Shaw, they are in default for answer and demurrer. The Court further finds that Gail Hamilton, Madeline Hamilton, Byron Hamilton and Mildred Hamilton, are minors that Harry H. Shaw is their due and legal guardian for both person and estate, and that on the 9th day of Sept. 1910 said Harry H. Shaw, on behalf of his wards waived the issuing and service of summons, and entered the appearance of himself and his said wards, and waive service of process. Upon the issues joined between the plaintiff and the said Oliver Shaw, the Court find in favor of the plaintiff and against the said Oliver Shaw.

The Court further find that the facts stated in the petition are true, and that the defendants Lewis Shaw, Abraham Shaw, Howard Shaw, Harry Shaw, William Shaw, Gail Hamilton, Madeline Hamilton, Byron Hamilton, and Mildred Hamilton, are tenants in common in the lands and tenements, in the petition described, and that the defendant Oliver Shaw is entitled to dower therein. That subject to said dower, the parties are seized of and have a legal right to the following parts and proportions of said lands and tenements, to-wit: The plaintiff has a legal right to the one-seventh part thereof, and the said Lewis Shaw, Abraham Shaw, Howard Shaw, Harry Shaw, William Shaw, each have a legal right to one-seventh part thereof; and the said Gail Hamilton, Madeline Hamilton, Byron Hamilton and Mildred Hamilton, each have a legal right to the one-twenty-eighth part thereof, all of said interests being subject to the dower of Oliver Shaw.

The Court further finds that the plaintiff is entitled to have partition made of said premises, as prayed for in her petition.

It is therefore ordered, adjudged and decreed that partition

of said estate be made, and that dower therein be assigned to the said Oliver Shaw; and that Lawson B. Harvey, Winfield L. Hazen and Wesley J. Ginn, three judicious and disinterested freeholders of the vicinity, are hereby appointed commissioners to make and set off the same. And it is ordered that if the said estate is entire and can not be divided by metes and bounds, without manifest injury to the value thereof, the dower of the said Oliver Shaw be assigned as of a third part of the rents, issues and profits thereof, and that the estate be appraised subject to such dower interest. 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 proportion of said estate entitled, and also cause to be set off and assigned in manner above ordered, the dower of Oliver Shaw. And of his proceedings herein, the said Sheriff is ordered to make due return.

9309

Judgment

Thereupon the said defendant Oliver Shaw gave notice of his intention to appeal this cause to the Circuit Court and the court fixed the bond for appeal at One Hundred Dollars,

Approved: Cameron & Cameron, F.A. Thompson & John H. Mills
Attorneys for Parties.

Report of Grand Jury - Filed April 5, 1912.

Jan. Term 1912

To the Honorable John M. Brodrick, Judge of the Court of Com. Pleas, Union Co. O.

The Grand Jury of the Court of Common Pleas of said County of Union, of the January Term 1912, 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 into all such matters as have legitimately come to our notice, having examined no witnesses covering no cases and presented no bills and ignored no cases considered by us. The business has been transacted in as expeditious a manner as possible. During our session we have visited the County Jail and made a complete examination thereof and find that the rules prescribed by the Court for the care thereof and for the government of its inmates have been carried out and properly enforced

9211

Judgment

Respectfully submitted,
H. J. Graham, Forman.

Court adjourned until Saturday April 6, 1912 at 9 o'clock A.M.

Saturday April 6 1912 - Court convened at 9 o'clock A. M
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio.

9309 Judgment

A. D. Hoover,
Plaintiff,
vs
C. W. Spicer,
Defendant.

No. 9309

This day came the Plaintiff by N. D. Spicer, attorney, and filed his Petition against said Defendant C. W. Spicer and thereupon W. D. Hoopes, one of the attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendant, C. W. Spicer, 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 and Four and 70/100 Dollars ($204.70), 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 therefor considered by that said A. D. Hoover, Plaintiff do recover from said C. W. Spicer, Defendant, the sum of Two Hundred and Four and 70/100 Dollars ($204.70), so as aforsaid confessed to be due together with the costs of suit herein to be taxed and with interest to be to be computed from the 6th day of April 1912 at the rate of 6 To 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.

John M. Brodrick, Judge.

9211 Judgment

John Woolon,
Plaintiff
vs
John F. Stallsmith
Defendant.

No. 9211

This cause now coming on for hearing on the motion of the Plaintiff for a new trial. On consideration of the Court, the same is overruled. To all of which the Plaintiff excepts.

It is therefor considered that this Defendant go hence without day and recover of the Plaintiff his costs herein expended.

— Continued from page 452. —

This cause coming on further hearing this day the Court find that the Plaintiff on the 1st day of April 1912, tendered into this court full performance of the contract heretofore established in this case between said plaintiff and said defendant, to-wit; that the plaintiff on said day paid into this court for the use and benefit of the defendant, Laura Mc Entire $1200.00 and executed his promissory note secured by mortgage upon the premises hereinafter described with proper release of Dower for $967.70, payable to the said defendant and tendered same into this court for said defendant. The Court further find that the said defendant has neglected to accept such tender and has failed to comply with said contract on her part. The Court further finds that under the terms of said agreement said premises were to have been deeded to said plaintiff clear of incumbrances except a mortgage of $1200.00 with the interest paid to April 1, 1912, and except the June 1912 installment of taxes and assessments and all taxes and assessments thereafter. The Court further find that the mortgage described in said agreement as a $1200.00 mortgage is in fact a $1750.00 mortgage, with a considerable of accrued unpaid interest, and that the mortgage of $1207.30 has a considerable sum of accrued unpaid interest upon it; that there is in force upon said premises another mortgage of $78.50 to the Commercial Savings Bank of Marysville, Ohio, with accrued interest upon it; that there are judgments liens upon said premises as follows: to John A. Potts and Hattie Potts $230.00 with interest from Feb. 13, 1912, and $2.85 costs, also a judgment lien of $200.00 to John A. Potts and Hattie Potts with interest from March 26, 1912 and $4.20 costs; that the December, 1911 installment of taxes, assessments on said premises amounting to $26.63 have not been paid. It is therefore considered and decreed that the defendant, Laura Mc Entire, reduce the mortgage of $1750.00 down to $1200.00 with interest paid to April 1, 1912, that she pay the interest on said $1207.30 mortgage to April 1, 1912, that she release by satisfaction or otherwise the two judgment liens of John A. Potts and Hattie Potts, so that the same shall cease to be a lien upon said premises, that she obtain a release and cancellation of said mortgage of $78.50 to the Commercial Savings Bank of Marysville Ohio; that she pay the December 1911 installment of taxes, assessments and penalties upon said premises, and that she execute a deed of general warranty subject to to a mortgage of $1200.00, a mortgage of $1207.30 with interest paid on both to April 1, 1912 and subject to the June installment of taxes, and assessments coming due thereafter to the Plaintiff, Sherman Hill,

— Continued on Page 461 —

Closing

It is ordered that all cases, motions, and matters now pending this court, not otherwise disposed of, be and the same are hereby continued to the next regular term thereof.

Jan. Term

1912

This separate session of this Court of Common Pleas, for the Term of January A. D. 1912, was begun on Monday January 8, 1912 and continued from day to day, by regular adjournments until this 6th day of April 1912, and is now adjourned without day.

Thos. M. Broderick

Judge

April Term 1912.

In Union County Ohio, Common Pleas Court.

The State of Ohio, Union County ss.

This separate session of the Court of Common Pleas of the Tenth Judicial District, Third Sub-division within and for the County of Union, for the April Term in in the year of Our Lord One Thousand, Nine Hundred and Twelve, in the Court House at Marysville Ohio begun on Monday April 8, 1912.

Present Honorable John M. Brodrick, Judge.
Cad Price, Sheriff. attest: John C. Hartshorn, Clerk.

Venire Facias returned indorsed:

The State of Ohio, Union County ss.

Sheriff's Office, April 8, 1912.

On the 2nd day of March 1912, I received this Venire and served the same on the several persons therein named, at the times and in the manner placed opposite their names endorsed thereon.

1. Tom Connor, Mar. 2, 1912, By mail - Miles 5.
2. David Austin " " " " " " 12.
3. Ray Perkins " " " " " " 9.
4. Max Chapman " " " " " " 1.
5. Ernest Reed " " " " " " 10.
6. J. A. Main " " " " " " 9.
7. T. J. Davis " " " " " " 13.
8. J. E. Clark, Excused.
9. J. E. Robinson, Excused
10. W. N. Clevenger Mar. 2, 1912 " " " 9.
11. John Mitchell " " " " " " 12.
12. W. H. Lake " " " " " " 17.
13. Lester Clark " " " " " " 2.
14. Frank Richter " " " " " " 15.
15. E. J. Brookes " " " " " " 15.
16. Jerry Miller April 8, 1912 " " " 0.
17. Frank Robinson " " " " " " 0.

The Venire Facias for a Grand Jury heretofore issued and returnable this day at 10 o'clock A. M, was duly returned by by the Sheriff with his endorsements thereon as above set forth. And upon calling the same in open Court, and J. E. Clark and J. E. Robinson were excused for good cause. And the panel being incomplete the Sheriff summoned Jerry Miller and Frank Robinson to serve. The panel being full the Court appointed Max Chapman foreman of the Grand Jury and he with his fellow jurors took the oath 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 following named persons compose the Grand Jury: Tom Connor, David Austin, Ray Perkins, Max Chapman, Ernest Reed, J.A. Main, T.J. Davis, W.W. Clevenger, John Mitchell W.H. Lake, Lester Clark, Frank Richter, E.J. Brooks, Jerry Miller and Frank Robinson. The examination of witnesses was immediately begun. Grand Jury adjourned until to-morrow morning at 9 o'clock.

In the Court of Common Pleas, Union County Ohio.

9259

Margaret Shaffer,
Plaintiff,
vs
Maurice Murphy et al,
Defendants.

No. 9259.

Sale Confirmed

This day this cause came on to be heard upon the 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 had according to law, the said proceedings and sale are hereby approved and confirmed. And the said Sheriff is ordered, by deed, duly executed to convey the real estate in the petition described to Michael Murphy, the purchaser. And thereupon this cause came on to be further heard upon the question of ownership of the share in said lands alleged to belong to one William Murphy, named as a defendant, the supplemental answer of the defendant Michael Murphy and the evidence; and the same were submitted to the Court. Whereupon, the Court, being fully advised in the premises, finds that more than seven years (to-wit twenty years) have elapsed since the said William Murphy was last heard of or from; that the said William Murphy, by reason of continued absence and the elapsed time, aforesaid, should be adjudged deceased; that the said William Murphy died leaving the defendants, Millie Davis, (formerly Millie Murphy) and Eugene Murphy, his widow and sole heirs at law; and that the defendants, Millie Davis and Eugene Murphy, have conveyed all their interests, and the interest of said William Murphy in said lands, by deed of record in said County of Union, to the defendant, Michael Murphy.

The Court further finds that prior to said sale, the defendant, Dennis Murphy, had conveyed all his interest in said lands, by deed of record in said County of Union to the defendant, Michael Murphy.

Distribution

Therefore, it is considered and adjudged by the Court that the said William Murphy is deceased, and that his interest in said lands has been conveyed by his heirs at law to the said

Order of

Michael Murphy who, at the time of said sale, was, and is now, the owner thereof; and it is further considered and adjudged that the said Michael Murphy is the present owner of the interests of the defendant, Dennis Murphy, in said lands. Therefore it is

further considered and adjudged that of the net proceeds of the sale, aforesaid, the Plaintiff is entitled to receive a one-sixth part thereof; and that the defendant, Michael Murphy is entitled to receive the other five-sixths thereof.

And the Court coming now to distribute the proceeds of said sale, in the hands of the Sheriff, orders that said Sheriff pay:-

First, to the Treasurer of Union County, Ohio, $, 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 $120.65 to James Mc Campbell, for his services herein taxed at $182.62,

Third, it appearing that the defendant Michael Murphy, the purchaser, desires to pay for the entire one-sixth interest of the Plaintiff in cash, and that the Plaintiff consents thereto, it is ordered that said Sheriff pay to Margaret Shaffer or her counsel, the sum of $517.25, in full of the net balance due Plaintiff in the premises,

Fourth, It appearing that the said Michael Murphy the purchaser, is entitled, in his own right, to the other five-sixths, of the net proceeds of the sale, to-wit, the sum of $2622.57, the same is remitted him in the premises.

John M. Brodrick Judge.

Filed April 11, 1912.

John F. Tilton,
Plaintiff
vs
N. N. Northup,
Defendant. | No. 9299.

Settled and dismissed without record.

State of Ohio,
Plaintiff
vs
Birt Mathers,
Defendant. | Apr. 25, 1914,
No. 1423
Indictment for Petit Larceny.

Now comes the Prosecuting Attorney, on behalf of the State of Ohio, and the defendant coming voluntarily into open court and arraigned upon said indictment, and waiving the service of copy, and of reading of, and further time to consider and examine said indictment, for plea thereto saith he is "not guilty" and puts himself on the country, and the Prosecuting Attorney doth the like, And thereupon recognizance was required by the Court and thereupon the defendant provided said recognizance and the sureties thereupon were duly approved and the defendant admitted to bail.

Court adjourned until Tuesday April 9, 1912 at 9 o'clock A.M.

Tuesday April 9, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

The Grand Jury assembled pursuant to adjournment and after hearing the witnesses subpoenaed for this day adjourned until to-morrow morning at 9 o'clock.

In the Court of Common Pleas, Union County Ohio.

Willis Y. Roots,
Plaintiff.
vs
Willis Y. Roots,
Admr. Mary L. Roots et al,
Defendants.

9276
Partition

No. 9276

And now this cause coming on to be heard upon the petition of Willis Y. Roots and the answer in cross petition of Willis Y. Roots and Mary L. Roots, and other defendants being in default for demurrer or answer, the Court finds according to evidence that all the defendants have had legal notice of the pendency and demands of said petition

Thereupon the Court finds the plaintiff and defendants hereafter named are tenants in common in the estate described in the petition; that the plaintiff, Willis Y. Roots has legal right to the 1/2 thereof and the defendant Yale Roots has a legal right to the 1/2 part thereof. That the plaintiff is entitled to have partition of said estate made, as prayed for 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 John A. Kennington, B E. Baker and C. S. Haynes, three judicious and disinterested parties and land owners of the vicinity are hereby appointed commissioners to make the same, and if said premises can not be divided without manifest injury thethe same that said premises be appraised.

And it is ordered that a writ of partition issue to the Sheriff of Union County Ohio commanding that by the oaths of the commissioners above named, he cause to be partitioned or appraised, according to law. And of his proceedings herein, said Sheriff is ordered to make due return.

John M. Brodrick, Judge.

Court adjourned until Wednesday April 10, 1912 at 9 o'clock A. M.

Wednesday, April 10, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

The Grand Jury convened pursuant to adjournment, continued the examination of witnesses and adjourned until to-morrow morning at 9 o'clock.

— Continued from page 456. —

for the said premises described as follows: Situated in the Tp of York in the County of Union, and State of Ohio, and in Survey No. 3468 and bounded and described as follows: as beginning at a stone in the center of the Marysville and Kenton State Road at the N.E. corner of lands formerly owned by John Johnson; thence with the N. line of said lands N. 83°-50' W. 122 poles to a stone; thence N. 7° E. 93 poles to a stone in the N. line of said Survey No. 3468; thence with said line S. 83° 50' E. 122 poles to a stake (two beeches and an elm) N.W. corner of lands formerly owned by S. Breece; thence S. 7° W. 93 poles to the place of beginning containing 70½ acres more or less, Excepting two acres conveyed by Calvin and Margaret Richards to Wm. N. Morrow described by meets and bounds leaving 68½ acres from which is excepted 3½ acres described as beginning at a stone in the center of the said Marysville and Kenton State Road at the N.E. corner of lands formerly owned by John Johnson; thence with the N. line of said lands N. 83°-50' W. about 22 poles to a stone; thence N. 7° E. — poles to a stone in the center of said road; thence with two consecutive lines following the center of said road to the beginning. Leaving 65 acres, And that upon he failure to comply with this decree within 10 days that the Clerk of this Court out of the $1200.00 now in his hands for the use and benefit of Laura Mc Entire, reduce said $750.00 mortgage with the interest paid to April 1, 1912, and pay the interest on said $1207.30 mortgage to April 1, 1912, and pay to the holder thereof said $78.50 mortgage with interest and obtain a cancellation of same of record; and that he either pay said judgment liens of said John A. Potts and Hattie Potts and costs thereon, or that he retain a sufficient amount of said $1200.00 to cover said judgment, interest and costs until such time as the Court shall have passed on the validity of said liens or the statute of limitation shall have run against said defendant so that the same can not be further litigated at which time he shall, unless the same shall have been canceled and released by an order of the Court, obtain release of same by payment of said money; and that said Clerk pay out of said money to the Treasurer of Union County, the December Taxes, assessments and penalties on said premises; and that this decree shall operate as a conveyance of said premises to said plaintiff, Sherman Hill,

It is further ordered that the plaintiff recover from the defendant,

— Continued on page 462. —

Court adjourned to Thursday April 11, 1912 at 9 o'clock A.M.

Thursday April 11, 1912 - Court convened at 9 o'clock a. m.
Present Honorable John M. Brodrick, Judge.

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

Report of Grand Jury.

9129 — The Board of County Commissioners, Union Co. O., Plaintiff, vs Dwight B. Edwards, Defendant. | No. 9129.

On Motion — Leave granted to the defendant this day to file an answer and the same filed.

The Grand Jury convened pursuant to adjournment. Continued the hearing of witnesses and adjourned until to-morrow morning at 9 o'clock.

Dismissed — John J. Lewis, Plaintiff, vs Susan R. Hazen, Defendant. | No. 9005

This day this cause is dismissed for want of prosecution. It is therefor ordered that defendant go hence without day and that he recover of Plaintiff his costs herein expended.

Filed Apr. 20, 1912.

Hill vs Mc Entire Continued from page 461.

Laura Mc Entire, his costs herein expended. To all of which the defendant then and there excepted at the time. The defendant, Laura Mc Entire, then gave notice of her intention to appeal said cause to the Circuit Court and the Court do fix the amount of appeal bond herein in the sum of Eight Hundred Dollars

O.K. John M. Brodrick, Judge.

1414 — State of Ohio, Plaintiff vs Robert ~~J.~~ Guy, Defendant. | Apr. 12, 1912. No. 1414 | Ind. for Violating Pros. Gen. Code relating to Co. Depositories

Arraignment — Now comes the Prosecuting Attorney, on behalf of the State of Ohio, and the defendant coming voluntarily into open Court and arraigned upon said indictment and waiving the service of copy, and of the reading of, and further time to consider & examine said indictment, for plea thereto saith he is not guilty, and puts himself on the country, and the Pros. atty doth the like, And thereupon recognizance in the amount of $1500.00 was required by the Court, and thereupon the defendant provided said recog. and the sureties thereupon were duly approved and the defendant admitted to bail.

Court adjourned until Friday April 12, 1912 at 9 o'clock a. m.

Friday April 12, 1912- Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

Report of Grand Jury.

This day appeared at the bar of this court the Grand Jury heretofore impaneled and sworn, in and for the body of the County of Union, State of Ohio, viz: Tom Connor, David Austin, Ray Perkins, Max Chapman, Ernest Reed, J.A. Main, T.J. Davis, W.N. Clevenger, John Mitchell, N.H. Lake, Lester Clark, Frank Richter, E.J. Brooks, Jerry Miller and Frank Robinson and presented to the court through their foreman Max Chapman, the certain bills of indictment each indorsed "A true Bill":

Thomas Mitchell, for Neglecting to Provided for a Pregnant Woman;
Robt. G. Guy, for Violating provisions Gen. Code relating to County Depositories;
Sherman Hill, for Assault and Menacing Threats;
Wilber Hogue, for Assault and Battery;
Lewis Page, for Barbering on Sunday;
James Page, for Carrying Concealed Weapons;
Earl Algoure, for Keeping a Gambling Room;
Mathias Horch, for Neglecting to Provide for Legitimate Child;
Roy Nelson, for Neglecting to Provide for Legitimate Children;
Edert Gibson, for Keeping a Gambling Room;
Birt Mathers, for Petty Larceny;
Moses Vest, for Neglecting to Provide for Legitimate Children;
John Scott, for Keeping a Gambling Room;
Frank Hogue, for Assault and Battery.

The Grand Jury also presented a partial report as follows:

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

The Grand Jury of the Court of Common Pleas of said County, of the April Term 1912, beg leave to report that they have been in session five days, and herewith return to the Court the Indictments presented by said Jury. We have carefully examined in all such matters as have legitimately come to our notice, having examined fifty-three witnesses, covering 16 cases, and have presented 14 bills and ignored 2 cases considered by us. The business has been transacted in an expeditious manner as possible. During the 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 provision of law for the regulation of County Jails ha been violated.

We recommend that the inside of Jail be painted.

Respectfully submitted,
Max Chapman, Forman.

Apr. 12, 1912.

And there being no further business for said Jury they were excused to meet at the call of the Prosecuting Attorney.

Court adjourned until April 22, 1912 at 9 o'clock A. M.

Monday April 22, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge,

In the Court of Common Pleas, Union County Ohio.

9315 — 9287

Daisy L. Parish,
Plaintiff
vs
John J. Parish,
Defendant.

No. 9315.

On Motion — On Motion

On motion of the plaintiff herein, by her attorneys, and good cause being shown therefor, a restraining order is allowed to issue as prayed for in Plaintiffs petition, restraining the defendant, John J. Parish, from encumbring or disposing of any and all of his real estate and any and all of his personal property and from interfering in any with the plaintiff in her possession of her two children, Imo Lucile Parish and Bertha Marie Parrish pending the further order of this court. A bond herein being dispensed with under the provisions of the statute.

9288

On Motion

John M. Brodrick, Judge.

9234

The Union Banking Co.
Plaintiff.
vs
William C. Wharton, et al,
Defendants.

No. 9234.

Distribution

This cause coming on further to be heard on the pleadings and the evidence and on consideration whereof the Court finds that there is due to defendant, N. Guy Jones, on the tax title in his answer and cross petition set forth the sum of One Hundred, Eighty-four Dollars and ninety-four cents (184.94) which is the first lien on the premises described in the petition; that there is due from the defendant, William C. Wharton to the plaintiff on the note and mortgage described the sum of One Hundred, Thirteen and 33/100 Dollars ($113.30) which bears interest from the 20th day of April 1912, which is the second lien on the said premises;

9249

Confirmation

Distribution

It is therefor ordered and decreed that out of the proceeds of the sale heretofore made by the Sheriff by the order of this court and now in his hands for distribution; he shall pay first, the costs of this suit and the taxes on the premises due and payable; second, to said N. Guy Jones the said sum of One Hundred, Eighty-four and 94/100 Dollars ($184.94) with interest as aforesaid. Third to The Union Banking Co., the plaintiff herein the sum of One Hundred, Thirteen & 33/100 Dollars ($113.33) with interest as aforesaid, and the balance if any to the defendant, William C. Wharton. Ordered that a minute of this proceeding be entered on the margin of the record of the mortgage herein

described. If the the proceeds of said sale shall be exhausted, leaving a portion of plaintiffs claim unpaid execution issue against the said William C. Whatton or his estate for such unpaid balance.

9287 — Harry D. Shepard, Plaintiff, vs Henry C. Shepard et al Defendants. — No. 9287

On Motion — Leave is granted defendants to answer within 10 days.

9288 — Harry D. Shepard, Plaintiff, vs Henry C. Shepard, Defendant. — No. 9288

On Motion — Leave granted Defendant to answer within 10 days.

Wm. A. Shepard, Plaintiff vs Henry C. Shepard, Defendant. — No. 9289

Leave granted Defendant to answer within 10 days.

9249 — Anna Disher et al, Plaintiffs vs F. J. Higgins et als Defendants — No. 9249.

Confirmation

This cause coming on to be heard further upon return of 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 mates and bounds without injury to the value thereof, and that said commissioners have made and returned their appraisement of said estate at Twenty-nine Hundred Dollars ($2900.00) free and clear of all dower interest therein, and the Court being fully advised in the premises find said return, appraisement and the proceedings under said writ of partition to be in all respects correct, and in conformity to law, and former orders of this Court, and does therefore approve and confirm the same.

Distribution

Continued on Page 466.

Court adjourned until Thursday April 25, 1912 at 9 o'clock A. M.

Thursday April 25, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County Ohio.

9303

9222

Jane Moore,
Plaintiff

vs

No. 9222,

D. F. Arthur, Administrator
Est. John M. Horney, dec.
Defendant.

On Motion

Judgment

This day this cause came on to be heard, and jury being waived by agreement of parties, the same was submitted to the Court on the pleadings and the evidence; on consideration whereof the Court finds that there is due to the plaintiff from the defendant, as administrator of the estate of John M. Horney, deceased, on the cause of action set forth in the plaintiffs petition, the sum of $479.96 with interest thereon from the 24th day of April, 1912 at 6 per cent per annum.

It is therefore considered and adjudged by the Court that the amount so found due as aforesaid be allowed by said defendant as such administrator as a valid claim against the estate of John M. Horney to be paid out of the assets thereof as provided by law. Defendant to pay costs of this action

John M. Brodrick, Judge.

Continued from Page 465.

And it further appearing to the Court that the said Plaintiff Anna Disher, has elected to take said premises at their appraised value, to-wit: Twenty-nine Hundred Dollars ($2900.00).

And it further appearing that said Anna Disher is one of the tenants in common and interested in said premises and authorized by the statutes to so elect, the Court on good cause shown, directs and requires that said sum be paid in cash, and that upon said Anna Disher, paying the same into Court, the said premises and the estate be, and hereby are adjudged to her, and the Sheriff is ordered thereupon to make and execute to her a good and sufficient deed in fee simple therefor.

And the Court coming now to distribute the proceeds of said estate and sale amounting to the sum of Twenty-nine Hundred Dollars ($2900.00) it is ordered that out of said sum the Sheriff pay:

9165

First: To the Treasurer of this county $81.55 taxes and assessments
Second: To the Clerk of this Court the costs of this action taxed at $162.14 including a counsel fee of $50.00 to the Plaintiffs attorney and $25.00 to Defendants attorney.

Continued on Page 468.

Court adjourned until Friday April 26, 1912 at 9 o'clock A. M.

Friday April 26, 1912- Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

9303 Foster J. Skidmore,
Plaintiff.
vs
On Motion Freeman Skidmore, et al,
Defendants.

No. 9303.

This day this cause came on to be heard upon the motion of E. A. Skidmore to be made a party defendant herein and the Court being fully advised in the premises finds that the said E. A. Skidmore has an alleged claim of title to said land and orders that he be made a party defendant hereto, and be permitted to file answer and cross-petition herein instanter.
To which plaintiff then and there excepts.
John M. Brodrick, Judge.

Certificate for Pay.

Sheriff's Office, Union County, Ohio.

To Hon, John M. Brodrick, Judge
Marysville Ohio, April 25, 1912
The Court charges for the January Term 1912, 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
Total	$9.00

I hereby certify the above bill to be correct.
Cad Price, Sheriff of Union County O.
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.

In the Court of Common Pleas, Union County Ohio.

9165 Walter D. Bee,
Plaintiff.
vs
Ruth D. Kegerice et al,
Defendants.

No. 9165.

This cause coming on for hearing, and it being made to appear to the Court that the plaintiff, Walter D. Bee, and the defendant, Ruth D. Kegerice, have agreed upon a division between

themselves of the premises described in plaintiff's petition, and have carried said agreement into effect by the execution of quit-claim deeds from the one to the other for their respective shares as so agreed upon, and that said premises was divided equally between said parties as nearly equally as could be done, and it further appearing to the Court that the bringing of this action and the defending of the same was for the mutual benefit of said plaintiff and said defendant, it is considered and ordered by the Court that the costs of this action, including a counsel fee $100.00 to be divided equally between the counsel for the plaintiff, S.A. Hoskins, and the Counsel for the said defendant, Hoopes, Robinson and Hoopes, for their services herein taxed at $___ be assessed against said plaintiff and said defendant in equal proportions,

It is further ordered that there be taxed as a part of the costs herein the amount due J. H. Myers for surveying the real estate described in the plaintiffs petition and that the total costs herein taxed at $_____ dollars be assessed against the plaintiff and said defendant in equal parts.

Approved: Hoskins & Stout, Attorneys for the Plaintiff.
Hoopes, Robinson & Hoopes, Attorneys for the Defendant.
John M. Brodrick, Judge

9179

Postponed

9285

Continued from Page 466.

Motion

Third: To Laura Disher, the sum of $332.04 being in full payment of her distributive share of said premises.

Fourth: To Sadie Anderson, the sum of $332.04 being in full payment of her distributive share of said premises.

Fifth: To Orville Higgins, the sum of $332.04 being in full payment of her distributive share of said premises.

Sixth: F.B. Higgins, the sum of $221.36 being in full payment of his distributive share of said premises.

9315

Seventh: Mary A. Cook, the sum of $221.36 being in full payment of her distributive share of said premises.

Alimony

Eighth: N.L. Higgins, the sum of $221.36 being in full payment of her distributive share of said premises.

Ninth: S. McNeil Higgins, the sum of $221.36 being in full payment of his distributive share of said premises

Tenth: Beulah N. Higgins, $221.36 being in full paymt his dist. share said premises.

Eleventh: Burl Proctor, the sum of 110.68 being in full payment her distributive share of said premises.

Twelfth: Leona Proctor, the sum of $110.68 being in full payment of her distributive share of said premises.

Thirteenth: To Anna Disher, the sum of $332.04 being in full payment of her distributive share of said premises.

O.K. John M. Brodrick, Judge

Court adjourned until Saturday April 27, 1912 at 9 o'clock A.M.

Saturday April 27, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

9179 — Postponed

Charles McNeil,
Plaintiff,
vs
The Marysville Wire Fence and Lumber Co.
Defendant.

No. 9179.

Upon motion of the plaintiff, it appearing to the Court that two important witnesses of the plaintiff are unable to attend trial of this case on Monday April 29, 1912, because of sickness. This case is postponed for assignment at a later date.

John M. Brodrick, Judge.

9285 — Motion

L. Pyers,
Plaintiff,
vs
S. Mintz,
Defendant,

No. 9285

This day leave was granted the plaintiff herein to file answer instanter, and the same was filed.

John M. Brodrick, Judge.

9315 — Alimony

Daisy L. Parrish,
Plaintiff
vs
John J. Parrish,
Defendant.

No. 9315

On motion of the plaintiff herein, by her attorneys, and good cause being shown, it is hereby ordered that she be allowed the sum of Fifty dollars for the support of herself and her minor children and for her expense in conducting this action, during the pendency thereof.

It is therefore ordered that the said defendant, John J. Parrish, pay to the clerk of this Court on or before the 11th day of May 1912, the sum of Twenty-five dollars and on or before the 25th day of May 1912, the additional sum of Twenty-five dollars. And in default of any such payment for three days, execution is allowed to issue therefor.

It is further ordered that said defendant permit the plaintiff to go to the house of the defendant in company with whomsoever she may select and there to gather together and carry away the wearing apparel of herself and her said children. Approved: Hopes, Robinson & Hopes, Atty for Plaintiff.
L. B. McNeal, Atty for Defendant.

Court adjourned to Apr. 29, 1912 - 9 a. m.

John M. Brodrick, Judge.

Monday April 29, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

Dora Hogue,
Plaintiff
vs
The Trustees York Tp.
et al. Defendants.

No. 9308.

9308

Title Quieted

This day this cause coming on pursuant to the Court's assignment, upon the petition of the Plaintiff, and the evidence, the Court finds that each of the Defendants has voluntarily entered appearance to this action by written waiver of process and time to plead, with consent to a hearing of the petition on the Court's order, and further finds that each Defendant is in default for answer and demurrer, and that by reason of such default, the allegations of the petition are confessed by them, and each of them, to be true.

The Court further finds, as to the deed of Conveyance under date of August 3rd, 1890, that, because of irregularity of procedure in the purchase of the lands in the petition described on the part of the Trustees of York Township, Union County, Ohio, the said C. W. Smith, L. W. Bolenbaugh, and J. W. Skidmore, trustees and grantees, received the legal title to said lands as individuals in trust for said Township to the extent, and for the protection, of the public funds, to-wit: the sum of $650.00, appropriated and used by said grantees in the purchase of said lands.

9302

Partition

The Court further finds that said grantees, in their individual capacity, paid no part of the purchase price of said lands and had, and have, no equities therein; that the said Township of York has been fully reimbursed in its said funds appropriated and used as foresaid, and has no equity in said lands; that, under the deed of April 8th, 1893, alleged, the said L. W. Bolenbaugh, in legal effect, conveyed whatever of the legal title to said lands he possessed by virtue of the deed first aforesaid, and that by virtue of the deed last foresaid the said Township is divested of all title and claim whatsoever to the said lands; that the plaintiff, Dora Hogue, owns the complete equitable title to said lands, and is entitled to receive the complete legal title thereto.

The Court further finds that, by reason of the trust capacity of the said C. W. Smith, L. W. Bolenbaugh, and J. W. Skidmore, under the deed first aforesaid, no contingent dower right therein attaches to said lands

in favor of the defendants, Agusta Smith and Alvira Bolenbaugh, or either of them.

It is, therefore, ordered, adjudged, and decreed, by the Court that the said C. W. Smith and J. W. Skidmore, (unmarried), do, within one day from the date of this decree, by a proper deed of conveyance, convey and release to the plaintiff, Dora Hogue, all their right and title to said lands, as trustees as foresaid; and that, in default of such conveyance and release, that this judgement and decree have the operation and effect of such conveyance and release, and thereupon plaintiffs title to said premises be and the same hereby aquieted

It is further ordered and adjudged by the Court that the plaintiff pay the cost in this behalf taxed at $____

John M. Brodrick, Judge.

Court of Common Pleas, Union County, Ohio.

Lewis W. Columber, Plaintiff

9302 vs Case No. 9302.

Mittie Moore, et al. Journal Entry.

Defendants

Partition

This cause comming on to be heard on the petition, the answer of Elma Columber the widow and the evidence, the Court finds that all of the defendants have had due and legal notice of the pindency and demands of the said petition, and that with the exception of the said widow they are in defaul for answer thereto.

Thereupon, the Court further finds that the plaintiff and the defendants in said petition named are tenants in common in the estate described in said petition; that the said Elma E. Columber widow, is entitled to dower therein, and that subjects thereto the plaintiff, Lewis W. Columber has a legal right to the one-seventh of said estate; that the defendants Mittie Moore, Della Fields, Ida De Bolt Ella Columber, Howard Columber and Irene Columber each have a legal right to the one-seventh part thereof; and that the plaintiff is entitled to have partition made of said 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 assigned to the said Elma

E. Columber; that J. B. Robertson, Ed Young and Ben Carter, three judicious and disinterested freeholders of the vicinity, are hereby appointed Commissioners to make and set off the same.

Be it further ordered, that if in the opinion of said Commissioners, said estate can not be divided by metes and bounds without injury to the value thereof, that no dower be assigned, and that said premises be appraised free from said dower interest. 9295 Divorce

And it is ordered that a writ issue to the Sheriff of Union County, Ohio, Commanding him that by the oath of the Commissioners above named, he cause to be set off and divided to each of the above named parties, that part and proportion of said estate to which they are herein before severally found entitled, and also to be set off and assigned the dower of the said Elma E. Columber, if said estate can be divided, in manner as above, And of his proceedings herein the said sheriff is ordered to make due return.

Approved, April 29th, 1912.

John M. Brodrick, Judge

Nancy Ross et al,
Plaintiffs,
vs
The Board of County Commissioners of Union County Ohio,
Defendants

No. 9250.

9250

Leave

This day leave was granted defendants to file an amended answer instanter, and the same filed.

Filed: Apr. 25, 1912.

Nancy Ross et al,
vs
The Board of Co. Commissioners

No. 9250

9250

Judgment

9262

Demur.

Sust.

This cause came on to be heard on the pleadings and the evidence, on consideration whereof, the Court finds that the plaintiffs are not entitled to the relief prayed for, and therefore upon the issues joined finds for the defendant. Therefore the plaintiffs petition is dismissed, and it is considered that said defendants go hence without day, and recover of said plaintiff its costs herein. Judgment is rendered awarded against plaintiffs for costs herein, for which execution is awarded. Plaintiffs give notice of appeal, and the bond therefor is fixed at $300.00 John H. Willis, Atty for Defendants.

Court adjourned until Tuesday April 30, 1912 at 9 o'clock a. m.

Tuesday April 30, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

9295 Divorce

Henry M. Vaughn,
Plaintiff.
vs
Susie A. Vaughn,
Defendant.

No. 9295.

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, and she has failed to appear and is in default for 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 December 1887, as alleged in said petition, and that two 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 and it is further ordered that the right of dower of the plaintiff, and the defendant be forever barred in any real estate that the other may acquire, or now owns. And that the Plaintiff pay the costs of this proceeding taxed at $5.40 and that this case be recorded.

John M. Brodrick, Judge.

~~Filed~~ Finding Apr. 27, 1912

W. F. Ross,
Plaintiff
vs
Village Council
Richwood Ohio,
Defendant.

9262 Demm. Dust.

No. 9262

This day this cause came on to be heard on the defendant's demurrer to the petition and the same is sustained. To which plaintiff excepts.

Court adjourned until Monday May 6, 1912 at 9 o'clock A. M.

Wednesday May 1, 1912- Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

Bennie E. Penrose,
Plaintiff
9318 vs No. 9318.
Wallace C. Morse,
Ella Morse,
Judgment Defendants.

This day came the Plaintiff by Milo L. Myers, his attorney; and filed his petition against said defendants Wallace C. Morse and Ella Morse and thereupon F. A. Thompson, one of the attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants Wallace C. Morse and Ella Morse 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 summons 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 Five hundred and Thirty-two and 50/100 Dollars ($532.50) bearing interest at six 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 Bennie E. Penrose, Plaintiff do recover from said Wallace C. Morse and Ella Morse, Defendants, the said sum of Five hundred & thirty-two and 50/100 Dollars, ($532.50) so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 1st day of May 1912 at the rate of six 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.

John M. Brodrick, Judge.

The Citizens' Home & Savings Co.
9304 Plaintiff.
vs No. 9304
Sadie Parr et al,
Defendants.
Settled This day came C. S. David and paid for the Defendants the amount sprayed for in the petition, with interest and costs and the case was dismissed by Plaintiffs Attorneys. No record.

Court adjourned until Thursday May 2, 1912 at 9 o'clock A. M.

9319
Judgment

9307
Dismissed

Thursday May 2, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

9319 John Stroup, Plaintiff, vs A. Littler, Defendant. | No. 9319.

Judgment

This day came the Plaintiff by John L Loughrey, Attorney; and filed his Petition against said Defendant, A. Littler, 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, A. Littler, 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, thirty-five and 98/100 Dollars ($135.98) bearing interest at 6% 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 John Stroup, Plaintiff do recover from said Defendant, A. Littler, Defendant the sum of One Hundred, thirty-five and 98/100 Dollars so as aforesaid confessed to be due, together with costs of suit herein to be taxed and with interest to computed from the 2nd day of May 1912, at the rate of 6 per cent per annum.

And by virtue of said Warrant of attorney, all errors in this action, judgment and proceedings are released, and all right of appeal, and all right to file a petition in error are waived.

John M. Brodrick, Judge.

In Re Dissolution Apr. 22, 1912
The J. W. Geer,
Plaintiff
vs
Frank Pennington et al,
Defendants. | No. 9307

9307

Dismissed

This day came Plaintiff's attorney, paid the costs and dismissed this action without record.

Court adjourned until Monday May 6, 1912 - at 9 o'clock A. M.

Monday May 6 1912 Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

9275 In Re Dissolution of
The Farmers' Hardware Co. } No. 9275.

Dissolution And now this cause coming on for hearing on the report of O. N. McAdow as refere, and it hereby appearing to the Court that the stock, property and effects of the said Receiver. corporation have been so far reduced that it does not afford a reasonable security to those who deal with it, and that it will be bneficial to the interests of the stockholders that the said corporation be dissolved, and no good cause to the contrary being shown,

It is therefore ordered and adjudged by the Court that said corporation, The Farmers' Hardware Company be dissolved, and Cad Price, Sheriff of Union County Ohio, is hereby 9197 appointed receiver of all the estate and effects of said dissolved corporation. And now came the said Cad Price and was duly sworn as such receiver.

Distribution

John M. Brodrick, Judge.

Herbert E. Manville,
Plaintiff
vs
9292 The Unknown Heirs, } No. 9292.
Devisees and Legal Rep.
Title Quieted of Allen G. Dunker,
Deceased.

This day came the Plaintiff, and the Defendants and each and all of them made default, and came not, and thereupon this cause was by the order of the Court assigned for hearing, and came on regularly to be heard, and the same was heard upon the petition and evidence adduced, and was submitted to the Court, and on consideration whereof, the Court being fully advised in the premises, doth find that the defendants herein, and each and all of them, have been duly and legally served by publication with notice of the pendency of this action, and the object and prayer of said petition, and that said defendants and each and all of them are in default for answer and demurrer to the petition herein and that the allegations of said petition are confessed by said defendants to be true, and that said allegations of said petition are true, and the Court doth further find that that the Plaintiff is the owner in fee simple and in actual and reasonable possession of the premises described in said petition, that the Plaintiff is entitled to, and ought to have his title to the premises described in the petition, and his possession of the premises thereof quieted as against each

and all of said defendants as prayed for in his petition.

It is therefore ordered, adjudged and decreed by the Court, that said Plaintiff in his said title to and possession of said premises, be and he is forever quieted, as against the said claims of the said defendants, and each and every one of them, and all persons claiming under them or any of them, of said estate and interest in said real property described in the petition herein adverse to him; and that they are forever enjoined from setting up any to said premises or any part thereof, adverse to the title and possession of said Plaintiff, his heirs and assigns thereto.

It is ordered that Plaintiff pay costs of this suit for which judgment is entered against him.

John M. Brodrick, Judge.

Filed Apr. 30, 1912.

The Citizens Home & Savings Co.

9192 — Plaintiff

vs

W. C. Wharton et al,

Defendants.

No. 9192.

Distribution

This cause coming on for hearing upon the answer and cross petition of defendant, W. Guy Jones, the Court find that said defendant at the time of the sale of the premises described in plaintiffs petition had a lien upon said premises prior to the lien of said plaintiff for taxes paid in the sum of $9699 with interest on $31.25 from the 20th day of January 1904, and interest on $26.13 from the 18th day of Dec. 1905, and interest on the sum of $39.61 from the 13th day of 1911. And the Court coming now to distribute the proceeds of said sale amounting to $501.00, it is ordered that the Sheriff out of the money in his hands, pay:

First - To the Treasurer of this county, the taxes, penalty and interest against said property at the time of Sale, to-wit: the sum of $61.60

Second: The costs of this action, taxed at $48.48.

Third: To the defendant, W. Guy Jones, the amount hereinbefore found due him to-wit the sum of $122.00.

Fourth: To the Plaintiff the balance of the money remaining in his hands, to-wit the sum of $324.07

John M. Brodrick, Judge.

Court adjourned until Tuesday May 7, 1912 at 9 o'clock A.M.

Tuesday May 7, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

9301 — 9283

Sisson S. Marriott,
Plaintiff.
vs
Lyda Peet et al,
Defendants.

No. 9301.

Dower — Sale Confirmed — Distribution

This cause coming on to be heard upon the petition of the Plaintiff herein, and it appearing that all the parties hereto have been duly and legally served with summons, and that they have filed herein answer admitting the allegations of the petition as being true and the Court being fully advised in the premises finds that the plaintiff is the widow of Joshua P. Marriott, deceased, and that the said Joshua P. Marriott was possessed in fee simple of the premises in the petition described and that the plaintiff as such widow is entitled to dower in said premises, she having elected to take under the law instead of under the will.

It is therefore ordered and adjudged by the Court, that Andrew A. Hewitt, J. E. Howe and W. C. Woolard, three judicious, disinterested men of the County, be and they are hereby appointed commissioners herein to assign the said dower of the said Sisson S. Marriott in said premises; and it is further ordered that an order issue to the Sheriff of the County, commanding him that by the oaths of said commissioners above named, he cause to be set off to and assigned to said plaintiff her said dower by metes and bounds or in any other manner that may be agreed upon by the parties herein. And that due report of their proceeding be made thereunder.

Approved: S. W. Van Winkle, atty for Plaintiff.
Marriott, Freshwater & Bliss, attys for Defendants.

Court adjourned until Friday May 17, 1912 at 9 o'clock A. M.

Friday May 17, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

9283

The Citizens' Home and Savings Company,
Plaintiff.

vs

Geo. N. armstrong, Fannie M. Armstrong,
Wm. J. Stover, Jennie Stover, The Union
Sale Banking Co. and The Delaware Savings Bank,
confirmed Defendants.

No. 9283.

Distribution

On motion of the Plaintiff, and on his producing the return of the Sheriff of the sale made under the former order of this court, and the Court on careful examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this court, it is ordered that the said proceedings and sale be and the same are hereby approved, and confirmed. And it is further ordered that the said Sheriff convey to the purchaser, The Citizens' Home and Savings Company by deed, according to law, the property so sold; and the said purchaser is hereby subrogated to all the rights of the said lien holders, in said premises, so far as they may be paid herein, for the protection of his title; and a writ of possession is awarded to put said purchaser in possession of said premises.

It is further ordered that the Clerk cause satisfaction of the mortgage herein sued on to be entered on the records thereof, in the Office of the Recorder of Union County.

And the Court coming now to distribute the proceeds of said sale amounting to $1650.00, it is ordered that the Sheriff out of the money in his hands pay:

First - To the Treasurer of this county, the taxes, penalties and interest against said property, to-wit the sum of $ _____,

Second - The costs of this action, taxed at $42.21.

Third - To the Plaintiff, The Citizens' Home and Savings Company, the balance then remaining, to-wit, the sum of $ _____,

And the Court finds that after paying the mortgage of the Plaintiff herein, that there will be nothing left in the hands of the Sheriff out of which to satisfy either in whole or in part the mortgage of the Defendant, The Union Banking Company, upon said premises nor the judgment lien of the defendant, The Delaware Savings Bank Company.

The Court therefor orders that satisfaction of said mortgage lien of the said The Union Banking Company be entered by the Clerk of this Court in the Recorder's Office of this County and that the judgment lien of the defendant, The Delaware Savings Bank Company lien be cancelled on the Foreign Execution Docket of the Sheriff of Union Co. so far as it effects the property described in the plaintiffs petition herein

John M. Brodrick Judge

In the Court of Common Pleas Union County, Ohio.

The Citizens' Home and Savings Co.
Plaintiff,

9284 vs

Thomas B. Corbin, Emma M. Corbin, William J. Stover, Jennie Stover, Sale Confirm The Delaware Savings Bank,
Defendants.

No. 9284.

9247

On Motion

On motion of the Plaintiff, and on his producing the return Distribution 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 hereby are, approved and confirmed. And it is further ordered that the said Sheriff convey to the purchaser John J. Andrews by deed, according to law, the property so sold; and the said purchaser is hereby subrogated to all the rights of the said lien holders, in said premises, so far as they may be paid herein, for the protection of his title; and a writ of possession is awarded to put said purchaser in possession of said premises

It is further ordered that the Clerk cause satisfaction of the mortgage herein sued on the record thereof in the Office of the Recorder of Union County.

And the Court coming now to distribute the proceeds of said sale, amounting to $570.00, it is ordered that the Sheriff out of the money in his hands, pay:

First: To the Treasurer of this County, the taxes penalty and interest against the said property, including the June 1912, installment of taxes and assessments, but not including the Dec. 1912, and thereafter installments, to-wit, the sum of $ 25.86.

Second: The costs of this action taxed at $39.53.

Third: To the plaintiff, The Citizens' Home and Savings Company the amount heretofore found due it, with interest to-wit the sum of $503.60.

Fourth: To the defendant, The Delaware Savings Bank, the balance of the money remaining in his hands to-wit, the sum of $ 1.01.

It is further ordered that the lien of said defendant, The Delaware Savings Bank Company, by reason of the execution set forth in its cross petition against said property be cancelled.

John M. Brodrick, Judge.

Court adjourned until Saturday May 18, 1912 at 9 o'clock A.M.

Saturday May 18, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

Charles W. Stanford,
Plaintiff.

9247 vs | No. 9247

J. Brewer,
Defendant.

On Motion This cause coming on to be heard, on motion of the Defendant, he is allowed to amend his answer in cross petition in the within case instanter.

John M. Brodrick, Judge.

Court adjourned until Tuesday May 21, 1912 at 9 o'clock A. M.

Tuesday May 21, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

9311 Partition

Addie L. Bowlus, John L. Bowlus,
Martha A. Beal, John Beal,
Plaintiffs.

vs

William S. Fogle,
Defendant.

No. 9311.

This cause coming on to be heard upon the petition of Addie L. Bowlus and John L. Bowlus, husband and wife, and Martha A. Beal and John Beal, husband and wife, plaintiffs, and the Defendant, William S. Fogle, being in default in answer or demurrer, the Court finds that the defendant has had legal notice of the pendency and demands of said petition. 9212

Judgment Thereupon the Court further finds the plaintiffs and defendants herein named are tenants in common of the estate described in the petition; that the plaintiff Martha A. Beal, widow of George Fogle, deceased, is entitled to dower in said premises, and she is 65 years of age; that the plaintiff, Addie L. Bowlus has a legal right to the one half thereof, subject to the said dower, and the defendant, William S. Fogle, also has a legal right to the one-half thereof, subject to said dower; and that the plaintiffs are entitled to have partition of said estate made, as prayed for in the petition.

It is therefor ordered, adjudged and decreed that the partition of said estate be made in favor of all parties in interest, and Arthur Hartshorn, Albert Martin and John Hilton, three judicious and disinterested freeholders of the vicinity are hereby appointed commissioners to make the same.

And it is decreed that a writ of partition issue to the Sheriff of Union County, commanding him that by the oaths of the Commissioners, he cause the same to be appraised according to law. And of his proceedings herein said Sheriff is ordered to make due return. 9213

John M. Brodrick, Judge.

Judgment

John Dilsaver,
Plaintiff

9224 vs

The Board of County
Commissioners of
Judgment Union County, Ohio,
Defendants.

No. 9224.

This day this cause came on to be heard on the pleadings the exhibits, agreed statements of facts and the testimony; the same having been argued by counsel, was submitted to the Court. Whereupon

the Court does find upon the issues joined in favor of the defendants and against the plaintiff.

It is therefore considered, ordered, adjudged and decreed that the temporary restraining order heretofore herein be and the same is hereby dissolved, and the plaintiff is ordered to pay all the costs in this case for which judgment is rendered against the plaintiff.

The plaintiff gives notice of appeal and the bond therefor is fixed at $500.00.

Approved: S. N. Van Winkle, atty for Plaintiff.
John H. Willis, atty for Defendants.

Ok John M. Brodrick, Judge.

9212 — Judgment

J. F. Stallsmith,
Plaintiff.
vs
The Board of County Commissioners, Union Co. O.,
Defendants.

No. 9212.

This cause came on to be heard upon the pleadings and the evidence and was submitted to the Court by counsel. Upon consideration thereof the Court finds upon the issues joined in favor of the Plaintiff.

It is therefore considered, ordered and adjudged that by the Court that the temporary restraining order heretofore allowed herein be and the same is hereby made perpetual. And it is ordered that the defendants pay all costs of this case, for which judgment is rendered against the Defendants.

Approved: S. N. Van Winkle, Atty for Plaintiff
John H. Willis, atty for Defendants.
Ok. John M. Brodrick, Judge.

9213 — Judgment

J. F. Stallsmith,
Plaintiff.
vs
The Board Co. Com. Union Co.
Defendants.

No. 9213

This day this cause came on to be heard on the issues joined, and upon the exhibits, agreed statement of facts, and the testimony; the same having been argued by counsel was submitted to the Court. Whereupon the Court does find upon the issues joined in favor of the plaintiff.

It is therefore considered, ordered and adjudged that by the Court that the temporary restraining order heretofore allowed herein be and the same is hereby made perpetual. And

It is ordered that the Defendants pay all the costs of this case for which judgment is rendered against the Defendants.

Approved: S. N. Van Winkle, Atty for Plaintiff;
John H. Willis, Atty for Defendants.
Ok John M. Brodrick, Judge.

May 21, 1912

In the Court of Common Pleas, Union County Ohio.

Sisson S. Marriott,
Plaintiff
vs
Lida Peet et al,
Defendants.

No. 9301.

9301

Dower

Assigned

This cause coming on to be heard upon the return of Sheriff of the Order for the assignment of Dower to plaintiff herein, heretofore issued herein, and of the proceedings of the commissioners thereunder and the Court having carefully examined the same and finding their said proceedings and the assignment of the Dower right of the said plaintiff in and to the premises in her said petition in all respects regular and in conformity to law and the order of the Court, the same are hereby confirmed and approved.

And it is further ordered by the Court that the said assignment be entered in the records of this Court and that the same shall henceforth be valid and effective in law, and that the said plaintiff shall have her dower as therein assigned and that a writ of execution issue herein directing the Sheriff to place the said plaintiff in full possession of the dower so as aforesaid assigned to her and that the plaintiff pay one-third (1/3) of the costs and that the Defendants pay (2/3) two-thirds of the costs herein taxed at $

John M. Brodrick, Judge.

Approved:

Marriott, Freshwater & Bliss, Atty's for Defendants.
S. N. Van Winkle, Atty for Plaintiff.

9275

Sale of Stoc

Confirmed

Court adjourned Saturday May 25, 1912 at 9 o'clock A. M.

Saturday May 25, 1912 - Court convened at 9 o'clock a. m.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

9275 Sale of Stock Confirmed

In Re Dissolution of The Farmers' Hardware Company. | No. 9275

This cause coming on for hearing on the report of the receiver herein setting forth a Sale of the entire stock of hardware of The Farmers' Hardware Company to John M. Whitmer for the sum of $2700.00 cash in hand; and it appearing to the Court on careful examination of the proceedings of said receiver that said sale price is a fair value and the highest price that could be obtained therefor, and that the proceedings of said receiver have been regular in all respects and in conformity to law and 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 said receiver turn over said stock of goods to said purchaser upon receipt of said sum of $2700.00.

John M. Brodrick, Judge.

Court adjourned to Tuesday May 28, 1912 at 9 o'clock a.m.

Tuesday May 28, 1912, Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

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

9296 Henry O. Spicer, Exr, et al, Plaintiffs. vs Leah Ann Kautzman et al, Defendants. | No. 9296.

Will construed

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 Ray L. Jordan, of which said plaintiff is executor, and upon certain questions presented in said petition, and all of the defendants being in default for pleading, the same was presented upon the written argument of the Defendant, Leah Ann Kautzman, and thereupon the Court, after careful consideration find and adjudge the true intention and construction of said will to be as follows, to-wit:

The bequest to Frank Chapman in item second of said will has no priority over the other bequests, neither has the bequest to Henry O. Spicer in item third of said will, and are only payable out of the assets of said estate after the general debts and costs of administration are paid. After paying testator's general debts, the costs of administration and the legacies in items second and third of said will, the assets are next to be used in the payment of liens and mortgages on the real estate described in item fourth of said will. The payment of any liens or mortgages on said real estate described in item fourth of said will does not have priority over the bequests in these two items are out of general property of the testator after the general or unsecured debts and the costs of administration are paid, and if those exhaust the general assets of the estate, then the specific real estate devised in item fourth must bear the liens thereon, and the same vests in the devisee subject to such liens or mortgages as may be thereon at the time of the testator's death, and with which the executor has nothing to do if the general debts and costs of administration are paid. Household goods only include such as pertain to the house and do not include wearing apparel nor jewelry worn on the person and used for personal adornment.

It is the duty of the executor to sell all of the testator's property except the specific devise of real estate in item fourth and the specific legacy of household furniture therein. In the event, however, that there should be any property real or personal not needed in the payment of debts and costs of administration the residuary devisee and legatee may elect to take said property under said will, which would discharge the obligation of the executor in that behalf, or she may proceed under the statute

to give bond for the payment of debts, legacies and costs of administration and elect to take the entire estate of decedent which would also discharge the executor from any obligation to sell the property of the testator.

It is therefore considered by the Court that the bequest to Frank Chapman in item second and the bequest to Henry V. Spicer in item third of said will; that the liens and mortgages on the real estate described in item fourth of said will be paid out of the assets of said estate after the payment of the testator's general debts, the costs of administration and the legacies in items second and third of said will; that if there be not sufficient assets in said estate to pay the general debts, costs of administration and the legacies in item second and third of said will and the liens and mortgages on said real estate must bear the liens thereon; that household goods do not include wearing apparel nor jewelry worn on the person and used for adornment; that, if the residuary devisee and legatee does not enter into bond under the statute for the payment of the debts, legacies and costs of administration, or if after the same are paid said residuary legatee does not elect to take the balance of decedents estate, the executor proceed to sell according to law all of said estate except the real estate described in item fourth of said will; that the costs of this proceeding be paid by the executor out of the estate of said decedent.

Approved May 18, 1912. : H. V. Spicer, Exer Plaintiff
Crissinger & Guthrie,
Hoopes, Robinson & Hoopes, Attys for Plaintiff.

Court adjourned to Saturday June 1, 1912 at 9 o'clock A. M.

Saturday June 1, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge

In the Court of Common Pleas Union County, Ohio.

9306

Publication

9305

Louisiana A. Shearer et al,
Plaintiff,
vs
Lucy N. Paul Popenoe et al,
Defendants.

No. 9305.

Approved

Proof Pub.

Now comes the Plaintiffs and offer proof of publication of the pendency and prayer of the petition herein, and the Court finding said publication and proof in all respects regular and according to law, the same is approved and confirmed.
John M. Brodrick, Judge.

9306

9305

Louisiana A. Shearer,
Mary A. Shearer,
Plaintiffs
vs
Lucy N. Paul Popenoe,
Chas. Sayre, Anna N. Newman,
Lucy Brown and Harriett E. Irwin
Defendants.

No. 9305.

Title

Title Quieted

Quieted

This cause came on to be heard on the plaintiff's petition and the evidence, and each of the defendants being in default of answer and demurrer, although the defendants Lucy N. Paul Popenoe, Charles Sayer, Anna N. Newman, Lucy Brown, and Harriett E. Irwin, have been duly and legally served by publication with notice of pendency of this action and the object and the prayer of said petition, and upon due consideration thereof the Court finds that the allegations of the petition are true; that at the commencement of this action the said plaintiffs were in possession of the real property described in the petition, and that they had the legal estate therein, and was entitled to the possession thereof; that neither the defendants, nor any of them have an estate in, nor are they entitled to the possession of, said real estate or any part thereof, and the plaintiffs ought to have their title quieted and possession as against each and all of said defendants, as prayed for in the petition.

It is therefore adjudged and decreed that the title and possession of the said plaintiffs to the premises in the petition described be, and the same hereby are, quited as against the defendants and each of them; and they are forever enjoined from setting up any claim to said premises, or any part thereof, adverse to the title and possession of said plaintiffs, their heirs and assigns thereto. It is ordered that the plaintiffs pay the costs of this suit for which judgment is rendered against them.
John M. Brodrick Judge.

In the Court of Common Pleas, Union County Ohio.

9306

John H. Sanderson et al,
Plaintiffs,
vs
Lucy N. Paul Popenoe et al,
Defendants.

No. 9306.

Publication

Now comes the plaintiffs and offer proof of publication of the pendency and prayer of the petition herein, and the Court finding said publication and proof in all respects regular and and according to law the same is approved and confirmed.

John M. Brodrick, Judge

Approved

John H. Sanderson,
Ida C. Sanderson,
Plaintiffs,
vs
Lucy N. Paul Popenoe,
Chas. Sayer, Anna N. Newman,
Lucy Brown, Harriett E. Irwin,
Defendants.

No. 9306.

9306

Title

This cause came on to be heard, on the plaintiffs petition and the evidence, and each of the defendants being in default of answer and demurrer, although the defendants, Lucy N. Paul Popenoe, Charles Sayer, Anna N. Newman, Lucy Brown and Harriett E. Irwin have been duly and legally served by publication with notice of pendency of this action and the object and the prayer of said petition, and upon due consideration thereof the Court finds that the allegations of the petition are true; that at the commencement of this action the said plaintiffs were in possession of the real property described in the petition, and that they had the legal estate therein, and was entitled to the possession thereof; that neither the defendants, nor any of them have any estate in, nor are they entitled to the possession of, said real estate or any part thereof, and the plaintiffs ought to have their title and possession quieted as against each and all of said defendants as prayed for in the petition. It is therefore adjudged and decreed that the title and possession of the said plaintiffs to the premises in the petition described be, and the same hereby are, quieted as against the defendants and each 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 said plaintiffs, their heirs and assigns thereto.

Quieted

It is ordered that the plaintiffs pay the cost of this suit for which judgment is rendered against them.

John M. Brodrick, Judge.

June 1, 1912

In the Court of Common Pleas, Union County Ohio.

Charles N. Stanford,
Plaintiff

9247 vs No. 9247

J. Brewer,
Defendant

Referee

Now comes the parties hereto, and by their consent, and good cause being shown, it is ordered that this cause be and it hereby is, refered to J. H. Kinkade, for trial of the issues, both of law and fact arising therein, And the said Referee is ordered to report his findings and decisions to this Court without unnecessary delay. And it is further ordered that the Referee reduce the testimony of the witnesses to writing, and require them severally to subscribe the same.

John M. Brodrick, Judge.

Personally appeared before me, J. H. Kinkade and was duly qualified, as deputy by taking the prescribed oath, this 3rd day of June 1912.

John C. Huntsbarn, Clerk.

9247

Oath

Stenographer

9287

Demurrer

Overruled

9288

Demurrer

Over-ruled

Court adjourned to Tuesday, June 4, 1912, at 9 o'clock A. M.

Tuesday June 4, 1912 - Court convened at 9 o'clock A. M.
Present Hon. J. H. Kinkade, Referee.

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

Chas. W. Stanford,
Plaintiff
vs
J. Brewer,
Defendant.

9247 — No. 9247.

Oath — Now appeared before the Clerk of this Court, Lily Otte and Mary Otte and took the oath to faithfully and impartially to take and transcribe the testimony in this case as Court Stenographers. Each served one-half day.

Stenographer

Hearing on the argument of counsel and the testimony of witnesses began, upon J. H. Kinkade heretofore appointed Referee in this case by the Court. The cause not being concluded the case is adjourned until to-morrow morning at 8:30 a. m.

Harry D. Shepard,
Plaintiff.
vs
Henry C. Shepard, et al
Defendants.

9287 — No. 9287

Demurrer — This day (Demr.) this cause came on to be heard upon the demurrer of the defendant, Henry C Shepard, to the petition of the plaintiff herein filed; and the same was argued by counsel and submitted to the Court. Whereupon, the Court being fully advised, over-rules the said demurrer; and thereupon the said defendant, by his counsel excepted thereto.

Overruled

Harry D. Shepard,
Plaintiff,
vs
Henry C. Shepard,
Defendant.

9288 — No. 9288.

Demurrer — This day (Demr.) this cause came on to be heard upon the demurrer of the Defendant to the Reply of the Plaintiff herein filed; and the same was argued by counsel and submitted to the Court. Whereupon, the Court being fully advised over-rules the said demurrer; and thereupon the said Defendant by his counsel, excepted thereto.

Over-ruled

June 4, 1912

In the Court of Common Pleas, Union County Ohio.

William A. Shepard,
Plaintiff.

9289 vs No. 9296

Henry C. Shepard,
Defendant.

Demurrer — This day (June 1) this cause came on to be heard upon the demurrer of the defendant to the Reply of the Plaintiff herein filed; and the same was argued by Counsel and submitted to the Court. Whereupon, the Court, being fully advised, overrules the said Demurrer; and thereupon the said Defendant by his counsel excepted thereto. — 9247

Overruled — Hearing

Court adjourned to Wednesday June 5, 1912 at 8:30 A. M.

Wednesday June 5, 1912 - Court convened at 8:30 a. m.
Present Hon. J. H. Kinkade, Referee.

In the Court of Common Pleas Union County Ohio.

Chas. W. Stanford,
Plaintiff

vs

J. Brauer,
Defendant.

9247		No. 9247
Hearing	Now came R. M. Mockensen and took the prescribed oath as Court Stenographer and the hearing proceeded on the evidence of witnesses. The taking of testimony being completed the Referee took the matters at issue under advisement.	

Court adjourned to Saturday June 8, 1912 at 9 o'clock A. M.

Saturday June 8, 1912 - Court convened at 9 o'clock A. M.
Present Honorable John M. Brodrick, Judge.

Court of Common Pleas, Union County Ohio.

	The Union Banking Co. Plaintiff,	
9326	vs	
	Isaac Temple, Lettie Temple, Defendants.	No. 9326.

Judgment

This day came the Plaintiff by Cameron and Cameron, attorneys and filed its petition against said Defendants, and thereupon James E. Robinson, 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 with the Clerk thereof, appeared in open Court in behalf of said Defendants, waived the issuing and service of summons, entered the appearance of said Defendants herein, and acknowledging that said Defendants did owe and were indebted unto the Plaintiff as it has in its 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 Two Hundred and Thirty-eight & 90/00 Dollars ($238.90), bearing 8 per cent interest, 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 said The Union Banking Co. Plaintiff do recover of the said Isaac Temple and Lettie Temple, Defendants, the sum of Two Hundred and thirty-eight and 90/00 Dollars, so confessed, as aforesaid, with interest from date at 8 per cent per annum and also costs in its 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 Defendants waived and released.

Ot John M. Brodrick, Judge.

	Morgan N. Martin, Laura Martin, his wife, Plaintiffs	
9314		No. 9314.
	vs	
Partition	John H. Turner et al, Defendants.	

And now this cause coming on to be heard upon the petition and evidence, the Court finds that all the Defendants have had due legal notice of the pendency and demand of said petition and that they are in default for answer thereto. Thereupon the Court further finds that the Plaintiff and the Defendants hereafter named are tenants in common in the estate described in the petition:- 1- That the plaintiff, Morgan N. Martin has a legal right to the

1/5 of the 1/4 of 1/5 of the thereof. (2)- Since the beginning of this suit A. B. Robinson who owned the 1/4 of the 1/5 interest of Riley Martin has made a quit claim deed to John H. Turner, one of the defendants herein. (3)- That the said Arena Higa, former wife of Charles Martin deceased, who is now intermarried with William Higa, and the Court finds according to evidence, her age is 60 years. (4)- The Court further finds that Oliver Martin, deceased, who was entitled to the 1/4 of the 1/5 interest in said estate, and his widow, now fenown as Amanda Hammond, is entitled to dower in her deceased husbands interest, and according to evidence is 60 years of age. (a)- That Mary L. Dull, a daughter of Oliver Martin, deceased, is entitled to a 1/5 of the 1/4 of the 1/5 interest, subject to the dower of Amanda Hammond. (b)- That Ella Bliss, a daughter who is entitled to the 1/5 of the 1/4 of the 1/5 interest, subject to the dower of Amanda Hammond, of said lands. (c)- That Moggan H. Martin, a son and plaintiff herein is entitled to the 1/5 of 1/4 of the 1/5 of the said lands, subject to the dower of Amanda Hammond. (d)- That the interest of Fred Martin, a son and now deceased, is subject to the dower of Amanda Hammond and said interest is further subject to the dower of Ira Anderson, the wife of Fred Martin, deceased, and Meta Martin, a daughter, who is a minor, and 15 years of age is entitled to the 1/10 of the 1/4 of the 1/5 of the said lands, and Rosa Martin, a daughter, who is a minor, and about 10 years of age, is entitled to the 1/10 of the 1/4 of the 1/5 of said lands. (3)- The Court finds that A. B. Robinson has deeded the interest of of Charles L. Martin, a son, who was entitled to the 1/5 of the 1/4 of the 1/5 interest of said lands, and said deed was made to John H. Turner, since the beginning of this action. The Court further finds that John H. Turner owns in fee simple, the remaining portion of said lands, and the plaintiff is entitled to have partition of said estate made, as prayed in his petition.

It is therefore ordered and adjudged, and decreed that partition of said estate be made in favor of all parties in interest; and John Hamilton, Glen Herd and Harve Mod three disinterested freeholders of the vicinity, are hereby appointed commissioners to make the same. And it is ordered that a writ of partition be issued to the Sheriff of Union County, commanding him that by the oaths of the commissioners above named, he cause to be appraised or 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 this proceedings herein, said Sheriff is ordered to make due return.

John M. Brodrick, Judge.

Court adjourned to Friday June 14, 1912 at 9 A. M.

Friday June 14, 1912 - Court convened at 9 A. M.
Present Honorable John M. Brodrick, Judge.

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

Rosetta Orahood,
Plaintiff

9081 vs

Jacob Sivey et al,
Defendants.

No. 9081.

9302

Confirmati

Distributin

On Motion

This day this cause came on to be heard upon the motion of the plaintiff for leave to file a supplemental petition making Frank Sivey, Nora Zehner and Ella Zehner parties hereto and requiring them to answer, as in said motion set forth, and also for an order that Alice Daniels be permitted to bring the balance of the proceeds of the lands into court to await the further order herein, and that upon depositing the balance of said proceeds the Sheriff be instructed to deliver to her a deed for the lands so taken upon her election, And the Court being fully advised in the premises sustains said motion and it is ordered that the said Alice Daniels deposit with the Sheriff of this court the balance of the proceeds of said lands, to-wit the sum of $5340.00 and that upon said deposit being made the Sheriff deliver to her the deed for said lands so taken upon her election. And it is further ordered that the plaintiff file a supplemental petition herein making the said Frank Sivey, Nora Zehner and Ella Zehner parties herein and that they be brought into court by process and they are required to answer and set up any claim they may have to a part of the said proceeds of said lands, to the end that their rights, if any, may be determined by the Court, and upon failure to answer that they and each of them be forever barred from having, or claiming any part of said proceedings, and from making any claim to or upon said lands.

And it is further ordered that the Sheriff hold said money until the further order of the Court herein.

O.K. John M. Brodrick, Judge.

The John Wildi Milk Co.
Plaintiff

9325 vs

W. L. Thomas, Defendant.

No. 9325.

This cause coming on for hearing, and the

Agreement

Plaintiff and Defendant have agreed to sell eight cows to Mary N. Thomas, Defendant's wife, the number of cows now in the Defendant's possession at the present time for the sum of $200.00 and same to be applied on note as described in the petition in the above entitled case. John L. Loughrey, W. L. Thomas. John M. Brodrick, Judge

Court adjourned to Saturday June 15, 1912 at 9 A. M.

Saturday June 15, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

9302

Confirmation

Distribution

Lewis N. Columber,
Plaintiff.
vs
Mirtie Moore et al,
Defendants.

No. 9302.

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 metes and bounds without manifest injury to the value thereof, and that said commissioners have made and returned their appraisement of said real estate free from dower at $5050.00, the Court finds the said return and proceedings in all respects correct and in conformity to law and does therefor approve and confirm the same.

And it further appearing to the Court that the said Elma E. Columber, the widow of the said J. N. Columber deceased has elected to take the said premises at the appraised value thereof, it is ordered by the on good cause shown, that the proportions thereof due to the other parties be paid in cash, and that upon the said Elma E. Columber paying the same, together with her proportion of costs of this case including a counsel fee, in all amounting to $100.00 and her proportion of the taxes due on said premises amounting to $16.85 tr, and it is hereby adjudged to her the said Elma E. Columber, and the Sheriff is ordered thereupon to make, execute and deliver to her a proper deed for said premises in fee.

The Court coming now to distribute the proceeds of the sale of said real estate, tr, and it is hereby ordered that the said Elma E. Columber pay:-

First:- Taxes due Union County $16.85.
Second:- Costs and attorney fee 100.00
Third:- To Lewis N. Columber, Mirtie Moore, Della Fields, Ida DeBolt, Ella Columber, Irene Columber and Howard Columber, each the sum of $512.96 in all amounting to $3590.72
Fourth:- To Elma E. Columber, Dower $1342.43.

Approved: John M. Brodrick, Judge.

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

Fred E. Parsons,
Plaintiff.
vs
The Board of Education,
Millcreek Township,
School District, Union Co. O
Defendant.

Filed June 11, 1912

No. 9328.

9328

Injunction

This day came the Plaintiff by Hoopes, Robinson and Hoopes and Barry & Williams his attorneys 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 filed therein, 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 issuing, selling and and offering for sale the $15000.00 bonds or any part thereof, of said Millcreek Township School District on said 15th day of June 1912 or at any other time upon the said defendant giving and undertaking in the sum of $200.00 as required by law.

Dudley E. Thornton,
Probate Judge.

9321

Settled

9314

Confirmation

Distribution

F. E. Parsons,
Plaintiff
vs
The Board of Education
Millcreek Tp. School Dist.
Union County Ohio,
Defendant.

No. 9328.

9328

Motion

Overruled

This cause came on to be heard upon the motion of the Defendant to dissolve the injunction heretofore granted in this cause upon the ground that the Probate Court had no jurisdiction in the matter on the face of the papers filed; On consideration whereof the Court overrule said motion. To all of which the Defendant then and there excepted.

Approved: Hoopes, Robinson & Hoopes
Barry & Williams for Plaintiff.
John H. Willis for Defendant.

From page 499

reasonable value in money of her dower in said estate $3.00. Eighth-To Meta Martin, a daughter of Fred Martin deceased $44.45. Ninth-To Rosa Martin, a daughter of Fred Martin and a sister of Meta Martin $44.45.

And the Court further finds that John H. Turner is entitled to the remaining interest in said lands, being the sum of $1356.80.

John M. Brodrick, Judge.

Court adjourned to Monday June 26, 1912 at 9 A. M.

Wednesday June 26, 1912 - Court convened at 9 a. m.
Present Honorable John M. Bradrick, Judge.

In the Court of Common Pleas, Union County O.

9321 Settled

Dunn's Review,
Plaintiff,
vs
The Davis Chair Co,
Defendant.

No. 9321.

This day came the attorney for the Plaintiff paid the costs and dismissed this action without record.

9314 Confirmation Distribution

Morgan N. Martin and
Laura Martin, his wife,
Plaintiffs
vs
John H. Turner et al,
Defendants.

No. 9314

This cause came on for hearing upon the return of the Sheriff and the report of the Commissioners, heretofore appointed herein, and the motion to confirm the same. And it appearing from said report that said estate could not be divided by metes and bounds without injuring the value thereof, and that said Commissioners have made and returned their appraisement of said estate at $55.00 per acre, making a total of $1540.00 and the Court finds the said return and proceedings in all respects correct and in conformity to law; and do hereby approve and confirm the same. And it appearing to the Court that said John H. Turner one of the defendants herein, has elected to take said premises at the appraised value, and that the terms of payment are to be cash in hand, paid to the Sheriff. The Court finding that the costs of this act, including a counsel fee of $81.60 to John L. Loughrey for his services herein, amounting to $110.48; and it is therefore ordered by the Court, that upon the payment being made to the Sheriff by John H. Turner, the costs of said case to-wit: the sum of $110.48 and upon his payment in cash, the proportion of the appraised value due to other parties 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 conveyance thereof, and the Court coming now to distribute the proceedings of said estate, it is ordered that the Sheriff, upon receiving the same, as above pay; First - To the Clerk of this Court, the costs herein including counsel fee, the sum of $110.48. - Second - To the widow of Charles N. Martin, deceased, now known as Arena Hiza for the reasonable value in money, her dower in the 1/2 of the 1/5 interest in said lands, being $11.79. Third - To Amanda Hammond, former wife of Oliver P. Martin, deceased, being the reasonable value in money of her dower interest in the 1/4 of the 1/5, $11.50. Fourth - To Mary L. Dull, daughter of Oliver P. Martin $11.00. Fifth - To Ella Bliss, a daughter of Oliver P. Martin, deceased $11.00. Sixth - To Morgan N. Martin, the plaintiff herein, and son of Oliver P. Martin, $11.00. Seventh - To Ina Anderson, former wife of Fred Martin deceased who is now 34 years old, the

(Continued on Page 498)

Court adjourned to Monday July 8, 1912 at 9 a. m.

Monday July 8, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

F. A. Thompson,
Plaintiff
vs
Beverly Depp,
Defendant

No. 9331.

9331

Judgment

This day came the plaintiff by his attorney; also appeared in open court, for and on behalf of said defendant, E. W. Porter 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 Twenty-one dollars and Forty-two 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 Twenty-one dollars and Forty-two cents being the amount of said note with interest computed at Eight per cent per annum, from the 6th day of July A.D. 1912; and also his costs herein expended taxed at $ ——.

John M. Brodrick, Judge.

Court adjourned to Tuesday July 9, 1912 at 9 a. m.

Tuesday July 9, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

The State Venire Facias for Petit Jurors.

The State of Ohio, Union County ss.

On the 2nd day of March, I received this Venire and served the same on the several persons therein named, at the times and in the manner placed opposite their names endorsed thereon.

1. William Acton - Mar. 2, 1912 - By mail
2. R. B. DeGood " " " "
3. Dow Burnham " " " "
4. K. C. Berger " " " "
5. R. P. Cowgill " " " "
6. Cyrus Zimmerman " " " "
7. A. L. Seeley " " " "
8. Albert Hickoke " " " "
9. William Figley " " " "
10. Shep Clark " " " "
11. Cyrus Coons " " " "
12. William Arnold " " " "
13. Edgar Mc Mahon " " " "
14. L. W. Mc Allister " " " "
15. Finley Ford " " " "
16. C. L. Koerner " " " "
17. Fred Cain " " " "
18. Oscar Bell " " " "

Cad Price, Sheriff.

In the Court of Common Pleas, Union County Ohio.

In the Matter of the Application of Cad Price, Sheriff for additional Transfer to Sheriffs Fee Fund.

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

During the past year there was paid into the fee fund of this county as the total receipts from the Sheriffs Office the sum of One Thousand, two hundred and fifty-eight dollars and eighty-seven cents. Under the provisions of the General Code of Ohio, there can only be allowed for salaries for deputy, clerk and book keeper for said office thirty per cent of said total receipts without a special allowance by you as such judge. Said thirty per cent amounts to the sum of three hundred and seventy-seven dollars and six cents, but the County Commissioners having allowed only three hundred dollars for salary for deputy, clerk and book keeper for one year and that sum being insufficient

for such hire and being exhausted, therefore, I, Cad Price, Sheriff of Union County Ohio, hereby respectfully ask that you make an additional allowance of three hundred dollars, to be transferred from the general fee fund of said county to the Sheriff's fee fund of said county as provided by the General Code Sec. 2980-1 (Vol. 107 Laws of Ohio, Page 136.)

Cad Price, Sheriff

9333

Judgment

This day came Cad Price, Sheriff of Union County Ohio, and filed herein his application for an additional allowance in order to carry on the business of his office. Thereupon on this said application came on for hearing before the Honorable John M. Brodrick, a Judge of the Court of Common Pleas of said County, and wherein said Sheriff was elected. On consideration whereof said John M. Brodrick as such Judge as aforesaid, finds that the allowance heretofore made by the County Commissioners has been exhausted, and that under the General Code of Ohio it is necessary for an allowance of three hundred dollars additional for deputy, assistants, book-keepers and clerks for said office.

It is therefore considered and ordered by said John M. Brodrick as Judge of said Court, that there be, and hereby is allowed to said said Sheriff's office of Union County, Ohio, an additional allowance of Three Hundred Dollars under the provisions of Sections 2980-1 of the General Code of Ohio.

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

9334

Judgment

Court adjourned to Friday July 12, 1912 at 9 a. m.

Friday July 12, 1912- Court convened at 9 A.M.
Present Honorable John M. Brodrick, Judge.

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

Louis Davis,
Plaintiff,
vs
Beverly Depp,
Defendant.

9333 — No. 9333.

Judgment

This day came the Plaintiff, by his attorney; also appeared in open court, for and on behalf of said Defendant, John L. Loughrey, 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 Hundred and Ninety-one Dollars and Nineteen 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 therefor considered that said plaintiff recover of said defendant the sum of One Hundred and Ninety-one Dollars and Nineteen cents being the amount of said note with interest computed at Eight per cent per annum from the 13th day of July 1912; and also his costs herein expended taxed at $____.

John M. Brodrick, Judge.

Lewis Davis,
Plaintiff.
vs
Beverly Depp,
Defendant.

9334 — No. 9334

Judgment

This day came the plaintiff, by his attorney; also appeared in open court, for and on behalf said defendant John L Loughrey, 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 Hundred and Ninety-one dollars and sixty-one 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 therefor considered that said plaintiff

recover of said defendant the sum of One Hundred and Seven Dollars and ten cents, being the amount of said note with interest computed at Seven per cent per annum from the 13 th day of July 1912; and also his costs herein expended taxed at $—.

John M. Brodrick, Judge.

9335 Judgment

Louis Davis,
Plaintiff.
vs
Beverly Depp,
Defendant.

No. 9335.

9337 Judgment

This day came the plaintiff by his attorney; also appeared in open Court, for and on behalf of the defendant, John L. Loughrey, an attorney 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 Nine Hundred and Fifty-five Dollars and Fifty-one 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 Nine Hundred and Fifty-five Dollars and Fifty-one cents, being the amount of said note with interest computed at Eight per cent per annum from the 13th day of July 1912; and also his costs herein expended taxed at $—.

John M. Brodrick, Judge.

9336 Judgment

Louis Davis,
Plaintiff.
vs
Beverly Depp,
Defendant.

No. 9336.

This day came the plaintiff by his attorney; also appeared in open court for and on behalf of said defendant John L. Loughrey, an attorney of law of this court, and by virtue of the warrant of attorney of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by 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 Ninety-seven Dollars and Twenty-nine 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 Fifty-nine Dollars and Ninety-three cents being

the amount of said note with interest computed at Eight per cent. per annum from the 13th day of July 1912; and also his costs herein expended taxed at $___.

John M. Brodrick, Judge

Louis Davis,
Plaintiff,
vs
Beverly Dapp,
Defendant.

9337 — No. 9337.

Judgment

This day came the plaintiff, by his attorney; also appeared in open court, for and on behalf of said defendant, John L. Loughrey, an attorney at law of this court, and by virtue of the warrant of attorney annexed to 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 Hundred and Ninety-six Dollars and Seventy-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 rights of appeal in the premises.

It is therefore considered that said plaintiff recover of said defendant the sum of One Hundred and Ninety-six Dollars and Seventy-six cents being the amount of said note with interest at Eight per cent per annum from the 13th day of July 1912; and also his costs herein expended, taxed at $___.

John M. Brodrick, Judge.

Court adjourned to Saturday July 13, 1912 at 9 A. M.

Saturday July 13, 1912 - Court convened at 9 a. m.
Present John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

9323 — Josie Critzer, Plaintiff, vs William Critzer, Defendant. | No. 9323, — Divorce

9079. — Receiver.

Now came the plaintiff herein, and the defendant being in default for answer or 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 preceeding the same, and was at the time a bona fide resident of this county of Union, and that the parties were married as in the petition set forth.

The Court further find upon the evidence adduced, that the defendant has been guilty of being willfully absent from the plaintiff for more than three years preceding the date of filing her petition and that the defendant has also been guilty of gross neglect of duty toward the plaintiff and their child and by reason thereof the plaintiff is entitled to divorce as prayed for.

It is therefor ordered and adjudged by the Court that the marriage contract heretofore existing between the said Josie Critzer and William Critzer be, and the same hereby is dissolved, and both parties are released from the obligations of the same.

It is further ordered and adjudged by the Court that the custody, care education and control of the said children of the parties hereto be, until further order, confided to the said Josie Critzer exclusively. And the defendant is hereby enjoined from interfering in any manner with said Bulah Critzer and Gladys Critzer, their said children.

4191

It is further considered by the Court that said Josie Critzer recover from the said William Critzer her costs herein expended.

Dismissed

John M. Brodrick, Judge.

Court adjourned Tuesday, July, 16, 1912. at 9 A.M.

Tuesday July, 16, 1912 - Court convened at 9 a.m.
Present Honorable John M. Brodrick, Judge.

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

9079. Bessie Smith, Plaintiff. vs Oliver Shaw, et. al. Defendants. No. 9079.

Receiver.

Now this cause came on to be heard upon the motion of the defendant Howard Shaw, for the appointment of a receiver herein. And thereupon the Court finds, that the heirs who elected to take said lands of 85 acres, described in the petition for partition, have not yet taken said lands which are in danger of perishing for the want of care in harvesting, and that to have the said crops taken care of, it is necessary to have a receiver appointed by the Court to take charge of and harvest the crops growing on the said lands.

It is therefore ordered that Cad Price, sheriff of said County, be and he is hereby appointed receiver of all the growing crops, on said farm and to harvest and dispose of the crops after harvested, to wit-hay, wheat, barley and rye and any other crops growing on said farm, and with power to rent out any pasture land for a proper rental during the pasture season, and to make returns to the Court of his proceedings. This order to continue in force until further order of the Court.

John M. Brodrick, Judge.

J. M. Sanders Co., Plaintiff. vs W. S. Mc Mahon, Defendant. No. 9191

9191

Dismissed

This day came the parties and the plaintiff gave notice that since this action was brought one of the partners to-wit J. M. Sanders died, leaving a will by the terms of which he authorized his son Percy Sanders to settle and adjust all matters connected with his estate, including his partnership matters connected with his estate, and the plaintiff asked that said Percy Sanders be substituted as petitioner in place of said John M. Sanders. Thereupon the Court sustains the application and it is ordered that said Percy Sanders Exc of John M. Sanders bd and he is substituted as plaintiff. And coming now to the hearing upon the motion of the defendant to quash the appeal in this case, the Court finds from an inspection of the transcript of said Justice of the Peace, that there was no judgment rendered by said Justice from which an appeal could be taken and that the pretended judgment of said Justice only amounts to a dismissal without prejudice, and that it is not a bar to another suit. It is therefore ordered by the Court that the appeal in this case be and same is quashed and set aside, and this cause ordered to be stricken from Docket without prej. to any future action between parties.

Court adjourned, Wednesday, July, 17, 1912. at 9 A. M.

Hooper Robinson & Hooper for Plff.

Wednesday, July, 17, 1912. - Court convened at 9 a.M.
Present by Honorable John M. Broddick, Judge.

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

9328 | 9327

Fred E. Parsons
Plaintiff

vs.

The Board of Education of
Milcreek Township School
District, Union County Ohio.
Defendant.

No. 9328

Sale Allowed.

Demurrer overruled.

This day this cause came on to be heard upon the demurrer of the plaintiff to the Answer of the defendant; upon consideration and the Court being fully advised in the premises doth over rule said demurrer. To all of which the plaintiff then and there at the time excepted. Leave granted the plaintiff to file reply instanter. Approved.

Hopes, Robinson and Hopes.
Attorney for Plaintiff.

John H. Willis
Attorneys for Defendant.

Court adjourned Thursday, July, 18, 1912 at 9 a. M.

Thursday, July, 18, 1912 Court convened at 9 a. M.
Present by Honorable John M. Brodrick, Judge.

In the Court of Common Pleas Union, County.

9327 In re C. M. Jones et. al.
Plaintiff
vs.
Sale allowd. Trustees Plain City M. E. Church
Defendant. | No. 9329.

This day this cause came on for hearing and the same was submitted to the Court in the pleadings and the evidence. In consideration whereof the Court finds that the sale of the real estate described in the petition is desired by the members of the society of the Methodist Episcopal Church of Plain City, Ohio, and that it is right and proper that authority be given to the trustees of said church to sell the same. It is therefore Considered and ordered by the Court that the said Trustees of the Plain City Methodist Episcopal Church proceede to sell the real estate described in the petition herein at private sale, for cash, and that they Make return of their proceedings under this order which they have sold their real estate.

John M. Brodrick, Judge.

Court adjourned July 19, 1912, at 9 A. M.

Friday July 19, 1912 — Court convened at 9 A.M.
Resent by Honorable John M Brodrick Judge.

In the Court of Common Pleas Union County Ohio.

9311

Addie L. Bowlus and John S. Bowlus,
Martha A. Beal and John Beal.
Plaintiffs.

vs

William S. Fogle,
Defendant.

No. 9311.

Confirmation

9330

Ed. Fresh-Water made party.

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 its 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 appraisment of said estate at Two-Thousand, Eight hundred and Fifty Dollars, ($2850), free from the dower estate of Martha A. Beal. The Court finding said return and proceedings in all respects correct and in conformity to law, and do therefor approve and confirm the same. and it appearing to the Court, that said William S. Fogle, has elected to take said premises at their appraised value, and it is ordered by the Court on good cause shown, that the proportion thereof due other parties to be paid in cash, and that upon the said William S. Fogle paying the same, together with his proportions of the costs of this case, including Counsel fee of $135.00/100, to John L. Loughrey, for his service herein, and his proportion of the taxes and penalty due on said premises, amounting to $43.01, the said estate, be, and it is hereby adjudged to him, and the Sheriff is ordered thereupon to make and execute to him a conveyence thereof, and the Court comming now to distribute the proceeds of said estate;

9079

Confirming Partition

Firstly, To the Clerk of this Court, the costs of this action, including the Counsel fee, the sum of $154.70. Secondly To Martha A. Beal, widow of George Fogle, deceased, who is 65 years of age, and is entitled to dower, the sum of $415.02 in full of her respective rights herein. Thirdly, To the plaintiff, Addie L. Bowlus, who is entitled to the sum of $1140.14, in full of her respective rights herein. Fourthly to the Defendant, William S. Fogle, the sum of $1140.14, in full of his respective rights herein. The Court further finds that William S. Fogle has paid to the Clerk of this Court, the costs of this case, including taxes, Counsel Fees, and assessments, and he has also settled with the parties herein, paying to them their respectives portions of the appraised value of said Estate, and the Sheriff is ordred to execute and deliver a deed to him therefore.

John M. Brodrick, Judge.

Court adjourned Saturday July, 20, 1912 at 9 A.M.

Saturday. July, 20, 1912 - Court convened at 9 a.M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas Union County, Ohio.

9330

Ed. Fresh-water made party.

John Jarvis
Plaintiff
vs.
Ada Gibson, et. al.
Defendant.

No. 9330.

It appearing to the Court that Ed. Freshwater is a necessary party to Controversy in this case for reason that he owns a lien on the property in the petition described, the said Ed. Freshwater is therefore, on motion, made a party defendant hereto, and it is ordered that the process issue for him.

John M. Brodrick, Judge.

9079

Confirming Partition &

Bessie Smith
Plaintiff
vs.
Oliver Shaw, Howard Shaw
Harry Shaw, Lewis P. Shaw
Abraham Shaw, William Shaw
Minnie, Emerine Dana Griffin, Verna Griffin
Gail Hamilton, Madeline Hamilton. Byon-
Hamilton, Mildred Hamilton. Defendants

No. 9079

Entry Confirming Partition &c.

This cause came on for hearing upon the return of the Sheriff and upon 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 metes and bounds Without injury to the value thereof, and that said commissioners have assigned dower, by metes and bounds to the said Oliver Shaw, And have made return of their appraisment of said estate, subject to the dower of said Oliver Shaw at $6050. 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 said Oliver Shaw stand as endowed of that portion of said estate so set off and assigned to him as his dower.
It is further ordered and decreed by the Court, that the said Oliver Shaw pay the witness fees of all the witnesses, for which he caused subpoenas to issue, and execution is awarded against him for the same.

It is further ordered that all the other costs of this action, except the witness fees above named) be paid by the other parties in proportion to their respective interests in said estate to wit: Bessie Smith one-seventh part there of, Lewis Shaw one-seventh part there of; Abraham Shaw one-seventh part there of Howard Shaw one seventh part there of, Harry Shaw one-seventh part there of; William Shaw one-seventh part there of, Gail Hamilton, Madeline Hamilton, Byron Hamilton and Mildred Hamilton, each the one-twenty eight part thereof; and that said cost shall include an attorney fee to Cameron and Cameron for their serivce herein in the sum of $24; And it appearing to the Court that the said Bessie Smith, Lewis Shaw, Abraham Shaw, Harry Shaw and William Shaw have elected to take said premisis at their appraised value, subject to said dower, and that they have enterd into a agreement among themselves, that for the convenience of the parties, the deed for said premises shall be made by the Sheriff to Lewis Shaw in trust for himself and the other parties so electing to take, Which agreement the Court finds to be just and reasonable and therefore approves. The Court finds that the Costs of this Case (other than that adjudged against the said Oliver Shaw) including the attorney fee aforesaid, is $294,06 and that there is due L. B. Harbey as surveyor the sum of $5,00 and that the taxes and penalties upon said premises amount to $32,06. The Court further finds that after deducting the costs, expenses and taxes aforesaid the amount due Howard Shaw for his share, is $817,00 and the amount due Byron Hamilton, Gail Hamilton, Madeline Hamilton and Mildred Hamilton, is $204,25 each, payable to their guardian Harry H. Shaw.

And it appearing to the court that the said parties electing to take said estate have paid to the Clerk of this Court the Costs, expense and attorney fees as here in found due, and have paid to the treasure the taxes found due, and have paid to Howard Shaw, and to the guardian of the Hamilton Children the respective ammount due them; The said estate subject to said dowere, is hereby adjudge to the said Bessie Smith, Lewis Shaw, Abraham Shaw, Harry Shaw and William Shaw, and the Sheriff is ordered to make and execute to Lewis Shaw, as trustee in trust for himself and the other parties so electing to take, according to the terms of their said agreement, a deed of conveyence for said premises, but subject to said dower.

The Court finds that Lewis Shaw and Lewis P. Shaw named herein, is the same person, and that Harry Shaw and Harry H. Shaw is the same person and William Shaw and William G. Shaw is the same person.

The Court finds that Minnie America, Dana Griffin, and Verna Griffin, never had any estate or interest in said premises, and that

Neither of them are entitled to any part of the proceeds of said lands.

John M. Brodrick, Judge.

Court adjourned Thursday, July 25, 1912 9 A. M.

Thursday July. 25, 1912 - Court convened at 9 A. M.
Present Honorable John M. Brodrick Judge.

In the Court of Common Pleas Union County, Ohio.

9342. Frank Fish
Plaintiff
vs
John M. Horn
Defendant

No. 9342

9315

Dismissed. Decree.

This day came the Attorney for the Plaintiff paid the costs and dismissed this action without record.

Wednesday, July, 31. 1912. Order to Draw Grand Jury.

Court of Common Pleas, Union County, Ohio. September Term A. D. 1912.

To the Clerk of said Court:

You are hereby directed to proceed according to law at ten o'clock on Saturday the 3rd. day of August 1912, 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 1912, of the Court of Common Pleas of said County. The first fifteen persons whos 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 9th. day of September, 1912; the same place at ten o'clock A. M. on Monday the 16th day of September 1912.

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

Witness my hand Officially this 31st. day of July 1912.

John M. Brodrick Judge.
Judge of the Court of Common Pleas of the Third Sub-Division of the Tenth Judicial.

Court adjourned Saturday, Aug. 3, 1912 at 9 A. M.

Saturday, Aug. 3. 1912 - Court convened at 9 a.m.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas Union County, Ohio.

9315 Daisy L. Parrish
Plaintiff
vs.
Decree. John J. Parrish
Defendant

No. 9315

Now came the plaintiff, Daisy L. Parrish, and the defendant having been duly served with a summon 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 allegation there of are confessed by him to be true. The court also find that the plaintiff, at the time of filing her petition had been a resident of the State of Ohio for one year next preceding the same, and was at the time a bona fide resident of 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 towards the plaintiff, and that by reason thereof the plaintiff is entitled to a divorce as prayed for.

The Court further find that the defendant is the owner of the following described real estate in the Township of Marion, County of Marion, and State of Ohio, and in The Glenwood Addition to the City of Marion and being lot No. 5212 as the same is platted and described at the County Recorder's Office of Marion County, Ohio. which said property was made by the joint efforts of said plaintiff and said defendant.

The Court further finds that the plaintiff is a suitable and proper person for the care, custody and control and education of the minor children of said parties.

It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Daisy L. Parrish and the said John J. Parrish 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 minor children of said parties, to wit, Ina Lucille Parrish, and Bertha Marie Parrish, be, until further order, confined to the said plaintiff exclusively. But it is hereby ordered that the said defendant have the privilege of visiting said children on the first day of each month between the hours of one o'clock P. M. and three P. M.

It is further ordered and adjudged that the said plaintiff have and posses as and for alimony the real estate

hereinbefore described. And the said defendant is hereby ordered to convey said premises and the improvements thereon, and all the appurtenances thereto appertaining and belonging, to said plaintiff, her heirs and assigns forever, by a good and sufficient deed in fee simple, subject to the incumbrances placed upon said premises by the joint execution of mortgage deeds by said parties, subject also to the unpaid taxes, free from any right or claim of said defendant to any estate by curtesy, dower or other wise, therein. And it is further ordered that upon the failure of said defendant to execute said conveyance immediately upon the entry hereof, that this decree shall operate as such conveyance, and in that case it is ordered that the Clerk of this Court cause so much of this decree to be recorded in the Office of the Recorder of Marion County, Ohio, as will show such change of title.

And it is further ordered and adjudged that said plaintiff do also have, possess, and enjoy, as and for alimony, all the household goods including the pians now in the house or on the premises hereinbefore described or that were in said or on said premises house at the time of the filing of the petition herein except a suffiaient amount of furniture, to be selected by the defendant from the house hold furniture that came to the defendant by gift or inheritence from his Mother, to furnish one bed room, to wit: one bead stead, one bed tick, two bed spreads, two pair blankets, three Comforts, two pillows, four pillow slips, two pair of sheets, three pair of lace curtains, one carpet four cane bottom chairs, one rocker alds all books belonging to the defendant.

It is further considered by the court that the plaintiff recovers from the defendant her costs herein expended taxes at $\$$ —— and execution is awarded.

John M. Brodrick Judge.

Bertha H. Young,
vs. Plaintiff.
Sidney G. Young.
Defendant.

I allow a temporary restraining Order in the above action, as prayed for in the plaintiff's petition herein, until the same can be further heard. A bond herein being dispensed with under the provisions of the General Code of Ohio.

Done this 3rd day of August, 1912

John M. Brodrick. Judge

In the Matter of the
Compensation of
G. C. Edwards, Court Constable.

It is hereby ordered that G. C. Edwards be allowed 13 days pay from the 16 day of June 1912 to 3 day of Aug. 1912 $2.50 per day. total $32.50/100, as Court Constable.

The Clerk will certify the amount to the Auditor of Union County.

Aug. 3. 1912.

John M. Brodrick. Judge.

Court adjourned until Tuesday, Aug. 6, at 9 A. M.

Tuesday, Aug. 6. 1912 - Court convened at 9 a. M.
Present Honorable John M. Brodrick. Judge.

In the court of common Pleas. Union County. Ohio.

9348

M. W. Hill
Plaintiff
vs.
Luther Ward
Defendant.

No. 9348.

Receiver

9317

Title Quieted

This day this cause came for hearing on the application of the plaintiff for the appointment of a reciever herein. and the same was submitted to the Court.

On consideration whereof the Court appointed Cal Price Sheriff of this County as receiver to take charge of the threshing out fit consisting of one sixteen-horse power Leader Engine, one Advance separator, one McCormick corn husker, one water tank, wagon, pump, one drive belt and the other fixtures belonging to said threshing out fit as the same is described in Plaintiff's petition herein.

Said receiver is also ordered to collect the out standing accounts for the use of said threshing out fit for this season and hold the same subject to the further order of the Court herein

And of his procedings hereunder said receiver is ordered to make return to the Court.

John M. Brodrick.
Judge.

Court adjourned to Wednesday August 7, 1912 at 9 a. M.

Wednesday August 7, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

George C. Brown,
Plaintiff,
vs
Ida M. Houston,
Defendant.

9317

No. 9317.

Title Quieted

And now comes the plaintiff by his attorneys, and the defendant being in default for answer or demurrer, the Court finds that the allegations of the petition are confessed by her to be true. The Court further finds that the place of residence of defendant was unknown to the plaintiff at the time of the filing of his petition herein and could not be ascertained after diligent search had been made therefor and that the same is still unknown to the plaintiff and can not be ascertained; that service of the notice of the pendency of this action was made upon the defendant by publication for six consecutive weeks in the Marysville Tribune, a paper of general circulation throughout the county of Union.

The Court further find that at the time of bringing this action the said plaintiff was in the possession of the real property described in the petition, and that he had the legal estate in, and was entitled to the possession of the same; that the defendant has no estate in, nor is entitled to the possession of, said real estate or any part thereof, and that the plaintiff ought to have his title and possession quieted as against said defendant as prayed for in his petition.

It is therefore ordered, adjudged and decreed, that that the title and possession of the said George C. Brown to all and singular the premises in the petition described, to-wit: Situated in the Village of Marysville, County of Union and State of Ohio and being parts of Lots Nos. 435 and 436 and described as being 18 feet off the west side of Lot No. 436 (Old No. 419) and 22 feet of the East side of Lot No. 435 (Old No. 418) both in Freshwaters' addition to said Village and fronting on the South side of East 6th Street; being 40 feet of the west side of tract No. 1 conveyed by Isabell Maddox to William Emmert, Aug. 31, 1907, see Vol. 97 p 331 Union County Record of Deeds, be and the same hereby are, quieted as against the defendant and all persons claiming under her; and she is 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 C. Brown and his heirs thereto.

It is further ordered that the plaintiff pay the costs of these proceedings.

John M. Brodrick, Judge.

Court adjourned to Saturday Aug. 10, 1912 at 9 a. m.

Saturday August 10, 1912 - Court convened at 9 a.m.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County O.

9242 — Settled

O. P. Lenox and M. C. Mollard
as partners, Lenox & Mollard,
Plaintiff

vs

Erie Railroad Company,
Defendant.

No. 9242

Now comes the plaintiffs and defendant and settled this cause of action at defendants cost, and no record. Costs paid.

H. V. Spicer, attorney for Plaintiff
Jas. Mc Campbell, Atty for Defendant.

9350 — Judgement

Bertha A. Young.
Plaintiff

9347 — Contempt

vs

Sidney G. Young.
Defendant.

No. 9347.

And now Bertha A. Young having filed with the Clerk of this court certain written charges against said Sidney G. Young, alleging the disobedience of the said Sidney G. Young to the former order of this Court enjoining the said Sidney G. Young from interfering with the plaintiff in the custody and control of the children of said plaintiff and defendant, on motion of said plaintiff a rule is allowed herein against the said defendant directing him to appear before this Court on the 17th day of August 1912, at 9 o'clock A. M. to show cause why he should not be punished for his said disobedience.

It is further ordered by the Court that the Sheriff take Richard Young, one of the children of plaintiff and defendant, from said defendant and deliver said Richard Young to the said plaintiff.

John M. Brodrick, Judge.

9280 — Demurrer Sustained

Court adjourned to Tuesday August 13, 1912 at 9 a.m.

Tuesday August 13, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

The Central National Bank,
Plaintiff,

9350 vs

C. C. Wright,
Defendant.

No. 9350

Judgement

This day came the plaintiff by John H. Willis attorney, and filed its petition against said defendant, C. C. Wright 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 C. C. Wright 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, forty-seven and 38/100 Dollars ($347 38/100), bearing interest at six 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 Central National Bank, plaintiff, do recover from said C. C. Wright, defendant the said sum of Three Hundred, forty-four + 38/100 Dollars ($347 38/100), so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 13th day of August 1912, at the rate of 6 per cent per annum. And by virtue of said warrant of attorney, all errors in this action, judgment and proceedings are released, and all right of appeal and all right to file a petition in error are waived.

John M. Brodrick, Judge.

Ross Rinehart,
Plaintiff

vs

9280 The Board of County Commissioners consisting of Charles Rausch, Charles Diehl and George Cowgill and Edward Westlake, Contractor
Defendants.

No. 9280

Demurrer Sustained

This day this cause came on to be heard upon the demurrer of the defendant, The Board of County Commissioners, to the petition, and upon consideration the Court doth sustain said demurrer on the ground that there is a misjoinder of

parties defendant.

It is therefore considered that said defendants go hence without day and recover of said plaintiff the costs of this suit.

Leave is hereby granted the plaintiff to elect which of the defendants he will proceed against, and also leave granted plaintiff to file amended petition.

John L. Loughrey, Atty for Plaintiff.
John H. Willis, Atty for Defendant.

9347

Dismissed

9327

Sale

Confirmed

Court adjourned to Saturday August 17, 1912 at 9 a. m.

Saturday August 17, 1912 - Court convened at 9. a. m.
Present Honorable John M. Brodrick, Judge.

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

9347 — Bertha H. Young, Plaintiff vs Sidney G. Young, Defendant. — No. 9347.

Dismissed

This action is hereby dismissed without prejudice and with the consent of the parties complete record hereof is hereby dispensed with and plaintiff is hereby granted leave to withdraw her petition from the files. Costs paid.

John M. Brodrick, Judge.

9327 — In re C. M. Jones et al, Trustees of Plain City. M.E. Church — No. 9327

Sale

Confirmed

This day this cause came on for hearing on the return of the Trustees of the Plain City Methodist Episcopal Church. On consideration, the Court finds that the Trustees of the Plain City Methodist Episcopal Church have sold Lot No. 3 in Barlow's Addition to the town of Pleasant Valley, as more fully described in the petition, in accordance with the authority vested in them, that the sale is valid, and the Court hereby approves and confirms the same, and orders the said Trustees to make a deed therefor to the said purchaser Henry P. Baker and Grace Baker

John M. Brodrick,
Judge.

Court adjourned to Tuesday August 20, 1912 at 9 a.m

Tuesday August 20, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

Corinne Snider Hall,
Plaintiff

9338 vs

Flora Snider et al,
Defendants.

No. 9338.

Partition

This cause came on to be heard upon the petition, the answer for the Guardian of John F. Snider, minor, defendant, the answer of the Guardian of said Susan Snider, insane, defendant, the written waiver of all the other defendants, and the pleadings and record in the cause, and testimony adduced, and was submitted 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 required by law, and that said plaintiff hath a legal right and estate in the premises described in the petition, and as 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 John H. Kinkade, attorney for said plaintiff, that by the oaths of W. C. Fullington, J. M. Lentz, and W. H. Perfect, judicious, disinterested freeholders of the vicinity, upon actual view of the premises, one full and equal third part of said lands in said petition described, be assigned and set off to the said widow, Susan Snider, as her dower estate therein, and that by the like oaths of W. C. Fullington, J. M. Lentz and W. H. Perfect upon actual view partition be made of said lands, subject to the said dower estate in said third part thereof, in the following proportions, to-wit: To the said Corinne Snider Hall, the plaintiff, one equal one-seventh (1/7) part thereof; and to said Flora Snider, Mary Snider Byrd, Phillip Snider, Bertie Snider, Harriett Snider and John F. Snider (minor) each the one-seventh (1/7) 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 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 dower to be assigned, and said partition to be made accordingly or appraised as aforesaid,

Aug. 19, 1912.

John M. Brodrick, Judge.

Court adjourned to Wednesday August 21, 1912 at 9 a. m.

9133

Dismis

9139

Dismiss

9140

Dismiss

Wednesday August 21, 1912- Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County O,

A. B. Johnson, Admr,
Plaintiff
9133 vs No. 9133.
Richard H. Cody,
Dismissed Defendant.

This day came the Plaintiff paid the costs and dismissed this action without record.

A. B. Johnson, admr
Plaintiff,
9139 vs No. 9139.
Richard H. Cody, etal
Defendants

Dismissed This day came the Plaintiff paid the costs and dismissed this action without record.

A. B. Johnson, Admr.
Plaintiff,
9140 vs No. 9140.
Richard H. Cody etal,
Dismissed Defendants.

This day came the Plaintiff, paid the costs and dismissed this action without record.

Court adjourned to Thursday August 22, 1912 at 9 a. m.

Friday August 23, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

Final Report of Grand Jury April Term 1912.

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

9338

The Grand Jury of the Court of Common Pleas of said County, of the April Term 1912, 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 over Twenty-three witnesses, covering four cases, and presented Three bills, and ignored One case considered by us. The business has been transacted in an expeditious manner as possible.

Inf. Dis.

Respectfully submitted,
Max Chapman, Forman.

Court adjourned to Saturday Aug. 24, 1912 at 9 a. m.

Saturday Aug. 24, 1912 - Court convened at 9 a.m.
Present Honorable John M. Brodrick Judge.

In the Court of Common Pleas, Union County O.

Fred E. Parsons,
Plaintiff

9338 vs

The Board of Education
of Millcreek Township,
Inj. Dis. School District, Union Co. O,
Defendant.

No. 9338.

The Court on a former day having heard the testimony offered by the parties in this cause, and the same having been submitted to the Court upon the pleadings, exhibits, evidence, and written briefs supplied by counsel; and the Court, after careful consideration thereof, being fully advised in the premises, finds in favor of the defendants, and that the plaintiff's petition is not sustained by the evidence, and that said injunction should be dissolved and the petition dismissed.

It is therefor ordered, considered and decreed by the Court, that the injunction heretofor granted in this cause be and the same is dissolved and set aside, and the petition dismissed; and it is further ordered and decreed that the defendant recover of the plaintiff its costs herein expended taxed at $—. To all of which findings of the Court the plaintiff excepts. And the plaintiff gave notice of his intention to appeal this cause to the Circuit Court, and the Court fix the bond for appeal at $300.00

Hoopes, Robinson & Hoopes,
Attorneys for the Plaintiff
Cameron & Cameron,
Attorneys for Defendant.

Court adjourned to Monday August 26, 1912 at 9 a.m.

Monday August 26, 1912 - Court convened at 9. A. M.
Honorable John M. Brodrick Judge, present.

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

A. J. Stidmore et al.
Plaintiffs
vs
B. S. VanVorhis,
Defendant.

9355 — No. 9355

Temp. Inj. — I allow a Temporary Restraining Order in the above as prayed for in the petition, until the same can be further heard, upon Plaintiffs giving an undertaking, conditioned according to law, to the satisfaction of the Clerk of this Court in the sum of Two Hundred Dollars.

Done this 26th day of August 1912,
John M. Brodrick, Judge.

Donohoe + Turner,
Plaintiff
vs
Grant Douglass,
Electa Douglass,
Defendants.

9256 — No. 9256

Motion — Filed Aug. 31, 1912,

Leave granted Plaintiff to file petition within 5 days.

Joel B. Fox,
Plaintiff
vs
Dora B. Fox,
Defendant

8821 — No. 8821

Dismissed — Filed Aug. 31, 1912.

This day this cause is dismissed without prejudice to a new action, Judgment against Plaintiff for costs.

John A. Potts + Hattie Potts,
Plaintiff,
vs
Laura Mc Intire,
Defendant.

9317 — No. 9312.

Filed Aug. 31, 1912

Leave granted Defendant to answer within 30 days.

Leave

Drusie Laird,
Plaintiff
vs
Eva Laird et al
Defendants.

No. 9343.

Settled

Settled, costs paid and dismissed without record.

Court adjourned to Monday Sept. 2, 1912 at 9 a.m.

Aug 26.

1429

Section

Monday Sept. 2, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

Certificate for Pay.

Sheriff's Office, Union County, Ohio.

To Hon. John M. Brodrick, Judge.

Marysville Ohio, Sept. 2, 1912.

The Court charges for the April Term A.D. 1912, 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
" "	91 Grand " Witnesses at $0.25	22.75
"	321 miles travel Grand Jury wit.	25.68
	Total	$57.43

I hereby certify the above bill to be correct.
Cad Price, Sheriff Union Co. O.

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 Com. Pleas Court.

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

Aug. 26.

1429

State of Ohio,
Plaintiff,
vs
Ernest Stumpf,
Defendant.

No. 1429.
Indictment for Assault and Battery.

Sentence

Now comes the Prosecuting Attorney, on behalf of the State of Ohio, and the defendant coming voluntarily into open court and arraigned upon said indictment, and waiving the service of copy, and of the reading of, and further time to consider and examine said indictment, for plea thereto saith he is "guilty;" thereupon it is ordered and adjudged by the Court that the defendant, Ernest Stumpf, pay a fine of twenty-five dollars and the costs of this prosecution, and that he stand committed to the jail of Union County, Ohio, until the amount of said fine and costs shall be paid, for which execution is awarded.

Court adjourned to Saturday Sept. 3, 1912 at 9 a. m.

Saturday Sept. 7, 1912- Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

9339

Winifred M. Willey,
Plaintiff
vs
Sherman Willey,
Defendant

No. 9339,

Divorce

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, 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 Winifred M. Willey and Sherman Willey 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 to the said Winifred M. Willey exclusively. But it is hereby ordered that the defendant have the privilege of visiting said children on the last Saturday of each month, between the hours of 3 and 5 o'clock P.M. and any violation of this privilege by either party may be reported to this Court.

It is further ordered and adjudged that the defendant pay to the plaintiff, as her reasonable alimony the sum of $300.00.

It is further ordered by the Court that the said defendant pay the costs of this proceeding, and execution is awarded therefor.

John M. Brodrick, Judge.

Tuesday Sept. 3, 1912, - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

Rosetta Orahood,
Plaintiff,
vs
Jacob Sivey et al,
Defendants.
No. 9081.

This day this cause came on to be heard upon the supplemental petition hereinbefore filed by the plaintiff Rosetta Orahood, and the Court being fully advised in the premises, finds that the defendants, Frank Sivey, Nora Zehner, and Ella Zehner have each been lawfully served with summons by the Sheriffs of their respective counties delivering to each personally a copy thereof, and that said defendants are in default for answer or demurrer to the said supplemental petition, and the Court finds that the said Frank Sivey, Nora Zehner, and Ella Zehner had no interest in the real estate described in the original petition herein, and that they have no right, interest or claim to any portion of the proceeds of the sale of said lands, and it is therefore ordered that the said Frank Sivery, Nora Zehner and Ella Zehner be forever barred from all claims to any part of the proceeds of the sale of said premises, and that title to said premises may be forever quieted as against all claims on the part of the said Frank Sivey, Nora Zehner and Ella Zehner or any one claiming through or under them.

And it having been agreed by all parties to this action who have an interest in the distribution of the proceeds of the sale of said lands now in the hands of the Sheriff, Rolla R. Linn as guardian of Madeline Sivey having consented for her, that the Sheriff shall pay to Adele M. Cheney the sum of $45.00 for making abstract of said lands, and to Sanders & Doyle the sum of $114.25, as their commission for and the expense of making a sale of said lands and to L. B. Harvey the sum of $5.00 for making a survey of said lands it is ordered that the Sheriff make payments as aforsaid and that he pay the costs and expense of this action taxed at $72.53, and to Cameron & Cameron their attorney fee of $229.20 hereinbefore ordered by this Court, and the taxes on said land in the sum of $49.98, and that he pay to Rosetta Orahood, Alice Daniels, Minnie Gast, Effie Sivey and Cora Mc Fadden as their distributive share of the proceeds of said sale each the sum of $807.37, and it appearing to the Court that said Carrie Williams is 38 years of age it is ordered that the Sheriff pay to her as her dower estate in the portion of the proceeds of said sale belonging to the heirs of Albert Sivey the sum of $222.04, and that he pay to Starling Linscott formerly Starling Sivey and R. R. Linn as guardian of Madeline Sivey each the sum of $3.42.67. John M. Brodrick, Judge.

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

This separate session of this Court of Common Pleas for the April Term 1912, was begun on the 8th day of April 1912 and continued from day to day and is on this 7th day of September adjourned without day.

Edwin Brodrick
Judge

Sept. 9, 1912

In Union County Common Pleas Court.

State of Ohio,
Union County ss.

This Separate session of the Court of Common Pleas for the Tenth Judicial District of the State of Ohio, within and for the County of Union, for the September term in the year of Our Lord One Thousand, Nine Hundred and Twelve, held at the Court House in the Village of Marysville County and State aforesaid, was begun on Monday Sept. 9, 1912.

9360

Judgment

Present Honorable John M. Brodrick Judge
Cad Price, Sheriff.
Attest: John C. Hartshorn, Clerk.

Venire Facias returned indorsed:

The State of Ohio, Union County, ss.

On the 3rd day of September 1912, I received this Venire and served the same on the several on the several persons therein named, at the times and in the manner placed opposite their names endorsed thereon.

John Asman, by mail, 0 miles; A. J. Harris by mail 12 miles;
P. V. Burson, by mail, 9 " ; Fred Loschy " " 5 "
J. J. Scott " " 0 " ; C. S. Hamilton " " 12 "
Mace Curry " " 10 " ; J. M. Howe " " 8 "
F. B. Galloway " " 8 " ; W. S. Durbecow " " 8 "
Geo. McCoubrey " Ex. ; Walter Howard " Ex Ex
George Moore " Ex. ; David Franklin " 11 "
Fred McKirgan " 8 " ; Joe Roff " 0 "
Arthur Webb 0 ; James Guy 0 "

Cad Price, Sheriff.

In the Matter of Compensation
of G. C. Edwards, Court Constable.

It is hereby ordered that G. C. Edwards be allowed, as Court Constable 7 days pay from the 3rd day of August to the 7th day of Sept. 1912, at $2.50 per day, total $17.50.

The Clerk will certify the amount to the Auditor of Union County.

John M. Brodrick, Judge.

M. W. Hill,
Plaintiff,
vs
Luther Ward,
Defendant.

No. 9348

9348

Leave

Leave granted Defendant to answer within 30 days.

Court adjourned to Wednesday Sept. 11, 1912 at 9 A. M.

Wednesday Sept. 11, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

9360

The Bank of Marysville,
Plaintiff.
vs
J. W. Mc Kirgan and F. C. Mc Kirgan,
Defendants.

No. 9360.

Judgment

This day came the Plaintiff, by E. N. Porter, attorney; and filed his petition against said Defendants, J. W. Mc Kirgan and F. C. Mc Kirgan and thereupon John H. Kinkade, one of the attorneys of record of this Court also appeared in open Court, for and on behalf of said Defendants, J. W. Mc Kirgan and F. C. Mc Kirgan 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 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 Five Hundred, Thirty-three + 33/100 Dollars bearing 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 Bank of Marysville, Plaintiff do recover from said J. W. Mc Kirgan and F. C. Mc Kirgan, Defendants, the said sum of Five Hundred and Thirty-three + 33/100 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 11th day of September 1912, at the rate of 8 per cent per annum. And by virtue of said warrant of attorney all errors in this action, judgment and proceedings are released, and all right to file a petition in error are waived.

John M. Brodrick, Judge.

Court adjourned to Thursday Sept. 12, 1912 at 9 a. m.

Sept 12, 1912

Thursday, Sept. 12, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

Foster J. Skidmore,
Plaintiff,

9303 vs

Freeman Skidmore et al.
Defendants.

No. 9303.

9179

Trial

Dismisse

This day came the parties to this action and, thereupon this cause came on to be heard upon the petition, the answer and and cross-petition of Edwin A. Skidmore, a defendant, the joint answer and cross-petition of Freeman N. Skidmore and Alva C. Skidmore, defendants, and the evidence; and the said cause was argued by counsel of the respective parties and submitted to the Court. Whereupon, the Court finds that all of the defendants have had due legal notice of the pendency and prayer of the said petition, and that, with the exception of those above named the defendants herein are in default for answer thereto. Thereupon, as to the issues joined herein, the Court takes this cause under advisement for a decision of said issues, and cause adjourned therefor.

Approved: James Mc Campbell, Atty for Plaintiff.
Cameron & Cameron, Attys for Defendants.

Court adjourned to Friday Sept. 13, 1912 at 9 a. m.

Sept. 13, 1912.

Friday Sept. 13, 1912 - Court convened at 9 a.m.
Present Honorable John M. Brodrick, Judge.

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

Charles Mc Neil,
Plaintiff.

9179 vs

The Marysville Wire Fence & Lumber Co.
Defendant.

No. 9179.

Dismissed

This day this cause is settled, and upon application of the Plaintiff, is dismissed and costs paid.

Approved: Cameron & Cameron, Atty for Plaintiff.
Fred Mc Sweney, Atty for Defendant.

Court adjourned to Monday Sept. 16, 1912 at 9 A. M.

Monday Sept. 16, 1912.

Monday Sept. 16, 1912 - Court convened at 9 a.m.
Present Honorable John M. Brodrick Judge.

Venire Facias for Petit Jurors returned indorsed:
The State of Ohio, Union County ss.
On the 3rd day of September 1912, 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.

4181

Trial

Wm. Fish by mail (Ex) miles; W. H. Snodgrass, Jr. by mail (Ex) miles
Arthur Potts " " 10 " ; D. E. Liggett " " 7 "
E. M. Bale " " 9 " ; Chauncey Fish " " 21 "
Tracy Hicks " " (Ex) " ; Ert E. Stevens " " 11 "
Walter Cody " " 8 " ; Elias Hathaway " " 8 "
Ves Baughman " " 0 " ; Chas. Lockwood " " 11 "
A. L. Ransom " " 21 " ; Jay S. Rogers " (Ex) " 5 "
W. L. Bonnett " " 5 " .

Carl Price, Sheriff.

9362

Judgment

Court adjourned to Tuesday Sept. 17, 1912 at 9 a.m.

Sept. 17, 1912.

Tuesday Sept. 17, 1912 - Court convened at 9 a. m.
Present Honorable William T. Duncan, Judge.

In the Court of Common Pleas, Union County Ohio.

Howard Townsend,
Plaintiff,
vs
Lawrence Farrington,
Defendant.

9181 — No. 9181

Trial

This day came the parties, by their attorneys, and also came the following persons as jurors, to-wit: Arthur Potts, E. M. Bales, D. E. Liggett, Chauncey Fish, Ert E. Stevens, Walter Cody, Ves Baughman, Charles Lockwood, A. L. Ransom, W. L. Bonnett, Dell Robinson and J. F. Cain who being duly impaneled and sworn according to law. And thereupon the cause came on for hearing on the pleadings and the evidence. The jury having heard the evidence, and the time for closizing having arriven said cause was continued until to-morrow at 9 o'clock.

Frank Channell,
Plaintiff
vs
Leo Kuhn,
F. Billingsley, Defendants,

9362 — No. 9362.

Judgment

This day came the Plaintiff by his attorney, also appeared in open court, for and on behalf of the Defendants, F. A. Thompson, an attorney of law of this court, and by virtue of a warrant of attorney annexed to the note attached to the petition in said cause shown to have been duly executed by said defendants, and waived the issuing and service of process, and confessed a judgment on said note against said defendants, and in favor of said plaintiff for One Hundred and One Dollars and — 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 rights of appeal in the premises.

It is therefore considered that said plaintiff recover of said defendant the sum of One Hundred, One dollars and — cents being the amount of said note with interest computed at 8 per cent per annum from the 16th day of September 1912; and also his costs herein taxed at $ —.

Sept. 18, 1917

In the Court of Common Pleas. Union County Ohio

Frank Rawlls,
Plaintiff.

vs

Lee Kuhns,
D

9181

Trial

9193

Trial

Court adjourned to Wednesday Sept. 18, 1917 at 9 a. m.

Sept. 18, 1912

Wednesday September 18, 1912 - Court convened at 9 a.m.
Present Honorable Wm. F. Duncan, Judge.

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

9181 Howard Townsend, Plaintiff
vs
Trial Lawrence Farrington, Defendant. } No. 9181

This day came the said parties by their attorneys, and also the Jury heretofore impaneled and sworn and the trial proceeded. The Jury after hearing the argument of Counsel and the charge of the Court, were conducted to their room by the Bailiff for deliberation. Now comes the Jury into open Court and rendered the following verdict: "We, the Jury, being duly impaneled and sworn, find that there is due the Plaintiff from the Defendant the sum of $54.75 and we find that there is due the Defendant from the Plaintiff the sum of $58.63 leaving the amount due said Defendant $3.88.

W. L. Bonnett, Foreman.

Warren & Southwick Car Co. Plaintiff.
9193 vs
A. N. Fry, Defendant. } No. 9193

Trial This day came the parties, by their attorneys, and also came the following persons as jurors, to-wit: Arthur Potts, E. M. Bale, Ert E. Stevens, Walter Cody, Ves Baughman, A. L. Ransom, W. L. Bonnett, Elias Huthaway, J. F. Cain, G. W. Harris and N. M. Hubbard who being duly impaneled and sworn according to law. And thereupon the cause came on for hearing on the pleadings and the evidence. The Jury having heard the evidence in part, said cause was continued until to-morrow morning at 9 o'clock.

Court adjourned to Thursday Sept. 19, 1912 at 9 A. M.

Sept. 19, 1912

Thursday Sept. 19, 1912 - Court convened at 9 a. M.
Present Honorable Wm. T. Duncan, Judge.

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

Warren & Southwick Car Co.
Plaintiff.
vs
A. H. Fry,
Defendant.
No. 9193.

9193

Trial

This day came the said parties, by their attorneys, and also the jury heretofore impaneled and sworn and the trial proceeded. The jury having heard the evidence complete, this cause is continued until to-morrow morning at 9 o'clock for the argument of counsel and charge of the Court.

9193

Trial

In the Matter of the Naturalization
Charles M. Forbes to be a Citizen
of the United States of America
No. 9329

9329

Naturalization

This cause coming on for hearing this 19th day of Sept. 1912, and being submitted to the Court on the evidence produced, the Court find that the Naturalization Bureau at Washington D.C. having been duly served and notice made according to law, and that his petitioner, after making oath to the Constitution of the United States, and renouncing absolute allegiance and fidelity to George V. King of Great Britain and Ireland, find that he is not a disbeliever in or opposed to organized government, or a member of, affiliated with any organization of persons teaching disbelief in organized government, and not a polygamist or a believer in polygamy, and able to speak the English language.

The Court further finds that the petitioner has resided in the United State continuously, for a term of five years at least, or since the 18th day of Oct. A.D. 1890 and in the State of Ohio, for one year prior to this time, to-wit: since the 29th day of Oct. 1890 and that said Plaintiff has complied with the Naturalization laws of the United States. Upon consideration of the petition of Charles M. Forbes and affidavits in support thereof, and further testimony taken in open Court.

It is ordered that the petitioner who has taken the oath required by law, be, and hereby is admitted to become a citizen of the United States of America this 19th day of September 1912 and the Clerk of this Court is hereby ordered to issue a Certificate of Citizenship.

William T. Duncan,
Judge of the Common Pleas Court.

Court adjourned to Friday Sept. 20, 1912 at 9 a. M.

Sept. 20, 1912.

Friday Sept. 20, 1912 - Court convened at 9 a.m.
Present Honorable Wm. F. Duncan, Judge.

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

Warren & Southwick) Car Co,
Plaintiff
vs
A. H. Fry,
Defendant.

No. 9193.

9193

Trial

This day again came the parties by their attorneys, and also the Jury heretofore impaneled and sworn and the trial proceeded. After hearing the argument of Counsel and the charge of the Court, the Jury were conducted by the Bailiff, to their room for deliberation. And 4:45 P. M. the said Jury came into open court and rendered the following verdict: "We, the Jury, being duly impaneled and sworn, find the issues in this case in favor of the Defendant, A. H. Fry."

W. L. Bonnett, Foreman.

Court adjourned to Saturday Sept. 21, 1912 at 9 a. m.

Sept. 21, 1912

Saturday Sept. 21, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

In the Matter of Compensation
of George C. Edwards, Court Constable.

It is hereby ordered that G. C. Edwards be allowed for services as Court Constable, from Sept. 9, 1912 to Sept. 21, 1912, 12 days at $2.50 per day amounting to $30.00.

The Clerk will certify the amount to the Auditor of Union County.

John M. Brodrick, Judge.

9286

Trial

Court adjourned to Monday Sept. 23, 1912 at 9 a. m

Monday Sept. 23, 1912 Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union Co. Ohio

9286 Trial

Charles O. Herd,
Plaintiff
vs
R.L. Ingram, Admr.
Defendant

No. 9286.

This day came the parties, by their attorneys, and also came the following persons as Jurors, to-wit: E. M. Bale, D.E. Liggett, Chauncey Fish, Ert E. Stevens, Walter Cody, Ves Baughman, Chas. Lockwood, A. L. Ransom, W. L. Bonnett, Joseph Neer, J. F. Cain and Albert Warner who being duly impanelled and sworn according to law and thereupon the cause came on to be heard on the pleadings and the evidence.

The Jury having heard the evidence in part, the cause was continued until to-morrow at 9 a. m.

Court adjourned to Tuesday Sept. 24, 1912 at 9 a. m.

Sept. 24, 1912

Tuesday Sept. 24, 1912 - Court convened at 9 a.m.
Present Honorable John M. Brodrick, Judge.

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

9345

Chas. O. Herd,
9286 Plaintiff
vs
R. L. Ingram, Admr.
Defendant.

No. 9286

Continuance

Trial

This day again came the parties, by their attorneys, and the Jury heretofore impaneled and sworn and the trial proceeded. The Jury having heard the evidence complete, the argument of counsel and the charge of the Court, were conducted by the Bailiff to their room for delibration. Now comes the Jury into open court and rendered the following verdict: "We, the Jury, being duly impaneled and sworn 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 $1216.07, Twelve Hundred, Sixteen & 07/100 Dollars."

W. L. Bonnett, Forman.

Betsey M. Bigelow,
Plaintiff
9363 vs
H. C. Welch et al,
Defendant.

No. 9363.

Judgment

This day came the plaintiff by Hooper, Robinson & Hooper Attorney and filed her petition against said defendants and thereupon Milo K. Myers, one of the attorneys of record of this Court also appeared in open Court for and on behalf of said defendants, H. C. Welch, Nellie Welch and R. D. Welch 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 Eighty-four and 87/100 Dollars $184.87 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 Betsy M. Bigelow, plaintiff, do recover from said H. C. Welch, Nellie Welch and R. D. Welch, Defendants the said sum of One Hundred and Eighty-four and 87/100 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 16th day of Sept. 1912 at the rate of 8% per annum. And by virtue of said warrant of attorney all errors in this action, Judgment and proceedings are released, and all right to file a petition in error are waived.

Court adjourned to Wed. Sept. 25, 1912 at 9 a.m. Wm. F. Duncan, Judge.

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

9365 In the Matter of Petition of G. A. Currier et al Transfer territory to Plain City Sch. Dist. } No. 9365.

Continuance This cause came on for hearing on the motion of the Board of Education of Jerome Township, Union County Ohio, to remand said cause to the Probate Court of Union County for hearing; and the Court being fully advised finds that said motion should be overruled, which is accordingly done.

And this came on for hearing on the motion of the petitioners for continuance of said cause for further services; and the Court being fully advised finds that said motion should be sustained which is accordingly done and the time for hearing of this cause is set for the 25th day of November 1912.

To all of which finding the Board of Education of Jerome Township excepts.

W. P. Duncan, Judge.

Approved: John H. Willis, Atty for Board of Ed. Jerome Tp.
Hooper, Robinson + Hooper, Chas. Dugan for Petitioners.

Court adjourned to Sept. 25, 1912 at 9 A. M.

Sept. 25, 1912

Thursday Sept. 25, 1912 - Court convened at 9 a. m.
Present John M. Brodrick, Judge.

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

Phillip Snider,
Plaintiff

L. 4447 vs No. L-4447 9346

J. B. Cole,
Defendant.

Er. Quashed Motion to quash execution heard and sustained by the Court. Exceptions by the Plaintiff. Divorce

9345

Divorce

Court adjourned to Saturday Sept. 28, 1912 at 9 a. m.

Saturday Sept. 28, 1912 - Court convened at 9 a.m.
Present John M. Brodrick, Judge

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

Norris Gallant,
Plaintiff
vs
Jeannette Gallant,
Defendant.

9346 — No. 9346.

Divorce

This day this cause came on to be heard upon the pleadings, evidence and argument of counsel, On consideration thereof 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 filing of 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 2nd day of December A.D. 1911, as alleged in the petition, and that no children have been born of said marriage, and that the defendant has been guilty of adultery 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 that the said parties are hereby released therefrom, and that the plaintiff pay the costs of this proceeding taxed at $ ___ and that this case be recorded.

John M. Brodrick, Judge

Maggie J. Chapman,
Plaintiff,
vs
Thomas H. Chapman,
Defendant.

9345 — No. 9345.

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 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 preceding the filing of said petition, and that said parties were married on the 28th day of August 1910, as alleged in the petition, and that no children have been born of this marriage, and that the defendant has been guilty of gross neglect of duty as alleged in said petition; and that said plaintiff is entitled to a divorce as prayed for in said petition,

It is therefore ordered, adjudged and decreed that the

Sept. 28, 1912

marriage relations now existing between said parties be and the same is now here dissolved, and said parties are hereby released therefrom, and that said plaintiff be and she hereby is restored to her former name of Maggie J. Hard, and that the defendant pay the costs of this proceeding taxed at $ — and that this case be recorded.

John M. Brodrick, Judge.

9187

Leave

4357

Leave

9143

Judgment

Court adjourned to Monday Sept. 30, 1912 at 9 a.m.

Sept. 30, 1912

Monday Sept. 30, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

Fern Clark,
Plaintiff
vs
9187 Augustus E. Grooms, | No. 9187.
Defendant.

Leave — This day leave is granted Plaintiff to file an amended petition

Sarepta G. Watson,
Plaintiff
vs
9357 Harvey N. Porter, | No. 9357.
Defendant.

Leave — This day leave is granted Defendant to file answer in 30 days.

Warren & Southwick
Car Co.
Plaintiff.
9193 | No. 9193.
vs
A. H. Fry,
Defendant

Judgment — The Jury in this action, having on a former day of this term of court, rendered a verdict for the defendant, and a motion for a new trial having been made and overruled:

It is therefore considered by the Court that the said defendant go hence without day, and recover from the plaintiff his costs herein expended,

To the overruling of the motion for a new trial and the judgment on the verdict, the plaintiff excepts.

Approved: Hoopes, Robinson & Hoopes for Plaintiff
Cameron & Cameron for the Defendant.

Sept. 30, 1912

Monday Sept. 30, 1912 - Court convened at 9 a. m.
Present John M. Brodrick, Judge.

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

9351

Ida May Douglass,
Plaintiff
vs
Leo. W. Douglass,
Defendant.

No. 9351.

9324

Dismissed

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 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 22nd day of April A. D. 1907, as alleged in said petition; and that the defendant has been guilty of Gross Neglect of Duty 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 that said defendant pay the costs of this proceeding taxed at $ — and that this case be recorded.

John M. Brodrick, Judge

Charles O. Herd,
Plaintiff.
vs
R. L. Ingram, admr etc,
Defendant

9286

No. 9286.

Judgment

This cause coming on for hearing upon the motion of the defendant for an order assessing the costs herein against plaintiff under G. C. Sec. 10737, and the Court being fully advised in the premises, sustains said motion in part and overrules same in part and orders the costs herein assessed as follows: The defendant to pay his own costs and one half of fees of stenographer and one half of the fees of witnesses subpoened by both sides; the plaintiff to pay the balance of the costs.

Court adjourned to Tuesday Oct. 1, 1912 at 9 a. m.

Oct. 1, 1912.

Tuesday October 1, 1912 - Court convened at 9 A. M.
Present Honorable John M. Brodrick, Judge

In the Court of Common Pleas, Union Co. O.

9324 Bert Cameron,
Plaintiff
vs
Dismissed A. F. Bixler,
Defendant.

No. 9324.

This cause came on for hearing on the motion of the defendant to dismiss same for want of prosecution and the Court being fully advised in the premises finds that the defendant is in default for petition and has been since the 22nd day of June 1912.

Wherefor it is considered and adjudged that this Cause be dismissed and that the defendant herein recover of the plaintiff herein his costs taxed at $ ——.

Court adjourned to Wednesday Oct. 2, 1912 at 9 A. M.

Oct. 2, 1912

Wednesday Oct. 2, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

9303

Foster J. Skidmore,
Plaintiff,
vs
Freeman N. Skidmore et al,
Defendants.

No. 9303

9349

On Demur.

Judgment

This day came the parties to this action, by their respective attorneys, and thereupon, this cause came on to be heard pursuant to adjournment.

Whereupon, the Court, being fully advised, finds on the issues joined, for the Plaintiff; and finds that the plaintiff and the defendants hereafter named are tenants in common in the real estate described in the petition; that the plaintiff, Foster J. Skidmore, has a legal right to the one-third thereof, the defendant, Freeman N. Skidmore, a legal right to one-third thereof, and the defendant, Alva C. Skidmore, a legal right to one-third thereof; and that the plaintiff is entitled to have partition of the said real estate made, as prayed for in his petition.

It is, therefore, ordered, adjudged, and decreed by the Court that partition of the said real estate be made in favor of the said parties in interest, and in the proportions aforesaid found and stated. And thereupon, the said answering defendants, individually and collectively, by their counsel, excepted to the findings, judgment, and decree of the Court, aforesaid, and gave notice of their intention to appeal this cause to the Circuit Court of said County; and the Court fixes the penalty of the Bond to be given in case of appeal at Three Hundred (300) Dollars.

Whereupon, the Court adjourns this cause for further orders in the premises.

Approved: Cameron & Cameron, Attys for A.E. Skidmore et al.

Martha E. Belleville,
Plaintiff
vs
R.L. Ingram, Admr,
Defendant.

9282

No. 9282

On Motion

This cause coming on to be heard on the motion of the plaintiff that the defendant be required to separately and numbr causes of ~~defense~~ in the answer, the Court on consideration, sustain the same, Exceptions.

Leave is hereby granted the defendant to file and amended answer within — days.

In the Court of Common Pleas, Union County Ohio.

John Thomas,
Plaintiff

9349 vs No. 9349.

Paul Pretz,
Defendant.

On Demur. This day this cause coming on to be heard upon the plaintiffs demurrer to the second defense, in the answer made, the same was submitted to the Court.

Whereupon, the Court, on consideration thereof, overrules the said demurrer; to which ruling of the Court, the Plaintiff, by his counsel, excepts. And the Court grants the Plaintiff leave to file a Reply herein by Saturday, October 12, 1912, and cause adjourned.

Court adjourned to Monday Oct. 7, 1912 at 9. A. M.

Oct. 7, 1912

Monday Oct. 7, 1912- Court convened at 9 A. M.
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union Co. O.

Eunice Graham,
Plaintiff.
vs
9358 New York Underwriters Agency of the Hartford Fire Insurance Co.
Defendant.

No. 9358.

Leave

This cause coming on to be heard upon the application of the Hartford Fire Insurance Company to be made a party defendant herein and for leave to file a motion of plead herein, and was submitted to the Court, on consideration whereof it is ordered by the Court that said Hartford Fire Insurance Company be made a party defendant herein with leave to file a motion or plend herein.

John M. Brodrick, Judge.

9347

State of Ohio,
Plaintiff,
vs
1414 Robert G. Guy,
Defendant.

No. 1414

Indictment for Violating Provisions of the General Code relating to County Depositories.

Retax Costs

Sentence

Now comes the Prosecuting Attorney, on behalf of the State of Ohio, and the Defendant appearing in open Court in response to his recognizance and thereupon the indictment was read to the defendant; thereupon said Defendant retracts his plea of "not guilty" heretofore entered and for plea to said indictment saith he is "guilty", which plea is accepted by the prosecuting attorney; thereupon it is ordered and adjudged by the court that the defendant, Robert G. Guy pay a fine of One Hundred Dollars and the cost of this prosecution, and that he stand committed to the jail of Union County, Ohio, until the amount of said fine and costs shall be paid, for which execution is awarded.

Of- Hooper, Robinson & Hooper, Atty for the Defendant.

Court adjourned to Wednesday Oct. 9, 1912 at 9 A. M.

Oct. 9, 1912.

Wednesday October 9, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

Partial Report of Grand Jury.

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

The Grand Jury of the Court of Common Pleas of said County, of the Sept. Term 1912, 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 three witnesses, covering one case, and presented one bill, and ignored no cases considered by us. The business has been transacted in an expeditious manner as possible.

Respectfully submitted.
Arthur R. Webb, Foreman.

Charles W. Stanford,
Plaintiff
vs
J. Brewer,
Defendant.

9247

No. 9247

Retax Costs

This cause coming on for hearing upon the motion of the plaintiff herein for leave to amend his reply herein to conform to the evidence, and upon the motion of the plaintiff to retax the costs herein, and the Court being fully advised in the premises finds that upon the trial of this cause the defendant's evidence proved that defendant was not owner of the notes set forth in the third and fourth causes of action in defendant's amended cross-petition at the time this action was commenced and that the plaintiff was ignorant of this fact until same was disclosed at the trial hereof by defendant. It is therefore ordered and adjudged by the Court that the plaintiff be granted leave to amend reply herein to conform to the evidence, to-wit: to add to said reply a denial of said third and fourth cause of action in defendants said amended cross-petition. To which order the defendant then and there excepted.

It is further ordered and adjudged by the Court that the costs herein be retaxed as follows, to-wit: fifty-seven dollars and fifty-seven cents of said costs are hereby taxed against the plaintiff and One hundred and forty-nine dollars and thirty-three cents of said costs being the balance thereof are taxed against to all of which defendant then and there excepts. And as modified herein the report of the referee herein filed is approved and confirmed and the judgment rendered by the referee is approved and confirmed by the Court. To all of which the defendant then and there excepted.

Court adjourned to Oct. 10, 1912 at 9 a. m. John M. Brodrick, Judge.

Oct. 10, 1917

Thursday Oct. 10, 1912 - Court convened at 9 A. M.
Present Honorable John M. Brodricke, Judge.

In the Court of Common Pleas, Union County Ohio.

Dora Brunstutter,
Plaintiff
vs
John N. Brunstutter,
Defendant.

No. 9344.

9368

Injunction

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, 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 by him to be true, 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 14th day of August 1901, as alleged in said petition and that one child was born of said marriage Ruth May Brunstutter and resides in Union County, Ohio, 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

1426

Sentence

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 adjudged and decreed the care, custody and maintenance of the said minor child, Ruth May Brunstutter and that the same is hereby confided exclusively to said plaintiff and it is further decreed that the defendant pay the costs of this proceeding taxed at $7.25 and that this case be recorded

John M. Brodricke, Judge.

1419

In the Matter of Compensation
of G. C. Edwards, Court Constable.

Arraignme

It is hereby ordered that G. C. Edwards be allowed for services as Court Constable, from Sept. 23, 1912 to Oct. 12, 1912 - 18 days at $2.50 per day amounting to $45.00

The Clerk will certify the amount to the Auditor of Union County.

Oct. 12, 1912

John M. Brodricke, Judge.

Court adjourned to Saturday Oct. 14, 1912 at 9 A. M.

Oct. 19, 1912

Saturday Oct. 19, 1912 - Court convened at 9 A. M.
Present Honorable John M. Brodrick, Judge.

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

9368 — Frank Owens, Plaintiff vs Grace Owens, Defendant. | No. 9368.

Injunction

I allow a temporary restraining Order in the above action, as prayed for in the answer and cross petition of the defendant, until the same can be heard further. Undertaking herein being dispensed with under the provision of the General Code of Ohio.

Done this 19th day of October, 1912.

John M. Brodrick, Judge.

1426 — State of Ohio, Plaintiff vs Frank Hogue, Defendant. | No. 1426

Sentence

Now comes the Prosecuting Attorney, on April 30, 1912, on behalf of the State of Ohio, and the defendant coming voluntarily into open court and arraigned upon said indictment, and waiving the service of copy, and of the reading of, and further time to consider and examine said indictment, for plea thereto saith he is "guilty"; thereupon it is ordered and adjudged by the Court that the defendant, Frank Hogue, pay a fine of Ten dollars and the costs of this prosecution, and that he stand committed to the Jail of Union County, Ohio, until the amount of said fine and costs shall be paid, for which execution is awarded.

1419 — State of Ohio, Plaintiff vs Mathias Horch, Defendant. | No. 1419

Arraignment

Now comes the prosecuting Attorney, on Sept. 28, 1912, and the defendant being in Court, in the custody of the Sheriff and arraigned upon said indictment and acknowledged service of copy thereof, and waiving further time to consider and examine said indictment, for plea thereto saieth he is "not guilty," and put himself upon the country, and the prosecuting attorney doth the like, and thereupon the defendant having still failed to provide the recognizance as required by the Order of the Court, is remanded to the custody of the Sheriff.

Oct. 19, 1912

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

State of Ohio,
Plaintiff
vs
Mathias Horch,
Defendant.

No. 1419.

1419

9366

Arraignment

Now comes the Prosecuting Attorney, on Sept. 7, 1912, on behalf of the State of Ohio, and the defendant being in court in custody of the Sheriff, and acknowledged service of copy of said indictment, makes application to the Court for bail; whereupon the Court upon consideration doth fix the amount of recognizance in the amount of Four Hundred Dollars, and thereupon the defendant failing to provide said recognizance is remanded to the custody of the Sheriff.

Dismissed

State of Ohio,
Plaintiff,
vs
Wilber Hogue,
Defendant.

No. 1396.

1396

1418

Arraignment

Sentence

Now comes the Prosecuting Attorney, on Mar. 30, 1912, on behalf of the State of Ohio, and the defendant being in court in custody of the Sheriff and arraigned upon the indictment, and waiving the service of copy, and of the reading of, and further time to consider and examine said indictment, for plea thereto saith he is guilty of assault and battery as charged in said indictment; thereupon the Prosecuting Attorney accepted said plea of assault and battery, and by consent of the Court entered "nolle prosequi" as to the charge of shooting with intent to wound; thereupon It is ordered and adjudged by the Court, that the defendant, Wilber Hogue pay a fine of $200.00, and the cost of prosecution, for which execution is awarded, and that he be committed to the Columbus City Workhouse at hard labor, no part of the time in solitary confinement for the term of six months, and that he stand committed to said workhouse until said fine and costs are paid, or secured to be paid, or until he be discharged by allowing a credit thereupon of 60¢ per day, or he be otherwise discharged according to law

1418

Sentence

Filed Oct. 10, 1912.

State of Ohio,
Plaintiff
vs
Lora Tatman,
Defendant.

No. 1427

This day came the Prosecuting Attorney on behalf of the State of Ohio, and by leave of the Court, entered a nolle prosequi on the above indictment.

Court adjourned to Monday Oct. 21, 1912 at 9 a.m.

Oct. 21, 1912.

Monday Oct. 21, 1912 - Court convened at 9 A. M.
Present Honorable John M. Brodrick, Judge,

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

9366 — The Citizen's Home & Savings Co.
Plaintiff,
vs
Charles Schlegel et al,
Defendant. | No. 9366

Dismissed — This day came E. F. Sawyer representing the Plaintiff, paid the costs and dismissed this action without record.

Showed to be under date of Oct. 12, 1912.

State of Ohio,
Plaintiff. | No. 1418,
1418 — vs — Indictment for Keeping a Gambling Room.
Carl Algower,
Defendant.

Arraignment — Now comes the Prosecuting Attorney, on behalf of the State of Ohio, and the defendant coming voluntarily into open court and arraigned upon said indictment, and waiving the service of copy, and of the reading of, and further time to consider and examine said indictment, for plea thereto saith he is "not guilty," and puts himself on the country, and the prosecuting attorney doth the like. And thereupon recognizance in the amount of Five Hundred Dollars was required by the Court, and thereupon the defendant provided said recognizance and the sureties thereupon were duly approved and the defendant admitted to bail.

Filed Oct. 12, 1912.

State of Ohio,
Plaintiff
vs
Carl Algower,
Defendant | No. 1418,
1418 — Indictment for Keeping a Gambling Room.

Sentence — Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant appearing open court in response to his recognizance and thereupon the indictment was read to the defendant; thereupon ~~said~~ defendant retracts his plea of "not guilty" heretofore entered and for plea to said indictment said he is "guilty," which plea is accepted by the prosecuting attorney; thereupon it is ordered and adjudged by the Court that the defendant, Carl Algower, pay a fine of Fifty Dollars and costs of this prosecution and that he ~~stand~~ committed to the jail of Union County, Ohio, until the amount of said fine and costs shall be paid, for which execution is awarded.

Court adjourned to Tuesday October 22, 1912 at 9 A. M.

Oct. 27, 1917

Tuesday October 22, 1912- Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

1434 — State of Ohio, Plaintiff. vs Lora Tatman, Defendant. — No. 1434. — 9303

Attorney — It appearing that the defendant is without means and unable to employ counsel in his behalf, at his request the Court this day (Sept. 28, 1912) appoints R. L. Cameron to defend him.
John M. Brodrick, Judge.

1434 — State of Ohio, Plaintiff. vs Lora Tatman, Defendant. — No. 1434.

Attorney — It appearing to the Court that R. L. Cameron has performed his as attorney, by appointment of the Court, for the defendant, Lora Tatman, he is granted and allowed an attorney fee of $25.00 for defending him.
Oct. 10, 1912
John M. Brodrick, Judge.

9238 — Burroughs Adding Machine Co. Plaintiff vs Davis Chair Company, Defendant.

Dismissed — This day came the attorney for the plaintiff paid the costs and dismissed this action without record.

Court adjourned to Wednesday October 23, 1912 at 9 a. m.

Oct. 23, 1912.

Wednesday October 23, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge

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

Foster J. Skidmore,
Plaintiff,
vs
Freeman N. Skidmore et al,
Defendants.
No. 9303.

9303

Dismissed

This day this cause is dismissed by attorney for Plaintiff, costs paid. No record.

Oct. 10, 1912

The State of Ohio,
Plaintiff
vs
Lora Tatman,
Defendant.
No. 1434
On Sentence.

The defendant on the 10th day of October 1912, entered a plea of guilty to the charge of the indictment in this case, was this day brought into Court, in custody of the Sheriff; and the Court being fully advised in the premises, inquired of the defendant 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, Lora Tatman, be imprisoned and confined in the penitentiary of this State and kept at hard labor, "but without any solitary confinement" for the period of twenty years, from the first day of this term of Court, and that he pay the costs of prosecution taxed at $18.20 for which execution is awarded, and that he stand committed to the jail of the county until said costs are paid.

O.K. Brodrick, J.

Court adjourned to Saturday Oct. 26, 1912 at 9 a. m.

Oct. 25, 1912

Times for Holding Common Pleas Courts, A. D. 1913.

State of Ohio,
Tenth Judicial Dist. }

It is ordered that the terms of the Common Pleas Courts of the several counties in said judicial district, for the year, 1913, be fixed as follows, to-wit:

Crawford County on the 27th day Jan. and the 14th day of May, + 13th day of Oct.
Hancock " " " 6th " Jan " " 7 " " apr. " 15th " " Sept.
Hardin " " " 10th " Feb. " " 17th " " May " 27th " " Oct.
Logan " " 3rd " Jan. " " 5th " " May " 13th " " Oct
Marion " " 27th " Jan. " " 14th " " May " 13th " " Oct.
Seneca " " 6th " Jan. " " 7th " " apr. " 27th " " Sept.
Union " " 6th " Jan. " " 7th " " apr. " 8th " " Sept.
Wood " " 6th " Jan. " " 14th " " apr. " 8th " " Sept.
Wyandot " " 17th " Feb. " " 9th " " June " 27th " " Sept.

It is further ordered that the courts of the first sub-division be held by Judges Baldwin and Henderson, and Duncan,

That the Courts of second sub-division be held by Judges Babst & Scofield,

That the Courts of third sub-division be held by Judge Brodrick,

It is further ordered that the Hon. Wm. P. Henderson be designated as Supervising Judge, and that said terms of court begin at 9 o'clock a.m.

Wm. J. Duncan,
Wm. P. Henderson
William E. Scofield
Daniel Babst
Frank A. Baldwin,
John M. Brodrick
Judges Tenth Judicial Dist.

Dated at Kenton Ohio, this 15th day of October A. D. 1912.

Saturday Oct. 26, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

9187 — Fern Clark, Plaintiff, vs Augustus A. Grooms, Defendant. | No. 9187.

On Demur. — The demurrer to the answer is heard and overruled; to which ruling said plaintiff excepts, and has leave to file amended petition.

9275 — In Re Dissolution of The Farmers' Hardware Co. | No. 9275

Sell Claims — This cause came on for hearing on the application of the receiver to sell desperate claims. Upon consideration whereof the Court finds that the list of claims set forth in said application are desperate and difficult to collect for the reason that a part of said claims are desperate and the balance are upon irresponsible parties; it is therefore ordered that the receiver proceed to sell said claims at public auction at the north door of the Court House after first having advertised same in a paper of general circulation throughout the county for a period of 10 days.

John M. Brodrick, Judge.

Court adjourned to Monday Oct. 28, 1912 at 9 a. m.

Oct. 28, 1912

Monday October 28, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

9373

Samuel Benton,
Plaintiff,

9372 vs

W. P. Hildreth,
Defendant.

No. 9372.

Leave

Receiver

This cause came on to be heard upon the application of the plaintiff for a receiver, and upon consideration and for good cause shown said application is granted without notice, and it is ordered that Cad Price, Sheriff of Union County, Ohio, be, and he hereby is appointed receiver in this cause to take possession and control of all the chattel property described in the petition, and to hold the same until further order of this court.

Now came the said Cad Price and was duly sworn as such receiver.

John M. Brodrick, Judge.

Court adjourned to Friday Oct. 31, 1912 at 9 A. M.

Friday Oct. 31, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge

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

9373

Mike Stierhoff,
Plff in Error,
vs
The Village of Milford Ctr,
Def. in Error,

No. 9373.

Leave

This day this cause came on to be heard on the motion of the plaintiff herein, by his attorneys, Cameron & Cameron, to be given leave to file his petition in error herein, and the Court being fully advised in the premises, leave was granted the plaintiff in error to file petition as of this date.

Approved: Cameron & Cameron
John A. Kirkade

John M. Brodricke, Judge

Court adjourned to Nov. 1, 1912 at 9 a. m.

April 13, 1912.

In the Court of Common Pleas, Union County, Ohio

May 1,

1417 | State of Ohio, Plaintiff vs Lewis Page, Defendant. | No. 1417. Indictment for Barbering on Sunday.

1423

Sentence

Now comes the Prosecuting Attorney, on behalf of the State of Ohio, and the defendant coming voluntarily into open court and arraigned upon said indictment, and waiving the service of copy, and of the reading of, and further time to consider and examine said indictment, for plea thereto saith he is "guilty" thereupon it is ordered and adjudged by the Court, that the defendant, Lewis Page, pay a fine of Fifteen Dollars and costs of this prosecution, and that he stand committed to the jail of Union County, Ohio, until the amount of said fine and costs shall be paid, for which execution is awarded.

1420 | State of Ohio, Plaintiff vs James Page, Defendant | No. 1420 Indictment for Carrying Concealed Weapons.

Sentence

Now comes the Prosecuting Attorney, on behalf of the State of Ohio, and the defendant coming voluntarily into open court and arraigned upon said indictment, and waiving the service of copy and of the reading of, and further time to consider and examine said indictment, for plea thereto saith he is "guilty"; thereupon it is ordered and adjudged by the Court that the defendant, James Page, pay a fine of Fifteen Dollars and the costs of this prosecution, and that he stand committed to the jail of Union County, Ohio, until the amount of said fine and costs shall be paid, for which execution is awarded.

April 20, 1912

1425 | State of Ohio, Plaintiff vs John Scott, Defendant | No. 1425 Indictment for Keeping a Gambling Room.

Sentence

Now comes the Prosecuting Attorney, on behalf of the State of Ohio, and the defendant coming voluntarily into Open court and arraigned upon said indictment, and waiving the service of copy, and of reading of, and further time to consider and examine said indictment, for plea thereto saith he is "guilty"; thereupon, It is ordered and adjudged by the Court, that the defendant, John Scott, pay a fine of Fifty Dollars, and the costs

of this prosecution, and that he stand committed to the jail of Union County, Ohio, until the amount of said fine and costs shall be paid, for which execution is awarded.

May 1, 1917 — 1423

State of Ohio, Plaintiff, vs Court Gibson, Defendant.

May 1, 1917. No. 1423. Indictment for Keeping a Gambling Room.

Sentence

Now comes the Prosecuting Attorney, on behalf of the State of Ohio, and the defendant coming voluntarily into open court and arraigned upon said indictment, and waiving the service of copy, and of the reading of, and further time to consider and examine said indictment, for plea thereto saith he is "not guilty;" and puts himself on the country and the Prosecuting Attorney doth the like, And thereupon recognizance in the amount of Five Hundred Dollars was required by the court, and thereupon the defendant provided said recognizance and the sureties thereupon were duly approved and the defendant admitted to bail.

Nov. 1, 1917

Friday Nov. 1, 1917 - Court convened at 9 a. m.
Present John M. Brodrick, Judge.

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

9372 — Samuel Benton, Plaintiff vs W. P. Hildreth et al. Defendants. — No. 9372. — 9372

Appraisers — On the application of the receiver herein for the appointment of appraisers, Sterling Coons, Jerry Argo and C. S. Herd are appointed to appraise the property in the hands of said receiver, who shall make due report thereof to the court.

John M. Brodrick, Judge.

Order of A

Filed Nov. 7, 1913

9290 — The State of Ohio, ex rel Allie Drumm, Plaintiff vs Wayne Peets, Defendant. — No. 9290.

Dismissed — This day this cause is dismissed by order of the court, without record.

Court adjourned to Thursday Nov. 7, 1912 at 9 a. m.

Thursday Nov. 7, 1912 - Court convened at 9 A. M.
Present Honorable John M. Brodrick, Judge.

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

Samuel Benton,
Plaintiff
vs
W. P. Hildreth et al,
Defendant.

9372 — No. 9372.

Order of Sale

This day this cause came on to be heard upon the application of the receiver herein for an order of the Court approving and confirming the report of the appraisers heretofore appointed by this Court, and on consideration thereof the Court finds that said appraisement has been made and returned in conformity to law and the former orders of this Court, and it is further ordered that the said appraisement be and the same is hereby approved and confirmed.

And this cause coming on further to be heard upon the application of said receiver for instructions as to the sale of the said personal property of said defendant prescribed and enumerated in said appraisement, and on consideration whereof the Court having found that it would be necessary to sell all of said personal property now in possession of said receiver in order to procure funds with which to pay the claims due and owing by said defendant, which are secured by chattel mortgage on said property and in order to preserve and protect said property from loss and waste and from expense of procuring feed for same; the Court further finds that it will for the best interest for all the parties hereto that said property be offered at public sale.

It is therfore ordered by the Court that said receiver proceed to advertise said personal property described and enumerated in said appraisement for sale by publication in a newspaper of general circulation in Union County, Ohio, according to law as upon execution, and by posting sale bills, and that he then proceed to sell the same as hereinafter directed at public auction on the premises of the said W. P. Hildreth, in Union County, Ohio, on the 20th day of November 1912 at 10 o'clock A. M. upon the following terms, to-wit: Cash in hand.

Said receiver is further directed to report his proceedings in the premises to this Court for confirmation, and for further orders.

John M. Brodrick, Judge.

Court adjourned to Nov. 9, 1912 at 9 A. M.

Nov. 9, 1912

Saturday Nov. 9, 1912 - Court convened at 9 A. M.
Present Honorable John M. Brodrick, Judge

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

In the Matter of Compensation
of G. C. Edwards, Court Constable

It is hereby ordered that G. C. Edwards be allowed for services as Court Constable, from Oct. 19, 1912 to Nov. 9, 1912, 5 days at $2.50 per day amounting to $12.50.

The Clerk will certify the amount to the Auditor of Union County.

John M. Brodrick, Judge.

Court adjourned to Nov. 11, 1912 at 9 A. M.

Monday Nov. 11, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge

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

The Marysville Cabinet Co.,
Plaintiff

9364

vs

William Turpie et al,
Defendants.

No. 9364.

for
days

Title Quieted

of

This day this cause coming on to be heard upon the Petition, Service of Notice, and the Evidence, the Court finds: That the defendant, William Turpie has had due and legal service of notice of the pendency herein by summons;

That the plaintiff offers proof of publication of the pendency and prayer of the petition herein for the defendants, W.S. Fuller and Emma J. Turpie, in both her individual and representative capacity as set forth in the petition; which said publication and proof the Court finds in all respects regular and according to law and therefore, hereby approves the same;

The Court further finds that said Defendants and each of them being in default for answer and demurrer to said petition, the allegations thereof are confessed by them and each of them to be true;

The Court further finds that as alleged the Plaintiff is the owner, in fee simple, of the real estate described in the petition, to-wit: Situated in the County of Union, in the State of Ohio and in the Village of Marysville and bounded and described as follows: to-wit: Being all of In-lot No. 112, and all that part lots Nos. 1, 12, and 13 which the Village of Marysville conveyed to J. N. Robinson and A. B. Robinson, as follows to-wit: Beginning at the North West corner of said lot No. 1, and on the East margin of (East) Plum Street; thence with East Plum Street 15 poles to the South West corner of Lot No. 13; thence East with the South line of Lot No. 13, Eight poles to the South East corner of Lot No. 13; thence North 4 poles to the fence of the old cemetery; thence with the Old Cemetery ground fence to the corner thereof; thence North West with the fence 14 poles to the North line of Lot No. 1; thence West to the beginning; being the Old Woolen Factory property.

The Court further finds that in the chain of title to said premises, The Marysville Woolen Mills, Company, a corporation, was on the 29th day of March, 1881, the owner in fee thereof; that said corporation did, as alleged, on the 30th day of March, 1881, in anticipation of an issue and sale of its bonds for its own benefit, execute and deliver its certain mortgage deed of said premises, of that day, to the defendant W. S. Fuller, in trust, for the protection of the prospective purchasers of said bonds; said mortgage deed is of record at Vol 18, page 85, of the Mortgage Records of said Union County. The Court further finds, that under the terms of said

mortgage deed, all of said Bonds were to mature in five years from the date thereof, to-wit March 30, 1886; That no action to collect the said Bonds, or either of them, or to foreclose the said mortgage-deed or to prosecute ejectment thereunder, appears of record in said County, that, therefore, by reason of the facts aforesaid stated, the said Bonds, if in fact negotiated and unpaid, are now uncollectable, and the said mortgage deed, if the same was ever, in fact, a lien upon said real estate, has become void and of no effect through merger, or lapse of time pursuant to the statutory limitation of action thereon for such case provided; that the said mortgage-deed is uncancelled of record, and that the same constitutes a menace to, and a cloud upon Plaintiff's title to the premises aforesaid; that neither the said defendants, nor any one of them, have any estate or interest in, or are entitled to the possession of said real estate; and that the plaintiff ought to have its title and possession quieted as against each and every one of said defendants, as prayed in its petition.

Therefore, it is ordered, adjudged and decreed, by the Court that the lien of the said mortgage-deed upon the premises aforesaid be, and the same hereby is, terminated, removed and cancelled; that the title of the said The Marysville Cabinet Company to the real estate, aforesaid described, be, and the same hereby is, quieted against the said defendants, and each and every one of them, and all persons claiming under them or any of them; and they are hereby forever barred and enjoined from setting up any claim against the real estate aforesaid, or any part thereof, adverse to the title and possession of the said The Marysville Cabinet Company, its successors or assigns by virtue of the Mortgage Deed aforesaid.

It is further ordered by the Court, that the Clerk cause satisfaction of the said mortgage Deed to be entered upon the record thereof, in the office of the Recorder of Union County, Ohio, and that this decree operate as a cancellation thereof.

It is further ordered and adjudged, that the Plaintiff, The Marysville Cabinet Company, pay the costs in this behalf taxed at $_____.

John M. Brodrick, Judge.

Court adjourned to Tuesday Nov. 17, 1913 at 9 A. M.

Tuesday Nov. 12, 1912- Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge

In the Court of Common Pleas, Union County O.

Stewart Moody etc,
Plaintiff
vs
Clark J. Atkinson,
Defendant.
No. 9352.

Leave granted Plaintiff to file petition within 30 days.

Clara L. Baughn,
Plaintiff.
vs
Mont C. Baughn,
Commercial Savings Bank
No. 9377.

I allow a temporary restraining Order in the above action as prayed for in the petition, until the same can be further heard upon Plaintiff giving an undertaking, conditioned according to law, to the satisfaction of the Clerk of this Court, in the sum of Five Hundred Dollars. Done this 12 day of Nov. 1912.

John M. Brodrick, Judge.

Court adjourned to Wed. Nov. 13, 1912 at 9 a. m.

Nov. 13, 1912

Wednesday Nov. 13, 1912- Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

John C. Rogers,
Plaintiff,
vs
Victor N. Rogers et al,
Defendants.

No. 9071.

9071

9378

Judgm

This day came the attorney for plaintiff and dismissed
Dismissed this action. No record.

Court adjourned to Thursday Nov. 14, 1912 at 9 a. m.

Thursday Nov. 14, 1912 - Court convened at 9 a.m.
Present Honorable John M. Brodrick, Judge.

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

The Farmers' and Merchants'
Bank Co.
Plaintiff,
vs
Beverly Depp and Harry Booker
Defendants.

No. 9378.

9378

Judgment

This day came the Plaintiff by E. N. Porter attorney; and filed its petition against said Defendants Beverly Depp and Harry Booker and thereupon F. A. Thompson, one of the attorneys of Record in this court also appeared in open Court, for and on behalf of said Defendants, Beverly Depp and Harry Booker 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 71/100 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 that said The Farmers and Merchants' Bank Co, Plaintiff, do recover the said sum of One Hundred and Two and 71/100 Dollars, ($102.71) so as confessed to be due; together with costs of suit herein, to be taxed, and with interest to computed from the 13-th day of November 1912, at the rate of 6 % per annum. And by virtue of said Warrant of attorney, all errors in this action, judgment and proceedings are released, and all right of appeal, and all right to file a petition in error are waved

Nov. 14, 1912

9379 | A. A. Bates, Plaintiff vs Beverly Depp, Harry Booker, Defendants. | No. 9379.

Judgment.

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 acknowledged that said defendants did owe and were owing unto the Plaintiff as he 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 One Hundred and Seventy-six and 14/100 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 A. A. Bates, Plaintiff do recover of the said Defendants the sum of One Hundred and Seventy six and 14/100 Dollars so confessed, as aforesaid, with interest from Nov. 13, 1912 at 6 per cent per annum, and also his costs in his behalf expended taxed at $6.65 and by virtue of said warrant of attorney all errors in this action, judgment and proceeding, and all processings, petitions and writs of error thereon, are by said Defendants waived and released.

Filed Nov. 20, 1912

4276

Order of Sale

In Matter of the Report of the County Commissioners Union County, Ohio | Report of Cond.

The County Commissioners having filed in this court on the 16th day of September 1912, their annual report as provided in General Code Sec. 2507,

It is hereby ordered that said report be investigated and examined by the Prosecuting Attorney of said county together with E. M. Bale and S. L. Church two suitable persons who are hereby appointed by the court for that purpose.

John M. Brodrick, Judge.

Court adjourned until Friday Nov. 22, 1912 at 9 A. M.

Friday Nov. 22, 1912 - Court convened at 9 a. m.
Present Honorable John M. Brodrick, Judge.

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

Willis Y. Roots,
Plaintiff,
vs
Willis Y. Roots, Admr
et al Defendants,

No. 9276.

9276 Order of Sale

This cause came on for hearing on the return 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 metes and bounds without injury to the value thereof, and the Court finds that said returns and proceedings in all respects correct and in conformity to law, and do therefore approve and confirm the same. And thereupon neither of said parties electing to take the said estate at its appraised value, on motion of the plaintiff it is ordered that said estate be sold at public auction at the North door of the Court House, Marysville Ohio, and that an order issue therefor to the Sheriff of Union County.

It is ordered that the sale be made for cash, and on motion of the plaintiff and for good cause shown advertisement of sale be made according to law, and the said Sheriff is ordered to return his proceedings to this Court without unecessary delay.

John M. Brodrick, Judge

Court adjourned until Monday Nov. 25, 1912 at 9 a. m.

Monday Nov. 25, 1912 - Court convened at 9 a. m.
Present Honorable Wm P. Henderson Judge.

Court adjourned until Sat. Nov. 30, 1912 at 9 a. m.

Nov. 30, 1912

Saturday Nov. 30, 1912 - Court convened at 9 a.m.
Present Honorable John M. Brodrick Judge.

In the Court of Common Pleas, Union County, Ohio. 9359

Sylvia Norden,
Plaintiff
9382 vs
George N. Norden, et al
Defendants.

Divorce

No. 9382.

Temp. Inj.

I allow a temporary restraining order in the above action, as prayed for in the Plaintiff's petition until the same can further heard and a bond herein is dispensed with under the provisions of the General Code of Ohio.

Done this 30th day of November 1912.

John M. Brodrick, Judge.

Order to Draw
Grand & Petit Jurors

To the Clerk of this Court:

Order to Draw Jurors

You are hereby directed to proceed according to law at ten o'clock on Saturday November 1912, to draw from the Jury Wheel of Union County, the names of Thirty-three persons to serve as grand and petit jurors for the January term 1913.

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 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 1913; 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 1913.

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

Witness my hand officially this 30th day of Nov. 1912

John M. Brodrick, Judge of the Court
of Com. Pleas of the 3rd Sub-division
of the 10th Judicial District.

Nov. 30, 1912.

9359

Divorce

Zena Anderson,
Plaintiff
vs
Harvey S. Anderson,
Defendant.

No. 9359.

This day this cause coming on to be heard upon the pleadings, evidence and argument of counsel. On consideration thereof, 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 demur to the petition, and that the allegations thereof are confessed by him to be true, 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 23rd day of August 1911, as alleged in said petition, and that no children have been born of said marriage 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 relations now existing between the 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 Zena Dunffee.

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

John M. Brodrick, Judge.

Ref 5/1910 ordered #23 from B7 Nadelhorn