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State of Ohio ex rel John H. Willis, P.A.

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same on rel L. B. White

same " " " " "

same

412-545

State of Ohio

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Union Banking Co., The  
Union Banking Co., The

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Geigler, C. J.

vs Perry, PH-572

9264

Demure

Overruled

9265

Demure

Overruled

Z



Dec. 4, 1912.

Wednesday Dec. 4, 1912 - Court convened at 9 A. M.

Present Honorable John M. Brodrick, Judge.

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

9264

State of Ohio, on the  
relation of John H. Willis,  
Prosecuting Attorney of  
Union County, Ohio,  
Plaintiff,

vs

No. 9264

Demurrer

Bank of Mansville, a  
corporation organized  
under the laws of the  
State of Ohio, and doing  
business in Mansville O,  
Defendant.

Overruled

The demurrer to the petition is heard and overruled;  
to which ruling said defendants excepts, and has leave to  
answer by Dec. 16, 1912.

Approved: John H. Willis, Atty for Plaintiff,  
Hoopes, Robinson + Hoopes  
Cameron + Cameron, Attys for Defendant.

9265

The State of Ohio on the  
relation of John H. Willis,  
Pros. Atty, Union Co. O,  
Plaintiff

vs

No. 9265

Demurrer

The Peoples Bank a part-  
nership organized under  
the laws of the State of Ohio,  
and doing business at  
Mansville Ohio,  
Defendant.

Overruled

The demurrer to the petition is heard and overruled;  
to which ruling said defendant excepts, and has leave to  
answer by Dec. 10, 1912.

Approved: John H. Willis, Attorney for Plaintiff,  
Hoopes, Robinson + Hoopes  
Cameron + Cameron, Attys for Defendant.

Dec. 4, 1912.

9266

The State of Ohio on the  
relation John H. Millis  
Pros Atty, Union Co. O,  
Plaintiff,

vs

The Union Banking Co.,  
a corporation, organized  
under the laws of the  
State of Ohio, and doing  
business in Marysville O,  
Defendant.

No. 9266

Demurrer

Overruled

9268

Demurrer

Overruled

The demurrer to the petition is heard and overruled;  
to which ruling said defendant excepts, and has leave to  
answer by Dec. 10, 1912.

Approved: John H. Millis, Attorney for Plaintiff  
Hoopes, Robinson + Hoopes, atty for Defendant.

9267

The State of Ohio on the  
relation of John H. Millis,  
Prosecuting Atty Union Co. O,  
Plaintiff,

vs

The Commercial Savings  
Bank, a corporation organ-  
ized under the laws of the  
State of Ohio, and doing  
business in Marysville O,  
Defendant.

No. 9267.

Demurrer

Overruled

The demurrer to the petition is heard and overruled,  
to which ruling the defendant excepts and has leave  
to answer by Dec. 10, 1912.

Approved: John H. Millis, Attorney for Plaintiff,  
Hoopes, Robinson + Hoopes,  
Cameron + Cameron, Atty's for Defendant.



Dec. 4, 1912

9268

The State of Ohio on the  
relation of John H. Willis,  
Pros. Atty, Union Co. Ohio,  
Plaintiff

vs

No. 9268.

Demurred

The Richmond Deposit Bank,  
a corporation organized  
under the laws of the State  
of Ohio, and doing business  
at Richmond, Ohio,

Overruled

Defendant.

The demurrer to the petition is heard and overruled,  
to which ruling said defendant excepts, and has leave  
to answer by Dec. 10, 1912.

Approved: John H. Willis, Attorney for Plaintiff,  
Hoopes, Robinson + Hoopes,  
Cameron + Cameron, Atty for Defendant.



Dec. 7, 1912.

Saturday Dec. 7, 1912 - Court convened at 9 a.m.  
Present Honorable John M. Brodnick, Judge.

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

9371

Edward G. Ledley,  
Plaintiff,

No. 9371.

vs

Carrie A. Ledley,  
Defendant.

Divorce

9365

Territory

Transfer

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 had been duly and legally served with summons and that she has failed to appear and is in default for answer, 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 or about the 30<sup>th</sup> day of October 1908, as alleged in said petition; that there are two children, the issue of a former marriage of the plaintiff to the defendant 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 shall have the care and custody of the said minor children and shall pay the costs of this proceeding taxed at \$ and that this case be recorded.

John M. Brodnick, Judge

Dec. 7, 1912.

9365

Territory

Transferred

In the Matter of the  
Petition of G.A. Courrier et al,  
to Transfer certain Ter-  
ritory from the Jerome Tp.  
School District in Union Co,  
the Kileville District in  
in Union, Madison and  
Franklin Counties, and the  
Darby Township School Dist.  
in Madison County, Ohio,  
to the Plain City Village Dist.

No. 9365.

This cause coming on to be heard upon the petition and upon the evidence; the Court find that the petition should be sustained and the prayer thereof granted and that the territory enclosed within the heavy white line of the map attached to said petition and described by a corrected description in Exhibit "A" hereto attached and made a part thereof, should be transferred to The Plain City Village School District; the Court further find that the Jerome Township School District has employed for the balance of this school year, a teacher at the Kileville School in said territory and that said contract with said teacher ought to be assumed, from the date of the entry hereof by the said Plain City Village School District.

It is therefore ordered and decreed that said territory be transferred to the Plain City Village School District from the date of the entry hereof and that the obligation of the Jerome Township School District to said teacher at the Kileville School District be assumed by the Plain City Village School District from the date of the entry hereof, and that the costs of this proceedings be adjudged one-third against the Jerome Township School District, one-third against the Darby Township School District in Madison County, Ohio, and one-third against the Plain City Village School District.

Approved: Hoopes, Robinson + Hoopes, Attys for Petitioners,  
John W. Millis, Prosecuting Atty, Union Co. Ohio.

Court adjourned until Saturday Dec. 14, 1912. at 9 a.m.



Dec. 14, 1912.

Saturday Dec. 14, 1912 - Court convened at 9 A.M.  
 Present Honorable John M. Brodrick, Judge.

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

9275

In Re Dissolution of  
 The Farmers Hardware Co.

No. 9275

9282

Continued

And now this cause coming on for hearing upon the account of Cad Price, receiver herein, and the court being fully advised in the premises, find said account correct and satisfactory, and allow the same; 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.

John M. Brodrick, Judge.

Settled

Filed Dec. 14, 1912

Dismissed

9375

Harry S. Mitchell,  
 Plaintiff

vs

No. 9375.

Halleck M. Culley,  
 Defendant.

Dismissed

This cause is dismissed by the plaintiff, without record, at his cost, and without prejudice to a future action.

Approved:

Murray + Emery, Attorney for Plaintiff.

Court adjourned until Monday Dec. 16, 1912 at 9 A.M.



Dec. 16, 1912

Monday Dec. 16, 1912 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

4282

Martha E. Belleville,  
Plaintiff

vs

R. L. Ingram, Adm.,  
Defendant.

No. 4282.

Settled

This day came the plaintiff paid the costs and dismissed  
this action without record.

Filed Dec. 17, 1912.

Clara R. Baughn,  
Plaintiff

vs

Mont C. Baughn,  
et al,

No. 9377.

Dismissed

Defendants.

This day came the attorney for the Plaintiff, paid the  
costs and dismissed this action without record.

Court adjourned until Friday Dec. 20, 1912 at 9 a. m.

Dec. 20, 1912

Friday Dec. 20, 1912 - Court convened at 9 A.M.  
Present Honorable John M. Brodrick, Judge.

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

Hamilton Brothers,  
Plaintiff

9338

vs

John Buller,  
Defendant.

Judgment

9368  
Answer  
Reply

This day came the plaintiffs by their attorney; also appeared in open court for and on behalf of said defendant, Richard L. Cameron, an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendant, entered the appearance of said defendant, and waived the issuing and service of process in this action, and confessed a judgment on said note, against said defendant and in favor of said plaintiff for Four Hundred and Eighty-five Dollars being the amount of said 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.

Withdrawn

9368

It is therefore considered that said plaintiff recover of said defendant the sum of Four Hundred and Eighty-five Dollars being the amount of said note with interest computed at 7 per cent per annum from the 18th day of August 1911 and also costs herein expended.

Divorce

John M. Brodrick, Judge.

(Continued from page 9)

of the household such as has been agreed upon by the parties and the said plaintiff shall have the remainder of the household goods. That the plaintiff shall pay the costs of this proceeding and that this cause be recorded.

John M. Brodrick, Judge

Court adjourned until Sat. Dec. 21, 1912 at 9 A.M.



Dec. 21, 1912

Saturday Dec. 21, 1912 - Court convened at 9 A.M.  
Present Honorable John M. Brodrick, Judge.

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

Frank Owens,  
Plaintiff

No. 9368.

4368  
Answer  
Reply

vs  
Grace Owens,  
Defendant.

Withdrawn

On motion of parties, plaintiff is granted leave to withdraw reply and the defendant to withdraw answer.

Frank Owens,  
Plaintiff,

No. 9368.

4368  
Divorce

vs  
Grace Owens,  
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 that she has failed to appear and is in default for answer 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 the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 17th day of December, 1902, as alleged in said petition and that three children are now living 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 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 shall have the exclusive care and custody of Charles Owens and Rose Owens, the two older of the said children and the said defendant shall have the care and custody of the younger child, Julia Owens, subject to the further order of the Court. That the Plaintiff shall pay to the defendant as alimony the sum of \$100.00 and shall pay \$50.00 as defendant's attorney fee and shall further pay to the defendant the sum of \$2.00 per week for the care and custody support of the said Julia Owens until the said child is 16 years of age or so long as the said child shall remain in the care + custody of the said defendant, said weekly amount to be paid every 2 weeks beginning with the date hereof. That the said def. shall have the wearing apparel of herself and the said Julia Owens and certain pieces

(Continued on page 8.)

Court adjourned until Monday Dec. 23, 1912 at 9 A.M.



Dec. 23, 1912

Monday Dec. 23, 1912 - Court convened at 9 a. m.  
 Present Honorable John M. Prodrick, Judge.

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

4374

Josie Critzer,  
 Plaintiff

vs

No. 9374,

Dismissed

Chas. Hagenlocker,  
 Defendant.

Dismissed

This day came the attorney for the plaintiff, paid the costs and dismissed this action without record.

Filed Dec. 21, 1912.

Willis Y. Roots,  
 Plaintiff,

vs

No. 9276.

9276

Willis Y. Roots, Adm  
 Mary L. Roots, et al,  
 Defendants.

Order

Revised

This cause coming on for hearing on motions of Richard P. Curl, adm. de bonis non, of Mary L. Roots, deceased, and Dorcas Roots, Yale Roots and Katherine Curl, the Court finds that the facts are true as stated in their motions and the Court orders that this action may be revived in the name of Richard P. Curl, administrator de bonis non, Dorcas Roots, Yale Roots and Katherine Curl, and the Sheriff may proceed to sell said real estate as described in the within petition and all previous orders of the Court shall be confirmed and the Court also finds that The Bank of Marysville, one of the parties herein, further consents to said substitution, and they being a party defendant for the reason they claim to hold a mortgage on the land described in said petition, assigned to them by W. C. Fullington.

Approved: E. W. Porter, Atty for Dorcas  
 and Yale Roots.

Ok. John M. Prodrick, Judge.

Court adjourned until Tuesday Dec. 24, 1912 at 9 a. m.





Dec. 26, 1917

Thursday Dec. 26, 1917 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

Sylvia Worden,  
Plaintiff

9382

vs

George W. Worden, et al  
Defendant

No. 9382.

9390

Service  
by  
Publication

Dismissed

This case dismissed at the cost of the plaintiff, without record.

Mrs. Sylvia Worden,

Court adjourned until Friday Dec. 27, 1917 at 9 a.m.



Dec. 27, 1912.

Friday Dec. 27, 1912 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Marie M. Montgomery,  
 Plaintiff

9390

vs

No. 9390.

Service  
 by  
 Publication

George L. Montgomery,  
 Defendant.

This day this cause came on to be heard upon the affidavit of the plaintiff herein above named asking for authority to make service on the defendant named herein by publication. The Court being fully advised in the premises, and on consideration thereof, find that the plaintiff has filed her certain petition in said Court asking for divorce from the said defendant, and has filed therein her affidavit as to residence of defendant, the Court further finds that the said defendant is a non-resident of the state of Ohio, and that since of summons and copy of petition can not be had on him within the state.

It is therefore ordered that the said plaintiff make due publication for service on the said defendant for six consecutive weeks in the Union County Journal, a weekly newspaper published in said Union County, Ohio, that the said plaintiff cause a copy of the summons and petition to be mailed to the known address of the said defendant.

John M. Brodrick, Judge.

Court adjourned until Saturday Dec. 28, 1912 at 9 a. m.

Dec. 28, 1912.

Saturday Dec. 28, 1912 - Court convened at 9 a.m.  
Present Honorable John M. Prodrick, Judge.

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

9183 W.S. Hobert,  
Plaintiff

No. 9183.

9264

vs  
P.P. Shields,  
Defendant.

Leave

Dismissed

This action dismissed this day, judgment against plaintiff for costs.

9357 Sarepta G. Watson,  
Plaintiff,

No. 9357.

9266

vs  
Harvey A. Porter,  
Defendant.

Leave

Leave

Leave granted plaintiff to reply by Jan. 4, 1913.

9353 Sisson S. Marriott,  
Plaintiff

No. 9353.

9267

vs  
Harry E. Teet, etc,  
Defendant.

Leave

Leave granted defendants to plead within 10 days.

Leave

9285 L. Piers,  
Plaintiff

No. 9285.

9268

vs  
Sam Mintz,  
Defendant.

Leave

Leave granted defendant to file answer within 30 days.

Leave

9265 The State of Ohio  
ex rel John H. Willis  
Prosecuting Atty,  
Plaintiff

No. 9265

Leave

vs  
The Peoples Bank  
Defendant.

Leave granted defendant to file answer within 30 days.



Dec. 28, 1912

9264

The State of Ohio, Ex rel. John H. Willis, Prosecuting Atty Plaintiff	vs	No. 9264
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Bank of Marysville,  
 Defendant.

Leave granted defendant to answer within 30 days.

9266

The State of Ohio, ex rel. John H. Willis, Prosecuting Atty Plaintiff	vs	No. 9266.
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The Union Banking Co.  
 Defendant.

Leave granted defendant to file answer within 30 days.

9267

The State of Ohio, Ex rel. John H. Willis, Prosecuting Atty Plaintiff	vs	No. 9267
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The Commercial Savings Bank,  
 Defendant.

Leave granted defendant to file answer within 30 days.

9268

The State of Ohio, Ex rel. John H. Willis, Prosecuting Atty Plaintiff	vs	No. 9268.
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The Richwood Deposit Bank,  
 Defendant

Leave granted defendant to file answer within 30 days.

Court adjourned until Monday Dec. 30, 1912 at 9 a. m.



Dec. 30, 1912.

Monday Dec. 30, 1912 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge,

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

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 Sept. term, 1912, 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 exam-  
 ined in all such matters as have legitimately come to our  
 notice, having examined over four witnesses, covering one  
 case, and presented one bill, and ignored no case 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, have been violated.

Dec. 30, 1912.

Respectfully submitted,  
 Joseph Ross,  
 Foreman.

Certificate

Sheriff's

Pay

Court adjourned until Thursday Jan. 2, 1913 at 9 a. m.

Jan. 2, 1913

Thursday Jan. 2, 1912 - Court convened at 9 A. M.  
Present Honorable John M. Brodrick, Judge.

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

Certificate for Sheriff's Pay.

Certificate

To Hon. John M. Brodrick, Judge,

Sheriff's

Marysville, Ohio, Jan. 2, 1913

Pay

The court charges for the September Term A. D. 1912, Union County Common Pleas, are due for services rendered and are as follows:

To serving Grand Jury Seizure	1	\$ 4.50
" " Petit " "		4.50
" " (4) Grand " 4 Witnesses		1.00
" 3 mi travel Grand Jury "		.24
Total		\$ 10.24

I hereby certify the above bill to be correct,  
Ed Price, Sheriff

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

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

John M. Brodrick, Judge.

Jan. 4, 1913

In the Matter of the  
Approval of Prosecuting  
Attorneys Bond.

This day the Court approved the sureties on the bond of John H. Willis, Prosecuting Attorney in the sum of \$1000.00 for the term beginning Jan. 6, 1913.

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 September Term 1912 was begun on the 9th day of September 1912 and continued from day to day and is now on this 4th day of January 1913 adjourned without day.

John M. Brodrick  
Judge.



Jan. 6, 1913

The State of Ohio, }  
County of Union } ss.

This separate session of the Court of Common Pleas of the Tenth Judicial District of the State of Ohio, for the January Term 1913, held in the Court House in the Village of Marshville, County and State aforesaid was begun on Monday the 6<sup>th</sup> day of January A.D. 1913.

Present: Honorable John M. Brodrick, Judge.  
John N. Laird, Sheriff.

Attest: John C. Hartshorn, Clerk.

Grand Jury Facias.

The venire facias for a Grand Jury heretofore issued was duly returned by the Sheriff on January 6, A.D. 1913, with his endorsements thereon as follows:

The State of Ohio, Union County, ss.

Sheriff's Office, Jan. 6, 1913.

On the 30 day of Nov. 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.

John N. Laird, Sheriff.

1- Ed Heath	Nov. 30, 1912	By mail	12 miles
2- Dalph Moon	" " "	" "	9 "
3- French Stillings	" " "	" "	9 "
4- W. H. Goff	" " "	" "	9 "
5- Ray Hedges	" " "	" "	20 "
6- A. C. Mosley	Out of County		
7- Charles Owens	Nov. 30, 1912	" "	8 "
8- Nathan Martino	" " "	" "	17 "
9- Robert Devine	" " "	" "	0 "
10- Thomas Parish	" " "	" "	20 "
11- William Durborow	" " "	" "	12 "
12- J. F. Stallsmith	" " "	" "	16 "
13- Brough Dunham	Out of County		
14- Harvey Blue	Nov. 30, 1912	" "	0 "
15- Henry Scheiderer	Excused		
16- Samuel Dolbear			0 "
17- Albert Bonnetle			0 "
18- William Sheenman			0 "
19- James Hopkins			0 "

And upon calling the same in open court, all of the above named jurors appeared in answer thereto except A. C. Mosley, Brough Dunham, Henry Scheiderer and Harvey Blue, and the panel being incomplete, the Sheriff summoned as talesmen, to complete the same, the following named and they appeared in answer thereto, to-wit: S. W. Dolbear, E. W. Bonnetle, J. N. Hopkins and W. H. Sheenman, and the panel being full, the Court appointed Thomas Parish, Foreman of the Grand Jury, and he with his fellow jurors, took the oaths in the manner and form as pre-

9202  
Dismissed



scribed by law. And the said jury being instructed by the Court in relation to the duties, were conducted to their room attended by the Sheriff, and 5:30 brought in the following:

In the Court of Common Pleas, Union County, Ohio  
Partial Report of Grand Jury

January Term, 1913

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, namety:-

Ed. Heath, Dolph Woods, French Stillings, W. H. Goff, Ray Hedges, Charles Owens, Nathan Martins, Robert Devine, Thomas Parish, William Durbin, J. F. Stallsmith, A. W. Dolbear, E. W. Bonnette, J. W. Hopkins and W. H. Shenneman, and presented their certain two bills of indictment indorsed by Thomas Parish, Foreman, "A True Bill" and against the following named persons for the following specified offenses, viz:

Genevra Lily Thompson Assault and battery  
George Speese, Trespassing

Also their partial 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 January Term, 1913, 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 24 witnesses, covering five cases considered by us. The business has been transacted in an expeditious a manner as possible.

Respectfully submitted,

Thomas Parish,

Foreman.

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

R. J. Wood,  
Plaintiff

9202

vs

No. 9202

Will W. Wood,  
Defendant.

Dismissed

This day this cause is dismissed by the Court. Judgment against Plaintiff for costs, No record.

Order in Naturalization

It appearing to the Court upon the representation of the Department of Commerce and Labor, That in accordance with rule six of the regulations made pursuant to the 28th section of the Act of Congress, approved June 26, 1906, relating to naturalization, for carrying into effect execution the provisions



Jan. 6, 1913

thereof, duplicates of all declarations of intention to become a citizen of the United States made as provided in the 4<sup>th</sup> section of said act are forwarded by the several clerks of court before whom made to the Bureau of Naturalization + Immigration Division of Naturalization, of the Department of Commerce and Labor; that petitions for naturalization are also forwarded to the said Division of Naturalization in accordance with the 12<sup>th</sup> section of said act and rule seven of the regulations.

That upon examination by the said Division it is frequently found that such declarations and petitions are defective in that they contain errors or omissions, or otherwise apparently fail to conform to the requirements of the said act.

That in ordinary course such defects would not be disclosed in declarations until at least two years thereafter, when a petition for naturalization may be filed and heard, and when, if such defects are material, the declaration may be held insufficient to support a final order of naturalization and the declarant may be required to file a new declaration and wait two years longer before filing a petition for naturalization.

That such defects when facts allow, and especially where due to mistake, oversight or misunderstanding, may often readily be cured, if specifically pointed out; and

That the adoption of a simple procedure for the amendment of such declaration of intention or petition for naturalization so found to be defective is desirable, with a view to relieving the declarant or petitioner of a possible hardship, to conserving the time of the court, and to promoting uniformity and efficiency in the administration of the act.

It is ordered, That whenever such a duplicate declaration of intention or petition for naturalization as aforesaid is returned to the clerk of this court by the said Bureau of Immigration and Naturalization, Division of Naturalization, and attention is called to errors, omissions or other defects therein, the alien declarant or petitioner concerned, on appearing in person before the said clerk, with his witnesses if necessary, and with the copy of the declaration previously given him, shall have leave, if the facts allow, to amend the said declaration or petition by making the same conform to the requirements of the statute in that behalf enacted; and it shall be the duty of the said clerk to note upon the several copies of the declaration or petition originally filed, in such manner as to disclose the nature thereof, the particular amendments made, and the date of making the same, and to file as part of the record of the proceeding the letter of the said Division of Naturalization returning the said declaration or petition for correction; and when such declaration of intention or petition for naturalization shall have been amended as aforesaid the same shall be deemed effective as of the date when it was originally made or filed; provided, however, that

9205

Dismissed

9258

Dismissed

9332

Dismissed



Jan 6, 1913.

all questions concerning the sufficiency of such declarations or petitions, before or after amendment, as to whether the same could be cured by amendment, and respecting the propriety and sufficiency of the amendments made, shall be reserved for the determination of the court at such time as they may properly come before it for decision;

And it is further ordered, That no fees in addition to or other than those prescribed by law and originally charged on account of such declarations or petitions shall be collected by the said clerk from any alien amending his declaration of intention or petition for naturalization as aforesaid.

Approved Jan. 6, 1913

John M. Brodrick, Judge.

The Board of Commissioners,  
Union County, Ohio,

9208

Plaintiff

No. 9208

vs

S. M. Miller,

Defendant.

Dismissed

Dismissed by Court. Judgment against Plaintiff

for costs.

The Union Banking Co.,  
Plaintiff.

9258

vs

J. J. Fillinaw,

Defendant.

No. 9258

Dismissed

Dismissed by Court. Judgment against Plaintiff

for costs.

In the Matter of the  
Naturalization of  
Paul Fuerst.

9332

No. 9332

Dismissed

This cause came on for hearing on the petition, evidence and argument of counsel for the United States. On consideration the Court finds that the witnesses produced have not know the petitioner for the full period of five years.

It is therefore ordered that the petition be dismissed without prejudice to a new application, at the cost of the petitioner.

O.K. - John M. Brodrick, Judge



Jan. 6, 1913

In the Court of Common Pleas, Union County Ohio,

Eunice Graham,  
Plaintiff,

9358

vs

New York Underwriters  
Agency Hartford Insurance Co.,  
Defendant

No. 9358.

Leave

Leave is granted Plaintiff to plead to Defendants  
answer within 10 days.

9340

Leo Ridgeway,  
Plaintiff

9367

vs

Frank Dilsaver,  
Defendant.

No. 9367.

Leave

Leave granted Plaintiff to file petition within  
10 days.

Withdraw

Deposit

Samuel Benton,  
Plaintiff,

9372

vs

W. P. Hildreth, et al.  
Defendants.

No. 9372.

Allowing

Webb

Claim

This cause coming on for hearing, it is agreed by  
the parties herein, that the Receiver be ordered to pay  
Arthur Webb, one of the defendants herein, the sum of  
Four Hundred (\$400.00) Dollars to apply on his said claim,  
being a portion of the proceeds from the sale of property  
described in his chattel mortgage.

9341

It is further agreed that this cause is to stand,  
until further ordered by the Court

Jan. 8, 1913.

John Wildi Evap. Milk Co. by  
J. L. Loughrey + Cameron + Cameron,  
John H. Willis, atty for Benton and  
W. P. Hildreth,  
Hoopes, Robinson + Hoopes for  
Cudy + Kuitner,

Withdraw

Deposit  
Etc

OK John M. Brodrick,  
Judge.

In the Matter of Aggregate Amount that may be Paid  
for Clerk + Stenographer hire for year 1913.

I, John M. Brodrick, Judge of the Common Pleas Court of Union County Ohio,  
fix the aggregate amount that may be expended by Prosecuting Attorney of Union  
County, Ohio, for Clerk and Stenographer Hire for year 1913 at \$300.00.

Court adjourned to Jan. 3, 1913 at 9 A.M.

John M. Brodrick, Judge.

Jan. 8, 1913.

Wednesday Jan. 8, 1913 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

The State of Ohio,  
ow rel. L. B. White,  
Plaintiff

No. 9340

9340

vs

A. B. Justice,  
Defendant.

Withdraw

Deposit

This day it is ordered by the Court, that the chattel mortgage given by the defendant and Mary E. Justice herein to John A. Kennington, to secure Recognizance of the defendant, A. B. Justice in the above entitled case on hearing before John A. Kennington, a Justice of the Peace for this County and being dated July 20, 1912, and now on the files of the County Recorder of this County, be and the same hereby is cancelled and released and the Clerk of this Court is ordered to certify such release to the County Recorder and he is further ordered to pay said defendant the \$22.00 in his hands and this defendant and Mary E. Justice, signers of said recognizance shall continue to be bound on said recognizance as if said chattel mortgage had not been given.

John M. Brodrick, Judge.

The State of Ohio,  
ow rel L. B. White,  
Plaintiff

No. 9341.

9341

vs

Mary E. Justice  
Defendant.

Withdraw

Deposit  
Etc.

This day it is ordered by the Court that the Chattel mortgage given by the defendant and A. B. Justice herein to John A. Kennington, to secure recognizance of the defendant Mary E. Justice, in the above entitled case on hearing before John A. Kennington, a Justice of the Peace for this County and being dated July 20, 1912, and now on the files of the County Recorder of this County, be and the same hereby is cancelled and released and this defendant and A. B. Justice, signers of said recognizance shall continue to be bound on said recognizance as if said chattel mortgage had not been given.

John M. Brodrick, Judge.

Court adjourned to Jan. 9, 1913 at 9 a.m.



Jan. 9, 1913

Thursday Jan. 9, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Hoopes, Robinson + Hoopes,  
Plaintiff

9392

vs

No. 9392.

9879

S. G. Young + Bertha H. Young,  
Defendants.

Judgment

This day came the Plaintiff by its attorney; and filed its petition against said Defendants, S. G. Young and Bertha H. Young and thereupon R. L. Cameron, one of the attorneys of record of this Court, for and on behalf of said Defendants S. G. Young and Bertha H. Young 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 Fifty Dollars 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 Hoopes, Robinson + Hoopes, Plaintiff recover from said S. G. Young and Bertha H. Young, Defendants, the said sum of Two Hundred and Fifty Dollars (\$250<sup>00</sup>), so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 27<sup>th</sup> day of August 1912, at the rate of 8 per cent per annum being in all \$ 257<sup>16</sup>, 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.

Judgment

Judgment

Court adjourned to Jan. 10, 1913 at 9 a. m.

Jan. 10, 1913.

Friday January 10, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Delaware County  
National Bank,  
Plaintiff,

9279

No. 9279,

vs

J. M. Priest,  
Defendant.

Judgment

The Plaintiff by its attorney comes, and the Defendant is in default of answer, or demurrer, although duly served with process, and the allegations of the petition are taken as confessed by him to be true, whereupon with the assent of the Plaintiff, the Court takes the account, and finds that said Defendant does owe the plaintiff on said notes, the sum of Nine Hundred and Eleven and  $\frac{03}{100}$  Dollars,

It is therefore considered that said plaintiff recover of said Defendant the sum of Nine Hundred and Eleven +  $\frac{03}{100}$  Dollars, also the costs of this suit to be taxed.

Jan. 6, 1913

The John Mildt Evaporated  
Milk Co.,  
Plaintiff

No. 9325

vs

W. L. Thomas,  
Defendant.

Judgment

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 find, that the said defendant, W. L. Thomas herein, agreed in writing with the plaintiff, The John Mildt Evaporated Milk Company, Two Hundred (\$200.00) Dollars to be applied on his note described in the petition, and the Court finds that the defendant, W. L. Thomas, is indebted to the plaintiff, The John Mildt Evaporated Milk Company for the balance in the sum of Seven Hundred + Fifty-eight +  $\frac{83}{100}$  (\$758.83) Dollars,

It is therefore considered by the Court that the said plaintiff recover from the said defendant the sum of Seven Hundred, Fifty-eight +  $\frac{83}{100}$  (\$758.83) Dollars and his costs herein expended, taxed at \$ \_\_\_\_\_

John M. Brodrick, Judge.

Jan. 6, 1913

Court adjourned to Jan. 11, 1913 at 9 a. m.



Jan. 11, 1913.

Saturday January 11, 1913 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

Ida N. Wheeler,  
Plaintiff,

9394

No. 9394.

9203

vs  
John Wheeler,  
Defendant.

Injunct.

Dismissed

I allow a temporary restraining Order in the above action, as prayed for in the Plaintiff's petition, until the same can be further heard, undertaking is dispensed with under the statutes of this state.

Done this 11th day of January 1913.

John M. Brodrick, Judge.

Court adjourned to Jan, 13, 1913.

Jan. 13, 1913

Monday Jan, 13, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

9203

J. J. Fillman,  
Plaintiff,

vs

C. S. David et al,  
Defendants.

No. 9203

Dismissed

Now comes the Plaintiff and dismisses this action  
at his costs.

Court adjourned to Jan, 14, 1913 at 9 a. m.



Jan. 14, 1913

Tuesday Jan. 14, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Mollie Sams,  
Plaintiff,

9395

vs

No. 9395.

Charles Sams,  
Defendant.

Service

by Pub.

This day this cause came on to be heard upon the affidavit of the Plaintiff herein above named asking for authority to make service on the Defendant herein by publication.

The Court being fully advised in the premises, and on consideration thereof, find that the plaintiff has filed her certain petition in said Court asking for divorce from the said defendant, and has filed therein her affidavit as to residence of defendant, the Court further finds that the said defendant is a non-resident of the State of Ohio, and that service of summons and copy of petition cannot be had within the state.

It is therefore ordered that said plaintiff make due publication for service on the said defendant for six consecutive weeks in The Marysville Tribune, a weekly newspaper published in said Union County, Ohio; that the said plaintiff cause a copy of the summons and petition to be mailed to the known address of the said defendant.

John M. Brodrick,  
Judge, Court of Common Pleas

John Thomas,  
Plaintiff

9349

vs

No. 9349

Paul Pretz,  
Defendant.

Dismissed

This day this cause coming on to be tried pursuant to assignment, the same was called for trial by the Court.

Whereupon the Plaintiff failing to appear to prosecute the same,

It is considered, ordered and adjudged by the Court, that this cause be, and the same hereby is, dismissed without prejudice to a future action, and that the Plaintiff pay all costs accruing in the premises.

1415

Mollie Prose

Jan. 14, 1913.

Jan. 14, 1913- *Seire Facias* for Petit Jurors returned indorsed:

The State of Ohio, Union County, ss.

On the 5<sup>th</sup> day of December 1912, I received this *Seire* and served the same on the several persons therein named, and in the manner placed opposite their names indorsed hereon,

1. James Mitchell	Dec. 5, 1912	By mail	17 miles.
2. O. V. Park	" " "	" "	17 "
3. James M. Droy	" 6 "	" "	" "
4. J. D. Pritchard	" " "	" "	16 "
5. Carson Fogle	" " "	" "	7 "
6. J. W. Melick	" " "	" "	11 "
7. William Blaney	" 5 "	" "	14 "
8. George Taylor	" 5 "	" "	" "
9. Thomas Lockwood	" " "	" "	10 "
10. Row Robinson	" " "	" "	" "
11. Walker Carson	" " "	" "	11 "
12. F. L. Gibson	" " "	" "	" "
13. Frank Herriott	" " "	" "	10 "
14. Andrew Bates	" " "	" "	11 "
15. L. N. Shaw	" " "	" "	7 "
16. Marion Temple	" " "	" "	14 "
17. Dave Fish	" " "	" "	16 "
18. John Miller	" " "	" "	11 "

John A. Laird,  
Sheriff.

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

State of Ohio,  
Plaintiff

vs

Sherman Hill,  
Defendant.

No. 1415.

Indictment for Assault and Menacing  
Threats.

1415

This day came the Prosecuting Attorney on behalf of the State of Ohio, and, with the leave of the Court, entered a *Nolle Prosequi* on the above indictment.

*Nolle Prosequi*

John M. Brodrick, Judge.

Court adjourned to Jan. 17, 1913 at 9 a. m.



Jan. 17, 1913

Friday Jan. 17, 1913 - Court convened at 9 A.M.  
 Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County, Ohio

9405 E. C. Gody,  
 Plaintiff,

vs

No. 9405

Injunc. John R. Jewell,  
 Defendant.

9300

I allow a temporary restraining Order in the above action, as prayed for in the petition, until the same can be 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, (\$500.00).

Settled

Done this 17<sup>th</sup> day of January 1913.

John M. Brodrick, Judge.

9269 James A. Harper,  
 Plaintiff

vs

No. 9269.

Divorce Bessie L. Harper,  
 Defendant.

9403

Judgment

This day this cause came on to be heard on the pleadings, evidence and arguments of counsel. On consideration 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 failed to appear at time of trial, and the allegations alleged in the petition are therefore confessed by her to be true, and 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 3<sup>rd</sup> day of July 1907, as alleged in said petition, and there were two children born of said marriage, at time of filing the petition, but only living at the present time Martha M. Harper 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 further ordered, adjudged and decreed that the custody, care, maintenance, education and control of the said minor child, Martha M. Harper be and the same is hereby confided exclusively to the said James A. Harper, until the further order of court. And the said Bessie L. Harper is hereby enjoined



Jan. 17, 1913

from interfering in any manner with the said child or from in any manner interfering with the said James A. Harper in his custody of said child.

It is further ordered by the Court that the Plaintiff pay the costs of this proceeding taxed at \$ —, and that this case be recorded.

John M. Brodrick, Judge.

9300

Jennie E. Martin,  
Plaintiff

rs

No. 9300

Settled

Martha J. Martin,  
Euphie L. Bradshaw,  
Defendants.

This day by mutual agreement of the parties hereto, this case is settled and dismissed without record.

9403

The Belle Center Bank Co.,  
a corporation,

Plaintiff

No. 9403.

Judgment

rs

C. E. Lease, Sarah Ragan,  
Kate Vansyckel + Joseph Lease,  
Defendants.

This day came the Plaintiff by Briggs + Stewart attorneys and filed its Petition against said Defendants and thereupon Milo R. Myers, an attorney of record of this Court, by virtue of a warrant of attorney for that purpose, duly executed by said Defendants, now produced in open Court in behalf of said Defendants, waived the issuing and service of process, entered <sup>the</sup> 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 One Hundred and sixty-two and 57/100 Dollars, 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 here, that the said The Belle Center Bank Company, Plaintiff does recover of the said C. E. Lease, Sarah Ragan, Kate Vansyckel, and Joseph Lease, Defendants, the sum of One Hundred and sixty-two and 57/100 Dollars so confessed, as aforesaid, with interest from Jan. 16, 1913, at 8 per cent per annum, and also its costs in its behalf taxed at \$ — and by virtue of said warrant of attorney all errors in this action, judgment and proceeding, and all proceedings, petitions and writs of error therein, on by said Defendants waived and released.

John M. Brodrick, Judge.



Jan. 17, 1913

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

The Belle Center Bank Co.,

9404

A corporation,

Plaintiff,

No. 9404.

Judgment

vs  
C. E. Lease + Kate Vausyckels,  
Defendants.

This day came the Plaintiff by Briggs and Stewart, Attorneys, and filed its petition against said Defendants, and thereupon Milo L. Myers, an Attorney at Law of this Court, by virtue of 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 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 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 One Hundred and Fourteen and  $\frac{04}{100}$  Dollars, bearing interest at 8 per cent per annum, and that said Plaintiff ought to recover of said Defendants, a judgment for that sum.

It is therefore considered by the Court here that the said The Belle Center Bank Co. Plaintiff, does recover of the said C. E. Lease and Kate Vausyckels, Defendants, the sum of One Hundred and Fourteen and  $\frac{04}{100}$  Dollars so confessed as aforesaid, with interest from Jan. 16, 1913 at 8 per cent per annum, and also costs in its behalf expended taxed at \$ —, and by virtue of said warrant of attorney all errors in this action, judgment and proceeding, and all proceedings, petitions and writs or error thereon, are by the said Defendants waived and released.

John M. Brodrick, Judge.

Court adjourned to Jan. 18, 1913 at 9 a. m.

Jan. 18, 1913.

Saturday January 18, 1913 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

David Goldsberry,  
Plaintiff,

9389

vs

No. 9389

The Toledo and Ohio  
Central Railway Co.,

Leave

Defendant.

Leave granted Defendant to answer within 30 days.

Herman Mouska,  
Plaintiff,

9386

vs

No. 9386,

The Board of Education  
Millcreek Sp. School Dist.,

Leave

Defendant.

Leave granted Defendant to answer by Jan. 25, 1913.

Court adjourned to Jan. 20, 1913 at 9 a.m.



Jan. 20, 1913.

Monday January 20, 1913 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

Harry D. Shepard,  
Plaintiff.

9287

vs

No. 9287.

Henry D. Shepard et al,  
Defendants.

9262

Stenog.  
Fees.

It is hereby ordered and directed that the sum of Twelve Dollars be taxed as costs in the above entitled case in favor of R. Eva Byers, Court stenographer, in payment of a transcript of the evidence herein, - at an estimate of 16000 words at 8¢, and that the Clerk issue his certificate therefor, addressed to the Auditor of Union County, Ohio

Dismiss

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

John Thomas,  
Plaintiff

9349

vs

No. 9349.

Paul Pretz,  
Defendant.

Motion

Withdrawn

This day came Plaintiff's attorney and withdrew his motion to set aside judgment.

Court adjourned to Jan. 21, 1913 at 9 a.m.

Jan. 21, 1913

Tuesday Jan. 21, 1913 - Court convened at 9. a. m.  
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County, Ohio

N. F. Ross,  
Plaintiff,

vs

9262

Village Council of  
Richwood Ohio,

No. 9262

Defendant.

Dismissed

This day this cause is dismissed by the court, judgment  
against Plaintiff for costs. No record.

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Court adjourned to Wed. Jan. 29, 1913 at 9 a. m.



JAN. 29, 1913.

Wednesday Jan. 29, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Frodrick, Judge.

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

9383  
Dismissed  
Title Quiet,

John Lake, Harry Biddle,  
Milbur Biddle, Cora Hollister,  
Iva Biddle, Ellen M. Lake,  
Geo. Biddle, Jesse Hollister,  
Grace Biddle,  
Plaintiffs

vs

Frances Maize, Ida Lake,  
Linnie Lake, Nora Lake,  
William Maize,  
Defendants.

No. 9383.

9298

Dismissed

9405

Dismissed

Judgment

This day this cause came on to be heard upon the petition of the Plaintiffs herein and the answer of the Defendants, Frances Maize, Ida Lake, Linnie Lake, and Nora Lake herein and the Plaintiffs being in default for demurrer or reply to said answer, and not desiring to plead further in this cause, the Court upon evidence, being fully advised in the premises, finds that the allegations of said answer are true and that the said John Lake and Mary Ann Biddle, who was the ancestor through whom the other Plaintiffs claim title to said lands, had each conveyed to Jane Lake their interests in the same as set forth in said answer, and that the said Frances Maize, Ida Lake, Linnie Lake, and Nora Lake are the sole heirs of said Jane Lake, deceased, and are seized of an estate of fee simple in said premises and have the right to possession thereof, and

It is ordered by the Court, that their title thereto be quieted as to all claim or claims of Plaintiffs herein, or anyone claiming through or under them, and that the petition of the plaintiffs herein be dismissed and the defendants have judgment against the plaintiffs for their costs herein taxed at \$10.75.

Hoopers, Robinson & Hoopes,  
Attys for Plaintiffs,  
Cameron & Cameron,  
Attys for Defendants.

Court adjourned to Saturday Feb. 8, 1913 at 9 a. m.

Feb. 3, 1913

Filed Feb. 3, 1913.

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

9298

The Pope Manufacturing Co.,  
Plaintiff

vs

Marysville Hardware Co.,  
Defendant.

No. 9298.

Dismissed

This day came the attorney for the Plaintiff, paid the costs and dismissed this action without record.

4405

E. C. Cady,  
Plaintiff

vs

John R. Jewell,  
Defendant.

No. 9405.

Dismissed

This day came the Plaintiff, paid the costs and dismissed this action without record.

Filed Feb. 3, 1913

Howard Townsend,  
Plaintiff

vs

Lawrence Farrington,  
Defendant.

No. 9181

Judgment

On a former day, the jury in this cause having brought in a verdict of \$388 in favor of the defendant, and a motion for a new trial being heard and overruled,

It is therefore considered that defendant recover of plaintiff said sum of \$388 and his costs herein expended.



Feb. 4, 1913

Filed Feb. 4, 1913

A. Elmer Schertzer,  
Plaintiff

In Court of Common Pleas, Union Co., Ohio

9416

vs

J. Dell Coe,  
Defendant

No. 9416

Dismissed

This day came the attorney for the Plaintiff and dismissed this action without record. On Motion of Plaintiff leave was granted him to withdraw petition from files.

Feb. 8, 1913

Saturday Feb. 8, 1913 - 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 Dec. 16, 1912 to Feb. 8, 1913  
 34 days at \$2.50 per day amounting to \$85.00.

The Clerk will certify the amount to the Auditor  
 of Union County.

John M. Brodrick, Judge.

Court adjourned to Feb. 13, 1913 at 9 a. m.



Feb. 10, 1913.

Filed Feb. 10, 1913.

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

In the Matter of Designation  
of a Judge for the  
Juvenile Court of Union County, O.

On this 9<sup>th</sup> day of February 1913, in pursuance of an act of the General Assembly of the State of Ohio, entitled "An Act to Regulate the Treatment and Control of Dependent, neglected and delinquent children and to Repeal Certain Acts therein named" approved by the Governor, April 24, 1908, Hon. Edward N. Porter, as Judge of the Probate Court of Union County, Ohio, hereby is designated as the Judge to transact the business arising under the jurisdiction conferred by said act in said Union County, and to exercise all the powers and perform all the duties therein provided.

It is further directed that this order be entered upon the respective journals of the Court of Common Pleas and Probate Court of said Union County, and that the same be effective until further order by a majority of the Judges of said County in contemplation of said act.

Done at Marysville Ohio, on the day and year first above written.

John M. Prodricks,  
William B. Seofield,  
Daniel Babst,  
Wm. P. Henderson,  
Wm. J. Duncan,  
Frank A. Baldwin,

Judges of the Court of Common Pleas 10<sup>th</sup> Jud. Dist. Ohio.

Edward N. Porter,  
Judge of the Probate Court,  
Union County, Ohio.

9411

Leave

Feb. 12, 1913

Filed Feb. 12, 1913

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

J. F. Blair,  
Plaintiff

vs  
Maude Blair,  
Defendant.

No. 9411.

9411

Leave

Defendant granted leave to plead by Mar. 1, 1913.



Feb. 13, 1913

Thursday Feb. 13, 1913 - Court convened at 9 A. M.  
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County O.

In the Matter of  
Soldiers' Relief  
Commission.

Wm. G. Snodgrass having resigned as a member  
of the Soldiers' Relief Commission of Union County, Ohio

It is hereby ordered that Jeff L. Richey be, and  
he hereby is, appointed as a member of said Commission  
to serve for the unexpired term of the said Wm. G. Snodgrass

John M. Brodrick,  
Judge of the Common Pleas  
Court

Joseph Melch,  
Plaintiff.

vs

Heber Melch + Nellie Melch,  
his wife; Richard D. Melch  
and Amelia Melch, Lizzie  
Chenowith and Zendorf  
Chenowith, Scott Melch,  
and Ella Melch, Hiram  
Crottinger and Jane  
Crottinger and The Union  
Central Life Insurance Co.,  
Defendants.

9361

No. 9361.

Partition

9330

Settled

And now this cause coming on to be heard upon  
the petition, the answer of The Union Central Life Insurance  
Company and the answer of Hiram Crottinger and Jane  
Crottinger, and the evidence, the Court find that all of the  
defendants have due legal notice of the pendency and de-  
mand of the said petition, and with the exception of those above  
named, they are in default for answer and demurrer thereto.

9393

Judgment

Order Sale

Thereupon, the Court further find that the plaintiff and  
the defendants Heber Melch, Richard D. Melch, Lizzie Chenowith,  
and Scott Melch are tenants in common in the estate described  
in the petition; that the plaintiff, Joseph Melch, has a legal  
right to the one-fifth thereof, the defendant, Heber Melch, a  
legal right to the one-fifth thereof; the defendant, Richard  
D. Melch, a legal right to the one-fifth thereof; the defendant,  
Lizzie Chenowith, a legal right to the one-fifth thereof; and  
the defendant Scott Melch, a legal right to the one-fifth  
thereof, all however, subject to the mortgage liens of the  
defendants The Union Central Life Insurance Company, Hiram  
Crottinger and Jane Crottinger; and that the plaintiff



Feb. 13, 1913

is entitled to have partition of said estate made as prayed for in his petition.

It is therefore ordered, adjudged and decreed the partition of said estate be made in favor of all the parties in interest and William W. Epps, Howard C. Sasbury and C. D. Webb three judicious and disinterested free holders of the vicinity are hereby appointed Commissioners to make the same, and it is ordered that a writ of partition issue to the Sheriff of Union County, commanding him that by the oaths of the commissioners above named, he cause to be set off and divided to Joseph Melch, Heber Melch, Richard D. Melch, Lizzie Cheworth and Scott Melch, the part and proportion of said estate to which they are severally above found entitled; and it is ordered that if said estate is entire, and can not be divided by metes and bounds, without manifest injury to the value of the same that said Sheriff cause said estate to be appraised by said commissioners and of his proceedings herein said Sheriff is ordered to make due return.

And as to the defendants, The Union Central Life Insurance Company, Miriam Brottinger and Jane Brottinger this cause is continued.

At. John M. Brodrick Judge.

John W. Jarvis,  
Plaintiff

9330

vs

No. 9330.

Asa Gibson et al.

Defendants.

Settled

This day by mutual agreement of the parties hereto, this case is settled, costs paid and dismissed without record.

The Strauss Brothers Co.,  
Plaintiff

9393

vs

No. 9393.

James Sparkes & Jamie Sparkes  
Defendants.

Judgment

Order Sale

This cause now coming on for hearing, was submitted to the Court on the petition and the evidence. The Court finds that the defendants, James Sparkes and Jamie Sparkes, have been duly served with a summons in this case and that they are in default for answer and demurrer and that the allegations of the petition are thereby confessed by them to be true.

And the Court further find that there is due the plaintiff from the defendant, James Sparkes, on the promissory notes set forth in the petition the sum of \$2652.13, with interest on \$1761.21 at 5% from the 8th day of January 1913, and with interest on \$890.92 at 7% from same date; The Court further find that said notes were executed in the State of Indiana



Feb. 13, 1913.

to be paid and performed in the State of Indiana, and that said notes contain a provision for the payment of an attorney fee by the maker and that by the laws of the State of Indiana attorney fees are collectible upon such notes and that the sum of \$165.00 is a reasonable attorney fee and that said sum in addition to the above findings is due the plaintiff from the defendant.

The Court further find that in order to secure the payment of said notes the defendant, James Sparks and Janie Sparks, 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 filed for record in the Recorder's Office of Union County, Ohio, at 8:20 A. M. on the 19th day of April 1911, and was duly recorded on the 25th day of April 1911, in Mortgage Record No. 62, page 240, Union County Record of Mortgages, and is a good and valid lien upon the premises described in the petition and that said conditions in said mortgage have been broken.

It is therefore considered by the Court, that the plaintiff recover from the defendant, James Sparks, the said sum of \$2817.34 with interest on \$1761.21 at 5 1/2 % from the 8th day of Jan. 1913, and on \$890.92 at 7% from the said date.

And it is further adjudged and decreed that unless said defendant, James Sparks, shall within 10 days from the entry of this Decree, pay or cause to be paid to the Clerk of this Court, the costs in this case and to the plaintiff, the sum so found due it as aforesaid, with interest as aforesaid the defendant'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.

At. John M. Frodrick, Judge.

Court adjourned to Feb. 14, 1913 at 9 a. m.

Feb. 14, 1913.

Friday Feb. 14, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

L. L. McAllister et al,  
Plaintiffs,

9402

vs

No. 9402.

Owen Griffith et al,  
Defendants.

Dismissed

This day came the attorney for the Plaintiffs, paid the costs and dismissed this action without record.

Court adjourned to Feb. 15, 1913 at 9 a. m.



Feb. 15, 1913.

Saturday Feb. 15, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

9386

9380

James Guy,  
 Plaintiff,

vs

No. 9380.

Motion

Leave

Emma O. Guy,  
 Defendant.

Leave

This day leave is granted Defendant to file an amended answer and Cross Petition and the same is filed.

9372

Samuel Benton,  
 Plaintiff,

vs

No. 9372.

Pay

W. P. Hildreth et al.,

Defendants.

Kintner + Rudy

Claim

This cause coming on for hearing upon the cross petition of the defendants, Kintner + Rudy, and the plaintiff and the other defendants being in default for answer and demurrer to said cross petition, the Court find that the allegations of said cross petition are confessed by them to be true; and the Court further find that said defendants, Kintner + Rudy, have the first and best lien upon the chattel property described in said cross petition.

It is therefore considered by the Court, that the defendants Kintner + Rudy, recover from the defendant, W. P. Hildreth the sum of \$137.27 with his costs herein expended.

And it appearing to the Court that the receiver herein has already disposed of the chattel property described in said cross petition and has received therefor, more than enough to pay said \$137.27 and the costs herein,

It is ordered by the Court that said receiver pay said Kintner + Rudy the sum of \$130.00, and that the balance of \$7.27 be held subject to the further order of the Court.

Approved: Cameron + Cameron, attys for  
 The John Wildi Coop. Milk Co.

At John M. Brodrick,  
 Judge.

Feb 15, 1913.

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

Herman Mouska,  
Plaintiff

9386

vs

Board of Education,  
Millcreek Tp. School,  
Defendant.

No. 9386.

Motion

Leave

This cause coming on for hearing upon the motion the motion of the defendant to strike supplemental petition of the Plaintiff from the files, upon consideration whereof the Court sustains the same, and leave is granted to the Plaintiff to refile the same instrument.

Leave is also granted to the Defendant to plead by Feb. 21, 1913,

Approved: Hoopes, Robinson + Hoopes for Plaintiff

Cameron + Cameron, John H. Willis  
for Defendant.

Court adjourned to Feb. 17, 1913 at 9 a. m.



Feb. 17, 1913

Monday Feb. 17, 1913 - Court convened at 9, a. m.  
 Present Honorable John M. Brodrick, Judge.

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

9113

Laura Jane Purdum,  
 Plaintiff

vs

No. 9113

Divorce

Robert Wesley Purdum,  
 Defendant.

This cause coming on for hearing, the plaintiff is given leave to file her amended petition.

John M. Brodrick, Judge.

9380

James Guy,  
 Plaintiff,

vs

No. 9380.

Divorce

Emma O. Guy,  
 Defendant.

This cause came on this day to be heard on the petition, the answer of the defendant and the reply of the plaintiff, and the evidence, and on consideration thereof, the Court find that the plaintiff, at the time of the filing the petition herein, 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 said petition set forth.

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

It is therefore ordered and adjudged by the Court, that the marriage contract heretofore existing between the said parties James Guy and Emma O. Guy is, and the same is hereby dissolved and both parties are released from the obligations of the same.

And it appearing to the Court, that the parties hereto have agreed upon a settlement of the alimony between themselves, whereby the plaintiff agrees to pay to the said defendant in cash the sum of Five Hundred Dollars and all the furniture in the home of the Plaintiff now occupied by said defendant except the following: the bedroom suite and carpet in the front room up stairs; set of springs; the range; book case; linoleum on kitchen and bath room; one of the two rockers bought since last marriage; one rocker that belonged to first wife and all pictures, dishes, mirrors, rug and lamp that were presents to first wife, in full of all alimony and right to alimony of the defendant. Emma O. Guy, and the Court finding said settlement is reasonable and just confirms the same. It is therefore ordered and decreed that the plaintiff pay to said defendant the sum of \$500.00 in cash.

Feb. 17, 1913.

and that she have and possess as and for alimony in full the household furniture now in the home of the plaintiff occupied by the defendant except the bed room suit and carpet in the front room up stairs; set of springs; mattress; feather bed; pillows and bedding for the same; the range; bookcase; linoleum on kitchen and bath room; one of the two rockers bought since last marriage; one rocker that belonged to first wife; and all pictures, dishes, mirror, rug and lamp that were present to first wife, and that she have possession of said home until April 1, 1913, and that she be barred from any further claim upon the plaintiff for alimony or dower.

It is further considered by the Court, that the said defendant recover from the plaintiff her costs herein expended.

Approved: Hoopes, Robinson + Hoopes for Pety.

John W. Willis, Atty for Defendant.

Ok. John M. Brodick, Judge.

Court adjourned to Feb. 19, 1913 at 7 a. m.



Feb. 19, 1913

Wednesday Feb. 19, 1913 - Court convened at 9 a. m.  
 Present Hon. William F. Duncan, Judge.

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

In the Matter of the Exceptions  
 to the Second and Final Account  
 of Joseph W. Westlake, Administrator  
 de Bonis Now of the Estate of  
 Henry A. Westlake, deceased.

No. 9293.

Decree

This cause coming on for hearing upon the amended  
 exceptions to said account, upon said account and upon the  
 first account filed in said cause, and upon the testimony,

On consideration whereof, the Court find:

First - That the said administrator received on the 9<sup>th</sup> day of  
 December, 1906, from E. B. Westlake the sum of \$10.00, and  
 that through mistake said administrator did not charge  
 himself with same. Wherefore it is ordered and adjudged  
 that said Joseph W. Westlake pay to said estate the  
 sum of \$10.00.

Second - That the second exception be sustained. That said Admin-  
 istrator on the 20<sup>th</sup> day of December, 1906, received from said  
 E. B. Westlake the sum of \$140.00 and that through mistake  
 said administrator did not charge himself therewith. Where-  
 fore it is ordered and adjudged that said Joseph W. Westlake  
 pay to said estate the sum of \$140.00.

Third - That the third exception be overruled.

Fourth - That the fourth exception be overruled.

Fifth - That the fifth exception be sustained. That said adminis-  
 trator on the 13<sup>th</sup> day of March, 1906, received from said  
 Edward B. Westlake the sum of \$100.00 and that through  
 mistake said administrator did not charge himself  
 therewith. Wherefore it is ordered and adjudged that said  
 Joseph W. Westlake pay to said estate the sum of \$100.00.

Sixth - That the sixth exception be sustained. That said adminis-  
 trator on the 14<sup>th</sup> day of March, 1908, received from said E. B.  
 Westlake \$125<sup>00</sup> <sup>with</sup> which he failed to charge himself. Wherefore  
 it is ordered and adjudged that said Joseph W. Westlake pay  
 to said estate the sum of \$125<sup>00</sup> and \$25<sup>31</sup> interest thereon.

Seventh - That the seventh exception be overruled.

Eighth - That the eighth exception be sustained. That said adminis-  
 trator has collected and paid out but \$18392<sup>64</sup> upon the debts  
 of said estate and that he will be entitled to the legal  
 commission upon said \$18392<sup>64</sup>, to-wit, the sum of \$487<sup>85</sup>  
 and no more upon the final settlement of this estate. In  
 pursuance of this order and decree, that said administrator  
 is not entitled to any extra compensation; that said  
 administrator has already received out of said estate the  
 sum of \$40022, the sum of \$381<sup>85</sup> and the sum of \$100.00



Feb. 19, 1913.

all under date of June 7, 1911, as compensation, wherefore  
It is ordered and adjudged by the Court that said Joseph W. Nestlake pay to said estate the sum of \$932.<sup>05</sup>.

Ninth - That the ninth exception be sustained, That the said administrator on the 1<sup>st</sup> day of April, 1911, received of Charles Nestlake the sum of \$100.<sup>00</sup> with which he failed to charge himself, wherefore  
It is ordered and adjudged that said Joseph W. Nestlake pay to said estate the sum of \$100.<sup>00</sup> and \$2.<sup>00</sup> interest thereon.

Tenth - That the tenth exception be overruled.

Eleventh - That the eleventh exception be overruled.

Twelfth - That the twelfth exception be overruled.

Thirteenth - That the thirteenth exception be sustained.

Fourteenth - That the fourteenth exception be sustained, That no extraordinary services were rendered by said administrator for which he would be entitled to recover for the reason that said administrator is in a large measure to blame for said estate not having been settled up within a reasonable time and has so mismanaged said estate and has so confused the accounts of said estate with his personal account that the Court does not deem said administrator entitled to extra compensation.

Fifteenth - That the 15<sup>th</sup> exception be overruled.

Sixteenth - The Court finds that in this cause it has no jurisdiction over the matters set up in said 16<sup>th</sup> exception and said exception is therefore dismissed without prejudice, but It is ordered that no final account of said administrator be confined until the matters set up in said 16<sup>th</sup> exception are adjusted either between the parties or by a decree of this Court in a proper action.

Seventeenth - That the 17<sup>th</sup> exception be overruled.

Eighteenth - That said administrator be charged with interest upon the balance found in his hands by this decree from the date of the filing of said second and final account.

To all of which findings that said Joseph W. Nestlake excepts.

Approved: Cameron + Cameron, Atty for Joseph W.  
Nestlake.

Hoopes, Robinson, Atty for  
E. B. Nestlake.



February, 21, 1913.

Friday, February, 21, 1913 - Court Convened at 9 A.M.  
Present Honorable, John M. Brodrick, Judge.

In the Court of Common Pleas Union County, Ohio.

Marie M. Montgomery,  
Plaintiff.

No. 9390.

9390

vs.

George L. Montgomery,  
Defendant.

Decree

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 by publication to law in such cause made and provided,

That said defendant has failed to appear and is in default for answer or demurred and thereby the allegations of said petition are confessed by him to be true, that at the time of the filing of the petition therein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceeding the filing of said petition, and that said parties were married on the 25<sup>th</sup> day of June, A.D. 1906, as alleged in said petition, and that no children was born to them as the issue of said marriage.

And that the defendant had 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 plaintiff, be, and she here by is restored to her maiden name of Marie M. Reinhardt, and that the defendant George L. Montgomery, pay the costs of this proceeding taxed at \$12.50 and that this case be recorded.

John M. Brodrick, Judge.

Feb. 28, 1913.

State of Ohio,  
Plaintiff

vs

Victor W. Rogers,  
Defendant

No. 1264.

This, the 28<sup>th</sup> day of February, 1913, came the defendant, and Victor W. Rogers, as his surety, entered into recognizance before the Court in the sum of Four Hundred Dollars, conditioned for his appearance before said Court on the first day of next term thereof and in default that he be confined to the County Jail.  
Court adjourned to Mar. 1, 1913 at 9 a.m.

9385

Dismissed

Court

Constable

Pay



March 1, 1913

Saturday March 1, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

To the Clerk of said Court:

You are hereby directed to proceed according to law at 10 o'clock on Saturday the 1<sup>st</sup> day of March 1913, 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, 1913, 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 in number, whose names are so drawn from said Grand 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 Mansville in said County, at 10 o'clock A. M. on Monday the 7<sup>th</sup> day of April 1913; and the Petit Jurors you will cause to be summoned to appear for such service at the same place at 10 o'clock A. M. on Tuesday the 15<sup>th</sup> day of April 1913.

And for so doing this shall be your sufficient warrant.

Witness my hand officially this 1<sup>st</sup> day of March 1913.

John M. Brodrick, Judge of the Court of  
Common Pleas, of the 3<sup>d</sup> Sub. Div. 10<sup>th</sup> Jud. Dist.

Homer Jolly,  
Plaintiff,

9385

vs

No. 9385,

Emily D. Hawk et al,  
Defendants

Dismissed

This day came the Plaintiff, paid the costs and dismissed this action. No record.

In the Matter of Compensation  
of G. C. Edwards, Court Constable,

Court

It is hereby ordered the G. C. Edwards be allowed 4 days pay from the 15<sup>th</sup> day of February 1913, to the 1<sup>st</sup> day of March 1913, at \$2.50 per day, total \$10.00, as Court Constable.

Constable

The Clerk will certify the amount to the Auditor of Union County.

Pay

John M. Brodrick, Judge.



March 1, 1913.

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

9327

In re C. M. Jones et al,  
Trustees 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.

The Court finds that said Trustees have sold Lot No. 19 in the Shepper Addition to said Village of Plain City as more fully described in petition, in accordance with the authority vested in them, that the sale is valid and the Court hereby approves and confirms the same, and the Trustees are ordered to make a deed to the said purchaser, Omer Jones and Ella Jones his wife.

John M. Brodrick, Judge.

9423

Judgment

Filed Feb. 25, 1913.

Joseph Melch,  
Plaintiff,

9361

vs

No. 9361.

Heber Melch et al,  
Defendants.

Report Conf.

Confirmed

Order Sale

This cause coming on to be heard on the return of the Sheriff, and the report of the commissioners heretofore appointed, and on motion to confirm the same, it appearing to the Court that said premises cannot be divided by metes and bounds, without manifest injury to the value thereof, and that said commissioners have appraised said premises at \$6440.00, the Court find the said return and proceedings in all respects regular, and do approve and confirm the same.

And thereupon neither of the parties electing to take said premises at their appraised value, it is on motion of the plaintiff ordered that said premises be sold at public auction on the terms following, to-wit: cash in hand on day of sale. And for good cause shown it is ordered that advertisement in a German Newspaper be dispensed with.

And that said Sheriff return his proceedings to this Court without delay.

John M. Brodrick, Judge.

Court adjourned to March 8, 1913 at 9 A.M.



March 8, 1913

Saturday March 8, 1913 - Court convened at 9 a. m.

Present Honorable John M. Brodrick, Judge

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

The Ostrander Banking Co.  
Plaintiff

vs

No. 9423

9423

W. A. Shepard and W. H. Durboraw  
Defendants.

Judgment

This day came the plaintiff by Harry M. Crist, attorney; and filed its Petition against said Defendant, The Ostrander Banking Company and thereupon one of the attorneys of Records of this Court also appeared, in open Court, for and on behalf of said Defendants W. A. Shepard, and W. H. Durboraw 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 fifty-three + 13/100 Dollars \$153.13. 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 The Ostrander Banking Company Plaintiff do recover from said W. A. Shepard and W. H. Durboraw Defendants the sum of one Hundred and fifty-three + 13/100 Dollars \$153.13 so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 8th day of March, 1913 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.

Court adjourned to March 10, 1913 at 9 a. m.



March 10, 1913

Monday March 10, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Mollie Sams,  
 Plaintiff,

9395

vs

No. 9395,

9408

Charles Sams,  
 Defendant.

Decree

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration thereof, the Court being fully advised in the premises, finds that the defendant has been duly and legally served by Clerk of Court mailing defendant, summons and copy of petition, and by publication according to law. That he failed to appear and is in default for answer or demurrer to the petition and that thereby 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 3<sup>rd</sup> day of July, 1888, as alleged in said petition. That one child was born to them as the issue of said marriage, now of the age of seventeen years, and that the defendant has been guilty of gross neglect of duty and wilful absence as alleged in said petition; and that said plaintiff is therefore entitled to a divorce as prayed for in said petition.

Decree

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

It is further ordered, adjudged and decreed that the defendant pay the costs of this proceeding taxed at \$12.20, and that this case be recorded.

John M. Brodrick, Judge,

9406

Leave

Court adjourned to March 11, 1913 at 9 a. m.

March 11, 1913

Tuesday March 11, 1913 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

Catherine Poling,  
Plaintiff.

9408

vs

No. 9408.

Russel Poling,  
Defendant.

Decree

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, find that the defendant has been duly and legally served by summons and that he has failed to make answer or otherwise plead 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 15th day of August 1908, as alleged in said petition and that no children were 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 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 defendant pay the costs of this proceeding, taxed — and that this case be recorded.

John M. Brodrick,  
Judge.

Ira Donohoe et al,  
Plaintiffs

9406

vs

No. 9406.

Village of Richwood et al,  
Defendants.

Leave

Leave granted Defendants to answer within 30 days.

Court adjourned to March 12, 1913 at 9 a.m.



March 12, 1913

Wednesday March 12, 1913 - Court convened at 9 A. M.  
 Present Honorable John M. Brodrick, Judge

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

Harry D. Shepard,  
 Plaintiff,

9288

vs

No. 9288.

9409

Henry C. Shepard,  
 Defendant.

Leave

This day leave was granted the defendant to withdraw his amended answer herein heretofore filed, February 27, 1913, with leave to file a second amended answer within five days.

Divorce

William A. Shepard,  
 Plaintiff,

9289

vs

No. 9289.

Henry C. Shepard,  
 Defendant.

Leave

This day leave was granted the defendant to withdraw his amended answer herein heretofore filed February 27, 1913, with leave to file a second amended answer within 5 days.

9409

Leave

Court adjourned to March 15, 1913 at 9 A. M.

March 15, 1913.

Saturday March 15, 1913 - Court convened at 9 a.m.

Present Honorable John M. Brodrick, Judge.

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

Blanche Allen,  
Plaintiff

9409

vs

No. 9409.

F. Roy Allen,  
Defendant.

Divorce

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and has failed to appear and is in default for answer and 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 23<sup>rd</sup> day of June 1911, as alleged in said petition, and that no children were born of this marriage union 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 shall recover from said defendant in full of all alimony the sum of One Hundred and Twenty-five Dollars (\$125.00) and that the plaintiff be barred from any property of the defendant. And that the plaintiff be restored to her maiden name of Blanche Harriman, and that the defendant pay the cost of this proceeding taxed at 9%, and that this case be recorded.

John M. Brodrick, Judge.

Blanche E. Allen,  
Plaintiff,

9409

vs

No. 9409

F. LeRoy Allen,  
Defendant.

Leave

This day leave was granted defendant to withdraw his answer herein.

John M. Brodrick, Judge.



March 15, 1913

The Commercial Savings Bank,  
Plaintiff,

9417

vs

No. 9417.

Le Roy Walker et al,  
Defendants.

Leave

This cause came on for hearing upon the motion of Ada M. Westlake to be made a party defendant herein and upon good cause shown said motion is sustained and said Ada M. Westlake is made a party defendant herein and leave is granted her to plead in this cause.

John M. Brodrick, Judge.

Harry D. Shepard,  
vs Plaintiff.

9287

No. 9287.

Henry C. Shepard,  
Defendant.

Leave

This day came the parties by their respective attorneys, and it appearing to the Court that the deposition of Mrs. H. D. Shepard, heretofore filed in this case by the Plaintiff, is defective in that the Notary, before whom the same was taken, failed to sign his certificate thereto through inadvertency, on motion leave is granted Plaintiff to withdraw said deposition for correction by obtaining said signature and, thereafter, to refile and re-offer the same in evidence in this case, and cause adjourned.

John M. Brodrick, Judge.

Confirmation

Distribution

Court adjourned to March 17, 1913 at 9 A. M.

March 17, 1913

Monday March 17, 1913 - 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 the  
 Improvement of the  
 Court House in  
 Union County, Ohio.

This day the Court appoints Charles A. Morelock to act in conjunction with the County Commissioners, Clerk of the Court, Probate Judge, in the matter of repairs on the Union County, Ohio, Court House.

John M. Brodrick, Judge.

Filed March 19, 1913

Willis G. Roots,  
 Plaintiff

vs

No. 9276

Willis G. Roots, Adm.  
 Est. Mary L. Roots, et al,  
 Defendants.

Confirmation

On motion of the plaintiffs and they producing the return of the Sheriff of the sale made under the former order of this 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

Distribution

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, Lizzie Damm, by deed the second tract of land described in the said petition, she being the purchaser for said tract, and it is ordered that said deed be made according to law, the property so sold 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 shed on to be entered on the record thereof, in the office of the Recorder of Union County, as to the real estate purchased by Lizzie Damm. It is further ordered that the Sheriff out of the money in his hands pay: - 1<sup>st</sup> To the Treasurer of this County and Corporation of Milford Center, the taxes and assessments, penalty and interest against said property to wit: the sum of \$163.55, 2<sup>nd</sup> To John L. Loughrey to apply on attorney fees in the within case the sum of \$55.50, 3<sup>rd</sup> The costs of this action taxed at \$59.28 to this date 4<sup>th</sup> It is also ordered hold the balance of said money in his hands until further ordered or until other property is confirmed as described in the within petition in said cause.

Approved: G. W. Porter, Attorney for Dorcas & Gale Roots

John L. Loughrey, R. F. Curl & Bank of Mansville

At John M. Brodrick, Judge.

Court adjourned to March 22, 1913 at 9 A. M.



March 22, 1913.

Saturday March 22, 1913 - Court convened at 9 A.M.  
Present Honorable John M. Brodrick, Judge.

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

3362

7411 J. F. Blair,  
Plaintiff

No. 9411

Leave

Divorce vs  
Mauda Blair,  
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 her in default for answer and demurrer to said petition, and find that the allegations thereof are confessed by her to be true. The Court find that the Plaintiff at the time of filing his petition herein had been a resident of the State of Ohio for one year next preceding the same and was at that time a bona fide resident of the County of Union, and that the parties were married, as in said petition set forth.

3412

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.

Divorce

It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said J. F. Blair and the said Mauda Blair be, and the same hereby is, dissolved, and both parties are released from the obligations of the same.

And it appearing to the Court that the parties have heretofore entered into an agreement of separation whereby the Plaintiff agreed to pay to the defendant the sum of Two Hundred and Fifty Dollars as and for her alimony, and that said Plaintiff has paid said sum, and it appearing to the Court that said parties have agreed between themselves that an additional sum of Two Hundred Dollars should be paid by the Plaintiff to the defendant and that the sum of One Hundred should be paid by said Plaintiff to Cameron + Cameron as their attorney fees in this matter:

It is therefore ordered and adjudged that the Plaintiff pay to said defendant said additional sum of Two Hundred Dollars, and to her said attorneys, Cameron + Cameron, said sum of One Hundred Dollars, which shall be in full of all of the defendant's right to alimony from the Plaintiff and in full of all of the defendant's her right or expectancy of dower in the estate of the Plaintiff real or personal.

It is further considered by the Court that the Plaintiff pay the costs of this proceeding.

Approved: Cameron + Cameron, Atty for the Defendant.

Hoopes, Robinson + Hoopes, Atty for the Plaintiff.

John M. Brodrick, Judge.







March 24, 1913

The Following Entry was filed:

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

Henwan Monska,

Plaintiff

9386

vs

No. 9386,

Board of Education

Mill Creek Tp. et al,

Dismissed

Defendants.

This day came attorneys for Plaintiff, paid the costs and dismissed this action. No record.

March 24, to March 29. Great flood in Ohio. Railroad telephone and telegraph connections cut off. Judge Brodnick detained in Bellfontaine by inability to get home on account of high water and damages to railroads.

March 29, 1913.

## Meeting of Grand Jury.

Pursuant to a call from the Prosecuting Attorney, the Grand Jury for the January Term 1913, met at 10 a. m.

On calling the roll the following were found present:

Dolph Moore, French Stillings, Ray Hedges, Charles Owens, Nathan Martins, Robert Devine, S. W. Dolebear + E. W. Bonnette were found present. The panel being incomplete the following talesmen were called: C. D. Mott, Willis Richman, John Moore, A. S. Kirby, J. C. Kennedy, J. J. Scott and Richard McAllister. Robert Devine was selected as foreman and sworn, likewise the talesmen were sworn.

The Grand Jury brought in the following report:

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 1913, 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 our witness, covering our case, and presented no bills, and ignored — 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 provisions of law for the regulation of County Jail has been violated.

We recommend that the kitchen be papered, rewired for lights, and the floor repaired and the plumbing repaired, and that roof of Court House be repaired where necessary and that the Grand Jury room be repapered and painted.

March 29, 1913

Respectfully submitted,

Robert Devine, Foreman.



March 31, 1913

Monday March 31, 1913 - Court convened at 9 A.M.  
Present Honorable John M. Brodrick, Judge.

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

The Board of County Commissioners  
of Union County, Ohio,  
Plaintiff,

9129

vs

No. 9129

Dwight B. Edwards,  
Defendant.

Referee.

This cause is referred to John H. Kinkade, who is appointed Referee herein, and is directed to hear and determine the issues herein, to take testimony of witnesses in writing and require them severally to subscribe the same, and report such testimony, with his findings of fact and conclusions of law, to this Court, without unnecessary delay.

Approved: Hoopes, Robinson & Hoopes, Atty for Defendant.

State of Ohio,  
Plaintiff

1419

vs

No. 1419.

Mathias Horch,  
Defendant.

Off docket

Left off docket to be reinstated on motion.

State of Ohio,  
Plaintiff,

1416

vs

No. 1416.

Milber Hogue,  
Defendant.

Off docket

Left off docket to be reinstated on motion.

Edw M. Wheeler,  
Plaintiff

9394

vs

No. 9394.

John Wheeler,  
Defendant.

Dismissed

Dismissed at costs of plaintiff. Judgment against Plaintiff for costs.

1423

Nolle Prosequi

March 31, 1913

State of Ohio,  
Plaintiff

1423

vs

Birt Mathers,  
Defendant.

No. 1423.

Indictment for Petty Larceny.

Nolle Prosequi

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.

John M. Brodrick, Judge.

State of Ohio,  
Plaintiff,

vs

Thomas Mitchell,  
Defendant.

No. 1413

Indictment for Neglect to Provide for a Pregnant Woman.

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.

John M. Brodrick, Judge.



April 2, 1913

Wednesday April 2, 1913 - Court convened at 9 A. M.  
Present Honorable John M. Prodrick, Judge.

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

Joseph Welch,  
Plaintiff

9361

No. 9361

3419

vs  
Helen Welch et al.,  
Defendant.

Leave

Leave is this day given to J. E. Strayer and J. L. Cameron to  
file answer and cross petition and same filed.

Divorce

Court adjourned to April 5, 1913 at 9 A. M.

April 5, 1913.

Saturday April 5, 1913 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge

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

Ella Mitchell,  
Plaintiff,

7419

vs

No. 7419.

William B. Mitchell,  
Defendant.

Divorce

This cause came on to be heard this day 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 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 28<sup>th</sup> day of September 1913, as alleged in said petition, and that there are no children born of said marriage, and that the defendant has been guilty of gross neglect of duty and extreme cruelty, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be and she is hereby restored to her maiden name of Ella Mattox and that the defendant pay the costs of this proceeding taxed at \$6.85, and that this case be recorded.

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 for services as Court Constable, from March 1, 1913 to Apr. 5, 1913, 8 days at \$2.50 per day amounting to \$20.00.

The Clerk will certify the amount to the Auditor of Union County

John M. Brodrick, Judge.



April 5, 1913

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

9264 The State of Ohio,  
ow rel John H. Willis,  
Prosecuting Attorney,  
Plaintiff,

No. 9264

Leave

vs  
Bank of Marysville,  
Defendant.

9266

Leave granted Defendant to file answer instante,

Leave

9265 The State of Ohio,  
ow rel John H. Willis,  
Prosecuting Attorney,  
Plaintiff

No. 9265.

9415

Leave

vs  
The Peoples' Bank  
of Marysville, Ohio,  
Defendant.

Divorce

Leave granted Defendant to file answer instante,

9268 The State of Ohio,  
ow rel John H. Willis,  
Prosecuting Attorney,  
Plaintiff.

No. 9268.

Leave

vs  
The Richwood Deposit  
Bank,  
Defendant.

Leave granted Defendant to file answer instante,

9267 The State of Ohio,  
ow rel John H. Willis,  
Prosecuting Attorney,  
Plaintiff,

No. 9267.

Leave

vs  
The Commercial Savings  
Bank,  
Defendant.

Leave is granted Defendant to file answer instante,

April 5, 1913

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

The State of Ohio,  
 on rel John H. Willis,  
 Prosecuting Attorney,  
 Plaintiff

9266

vs

No. 9266

The Union Banking Co.  
 Defendant.

Leave

Leave granted Defendant to file answer instant.

Joel Brundage Fox,  
 Plaintiff

9415

vs

No. 9415.

Dora Belle Fox,  
 Defendant.

Divorce

This cause coming on for hearing, was submitted to the Court upon the pleadings and the evidence; on consideration whereof, the Court being fully advised in the premises, doth find that the plaintiff has been a resident of the State of Ohio for one year next preceding the time of filing of his petition herein, and was at that time a bona fide resident of Union County, Ohio, and that the parties were married as alleged in the said petition. The Court further finds that the defendant has been guilty of wilful absence from the plaintiff for more than 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 Joel Brundage Fox and Dora Belle Fox, be and the same is hereby dissolved and both parties released from the obligations of the same, and that the defendant have the custody of the minor child, Harold Eugene Fox, age three years, and that the said Joel Brundage Fox to have the right and privilege of visiting and seeing said child once a month at reasonable times.

And the Court coming on further to the consideration of the question of alimony, and the support of said minor child, and doth find that an agreement has been entered into by and between said parties on the 27<sup>th</sup> day of October, 1909, and is set forth in the answer and cross-petition of the defendant herein. That said agreement is hereby approved by the Court; and it appearing to the Court and the Court coming on further to the consideration of the question of alimony, and the support of said minor child, and doth find that an agreement has been entered into by and between said parties on the 27<sup>th</sup> day of October, 1909, and is set forth in the answer and cross-petition of the defendant herein. That said agreement is hereby approved by the Court; and it appearing to the Court that the plaintiff has performed all of the conditions in said contract to be by him performed, and has fully paid the various sums of money therein provided to the defendant.



April 5, 1913.

and the same has been received and accepted by the defendant as her reasonable alimony and support of said minor child. Therefore

It is ordered and decreed that the said sum of money as provided in said contract be for and as reasonable alimony to the defendant and for the support of said minor child; and it is further ordered that said agreement be a part of this decree and the same be recorded on the Journal of this Court as a part thereof.

It is further ordered that the plaintiff pay the costs herein taxed at \$7.50, and execution is awarded.

Approved:

John N. Willis, Atty for Plaintiff.

F. A. + E. A. Owen " " Defendant.

John M. Brodnick, Judge

Agreement.

This Agreement, made and entered into this 27<sup>th</sup> day of October A.D. 1913, by and between Joel Brundage Fox and Dora Belle Fox, husband and wife, witnesseth: - That the said Joel Brundage Fox and Dora Belle Fox doth hereby agree upon a final separation, a settlement of all property rights and of alimony and the custody of the child born of their marriage. It being hereby agreed that the parties from and after this date shall live separate and apart, and that from and after the said date neither shall have any right or interest in the property, real or personal, of the other, either in possession, expectancy or to be hereafter acquired, and this agreement shall operate as a complete release each to the other of all such rights, so that each may hold and possess any kind of property solely and free from any claim of the other. It is also agreed that the said Joel Brundage Fox shall pay to the said Dora Belle Fox as her alimony and for the support of the said child the sum of \$250.00 to be evidenced by three promissory notes of this date, one of the sum of \$100.00 due one year after date; one for the sum of \$100.00 due and payable two years after date, and one for the sum of \$50.00 due and payable two and one-half years after this date. Said notes to be secured by personal security to be approved by the said Dora Belle Fox, said notes to be such notes as are held to be good by the Banks of Marysville, which said notes shall be accepted by the said Dora Belle Fox as full settlement of all alimony. It is agreed that the said Dora Belle Fox shall have the custody, care and control of the said child free from all and any molestation or interference from the said Joel Brundage Fox, but the said Joel Brundage Fox shall have a right to visit the said child not more than once a month at reasonable times. In witness whereof these parties hereto have set their hands to duplicates hereof the day and year above written. Joel Brundage Fox, Dora Belle Fox.

Signed in presence of F. A. Owen + J. N. Willis (See Record for Notaries Attest).

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 January Term 1913, was begun on Monday January 6, 1913 and was continued from day to day and is now on this 5<sup>th</sup> day of April 1913 adjourned without day.

John M. Brodnick  
Judge.



April Term

April 7, 1913.

The State of Ohio,  
County of Union, ss.

This separate session of the Court of Common Pleas,  
of the Fifth Judicial District, within and for the County of Union  
State of Ohio, for the April Term 1913, held in the Court House in  
the Village of Marysville, County and State aforesaid was begun  
on Monday April 7, 1913.

Present Honorable John M. Brodrick, Judge,  
John A. Laird, Sheriff.

Attest: John Stantshorn, Clerk.

Grand Jury Facial.

The Grand Jury Venire Facias heretofore issued was duly  
returned by the Sheriff on April 7, 1913, with his endorsement  
thereon as follows:

The State of Ohio, Union County, ss.

Sheriff's Office April 7, 1913

On the 1<sup>st</sup> day of March 1913, I received this venire and served  
the same on the several persons therein named, at the times and  
in the manner placed opposite their names endorsed hereon:

- |                       |               |         |          |
|-----------------------|---------------|---------|----------|
| 1. Edward Freshwater, | March 3, 1913 | By mail | 4 miles, |
| 2. Ed Young           | " " "         | " "     | 23 "     |
| 3. Clarence Fergus    | " " "         | " "     | 5 "      |
| 4. Tracy Hicks        | " " "         | " "     | 20 "     |
| 5. S. L. Halder       | " " "         | " "     | 13 "     |
| 6. Albert Burnham     | " " "         | " "     | 6 "      |
| 7. Roy Brown          | " " "         | " "     | 10 "     |
| 8. H. O. Gunder       | " " "         | " "     | 12 "     |
| 9. Huber De Good      | " " "         | " "     | 12 "     |
| 10. J. D. Mc Campbell | " " "         | " "     | 11 "     |
| 11. Jacob Schenderer  | " " "         | " "     | 9 "      |
| 12. Joe Morrison      | " " "         | " "     | 7 "      |
| 13. C. E. Curry       | " " "         | " "     | 8 "      |
| 14. J. A. Collins     | " " "         | " "     | 8 "      |
| 15. Jesse Harris      | " " "         | " "     | Accused  |

John A. Laird, Sheriff.

And upon calling the same in open court, all of the above  
named jurors appeared in answer thereto, except Jesse  
Harris. The panel being incomplete the Sheriff summoned as  
Palesman to complete the same, John Moore. The panel then  
being full, the Court appointed Albert Burnham, foreman  
of the Grand Jury, and he with his fellow-jurors took the  
oaths in the manner and form as prescribed by law,  
The said jury being instructed by the Court in relation to their  
duties, were conducted to their room attended by the Court  
Constable.



April 7, 1913

## Partial Report of Grand Jury.

To the Honorable John M. Brodrick, Judge.

The Grand Jury of the Court of Common Pleas of said County of the April Term, 1913, 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 11 witnesses, covering two cases, and presented no bills, and ignored two 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 conditions 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 provisions of law for the regulation of County jails has been violated.

Apr. 7, 1913.

Respectfully submitted,

Albert Burroughs, Foreman.

Court of Common Pleas, Union County, April 7, 1913.

Soldiers' Relief }  
Commission. }

It is ordered that Jeff L. Richey, 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.

## Oath of Office.

The State of Ohio, }  
Union County ss. }

Jeff L. Richey 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.

Signed: Jeff L. Richey.

Sworn to before me and signed in my presence this 11<sup>th</sup> day of April 1913.

John C. Hartshorn, Clerk of Court.

April 7, 1913.

In the Court of Common Pleas, Union County, Ohio

State of Ohio,  
Plaintiff

1436

vs

No. 1436.

J. A. Shackelford  
Defendant.

Prisoner

Discharged

No indictment having been found against Defendant, he is hereby discharged.

John M. Brodrick, Judge.

J. C. Blue,  
Plaintiff,

9313

vs

No. 9313.

The Erie Railroad Co,  
Defendant.

Dismissed

This day came the parties to this action by their respective attorneys; and it appearing to the Court that said parties have settled their contentions herein by compromise thereof, and that the costs in the premises have been fully paid.

It is considered and ordered by the Court that this cause be, and the same is hereby dismissed without record.

John M. Brodrick, Judge.

Edward E. Laughrey et al,  
Plaintiffs,

vs

No. 9420

Rose Scott et al.  
Defendants.

Leave granted defendants to file answer within 30 days.

Stewart Moody, by David Moody his guardian,  
Plaintiff

vs

No. 9352

Clark J. Atkinson, Defendant

Leave granted Plaintiff to file petition instant.

Ross Pinchart,  
Plaintiff

vs

No. 9280

Board of County Commissioners  
Defendant.

Leave granted Plaintiff to file amended petition within 30 days.

Court adjourned to April 8, 1913 at 9 a. m.



April 8, 1913

Tuesday April 8, 1913 - Court convened at 9 a. m.

Present Honorable John W. Brodrick, Judge.

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

E. H. Norris,

9297

Plaintiff.

vs

No. 9297.

W. L. Norris,

Judgment

Defendant.

This cause came on to be heard on the petition and the evidence. Upon consideration whereof the court find that the defendant, W. L. Norris, was duly served with a summons herein and that he is in default for answer and demurrer, and that the allegations of the petition are therefore confessed by him to be true.

The Court further find that there is due the plaintiff from the defendant, W. L. Norris, on the first cause of action herein the sum of \$182.85; that there is due the plaintiff from the defendant <sup>W. L. Norris</sup> on the second cause of action the sum of \$168.97; that there is due the plaintiff from the defendant, W. L. Norris, on the third cause of action the sum of \$177.33; that there is due the plaintiff from the defendant, W. L. Norris, on the fourth cause of action the sum of \$128.00; that there is due the plaintiff from the defendant, W. L. Norris, on the fifth cause of action the sum of \$45.30. wherefore,

It is considered and adjudged by the court, that the plaintiff recover and have judgment against the defendant in the sum of \$642.45 and his costs herein expended taxed at \$85 and execution is awarded therefor.

John W. Brodrick, Judge.

J. D. Coe,

Plaintiff.

vs

No. 9410.

9410

John J. Frober as Adm.  
Estate Wm Gibson, dec.

et al.

Defendants.

Judgment

This cause coming on for hearing upon the petition of the plaintiff, the answer of the defendant, John J. Frober as administrator of the estate of William Gibson, deceased, and upon the evidence. The Court find that all parties hereto have been duly served with a summons and, with the exception of the said John J. Frober as administrator as aforesaid, are in default for answer or demurrer, and the allegations of the petition are therefore confessed by them to be true, and that the plaintiff is entitled to a judgment upon the pleadings filed by said John J. Frober as administrator as aforesaid, and upon the evidence the Court find that on the 8th day of October 1911, one J. R. Thornton, then a Justice of the Peace, rendered a judgment in favor of the plaintiff against the defendant, Albert Gibson and Rila Gibson, and against the said William Gibson who was then in full life for the sum of \$277.67 and for costs and



April 8, 1913

that by mistake said J.R. Thornton entered said judgment upon his docket for but \$115.00 and costs, and that there remains due and unpaid on said judgment as rendered and by mistake not entered on the docket the sum of \$184.40, and that the original judgment indebtedness draw 8% interest, wherefore

It is ordered and adjudged that the plaintiff recover from the defendant herein the sum of \$184.40 and that said judgment draw interest from the first day of this term at the rate of 8% per annum, and that he recover his costs herein taxed at \$13.12.

And it being made to appear to the Court that the decedent of the said John J. Fraber, as administrator signed the note upon which said judgment was based as surety for his co-defendant, Albert Gisson, the Court find that the said Albert Gisson is a principal debtor and the said William Gisson is a surety on the above judgment and it is ordered the execution issue accordingly.

John M. Brodrick, Judge.

9430

Amos Smith,  
Plaintiff,

vs

No. 9430

Sam E. Luking,  
Annie Luking,  
Defendants.

Judgment

This day came the Plaintiff by Dudley E. Thornton Attorney: and filed his Petition against said Defendants Sam E. Luking and Annie Luking and there upon James E. Robinson one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants Sam E. Luking and Annie Luking and who by virtue of a Warrant of the Attorney for that purpose duly executed by said Defendant and now produced in open Court and duly proven, waived the issuing and service of process, and entered the appearance of said Defendants herein, and by virtue of the same warrant of Attorney, confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition, the sum of one hundred and forty (\$140) Dollars, \$140 bearing interest at eight percent from Dec. 21, 1912 and that said Plaintiff ought to recover of said defendants a judgment for that sum. It is therefore considered by the Court that said Amos Smith Plaintiff do recover from said Sam E. Luking and Annie Luking Defendants the sum of one hundred and forty Dollars \$140 so as aforesaid confessed to be due, together with said herein, to be taxed and with interest to be computed from the 21<sup>st</sup> day of December 1912, at the rate of eight percent 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 to April 9, 1913 at 9 a.m.



April 9, 1913

Wednesday April 9, 1913 - Court convened at 9 A.M.  
Present Honorable John M. Brodrick, Judge

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

The following Entry and Mandate from the Supreme Court was filed:

Supreme Court of the State of Ohio, January Term A.D. 1913  
To-wit: Tuesday March 25th,

13082  
The State of Ohio,  
City of Columbus  
George W. Mc Gee  
vs  
Frances E. Holsenpillar  
Guardian.  
from

No. 13082  
Error to the Circuit Court,  
Union County,

9370  
Dismissed

Supreme  
Court

This cause came on to be heard upon the transcript of the Record of the Circuit Court of Union County, and was argued by counsel. On consideration whereof, It is ordered and adjudged by this Court, that the judgment of the said Circuit Court be, and the same is hereby, affirmed; and it appearing 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 her 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 Court of Appeals of Union County, "for entry."

I, Frank E. Mc Teau, Clerk of the Supreme Court of Ohio, do certify that the foregoing entry is truly taken and correctly copied from the Journal of said Court.

Witness my hand and the seal of said Court this 1st day of April A.D. 1913.

Frank E. Mc Teau, Clerk  
By Seth H. Miller, Deputy

Supreme Court of Ohio,  
The State of Ohio,  
City of Columbus,  
To the Hon. Court of Common Pleas, within and for the  
County of Union, Ohio, Greeting:  
We do hereby command and you, that you proceed, without

April 9, 1913.

delay, to carry the within and foregoing judgment of our Supreme Court of Ohio, in the cause of George W. M. Lee vs Frances E. Hotse-  
filler, Guardian into execution, the Petition in Error herein and heretofore granted, to the contrary notwithstanding,

Witness, Frank E. M. Tean, Clerk of our said Supreme Court of Ohio, at Columbus, this 1<sup>st</sup> day of April A.D. 1913.

Frank E. M. Tean, Clerk.  
By Seba H. Miller, Deputy.

Filed April 7, 1913.

State of Ohio,  
ow rel Ira M. Dull,  
Plaintiff

9370

No. 9370

vs

O. R. Dixon,  
Defendant.

Dismissed

This day this cause came on to be heard on the motion of the Defendant to dismiss this action for want of prosecution. The Court on consideration, finds that the Plaintiff has failed to properly prosecute this cause, whereupon,

It is hereby ordered that this cause be, and the same is, dismissed, and that the Defendant go hence without day and recover from the Plaintiff his costs herein and that a record of this cause be dispensed with.

Court adjourned to April 15, 1913 at 9 A.M.



April 15, 1913.

Tuesday April 15, 1913 - Court convened at 9 A.M.  
 Present Honorable John M. Brodrick, Judge.

Petit Jury Venire.

The Venire Facias for Petit Jurors heretofore issued returned indorsed:

The State of Ohio, Union County ss.

Sheriff's Office March 1, 1913.

On the 1<sup>st</sup> day of March 1913, 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. Minor Foreman    | March 3, | By mail | _____ miles, |
| 2. Thomas Cashell   | " 3,     | " "     | "            |
| 3. Frank Andrews    | " 3,     | " "     | "            |
| 4. C. A. Butler     | " 3,     | " "     | "            |
| 5. Ben Beem         | " 3,     | " "     | "            |
| 6. Harry Inskeep    | " 3,     | " "     | 13 "         |
| 7. Fred Hilbert     | " 3,     | " "     | "            |
| 8. Lester Cline     | " 3,     | " "     | "            |
| 9. D. A. Clark      | " 3,     | " "     | "            |
| 10. W. H. Pence     | " 3,     | " "     | "            |
| 11. N. G. Dillow    | " 3,     | " "     | "            |
| 12. H. H. Beaver    | " 3,     | " "     | "            |
| 13. P. B. Welch     | " 3,     | " "     | "            |
| 14. Robert Fish     | " 3,     | " "     | "            |
| 15. M. L. Anderson  | " 3,     | " "     | "            |
| 16. W. E. Prickett  | " 3,     | " "     | "            |
| 17. Cal Liggett     | " 3,     | " "     | "            |
| 18. P. J. Robertson | " 3,     | " "     | 24 "         |

John N. Laird, Sheriff

9186  
 Dismissed  
 9426  
 Leave

Court adjourned to April 16, 1913 at 9 A.M.

April 16, 1913.

Wednesday April 16, 1913 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

Daniel M. Cuffey, Sons Co.,  
Plaintiff

vs

Bert Mathers,

Defendant.

No. 9186.

9186

Dismissed

This cause came on to be heard for non prosecution and was this 7<sup>th</sup> day of April dismissed at plaintiffs cost, without record.

Della L. Mulligan,  
Plaintiff,

vs

Merian C. Mulligan,

Defendant.

No. 9426

9426

Leave

Now comes F. J. Mulligan and Ida D. Mulligan, and ask leave to be made parties defendants in the above cause of action, and ask leave to file answer and cross petition *sic* instant both of which is granted.

Filed April 17, 1913.

L. A. Ridgeway,  
Plaintiff,

vs

Frank Dilsaver,

Defendant.

No. 9867.

This day came the defendant, and the plaintiff being in default for petition and the defendant having filed an answer and cross-petition and presented evidence and argument in case.

It is therefore considered that the defendant Frank Dilsaver, recover from the Plaintiff, L. A. Ridgeway, the sum of \$82.<sup>89</sup> and interest thereon from April 16, 1913 and costs herein taxed at \$

J. John M. Brodrick, Judge.



April 18, 1913.

Friday April 18, 1913 - Court convened at 9 a. m.

Present Honorable John M. Brodrick, Judge

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

Ida M. Wheeler,

Plaintiff

9433

vs

No. 9433.

Temp. Inf.

John Wheeler,

Defendant.

9288

Leave

I allow a temporary restraining Order in the above action, as prayed for in the plaintiff's petition, until the same can be further heard, an undertaking herein is dispensed with under the statutes of this state.

Done this 17 day of April 1913.

John M. Brodrick, Judge.

9289

The Bank of Marysville,

vs

Plaintiff.

9436

Willis Richman,

Rose Hostetter,

No. 9436.

Cognovit

Defendants.

Leave

This day came the Plaintiff by John L. Loughrey, attorney; and filed their Petition against said Defendants, Willis Richman and Rose Hostetter and thereupon A. H. Kellefrath, one of the attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendants, Willis Richman and Rose Hostetter 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 of 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 (\$200.00) Dollars bearing 8% 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 that said The Bank of Marysville Plaintiff do recover from said Willis Richman and Rose Hostetter, Defendants the said sum of Two Hundred Dollars (\$200.00) as as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 18th day of April 1913, at the rate of 8 per cent per annum. And by virtue of said warrant of attorney, all errors in this action judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

Court adjourned to April 23, 1913 at 9 a. m.

April 23, 1913.

Wednesday April 23, 1913 - Court convened at 9 A. M.  
Present Honorable John M. Brodrick, Judge.

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

Harry D. Shepard,  
Plaintiff

9288

vs

No. 9288.

Henry C. Shepard,  
Defendant.

Leave

This day leave of Court was granted to defendant to withdraw answer for the purpose of filing demurrer, and same filed instant.

John M. Brodrick, Judge.

William A. Shepard,  
Plaintiff.

9289

vs

No. 9289.

Henry C. Shepard,  
Defendant.

Leave

This day leave of Court was granted to defendant to withdraw answer for the purpose of filing demurrer, and same filed instant.

John M. Brodrick, Judge.

Court adjourned to May 2, 1913 at 9 A. M.



May 2, 1913

Friday May 2, 1913 - Court convened at 9 a.m.  
President Honorable John M. Brodrick, Judge.

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

James R. Fish,  
Plaintiff,

9439

vs

No. 9439

9426

Habeas

Frank Skidmore  
Anzetta Skidmore,  
Defendants.

Divorce

Corpus

On application of James R. Fish, It is ordered that a writ of Habeas Corpus to Frank Skidmore and Anzetta Skidmore commanding them to have the body of Leona Fish and Doris Fish, together with the day and cause of their detention, before this court forthwith.

James R. Fish,  
Plaintiff

9096

vs

No. 9096.

Dismissed

Cassie Fish,  
Defendant.

It is ordered by the Court that this cause be dismissed without prejudice at the cost of plaintiff. Without record.

9439

Decree

Court adjourned to May 3, 1913 at 9 a.m.

May 3, 1913

Saturday May 3, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Della L. Mulligan,  
Plaintiff

9426

vs

No. 9426.

Merriam C. Mulligan,  
Defendant.

Divorce

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, by publication of notice for six weeks in The Union County Journal a newspaper of general circulation throughout the County of Union, 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 April A.D. 1907, as alleged in said petition, and that there was born of said marriage one child, Ida Louise, who is now residing with her grandparents, F. J. & Ida S. Mulligan, and that the defendant has been guilty of Gross Neglect of Duty, as alleged in said petition; and that the plaintiff is therefore entitled to a divorce, as prayed for in said petition.

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

It is further ordered and decreed that the said F. J. & Ida S. Mulligan, who have been made parties defendant herein by their own request, and have asked for the custody of said child, be granted same and the custody, control, education and maintenance of said child, Ida Louise Mulligan is therefore decreed to said F. J. & Ida S. Mulligan.

It is further ordered and decreed that the said plaintiff be restored to her maiden name of Della L. Cannon. It is further ordered and decreed that the defendant pay the costs of this proceeding taxed at \$12.40, and that this case be recorded.

John M. Brodrick, Judge

James R. Fish,  
Plaintiff.

9439

vs

No. 9439.

Frank Skidmore,  
Amazette Skidmore,  
Defendants.

Decree

This day this cause came on to be heard on the petition and the evidence, and the Court being fully advised in the premises find that the said James R. Fish is entitled to the custody of the said Leona Fish and Doris Fish, and that they are unlawfully de-



May 3, 1913

tained by the said Frank Skidmore and Amazette Skidmore.

It is therefore ordered and adjudged that the said James R. Fish, the father of said Leona Fish and Doris Fish have the custody and control of said children as prayed for in the petition and application.

It is further ordered by the Court that said children be kept in charge of the Sheriff, with permission for him to leave them with the said Frank Skidmore and Amazette Skidmore until Thursday May 24, 1913 at 10 o'clock A.M. at which time the Sheriff shall deliver the said Leona Fish and Doris Fish to the said James R. Fish.

And the said Frank Skidmore and Amazette Skidmore are ordered to safely keep said children until said 24th day of May 1913, at 10 o'clock A.M. and then deliver them to the Sheriff without any further order herein. As to matter of costs this cause is continued until May 25th, 1913 at 10 o'clock A.M.

Approved: Cameron + Cameron for the Plaintiff,

Hoopes, Robinson + Hoopes. Defendants.

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 April 7, 1913 to May 3, 1913 at \$2.50 per day, 24 days amounting to \$60.00.

The Clerk will certify the amount to the Auditor of Union County, Ohio

John M. Brodrick, Judge.

Court adjourned to May 5, 1913 at 9 A.M.

May 5, 1913.

Monday May 5, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

9340

The State of Ohio,  
ex rel L. P. White,  
Plaintiff

vs

No. 9340

A. B. Justice,

Dismissed

Defendant.

This day came the attorneys for the Plaintiff, paid the costs and dismissed this action without record.

9341

The State of Ohio,  
ex rel L. P. White,  
Plaintiff,

vs

No. 9341.

Dismissed

Mary E. Justice,

Defendant.

This day came the attorneys for the Plaintiff, paid the costs and dismissed this action without record.

Court adjourned to May 6, 1913 at 9 a. m.



May 6, 1913.

Tuesday May 6, 1913 - Court convened at 9 A.M.

Present Honorable John M. Brodrick, Judge.

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

George W. Worden,  
Plaintiff.

9422

vs

Eric Railroad Co.,

No. 9422.

9442

Settled

Defendant.

This day came the parties by their respective attorneys, and thereupon, it being made to appear to the Court that the Plaintiff has deceased since the filing of the appeal herein, and that the Administratrix of Plaintiff's estate and the Defendant have fully settled and adjusted Plaintiff's alleged claim herein, and further that the costs in this behalf taxed have been fully paid, therefore,

It is considered and ordered by the Court that this action be, and the same is hereby, dismissed without record.

Approved: A. B. Simons Atty for Plaintiff  
James M. Campbell " Defendant

John M. Brodrick, Judge.

Temp. Inf.

The Straus Brothers Co.,  
Plaintiff.

9393

vs

James Sparkes,  
Janie Sparkes,

No. 9393.

Distribution

Defendants.

This cause coming on for hearing upon the supplementary petition of the Plaintiff, the evidence and argument of counsel, and upon consideration whereof find that subsequent to the filing of the petition herein, to wit on the 11<sup>th</sup> day of February, 1913, the premises described in said petition were sold by the Treasurer of Union County, Ohio, to Charles H. Wiltzie for taxes for the sum of \$144.02, that on the day of February 1913, said premises were transferred to the Charles H. Wiltzie on the tax duplicate of Union County, Ohio, by Charles A. Monlock, Auditor of Union County; that by reason of the pendency of this action at the time of said tax sale the said Charles H. Wiltzie is charged with notice thereof and is bound by the findings of the Court herein; that there is due the said Charles H. Wiltzie upon said tax sale the sum of \$144.02 with interest at the rate of 6% per annum from the 11<sup>th</sup> day of February 1913.

It is therefore ordered and adjudged by the Court that the said Charles H. Wiltzie be made a party; that out of the proceeds of the sale of said premises under this proceeding the Sheriff pay to the Clerk of this Court the sum of \$144.02 with interest at 6% per annum from the 11<sup>th</sup> day of February 1913 to the 6<sup>th</sup> day of May; that upon the payment thereof the title to said premises be quieted against the said Charles H. Wiltzie, his heirs and assigns.

Court adjourned to May 8, 1913 at 9 A.M.

John M. Brodrick, Judge.

May 8, 1913.

Thursday May 8, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge

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

Kettie M. Seig,  
Plaintiff

9442

vs

William Scott,  
Louis Aller,

No. 9442.

Temp. Inf.

Defendants.

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, \$500.00.

Done this 8<sup>th</sup> day of May 1913.

John M. Brodrick, Judge.

Court adjourned to May 16, 1913 at 9 a. m.



May 16, 1913

Friday May 16, 1913 - Court convened at 9 A. M.  
Present Honorable John M. Brodrick, Judge

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

George Beecher  
Plaintiff

vs

No. 9414.

Judgment

Edward Rogers,  
Belle Rogers,  
Defendants.

Decree

7

Divorce

This cause came on to be heard on the plaintiff's petition and evidence all the defendants being in default of answer or demurrer, although duly served with process; on consideration whereof the Court finds that the plaintiff has a legal estate in, and is entitled to the immediate possession of, the real property described in the petition, and that the defendants have <sup>unlawfully</sup> ~~unlawfully~~ kept him out of the same as alleged in the petition:

It is therefore adjudged and decreed that the said plaintiff recover from the said defendants the title and possession of the real property described in the petition and also the costs of this suit. Judgment is rendered against the defendants for the costs herein: Ordered that so much of this decree as is necessary to show the change of the title to said property, with the description thereof be certified to the Recorder of said County for record.

John M. Brodrick, Judgment.

O. P. Lenox  
Mrs C. Woolard,  
Plaintiffs

vs

No. 9429

Leave

The Erie Railroad Co.,  
Defendant.

This day leave was granted Defendant to file motion within 10 days.

May 17, 1913.

Saturday May 17, 1913 - Court convened at 9 A.M.  
Present Honorable John M. Brodrick, Judge.

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

Effie Burke,  
Plaintiff,

vs

Willis Burke,

No. 9425.

of

Defendant.

Divorce

This cause came on this day to be heard on the petition, the answer of the defendant, Willis Burke, and the evidence, and on consideration thereof, the Court find that the plaintiff at the time of filing her petition, had been a resident of the State of Ohio, for one year next preceding the same, and was at that time a bona fide resident of this County of Union. The Court further find, upon the evidence adduced, that the Defendant has been guilty of habitual drunkenness and extreme cruelty as charged 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 Effie Burke and Willis Burke 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 Plaintiff exclusively. But it is hereby ordered that the Defendant have the privilege of visiting said children on all reasonable occasions.

John M. Brodrick, Judge.

Court adjourned to May 18, 1913 at 4 P.M.



May 18, 1913.

Sunday May 18, 1913 - Court convened at 4 P. M.  
 Present Honorable John M. Prodrick, Judge.

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

Temp  
 Injunction  
 John H. Willis, as Trustee  
 for A. Davis,  
 Plaintiff,  
 vs  
 A. Davis,  
 G. Davis,  
 Defendants.

No. 9446.

Judgment  
 Reversed

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 and undertaking, conditioned according to law, to the satisfaction of the Clerk of this Court, in the sum of Five Hundred Dollars (\$500.00).

Done this 18th day of May, 1913.

John M. Prodrick, Judge.

Filed May 19, 1913.

Confirmation  
 Distribution  
 Joseph Welch,  
 Plaintiff,  
 vs  
 Heber Welch et al,  
 Defendants.

No. 9361.

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 consideration of the proceedings of said Sheriff being satisfied that the same have been in all respects in conformity to law and the order of the Court,

It is ordered that the said proceedings and sale be, and they are hereby approved and confirmed. And it is further ordered that the Sheriff convey to the purchaser, Frank B. Courter, 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, as 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 mortgages herein sued on to be entered on the records in the office of the Recorder of Union County. And the Court coming now to distribute the proceeds of said sale, amounting to \$4902.00, it is ordered that the Sheriff out of the money in his hands pay: First - To the Treasurer of this County, taxes, assessments and penalties and interest against said property, to-wit, the sum of \$634.50

Second - The costs of this action including an attorney fee to Hoopes, Robinson + Hoopes of \$216.08, taxed at \$305.21. (Continued on page 93)

Alimony

Court adjourned to May 22, 1913 at 9 A. M.

May 22, 1913.

Thursday May 22, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

James Dolan,  
Plaintiff in Error,

vs

No. 1438.

Judgment

The State of Ohio,  
Defendant in Error.

Reversed

Upon motion leave is granted to file a petition in error herein, and therefore by consent of all parties and attorneys, the cause came on to be heard upon the petition in error and was argued by counsel. In consideration whereof the Court finds there was no information filed herein as required by law, and that for this reason the Court had not jurisdiction in the premises.

It is therefore considered by the Court that the judgment below be reversed at the cost of the defendant in error and Plaintiff in error is discharged and released from custody.

John M. Brodrick, Judge.

No. 9361 -

(Continued from page 92.)

Third: - To the defendant, the Union Central Life Insurance, the amount of its lien with interest, to-wit, the sum of \$1049.17.

Fourth: To the Defendants Hiram and Jane Crottinger, the amount of their mortgage lien with interest, to-wit, the sum of 1060.65. As to all further matters of distribution this cause is continued for further order of the Court.

OK.

John M. Brodrick, Judge.

Filed May 20, 1913

Lizzie Black,  
Plaintiff

vs

No. 9427.

Geo. M. Black,  
Defendant.

Alimony

This cause came on for hearing upon the motion of the plaintiff for the allowance of alimony pending the hearing of this cause upon its merits, and same was presented upon affidavits and argument of counsel upon consideration whereof the Court find the plaintiff is entitled such an allowance and that the sum of One Hundred Dollars is a reasonable sum. Therefore it is ordered and adjudged that the Defendant pay to the plaintiff on or before evening of the 21<sup>st</sup> day of May, 1913 the sum of One Hundred Dollars.

Court adjourned to May 24, 1913 at 9 a. m.

Approved:  
Cameron & Cameron  
Hoopes Robinson & Hoopes.



May 24, 1913.

Saturday May 24 1913 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

Office of the Sheriff of Union County, Ohio,  
Mansfield Ohio, May 23, 1913.

I hereby certify that I have this day appointed Charles Diggitt to the position of Deputy Sheriff in my Office of Sheriff of said County, said appointment to take effect on the approval of the Court of Common Pleas of said Union County Ohio, according to the Statutes of Ohio, Sec. 1209.

Deputy Sheriff Approved May 24, 1913

John N. Laird, Sheriff

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

State of Ohio,  
Union County, ss.

I, Charles Diggitt, 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 Sheriff of Union County, Ohio, during my continuance in office.

Chas. Diggitt.

Sworn to and subscribed in my presence this 30<sup>th</sup> day of May 1913.

John C. Hartshorn, Clerk.

O. F. Carnean,  
Plaintiff.

Finding

vs

No. 9427

J. F. Stallsmith,  
Defendant.

This cause coming on to be heard upon the pleadings, and it appearing that the Defendant, J. F. Stallsmith, has been duly and legally served with process, and that he is in default for answer or demurrer.

It is therefore considered by the Court that the allegations in plaintiff's petition contained are confessed by said Defendant to be true, and the Court so accordingly finds.

And the Court deeming it necessary, orders that the assessment of damages be referred to a jury to ascertain and assess the same.

John M. Brodrick, Judge.

Jury

Commission

Adminis.

Allowance

Leave

May 24, 1913.

In the Court of Common Pleas, Union County, Ohio

Jury  
In the Matter of  
Appointment of  
Jury Commission

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 Sub-Division of the Tenth Judicial District of Ohio, does hereby appoint Erwin T. Jones, Cad Priest, Homer Southard and Thomas Connor, four judicious freeholders, electors as Commissioners of Jurors in and for Union County, Ohio, to serve until their successors are appointed and qualified.

It is further ordered that said Commissioners meet in the Office of the County Auditor, on Monday May 26, 1913 at 10 o'clock A.M. and upon oath select 200 judicious and discreet persons having the qualifications of Electors of said County, to serve as Jurors, said persons to be selected as nearly as possible, from the several Wards and Townships of said County in proportion to their respective population.

Done this 24th day of May 1913.

John M. Brodrick, Judge.

Joseph Melch,  
Plaintiff

Adminis

vs

No. 9361.

Heber Melch et al,

Defendants.

Allowance

This cause came on for hearing on the motion of B. L. Robinson, as Administrator of the estate of Maria Melch, deceased, was argued by counsel and submitted to the Court and upon consideration whereof the Court finds said motion well taken and sustains the same.

It is therefore ordered that the Sheriff out of the proceeds of the sale of the premises in said partition proceedings, there to be paid to said B. L. Robinson, as administrator of the estate of Maria Melch, deceased, the sum of \$100.00 according to law.

John M. Brodrick, Judge.

Ross Rinehart,  
Plaintiff,

Leave

vs

No. 9280.

County Commissioners,

Defendant.

This day leave is granted Plaintiff to file second amended Petition instant and the same filed.

Court adjourned to May 27, 1913 at 9 A.M.



May 27, 1913

Tuesday May 27, 1913 - Court convened at 9 a. m.

Present Honorable John W. Brodrick, Judge

In the Court of Common Pleas, Union County, Ohio

Joseph Welch,  
Plaintiff,

vs

No. 9361.

Distribution

Heber Welch et al,  
Defendants.

This cause coming on for hearing upon the answer and cross petition of J. L. Cameron and J. E. Strayer, the application for an allowance in lieu of a homestead by Richard D. Welch, the assignment of Elizabeth Chenoweth to Daniel Perry, and the supplemental petition of the plaintiff, and same having been heard upon the evidence and argument of counsel, the Court on consideration thereof find:

First - That the Plaintiff and Defendants are in default for answer or demurrer to the answer and cross-petition of J. L. Cameron and J. E. Strayer, and the allegations thereof confessed by them to be true.

It is therefore considered by the Court that the Sheriff pay to the said J. L. Cameron and J. E. Strayer out of the share of the said Heber Welch of the proceeds of the sale of said premises \$11462.

Second -

That the defendant, Lizzie Chenoweth, has assigned \$9000 out of her share of the proceeds of sale of said premises to one Daniel Perry.

It is therefore considered by the Court that the Sheriff pay to the said Daniel Perry out of the share of the said Lizzie Chenoweth, of the proceeds of the sale of said premises said sum of \$9000.

Third - That the defendants are in default for answer or demurrer to the supplemental petition of plaintiff herein and that the allegations thereof are therefore confessed by them to be true.

It is therefore considered by the Court that the defendant, Heber Welch, subsequent to the filing of the petition herein executed a quit claim deed to his share of said premises to one C. D. Ferguson, and that the Defendant, Scott Welch, subsequent to the filing of the petition herein, executed a quit claim deed to his share of said premises to one Edith Greentbaum; that by reason of the fact that this action was pending at the time of the execution of each of said deeds, both of said grantees are charged with the notice of same and are bound by the order of the Court herein. The Court therefore orders the Sheriff to pay to the said C. D. Ferguson the balance of the share of the said Heber Welch, after the payment to the said J. L. Cameron and J. E. Strayer of said sum of money heretofore found due them; and to pay to the said Edith Greentbaum the whole of the share of Scott Welch herein.

Fourth - That the defendant, Richard D. Welch, is entitled to an

Judgment



May 27, 1913

allowance in lieu of a homestead as set out in said application therefor.

It is therefore ordered by the Court that the Sheriff pay to the said Richard D. Welch out of his share of the proceeds of said sale a sum not to exceed \$500.00, in lieu of a homestead.

And the Court coming now to distribute the balance of the proceeds of said sale, amounting to \$2423.42, it is ordered that the Sheriff out of the money in his hands pay: First - To B.L. Robinson, as administrator of the estate of Maria C. Welch, deceased the sum of \$150.00, Second: To Joseph Welch the sum of \$454.69, Third: To Richard D. Welch the sum of \$454.69, Fourth: To Daniel Parry the sum of \$90.00, Fifth: To Lizzie Chewonith the sum of \$364.69, Sixth: To J.L. Cameron and J.E. Strayer \$114.62, Seventh: To C.D. Ferguson \$340.00, Eighth: To Edith Greenbaum \$454.69.

At John M. Brodick, Judge.

Isaac E. Smith, Plaintiff

vs  
B.L. Cordrey,  
Henry W. Cordrey,  
Harry S. Hale, Defendants.

No. 9478.

Judgment

This day came the Plaintiff by his attorneys, also came Richard L. Cameron, 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 Five Hundred and Forty-seven and 88/100 Dollars; and also released and waived all exceptions, errors and rights of appeal herein.

It is therefore considered by the Court that the said Plaintiff recover from said Defendants, the said sum of Five Hundred and Forty-seven and 88/100 Dollars, together with his costs herein expended, taxed at \$5.00.

James, P. Fish, Plaintiff

vs  
Frank Skidmore et al Def.

No. 9489

The order of this Court having been complied with, this cause is dismissed without record at cost of plaintiff.

Court adjourned to May 28, 1913 at 9 a.m.



May 28, 1913

Wednesday May 28, 1913 - Court convened at 9 A.M.  
Present Honorable John M. Prodrick, Judge.

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

Samuel Benton,  
Plaintiff,

vs

W. P. Hildreth et al,

No. 9372

Distribution

Defendants.

This day this cause came on to be heard upon the report and return of Cad Price, receiver, and for distribution of the moneys yet in his hands, and the same was submitted to the Court, on consideration whereof the Court therefore approves and confirms the same, and it appearing to the Court that there is a balance yet in the hands of said receiver of \$1144.58.

It is ordered that said receiver pay: First - To the Treasurer of Union County, \$15.30 as taxes on said chattel property for the year 1912, listed in the name of W. P. Hildreth; Second - To the Clerk of this Court the costs of this proceeding amounting to \$41.98; Third - To Samuel Benton \$319.50; To John C. Hoover \$56.45; To Arthur Webb \$42.72; To the John Wildi Evaporated Milk Co., \$661.56; and to Kintner and Rudy \$72.7. And it appearing that there is a further sum of \$1237.02 due to the Defendant, Samuel Benton, from the said W. P. Hildreth.

Judgments

It is ordered and adjudged that the said Samuel Benton recover of the said W. P. Hildreth the said sum of \$1237.02, and in default of payment that execution be issued therefor as upon judgments at law.

And it appearing that there is further sum of \$164.71 due the Defendant, John C. Hoover, from the said W. P. Hildreth,

It is ordered and adjudged that the said John C. Hoover recover of said W. P. Hildreth the said sum of \$164.71, and in default of payment that execution be issued therefor as upon judgments at law.

And it appearing that there is a further sum of \$73.62, due the Defendant, Arthur Webb, from the said W. P. Hildreth and Adell M. Hildreth

It is ordered and adjudged that the said Arthur Webb recover of said W. P. Hildreth and Adell M. Hildreth, the said sum of \$73.62, and in default of payment that execution be issued therefor as upon judgments at law.

And it appearing that there is a further sum of \$972.4 due The John Wildi Evaporated Milk Co, from the said W. P. Hildreth, and Adell M. Hildreth,

It is ordered and adjudged that the said The John Wildi Evaporated Milk Co. recover of the said W. P. Hildreth and Adell M. Hildreth the said sum of \$972.4, and in default of payment that execution be issued therefor as upon judgments at law.

Approved: John H. Willis, Atty for Samuel Benton + W. P. Hildreth.

Cameron + Cameron, Atty for The John Wildi Evaporated Milk Co.

John L. Longhrey, Atty for John Wildi Evap. Milk Co. + Arthur Webb.

Court adjourned to May 30, 1913 at 9 A.M.

Confirma

Judgment



May 30, 1913.

Friday May 30, 1913 - Court convened at 9 a.m.  
 Present Honorable John M. Brodnick, Judge.

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

The Straus Brothers Company,  
 Plaintiff

Confirmation

vs

No. 9393.

James Sparks & Jamie Sparks,  
 Defendants.

Judgment

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 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 appearing to the Court that the Plaintiff is the purchaser of said premises and that its lien thereon after the payment of costs and the taxes is the first and best lien on said premises and that said premises did not sell for sufficient money to satisfy said lien, It is ordered that upon the payment to the Sheriff of the costs herein taxed at \$41.10 and the tax lien of the defendant, Charles H. Wiltsie, amounting to \$146.51, that the said Sheriff convey to the purchaser, the said The Straus Brothers 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 record thereof in the office of the Recorder of Union County, Ohio. And there still remaining due to the said The Straus Brothers Company on the the judgment heretofore rendered in this cause the sum of \$268.75,

It is considered that he recover the same from the Defendant James Sparks and execution is awarded therefor.

Attest, John M. Brodnick, Judge.

Court adjourned to June 5, 1913 at 9 a.m.



June 5, 1913.

Thursday June 5, 1913 - 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  
 Additional Allowance  
 for Deputy Hire in  
 the Office of Clerk  
 of Courts, Union County, Ohio.

This day came John C. Hartshorn, Clerk of Courts 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, as such Judge of the Common Pleas Court of said County wherein said Clerk was elected. On consideration whereof the said John M. Brodrick as such Judge aforesaid, finds that the allowance by County Commissioners has been exhausted and that under the General Code of Ohio, it is necessary for an allowance of Two Hundred, Forty-six and 98/100 Dollars (\$246.98) for Deputy Hire for said Office, for the year 1913.

It is therefore considered and ordered by said John M. Brodrick, Judge of said Court, that there be, and hereby is allowed to said Clerk of Courts Office of Union County, Ohio, an additional allowance of Two Hundred, Forty-six and 98/100 Dollars (\$246.98), under provisions of Sec. 2980-1 of the General Code of Ohio.

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

Filed May 24, 1913

Samuel Trout et al.  
 Plaintiffs

vs

Ida C. Sanderson et al.  
 Defendants.

No. 9431.

On Motion

This cause coming on this day for hearing upon the motion of the defendants to require plaintiffs to separately state and number the causes of action in plaintiffs petition, the Court, on consideration thereof, overrules same, and grants defendants ten days from the date hereof to plead.





June 11, 1913

Friday June 11, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Prodrick, Judge

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

John H. Willis, as Trustee  
for A. Davis,  
Plaintiff

No. 9446.

9446

vs

Dismissed

A. Davis and G. Davis

Defendants.

This day came the Plaintiff, paid the costs and dismissed  
this action without record.

Court adjourned to June 14, 1913 at 9 a. m.

June 9, 1913

Monday June 9, 1913 - Court convened at 9 a. m.

Present Honorable John M. Brodrick, Judge.

Grand Jury.

Pursuant to adjournment, the Grand Jury for the April Term 1913 met at the call of the Prosecuting Attorney. Upon calling the names in open court the following jurors were found present: Ed Freshwater, Ed Young, Clarence Fergus, Tracy Hicks, S. L. Stalder, Albert Buruhaw, Roy Brown, H. O. Gunder, Huber De God, Jacob Scheidner, Joe Morrison and C. E. Curry. The panel being incomplete by order of the Court, the Sheriff summoned as talesmen to complete the same the following named persons, who appeared in answer thereto, to-wit: John Moon, C. D. Webb and N. W. Converse. The panel being full Albert Buruhaw, hitherto appointed acted as foreman, talesmen took the oaths in manner and form as prescribed by law; the jury were then conducted to their room by the Sheriff.

This day appeared at the bar of this court the Grand Jury heretofore impaneled and sworn, and for the body of the county aforesaid and presented to the court, through their foreman, Albert Buruhaw, their certain bill of indictment against Walter Wacker for rape on a female person under the age of 16 years, <sup>indorsed</sup> "A True Bill" Albert Buruhaw, Foreman, of the Grand Jury.

And also their certain other bill of indictment against C. R. Wiant for Rape on a female person under the age of 16 years, indorse "A True Bill" Albert Buruhaw, Foreman of Grand Jury.

And their being no further business for the Grand Jury, at present they were adjourned to meet at the call of the Prosecuting Attorney. The Grand Jury also present the following partial report:

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 1913, 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 24 witnesses, covering four cases, and presented three bills, and ignored one, cases considered by us. The business has been transacted in an expeditious a manner as possible,

June 9, 1913.

Respectfully submitted,

Albert Buruhaw, Foreman,

Court adjourned to June 11, 1913 at 9 a. m.



June 14, 1913.

Saturday June 14, 1913 - Court convened at 9 A. M.  
 Present Honorable John M. Brodrick, Judge.

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

1441

State of Ohio,  
 Plaintiff  
 vs  
 Walter Wacker,  
 Defendant.

No. 1441  
 Indictment for Rape.

Sentence

Now comes the Prosecuting Attorney, on behalf of the state of Ohio, and the defendant being brought into court in the custody of the Sheriff, and arraigned upon said indictment, for plea thereto, saith he is "guilty"; and thereupon it appearing to the Court that said Walter Wacker is but 21 years of age, and deeming him amenable to reformatory methods; and after hearing testimony and being fully advised in the premises it is ordered and adjudged by the Court that the said Walter Wacker be imprisoned and confined in the Ohio State Reformatory at Mansfield Ohio, and kept at hard labor, but without any solitary confinement; there to be kept until legally discharged; and that he pay the costs of prosecution taxed at \$27.00 for which execution is awarded, and that he stand committed to the Jail of the County until such costs are fully paid. And it further appearing to the Court from the evidence adduced, that said defendant has never before been imprisoned for crime, either in this state or elsewhere, and it further appearing to the satisfaction of the Court that the character of the defendant and circumstances of the case are such that he is not likely to engage in an offensive course of conduct and that the public good does not demand or require that he shall suffer the penalty imposed by law, it is ordered by the Court that the execution of said sentence be suspended and that the defendant be placed on probation in the manner provided by law.

John M. Brodrick, Judge.

State of Ohio,  
 Plaintiff,  
 vs

No. 1442  
 Indictment for Rape.

C. R. Wiant,  
 Defendant.

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into court in the custody of the Sheriff, and arraigned upon said indictment, for plea thereto, saith he is "guilty"; and thereupon it appearing to the Court that said C. R. Wiant is but 20 years of age, and deeming him amenable to reformatory methods; and after hearing testimony and being fully advised in the premises it is ordered and adjudged by the Court that the said C. R. Wiant be imprisoned and confined in the Ohio State Reformatory at Mansfield Ohio, and kept at hard labor, but

Plea

June 14, 1913

Sentence

without any solitary confinement, there to be kept until legally discharged and that he pay the costs of this prosecution hereto taxed at \$ 27<sup>35</sup> for which execution is awarded, and that he stand committed to the jail of this County until such costs are fully paid. And it appearing to the Court from the evidence adduced, that said defendant has never before been imprisoned for crime, either in this state or elsewhere, and it further appearing to the satisfaction of the Court that the character of the defendant and circumstances of the case are such that he is not likely again to engage in an offensive course of conduct and that the public good does not demand or require that he shall suffer the penalty imposed by law, it is ordered by the Court that the defendant be placed execution of said sentence be suspended and that the defendant be placed on probation in the manner provided by law.

John M. Brodnick, Judge.

Court adjourned to June 21, 1913 at 9 a.m.



June 21, 1913

Saturday June 21, 1913 - Court convened at 9 A. M.  
 Present Honorable John M. Brodrick, Judge.

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

James S. Wagner,  
 Plaintiff

Will

vs

No. 9371

Minnie Breiston et al  
 Defendants.

Continued This day this cause came on to be heard upon the petition herein, and the answer and cross-petition of Nancy J. Fogle and the answer of the defendants William Wagner Jr, John F. Wagner, Bertie Stewart, Clifton Stewart, Allie Fry, Marion W. Fry, C. W. Gordon, Laura B. Gordon, Effie Gordon, and George S. Gordon, and the Court having heard the evidence and arguments of counsel herein finds that <sup>all</sup> the parties hereto have either been served with summons or have waived the issuing and service of summons, and that except as mentioned above they are in default for demurrer or answer to the plaintiff's petition herein.

The Court finds that the said William Wagner died seized of the lands described in the plaintiff's petition herein, and that he left a will as therein set forth, and that the plaintiff and defendants herein are all the devisees and parties in interest, in and to said lands, under said will of the said William Wagner, deceased.

The Court finds that the children and devisees of the said William Wagner, deceased, have since the death of the said William Wagner caused the said lands to be surveyed and divided according to the directions of said will and they have received and entered into possession of their several tracts as in the petition set forth.

The Court finds and decrees upon careful consideration of all the items of said will and of the eighth and ninth items thereof taken in connection of the balance of said will, to be as follows, to-wit: the true intention and construction of said will that the estate of which he should die seized should be held intact by his widow during her life, and after payment of her debts and funeral expenses, and on final settlement of his estate by his executors, there should be a final division of all his property among his children, but that if any of his children should have died prior to such final division, without leaving an heir or heirs of his body then the share of such child to pass equally among his other children, but all of his children were living at the time of such final division, or such as were living at that time and the heirs of the body of any who might be deceased, took an absolute estate in fee simple in the real estate and absolute possession of the personal property under the provision of said will. The Court therefore finds that the time for said final division having passed and said final division having been made according to the provisions of said will as in the petition set forth, that the several heirs each took possession of the various tracts as set forth in said petition and are now the owners of an absolute and unconditional estate

June 21, 1913.

in fee simple in their several tracts as in said petition set forth.

The Court therefore finds that the said James D. Wagner plaintiff herein and the said Nancy J. Fogle defendants, who filed her answer and cross petition herein are entitled to the relief prayed for and that by the terms of said will they each have an indefeasible estate in fee simple in their said tracts as in the petition and cross-petition set forth and it is ordered and decreed that their title thereto be quieted as to all claims or claims of the defendants herein which they may now or hereafter claim by reason of said will.

It is further ordered that each party to this action shall pay his own costs.

To all of which findings and orders the answering defendants excepted and a notice of appeal having been given by said Defendants, the bond for said appeal is fixed in the sum of Three Hundred Dollars.

Cameron + Cameron, Attorneys  
for the Plaintiff, Minnie Crinmon  
and Nancy J. Fogle.  
John F. Millie, Attorney for  
other answering Defendants.

Court adjourned to June 24, 1913 at 9 a.m.



June 24, 1913

Tuesday June 24, 1913 - Court convened at 9 A.M.  
 Present Honorable John M. Prodrick, Judge.

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

Sarepta G. Watson,  
 Plaintiff,

vs

No. 9357.

Trial

Harvey S. Porter,  
 Defendant.

Trial

This day came the parties herein, by their attorneys; also came the following named persons as jurors, to wit: Thomas Bushell, Ben Beeler, Henry Suskeep, Fred Wilbur, Lester Cline, A. G. Dillow, P. B. Welch, Robert Fish, W. J. Prickett, Cal Diggert, J. T. Robertson and Joseph Poff who were duly impaneled and sworn according to law; and thereupon the case came on for hearing on the pleadings and the evidence. The jury having heard the testimony in part, and the hour for adjournment having arrived, said cause was continued until to-morrow morning at 9 o'clock.

State of Ohio,  
 Plaintiff

vs

No. 1430

Continued

Geneva Thompson,  
 Defendant.

This cause is continued until next term of Court under the same bond.

Court adjourned to June 25, 1913 at 9 A.M.

June 25, 1913

Wednesday June 25, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge

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

Sarepta G. Watson,  
Plaintiff

vs

No. 9357.

Harvey St. Porter,  
Defendant.

Trial

This day again came the parties by their attorneys, and also the jury heretofore impaneled and sworn and the trial proceeded. And the jury having heard the testimony in part and the hour for adjournment having arrived, said cause is continued until to-morrow morning at 9 o'clock.

also  
Cushell,  
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Court

Court adjourned to June 26, 1913 at 9 a. m.



June 26, 1913

Thursday June 26, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Sarepta G. Watson,  
 Plaintiff

vs

No. 9357.

Trial

Harvey N. Porter,  
 Defendant.

This day again came the parties herein, by their attorneys and also the jury heretofore impaneled and sworn and the trial proceeded. On motion of the attorneys for the parties herein, a settlement having been made, the jury was discharged from the hearing of the case.

Parties

Ordered

Sarepta G. Watson,  
 Plaintiff,

vs

No. 9357.

Settled

Harvey N. Porter,  
 Defendant.

This day came the parties and by leave of the Court a juror was withdrawn from the panel and this cause dismissed at the cost of the Plaintiff.

Approved: Hoopes, Robinson + Hoopes for Defendant.  
 Cameron + Cameron for the Plaintiff.

Pearl M. Shoy et al,  
 Plaintiffs,

vs

No. 9435.

Guardian

Sarah A. M. Shoy et al,  
 Defendants.

ad litem

It appearing to the Court that Rura S. M. Shoy, a minor defendant, has been duly served with summons, and that said Rura S. M. Shoy is of the age of seventeen years and has not applied for the appointment of a guardian ad litem, although more than twenty days have elapsed since the return of said summons served upon her. On the application of the plaintiff

It is ordered that F. A. Thompson be appointed guardian ad litem for said minor defendant, and thereupon said F. A. Thompson accept said appointment.

At John M. Brodrick, Judge.

June 26, 1913

Pearl M. Shroy et al,  
Plaintiffs

vs  
Sarah A. M. Shroy et al,  
Defendants.

No. 9435.

Partition

Ordered

Now this cause coming on to be heard on the petition of the plaintiffs, Pearl M. Shroy and Emma S. M. Shroy, his wife, the answer of the widow, Sarah A. M. Shroy and Lura S. M. Shroy, by F.W. Thompson guardian ad litem, that all of the other defendants have had due and legal notice of the pendency and demand of the said petition and they are in default for answer thereto. Whereupon the Court further find that the plaintiff and the defendants hereinafter named are tenants in common in the estate described in the petition; and that the said Sarah A. M. Shroy, widow is entitled is entitled to dower therein, and that subject thereto, the plaintiff, Pearl M. Shroy has a legal right to the one-fifth part thereof; the defendants, Minnie B. M. Shroy, Leo S. M. Shroy, Louis G. M. Shroy and Lura S. M. Shroy each have a legal right to the one-fifth 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 the dower therein be paid to Sarah A. M. Shroy in money according to her age, as prayed for in her answer, and J.W. Smith, H.S. Flickinger and George Tanskiwer, three judicious and disinterested freeholders of the vicinity are hereby appointed commissioners to make and set off same.

And it is ordered that if said estate is entire and cannot be divided by metes and bounds and that said estate be appraised free from such dower interest of widow,

John M. Brodrick, Judge.

Court adjourned to June 27, 1913 at 9 A.M.



June 27, 1913

Friday June 27, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Prodrick, Judge.

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

John A. Potts,  
Hattie Potts,  
Plaintiffs,

No. 9312.

vs  
Laura M<sup>c</sup>Entire,  
Defendant.

Trial

This day came the parties herein by their attorneys, also came the following named persons as jurors, to-wit: Thomas Cashell, Frank Andrews, C. A. Butler, Ben Beem, Henry Suskeep, Fred Hilbert, D. A. Clark, St. G. Dillon, F. B. Welch, W. J. Prickett, Cal Riggert and J. T. Robertson, who were duly impaneled and sworn according to law, and thereupon the case came on for hearing on the pleadings and the evidence, and after hearing the evidence, argument and charge of the Court, the jury retired to their room in charge of the sheriff, for deliberation.

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

Verdict

'That the jury, being duly impaneled and sworn and affirmed, find the issues in this case in favor of the Plaintiffs, and assess the amount due to the Plaintiff from the Defendant, Two Hundred Dollars (\$200) with interest at 6% to date (\$16.43) in all \$216.43.

Dated June 27, 1913

W. E. Prickett, Foreman.

Filed July 1, 1913.

John A. Potts,  
Hattie Potts,  
Plaintiffs

No. 9312.

vs  
Laura M<sup>c</sup>Entire,  
Defendant.

Judgment

The jury in this action, having on a former day of this term, rendered a verdict for the plaintiffs, and assessed their damages at \$216.43 and no motion for a new trial having been made;

It is therefore considered by the Court that the said John A. Potts and Hattie Potts recover from the said Laura M<sup>c</sup>Entire the said sum of Two Hundred, sixteen and 43/100 Dollars together with their costs herein expended.

Approved: John H. Willis, Atty for Defendant  
Hooper, Robinson & Hooper, Atty for Plaintiff.

Court adjourned to July 3, 1913 at 9 a. m.

July 3, 1913.

Thursday July 3, 1913 - 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 May 4, 1913 to July 3, 1913 at \$2.50 per day  
5 days amounting to \$20.00.

The Clerk will certify the amount to the Auditor of Union  
County, Ohio.

John M. Brodrick, Judge.

J. W. Wadsworth et al,  
Plaintiffs

No. 9440.

vs  
Leave Geo. F. Moninger et al,  
Defendants.

Leave granted Marie E. Katterjohn and Henry Katterjohn <sup>defendants</sup> and other  
to plead by July 26, 1913.

Court adjourned to July 5, 1913 at 9 a. m.



July 5, 1913

Saturday July 5, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodick, Judge.

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

B. F. Carneau,  
 Plaintiff

vs

No. 9427.

Judgment

J. F. Stallsmith,  
 Defendant.

Set aside

This cause coming on to be heard this 5<sup>th</sup> day of July  
 a. 5, 1913, on motion of defendant to set aside and vacate the order  
 and finding of the Court made herein on the 24<sup>th</sup> day of May 1913. It  
 appearing to the Court that there was good cause for failing to plead  
 within time - the Court does hereby set aside and vacate said finding  
 and grants the defendant leave to answer instante.

Approved: S. W. Van Winkle, Mouser + Maloney, Attys for Defendant  
 Hoopes, Robinson + Hoopes, Attys for Plaintiff.

Court adjourned to July 7, 1913 at 9 a. m.

July 7, 1913.

Monday July 7, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge

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

Grand Jury.

Pursuant to order of adjournment, and the call of the Prosecuting Attorney, the Grand Jury for the April Term met this morning at 10 o'clock. Upon calling the names of jurors the following were found present, to-wit: Ed Freshwater, Ed Young, Clarence Fergus, Macy Hicks, S. L. Stalder, Albert Burnham, A. O. Sunder, Huber De God, Jacob Scheidner, Joe Morrison + C. E. Curry. The panel being incomplete, by order of the Court, the following persons were called as talesmen, to-wit: John Moore, C. D. Webb, A. W. Converse and J. M. Perkins. The panel being full, Albert Burnham, heretofore appointed as by the Court acted as Foreman. Talesmen took the oath in manner prescribed by law. The Grand Jury then entered into their deliberations.

This day appeared at the bar of this court, the Grand Jury hitherto impaneled and sworn, and through their foreman, Albert Burnham, their certain indictment against Warren Deets for assault with intent to kill one Nellie P. Deets.

Also their certain other bill of indictment against Warren Deets for assault with intent to kill on one Pauline Westlake.

At the same time the Grand Jury brought in their Partial Report, as follows, to-wit:

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

The Grand Jury of the Court of Common Pleas of said County, of the April Term, 1913, 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 15 witnesses, covering two cases, and presented two bills, and inquired no cases considered by us. The business has been transacted in an expeditious manner as possible. We recommend that the ceiling of the Grand Jury Room be papered and the walls painted and that the same be done at once.

July 7, 1913.

Respectfully submitted,

(Signed) Albert Burnham, Foreman

Mike Stierhoff

Plaintiff in Error,

vs

The Village of Milford Ctr.

Defendant in Error

No. 9373.

This day this cause came on to be heard on the Petition in Error, and the argument of counsel, the Court on due consideration, find no good grounds for the judgment rendered by the Mayor of Milford Center Ohio. It is therefore considered by the Court that the Plaintiff in Error be discharged therefrom and recover his costs from said Defendant in Error.

Court adjourned to July 8, 1913 at 9 a. m.



July 8, 1913

Tuesday July 8, 1913 - Court convened at 9 A. M.  
 Present Honorable John M. Frodrick, Judge.

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

Ed Price, Receiver  
 for Beverly Depp,  
 Plaintiff,

No. 9432.

vs  
 Beverly Depp et al,  
 Defendants.

This day this cause came on to be heard on the petition of the Plaintiff and the answer and cross-petition of Catherine K. Palmer, one of the defendants herein, and the same was heard upon the evidence and the argument of counsel. Trial was had and the cause was submitted to the Court without the intervention of a jury. On consideration whereof the Court find on the issues joined herein, that all the defendants have been duly and legally served or have entered their appearance herein; and

1. That Ed Price is the duly appointed and qualified Receiver of Beverly Depp by virtue of an order, judgment, and decree of the Court of Common Pleas of Franklin County, Ohio, which said order, judgment and decree was duly made in case No. 63857 of the Court of Common Pleas of Franklin County, Ohio, in which Edward J. Powell is plaintiff, and Beverly Depp et al are defendants. That ever since said appointment the said Receiver has had control and possession of said real estate described in said petition by virtue of the order and judgment of said Court of Common Pleas of Franklin County, Ohio.

2. The Court further find that the allegations of the answer and cross-petition of Catherine K. Palmer are true, and that the said defendants Beverly Depp and Nannie Depp, his wife, duly executed and delivered to the said Catherine K. Palmer the promissory note set forth in the petition. That no payments have been made on said note by either of said defendants, or any one of them. That there are no credits thereon and that the defendants were in default for the first installment of interest, and that the entire principal and interest became due on July 25, 1912. The Court further find that in order to secure the payment of said promissory note in the answer and cross-petition of said Catherine K. Palmer set forth, the defendants, Beverly Depp and Nannie Depp, his wife, executed and delivered to said defendant herein their certain mortgage deed as in said answer and cross-petition described, and on said premises therein described in said petition. That said mortgage was duly recorded in Record of Mortgages Volume 66, Page 328 of Union County Mortgage Records, and is a good and valid lien on the premises described in the petition, and by reason of the failure to pay said promissory note according to its tenor and effect, the conditions of said mortgage have become broken and the same have become absolute.

It is therefore considered by the Court that the said Catherine K. Palmer recover from the defendants, Beverly Depp and Nannie Depp the sum of \$12.00<sup>00</sup> with interest at 6% per annum from Jan. 25, 1912 to July 25, 1912, and from that date at the rate of 8% per annum payable



July 8, 1913.

semi-annually until paid and if not within three days by the said defend-  
ants, Beverly Depp and Nanny Depp, to the Clerk of the Court and the costs  
of this case the said sum found due as aforesaid, then the equity of demand  
of said defendants, Beverly Depp and Nanny Depp, shall be foreclosed and  
said premises shall be sold as hereinafter described.

3. The Court further find that it is necessary for said Receiver, Ed Price,  
to sell said real estate as alleged in his petition and as is prayed for  
in the answer and cross-petition of Catherine S. Palmer, and that said Receiver  
must sell said real estate described in said petition and in the answer  
and cross-petition of Catherine S. Palmer, in order to procure funds with which  
to pay the debts due and owing by said defendant, Beverly Depp.

It is therefore ordered, adjudged and decreed by the Court herein  
that the said Receiver, Ed Price, proceed to sell said premises, after having  
the same duly appraised, free from the dower estate of Nannie Depp, wife  
of Beverly Depp, defendant herein, and to report his proceedings to this  
Court for further order.

It is further ordered that Arthur Collier, E. L. Ashbaugh and W. Tendree  
Bishop, three judicious and disinterested freeholders of Union County,  
Ohio are hereby appointed appraisers for said real estate, and

It is further ordered that the said appraisers set off to said Beverly  
Depp, or Nannie Depp, his wife, a homestead as asked for in their  
answers herein filed, said homestead to be of value of not more than  
\$1,000.00

OK John M. Brodrick, Judge

Court adjourned to July 12, 1913 at 9 A.M.



July 12, 1913.

Saturday July 12, 1913 - Court convened at 9 a.m.  
 Present Honorable John M. Brodrick, Judge.

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

State of Ohio  
 on rel Hazel Higbee,  
 Plaintiff

No. 9465.

vs  
 Preston Ringrel,  
 Defendant.

Judgment.

It appearing to the Court that the said Hazel Higbee, plaintiff is a female under the age of eighteen years, it is therefore ordered that John H. Willis Jr and the said John H. Willis is hereby named as next friend of said Hazel Higbee and this case will hereafter proceed under the title of Hazel Higbee her next friend John H. Willis, plaintiff vs Preston Ringrel, defendant. And it further appearing to the Court that the said Preston Ringrel, defendant herein, is a male under the age of twenty-one years, it is therefore ordered that N. H. Ringrel Sr and the said N. H. Ringrel is hereby appointed guardian ad litem for the said Preston Ringrel for the purpose of this suit.

This day came the defendant Preston Ringrel, and confessed in open court that the charge of the plaintiff herein is true. The said Preston Ringrel is now therefore adjudged by the Court to be the reputed father of the bastard child of said Hazel Higbee.

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 (\$400.) and that he pay said sum to the Clerk of this Court for the use of plaintiff as follows: Four Hundred Dollars (\$400) all cash in hand to the Clerk of this Court, and that he pay the costs of this action for all of which execution is awarded.

Approved: John H. Willis, Atty for Plff.  
 D. E. Thorntou, Atty for Def.

John M. Brodrick, Judge.

The Commercial Savings Bank,  
 Plaintiff

vs

LeRoy Walke et al.

Defendants.

No. 9417.

Leave

granted plaintiff to reply within 10 days. Leave granted J. M. Westlake, LeRoy Walke and Stella Walke to answer within 10 days.

Appraisement

Confirmed

Order of Sale



July 12, 1913

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

Ed Price, Receiver of  
Beverly Depp,  
Plaintiff

No. 9432.

vs  
Beverly Depp et al,  
Defendants.

Appraisement

Confirmed

Order of  
Sale

This day this cause came on to be heard on the application of the Receiver herein for an order approving and confirming the report of the appraisers heretofore appointed by this court to appraise the real estate of Beverly Depp, situated in Union County, Ohio, and described in the petition of the plaintiff and the answer and cross petition of Catherine K. Palmer. And on consideration thereof the Court find 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.

Then this cause came on further to be heard upon the application of said Receiver for instructions as to the sale of said real estate described and enumerated in said appraisement, and on consideration thereof the Court having found that it will be necessary to sell said real estate in accordance with the petition and the answer and cross-petition of Catherine K. Palmer in order to procure funds with which to pay the claims due and owing by the said defendant, Beverly Depp.

The Court further finds that it will be for the best interests of all persons hereto that the said property be offered at public sale.

It is therefore ordered by the Court that the said Receiver proceed to advertise said real estate described in said appraisement for sale by publication in The Marysville Tribune, a newspaper of general circulation in Union County, Ohio, for four consecutive weeks, and that he then proceed to sell the same as hereinafter directed at public auction at the North Door of the Court House in said county, on the 16<sup>th</sup> day of August 1913 at one o'clock P.M. at not less than two-thirds of the appraised value thereof, for cash in hand on the day of the sale.

Said Receiver is further directed to report his proceedings in the premises to this Court for confirmation and for further orders.

OK John M. Brodrick, Judge

Filed July 14, 1913

The Maynard Coal Co.  
Plaintiff

No. 9437

vs  
Baker, Gill & Co.  
Defendant

Settled, costs paid and dismissed without record.

Court adjourned to July 15, 1913 at 9 a.m.



July 15, 1913

Tuesday July 15, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Pauline Simpson,  
 Plaintiff

vs

Howard Simpson,  
 Defendant.

No. 9470.

Publication

This day came the Plaintiff and filed 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, Howard Simpson, is a non-resident of Ohio, that service of summons on him cannot be made in this State; that the residence of said Howard Simpson is Detroit, Michigan.

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 he is 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 copy of the publication, with proper postage, that said Clerk mail a copy to said Defendant, to his residence named therein, and make an entry thereof on the proper docket.

John M. Brodrick, Judge.

Filed Aug. 5, 1913

To the Honorable John M. Brodrick  
 Judge of the Court of Common Pleas,  
 Marysville Ohio,

Your Honor:

The amount for Deputy ~~and~~ Clerk Hire allowed by the County Commissioners for the Office of County Recorder for the year 1913 being Three Hundred and Thirteen Dollars and Twenty-nine cents (\$313.29), the same having been exhausted, I hereby ask your honor for an additional allowance of Two Hundred and Eighty-six Dollars and Seventy-one cents

Yours respectfully,

M. W. La Dow,

Recorder of Union County, Ohio.

In the Matter of an Additional  
 Allowance for Clerk hire in the  
 Office of the Recorder of Union County, Ohio

This day came M. W. La Dow, Recorder of Union County, Ohio, and filed his application for an additional allowance, to carry on the business of his office. Thereupon this said application came on for hearing before the Hon. John M. Brodrick, as such Judge of the Common Pleas Court, wherein said Recorder was elected. On consideration whereof the said John M. Brodrick, as such Judge as aforesaid,



finds that the allowance by County Commissioners has been exhausted and that under the General Code of Ohio, it is necessary for an allowance of (\$286.71) Two Hundred and Eighty-six Dollars and Seventy-one cents, for clerk hire for said office for the year 1913.

It is therefore considered and ordered by said John M. Brodrick, Judge of said Court, that there be and hereby is allowed to said M. H. LaSow, Recorder of Union County, an additional allowance of Two Hundred and Eighty-six Dollars and Seventy-one cents, (\$286.71) under provisions of Sec. 2950-1 of the General Code of Ohio.

at John M. Brodrick, Judge.

July 12, 1913.

The State of Ohio,  
Plaintiff

vs

Warren Peets,  
Defendant.

No. 1444.

Arraignment

Now comes the prosecuting attorney on behalf of the State and the Defendant being brought into Court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto saith he is "not guilty" and puts himself upon the country, and the prosecuting attorney doth the like. It is ordered that he enter into a recognizance in the sum of \$1000.00 with sufficient surety, conditioned for his appearance forthwith from day to day to this Court; or in default thereof, that he be committed to the jail of the county.

The State of Ohio,  
Plaintiff

vs

Warren Peets,  
Defendant.

No. 1445.

Indictment for Assault with Intent to Kill.

Arraignment

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being brought into Court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto saith he is "not guilty," and puts himself upon the country, and the prosecuting attorney doth the like. It is ordered that he enter into a recognizance in the sum of \$1000.00 with sufficient surety, conditioned for his appearance forthwith from day to day to this Court; or in default thereof, that he be committed to the jail of the county.



July 19, 1913

Saturday July 19, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodnick, Judge.

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

M. N. Hill,  
 Plaintiff  
 vs  
 Luther Ward,  
 Defendant

No. 9348.

Receiver  
 Ordered  
 To Report  
 Etc.

And now this cause came on to be heard upon the petition and the supplemental petition and it appearing that the defendant has been served with summons and notice and is in default for answer, and, Thereupon the Court finds that the said threshing outfit in the petition described is the property of the defendant plaintiff and that the defendant has wholly failed to comply with the conditions of the contract for the run and operation of the said property, but has neglected his business and has allowed the property to become damaged by neglect and want of care.

It is therefore ordered that the receiver herein appointed by directed to turn over and deliver to the plaintiff the said property and that he the said receiver be further ordered to make a final report of his proceedings to the Court.

O.K. John M. Brodnick, Judge.

Nellie Dorey,  
 Plaintiff,  
 vs  
 Frank H. Mead,  
 Edward Mead,  
 Defendants.

No. 9445.

Partition

And now this cause coming on for hearing upon the petition and the evidence, the Court find that all the defendants have been due legal notice of the pendency and demand of the said petition and that they are in default for answer thereto. Thereupon the Court further find that the plaintiff and the defendants hereafter named are tenants in common in the estate described in the petition; that the plaintiff Nellie Dorey has a legal right to the one-third thereof, the defendant Frank H. Mead has a legal right to the one-third thereof, and the defendant Edward Mead has the legal right to the one-third thereof; and that the plaintiff is entitled to have partition of said estate made, as prayed for in her petition. It is therefore ordered, adjudged and decreed that partition of said estate be made in favor of all parties in interest. And M. N. Hill, J. F. Stallsmith and N. G. Hamilton, three judicious and disinterested freeholders of the vicinity, are hereby appointed commissioners to make the same. And it is ordered that a writ of partition issue to the Sheriff of Union County, commanding him

July 19, 1913

that by the oaths of the commissioners above named be cause to be set off and divided, to each of the above named parties the part and portion of said estate to which they are severally above found entitled. And of his proceedings herein said Sheriff is ordered to make due return.

W. John M. Brodrick, Judge.

Court adjourned to July 21, 1913 at 9 A.M.



July 21, 1913

Monday July 21, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge

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

William M. Senman,  
 Plaintiff,

vs

Francis L. Senman et al,  
 Defendants.

No. 9456.

Partition

And now this cause coming on to be heard upon the petition of the plaintiff, the Court find that all of the defendants have had due legal notice of the pendency and demand of the said petition, and that all of said defendants are in default for answer or demurrer thereto. Thereupon the Court further find that the plaintiff and the defendants, Frank L. Senman, Lucy E. McPherson, Clara Sivey, Homer Senman, James W. Senman, and Charles Senman are tenants in common in the estate described in the petition; that the plaintiff William M. Senman has a legal right to the one-seventh thereof; that the defendant, Frank L. Senman has a legal right to the one-seventh thereof; the defendant, Lucy E. McPherson has a legal right to the one-seventh thereof; the defendant, Clara Sivey has a legal right to the one-seventh thereof; the defendant, Homer Senman, has a legal right to the one-seventh thereof; that the defendant, James W. Senman, has a legal right to the one-seventh thereof; that the defendant, Charles Senman, has a legal right to the one-seventh thereof.

It is therefore ordered, adjudged and decreed that partition of said estate be made in favor of all the parties in interest, and Geo. E. Whitney, C. S. Webb and Howard C. Fosbury, three judicious and disinterested freeholders of the vicinity are hereby appointed commissioners to make the same, and it is ordered that a writ of Partition issue to the Sheriff of Union County, commanding him that by the oaths of the commissioners above named he cause to be set off and divided to William M. Senman, Frank L. Senman, Lucy E. McPherson, Clara Sivey, Homer Senman, James W. Senman, and Charles Senman the part and proportion of said estate to which they are severally entitled; and it is ordered that if the said estate is entire and cannot be divided by metes and bounds, without manifest injury to the value of the same, that said Sheriff cause said estate to be appraised by said commissioners and of his proceedings herein said Sheriff is ordered to make due return.

At. John M. Brodrick, Judge.

Court adjourned to July 23, 1913 at 9 a. m.

Compro

Order

Sale

Partition



July 23, 1913

Wednesday July 23, 1913 - Court convened at 9 A. M.  
 Present Honorable John M. Brodrick, Judge

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

William L. Senman,  
 Plaintiff,

vs

No. 9456

Francis L. Senman et al,  
 Defendants.

Confirmation

Order

sale

This cause coming on to be heard on the return of the Sheriff and the report of the Commissioners heretofore appointed, and on motion to confirm the same, it appearing to the Court that said premises cannot be divided by metes and bounds, without manifest injury to the value thereof, and that said Commissioners have appraised said premises at \$1250.00, the Court find that said return and proceedings in all respects regular, and do approve and confirm the same. And thereupon neither of the parties electing to take said premises at their appraised value, it is on motion of the plaintiff ordered that said premises be sold at public auction on the terms following, to-wit: One-third cash; one-third in one year; and one-third in two years from date of sale. Deferred payments to bear 6% interest and to be secured by mortgage on the property.

And for good cause shown it is ordered that advertisement in a German Newspaper be dispensed with. And that said Sheriff return his proceedings to this Court without delay.

OK. John M. Brodrick, Judge.

Blauche M. Martin,  
 Plaintiff

vs

No. 9457.

Anna L. Lawson, et al,  
 Defendants.

Partition

This cause coming on to be heard upon the petition of the plaintiff, the Court finds that all the defendants named therein has had due and legal notice of the pendency and demands of the said petition, and that all of said defendants are in default for answer thereto.

Thereupon, the Court further finds that the plaintiff and the defendants hereinafter named are tenants in common in the estate described in the plaintiff's petition; that the plaintiff, Blauche M. Martin, has a legal right to the one-fourth part thereof, and the defendants, Ellie L. Boerger, Anna L. Lawson and Mattie C. Harry each have a legal right to the one-fourth part thereof, and that plaintiff is entitled to have partition of said estate made, as prayed in said petition.

It is therefore ordered, adjudged and decreed that partition of said estate be made as prayed for in said petition, and that Charles Michaels, J. Chas. Cross and Anson Howard, three judicious and disinterested freeholders of the vicinity, are hereby appointed



July 23, 1913

commissioners to make the same. And it is ordered that a writ of Partition issue to the Sheriff of Union County, commanding him that by the oaths of the commissioners above named, he cause to be set off and divided to each of the above named parties the part and proportion of said estate to which they are severally above found entitled if the same can be done without manifest injury thereto, and if the same cannot be divided by metes and and bounds that said Sheriff cause said premises in said petition described to be appraised.

And of this proceedings herein said Sheriff is ordered to make due return.

Approved: John M. Brodrick, Common Pleas Judge.

July 23, 1913

Lottie L. Ell,  
Plaintiff

rs

Phillip Ell,  
Defendant.

No. 9478.

Temp. Inj.

On motion of the plaintiff, by her attorney, and on good cause being shown therefor, it is ordered by the Court that an injunction be allowed to issue hereon, enjoining the said defendant from selling, removing or in any manner interfering with the property described in plaintiffs petition until further ordered by this Court. No bond required under provisions of the General Code.

John M. Brodrick, Judge.

Leave

July 28, 1913.

Monday July 28, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Minnie M. Jones,  
Plaintiff

vs

William H. Jones,  
Defendant.

No. 9443

Leave

Leave is granted Defendant to file an Answer and Cross  
Petition instant.

Court adjourned to July 29, 1913 at 9 a. m.



July 30, 1913,

Wednesday July 30, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Edward E. Laughrey et al,  
 Plaintiffs

vs

Rose Scott et al,

Defendants.

No. 9420.

Leave

On motion of Frances Laughrey, administratrix of the estate of Jess Laughrey, deceased, who claims an interest in this action, she has leave to become a defendant herein and file an answer instant.

Approved: John L. Laughrey, Atty for Plaintiff  
 John W. Mallin, Atty for Defendants.

Court adjourned to Aug. 1, 1913 at 9 a. m.

Aug. 1, 1913.

Friday August 1, 1913 - 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  
G. C. Edwards,  
Court Constable

It is hereby ordered that G. C. Edwards be allowed 4 days  
pay from the 12<sup>th</sup> day of July 1913 to the 1<sup>st</sup> day of August 1913 at \$25.00  
per day, total \$100.00, as Court Constable.

The Clerk will certify the amount to the Auditor of Union  
County.

John M. Brodrick, Judge.

Court adjourned to Aug. 4, 1913 at 9 A.M.



Aug. 4, 1913.

Monday August 4, 1913 - Court convened at 9 A.M.  
 Present Honorable John M. Brodrick, Judge

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

Jonathan Moore,  
 Plaintiff

vs

Mary A. Schertzler et al,  
 Defendants.

No. 9381.

Judgment

Cognovit

Partition

This cause came on to be heard upon the petition, the answer of the guardian ad litem of the minor defendants, and the pleadings and records in the cause, and was argued by counsel; on consideration whereof, and it appearing to the satisfaction of the Court that all and every of said defendants have been duly notified of the bringing, pendency, and demand of said action against them, as 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 Leonard Cox, attorney for said plaintiff that by the oaths of Ver Clapsaddle, Earl Rizer and Eli Keenan, judicious, disinterested freeholders of the vicinity, upon actual view of the premises, that partition be made of said land in the following proportions, to-wit: To the said Jonathan Moore, the plaintiff one-twelfth part thereof; to Mary A. Schertzler the one-twelfth part thereof; to Susan Wortman the one-twelfth part thereof; to Matilda Moore the one-twelfth part thereof; to Louisa Warren the one-twelfth part thereof; to Frank Moore the one-twelfth part thereof; to Milstead Moore the one-twelfth part thereof; to Milstead Moore as grantee of one William W. Moore, the one-twelfth part thereof; to Jennie Coons the one-twelfth part thereof; to Milstead Moore, administrator of Elizabeth Moore, <sup>dece</sup> the one-twelfth part thereof; to Jesse Moore and John Moore each the one-twenty-fourth part thereof; said shares being subjected to the dower interest of Jennie Moore; to Ella Henie, Rena Hare and Mae Moore each the one-sixtieth part thereof; to Frank Caughman, Levi Caughman and Gladys Caughman each the one-one-hundred and eightieth part thereof subject to the dower interest of Daniel Caughman; to Roy Cramer a life estate in the remaining one-sixtieth part, the remainder of the same being vested in the heirs of Howard Moore, deceased, as is enumerated in the petition herein. And if the same can not be partitioned without manifest injury to the value thereof, and if not, <sup>then</sup> said premises be appraised at the true value thereof in money. And it is further ordered that a writ and order of partition issue to the Sheriff of Union County, commanding him to cause partition to be made accordingly.

Guardian

Ad litem

J. M. Brodrick, Judge.



Aug. 4, 1913.

Harry Peer,  
Plaintiff  
vs  
Arnold + Bowers,  
Defendants.

No. 9481.

Judgment

Cognovit

This day came the Plaintiff by Leonard Cox, his attorney; and filed a petition against said Defendants Arnold + Bowers and thereupon Hoopes, Robinson + Hoopes one of the Attorneys of Record of this Court also appeared in open court, for and on behalf of said Defendants, Arnold + Bowers 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 One and 16/100 Dollars (\$101.16), bearing interest at 6 per cent per annum, and that said Plaintiff ought to recover from said Defendants, a judgment for that sum.

It is therefore considered by the Court that said Harry Peer Plaintiff recover from said Arnold and Bowers, Defendants the said sum of One Hundred and One and 16/100 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 4th day of August 1913, 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.

O.K. John M. Brodrick, Judge.

Jonathan Moore,  
Plaintiff,  
vs  
Mary A. Schertzler, et al  
Defendants

No. 9381.

Guardian

Ad litem

This cause came out this day to be heard, and it appearing to the Court that Jesse Moore, John Moore, Mae Moore, Frank Coughman, Levi Coughman and Gladys Coughman, minor defendants has been duly served with process herein, and it is <sup>hereby</sup> ordered that Dudley E. Thornton be appointed guardian ad litem of said minor defendants.

O.K. John M. Brodrick, Judge



Aug. 4, 1913.

Alice Clayton,  
Plaintiff.

vs.

James Cook et al  
Defendants.

No. 9441.

Title

Sited

This day came the plaintiff by her attorney and offered proof of publication of the pendency of this action, and of the prayer of the petition herein; and the Court finding said petition and proof thereof in all respects regular and according to law, the same is hereby approved and confirmed.

Thereupon this cause came on to be heard further, and was heard upon the pleadings, exhibits, and the testimony and was submitted to the Court, and upon due consideration thereof and the Court being fully advised in the premises finds that due and legal service has been made upon the defendants, and that the Court has thereby acquired jurisdiction of the said defendants and of the subject matter of this action; and the Court further finds that each and all of the averments and allegations of facts contained in the petition are true and that the plaintiff is entitled to the relief in the petition prayed for. The Court finds that at the time this action was commenced the said plaintiff was in possession of the said real estate described in the petition, and that she has a legal estate therein and is entitled to the possession of the same; that the said defendants, and neither of them, have any estate therein, and neither of them, is entitled to the possession of said real estate or any part thereof, and that the plaintiff ought to have her title quieted as against each and every person claiming by, through or under them or either of them, as prayed for in her said petition.

It is therefore ordered, adjudged and decreed that the title and possession of the said Alice Clayton to all and singular in the premises in the petition described, or and the same are hereby quieted as prayed for in the petition as against the defendants, each and all of them, and all persons claiming by, through or under them or either of them; and the said defendants, and each and all of them, are hereby forever enjoined from setting up any claim to said premises, or any part thereof, adverse to the title and possession of the said Alice Clayton, or from in any manner interfering with her use and enjoyment of the same.

It is further ordered that the plaintiff pay the costs of this action, taxed at \$16.66

At. John M. Brodrick, Judge.



Aug. 4, 1913

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

In the matter of  
Appointment of  
Deputy Clerk for  
Clerk of Courts  
Office, Union Co. Ohio

Entry,

Dana L. Hartshorn is hereby appointed Deputy Clerk in  
the Office of the Clerk of Courts, Union County, Ohio.

Dated this 4<sup>th</sup> day of August, A.D. 1913.

John C. Hartshorn

Clerk of Courts,

The foregoing appointment is hereby approved this 4<sup>th</sup> day  
of August A.D. 1913.

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

Whereupon the said Dana L. Hartshorn accepted the  
office and made oath as follows:

State of Ohio,  
Union County ss. }

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 Courts 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 4<sup>th</sup> day  
of August, A. D. 1913.

John C. Hartshorn,  
Clerk.

Court adjourned to Aug. 5, 1913 at 2 a.m.



Aug. 5, 1913.

Tuesday, August 5, 1913 - Court convened at 9 A. M.  
Present Honorable John W. Brodrick, Judge.

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

J. E. Mangans,  
Plaintiff

vs

L. E. Founds,  
Flora V. Purvey Founds,  
Defendants.

No. 9466.

This day came the attorney for the Plaintiff, paid the costs and dismissed this action without record.

Nellie Doren,  
Plaintiff

vs

Frank H. Mead,  
Edward Mead,  
Defendants.

No. 9445.

Elect

to  
Take

Distribution

This cause coming on this day to be heard further 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 eighteen hundred dollars (\$1,800.00) free and clear of all dower interest therein and the Court being fully advised in the premises find said return, and the proceedings under said writ of partition to be in all respects correct, and in conformity to law, and former order of this Court, and does therefore approved and confirm the same. And it further appearing to the Court that the said defendant Edward Mead has elected to take said premises at their appraised value to-wit: at Eighteen hundred (\$1,800.00). And it further appearing that said 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 the said Edward Mead paying the same into court, the said premises and the estate be, and hereby are, adjudged to him and the Sheriff ordered thereupon, to make and execute to him 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 \$1,800.00, it is ordered that out of said sum the Sheriff pay - First: To John C. Hartshorn, as Clerk of the Court of Common Pleas, Union County, Ohio, the costs of this action taxed at \$127.26 including an attorney fee of \$92.00; J. W. Van Winkle Second: To Nellie Doren the sum of \$555.58 being in full payment of her distributive share of said premises; Third: To Frank H. Mead the sum of \$555.58 in full payment of his distributive share of said

Aug. 5, 1913.

Fourth - To Edward Mead the sum of \$558.58 in full payment of his distributive share of said premises.

At. John M. Prodrick, Judge.

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Court adjourned to Aug. 6, 1913 at 9 a.m.



Aug. 6, 1913.

Wednesday August 6, 1913 - Court convened at 9 A.M.  
 Present: Honorable John M. Brodrick, Judge

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

Sarah A. Melick,

Plaintiff

vs

George W. Melick, Exr,  
 Estate of Henry H. Melick, dec,  
 George W. Melick,  
 Rillie M. Fryman,  
 Defendants.

No. 9454.

Title

Now comes the plaintiff by her 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.

Quieted

The Court further find that the decree entered in case no. 3840 in this court that the decree was through mistake of the clerk of said court and through fraud of Henry H. Melick decreed the premises described in plaintiff's petition herein to Henry H. Melick and Sarah A. Melick whereas it should have been decreed to the said Sarah A. Melick solely, the Court therefore finds that at the time of bringing this action the said plaintiff was in possession of the real property described in said petition, and that she had the legal <sup>title</sup> in and was entitled to the possession of the same; that neither the defendants nor any one of them have any estate in or are entitled to the possession of said real estate or any part thereof, and that the plaintiff ought to have her title and possession quieted as against each and every one of said defendants, as prayed for in her petition.

It is therefore ordered, adjudged, and decreed, that the title and possession of the said Sarah A. Melick to all and singular the premises described in the petition, to-wit: situated in in the County of Union, and State of Ohio, and Township of Leesburg and a part of Survey No. 3696. Beginning at a stone and bricks in W. H. Ferguson's south line, S.  $81\frac{1}{2}^{\circ}$  E, 17.55 rods from the north west corner of said survey; thence S.  $6\frac{1}{2}^{\circ}$  W, 170 poles to a stone and bricks in the center of a road; thence with said road S.  $58^{\circ}$  W, 4.30 poles to a stone and bricks; thence S.  $13^{\circ}$  W, 69 poles to the center of Bokus Creek passing over a stone and bricks on the bank of the creek 12 feet east of a small sycamore; thence down said creek with the meanderings thereof to the corner of Harrison Melick's land; <sup>thence with his line N.  $75\frac{1}{2}^{\circ}$  W, 68 poles to the center of said road</sup> thence with said road S.  $58^{\circ}$  W, 12 poles to another corner of said Melick's land; thence N.  $1\frac{1}{2}^{\circ}$  W, 102 poles to a small oak; thence N.  $8^{\circ}$  E, 50 poles to a stake in the north line of said Survey No. 3696; thence with said survey line N.  $81\frac{1}{2}^{\circ}$  W, 11.20 poles to the place of beginning containing 38 acres, of land more or less, except  $\frac{33}{100}$  of an acre conveyed by deed to George W. Melick, Sr, and the same hereby are quieted as against the defendants, and each and every one of them, and



Aug. 6, 1913.

all persons claiming under them, or any of them; and they are hereby forever enjoined from setting any claim to said premises, or any part thereof, adverse to the title and possession of said Sarah A. Medick, her heirs or assigns thereto; and for the purpose of perfecting the records of her title to said premises said defendants are hereby ordered to execute a quit claim deed to said plaintiff for said premises within ten days from the entry hereof and upon their failure to do so this decree shall operate as a conveyance of said premises to said plaintiff.

It is further ordered that the plaintiff pay the costs herein and an execution is awarded therefor.

At John M. Brodrick, Judge

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Aug. 7, 1913

Thursday Aug. 7, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Prodrick, Judge.

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

Josiah W. Westlake,  
Plaintiff,

vs

J. M. Peel,  
Defendant.

No. 9459

Leave

Upon motion of the defendant leave is granted  
defendant to file a demurrer to the petition instant.

Injunction

Court adjourned to Aug. 9, 1913 at 9 a. m.

Aug. 9, 1913

Saturday Aug. 9, 1913 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge

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

Order to Draw Grand and Petit Jury,

To the Clerk of said Court:-

You are hereby directed to proceed according to law at ten o'clock on Saturday the 9th day of August 1913, 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, 1913 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 Mansville in said County, at ten o'clock A.M. on Monday the 8th day of Sept. 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 16th day of September 1913. And for so doing, this shall be your sufficient warrant. Witness my hand officially this 9th day of Aug. 1913.

John M. Brodrick, Judge.

Winnie Crook,  
Plaintiff

vs

George W. Crook et al,  
Defendants.

No. 9485.

Injunction

I allow a temporary restraining Order in the above action as prayed for in the Plaintiff's petition against the defendants, George W. Crook and The Park Savings Company, until the same can be further heard, a bond herein being dispensed with under the provisions of the General Code of Ohio. Done this 9th day of Aug. 1913.

John M. Brodrick, Judge.

Court adjourned to Aug. 12, 1913 at 9 a.m.



Aug. 12, 1913

Tuesday Aug. 12, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Pearl M. Shroy et al,  
 Plaintiffs

vs

No. 9435.

Sarah A. M. Shroy et al,  
 Defendants.

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 appeared 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 of Sarah A. M. Shroy at \$4158.00, the Court find that 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 Sarah A. M. Shroy has elected to take the said premises at the appraised value, and the terms of payment to be cash, and the Court finding that the costs of this action including a counsel fee of \$215.24 to John R. Loughrey for his services and \$5.00 to F. A. Thompson guardian ad litem and that there is due Sarah A. M. Shroy \$18.64 for taxes, being advanced by her on said premises, 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 - That Sarah A. M. Shroy be allowed a credit of \$18.64 for said taxes.

Second - To the Clerk of this Court the costs of this action including Counsel fee of \$215.94.

Third - That that Court finding that Sarah A. M. Shroy, has advanced \$200.00 for a monument, that she be allowed a credit on purchase price of said land for the same.

Fourth - To Sarah A. M. Shroy, she being 56 years of age, \$771.64 being her dower in money and in full of her respective rights herein, and she be allowed a credit for said amount.

Fifth - To Pearl M. Shroy the plaintiff herein, his one-fifth interest \$504.99 in full of respective rights herein and the Court finds that the said Sarah A. M. Shroy has paid him his respective portion.

Sixth - To Minnie B. M. Shroy, one of the defendants herein, her one-fifth interest \$504.99 in full of her respective rights herein, and the Court finds that the said Sarah A. M. Shroy has paid her, her respective portion.

Seventh - To Res D. M. Shroy, one of the defendants herein, his one fifth interest \$504.99 in full of his respective rights herein, and the Court finds that the said Sarah A. M. Shroy has paid



Aug. 12, 1913.

him his respective portion.

Eighth - To Louis G. M<sup>c</sup>eroy, one of the defendants herein, her one one-fifth interest \$504.99 in full of her respective rights herein and the Court finds that the said Sarah A. M<sup>c</sup>eroy has paid her her respective portion.

Ninth - To Lura V. M<sup>c</sup>eroy, one of the defendants herein, her one-fifth interest \$504.99 in full of her respective rights, and the Court finds that the said Sarah A. M<sup>c</sup>eroy has been appointed guardian of the of the said Lura V. M<sup>c</sup>eroy by the Probate Court of Union County, Ohio, since this action has begun and the said Sarah A. M<sup>c</sup>eroy has made a proper settlement with herself, as guardian, and the Court finds Lura V. M<sup>c</sup>eroy's respective portion has been settled for.

And it appearing to the Court that the said Sarah A. M<sup>c</sup>eroy has elected to take the said estate at its appraised value and has paid to Clerk of this County the costs of this case and she also having paid for the taxes and the monument and settled with the other parties herein their respective portions of its appraised value, the said estate is hereby adjudged to the said Sarah A. M<sup>c</sup>eroy; and the Sheriff is ordered to execute and deliver a deed to therefor.

John W. Brodrick, Judge.

Appointment of Court  
Stenographer

This day the Court of Common Pleas of Union County, Ohio, being of the opinion that the business required 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 her 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 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 five hundred 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 longhand shall be at the rate of eight cents per folio of one hundred words. Such compensation shall be in lieu of all per diem compensation, in said Court. Sept. 2, 1913.

John W. Brodrick, Judge.

Court adjourned to Aug. 13, 1913 at 9 A. M.



Aug, 13, 1913.

Wednesday Aug, 13, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Joseph S. Robertson,  
 Plaintiff

vs

No. 9467.

J. N. Robertson et al,  
 Defendants.

Guardian  
 ad litem

It appearing to the Court that the defendant Floyd Watkins, is a minor under the age of fourteen years, and has been duly and legally served with summons herein, and has neglected for twenty day from return of summons served upon him, to apply for guardian ad litem, and upon motion of the plaintiff, John L. Loughrey is hereby appointed guardian for the suit, for said minor defendant. The said John L. Loughrey and in open Court accepts said appointment.

Approved: John L. Loughrey      W. John M. Brodrick, Judge.  
 J. W. VanWinkle atty

Confirm  
 Rec.  
 Report.

Joseph S. Robertson,  
 Plaintiff

vs

No. 9467.

J. N. Robertson,  
 Defendant.

Partition

And now this cause coming on to be heard upon the petition and the answer of Blanch E. Temple, a minor defendant, by Nathan M. Temple and the answer of Floyd Watkins, a minor defendant by John L. Loughrey, his guardian ad litem, 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 with the exceptions of the ones named above, they are in default for answer thereto.

Therefore the Court further finds that the plaintiff and the defendants herein named are tenants in common in the estate described in the petition; that the plaintiff, Joseph S. Robertson has the legal right to the one-ninth ( $\frac{1}{9}$ ) part thereof; the defendant, J. N. Robertson, the one-ninth ( $\frac{1}{9}$ ) part thereof; the defendant, J. B. Robertson, the one-ninth ( $\frac{1}{9}$ ) part thereof; the defendant, S. S. Robertson, the one-ninth ( $\frac{1}{9}$ ) part thereof; the defendant, J. H. Robertson, the one-ninth ( $\frac{1}{9}$ ) part thereof; the defendant, M. L. E. Watkins, the one-ninth ( $\frac{1}{9}$ ) part thereof; the defendant, R. P. Robertson, the one-ninth ( $\frac{1}{9}$ ) part thereof; the defendant, Blanche E. Temple, the one-ninth ( $\frac{1}{9}$ ) part thereof; the defendant, Lena Parish, the one-twenty-seventh ( $\frac{1}{27}$ ) part thereof; the defendant, Elmer Watkins, the one-twenty-seventh ( $\frac{1}{27}$ ) part thereof; the defendant, Floyd Watkins, the one-twenty-seventh ( $\frac{1}{27}$ ) part thereof; and that the plaintiff is entitled to have partition of said estate made as

Court adjourned to Aug, 16, 1913 at 9 a. m.

Aug. 16, 1913

Saturday Aug. 16, 1913 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

M. W. Hill,  
Plaintiff,

vs  
Luther Ward,  
Defendant.

No. 9348.

Confirm

Re.

Report.

This report coming out to be heard upon the report of  
of Cad Price, receiver herein, and said report having been carefully  
considered by the Court, the Court finds the same regular and  
correct and therefore confirms the same. The Court fixes the fee  
of the receiver herein at \$2500 and directs that said receiver pay  
over the balance of \$2634 remaining in his hands to the plaintiff  
herein.

John M. Brodrick, Judge.

4467 - Continued from preceding page.

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 that Frank Norton, W. H. Taylor and F. E. Beeley, three  
judicious and disinterested freeholders of the vicinity, are hereby  
appointed commissioners to make the same. And it is ordered that  
a writ of partition issue to the Sheriff of Union County, commanding  
him that by the oaths of the Commissioners above named, he cause to  
be set off and divided to each of the above named parties the part  
and portion of the said estate to which they are severally found  
as above entitled. And of his proceeding herein said Sheriff is ordered  
to make due return.

Approved: A. W. SawWinkle,

John L. Loughrey

W. John M. Brodrick, Judge.

Court adjourned to Aug. 22, 1913 at 9 a.m.



Aug. 22, 1913

Friday Aug. 22, 1913 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

Rose Hostetter,  
Plaintiff

vs

No. 9460.

The Citizens Home +  
Savings Co. et al,

Defendants

Leave was granted defendants to file answers instante,

Rose Hostetter,  
Plaintiff

vs

No. 9462.

Willis Richman et al,

Defendants.

Leave

Leave was granted defendant to file answer instante,

Rose Hostetter,  
Plaintiff,

vs

No. 9461.

Willis Richman, Adm.,  
et al, Defendants.

Leave

Leave was granted defendant to file answer in-  
stante.

Court adjourned to Aug. 23, 1913 at 9 a.m.

Aug. 23, 1913

Saturday Aug. 23, 1913 - Court adjourned at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Cora Lucas,  
Plaintiff

vs

No. 9455

Oscar Lucas,  
Defendant.

Divorce

Now came the plaintiff, and the defendant having been duly served with summons and copy of the petition herein, and, having failed to appear, the Court find him in default for answer and 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 at that time was 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 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 Cora Lucas and the said Oscar Lucas be, and the same hereby is, dissolved, and both parties are released from the obligations of same. It is further considered by the Court that the defendant pay the costs of this proceedings.

OK, John M. Brodrick, Judge.

Certificate for Sheriff's Pay.

To Hon. John M. Brodrick, Judge.

The Court charges for the January Term, 1913, Union County Common Pleas Court, are due for services rendered and are as follows:

Union County, Ohio

To Cad Price, Sheriff Dr.

To serving Grand Jury Service	-----	\$ 4.15
" " Petit " "	-----	4.50
" " Grand Jury Witnesses	-----	3.50
" 48 miles travel Grand Jury Witnesses	-----	3.84
	Total	\$ 15.99

I hereby certify the above bill to be correct.

John N. Laird, Sheriff 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 C.P. Court.



Aug. 23, 1913

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

B. F. Carnean,  
Plaintiff

vs

E. Eason,  
Defendant

No. 9489,

Judgment

This day came the Plaintiff by Hoopes, Robinson + Hoopes, his Attorneys and filed his petition against said Defendant, E. Eason, and thereupon Milo R. Myers one of the attorneys of record of this court also appeared in open court, for and on behalf of said Defendant E. Eason 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 Nine Hundred, Eighty-seven +  $\frac{25}{100}$  Dollars, \$987<sup>25</sup>/<sub>100</sub>, 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 B. F. Carnean, Plaintiff, do recover from said E. Eason, Defendant, the said sum of Nine Hundred, Eighty-seven and  $\frac{25}{100}$  Dollars, \$987<sup>25</sup>/<sub>100</sub>, as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 23<sup>rd</sup> day of August, 1913 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.

J. M. Brodrick, Judge.

Leave

Sale

Confirmation

Distribution

Court adjourned to Aug. 25, 1913 at 9 a. m.

Aug. 25, 1913

Monday Aug. 25, 1913 - Court convened at 9 A. M.  
Present Honorable John M. Brodrick, Judge.

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

LeRoy Walker,  
Plaintiff

vs

No. 9474

Charles H. Westlake et al,  
Defendants

Leave

Leave is hereby granted the Defendant, Charles H. Westlake,  
to plead by the 25<sup>th</sup> day of September 1913.

OK. John M. Brodrick, Judge.

William L. Denman,  
Plaintiff

vs

No. 9456.

Francis L. Denman,  
Defendant.

Sale

Confirmed

Distribution

On motion of 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<sup>the</sup> 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,  
P. H. Winter. It is further ordered that out of the proceeds of said  
sale the Sheriff pay,

First: To the Treasurer of said county of Union \$28.88, 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 \$50.40 to Hoopes, Robinson + Hoopes for their services  
herein taxed at \$102.18.

Third: To William M. Denman \$101.27.

Fourth: To Frank L. Denman \$101.27.

Fifth: To Lucy E. McPherson \$101.27.

Sixth: To Clara Sirey \$101.27.

Seventh: To Homer Denman \$101.27.

Eighth: To James W. Denman \$101.27.

Ninth: To Charles Denman \$101.27.

OK. John M. Brodrick, Judge.

Court adjourned to Aug. 26, 1913 at 9 A. M.



Aug. 26, 1913.

Tuesday August 26, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge,

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

The State of Ohio,  
 Plaintiff

No. 1444.

vs  
 Warren Peets,

Indictment for Assault with Intent to Kill.

Defendant.

Plea

Now comes the Prosecuting Attorney, on behalf of the State of Ohio, the defendant being in court in custody of the Sheriff, and being represented by counsel; thereupon said defendant retracts his plea of not guilty heretofore entered; and for plea to said indictment says he is guilty; which plea is accepted by the Prosecuting Attorney, and thereupon it appearing to the Court that said Warren Peets is amenable to reformatory methods, and after hearing testimony and being fully advised in the premises it is ordered and adjudged by the Court that the said Warren Peets be imprisoned and confined in the penitentiary of this state, and kept at hard labor, but without any solitary confinement; there to be kept until legally discharged; and that he pay the costs of prosecution herein taxed at \$22.50<sup>00</sup> for which execution is awarded, and that he stand committed to the jail of this county until such costs are fully paid. And it further appearing to the Court from the evidence adduced, that said defendant has never been before imprisoned for crime in this state or elsewhere, and it further appearing to the satisfaction of the Court that the character of the defendant and the circumstances of the case are such that he is not likely again to engage in an offensive course of conduct and that the public good does not demand or require that he shall suffer the penalty imposed by law, it is ordered by the Court that the execution of said sentence be suspended and that the defendant be placed on probation in the manner provided by law, and that in addition to the rules and conditions provided by the Board of Administration said Defendant is not to visit or go to the residence of the Prosecuting witness Nellie P. Peets or to molest her in any way or manner, or to go upon the premises where she lives.

Temp.

Injunction

Leave

OK. John M. Brodrick, Judge.

The State of Ohio,  
 Plaintiff,

No. 1445.

vs  
 Warren Peets,

Indictment Assault with Intent to Kill.

Defendant.

Leave

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.

Court adjourned to Aug 30, 1913. at 9 a. m.



Aug. 30, 1913.

Saturday August 30, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge

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

The Board of Education of  
Liberty Tp. School District  
Union County, Ohio,  
Plaintiff

No. 9495.

vs

John H. Willis as Prosecuting  
Attorney of Union County Ohio,  
Defendant.

Temp.

Injunction

I allow a temporary restraining order in the above action, as  
prayed for in the petition herein filed, until the same can be further  
heard upon Plaintiff's giving an undertaking, conditioned according  
to law, to the satisfaction of the Clerk of this Court, in the sum of  
One Hundred Dollars, (\$100.00).

Done this 30th day of August, 1913.

John M. Brodrick, Judge.

In the Matter of  
Compensation of  
E. C. Edwards,  
Court Constable

E. C. Edwards is hereby allowed for services as  
Court Constable from August 1, 1913 to August 30, 1913, 4 days  
at \$2.50 per day, total \$10.00

Clerk will certify amount to Auditor of Union Co. O.  
John M. Brodrick, Judge.

Le Roy Wulke,  
Plaintiff

No. 9474

vs

Chas. W. Westlake et al,  
Defendants

Leave

Leave granted Defendants to plead within 20 days

The Delphos Mfg. Co.  
Plaintiff

vs

No. 9451

Leave

John Saum + J. M. Saum,  
Defendants.

Leave granted Plaintiff to file petition by Sept. 8, 1913.



Aug. 30, 1913.

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

Willis Epps,  
Plaintiff

vs

Ruben Huffman,  
Defendant.

No. 9180.

Leave

Leave granted Plaintiff to file petition by Sept. 8, 1913.

Order

Show

Cause

Temp.

Adjunctive

Court adjourned to Sept. 4 1913 at 9 a.m.

Sept. 4, 1913

Thursday Sept. 4, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

John M. Peel,  
Wm. S. Peel,  
Edward W. Porter,  
Plaintiffs

No. 9498.

vs

The Westlake  
Mfg Co.  
Defendant.

Order

Show

Cause

The petition for the dissolution of said corporation, with the accounts and inventories so far as petitioners were able to furnish same, and the 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, before Milo L. Myers, who is hereby appointed receiver for the purpose, at his office in the Village of Marysville, County of Union and State of Ohio, on the 13th day of December, 1913, and said referee shall hear the allegations and proof of said 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 of all matters and things pertaining to its affairs.

John M. Brodrick, Judge.

John M. Peel et al,  
Plaintiffs

No. 9498

vs

The Westlake Mfg Co.  
Defendant

Temp.

Injunction

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 \$10000, with sureties to the approval of the Clerk, an injunction be allowed to issue herein enjoining said defendant and the officers and directors thereof, to wit, Josiah W. Westlake, president, Edwin Turner, secretary and treasurer and Josiah W. Westlake, George Moder, Edwin Turner, Saw Cross, and John Smith, directors from paying or agreeing to pay <sup>any salary</sup> Josiah W. Westlake, pending the final disposition hereof, and enjoining it and them from entering into any contracts or engagements with any person or persons in the name of the defendant, and from incurring any indebtedness or obligation in the name of the defendant. And further enjoining the defendant from discriminating against Edward W. Porter and John M. Peel in the collection of \$8000 per share until the further order of this Court.

John M. Brodrick, Judge.



Sept. 6, 1913

Saturday Sept. 6, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

It is ordered that all cases, motions and all matters 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 1913, was begun on Monday April 7<sup>th</sup>, 1913 and was continued from day to day, and from time to time and is now on this 6<sup>th</sup> day of September 1913, adjourned without day.

John M. Brodrick  
Judge,

September Term 1913,

The State of Ohio, }  
 County of Union } ss.

This separate session of the Court of Common Pleas, of the Tenth Judicial District, within and for the County of Union, State of Ohio, for the September Term 1913, held in the Court House in the Village of Marysville, County and State aforesaid, was begun on Monday September 8th, 1913.

Present Honorable John M. Brodrick, Judge, John N. Laird, Sheriff,  
 attest: John C. Startshorn, Clerk.

## Grand Jury Facias

The State of Ohio, Union County ss.

Sheriff's Office, Aug. 9, 1913.

On the 9th day of August 1913, I received this venire and served the same on the several persons named therein, at the times and in the manner placed opposite their names endorsed hereon.

1. W. J. Rausch	Aug. 9, 1913	By mail	4 miles.
2. John Robb	" "	" "	14 "
3. N. J. Graham	" "	" "	2 "
4. E. D. Mollam	" "	" "	moved out of county.
5. Jacob Blue	" "	" "	excused.
6. William Graves	" "	" "	15 miles.
7. C. Hargar	" "	" "	18 "
8. Wilber De Good	" "	" "	12 "
9. Courtney Cox	" "	" "	15 "
10. Milton Southard	" "	" "	excused.
11. J. G. Gault	" "	" "	10 miles.
12. Arthur Gibson	" "	" "	4 "
13. O. B. Eaton	" "	" "	7 "
14. S. P. Hawk	" "	" "	18 "
15. W. P. Rayl	" "	" "	16 "
16. Benjamin Fryman	called as talesman		12 "
17. J. W. Newhouse	" "	" "	0 "
18. J. N. Keller	" "	" "	0 "

John N. Laird, Sheriff.

and upon calling the same in open court the following named jurors responded to their names: W. J. Rausch, John Robb, N. J. Graham, William Graves, C. Hargar, Wilber De Good, Courtney Cox, J. G. Gault, Arthur Gibson, O. B. Eaton, S. P. Hawk, W. P. Rayl, E. D. Mollam, Jacob Blue, and Milton Southard showing good cause were excused from serving. The panel being incomplete, by order of the Court, Benjamin Fryman, J. W. Newhouse and J. N. Keller were summoned as talesmen. The panel then being full, the Court appointed J. G. Gault foreman, and he with his fellow-jurors took the oaths in the manner prescribed by law. The said Grand Jury being instructed by the Court in relation to their duties, were conducted to room by the Sheriff.



Sept. 8, 1913.

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

Edward A. Erwin,  
Plaintiff

vs

No. 9491

Edna M. Erwin,  
Defendant.

Leave

Upon motion of the defendant leave is granted to the defendant to answer within ten days.

At. John M. Brodrick, Judge.

Certificate for Sheriff's Pay.

Sheriff's Office, Union County, Ohio.

Maumville Ohio, Sept. 8, 1913.

The Court charges for the April Term, 1913, Union County, Common Pleas, are due for services rendered and are as follows:

Union County, Ohio, To John N. Laird, Sheriff, Dr.		
To serving Grand Jury venire	-----	\$ 3.85
" " Petit " "	-----	4.50
" " Special " "	-----	4.00
" " Grand Jury Witnesses	-----	16.00
" 156 miles travel, Grand Jury witnesses	-----	12.48
Total	-----	\$ 40.83

I hereby certify the above bill to be correct.

John N. Laird, 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.

Dismissed

John M. Brodrick, Judge.

John Wagner,  
Plaintiff

vs

No. 9447

J. C. Beaty,  
George Howard Sloan,  
Defendants.

Judgment

And now comes said John Wagner, by Leonard Cox, his attorney, and said J. C. Beaty and Geo. Howard Sloan having failed to demur or answer to the petition of said John Wagner, it is considered that he ought to recover the sum of Five Hundred Dollars so demanded in his petition, together with the sum of sixteen dollars, which the Court finds due as interest thereon, as prayed for in said petition, said interest being computed to and including the 8th day of Sept. 1913.

It is therefore considered that John Wagner recover against J. C. Beaty and Geo. Howard Sloan the said sum of Five Hundred + sixteen Dollars together with his costs in and about his suit in this behalf expended taxed at \$1128.

At. John M. Brodrick, Judge.

Court adjourned to Sept. 9, 1913 at 9 a.m.

Sept. 9, 1913.

Tuesday Sept. 9, 1913 - 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  
Appointment of  
Secret Service Officer  
for Union County, O.

And now comes the Prosecuting Attorney of Union County and informs the Court that by virtue of section 2915 of the General Code of Ohio, he has appointed W. B. Mathews to act as secret service officer for the period of one year and five months commencing with the 8th day of August 1913, to aid the Prosecuting Attorney in the collection and discovery of evidence to be used in the trial of criminal nature and asks the Court to fix the compensation of said secret service officer.

The Court upon consideration of same fixes the compensation of said secret service officer at \$43.75 per month payable out of the county fund.

At. John M. Brodrick, Judge

John Gray,  
Plaintiff

vs

No. 9356.

A. F. Bisler,  
Defendant.

Dismissed

This cause came on for hearing upon the motion of the defendant to dismiss the action of the plaintiff for the reason that the plaintiff has been in default for petition for a long period of time, and the Court on consideration thereof find that the defendant perfected his appeal on the 28th day of August 1913, and that the defendant did not file his petition within the rule day and has been in default therefor ever since said rule day.

It is therefore adjudged by the Court that this case be dismissed for want of prosecution, and judgment is awarded the defendant for his costs herein expended taxed at \$4.55.

At. John M. Brodrick, Judge.

Hoopes, Robinson + Hoopes,  
Plaintiff

vs

No. 9464.

Alice G. Chandler et al,  
Defendants.

This cause coming on to be heard upon the motion of the plaintiff to make the defendant's answer more definite and certain, the Court, on consideration thereof, sustains the same, and leave is hereby granted defendant to amend his answer within ten days.

At. John M. Brodrick, Judge.



Sept. 9, 1913.

## Grand Jury.

This day appeared at the bar of this court, the Grand Jury, heretofore impanelled and sworn and through their foreman, J. G. Sault, brought in the following bills of indictment:

Against Frank Larkin, Murder in the Second Degree, with count shooting with intent to kill;

Against Charles H. Westlake, Murder in the Second Degree,

" O. R. Teets, Embezzlement,

" Arthur Bedford, Embezzlement,

No further business presenting itself the Grand Jury adjourned to meet at the call of the Prosecuting Attorney.

Dismissed

Dwice

Bail

Court adjourned to Sept. 10, 1913 at 9 a. m.

Sept. 10, 1913.

Wednesday, Sept. 10, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

J. J. Mc Gee, Exr.  
Estr. of Eva Robinson,  
Plaintiff

No. 9452

vs  
Lew Robinson,  
Defendant.

Dismissed

This day the parties to the above entitled action came by their attorneys and say that the same has been settled out of court and the same is hereby dismissed, by plaintiff paying the costs, No record.

Approved: D. C. Thornlon  
J. J. Mc Gee,

Pauline Simpson, an infant  
by George Jolliff, her father  
and next friend,  
Plaintiff

No. 9470.

vs  
Howard Simpson,  
Defendant.

Twice

This day this cause came on to be heard upon the pleadings and evidence. On consideration thereof and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with process by publication according to law; and that the allegations of the petition are true, and that the marriage therein mentioned was fraudulently contracted and voidable and that the plaintiff avoided the contract before becoming sixteen years of age and has never since ratified the said voidable marriage.

It is therefore ordered, adjudged and decreed that the said marriage be and the same hereby is annulled and declared to be of no effect and parties thereto are hereby released therefrom and that the plaintiff resume her maiden name of Pauline Jolliff and pay the costs herein taxed at \$9.66.

John M. Brodrick, Judge.

The State of Ohio,  
Plaintiff

No. 1449.

vs  
O. R. Teets,  
Defendant.

Bail

This day on application of the defendant, the Court fix the amount of the recognizance in the sum of One Hundred Dollars.

Court adjourned to Sept. 11, 1913 at 9 a. m.



Sept. 11, 1913.

Thursday Sept. 11, 1913 - Court convened at 9 a.m.  
 Present Honorable John M. Brodick, Judge

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

The Union County Telephone Co.  
 Plaintiff

vs  
 The Mansville Light & Water Co. Probate Court, Union County, Ohio.  
 Defendant.

No. 9499

Injunction

This day came the Plaintiff by Hoopes, Robinson + Hoopes, its attorneys, and it appearing that the Judges of the Common Pleas Court, in which the above entitled action is pending, are absent from the county, this cause came on to be heard upon the Plaintiff's application for an injunction, upon the petition duly verified and affidavits therein filed, and was argued by counsel; and the Probate Judge being fully advised in the premises, and being satisfied that the plaintiff is entitled thereto, a temporary injunction is granted, as prayed for in the petition, restraining the defendant from erecting any more poles along the line of the plaintiff's telephone line on the Mansville and Milford Center Road or in close proximity thereto and restraining the defendant from strunging wires upon the poles already erected by it upon the plaintiff. Giving to said defendant an undertaking, executed by sufficient surety in the sum of One Thousand Dollars, conditioned and to be approved as required by law.

Edward N. Porter,  
 Probate Judge.

Fixing

Bond

arraign-

ment.

Court adjourned to Sept. 13, 1913 at 9 a.m.

Sept. 13, 1913

Saturday Sept. 13, 1913 - Court convened at 9 a. m.

Present Honorable John M. Brodrick, Judge.

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

State of Ohio,  
Plaintiff,

vs

Frank Rarkin,  
Defendant.

No. 1447.

Indictment for Murder in Second Degree.

Fixing

Bond

Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant being in court in custody of the Sheriff, and arraigned upon said indictment, and acknowledging service of copy thereof, and waiving 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 One Thousand Dollars was required by the Court, and thereupon the defendant failing to provide said recognizance is remanded to the custody of the Sheriff.

State of Ohio,  
Plaintiff

vs

Charles H. Westlake,  
Defendant.

No. 1448

Indictment for Murder in Second Degree.

arraign-

ment.

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 acknowledging service of copy thereof, and waiving 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 One Thousand Dollars was required by the Court, and thereupon the defendant failing to provide said recognizance is remanded to the custody of the Sheriff.

Court adjourned to Sept. 15, 1913 at 9 a. m.



Sept. 15, 1913

Monday Sept. 15, 1913 - Court convened at 9 a.m.  
 Present Honorable John M. Brodrick, Judge.

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

State of Ohio,  
 Plaintiff,

vs

Frank Larkin,

No. 1447

Inc. Bond

Defendant

This day this cause came on to be heard upon the application of the Prosecuting Attorney on behalf of the State of Ohio, for an order increasing the amount of the recognizance of the defendant herein. Upon consideration thereof the Court doth find and order that the amount of the recognizance of the defendant herein be increased to \$2000<sup>00</sup>, and that said defendant is required by the Court to provide recognizance in the amount of \$2000<sup>00</sup>, and thereupon the defendant failing to provide said recognizance is remanded to the custody of the Sheriff.

W. John M. Brodrick, Judge.

Rose M<sup>c</sup>Lean et al,  
 Plaintiffs

vs

Belle Armstrong et al,  
 Defendants

No. 9354

Making

Issues

It appearing to the Court that the plaintiffs in this case seek to set aside a certain paper writing purporting to be the last will and testament of Orville B. McLean, late of this county, deceased, which has been admitted to probate according to the statutes in such cases made and provided, and no issue being made up by the pleadings, it is now ordered that the validity of said will be, and the same is, put in issue between the parties, and that it be ascertained by the verdict of the jury whether said writing is the last will and testament of said Orville B. McLean, or not.

W. John M. Brodrick, Judge.

Ed Price, Receiver  
 of Beverly Depp,  
 Plaintiff

vs

Beverly Depp et al,  
 Defendants.

No. 9432

Confirmation

This day this above cause came on to be heard upon the report of Ed Price, Receiver of Beverly Depp herein, of the sale of real estate belonging to said Beverly Depp in pursuance of a former order of this Court, and upon the motion of plaintiff to confirm the same, and the Court having carefully examined said report and being satisfied that said sale has in all respects been made in conformity



Sept. 15, 1913.

to law and the former order of this Court, it is here ordered by the Court that said sale and report be and the same are hereby in all things approved and confirmed and the said Cad Price, as such Receiver, is hereby authorized and ordered to convey to said purchaser, William P. Hudson, by deed according to law, the following described real estate belonging to the said Beverly Depp, situate in the Tp. of Jerome, County of Union, and State of Ohio, and known as part of Military Survey Nos. 2925, 7181, 6595 and bounded and described as follows:

Situate in the Tp. of Jerome, County of Union, and State of Ohio, and known as part of Military Survey Nos. 2925, 7181, 6595 and bounded and described as follows: Beginning at a stone in the DeWitt and Mooney road and N. W. corner to R. Warner's land; thence S.  $84^{\circ} E.$  104- $\frac{8}{100}$  poles to a stake in the N. line of John G. Warner's land; thence S.  $82^{\circ} W.$  62 poles to a stake in the N. line of Alpheus Geeder's land; thence N.  $6^{\circ} W.$  7- $\frac{3}{100}$  poles to a stake another corner of Alpheus Geeder; thence S.  $82^{\circ} W.$  84- $\frac{17}{100}$  poles to a stake in the N. line of Survey No. 6595; thence with the N. line of said survey N.  $8^{\circ} W.$  78- $\frac{52}{100}$  poles to a stake in the N. W. corner of said survey No. 6595; thence with the N. line of said survey N.  $82^{\circ} E.$  31- $\frac{7}{100}$  poles to a stake in the N. line of said Survey No. 6595; thence N.  $5^{\circ} 31' W.$  crossing the said DeWitt and Mooney road 133- $\frac{120}{100}$  poles to a stake in the S. W. corner of J. S. DeWitt's land; thence N.  $83^{\circ} 31' E.$  41 poles and 16 links to a stake in the N. line of Peter DeWitt's land; thence S.  $6^{\circ} 23' W.$  44 poles to the center of the said DeWitt and Mooney road and S. W. corner of lands owned by Peter DeWitt; thence with said road S.  $86^{\circ} 46' E.$  65- $\frac{80}{100}$  poles to the place of beginning, containing 137 $\frac{1}{2}$  acres of land by the same more or less but subject to all legal highways. Excepting therefrom a homestead for Beverly Depp and Nannie Depp as a homestead, and which said land lying north of said DeWitt road is supposed to contain ten acres more or less.

It is further ordered that the said purchaser, William P. Hudson, for the better protection of his title to said premises, be and he is hereby subrogated to all rights of Louis Davis, Catherine K. Palmer, the Bank of Plain City and all other holders of liens upon and against said premises, and it is further ordered that a writ of possession issue to the Sheriff of Union County, Ohio, to put the said William P. Hudson in possession of said premises.

And thereupon the above matter came on further to be heard upon the answers and cross-petitions of Louis Davis, Catherine K. Palmer; and the Bank of Plain City, and the Court finds that the plaintiff and all the other defendants in this case are in default for answer or demurrer to said answers and cross-petitions and that the allegations of the same are thereby confessed by them to be true by the plaintiff and all other defendants herein; and the Court finds that there is owing to the said Louis Davis upon the mortgage set up in his cross-petition the sum of \$5006 $\frac{47}{100}$ , to the said Catherine K. Palmer upon the mortgage set up in her cross-petition the sum of \$1336 $\frac{00}{100}$ , and to the Bank of Plain City, upon the judgments set up in its cross-petition, the sum of \$7221 $\frac{00}{100}$ .



Sept. 15, 1913

and to the said Louis Davis upon the judgments set up in his cross-petition the sum of \$ , and that said several indebtedness should be paid in the order and priority hereinabove and hereinafter named.

The Court further finds that the said Beverly Depp and his wife, Nannie Depp, are each of the age of forty-seven years, that the said Nannie Depp has filed in this court her answer, consenting that said premises be sold free and clear of her dower interest and asking that the reasonable value of said dower interest be set off to her; and the Court finds that the reasonable value of her dower interest in said premises is the sum of \$478.57,

And the Court coming now to distribute the purchase money of said premises, amounting to the sum of \$12900.00, it is ordered that said Cad Price, as Receiver of said Beverly Depp out of the money <sup>his</sup> hand pay:-

1. To the Treasurer of Union County, Ohio, the sum of \$336.32, being the taxes, penalty, and interest on all that part of the above described premises excepting such as has been set off to the said Beverly Depp in the way of a homestead,
2. To the Clerk of the Common Pleas Court of Union County, Ohio, the sum of \$57.25, being the court costs in the above entitled case,
3. To Cad Price, as Receiver of Beverly Depp for his compensation in connection with the sale of said real estate the sum of \$378.00,
4. To James E. Robinson and Edward P. Powell as compensation for their services as attorneys for said Receiver in connection with the sale of said real estate the sum of \$378.00,
5. To Louis Davis the sum of \$5006.47, being in full settlement of the mortgage lien held by Louis Davis on said premises herein described,
6. To Catherine K. Palmer, the sum of \$1336.00, being in full settlement of the mortgage lien held by the said Catherine K. Palmer on the premises herein described.
7. To the said Nannie Depp, the reasonable value of her dower interest in said premises, to-wit: the sum of \$478.57.
8. The balance thereof, to-wit the sum of \$4935.27, to the Plain City Bank being in part settlement of the judgment liens held by the said bank on the premises herein described.

It is further ordered, adjudged and decreed that the Clerk of this Court issue an order and mandate to the Recorder of Union County, Ohio, commanding said Recorder in accordance with the order of the Court herein, to cancel on his records as satisfied in full the mortgages held by Louis Davis and which is herein described, and also the mortgages of Catherine K. Palmer and Edward P. Powell, which is herein described,

It is further ordered that the Clerk of this Court cause to be released on the foreign execution docket of the Sheriff of

Amend

Service

Union County, Ohio, the premises herein described from the lien of the judgments of the Bank of Plain City and also to cause proper release of said premises from all liens, the holders of which are parties to this suit.

Approved: F.A. Thompson, Atty for Lewis Davis,  
E.P. Powell, " " Cad Price, Rec. + Catherine K. Palmer,  
C.J. Pretzman " " Bank of Plain City.

W. John M. Brodrick, Judge.

Ernest E. Whitesell,  
Plaintiff

vs

No. 9450

Eric Railroad Company,  
Defendant.

Amend

Service

This cause coming on for hearing upon the motion of plaintiff for leave to the Sheriff of Union County, Ohio, to correct his return of service of summons to comply with the fact upon consideration thereof said motion is sustained and leave is granted to said Sheriff to so correct his return as to show the manner of service of summons.

Court adjourned to Sept. 16, 1913 at 9 a.m.



Sept. 16, 1913

Wednesday Sept. 16, 1913, - Court convened at 9 a.m.  
 Present Honorable John M. Brodrick, Judge.

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

Venire for Petit Jurors.

The State of Ohio, Union County, ss.

On the 22<sup>nd</sup> day of August, 1913, I received this venire and served the same on the several persons named therein, at the times and in the manner placed opposite their names endorsed hereon.

- |                       |                 |           |          |
|-----------------------|-----------------|-----------|----------|
| 1. Ben Beem           | ; Aug. 11, 1913 | ; By mail | 16 miles |
| 2. Leonard Belleville | " " "           | " "       | 5 "      |
| 3. David Miller       | " " "           | " "       | " "      |
| 4. S. M. Leutz        | " " "           | " "       | 6 "      |
| 5. Monroe Curine      | " " "           | " "       | 21 "     |
| 6. W. A. Conklin      | " " "           | " "       | 10 "     |
| 7. Nelson Fleming     | " " "           | " "       | " "      |
| 8. David Wyeth        | " " "           | " "       | 10 "     |
| 9. C. L. Koerner      | " " "           | " "       | 6 "      |
| 10. M. J. Cody        | " " "           | " "       | " "      |
| 11. D. E. Liggett     | " " "           | " "       | 7 "      |
| 12. G. W. Harris      | " " "           | " "       | 13 "     |
| 13. Alfred Morn       | " " "           | " "       | 16 "     |
| 14. Lew M. Allister   | " " "           | " "       | " "      |
| 15. Henry Stalder     | " " "           | " "       | " "      |
| 16. S. S. Robertson   | " " "           | " "       | " "      |
| 17. M. P. Haggard     | " " "           | " "       | 9 "      |
| 18. John Clark        | " " "           | " "       | 18 "     |

Settled

John A. David, Sheriff.

No business Petit jury were ordered not to report until Sept. 23, by Sheriff.

C. P. Reno,  
 W. C. Woolard,  
 Plaintiffs

No. 9429.

vs  
 The Erie Railroad Co.  
 Defendant.

The motion of the Defendant, to strike the first cause of action of the Petition, and the alternative motion to compel Plaintiffs to elect upon which cause he shall proceed, is heard and the motion and the alternative motion is overruled, to which ruling the Defendant excepts.

On Motion

Court adjourned to Sept. 17, 1913 at 9 a.m.

Sept. 17, 1913.

Thursday Sept. 17, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Mary L. Barlow,  
Plaintiff

vs

C. L. Barlow, Exr,  
Est. Margaret Barlow, dec.  
Defendant.

No. 9322.

Served  
and  
Settled

This case is settled and by agreement of parties, the plaintiff is to pay the cost made by her and the defendant to pay the cost made by him and there is to be no record.

4.23,

of  
offs  
in  
the

Court adjourned to Sept. 18, 1913 at 9 a. m.



Sept. 18, 1913.

Friday Sept. 18, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge

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

The State of Ohio,  
ex rel John H. Willis  
Proc. Atty,  
Plaintiff

No. 9268,

rs  
The Richwood Deposit Bank,  
Defendant.

Leave

Judgment

This day came the parties and submitted this cause to the Court upon the pleadings and evidence. On consideration whereof, the Court, being fully advised in the premises finds for the Defendant and that the facts stated in the petition are not sustained by the evidence and that the petition should be dismissed at the Plaintiff's cost. It is therefore adjudged and decreed by the Court that the petition in this cause be, and the same is hereby dismissed; and it is further adjudged and decreed that the defendant recover of the plaintiff its costs herein expended taxed at \$.

Hoopes, Robinson + Hoopes  
for Defendant,

The Union Co. Telephone Co.  
Plaintiff

No. 9499,

Confirmation

rs  
The Mansville L. + M. Co.  
Defendant.

Order Sale

Modifying

Suf.

This day this cause came on to be heard upon the motion of the defendant to modify the temporary injunction heretofore granted in this cause and for relief stated in the motion. On consideration whereof it is ordered by the Court that the temporary injunction heretofore granted be modified so as not to interfere with the defendant in erecting its poles and stringing its wires and completing its line to Milford Center. But the defendant is enjoined from turning any electric current upon said lines, or wires and from operating its said line with an electric current, until the further order of this Court.

W. John M. Brodrick, Judge.

Earl Hughes,  
Plaintiff

No. 9476

rs  
A. F. Bisher,  
Defendant

Leave

Leave granted Plaintiff to file Reply and the same filed.

Court adjourned to Sept. 22, 1913 at 9 a. m.

Sept. 22, 1913.

Monday Sept. 22, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge

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

Blanch M. Martin,  
Plaintiff

vs

No. 9457.

Anna L. Lawson, et al  
Defendants

Leave

This cause came on for hearing upon the motion of the plaintiff for correction of description, and platting of premises as described in plaintiff's petition, and the Court being fully advised in the premises, It is ordered, decreed and adjudged, that the Sheriff of said Union County, Ohio, cause a proper plat of said premises to be drafted, with descriptions of said premises thereon contained, and that said plat be annexed to and returned with and filed with his writ of partition herein,  
John M. Brodrick, Judge.

Blanch M. Martin,  
Plaintiff

vs

No. 9457.

Anna L. Lawson et al  
Defendants

Confirmation

Order Sale

This cause came on for hearing upon the return of the Sheriff and the report of the Commissioners heretofore appointed herein, and on motion to confirm the same. And it appearing that said estate cannot be divided by metes and bounds without injury to the value thereof, and that the said Commissioners have made and returned their appraisement thereof, the Court find that said return and proceedings in all respects correct and in conformity to law, and do therefore approve and confirm the same. And thereupon neither of the parties electing to take the said premises at the appraised value thereof, and there being no dower interest assigned therein, on motion of the plaintiff, It is ordered that said premises be sold for cash, at public auction on the premises (free of any dower estate) and that an order issue therefor to the Sheriff of said Union County, Ohio, and the said Sheriff is ordered to return his proceedings to this Court without unnecessary delay,  
John M. Brodrick, Judge.

Court adjourned to Sept. 23, 1913 at 9 a. m.



Sept. 23, 1913

Tuesday Sept. 23, - Court convened at 9 a.m.

Present Honourable John M. Brodrick, Judge.

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

The Venire Facias heretofore issued for Petit Jurors, returnable Sept. 16, 1913, was this day called in open court and the following named persons responded to their names: Ben Beem, Leonard Belleville, David Miller, S. M. Reutz, Monroe Amine, W. A. Coukline, David Nyeth, C. L. Kocner, D. E. Riggert, G. W. Harris, Alfred Moore, M. P. Haggard and John Clark. And now the petit jury being incomplete by reason of challenge, on motion a special venire was ordered. Said motion being made by the attorneys for plaintiffs in the following action:

Rose M. McLean et al

Plaintiffs

vs

No. 9354,

Belle Armstrong et al,

Defendants

The Clerk will issue a special Venire for the following named persons to serve as jurors in the above entitled case, viz: Frank M. Torrey, H. C. Vasbury, R. G. Morse, Burl P. Southard.

Sept. 23, 1913 Special Venire

The State of Ohio, Union County ss.

To John H. Raird Sheriff, Speaking:

We command you, that without delay you summon Frank M. Torrey, H. C. Vasbury, R. G. Morse, Burl P. Southard to be and appear before our Common Pleas Court, within and for the county and State aforesaid, at the Court House in Marysville on the 23<sup>rd</sup> day of Sept. 1913 at 10 a.m. and so from day to day until discharged, then and there to serve as Petit Jurors, in a case pending in said court, wherein Rose M. McLean et al are plaintiffs and Belle Armstrong et al are defendants. And how you shall execute this writ make appear to our said Court, Common Pleas, and have you then and there this writ. Witness John C. Hartsporn, Clerk of our said Common Pleas Court and the seal thereof, this 23<sup>rd</sup> day of Sept. 1913.

Sheriff's Return

In obedience to the command of this writ I summoned the within named jurors as follows. By notice prescribed by law served personally upon Frank M. Torrey, H. C. Vasbury, R. G. Morse, Burl Southard,  
John H. Raird, Sheriff.

On calling the names of the Special Venire in open court the following persons responded: Frank M. Torrey, R. G. Morse and Burl Southard. H. C. Vasbury not found.

trial

arraignment

Commence



Sept. 23, 1913.

Rose M. Leau et al.  
Plaintiffs

vs

No. 9354

Belle Armstrong et al.  
Defendants.

Trial

This day came the parties herein, by their attorneys; also came the following named persons as jurors, to-wit: Ben Beem, Leonard Belleville, S. M. Lentz, Monroe Amrine, David Nyeth, C. L. Kaelmer, D. E. Liggett, S. M. Harris, Alfred Moore, John Clark, Frank M. Fory + Paul P. Southard, who were duly impaneled but not sworn according to law; On a statement by the attorney that Mayme M. Leau an important witness had failed to appear, the trial of the case was postponed until Dec. 8, 1913 at 9 a. m. and witnesses were ordered to appear on that date without further notice. Costs of <sup>postponement</sup> delay were assessed against plaintiffs.

State of Ohio,  
Plaintiff

vs

No. 1451.

George Hull,  
Defendant.

Indictment for Rape.

Arraignment

Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant being in court in custody of the Sheriff, and upon being arraigned upon said indictment, and acknowledging service of copy thereof, and waiving reading of, and further time to consider and evaluate 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 the defendant is remanded to the custody of the Sheriff.  
At John M. Brodrick, Judge.

State of Ohio,  
Plaintiff,

vs

No. 1451.

George Hull,  
Defendant.

Counsel

Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant being in court in custody of the Sheriff, and it appearing that he is in indigent circumstances, and unable to employ counsel, the Court at his request, appoints W. H. Kellefirth Esq, as counsel for his defense  
At John M. Brodrick, Judge



Sept. 23, 1913

State of Ohio,  
Plaintiff

vs

George Hall,  
Defendant.

No. 1451.

Indictment for Rape.

Sentence

Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant being in court in custody of the Sheriff, and being represented by counsel; thereupon said defendant retracts his plea of not guilty heretofore entered, and for plea to said indictment says he is guilty; which plea is accepted by the prosecuting attorney; thereupon the Court being fully advised in the premises it is ordered and adjudged by the Court that said George Hall, be imprisoned <sup>in confinement</sup> in the Penitentiary of this state, and kept at hard labor, but without any solitary confinement; there to be kept until legally discharged; and that he pay the costs of this prosecution herein taxed at \$27.56, for which judgment is rendered against him, and for which execution is awarded.

W. John M. Brodrick, Judge.

Judgment

Vacated

Sept. 26, 1913.

Friday Sept. 26, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Prodrick, Judge.

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

The Bank of Marysville,  
Plaintiff

vs

No. 9436

Willis Richman et al,  
Defendants.

Judgment

Vacated

This day this cause came on to be heard on motion of the defendant, Rose Hostetter, to vacate the judgment heretofore rendered herein; and upon due consideration the Court finds that the said defendant has a valid defense.

Wherefore, said motion is granted and the judgment is hereby vacated, and the said defendant, Rose Hostetter, has leave to file answer herein, and the same is filed.

Approved: John L. Loughrey, Atty for Plaintiff  
John H. Miller, " " Defendant.

Ross Rinehart,  
Plaintiff.

vs

No. 9280.

The Board of County  
Commissioners,

Defendant

This day this cause came on to be heard upon the demurrer of the defendant, and upon consideration the Court doth overrule the demurrer, To all of which the defendant excepted. Leave is granted the defendant to file answer in thirty days.

Approved: John L. Loughrey, Atty for Plaintiff.  
John H. Miller, Atty for Defendant.

Court adjourned to Sept. 30, 1913 at 9 a. m.



Sept. 30, 1913.

Tuesday Sept. 30, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

Justice Court of Common Pleas, Union County, Ohio.

M. L. Langstaff,  
 Plaintiff

vs

Lenox + Elliott,  
 Defendants.

No. 9449.

Trial

This day came the parties herein, by their attorneys; also came the following named persons as jurors, to-wit: Ben Beem, Leonard Belleville, David Miller, S. M. Leutz, Monroe Aurine, W. A. Couklin, David Nyeth, C. L. Koerner, D. E. Liggett, G. W. Harris, M. P. Haggard and John Clark 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, the said cause was continued until to-morrow morning at 9 o'clock.

Trial

Verdict

In the Matter of  
 Compensation of  
 G. C. Edwards,  
 Court Constable.

G. C. Edwards is hereby allowed for services as Court Constable from Sept 1st to Sept. 30, 1913, 22 days at \$25.00 per day, total \$550.00. The Clerk will certify amount to Auditor of Union Co.  
 John M. Brodrick, Judge.

Settled

Settled

Court adjourned to Oct. 1, 1913 at 9 a. m.

Oct. 1, 1913.

Wednesday Oct. 1, 1913 - Court convened at 9 a.m.  
 Present Honorable John M. Brodrick, Judge.

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

M. L. Raugstaff,  
 Plaintiff

vs

No. 9449.

Lenox + Elliott,  
 Defendant.

Trial

Verdict

This day again came the said parties by their attorneys and also came the jury heretofore impaneled and sworn, and the trial proceeded, and the said jury having heard the remaining testimony, the arguments, and charge of the Court, retired to their room in charge of the Sheriff, for deliberation, and now comes the said jury into open court with their verdict in writing, signed by their foreman and others 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 Defendants at the sum of Four Hundred, Eighty and  $\frac{2}{100}$  Dollars.

David Miller,  
 L. M. Belleville,  
 Monroe Aurine,  
 G. W. Harris  
 S. M. Lentz  
 W. A. Couklin

M. P. Haggard,  
 C. L. Koerner,  
 B. F. Beech,  
 D. B. Liggett  
 D. O. Nyeth  
 J. H. Clark

Fern Clarke,  
 Plaintiff

vs

No. 9187.

Augustus E. Groome,  
 Defendant.

The parties by their attorneys came and the plaintiff withdraws his amended petition herein.

Settled

Approved: J. A. Godown, Atty for Defendant.  
 John H. Willis " Plaintiff.

Nancy M. Ross et al,  
 Plaintiffs

vs

No. 9310

C. M. Baumgardner, et al  
 Defendants.

Settled

Now comes the plaintiff and defendant and settles this case by the defendant paying the costs and dismissing the same without record.

H. S. Spicer, Atty for Plaintiff  
 John H. Willis, Atty for Defendant.



Oct. 1, 1913.

Ferm Clarke,  
Plaintiffvs  
Augustus E. Grooms,  
Defendant.

No. 9187.

This day this cause came on to be heard on the demurrer of plaintiff to the answer of defendant. Was argued by counsel and submitted to the Court; the Court finds that plaintiff's petition does not state facts sufficient to constitute a cause of action against the defendant, and said demurrer is therefore sustained as to plaintiff's petition, to which ruling the plaintiff excepts, and the plaintiff not desiring to further plead or amend, the petition is dismissed, and it is therefore considered that defendant go hence without day and recover of plaintiff his costs herein, taxed at \$8.25.

Approved: J. A. Goddard, Atty for Defendant.

John H. Willis, Atty for Plaintiff.

trial

Settled

Demurrer

Sustained

Court adjourned to Oct. 2, 1913 at 9 A. M.

Oct. 2, 1913

Thursday Oct. 2, 1913 - Court convened at 9 a. m.

Present Honorable John M. Brodrick, Judge.

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

B. F. Carneau,

vs Plaintiff,

J. F. Stallsmith,

Defendant.

No. 9427.

Trial

This day came the parties herein, by their attorneys, also came the following named persons as jurors, to-wit: Ben Beem, Leonard Belleille, S. M. Reutz, Monroe Amine, W. A. Coucklin, David Nyeth, C. L. Koerner, D. E. Riggott, G. W. Harris, Alfred Moore, M. J. Haggard and John Clark who were duly impaneled and sworn according to law; and thereupon the trial proceeded. The Court sustaining a general demurrer to the petition, and granting plaintiff leave to amend the same, this cause was continued.

Hoopes, Robinson + Hoopes,

Plaintiff

vs

Alice G. Chandler et al,

Exc. Est. Marshal P. Guy,

Defendants.

No. 9464

Settled

This day came the plaintiff and dismissed this action without record.

B. F. Carneau, Plaintiff

vs

J. F. Stallsmith, Defendant

No. 9428

Demurrer

Sustained

This day came the parties and jury being impanelled and sworn, the defendant objected to the introduction of any evidence because the petition did not state a cause of action and moved the Court for judgment on the pleading. The Court treated the motion as a general demurrer to the petition and sustained the same and on application of plaintiff he was granted leave to file an amended petition instantler and the same was filed. Defendant not being ready to answer to plaintiff's amended petition, leave is granted to defendant to answer by October 15, 1913 and jury discharged from further consideration of the case by reason of the premises. Exceptions noted for the Defendant.

W. John M. Brodrick, Judge.

Court adjourned to Oct. 3, 1913 at 9 a. m.



Oct. 3, 1913.

Oct. 6, 1913 on page 180.

Friday October 3, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Emiline O. Bird,  
Plaintiff

vs

Harry Clapsaddle,  
Clarence Bird,  
Henry Gibson, Trust,  
Free Will Baptist Church,  
Washington Tp.

No. 9503.

Aggravat

Parties

Defendants.

Defendant

It appearing to the Court that Ida May Carter and Asa B. Carter are necessary parties to the controversy in this case, for the reason that they claim title to the property described in the plaintiff's petition, similar to the title claimed by the plaintiff, upon motion the said Mary Ida Carter and the said Asa B. Carter are made parties defendants herein and leave is granted to them to plead in answer. And it appearing to the Court that the Free Will Baptist Church of Washington Township is a necessary party to the controversy in this case for the reason that it is sought by this action to exclude it from a claimed interest in the property described in the plaintiff's petition, on motion, it is made a party defendant hereto; and it is ordered that process issue for it.

W. John M. Brodrick, Judge.

State of Ohio,  
Plaintiff

vs

George Speese,  
Edgar Speese,  
Defendants.

No. 1433

This the 3<sup>rd</sup> day of October 1913, came the Prosecuting Attorney on behalf of the State, and with leave of Court entered a nolle prosequi on the above indictment.

Temp.

Injunction

Court adjourned to Oct. 7, 1913 at 9 a. m.

Oct. 7, 1913

Tuesday Oct. 7, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

The Bank of Marysville,  
Plaintiff

vs

No. 9508.

W. G. McAllister,

Defendant.

Cognovit

This day came the Plaintiff by John L. Loughrey, Attorney; and filed its Petition against said Defendant, W. G. McAllister 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. G. McAllister, 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 of process and service, and entered appearance of said Defendant herein, and by virtue of the same warrant of attorney, confessed that there is due from said Defendant to said Plaintiff as is alleged in said Plaintiff's petition, the sum of Two Hundred Dollars (\$200.00) bearing interest at 8 per cent per annum payable annually, 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 Bank of Marysville Plaintiff, do recover from said W. G. McAllister the said sum of Five Hundred and Forty-four + 75/100 Dollars, (\$524.75) so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 7<sup>th</sup> day of October, 1913, at the rate of 8 per cent per annum payable annually. And by virtue of said Warrant of Attorney, all error in this action, judgment and proceeding are released, and all right of appeal, and all right to file a petition in error are waived.

Approved: F. A. Thompson.

W. John M. Brodrick, Judge.

Henry C. Shepard,  
Plaintiff

vs

No. 9509.

William A. Shepard,

Defendant.

Temp.

Injunction

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 and undertaking, conditioned according to law, to the satisfaction of the Clerk of this Court, in the sum of Five Hundred Dollars.

Done this 7<sup>th</sup> day of October, 1913.

John M. Brodrick, Judge



Oct. 7, 1913

Hamlin Bell,  
Plaintiff

vs

J. O. Oder,  
Ed. Oder

No. 9506.

Defendants

Cognovit

This day came the plaintiff by his attorney; also came Dudley E. Thornton, 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 in open 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 <sup>said</sup> plaintiff in the sum of Nine Hundred, Seventy-one and  $\frac{49}{100}$  Dollars; and also released and waived all exceptions, errors and right of appeal herein.

It is therefore considered by the Court that the said plaintiff recover from said defendants the said sum of Nine Hundred, Seventy-one and  $\frac{49}{100}$  Dollars together with his costs herein taxed at \$5.00.  
W. D. E. Thornton, Atty for Defendant.

Hamlin Bell,  
Plaintiff,

vs

J. O. Oder,  
Ed. Oder,

No. 9507.

Defendants

Cognovit

This day came the plaintiff by his attorney; also came Dudley E. Thornton, 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 and Forty-two and  $\frac{30}{100}$  Dollars; and also released and waived all exceptions, errors and right of appeal herein.

It is therefore considered by the Court that the said plaintiff recover from said defendants, the said sum of One Hundred, Forty-two and  $\frac{30}{100}$  Dollars, together with his costs herein expended, taxed at \$5.00.

W. D. E. Thornton,

Atty for Defendant.

Court adjourned to Oct. 9, 1913 at 9 a.m.

Divorce

Oct. 9, 1913

Thursday Oct. 9, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge,

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

Mary A. James,  
Plaintiff,

vs

John B. James,  
Defendant.

No. 9469,

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 he has failed to appear and is in default for answer of 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 18th day of May 1878, as alleged in said petition, and that there are no minor children 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 \$9.26, and that this case be recorded.

John M. Brodrick, Judge.



Oct. 5, 1913

Monday Oct. 6, 1913 - Court convened at 9 A. M.  
Present Honorable John M. Brodnick, Judge.

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

Bertha Harris,  
Plaintiff,

vs

Frank Harris,  
Defendant.

No. 9484.

Divorce

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 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 day of May, A. D. 1907, as alleged in said petition, that no children have been born of said marriage and that 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 be now here dissolved, and the said parties be <sup>and</sup> ~~and~~ <sup>are</sup> ~~the~~ <sup>thereby</sup> released therefrom, and that said plaintiff be and she hereby is restored to maiden name of Bertha Moore and that she pay the costs of this proceedings taxed at \$ 7.39, and that this case be recorded.

John M. Brodnick, Judge.



Oct. 6, 1913.

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

Lottie Hummel,  
Plaintiff

vs

No. 9463.

Ferry Hummel,  
Defendant.

Divorce

This day came the plaintiff, Lottie Hummel, with her counsel, Louis E. Myers, of Marion, Ohio, into open court, whereupon this action came on to be heard upon the petition and papers in the case, the testimony of witnesses and documentary evidence and upon the same was submitted to the Court; and the Court being fully advised in the premises, finds, that on the 13<sup>th</sup> day of August, 1913, said defendant, Ferry Hummel, was, by the Sheriff of Perry County, State of Ohio, personally served with proper summons and duly certified copy of the petition in this action, in all respects as required and provided by law; that the plaintiff at the time of filing of her said petition herein has been a resident of the State of Ohio, for one year last past and was then and still is a bona fide resident in the County of Union in said State of Ohio and that her cause of action arose at Union County, Ohio; that the plaintiff and defendant were married at the time alleged in her petition and that there is no issue of their said marriage; that the allegations of the petition are true; that the defendant is guilty of gross neglect of duty in the way and manner alleged in the petition and that the plaintiff is entitled to the relief hereinafter granted.

It is therefore, ordered, decreed and adjudged by the Court that the marriage contract heretofore existing between the plaintiff, Lottie Hummel, and the said defendant, Ferry Hummel, be and the same hereby is dissolved; that the said Lottie Hummel and said Ferry Hummel be and they hereby are each released from all the obligations thereof; that plaintiff be and she hereby is restored to her name of Lottie Langstaff; the Court on due consideration approves, ratifies and confirms the agreement in writing heretofore made by and between the parties hereto, a copy of which has been filed in this cause, as to the division of their property by way of or in lieu of alimony for plaintiff; that in accordance with the terms of said contract the Court hereby divests defendant of any and all claims against the plaintiff, and defendant is forever barred of any right, lien or claim in and to any property, be the same real, personal, or mixed, now owned or hereafter acquired by plaintiff and the plaintiff, Lottie Hummel, is barred and divested from any share, estate or right in and to any property be the same real, personal or mixed now owned or hereafter acquired by the defendant and the sum of Six Hundred Dollars agreed to be paid by defendant to plaintiff is adjudged and declared by the parties hereto in full of any and all claims, right or estate in the property of the defendant and the acceptance of the same by plaintiff shall be and the same hereby is declared a full and final settlement of any and all claims of alimony, maintenance, dower, right of inheritance, support, right to remain in the mansion



Oct. 6, 1913

house, down, whether inchoate or vested against defendant, or his heirs and the plaintiff is forever enjoined from the assertion of any estate, right, claim, or demand of any nature whatever against the defendant, Perry Hummel, or any property be the same real, personal or mixed he may own or hereafter acquire and defendant is awarded a perpetual injunction against plaintiff or her heirs or assigns from the assertion of any claim or demand against the defendant and all matters and differences in regards to all rights are declared settled and both parties released from all obligations towards the other upon the payment of said sum of money in said contract agreed to be paid plaintiff by defendant. The Court finding that said sum was to be paid in full of all claims do now order and adjudge, that plaintiff pay the costs of this action and execution is awarded and this cause ordered recorded,

OK.

John M. Brodrick, Judge.

Oct. 16, 1913

Thursday Oct. 16, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge

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

Charles N. Norris, Exr.  
 Plaintiff,

vs

F. H. Mead,

Defendant.

No. 9475.

Leave granted Defendant to answer within 30 days.

Ernest H. Whitesell,  
 Plaintiff

vs

Eric Railroad Co.

Defendant.

No. 9450.

Leave granted Defendant to answer by Dec. 1, 1913.

O. P. Lenox et al,  
 Plaintiffs

vs

The Eric Railroad Co.

Defendant.

No. 9429

Leave is granted Defendant to answer by Nov. 15, 1913.

Court adjourned to Oct. 18, 1913 at 9 a. m.



Oct. 18, 1913.

Saturday Oct. 18, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Edward A. Erwin,  
 Plaintiff,

vs

Edna M. Erwin,  
 Defendant.

No. 9491.

On motion of attorney for Defendant leave was granted  
 Defendant to withdraw answer and the same was withdrawn.

Service

by

Publication

Edward A. Erwin,  
 Plaintiff

vs

Edna M. Erwin,  
 Defendant.

No. 9491.

*Divorce* 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 that he has failed to appear and is in default for answer or  
 demurrer to the petition and that 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 December, 1907,  
 as alleged in said petition; and that three children were born of said  
 marriage as alleged in the petition, to-wit: Verna aged 5, Hazel aged 3,  
 and Marvin aged 1 year respectively and that the defendant has been  
 guilty of adultery as alleged in said petition; and that said plain-  
 tiff 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  
 the custody and control of said children is awarded to the plaintiff,  
 except that the defendant is to have the privilege of keeping the  
 youngest child, Marvin, as long as she shall keep and support him  
 without any expense to the plaintiff, and that upon her failure so to  
 do, she shall forfeit her privilege of keeping said child.

It is further ordered and decreed by the Court that the defendant be  
 barred of all right of dower in the property of the plaintiff and all other  
 rights in said property. It is further ordered that the plaintiff pay the  
 cost of this proceeding taxed at \$842, and that this cause be recorded.

John M. Brodrick, Judge.

Oct. 18, 1913.

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

Florence Brocklesby,  
Plaintiff

vs

No. 9510.

Clarence Brocklesby,  
Defendant.

Service

by

Publication

This day this cause came on to heard upon the affidavit of the plaintiff herein above named, asking for authority to make service on the defendant named herein for publication, The Court being fully advised in the premises, and on consideration thereof, find that the said plaintiff has filed her certain petition in said Court asking for divorce from the said defendant, and has filed therein her affidavit as to residence of the defendant, the Court further finds that the place of residence of the said defendant is unknown to the said plaintiff or can she ascertain the same, and that by reason thereof service of summons and a copy of the petition filed herein cannot be served on him.

It is therefore ordered that the said plaintiff make due publication for service on the said defendant for six consecutive weeks in the Marysville Tribune, a weekly newspaper published in said Union County, Ohio

John M. Prodrick, Judge.

Court adjourned to Oct. 21, 1913 at 9 A. M.



Oct. 21, 1913

Tuesday October 21, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Ozpha E. Snyder,  
 Plaintiff,

vs

No. 9413,

N. J. Brooks, Tras. Union Co,  
 Village of Richwood O.  
 Defendants.

Sumner

The demurrer to the petition herein is heard and sustained to which ruling the plaintiff excepts, and has leave to amend the petition within twenty days from October 16, 1913.

Sustained

State of Ohio,  
 Plaintiff

vs

No. 1455,

Herbert Patria,  
 Defendant.

Fining

This day this cause came on to be heard upon the motion of the defendant herein, that the Court fix the amount of his recognizance for his appearance on the first day of the next term of court to answer any charge made by the Grand Jury of said County, and the Court being fully advised in the premises,

Rail

Bond

It is ordered that the said defendant enter into an recognizance in the sum of Five Hundred Dollars with good and sufficient surety conditioned for his appearance before said court on the first day of next term thereof and in default thereof that he be confined in the County Jail.

O.K. John M. Brodrick, Judge

Judgment

Oct. 24, 1913.

Friday October 24, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge

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

M. L. Langstaff,  
 Plaintiff

vs

O. P. Lenox and  
 Robert Elliott partners  
 doing business under  
 firm name of  
 Lenox + Elliott,

No. 9449.

Defendants.

Judgment

This cause coming on for hearing, on the motion of the defendants to set aside the verdict, and for a new trial herein, the Court, on consideration thereof, overrule the same.

It is therefore considered by the Court, that the said plaintiff, M. L. Langstaff, recover from the said O. P. Lenox and Robert Elliott, defendants, the sum of Four Hundred, Eighty and 2/100 Dollars with interest from Sept. 8, 1913, together with his costs herein expended, To all of which the defendants except, Cameron + Cameron.

Court adjourned to Oct. 25, 1913 at 9 a. m.



Oct. 25, 1913.

Saturday Oct. 25, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Joseph S. Robertson,  
Plaintiff

vs

J. M. Robertson et al,  
Defendants.

No. 9467.

Guardian

ad litem

On motion of Edith Howser, guardian of Floyd Watkins, who is a minor, and a party defendant herein, and for good cause shown,

It is ordered that the said Edith Howser, guardian, be and she hereby is, substituted for said John L. Loughrey appointed guardian ad litem herein and be a party defendant herein in all further proceedings.

W. John M. Brodrick, Judge.

Clara S. Cassidy,  
Plaintiff

vs

Richard Cassidy,  
Defendant.

No. 9453.

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 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 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 27<sup>th</sup> day of March 1910, as alleged in said petition, and that no 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 be and she hereby is restored to her maiden name of Clara S. Wallace.

It is further considered by the Court that the agreement of separation entered into between the parties hereto is a fair and equitable contract and same is ordered to be attached hereto and is made a part of this entry. It is further ordered that the defendant pay the cost of this proceeding taxed at \$ 7<sup>00</sup> - and that this case be recorded.

John M. Brodrick, Judge.

Sewer

Oct. 25, 1913

Clara D. Cassidy,  
Plaintiff

vs

Richard Cassidy,  
Defendant.

No. 9453

Article of Agreement.

This article of agreement entered into this 3<sup>rd</sup> day of July 1913, by and between Clara D. Cassidy, party of the first part and Richard Cassidy, party of the second part, witnesseth:

That whereas unfortunate differences have arisen between said parties which render it impossible for said parties to longer live together as husband and wife, therefore said parties have this day agreed to live henceforth separate and apart.

It is agreed on the part of said party of the first part that in consideration of the sum of \$100, the receipt of which is hereby acknowledged, that she will release, and she hereby does release said party of the second part from all dower in the real estate of said second party, and of all right to alimony, and to all right of support, and to any and all interest of every kind and character in the property of said party of the second part, and party of second part also releases <sup>the</sup> same to first party.

In the event that a divorce proceeding is instituted and the same is prosecuted to a final decree, it hereby agreed and understood that the Court will be called upon to carry into effect this agreement as affecting the dower, alimony and other interests of either party in the property of the other.

In testimony whereof the parties hereto have hereunto subscribed their names on the day and year first above written.

Signed

Clara D. Cassidy  
R. F. Cassidy

B. F. Cameron,  
Plaintiff

vs

J. F. Stallsmith  
Defendant.

No. 9427.

Leave

This day the defendant asked and had leave of Court to plead to the amended petition in 15 days.

At John M. Brodrick, Judge.

Court adjourned to Oct. 29, 1913 at 9 a. m.



Oct 27, 1913

Filed Oct. 27, 1913

Probate Court, Union County, Ohio,

S. W. Bulew,  
Alice Bulew,  
Plaintiffs

No. 9511.

vs

Frank Knox,  
Defendant.

In the Common Pleas Court of said County.

Injunction

This day came the plaintiffs by Milton Haines their attorney, and it appearing that the judges of the Common Pleas Court, in which court the above entitled action is pending, are absent from the county, this cause came on to be heard upon the Plaintiffs' application for an injunction, upon the petition duly verified and affidavits therein filed, and was argued by counsel; and the Probate Judge being fully advised in the premises, and being satisfied that they are entitled thereto, a Temporary Injunction is granted, as prayed for in the petition, restraining the defendant from taking and carrying away said child described in Plaintiffs' petition and depriving these Plaintiffs of the care, custody and control of said child without any right or authority so to do, upon the said Plaintiffs' giving to said defendant an undertaking, executed by sufficient surety, in the sum of One Hundred Dollars conditioned and approved as required by law.

Edward W. Porter, Probate Judge.

Judgment

Leave

Oct. 29, 1913.

Wednesday, October 29, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

The G. W. Bobb Company,  
 a corporation,  
 Plaintiff

vs

J. W. M. Kirgan,  
 F. C. M. Kirgan,

Defendants.

No. 9513.

Judgment

This day came the Plaintiff by Frank M. Raymond, Attorney, and filed its Petition against said Defendants, J. W. M. Kirgan and F. C. M. Kirgan and thereupon Stewart A. Hoover one of the Attorneys of record of this Court also appeared in open court, for and on behalf of said Defendants J. W. M. Kirgan and F. C. M. 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 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 and One and 67/100 Dollars \$501.67 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 that said The G. W. Bobb Company, Plaintiff recover from said J. W. M. Kirgan and F. C. M. Kirgan Defendants the said sum of Five Hundred and One and 67/100 Dollars \$501.67 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 October 1913, at the rate of six 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.

W. John M. Brodrick, Judge.

The Columbus, Magnetic Springs  
 and Northern Railway Co.  
 Plaintiffs

No. 9488.

vs  
 E. A. Freshwater & Sons,  
 Defendants.

Leave

This day leave is granted Plaintiffs to file petition and the same filed.



Oct. 29, 1913

Carrie Lovless Shoemaker,  
and husband John A. Shoemaker;  
Lida Lovless Keller and  
husband Victor B. Keller;  
Nane Lovless Liggett  
and husband David Elmer Liggett,  
Plaintiffs

No. 9477.

vs  
Charles S. Lovless and  
wife Anna Lovless,  
and L. D. Beeneey,  
Defendants.

Partition

And now this cause coming on to be heard upon the petition and the evidence, the Court find that all of the defendants have had due legal notice of the pendency and demand of the petition, and that they are in default for answer thereto. Thereupon the Court further find that the plaintiffs, Carrie Lovless Shoemaker, Lida Lovless Keller and Nane Lovless Liggett, and the defendant Charles S. Lovless, are tenants in common in the real estate described in the petition; that the plaintiff, Carrie Lovless Shoemaker, has a legal right to the one-fourth (1/4) part thereof; the plaintiff, Lida Lovless Keller has a legal right to the one-fourth (1/4) part thereof; the plaintiff, Nane Lovless Liggett has a legal right to the one-fourth (1/4) part thereof; and that the defendant, Charles S. Lovless, has a legal right to the one-fourth (1/4) part thereof; and that the plaintiffs are entitled to have partition of said real estate made as prayed in petition.

It is therefore ordered, adjudged and decreed that partition of said real estate be made in favor of all parties in interest, and M. L. Bonnett, John Bush and Guy Mitchell, three judicious and disinterested freeholders of the vicinity, are hereby appointed commissioners to make the same. And it is ordered that a writ of Partition issue to the Sheriff of Union County, 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 estate to which they are severally above found entitled. The defendant L. D. Beeneey is entitled to possession of said real estate to the 1<sup>st</sup> day of April 1914 as alleged in petition. And of his proceedings herein the Sheriff is ordered to make due return.

Approved: Cameron + Cameron  
Atty for Chas. S. Lovless.

At. John M. Brodrick, Judge.

Application

Decree



Oct. 29, 1913

In the matter of Additional  
Allowance for Deputy and  
Clerk Hire in the Auditor's  
Office, Union County, Ohio.

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

Sir:-

Application Under the provisions of the Gen. Code 2980-1 the amount earned by the Auditor's Office that can be expended for deputies, assistants, bookkeepers, clerks and other employees for the year Nineteen hundred and thirteen, based on the fees earned in the Auditor's Office in Nineteen Hundred and Twelve, is Fourteen Hundred and Fifty-four dollars and thirty-nine cents (\$1454.39) and as the amount required to pay the salaries of deputies, assistants, bookkeepers and clerks amounts to the sum of Nineteen Hundred, Twenty Dollars (\$1920.00).

Therefore, I, Chas. A. Morelock as Auditor of Union County, Ohio, hereby respectfully ask that you make an additional allowance of Four Hundred and Sixty-five Dollars and Sixty-five cents (\$465.61), to be transferred from the general fee fund of said County to the Auditor's Fee Fund of said County as provided by Gen. Code Sec. 2980-1 Vol. 102 Laws of Ohio, page 136.

Oct. 29, 1913

Chas. A. Morelock,  
Auditor Union Co. Ohio.

Decree This day came Chas. A. Morelock, Auditor of Union County, Ohio, and filed herein his application for an additional allowance in order to carry on the business of his office. Thereupon said application came on to be heard before the Honorable John M. Brodrick, Judge of the Common Pleas Court of said County wherein said Auditor was elected. On consideration whereof, the said John M. Brodrick, Judge as aforesaid, finds that the allowance made by the Commissioners has been exhausted and that under the General Code of Ohio, it is necessary for an allowance of \$465.61 for Deputy and Clerk hire of said office for the year 1913.

It is therefore considered and ordered by said John M. Brodrick, Judge of said Court, that there be, and hereby is allowed to said Auditor's Office of Union County, Ohio, an additional allowance of Four Hundred, Sixty-five and 61/100 Dollars (\$465.61) under provisions of Sec. 2980-1, General Code of Ohio.

Oct. 29, 1913

John M. Brodrick, Judge.



Oct. 30, 1913.

## Times for Holding Common Pleas Courts, A. D. 1914.

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 1914, be fixed, as follows, to-wit:

- Crawford County on the 26<sup>th</sup> day of Jan., and the 11<sup>th</sup> day of May and the 12<sup>th</sup> day of October;
- Hancock County on the 5<sup>th</sup> day of January and the 13<sup>th</sup> day of April and the 14<sup>th</sup> day of September;
- Hardin County on the 9<sup>th</sup> day of February and 11<sup>th</sup> day of May and the 21<sup>st</sup> day of September;
- Logan County on the 2<sup>nd</sup> day of January and 11<sup>th</sup> day of May and the 19<sup>th</sup> day of October;
- Marion County on the 26<sup>th</sup> day of January and 11<sup>th</sup> day of May and the 12<sup>th</sup> day of October;
- Seneca County on the 5<sup>th</sup> day of January and the 13<sup>th</sup> day of April and the 21<sup>st</sup> day of September;
- Union County on the 5<sup>th</sup> day of January and the 6<sup>th</sup> day of April and the 14<sup>th</sup> day of September;
- Wood County on the 5<sup>th</sup> day of January and the 13<sup>th</sup> day of April and the 14<sup>th</sup> day of September;
- Wyandot County on the 16<sup>th</sup> day February and the 8<sup>th</sup> day of June and the 21<sup>st</sup> day of September.

It is further ordered that the courts of the First sub-division be held by Judges Baldwin, Henderson and Duncan.

That the Courts of the Second sub-division be held by Judges Scofield and Babst;

That the Courts of the Third sub-division be held by Judge Brodrick;

It is further ordered that the Hon. Frank A. Baldwin be designated as supervising judge and that said Term of Court begin at 9 o'clock A. M.

Signed

Wm. F. Duncan,

Wm. P. Henderson,

Frank A. Baldwin

Daniel Babst

William B. Scofield

John M. Brodrick,

Judges Tenth Judicial District.

Dated at Kenton, Ohio, this 21<sup>st</sup> day of October A. D. 1913.

Court adjourned to Nov. 1, 1913 at 9 A. M.

Divorce

Dismissed



Nov. 1, 1913.

Saturday Nov. 1, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Lottie L. Eel,  
Plaintiff,

vs

No. 9486.

Phillip Eel,  
Defendant.

Divorce

This day this cause came on to be heard upon the petition, evidence and statements 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 herein filed, 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 preceeding the filing of said petition, and that said parties were married on the 21<sup>st</sup> day of October 1911 at Mansville Ohio, as alleged in said petition. That the defendant failed to appear and is in default, and that the allegations thereof of said petition are by him confessed to be true. That one child named Annabelle Eel was 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 that said parties are hereby released therefrom and that said plaintiff is hereby decreed the custody, care and control of their said minor child, and the same is hereby confided exclusively to the said plaintiff until further ordered by the Court, and the said defendant is hereby enjoined from interfering in any manner with either the said child or with the said plaintiff in the custody thereof. But it is hereby ordered that the said defendant is to have the privilege of visiting said child at least once a month, at any reasonable hour, and any violation of this privilege by either party may be reported to the Court.

It is further ordered by the Court that the said defendant pay the costs of this proceeding taxed at \$8.23 and that this case be recorded.

Dated Nov. 1, 1913.

John M. Brodrick, Judge.

Lottie L. Eel,  
Plaintiff,

vs

No. 9478.

Phillip Eel,  
Defendant.

Dismissed

This day, came the attorney for the plaintiff, paid the costs and dismissed this action without record.



Nov. 1, 1913

Lottie L. Ell,  
Plaintiff

vs

Phillip Ell,  
Defendant.

No. 9486.

Leave

Leave is granted defendant to withdraw his answer and the same withdrawn.

Denumer

Overruled

Bainard M. Drum,  
Plaintiff,

vs

Rula May Drum,  
Defendant

No. 9497.

Divorce

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 find that the defendant has been duly and legally served with summons and copy of petition, as required by 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 12<sup>th</sup> day of June, A. D. 1906, as alleged in said petition; that one child was born as the issue of said marriage, which died in infancy, and that the defendant has been guilty of wilful absence from the plaintiff for more than three years last past as alleged in said petition.

Leave

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 and she hereby is restored to her maiden name of Rula May Boyd; and it is further ordered by the Court that the said plaintiff pay the cost of this proceeding taxed at \$75. and that this cause be recorded.

John M. Brodrick, Judge.

Samuel N. Trout et al,  
Plaintiffs,

vs

Ida C. Sanderson et al,  
Defendants,

No. 9431.

J. J. Andrews

Defendant.

This cause coming on to be heard upon the motion of the plaintiff to have John J. Andrews made a party defendant herein, the Court on careful consideration whereof, sustains same, and leave is granted to the said John J. Andrews to plead instant.

At John M. Brodrick, Judge.

Denumer

Sustained

Nov. 1, 1913.

Samuel N. Prout  
& Nettie F. Prout,  
Plaintiffs

vs

No. 9431.

Ida C. Sanderson,  
& John H. Sanderson,  
Defendants.

Demurrer

Overruled

This cause coming on to be heard upon the demurrer to the petition herein, the Court on consideration whereof, overrules same and grants leave to the defendant to answer within 10 days, to all of which defendants then and there excepted.

Approved: John H. Miller, Atty  
for Sandersons.

J. M. Wadsworth et al,  
Plaintiffs,

vs

No. 9440.

George F. Moninger et al,  
Defendants.

Leave

Upon motion of Henry Katterjohn, <sup>and Marie Katterjohn</sup> defendants leave is granted to them to file, instantaneously, an answer and cross-petition, same filed.  
W. John M. Brodrick, Judge.

In the Matter of  
Compensation of  
G. C. Edwards,  
Court Constable,

G. C. Edwards is hereby allowed for services as Court Constable from Oct. 1, 1913 to Oct. 31, 1913, 12 days at \$25.00 per day, total \$300.00.  
John M. Brodrick, Judge.

John H. Hamilton et al,  
Plaintiffs

vs

No. 9376.

L. L. Barlow et al,  
Defendants.

Demurrer

Sustained

This day this cause came on to be heard upon the defendant's demurrer to the petition, and the same was argued by counsel and submitted. On consideration whereof the Court being fully advised in the premises, sustains said demurrer, and the plaintiff not desiring to plead further, this cause is dismissed at the costs of the plaintiff.

It is therefore, considered, ordered and adjudged by the Court, that defendants recover of the plaintiff their costs herein expended taxed as to all of which, rulings, findings, judgments and decrees the plaintiff by counsel then and there excepted.

Approved: Tropes, Robinson + Tropes,  
Attys for Plaintiffs.

Court adjourned to Nov. 4, 1913  
at 9 A. M.



Nov. 4, 1913

Tuesday November 4, 1913 - 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  
 The Soldiers' Memorial  
 Trust Fund.

This day came the Trustees heretofore appointed to take and have charge of a fund for Soldiers' Memorial Purposes, being case No. 8993, Ex Parte and represented to the Court that they had performed their trusts, and that a Soldiers' Memorial Room has been erected and furnished and that there is an unexpended balance in the hands of said trustees of \$ 276.80 and asking direction of the Court to allow said balance to be turned over to the Quartermaster of the Grand Army of the Republic, a patriotic organization, comprised of ex soldiers of the Civil War, and for such other and further order as the Court should desire to make.

On consideration whereof, the Court being fully advised in the premises orders that the said Trustees through W. C. Fullington pay over the said balance, after paying the costs of these proceedings, to the Quartermaster of said Grand Army Organization, to be used by them in keeping up the memorial room, and in meeting expenses of Memorial Day, and for expenses of patriotic instruction, and in such other manner as said Grand Army Post may determine, in furtherance of its patriotic purposes.

It is further ordered that upon filing with the clerk of this Court, the receipt from the Quartermaster of said Grand Army organization for said balance, that the said trustees be and they are hereby discharged and their proceedings confirmed and approved by the Court.

M. John M. Brodrick, Judge.

Alexander C. Beckes  
 Plaintiff

vs

James Beckes et al,  
 Defendants.

No. 9480.

Leave

This day the defendant, Charles H. Miltner on motion was granted leave to file his answer and cross-petition herein forthwith.

Court adjourned to Nov. 6, 1913 at 9 a.m.



Nov. 6, 1913.

Thursday, Nov. 6, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

James S. Ewing, as Treas,  
Champaign County, Ohio,  
Plaintiff

No. 9206.

vs

E. B. Westlake,  
Defendant.

Dismissed

This day this action was dismissed by the Court at suggestion of plaintiff and at his cost. No record.

Carrie L. Shoemaker et al,  
Plaintiffs

No. 9477.

vs

Charles D. Rowless et al,  
Defendants.

Order  
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 from said report that the estate cannot be divided by metes and bounds without injury to the value thereof, and that said commissioners have made and returned their appraisement of said real estate, at \$20300.00.

The Court find said return and proceedings in all respects correct and in conformity to law and do therefore approve and confirm the same. And thereupon neither of said parties electing to take said estate at its appraised value, on motion of the plaintiffs it is ordered that said estate be sold at public auction at the front door of the Court House in Marysville, Ohio, and that an order issue to the Sheriff of Union County; and on motion of the plaintiffs and for good cause shown it is ordered that the sale be made for cash, subject to the right of the defendant, L. B. Beoney, to remain upon said premises until the 1st day of April, 1914. And the said Sheriff is ordered to return his proceedings to this court without unnecessary delay.

(Filed Nov. 7, 1913)

John M. Brodrick, Judge.

Alexander C. Beckes, Plaintiff

No. 9480.

vs

James Beckes et al, Defendants

Upon motion of The Marysville Wire Fence & Lumber Co. and it appearing to the Court that the said The Marysville Wire Fence & Lumber Co. claimed to have a lien upon the premises described in plaintiff's petition and it is therefore a necessary party to said proceedings, it is ordered that said The Marysville Wire Fence & Lumber Co. be made a party defendant and that leave be granted to said The Marysville Wire Fence & Lumber Co. to plead herein instant.

Court adjourned to Nov. 10, 1913 at 9 a. m.



Nov. 10, 1913.

Monday Nov. 10, 1913 - Court convened at 9 A.M.

Present Honorable John M. Brodrick, Judge.

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

B. F. Carnean,  
Plaintiff,

vs

J. F. Stallsmith,  
Defendant.

No. 9477.

On  
Motion

This day this cause came on to be heard upon the motion of defendant filed herein on the 7th day of November, 1913, and moving for an order requiring the plaintiff to make his amended petition more definite and certain and to reform the same as in said motion stated. On consideration whereof the Court being fully advised in the premises overrules said motion. To which ruling the defendant excepts. Defendant is granted leave and required to file answer to amended petition by Nov. 20, 1913.

W. John M. Brodrick, Judge.

Filed Nov. 7, 1913

Alexander C. Becke,  
Plaintiff

vs

James Becke et al,  
Defendants.

No. 9480.

Partition

This cause this day came on to be heard, and it appearing to the Court that all of the defendants have had due legal notice of the pendency and prayer of plaintiff's petition (excepting such as have voluntarily entered their appearance herein) and that all of the defendants in this action are now properly before the Court, the defendant The Marysville Wire Fence Company being in default for answer or demurrer, this cause is heard to the Court upon the petition of the plaintiff, the answer and cross-petition of the defendant, The Bank of Marysville, the answer and cross-petition of the defendant, Charles H. Wiltzie, and the answer and cross-petition of the defendant The Marysville Wire Fence and Lumber Company, and the evidence, and the Court being fully advised in the premises find the allegations of the plaintiff's petition to be true, that the plaintiff is the owner in fee simple and in possession of the undivided eleven-fourteenths of the premises described in his petition, and that the defendants James Becke, Andrew Becke and Noah Becke are tenants in common with the plaintiff in said premises, each being seized of the one-fourteenth part thereof, and that plaintiff is entitled to have partition of said premises made agreeable to the laws of Ohio.

It is therefore ordered that partition of said premises be made, and Walter R. Weidman, C. S. Chapman and R. M. Howard, three judicious disinterested freeholders of the vicinity are hereby appointed commissioners.

— Continued on page 203 —

Court adjourned to Nov. 17, 1913 at 9 A.M.

Decree  
for  
Plaintiff



Nov. 12, 1913.

Wednesday Nov. 12, 1913 - Court convened at 9 A. M.  
Present Honorable John M. Prodrick, Judge.

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

Harry D. Shepard,  
Plaintiff

vs

No. 9287.

Henry C. Shepard,  
The Ostrander Banking Co.,  
Defendants.

Decree  
for  
Plaintiff

This the 28<sup>th</sup> day of July 1913, this cause came on to be heard on the first cause of action of the petition, the answer thereto, the reply and the evidence and argument of counsel, and was submitted to the Court; on consideration whereof the Court finds the issues joined in said first cause of action in favor of the plaintiff and against the defendant Henry C. Shepard. The Court further finds that the defendant Henry C. Shepard, holds title to an undivided three-sevenths (3/7) of all the real estate described in the petition in trust for the sole use and benefit of the plaintiff, said real estate being located in the State of Ohio, County of Union, and in the Township of Millcreek, and being bounded and described as follows: Beginning at a stone in the center of the California and Delaware gravel road and in the line between said Surveys No. 3006-2997; thence with said survey line courses corrected to the Meridian N. 3-3/4° W. 11-5/100 poles to a stone and small ash tree; thence S. 85° W. with the line of George Piersol and the line of David and Andrew Anderson's land (S. 85° W.) 314 poles to a stake, stone and piece of tile; thence S. 13 1/4° E. 91-7/100 poles to a beech tree in the line of Simon Kilgor's land; thence with Kilgor's line N. 83 1/2° E. 72 poles to a stake; thence with Kilgor's line N. 85° E. 146 poles to a stake in the Ostrander and Frankfurt Gravel Road; thence with the center of said Gravel Road S. 65° E. 65 poles; thence continuing with center of said road S. 63 1/2° E. 25-7/100 poles to a stake in the line between said Survey No. 3006-2997; thence with said survey line N. 3-3/4° W. 40 poles to a stone northeast corner to J. S. Smart's land; thence with his line N. 85° E. 188-25/100 poles to a stone (sugar tree);

Thence N. 3-3/4° W. 85 poles to a stone sugar ash and 4 beeches south east corner to Bolinne Hay's land; thence with this line S. 85° W. 135-60/100 to a stone in the place of two beeches; thence N. 52 1/2° W. 39 poles to a stone in the center of the California and Delaware gravel road; thence with the center of said Gravel Road S. 31 3/4° W. 35 poles to the place beginning; containing 292-1/8 acres, two hundred and nine-tens and seven eights acres, more or less, being 104 acres in Survey No. 2997, and 188-7/8 acres in survey no. 3006 and being the same premises conveyed by John Piersol to Erav Piersol April 14-1884, and which was conveyed by Erav Piersol to Elijah W. Piersol December 29-1892, and the same premises were re-conveyed by Elijah W. Piersol to Erav Piersol October 7-1893.

The Court further finds that the obligation of \$6000.00 incurred by the defendant, Henry C. Shepard, to the defendant, Ostrander Banking



Nov. 12, 1913.

Co., on the 24th day of January, 1912, which was secured by mortgage upon said above described Union County real property is primarily the individual obligation of the defendant, Henry C. Shepard and not of the plaintiff.

It is further ordered, adjudged and decreed by the Court, that the plaintiff is the equitable, beneficial and real owner of the title to said undivided three-sevenths of said above described real property.

It is further ordered, adjudged and decreed that the said defendant, Henry C. Shepard do within thirty days from the date of this decree, convey an undivided three-sevenths of the premises above described to the plaintiff Harry D. Shepard, by a good and sufficient deed with covenants of general warranty, and in default thereof that judgment and decree have the operation and effect of said deed, and that the clerk of this court have said entry filed of record in the office of the Recorder of Union County, Ohio.

It is further considered, ordered, adjudged and decreed that the obligation incurred by the defendant, Henry C. Shepard to the Ostrander Banking Co., on the 24th day of January, 1912, and secured by mortgage upon said Union County real property hereinbefore described is primarily the individual obligation of said defendant Henry C. Shepard and not of the plaintiff, and that said obligation should be paid and discharged by said defendant Henry C. Shepard.

It is further ordered, adjudged and decreed that the mortgage held by the defendant The Ostrander Banking Co., given by the defendant, Henry C. Shepard to secure a loan of \$6000.00 is in equity a lien primarily on the undivided four-sevenths of said Union County land, title of which still remains in the name of Henry C. Shepard, and that such undivided four-sevenths still standing in the name of the defendant Henry C. Shepard or the proceeds thereof, must be first exhausted, in case of foreclosure of said mortgage, before having recourse to, or subjecting said undivided three-sevenths of said property or the proceeds thereof so found to be in the plaintiff. All questions as to accounting between the parties herein are reserved for future determination by the Court.

It is further considered, ordered and adjudged that the plaintiff recover from the defendant, Henry C. Shepard, his costs herein taxed at \$\_\_\_\_, and that execution shall be awarded therefor.

To all of which finding and judgment and decree the defendants and each of them except.

The defendant, Henry C. Shepard, hereby gave notice of his intention to appeal this cause to the Court of Appeals of this district, the Court fixes the appeal bond herein in the sum of five hundred dollars.

OK John M. Brodrick, Judge

Service

by

Publication



Nov. 12, 1913.

Mila Liggett,  
Plaintiff

vs

James Liggett  
Defendant.

No. 9502.

Service  
by  
Publication

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, James Liggett is a non-resident of Ohio, that service of summons on him cannot be made in this state; that the residence of said Defendant is unknown to the Plaintiff; that the residence of such defendant, so unknown to the Plaintiff cannot with reasonable diligence be ascertained, and service of summons on such defendant cannot be made; it is ordered the 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 service deliver to the Clerk of this Court copies of this publication, with the proper postage, that said Clerk mail a copy to said Defendant, whose residence is known, to his residence named therein, and make an entry thereof on the proper docket.

John M. Brodrick, Judge.

The Merchants' National Bank  
of Indianapolis, Ind.  
Plaintiff

vs

B. L. Robinson,  
Defendant.

No. 9505.

Upon motion of B. L. Robinson, defendant, leave is granted to him to answer herein within 20 days.

Alexander C. Becks, Plaintiff

vs

James Becks et al, Defendants

No. 9480.

Continued from page 200

to make partition; and it is ordered that a writ issued to the Sheriff of Union County, Ohio, commanding him 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 if said estate cannot be divided in manner as above without manifest injury to the value thereof, that they appraise the same at its just value in money.

It is further ordered that the Sheriff make due return of his proceedings under said order to this Court. All questions raised by the several answers and cross-petitions herein are reserved for the further consideration of the Court.

Court adjourned to Nov. 14, 1913 at 9 a.m.



Nov. 14, 1913.

Friday Nov. 14, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodnick, Judge.

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

David C. Goldstern,  
Plaintiff

vs

The Toledo & Ohio Central  
Railway,  
Defendant.

No. 9389.

Settled

costs paid

This cause settled by parties, dismissed without record and

A. W. Bulew,  
Alice Bulew,  
Plaintiffs

vs

Frank Knox,  
Defendant.

No. 9511.

Dismissed

This day came the plaintiff, paid the costs, and  
dismissed this action without record.

Court adjourned to Nov. 15, 1913 at 9 a. m.

Nov. 15, 1913.

Saturday Nov. 15, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

and

Court adjourned to Nov. 17, 1913 at 9 a. m.



Nov. 17, 1913.

Monday Nov. 17, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Alexander C. Becke,  
Plaintiff,

vs

No. 9480

James Becke et al,  
Defendants.

Divorce

Order

of  
Sale

This day this cause came on for hearing upon the return of the Sheriff and the report of the Commissioners heretofore appointed herein and on motion to confirm the same. And it appearing from said report that said estate could not be divided by metes and bounds without injury to the value of the same; and that said Commissioners have made and returned their appraisement of said estate as follows: Lot No. 223 at \$200, and Lot No. 224 at \$1200, the Court find said return and proceedings in all respects correct and in conformity to law, and do thereby approve and confirm the same. And thereupon neither of said parties electing to take the said premises at its appraised value, on motion of plaintiff it is ordered that said estate be sold at public auction, free and clear of all claims excepting assessments for paving and sewerage due and payable December, 1913 and thereafter, and that an order issue therefor to the Sheriff of Union County, Ohio.

And said Sheriff is ordered to return his proceedings to this court without unnecessary delay.

W. John M. Brodrick, Judge.

Court adjourned to Nov. 21, 1913 at 9 a. m.



Nov. 20, 1913

Filed Nov. 20, 1913

Rizzie Black,  
Plaintiff,  
vs  
George M. Black,  
Defendant.

No. 9428.

Divorce

This day came the parties and this cause came on to be heard upon the pleadings and the evidence; On consideration whereof, the Court being fully advised in the premises finds that the plaintiff has been a resident of the State of Ohio for more than one year next before filing her petition herein and that at the time of filing the same she was a bona fide resident of said County of Union. The Court further find that the parties were married and the children born, as stated in the petition.

The Court further finds that the defendant has been guilty of extreme cruelty in the manner in the petition set forth and that by reason thereof the plaintiff is entitled to be divorced.

It is therefore considered, adjudged and decreed by the Court that the marriage relation heretofore existing between the said parties be and the same is set aside and annulled and both parties released from the obligations of the same.

The Court further finds that the plaintiff and defendant are the joint owners of the real estate mentioned in the petition, and that the defendant is the owner of personal property of the value of \$1246.40 and that he has \$100.00 in bank and that he has paid the plaintiff \$100.00 as alimony pending suit, and that she had in bank when suit was brought \$269.40, and that the value of the real estate is \$8712.00, the Court further finds that the defendant has incurred an indebtedness to the bank of Ostrander and the Union Banking Co. of Marysville, Ohio, aggregating the sum of \$2004.39 which indebtedness was incurred in removing incumbrances from said real estate and in improving the same, and that it is a charge upon said land.

The Court further finds that after deducting the said indebtedness and the amount already received by the plaintiff, she is entitled to receive out of said real estate and personal property the sum of \$3842.30 and that upon payment of that sum to her, she should release to the defendant all her interest in the said property both real and personal, including her inchoate right of dower in the defendants half of said premises, and that each party should pay one-half the costs hereof.

Thereupon came both parties in Court and agreed with each other to accept the finding of the Court as final and the defendant agrees to pay to the plaintiff within the said sum of \$3842.30 and take the property and pay said indebtedness; and the plaintiff agreed to accept the said sum as payment in full of all her interest in said property both real and personal, including her inchoate right of dower, and the Court finds said agreement to be just and reasonable, and that no further alimony should be allowed.

It is therefore considered and adjudged by the Court, that the defendant pay to the plaintiff the said sum of \$3842.30 within



Nov. 20, 1913.

and that plaintiff release and convey to defendant at the same time all her estate and interest in the said property, both real and personal including her inchoate right of dower, and that each pay one-half the costs hereof.

Approved: Hoopes, Robinson + Hoopes.

Court adjourned to Nov. 21, 1913 at 9 a. m.

Nov. 21, 1913

Friday Nov. 21, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

Court adjourned to Nov. 22, 1913 at 9 a. m.



Nov. 22, 1913

Saturday Nov. 22, 1913 - Court convened at 9 a.m.  
 Present Honorable John M. Brodrick, Judge.

Sheriff John H. Laird filed Jail Report for year ending Nov. 3, 1913.

Number of Prisoners confined in the jail 27

Males 25

Females 2

Total number of days prisoners confined in jail 250

Received for board \$187.50

Crimes charged for which persons were committed to jail.

Non-support 2

Violation of Rose Law 5

Epilepsy 1

Delinquency 2

Lunacy 7

Assault 3

Larceny 1

Rape 3

Carrying concealed weapons 1

Perjury 1

Murder 1

Total 27

Discharged by order of court 7

Not guilty of crime charged 3

Out on bail 7

Boys Industrial Home 1

Reformatory (released on parole) 2

Work House ( " " " ) 1

Penitentiary ( " paroled ) 2

Lunacy 4

Total 27

John H. Laird

Sheriff Union Co.

By Anna J. Laird, Dep. Clerk.

Nov. 22, 1913

In the Court of Common Pleas, Union County,

Clara H. Hoskins,  
Marion G. Hamilton,  
Plaintiffs

vs

No. 9273.

The Village of Richwood  
Ohio, et al

Defendants.

Secur

This day, this cause came on to be heard on the petition of the plaintiffs herein and the answer of the defendants herein, and all of said parties being in court in person or by counsel, the Court finds on the issues joined, in part, in favor of the said plaintiffs and against said defendants, and each of them as follows, to-wit:

The Court finds that the said plaintiffs are the owners of the real estate set out and described in their petition and that the defendant, the Village of Richwood, Ohio, has attempted to assess against the lands of said plaintiffs an amount in excess of that allowed by law, and that all of said assessments, attempted to be made by said defendants over and above the sum of Seven Hundred, Fifty Dollars (\$750.00) is excessive and illegal. The said defendants and each of them are hereby enjoined permanently from assessing against the lands of said plaintiffs for said street improvement any sum greater than the total sum of Seven Hundred, Fifty Dollars (\$750.00) and the Court hereby decrees that the said sum of Seven Hundred, Fifty Dollars (\$750.00) and no more is a good, valid, and proper assessment upon said lands for said improvement, set out and described in plaintiffs' petition.

It is therefore ordered, adjudged and decreed that the lands of said plaintiffs, abutting on North Franklin Street in said Village in said Richwood, Ohio, be and hereby is assessed the sum of Seven Hundred Fifty Dollars (\$750.00) and no more for the improvement of said North Franklin Street. It is further ordered, adjudged and decreed that the Clerk of this Court certify this order to the Auditor of Union County, Ohio and said Auditor is hereby ordered and directed to place upon the tax duplicate in the Village of Richwood, against said real estate the sum of Seven Hundred, Fifty Dollars (\$750.00) and to divide said sum into equal annual payments as provided in the assessing ordinance of said Village of Richwood, Ohio. The said assessments are to be placed by said Auditor upon the tax duplicate and all assessments based on said Seven Hundred, Fifty (\$750.00) and past due, shall be payable at the same time and in the same manner as the general tax on said real estate, becoming due on December 20<sup>th</sup>, 1913.

It is further ordered that all subsequent payments becoming due and payable as provided in said assessing ordinance, passed by Council of said Village, and that said Seven Hundred, Fifty Dollars (\$750.00) be assessed against said real estate without any penalty thereon being added.

It is further ordered and directed that the Auditor of Union County, Ohio, and that the Treasurer of said County, correct their duplicate and



Nov. 22, 1913.

and all records to correspond with and carry out the terms of this decree.  
It is further ordered and directed, and by agreement of the parties  
herein, that the plaintiffs pay the costs of this action taxed at \$

At John M. Prodrick, Judge.

Etta J. Chaublin,  
Plaintiff

vs

M. O. Chaublin,  
Defendant.

No. 9496.

Party Def.

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, and that he 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 2<sup>nd</sup> day of September A. D. 1911, as alleged in said petition; and that one child was born of said marriage and reside in Taylor Township, Union County, Ohio, 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 parties are hereby released therefrom, and that said plaintiff have the custody, care, maintenance, education and control of said minor child and the same is confided exclusively to the said Etta J. Chaublin until the further order of the Court, and that the plaintiff pay the costs of this proceeding taxed at \$8.45 and that she recover the same from the defendant, and execution is awarded therefor, and that this case be recorded.

John M. Prodrick, Judge.

Nov. 22, 1913

The Urbana Packing Co,  
Plaintiff

No. 9483.

<sup>vs</sup>  
J. M. M: Kirgan et al,  
Defendants.

Party Def.

This day this cause came on for hearing on the motion of The Farmers and Merchants Banking Co. on application to be made party to proceedings herein, and the Court being advised in the premises find that the said Farmers and Merchants Banking Co. has a judgment claim against the said J. M. M: Kirgan one of the defendants named in plaintiffs petition herein. It is therefore ordered and decreed by the Court that the said The Farmers and Merchants Banking Co. be made a party to said action, and that they file their pleadings therein forthwith.

John M. Prodrick, Judge.



Nov. 24, 1913

Monday Nov. 24, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Myra M. Ferguson,  
 Plaintiff

vs

No. 9573.

Andrew M. Ferguson et al  
 Defendants.

Leave

Leave is hereby given Myra M. Ferguson, as Administratrix of the estate of Eleanor Ferguson to be made a party defendant herein and to plead herein forthwith.

W. John M. Brodrick, Judge.

Ethel Fawley,  
 Plaintiff

vs

No. 9316.

Arista Fawley,  
 Defendant.

Dismissed

Upon motion of the plaintiff this cause is dismissed at the cost of the plaintiff without record.

Filed Nov. 25, 1913

To the Clerk of the Court  
 of Common Pleas, Union Co. O.

I, W. F. Brodrick, Clerk of the Village of Marysville, State of Ohio, hereby certify that on the 4<sup>th</sup> day of November 1913, A. H. Kollifroath was duly elected Mayor and qualified for said office on the 20<sup>th</sup> day of November 1913.

In witness whereof, I have hereunto set my hand and official seal this 24<sup>th</sup> day of November 1913.

W. F. Brodrick, Clerk Village of Marysville.

Leave

Court adjourned to Nov. 25, 1913 at 9 a. m.

Nov. 25, 1913.

Friday Nov. 28, 1913 - Court convened at 9 A.M.

Present Honorable John M. Brodrick, Judge.

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

Pursuant to the call of the Prosecuting Attorney the Grand Jury for the September Term 1913 met at their usual place of meeting. On calling the names of the Grand Jurors, the following were found present, to-wit: W. J. Rausch, John Robb, N. J. Graham, William <sup>B. Hagan</sup> Gravel, Courtney Cox, J. G. Gault, Arthur Gibson, O. B. Eaton, S. P. Hawk, + M. P. Rayl.

The panel being incomplete on the order of the Court Nelson Keller, Wesley Newhouse, Benjamin Fryman + Preston Jolley were called as talesmen and duly sworn, according to law. The Grand Jury then being complete they began their investigation.

This day appeared at the bar of this Court the Grand Jury heretofore impaneled and sworn for the body of the County aforesaid and presented to the Court through their foreman, J. G. Gault their certain Bills of Indictment against

- H. M. Patrie for Cutting with Intent to Kill with Court Assault + Battery;
- George Massie for Carrying Concealed Weapons;
- George Massie for Carrying Concealed Weapons;
- Evart Stillinger for Carrying Concealed Weapons;
- Evart Stillinger for Carrying Concealed Weapons;
- Ed N. Ferris for Keeping a Gambling Room.

The Grand Jury also presented the following partial report:

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, 1913, 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 23 witnesses, covering 6 cases, and presented 6 bills and ignored no cases considered by us. The business has been transacted in an expeditious a manner as possible.

Respectfully submitted,

J. G. Gault, Foreman

Nov. 28, 1913.

Harry D. Shepard,  
Plaintiff

vs  
Henry C. Shepard,  
Defendant.

No. 9288.

Leave

filed

Leave granted Plaintiff to file reply and the same



Nov. 28, 1913

Bellevue, O., Dec. 2, 1913.

Union County Ohio,

In account with

R. Eva Byers Dr.

Sept. 11, 1913 - To transcript of testimony of John Hayworth before Grand Jury for use in prosecution of Frank Larkin for murder of John L. Brown; an estimate of 4500 words at 8¢ per 100 -- \$3.60

By order of Prosecuting Attorney,

Approved: John H. Willis, Prosecuting Atty, Union County, Ohio.

Samuel N. Trout et al,

Plaintiffs

No. 9431

vs

Ida C. Sanderson et al,

Defendants.

This day this cause was dismissed at plaintiff's cost. No record.

Hoopes, Robinson + Hoopes,  
Atty for Plaintiff.

Judgment

Court adjourned to Dec. 4, 1913 at 9 a.m.

Dec. 1, 1913

Monday Dec. 1, 1913, - Court convened at 9 A. M.  
Present Honorable John M. Brodrick, Judge.

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

Order to Draw Grand and Petit Jury.

To the Clerk of said Court:

You are hereby directed to proceed according to law at ten o'clock on Monday the 1<sup>st</sup> day of December, 1913, to draw from the Jury Wheel of Union County Ohio, the names of thirty-three persons to serve as grand and petit jurors for the January Term 1914, 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 in said County, at ten o'clock A. M. on Monday the 5<sup>th</sup> day of January, 1914; 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 6<sup>th</sup> day of January, 1914. And for so doing this shall be your sufficient warrant.

Witness my hand officially this 1<sup>st</sup> day of December, 1913.

John M. Brodrick, Judge of the Common Pleas  
Court the Third Subdivision of the Tenth  
Judicial District.

A. M. Dodd,  
Plaintiff,

vs  
Isaiah Siver,  
Defendant.

No. 9576

Judgment

This day ~~thence~~ the Plaintiff by his attorneys Hoopes, Robinson and Hoopes and filed his Petition against said Defendant, Isaiah Siver and thereupon Richard L. Cameron one of the attorneys of record of this Court, for and on behalf of said Defendant Isaiah Siver 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 Plaintiff's petition the sum of Two Hundred and Sixty-three + 59/100 Dollars bearing 6% interest 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 A. M. Dodd, Plaintiff do recover from said Isaiah Siver Defendant the said sum of Two Hundred and Sixty-three + 59/100 Dollars also as aforesaid confessed to be due, together with costs of suit herein



Dec. 1, 1913.

to be taxed and with interest to be computed from the 1<sup>st</sup> day of December 1913, 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.

OK John M. Brodrick, Judge.

Henry C. Shepard,  
Plaintiff

vs

William A. Shepard,  
Defendant.

No. 9509

Injunction

Dissolved

This day December 1, 1913, this cause came on to be heard on the motion of the defendant, William A. Shepard, to vacate and dissolve the temporary restraining order and injunction which was granted herein on the filing of the petition and after notice, and the Court having heard the argument of counsel and being fully advised in the premises, do find said motion is well taken and therefore, does sustain the same.

It is therefore ordered and decreed that said temporary restraining order and injunction be and the same hereby is vacated, dissolved, set aside and held for naught.

To all of which order, decree and judgment the plaintiff excepts.

OK John M. Brodrick, Judge.

Dec. 2, 1913

Tuesday December 2, 1913 - 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  
G. E. Edwards,  
Court Constable

G. E. Edwards is hereby allowed for services as Court Constable  
from Nov. 1, 1913 to Nov. 30, 1913, 6 days at \$250 per day \$1500.

Clerk will certify the amount to the Auditor of Union County O.

John M. Brodrick, Judge

Court adjourned to December 3, 1913 at 9 a. m.



Wednesday Dec. 3, 1913

Court convened at 9 A.M. Present Honorable John M. Brodrick, Judge.

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

N. P. O'Brien,  
Plaintiff

vs

Elmer Flora,  
May Flora,  
Defendants.

No. 9458.

Judgment

Now comes <sup>Dec. 5, 1913</sup> 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 \$131<sup>55</sup>.

It is therefore considered by the Court that the said plaintiff N. P. O'Brien, recover from the Defendants, Elmer Flora and May Flora the sum of \$131<sup>55</sup> with interest from Dec. 5, 1913, and his costs herein expended, and execution is awarded therefor.

W. John M. Brodrick, Judge.

Receiver

Ida M. Wheeler,  
Plaintiff

vs

John Wheeler,  
Defendant.

No. 9433.

Dismissed at costs of Plaintiff by Court, No record.

State of Ohio,  
Plaintiff

vs

Ed N. Ferris,  
Defendant.

No. 1460.

Indictment for Keeping Gambling Room.

Plea

The defendant having on the 3<sup>rd</sup> day of December, 1913, entered a plea of guilty to the charge of the indictment in this case, <sup>voluntarily appeared in open court</sup> ~~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 pay a fine of Fifty-Dollars, that he pay the costs of prosecution, taxed at \$4<sup>25</sup>, for which execution is awarded, and that he stand committed to the County Jail until said fine and costs are paid or until otherwise discharged according to law.

Court adjourned to Dec. 5, 1913 at 9 A.M.



Dec. 5, 1913

~~Saturday~~  
~~Friday~~ December 5, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Prodrick, Judge.

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

Louie Wolfson,  
 Plaintiff

vs

B. Fleisher,  
 Defendant

No. 9528,

Receiver

And now this cause came on to be heard upon the motion of the plaintiff for the appointment of a receiver herein. And thereupon the Court find that the existing <sup>partnership</sup> between the parties to this action is one dissolvable at the option of either party, whenever said partners could not agree as to the conduct of the partnership's business, and that such a disagreement has transpired and that the plaintiff herein has exercised his option to dissolve said partnership. It is therefore ordered the Sheriff of Union County be, and he hereby is appointed receiver of all the debts, property, equitable interests and things in action belonging to said firm, that said receiver, the Sheriff of Union County, proceed to collect the debts of the firm, and to sell all of the property of said partnership, and of the sale to make due return herein. And the said parties here, and all other persons having any of said property in their possession or under their control, are hereby ordered to deliver the same, and all persons owing any such money belonging to said firm are hereby directed to pay over the same, to the said Sheriff of Union County, on his demand.

OK John M. Prodrick, Judge.

In the Matter of the  
 Estate of H. A. Westlake, dec.

No. 9529.

This the 6<sup>th</sup> day of December, 1913, came Josiah W. Westlake, administrator de bonis non of the estate of H. A. Westlake, deceased, and filed herein his complaint, praying that a citation be ordered against Edward B. Westlake, to appear in this Court forthwith to be examined touching his alleged concealing, embezzling and conveying away certain effects of the estate described in said complaint; and it appearing to the Court that a citation should issue thereon; therefore it is ordered that a citation be issued and directed to the Sheriff of Union County, ordering said Edward B. Westlake to appear before this Court for Tuesday the 16<sup>th</sup> day of December, 1913, to be examined, touching his alleged concealment and embezzlement.

OK John M. Prodrick, Judge.

Court adjourned to Dec. 8, 1913 at 9 a. m.



Dec. 8, 1913.

Monday December 8, 1913 - Court (Commenced) at 9 a.m.  
 Present Honorable John M. Rodrick, Judge

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

The National Refining Co.  
 Plaintiff

vs

No. 9514

The Maddock Peptide Co.  
 Defendant.

Dismissed

This day came the attorney for the plaintiff, paid the costs and dismissed this cause without record.

Judgment

B. F. Carman,  
 Plaintiff

vs

No. 9477

J. F. Stallsmith  
 Defendant.

Demur.

sust.

This cause coming on to be heard this day, upon the demurrer of the plaintiff to the second defense of the answer of defendant to the amended petition of the plaintiff, and upon the demurrer of the plaintiff to the cross-petition of the defendant, the Court, on consideration, sustains both of said demurrers, and the defendant is allowed to amend his answer by the 10<sup>th</sup> day of December, 1913. To all of which the defendant excepts.

By Mouser + Maloney, Law Office, atty for Defendant.

Dismissed

Court adjourned to Dec. 9, 1913 at 9 a.m.

Dec. 9, 1913

Tuesday Dec. 9, 1913 - Court convened at 9 A.M.

Present Honorable John M. Brodnick, Judge.

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

The Union Banking Co.  
Plaintiff

vs

No. 9532.

E. A. Lutz + Minfred Lutz,  
Defendants

Judgment

This day came the Plaintiff by Cameron + Cameron its Attorney and filed its petition against said Defendants and thereupon James M. Campbell an attorney-at-law of this Court, by virtue of a Warrant 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 it has in its 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 four + 77/100 (\$904.77) Dollars bearing interest at the rate of 8% per annum and that said Plaintiff ought to recover of said Defendant a judgment for that sum.

It is therefore considered by the Court here that the said Union Banking Co., Plaintiff do recover of the said Defendants, E. A. Lutz and Minfred Lutz, the sum of Nine Hundred and Four + 77/100 Dollars (\$904.77) so confessed, as aforesaid, with interest from date at 8 per cent per annum and also costs in its behalf expended, taxed to \$5.00 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.

OK John M. Brodnick, Judge.

The Merchants Natl Bank  
of Indianapolis Ind.  
Plaintiff

vs

No. 9505.

B. L. Robinson,

Defendant.

Dismissed

This day this cause settled by parties herein, costs paid and dismissed without record.

Court adjourned To Dec. 10, 1913 at 9 A.M.



Dec. 10, 1913

Wednesday Dec. 10, 1913 - Court convened at 9 A. M.  
Present Honorable John M. Brodrick, Judge

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

J. P. Schalip,  
Plaintiff

vs

A. H. Stinson et al,  
Defendants.

No. 9487.

Dismissed

This day came the attorney for the Plaintiff, paid the costs and dismissed this action without record.

Devorce

Filed Dec. 11, 1913

Blauch M. Martin,  
Plaintiff,

vs

Anna L. Lawson et al  
Defendants.

No. 9457

Confirmation

Distribution

On motion of the plaintiff, and upon producing the return of the Sheriff of his proceedings and sale, under the former order of the Court, and the Court being satisfied on examination that the same has been had in all respects according to law, the said proceedings and sale are hereby affirmed and approved and the said Sheriff is ordered by deed duly executed to convey said premises to the purchasers thereof, to-wit:

First Tract - to Anna L. Lawson and Ollie L. Boeger.

Second Tract - to Anna L. Lawson and Ollie L. Boeger.

Third Tract to Elwood Huffman.

Fourth Tract to Anna L. Lawson and Ollie L. Boeger.

Fifth Tract to B. E. Baker.

Sixth Tract to H. E. M<sup>c</sup>Connell and

Seventh Tract to H. E. M<sup>c</sup>Connell, and all free of any dower estate.

It is further ordered that out of the proceeds of said sale the Sheriff pay: - First to the Treasurer of Union County, Ohio \$94.56 being the taxes and assessments due on said premises, Second to the Clerk of this Court the costs of this action, including a counsel fee of \$132.00 to Milo L. Myers for his services herein, taxed at \$232.79, Third to the plaintiff in this action the taxes advanced and paid by her \$15.92, Fourth - and out of the residue of the proceeds of said sale, to the plaintiff herein Blanche M. Martin one-fourth thereof to-wit: the sum of \$615.42, To the defendant Anna L. Lawson, one-fourth thereof to-wit: \$615.42, To the defendant, Ollie L. Boeger, one-fourth thereof to-wit, the sum of \$615.42, To the defendant, Mattie L. Hadry, one-fourth part thereof, to-wit the sum of \$615.42.

Approved: John M. Brodrick, Judge.

Court adjourned to Dec. 11, 1913 at 9 A. M.



Dec. 11, 1913

Thursday Dec. 11, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Florence Brocklesby,  
Plaintiff

vs

No. 9510.

Clarence Brocklesby,  
Defendant.

Divorce

This day this cause came out 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 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 4th day of January A.D. 1909, as alleged in said petition and that no children were born to them as the issue 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 plaintiff be and she hereby is restored to her maiden name of Florence Mayberry. It is further ordered, adjudged and decreed by the Court, that the defendant Clarence Brocklesby pay the costs of this proceeding taxed at \$11.50, and that this case be recorded.

John M. Brodrick, Judge

Court adjourned to Dec. 12, 1913 at 9 a. m.



Dec. 12, 1913.

Friday Dec. 12, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Leroy Walke,  
 Plaintiff

vs

Chas. H. Westlake et al,  
 Defendants.

No. 9474

This the 11<sup>th</sup> day of December, 1913, this cause came on to be heard upon the motion of the defendants to require the plaintiff to give an additional security for costs, and the Court being fully advised therein, and upon consideration thereof doth overrule the same, to which the defendants except. The defendants are granted leave to plead within ten days.

John H. Willis, Atty for Plaintiff,  
 John L. Loughrey, Atty for Defendants.

Seivore

Court adjourned to Dec. 13, 1913 at 9 a. m.

Dec. 13, 1913.

Saturday, Dec. 13, 1913 - Court convened at 9 A. M.  
 Present Honorable John M. Prodnick, Judge.

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

John M. Peck, et al,  
 Plaintiffs

vs

The Westlake Mfg. Co.  
 Defendants.

No. 9498.

Leave is hereby granted plaintiffs to file an amended petition herein instant.

OK John M. Prodnick, Judge.

Robert C. Winkle,  
 Plaintiff

vs

Lawrence H. Winkle et al,  
 Defendants.

No. 9520.

This day this came on to be and was heard upon the motion of Amanda C. Rader, one of the defendants herein, and also the plaintiff in cause No. 9521 in this Court, and was heard upon the evidence and argued by counsel, and submitted to the Court; and the Court being fully advised in the premises do find that said motion is not well taken, and that the same should be, and hereby is overruled, to all of which the plaintiff, Amanda C. Rader in cause No. 9521, then and there excepted.

OK A. A. Slaybaugh  
 Walter S. Stevenson

Laura J. M. Purdum,  
 Plaintiff

vs

Robert Wesley Purdum,  
 Defendant.

No. 9113.

Divorce

This day this cause came on to be heard upon the pleadings, evidence and argument of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process; that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 19th day of Nov., A. D. 1878, 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 willful absence for more than three years, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said



Dec. 13, 1913.

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 hereby is restored to her maiden name of Laura J. Martin, and that she be adjudged and decreed, all real property in fee simple, now in her name, and that said defendant be forever barred from any dower in real, or personal property that she now owns, or may acquire, and the plaintiff pay the costs of this proceeding taxed at \$10.00 and that this case be recorded.

John M. Brodrick, Judge.

Leave

The Farmers + Manufacturers  
National Bank of Poughkeepsie N.Y.  
Plaintiff

vs

No. 9516.

Chas. F. M<sup>c</sup>. Cloud,

Defendant.

Judgment.

This day this cause was submitted to the Court by the plaintiff and the Court finds that the Defendant Charles F. M<sup>c</sup>. Cloud, has been duly served by summons, and is in default for answer or demurrer to the petition herein, and the allegations of the petition are taken as confessed by him to be true; whereupon it is adjudged by the Court that the plaintiff recover against the said Charles F. M<sup>c</sup>. Cloud, the sum of \$1118.<sup>03</sup> together with its costs of this suit to be taxed, for which execution is awarded.

OK. John M. Brodrick, Judge

The Farmers and Manufacturers  
Natl Bank of Poughkeepsie N.Y.  
Plaintiff

vs

No. 9517.

The Chichester Bros Chair Co.  
Chas. F. M<sup>c</sup>. Cloud,

Defendants.

Judgment.

This day this cause was submitted to the Court by the plaintiff, and the Court finds that the defendant, Chas. F. M<sup>c</sup>. Cloud, has been duly served by summons, and is in default for answer or demurrer to the petition herein, and the allegations of the petition are taken as confessed by him to be true; and that the defendant, The Chichester Bros. Chair Co., has not been served with process, and as to this defendant this action is dismissed; whereupon it is adjudged by the Court, that the plaintiff recover against the said Chas. F. M<sup>c</sup>. Cloud, the sum of \$704.<sup>00</sup>, together with its costs of this suit to be taxed, for which execution is awarded.

OK John M. Brodrick, Judge.

Dec. 13, 1913.

Robert C. Minkler,  
Plaintiff

vs

Lawrence H. Minkler et al,  
Defendants

No. 9520.

Leave

This day this cause came on to be, and was heard upon the motion of the plaintiff for leave to file an amended petition instante, and was submitted to the court, and the court being fully advised in the premises do find that said motion is well taken, and that the plaintiff should be, and he hereby is granted leave to file his amended petition herein instante, and thereupon the plaintiff withdrew his motion to amend his petition by interlineation.

Court adjourned to Dec. 15, 1913 at 9 a.m.



Dec. 15, 1913.

Monday Dec, 15, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Louis Wolfson,  
Plaintiff

vs

B. Fleisher,  
Defendant.

No. 9528

This cause coming on to be heard upon the application of the receiver therein for an order to sell the assets of the partnership of Wolfson + Fleisher at private sale, and it appearing to the Court that it is necessary to sell said assets to pay the debts of said firm and the costs of this action, and to make division thereof between said partners and that the same can be sold at less expense and for more money at private sale than at public sale, it is therefore ordered that said receiver proceed to sell said assets for the highest price he can obtain therefor and for not less than two-thirds of the appraised <sup>value</sup> thereof at private sale, and that he report his proceedings hereunder to this Court.

Approved: Cameron + Cameron, Attys for Defendant  
Hoopes, Robinson + Hoopes, " Plaintiff

Chas. H. Norris, Exc.

Est W<sup>m</sup> H. Mead, dec.,

Plaintiff

vs

F. H. Mead,

Defendant.

No. 9475.

Now comes the plaintiff by his attorney, S. W. Van Winkle, and moves the Court to discharge the attachment herein and direct that the money held in custody of the Court be paid to the defendant less the cost herein taxed at \_\_\_\_\_ dollars, and that the case be dismissed without record for the reason that the same has been settled out of court.

S. W. Van Winkle, Atty for Plaintiff.

I ask that the above motion be allowed.

F. H. Mead, Defendant.

Court adjourned to Dec. 18, 1913 at 9 a. m.

Dec. 18, 1913

Thursday Dec. 18, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

B. F. Carneau,  
Plaintiff,

vs

J. F. Stallsmith,  
Defendant.

No. 9477.

This day came the parties and this cause came on to be heard upon the amended motion of the plaintiff filed herein on December 12<sup>th</sup> 1913 to strike the second defense and the cross petition from the last amended answer and cross petition of defendant, for reasons in said motion stated. On consideration whereof, the Court being fully advised in the premises treated said motion as a demurrer to said second defense and cross petition and sustained the same.

To which ruling of Court the defendant excepted.

At John M. Brodrick, Judge.

Court adjourned to Dec. 19, 1913 at 9 a. m.



Dec. 19, 1913.

Friday December 19, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Prodrick, Judge.

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

Joseph S. Robertson,  
 Plaintiff,

vs

J. N. Robertson et al,

Defendants.

No. 9467

This day this cause came on for hearing on the  
 Dismissed motion of all the parties to have said cause dismissed without  
 prejudice; and on consideration thereof said motion is granted  
 and said cause is dismissed without prejudice.

Court adjourned to Dec. 20, 1913 at 9 a. m.

Dec. 20, 1913.

Saturday December 20, 1913 - Court convened at 9 a.m.  
 Present Honorable John M. Brodrick, Judge.

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

International Harvester Co.  
 of America  
 Plaintiff

vs

No. 9154.

Charles Westlake et al,  
 Defendants.

This cause coming on for hearing, by leave of the Court  
 The John Maldi Evaporated Milk Co. are made parties defendant to the  
 within entitled cause.

John M. Brodrick, Judge.

The State of Ohio,  
 Plaintiff

vs

No. 1461.

B. Fleischer,  
 Defendant.

It appearing to the Court that the prosecuting witness  
 herein R. Woolson, is desirous of withdrawing her charge against  
 the defendant, and requests the dismissal of this cause, and the Court  
 finding that the same should be granted, it is ordered that the trans-  
 script heretofore filed herein be dismissed and that the defendant, B.  
 Fleischer and his bondsman C.S. David be released from all further  
 obligation under the bond given by the defendant to answer at the  
 first day of the next term of court by reason of the charges filed  
 against him in the above entitled action, and that defendant, B.  
 Fleischer pay the costs herein taxed.

Approved: John H. Willis, Pros. Atty Union Co. O.

OT John M. Brodrick, Judge.

Court adjourned to Dec, 22, 1913 at 9 a.m.



Dec. 22, 1913.

Monday Dec. 22, 1913 - Court convened at 9 a. m.

Present Honorable John M. Prodnick, Judge.

In the Court of Common Pleas, Union County, Ohio

B. F. Carneau,  
Plaintiff

vs

J. F. Stallsmith  
Defendant.

No. 9427.

Tried

This day came the parties herein by their attorneys; and the panel of jurors being incomplete by reason of challenge, by order of the Court, Berry Hannawalt was summoned as talesman; and now come the following named persons as jurors, to-wit: Ben Beem, Leonard Bellville, David Miller, S. M. Lutz, Monroe Amrine, G. L. Koenner, S. E. Liggett, G. W. Harris, Len W. Allister, M. P. Haggard, John Clark and Berry Hannawalt 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 in part, the time for adjournment having arrived, this cause was adjourned until to-morrow morning at 9 o'clock.

S. J. Garver,  
Plaintiff,

vs

The Erie Railroad Co.  
Defendant.

No. 9472.

Settled

This day this cause settled by mutual agreement costs paid and dismissed without record.

The Union County  
Telephone Company,  
Plaintiff,

vs

The Marysville Light  
and Water Company,  
Defendant.

No. 9499.

This cause coming on for hearing upon the motion of the defendant for an order modifying the injunction heretofore granted in this case so as to permit the defendant to turn the electric current on its line between Marysville and Milford Center, Ohio for the purpose of testing out the line and determining whether the current will in any manner interfere with the plaintiff and was heard upon the testimony of witnesses and the argument of counsel.

Upon consideration whereof the Court grants said motion upon the following terms and conditions, for experimental purposes only. The said plaintiff and the said defendant are hereby authorized and empowered to have a representative each during such



Dec. 22, 1913

experiment, who shall have access to the plant of the defendant and to its line at all points between the plant at Marysville and the terminus at Milford Center, and access to the plant of the plaintiff, its switch board at Marysville and its lines between its switch board at Marysville and its switch board at Milford Center, and the use of its lines as a connection to other points at a distance, said representatives to each have the authority to make such tests as they may desire up to a 60 K.W. load and shall have the power to make such experiments with the lines of the plaintiff as they may desire to determine what may be done to overcome such interference as may be caused by the current of the defendant, said experiment to begin on the — day of December 1913 and to extend during the period of five days inclusive of said day, and should weather condition during the said five days be such as to not furnish a sufficiently varied weather condition during the said five days as to include all probable weather conditions which are liable to arise, so that the representatives of the plaintiff or the defendant by reason thereof desire further experiment or correction to overcome interference, said representatives are empowered upon the first subsequent day or days, said experimental days not to exceed five in number, which shall furnish the desired weather condition, to make additional experiments or correction.

Said power, however, to be turned off at the end of five days, and not again turned on unless by the request of the plaintiff, and defendant, or by the further order of this Court.

The modification of the injunction heretofore granted is, however, conditioned upon the assuming by the defendant of any and all damages which may occur to the plaintiff, by the reason of the turning on of the said current of the defendant, to the plaintiff or to any person or persons to whom said plaintiff may be liable by reason of the current of the defendant being transmitted to the wires of the plaintiff, except it is not intended by this order, for said experimental purposes, to hold the defendant liable for damages for interference of service only.

The costs and expense of making such tests and corrections, aside from the compensation of the personal representatives of the parties, shall be paid in such manner as the Court may hereafter direct.

To all of which the plaintiff excepts,

Approved: Tropes, Robinson + Hoopes, Atty for Plaintiff



Dec. 23, 1913

Tuesday Dec. 23, 1913 - Court convened at 9 a. m.  
 Present Honorable John M. Brodnick, Judge.

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

B. F. Carneau,  
 Plaintiff

vs  
 J. F. Stallsmith  
 Defendant.

No. 9427.

Trial

Verdict

This day again came the said parties by their attorneys and also came the jury heretofore impaneled and sworn, and the trial proceeded, and the said jury having heard the remaining testimony, the argument, and charge of the Court, retired to their room, in charge of the Sheriff for deliberation,

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

We, the jury being duly impaneled and sworn and affirmed, find the issues in this case in favor of the Plaintiff, and assess the amount due to the Plaintiff from the Defendant at the sum of \$3781.41 Three Thousand Seven Hundred and eighty-one dollars and forty-one cents.

David Miller, Foreman.

Judgment

Dismissed

Court adjourned to Dec. 27, 1913 at 9 a. m.

Dec. 27, 1913.

Saturday December 27, 1913 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

W. C. Fullington,  
Plaintiff

vs

No. 9540.

W. C. Bennett,  
Defendant.

Judgment

This day came the plaintiff by Miles L. Myers attorney; and filed his petition against said defendant, W. C. Bennett 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 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 Seventy-six +  $\frac{22}{100}$  Dollars (\$276 $\frac{22}{100}$ ) bearing interest at 8 per cent per annum, and that said plaintiff ought to recover of said defendant a judgment for that sum. It is therefore considered by the court that said W. C. Fullington, plaintiff, do recover from said W. C. Bennett defendant, the said sum of Two Hundred and Seventy-six +  $\frac{22}{100}$  Dollars (\$276 $\frac{22}{100}$ ) so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 26<sup>th</sup> day of December 1913, 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.

OK John M. Brodrick, Judge.

Minnie D. Evans,  
Plaintiff

vs

No. 9059

Milford Evans,  
Defendant

Dismissed

This day this cause is dismissed, Judgment against Plaintiff for costs. No record.

Court adjourned to Dec. 29, 1913 at 9 a. m.



Dec. 29, 1913.

Monday Dec. 29, 1913 - Court convened at 9 A.M.  
Present Honorable John M. Brodrick, Judge.

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

Robert C. Winkle,  
Plaintiff,

vs

Lawrence H. Winkle et al,  
Defendants.

No. 9570.

Guardian  
ad litem

This day the plaintiff Robert C. Winkle appeared in open court, and made application for the appointment of a Guardian ad litem for the minor Defendants in this case.

Leave

And it appearing to the Court that the Defendants Howard Winkle and Maud Winkle are minors over the age of fourteen years and the defendants, Mark H. Winkle, Theodore Winkle, Sylvia Winkle, Bertha Winkle and David Winkle are minors under the age of fourteen years, and have been duly and legally served with summons herein and that said Howard Winkle and Maud Winkle have neglected for twenty days after the return of summons served upon them to apply for a Guardian ad litem it is ordered that John H. Willis be and he hereby is appointed Guardian for the suit for said minor-defendant. And now comes the said John H. Willis and in open court accepts said appointment.

At John M. Brodrick, Judge

Willis Epps,  
Plaintiff

vs

Reuben Huffman,  
Defendant.

No. 9180

(Jury vacated)

This 27th day of December 1913, this cause came on to be heard on the transcript, pleadings and the argument of Counsel, the Court upon due consideration finds that the judgment rendered by W. A. Garrard J.P. should be vacated.

It is therefore ordered that said judgment be vacated and that each party hereto, pay one-half the costs.

Court adjourned to Dec. 30, 1913 at 9 A.M.

Dec. 30, 1913

Tuesday, Dec. 30, 1913 - Court convened at 9 a. m.

Present Honorable John M. Brodrick, Judge.

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

J. C. Blue,  
Plaintiff,

vs

The Erie Railroad Co.

Defendant.

No. 9519.

Leave

file petition,

This day leave was granted plaintiff ten days to

Court adjourned to Dec. 31, 1913 at 9 a. m.



Dec. 31, 1913

Wednesday Dec. 31, 1913 - 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 }  
 G. C. Edwards, Court Constable }

G. C. Edwards is hereby allowed 24 days for services as Court Constable from Dec. 7, 1913 to Dec. 31, 1913 at \$2.50 per day, total \$60.00. Clerk will certify amount to Auditor Union Co.

John M. Brodrick, Judge.

Alexander C. Beckes,  
 Plaintiff

Confirm.

<sup>vs</sup>  
 James Beckes et al,  
 Defendants.

Distribution

This day this cause came on to be heard upon the motion of the plaintiff to confirm the sales made herein, and the Court being fully advised in the premises and finding from the return of the Sheriff filed herein that his proceedings and said sales are in all respects regular and in conformity to law and the former order of the Court, doth approve and confirm the same, and said Sheriff is ordered to execute and deliver to the purchaser John Schmidt a good and sufficient deed for lot No. 223 upon payment of the sum of \$150.00 and to the purchaser, Bertie Reed lot No. 224 a good and sufficient deed for same upon payment of the sum of \$955.00, being the purchase price of said lots respectively; and the Clerk of the Court is ordered to cause satisfaction of the mortgage to the defendant the Bank of Marysville to be entered upon the record of said mortgage in the office of the Recorder of Union County, said mortgage being set out in the answer and cross petition of said defendant Bank herein, And coming now to distribute the proceeds of said sales amounting to \$1105.00, the Court find upon the answer and cross-petition of the defendant Charles H. Kilsie that there is due him for taxes interest and penalty on said premises the sum of \$106.61 which he is entitled to receive out of said proceeds; and the Court find upon the answer and cross-petition of the defendant the Bank of Marysville that there is due and owing to it on its mortgage lien the sum of \$792.00 which it is entitled to have satisfied out of the share of the plaintiff in the proceeds of said sale; and the Court find upon the answer and cross petition of the defendants The Marysville Wire Fence and Lumber Company that there is due the sum of \$83.02 which it is entitled to receive out of the interest of the plaintiff in the proceeds of said sale, Whereupon it is ordered by the Court, that the Sheriff out of the money in his hands pay:

1. The costs herein to the Clerk of the Court, taxed at the sum of \$130.64 which shall include a fee of \$64.20 to G. V. Fromme attorney-at-law, for legal services rendered in this action for the benefit of all parties.



Dec. 31, 1913

- 2- To the Treasurer of Union County, Ohio, the amount of the taxes and assessments now on his duplicate against said premises amounting to \$6098.
- 3- To Chas. H. Miltzie, the amount of his claim, to-wit, \$106.61.
- 4- To the defendant James Becke the 1/4 of said balance of the proceeds of said sale amounting to \$5762.
- 5- To the defendant Andrew Becke the 1/4 of said balance of the proceeds of said premises, amounting to \$5762.
- 6- To Noah Becke the 1/4 of said balance of the proceeds of said premises amounting to \$5762.
- 7- To the Bank of Marysville the amount of its claim amounting to \$79.26.
- 8- To the Marysville Wire Fence and Lumber Company, the amount of its claim to-wit, \$8302.
- 9- To Alexander G. Becke the balance of said proceeds amounting to \$47163.

W. John M. Prodrick, Judge.

Court adjourned to Jan. 3, 1914 at 9 a.m.



Jan. 3, 1914.

Saturday Jan. 3, 1914 - Court convened at 9 a. m.

Present Honorable John M. Prodrick, Judge.

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

The Union County Telephone Co.  
Plaintiffvs  
The Marysville Light & Water Co.  
Defendant.

No. 9799.

Decree

This cause coming on for hearing upon its merits was submitted on the evidence and the report of experts selected by parties hereto, and upon the argument of counsel, and the Court being fully advised in the premises finds that the injunction heretofore granted in this cause should be dissolved upon condition: that the defendant make the following changes and improvements in its lines within 60 days:-

First: Install lightning rods not less than No. 6 B + B gauge bare copper on every tenth pole from a point six feet below the ground line to the roof of the pole, same to be installed on wooden brackets two in number to be used on each said tenth pole. Said lightning rods to be attached to a No. 3 Paragon ground cone.

Second:- At all points where cross-arms are affixed to live growing timber, remove same from timber and that trees be avoided at said points by the use of ten feet cross-arms and eight feet six inch angle iron side arm braces affixed to poles.

Third:- That wherever tree branches overhang the line of the defendant, remove same if possible, and if the removal of same be impossible, either change the location of its pole route so as to avoid the possibility of falling branches or limbs, or protect said wires of the defendant by the erection of proper steel guard wires not less than No. 9 in gauge and three in number over the phase wires of the defendant.

Fourth:- That the Union Light & Water Company as a condition to receiving current over the lines of the defendant be required within sixty days to construct at the crossing of the portion of the high tension line belonging to said Union Light & Water Company and the telephone line of the plaintiff in Milford Center a standard crossing construction (as outlined in the conference committee report of the American Institute of Electrical Engineers), that the crossing span and one span each way of the crossing span be of conductors instead of solid conductors, that the insulators be of the suspension type, that the pins<sup>th</sup> of steel instead of wood and that said steel pins be grounded.

Fifth:- Set the Inverse Time Limit Overload Relay on the Panel in the Power House at Marysville to trip out test at as near two seconds as possible, and that said relay be tested at intervals of thirty days for time interval and operative condition and that a



Jan. 3, 1914.

log of said test be kept for the inspection of the plaintiff and <sup>the</sup> defendant.

That the plaintiff within 60 days make the following changes and improvements in its lines.

First: - Trim the tree branches clear of the telephone wires, poles and cross-arms of the plaintiff's line, broken pins renewed and flying insulators replaced and wires to be cut around guys where same are now insulated by wood separation and the wire itself to be insulated by wood separation and the wire itself to be insulated instead of bare.

Second: - Protect all sub-station apparatus by individual station protectors mounted on the outside of the house at the point where outside wires and inside wires begin, that a ground wire not less than No. 14 covered be run on knobs to ground from above protector, and that the same terminate on a one half inch by six foot galvanized rod driven five and a half feet into the ground.

That at the terminals where the open line wires enter the cables at Milford Center and at Marysville proper ground connections be installed from the terminal lead to the ground. Said ground connection to consist of a strip of copper twenty-eight one-thousandths of an inch in thickness by one inch in width from terminal to ground terminating at a Paragon Ground Cone imbedded not less than six feet below the ground line, copper strip to be protected by wood molding to the height of twelve feet from the ground.

All other grounds now employed on the line of the plaintiff to be removed.

That the Central Office of the telephone companies both at Milford Center and at Marysville, the lines of the telephone company carried on the pole line of the plaintiff between said points, shall terminate in separate combination fuse, carbon and heat coil protectors, mounted on a panel with an asbestos base, said base to be mounted on an outside brick wall. The panel to be grounded to an adequate ground to consist of a No. 1 Paragon Ground Cone imbedded in moist earth not less than six feet below the ground line by wire not less than No. 6 B + S. in size, said wire to be insulated throughout its entire length and to be carried from the panel to the outside of the telephone building in one-half inch interior conduit, said panel to be painted red and a pyrene extinguisher to be hung convenient to the above panel.

Third: Install drop wires to subscribers' stations consisting of two No. 12 B. N. C. weather proof iron wires terminations at pole on brackets and at the sub-station on brackets, said brackets to be affixed at both points by one forty penny and one sixty penny spike.

Fourth: If in <sup>the</sup> future it should develop that the operation of the phase wires of the defendant, after the compliance by the plaintiff and the defendant with the conditions herein cause inductive disturbance that the plaintiff transpose its telephone line according to a standard system of transposition. Further, that when said improvements have been installed, said lines of the plaintiff and the defendant shall be maintained at the standard so established. It is further ordered that a potential exceeding ten thousand



Jan. 3, 1914

rolls shall not be impressed on the defendants line unless by agreement of parties or future order of the Court.

The costs of changes and alterations in said lines of the plain- and said lines of the defendant and the cost of the experiments heretofore made in this cause and the costs of this proceedings to be assessed as follows:

Plaintiff to pay its own witness fees, costs of taking depositions and the expense of its expert, Gustav Storch in making the test.

The defendant to pay all the remainder of the costs in this case and the expense of its own expert, Prof. F. C. Caldwell in making the test. All the changes and improvements above required of the defendant on its line and at its power house and the improvement required of The Union Light + Water Company to be made by the defendant at its expense and,

all the changes and improvements required to be made on the lines and at the stations of the plaintiff to be made by and at the expense of the plaintiff.

W. John M. Brodrick, Judge.

Mila Riggett,  
Plaintiff

vs

James Riggett,  
Defendant.

No. 9502.

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, and that he has failed to appear and is in default for answer or demurrer to the petition, and that the allegations are confessed thereof 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 17th day of March 18 - as alleged in said petition, and there are no minor children; and that the defendant has been guilty of gross neglect of duty, and for more than three years last past, has been habitually intemperate, 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 divorced from said defendant and that the defendant is forever barred of any right of dower or other interests in plaintiff's property either personal or real. that the defendant pay the costs of this proceeding taxed at \$17.24 and that this case be recorded.

John M. Brodrick, Judge.



Jan. 3, 1914

B. F. Carmean,  
Plaintiff,

vs

J. F. Stallsmith,  
Defendant.

No. 9427.

This cause coming on for hearing, on the motion of the defendant to set aside the verdict of the jury heretofore rendered in this cause, and for a new trial herein, the Court, on consideration thereof, overrule the same,

It is therefore considered by the Court that the said B. F. Carmean recover from the said J. F. Stallsmith the sum of thirty seven hundred and eighty-one and forty-one hundredths (\$3781.41) dollars as heretofore, to-wit, on the 23<sup>rd</sup> day of December, 1913, by the verdict of the jury, found due him, with interest from said 23<sup>rd</sup> day of December, 1913, together with his costs herein expended.

To all of which the defendant excepts,

A. Munsu + Maloney,  
Atty for Def.

John M. Brodrick, Judge.



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

This separate session of this Court of Common Pleas for the September Term 1913, was begun on Monday the 8<sup>th</sup> day of September 1913, and was continued from day to day and from time to time, and is now adjourned on this 3<sup>rd</sup> day of January 1914, without day.

Wm. M. Brodric  
Judge

January Term 1914.

State of Ohio,  
Union County ss.

This separate session of the Court of Common Pleas of the Tenth Judicial District, within and for the County of Union, for the January Term 1914, held in the Court House in the Village of Marysville county and State aforesaid, was begun on Monday, Jan. 5, 1914 at 10 a.m.

Present Honourable John M. Brodnick, Judge  
John N. Laird, Sheriff.

Grand Jury Facias.

The State of Ohio, Union County ss.

Sheriff's Office, Dec. 5, 1914.

On the 1st day of Dec. 1913, I received this venire and served the same on the several persons therein named, at the times and in manner placed opposite their names endorsed thereon.

- |     |                           |         |         |          |
|-----|---------------------------|---------|---------|----------|
| 1.  | Asa Smart                 | Dec. 3, | By mail | 9 miles. |
| 2.  | W. O. Thompson            | "       | " "     | 9 "      |
| 3.  | Stanley Bellville         | "       | " "     | 5 "      |
| 4.  | Martin Bunsold            | "       | " "     | 4 "      |
| 5.  | James Mitchell            | "       | " "     | 13 "     |
| 6.  | James Coe                 | "       | " "     | 6 "      |
| 7.  | Harry Johnson             | "       | " "     | 11 "     |
| 8.  | Robert Keyes              | "       | " "     | 4 "      |
| 9.  | H. C. Patrick             | "       | " "     | 5 "      |
| 10. | C. J. Ballinger           | "       | " "     | Excused  |
| 11. | A. F. Robinson            | "       | " "     | 5 miles  |
| 12. | J. W. Ritchie             | "       | " "     | 7 "      |
| 13. | W. S. Peel                | "       | " "     | 8 "      |
| 14. | Harry M <sup>c</sup> Cune | "       | " "     | 14 "     |
| 15. | Fred Stierhoof            | "       | " "     | 4 "      |

And upon calling the names of the panel in open court the following were found present: Asa Smart, W. O. Thompson, Stanley Bellville, Martin Bunsold, James Mitchell, James Coe, Harry Johnson, Robert Keyes, H. C. Patrick, A. F. Robinson, J. W. Ritchie, W. S. Peel, Harry M<sup>c</sup> Cune and Fred Stierhoof. The panel being incomplete by reason of the absence of C. J. Ballinger who had been excused, by the order of the court L. H. Smith was selected as talesman. The panel then being complete, the Court appointed Harry M<sup>c</sup> Cune as foreman, and he with his fellow jurors took the oath as prescribed by law, after the Grand Jury were instructed by the Court as to their duties, they were conducted to their room by the Sheriff, for deliberation, L. F. Epps was sworn as a witness.

After hearing this evidence the Grand Jury adjourned to meet at the call of the Prosecuting Attorney.

Court adjourned to Jan. 6, 1914 at 9 a.m.



Jan. 6, 1914

Tuesday Jan. 6, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge

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

To Hon. John M. Brodrick, Judge,  
Maysville Ohio, January 5, 1914.

Sheriffs

The court charges for the September Term A. D. 1913, Union County Common Pleas, are due for services rendered and are as follows:

Pay

Union County, Ohio	
To John N. Laird, Sheriff, Dr.	
To serving Grand Jury venire	\$4.25
" " Petit " "	4.60
" " Grand Jury Witnesses	12.50
" 202 miles travel Grand Jury witnesses	16.16
Total	\$37.51

I hereby certify the above bill to be correct.

John N. Laird, 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 County Auditor.

John M. Brodrick, Judge.

Eros H. Whitesell,  
Plaintiff

No. 9450

vs  
Erie Railroad Co.

Dismissed

This day this cause settled, costs paid and dismissed without record.

Filed Jan 5, 1914,

Nellie W. Peets,  
Plaintiff

No. 9482

vs  
David W. Peets,  
Defendant.

Dismissed

Dismissed by the Court, judgment against Plaintiff for costs. No record.

Court adjourned to Jan. 7, 1914 at 9 a. m.

Guard  
ad litem

Continued

Jan. 7, 1914.

Wednesday Jan. 7, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge

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

Harry E. Norris,  
Plaintiff

vs

No. 9387

William Suffer et al.  
Defendants.

Guard  
ad litem

It appearing to the Court that Harry Suffer, Gladys Suffer, Rebecca Suffer and Everett Suffer, minor defendants have been duly served with summonses, and that more than twenty days have elapsed since the return of said summonses, on the application of the plaintiff,

It is ordered that John H. Willis be appointed guardian ad litem for said minor defendants, and thereupon said John H. Willis accepts said appointment.

At John M. Brodrick, Judge.

Filed Jan. 5, 1914.

In the Matter of the  
Naturalization of  
Paul Fuerst.

No. 9473

Continued

This cause came on for hearing on the Petition for Naturalization and the evidence, and it appearing to the Court that Nelson H. M. Clellan on the witness is without the jurisdiction of this court,

It is therefore ordered that this cause be continued until Monday the 16<sup>th</sup> day of March, 1914.

John M. Brodrick, Judge.

Court adjourned to Jan. 8, 1914 at 9 a. m.



Jan. 8, 1914

Thursday, Jan. 8, 1914 - Court convened at 9 A. M.  
Present Honorable John M. Brodrick, Judge

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

Carrie Lovless Shoemaker et al,  
Plaintiffs,

rs

No. 9477.

Charles D. Lovless et al,

Defendants.

Confirmation

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 purchasers, Carrie Lovless, Shoemaker, Lida Lovless Meller and Nane Lovless Liggett, said premises are unincumbered by dower. It is further ordered that out of the proceeds of said sale the Sheriff pay,

First: To the Treasurer of Union County, \$150<sup>00</sup> being the taxes due on said premises.

Secondly: To the Clerk of this Court the costs of this action, including a counsel fee of \$478<sup>00</sup> to Marriott, Freshwater & Wickham for their services herein, taxed at \$575<sup>42</sup>.

Thirdly: And of the residue of the proceeds of said sale, to the plaintiffs, to-wit: Carrie Lovless Shoemaker, the one-fourth part thereof to-wit: \$4293<sup>57</sup>; Lida Lovless Meller, the one-fourth part thereof to-wit: \$4293<sup>57</sup>; to Nane Lovless Liggett, the one-fourth part thereof, to-wit: \$4293<sup>57</sup>; to the defendant, Charles D. Lovless, the one-fourth part thereof, to-wit: \$4293<sup>57</sup>.

W. John M. Brodrick, Judge.

Bisson S. Marriott,  
Plaintiff

rs

No. 9353.

Harry E. Peck, Exc. et al,

Defendants.

Demurrer

Sustained

This cause being heard by the Court upon the demurrer to the petition filed by the defendant herein, the Court being fully advised sustains said demurrer, to which the plaintiff excepts, and leave is granted the plaintiff to amend, if she so desires, within ten days. If not said cause will stand dismissed at the costs of the plaintiff.

W. John M. Brodrick, Judge.



Jan. 8, 1914.

Willis G. Roots,  
Plaintiff

vs

Willis G. Roots, Adm.  
of Mary L. Roots, et al,  
Defendants.

No. 9276.

Confirmation

On motion of the plaintiffs and they producing the return of the Sheriff of the sale made under the former order of this Court on careful examination of the proceedings of said Sheriff being satisfied that the same have been in all respects in conformity to law and the order of this Court, it is ordered that the said proceedings and sale be and they are hereby approved and confirmed.

Distribution

And it is further ordered that the said Sheriff convey to the purchaser The Bank of Marysville, by deed the First tract of land described in said petition, they being the purchaser for said tract, and it is ordered that said deed be made according to law, the property so sold 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 said mortgage being given to the Bank of Marysville, they being the owners of said mortgage.

It is further ordered that the Sheriff out of the money in his hands pay: -

(1) - The balance of the costs in this action, taxed at \$ — to this date.

(2) - To John L. Laughrey, the balance of attorney fees, in the within case the sum of \$42.00.

The Court further finds that the mortgage set up in the answer and cross-petition, by the Bank of Marysville, for the sum of \$1610.00 with interest at 8% from August 15, 1911, a valid mortgage and renders a decree to the Bank of Marysville for the sum of \$ — prayed for in their answer and cross-petition, but the said mortgage being subject to the foregoing cancellation order.

(3) - It is further ordered in order to make and complete the title in said real estate, that \$45.00 be paid to Richard P. Curl, administrator de bonis non, Mary L. Roots deceased, the court costs in said estate, as certified by the Probate Court, at Union County, Ohio, the within entitled case.

(4) - The Court further finds that the Bank of Marysville, has purchased said first tract of land for \$1005.00, and they have applied said purchase price on the Bank of Marysville mortgage, thus leaving a balance due of \$ —.

(5) - It is further ordered that the balance of said money \$51.51 in the said Sheriff's hands be paid to the Bank of Marysville to apply on said mortgage.

John M. Brodbeck, Judge.

Court adjourned to Jan. 10, 1914 at 9 a. m.



Jan. 10, 1914

Saturday Jan. 10, 1914 - Court convened at 9 A. M.  
 Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas Union County, Ohio.

The Union Banking Co.,  
 Plaintiff

vs

J. W. Price,

Defendant.

No. 9544.

Seene

Judgment This day came the plaintiff by Cameron + Cameron its attorneys, and filed its petition against said defendant, and thereupon Milo L. Myers, 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 said defendant, waived the issuing and service of process, entered the appearance of said defendant herein, and acknowledged that said defendant did owe and was 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 defendant to said plaintiff, on said indebtedness, the sum of Thirty-three hundred and Sixty-nine +  $\frac{1}{100}$  Dollars (\$3369<sup>16</sup>) bearing interest at 7% per annum and that said plaintiff ought to recover of said defendant a judgment for that sum.

It is therefore considered by the Court here that the said The Union Banking Co., plaintiff do recover of the said defendant J. W. Price, the sum of Thirty-three Hundred and Sixty-nine +  $\frac{1}{100}$  Dollars (\$3369<sup>16</sup>) so confessed, as aforesaid, with interest from Jan. 10, 1914 at 7 per cent per annum, and also costs in its behalf expended taxed at \$5<sup>00</sup> 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.

John M. Brodrick, Judge.



Jan. 10, 1914.

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

Emiline C. Bird,  
Plaintiff

vs

Harry Clapsaddle et al,  
Defendants.

No. 9503

Decree

This cause coming on this day for hearing, was submitted to the Court upon the pleadings, the evidence and the argument of counsel, and on consideration the Court find that at the time of bringing this action, the defendants, Mary Ida Carter and Asa B. Carter, were in possession of the real property described in the petition, and that they had the legal estate in, and was entitled to the possession of, the same; that neither the plaintiff or any of the defendants except the said Mary Ida Carter and Asa B. Carter, have any estate in, or are entitled to possession of, said real estate or any part thereof, and that the said Mary Ida Carter and Asa B. Carter ought to have their title and possession quieted as against the plaintiff and each and every one of the defendants except said Mary Ida Carter and Asa B. Carter, as prayed for in the answer and cross-petition of the said Mary Ida Carter and Asa B. Carter.

The Court further find that on and prior to the 1<sup>st</sup> day of May, 1889, Gorum Bird held an estate in fee simple in the land described in plaintiffs petition; that on said date he conveyed said premises to the trustees of the Free Will Baptist Church by a deed of general warranty upon condition that whenever said premises should fail to be used by the said Baptist Church for church purposes for a period longer than three years said deed should become void. That subsequent thereto, to-wit on the 6<sup>th</sup> day of April, 1891, the said Gorum Bird executed and delivered a deed of general in fee simple for said premises to Ida Bird and D. S. Bird, and that on the 6<sup>th</sup> day of August 1897, the said Ida Bird and D. S. Bird executed and delivered a deed of general warranty in fee simple for said premises to the said Mary Ida Carter and Asa B. Carter.

The Court further find that the condition named in said deed, from said Gorum Bird to said The Free Will Baptist Church has happened and that said church property has not been used for church purposes for more than three years last past, that said church society and its trustees have had due and legal notice of this action, and that the said Mary Ida Carter and Asa B. Carter have the right to re-enter said premises as successors in title thereto from said Gorum Bird, and that said Mary Ida Carter and Asa B. Carter have made said re-entry physically and by their appearance in this action. It is therefore considered, ordered and adjudged by the Court that the estate formerly held by the trustees of The Free Will Baptist Church be, and the same hereby is de-



Jan. 10, 1914

clared forfeited to said defendants, Mary Ida Carter and Asa B. Carter, as successors in title of said Abram Bird, deceased, and it is further ordered, adjudged and decreed that the title and possession of the said Mary Ida Carter and Asa B. Carter to all and singular the premises in the petition described be and the same hereby are quieted as against the plaintiff and all of the defendants except the said Mary Ida Carter and Asa B. Carter, and each and every one of them, and all persons claiming under them, or any of them; and said plaintiff and said defendants 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 Mary Ida Carter and Asa B. Carter, their heirs and assigns thereto.

It is further ordered and decreed that the said defendants, Mary Ida Carter and Asa B. Carter pay their own witness-ess, the publication of the notice to the trustees and members of said Church and the entering of this decree, and for the record of this case, and that all other costs be adjudged against the plaintiff, To all of which the plaintiff excepts.

W. John M. Brodrick, Judge.

Tender

Court adjourned to Jan. 12, 1914 at 9 a.m.

Jan. 12, 1914.

Monday Jan. 12, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Prodrick, Judge.

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

Mary E. Justice,  
Plaintiff

vs

No. 9477.

Louis F. White,

Defendant.

Juder

This day the defendant, Louis F. White, come into open court and by his attorneys Hoopes, Robinson + Hoopes, offered to confess judgment in the above cause for \$5000 and the costs of this action to the instant of making said offer, and the said plaintiff being present in court by her attorney John H. Willis, refused to accept said offer.

Hoopes, Robinson + Hoopes for Defendant.

John H. Willis, atty for Plaintiff

OK, John M. Prodrick, Judge.

Benjamin L. Robinson,  
Plaintiff

vs

No. 9531.

Herbert Patria,

Defendant.

Leave was this day given the defendant to file answer by Feb. 11, 1914.

Court adjourned to Jan. 14, 1914 at 2 a. m.



Jan. 14, 1914

Wednesday Jan. 14, 1914 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

A. R. Webb,

Plaintiff

vs

S. F. Burnham,

Maud M. Burnham,

Defendants.

No. 9551.

Judgment

This day came the plaintiff by Frank J. Ballinger, his attorney; and filed his petition against said Defendants, S. F. Burnham and Maud M. Burnham and it appeared John W. Willis one of the attorneys of record of this court also appeared in open court, for and on behalf of said defendants, S. F. Burnham and Maud M. Burnham 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 Defendant herein, and by virtue of the same warrant of attorney, confessed that there is due from said Defendants to said Plaintiff as is alleged in said Plaintiff's petition the sum of Three Hundred and Eighteen +  $\frac{7}{100}$  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 A. R. Webb Plaintiff do recover from said S. F. Burnham and Maud M. Burnham Defendants the <sup>said</sup> sum of Three Hundred and Eighteen and  $\frac{7}{100}$  Dollars \$318 $\frac{7}{100}$  so as aforesaid confessed to be due, together with the costs of suit herein, to be taxed and with interest to be computed from the 14<sup>th</sup> day of January 1914, 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.

W. John M. Brodrick, Judge

Court adjourned to Jan. 15, 1914 at 9 a. m.

January 15, 1914

Thursday Jan. 15, 1914 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

Venue for Petit Jurors.

By reason of postponement, Venue for Petit Jurors made returnable Jan. 6, 1914 was this day returned indorsed:

The State of Ohio, Union Co., ss. Sheriff's Office Jan. 15, 1914,

On the 1<sup>st</sup> day of December 1913, I received this Venue and served the same on the several persons therein named, at the times and in the manner placed opposite their names endorsed hereon.

1. John Green	Dec. 3	By mail	11 miles
2. H. Peters	"	" "	Excused.
3. Leo Rausch	"	" "	6 miles
4. David E. Miller	"	" "	11 "
5. Sherman Hill	"	" "	13 "
6. J. H. Hammer	"	" "	8 "
7. Joseph Keckley	"	" "	8 "
8. J. W. Albert	"	" "	20 "
9. L. F. Griffin	"	" "	7 "
10. John Erich	"	" "	10 "
11. William Lake	"	" "	17 "
12. Roe Barnes	"	" "	5 "
13. Irwin Fist	"	" "	0 "
14. Price Ish	"	" "	0 "
15. R. M. Thompson	"	" "	8 "
16. Burl Southard	"	" "	0 "
17. Chris Reams	"	" "	0 "
18. Frank Jones	"	" "	19 "

John N. Laird, Sheriff.

On calling the names in open court the following were found present: John Green, Leo Rausch, David E. Miller, Sherman Hill, J. H. Hammer, Joseph Keckley, J. W. Albert, L. F. Griffin, John Erich, William Lake, Roe Barnes, L. M. Thompson, Burl Southard, Chris Reams and Frank Jones. By reason of challenge the panel was made incomplete and by order of the Court Dan Beightler and L. H. Smith were accepted as talesmen.



Jan. 15, 1914

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

Mary E. Justice,  
Plaintiff,

No. 9427

vs  
Louis P. White,  
Defendant.

This day came the parties herein, by their attorneys; also came the following named persons as jurors, to-wit: John Green, Leo Rausch, David E. Miller, J. H. Hammer, L. F. Griffin, John Eirich, William Lake, Roe Barnes, Burl Southard, Frank Jones, Sam Beightler and L. H. Smith who were duly impaneled and sworn according to law; and thereupon the case came on for hearing on the pleadings and the evidence. The jury having heard the evidence in part, the case was adjourned until to-morrow morning at 9 a. m.

Trial

Judgment

Court adjourned to Jan. 16, 1914 at 9 a. m.

Jan. 16, 1914.

Friday Jan. 16, 1914 - Court convened at 9 a. m.

Present Honorable John M. Brodrick, Judge.

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

Mary E. Justice,  
Plaintiff

vs

Louis J. White,  
Defendant.

No. 9477.

Trial

This day again came the parties herein, by their attorneys, and also came the jury heretofore impaneled and sworn, and the trial proceeded, The jury having heard the evidence complete, this case was adjourned until to-morrow morning at 9 o'clock for the argument and charge of the Court.

F. M. Taylor,  
Plaintiff,

vs

Benjamin F. King,  
Nettie R. King,  
Defendants.

No. 9557.

Judgment

This day came the Plaintiff by A. H. Kellefrath his attorney; and filed his Petition against said Defendants, Benjamin F. King and Nettie R. King and thereupon John L. Loughrey one of the Attorneys of Record of this Court, for and on behalf of said Defendants Benjamin F. King & Nettie R. King 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 the sum of Two Hundred, seventy-one and 15/100 Dollars (\$271<sup>15</sup>/<sub>100</sub>) bearing interest at 7% 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 F. M. Taylor, Plaintiff, do recover from said Benjamin F. King & Nettie R. King, Defendants the said sum of Two Hundred, seventy-one and 15/100 Dollars \$271<sup>15</sup>/<sub>100</sub> so as aforesaid confessed to be due, together with the costs of suit herein, to be taxed and with interest at the rate of 7 percent 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 to Jan. 17, 1914 at 9 a. m.



Jan. 17, 1914

Saturday, Jan. 17, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge c.

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

Mary E. Justice,  
Plaintiff,

vs

Louis P. White,  
Defendant.

No. 9427

Judgment

Trial

This day again came the parties herein, by their attorneys, likewise the jury heretofore impaneled and sworn and the trial proceeded. After hearing the argument, and the charge of the Court, the jury was conducted to their room for deliberation, by the Sheriff. And now comes the jury into open court with their verdict in writing signed by the 12 members thereof and by their foreman and say: "We, the jury being duly impaneled and sworn, find the issues joined in this case in favor of the defendant. And we do so render our verdict upon the concurrence of 12 members of our said jury, that being three-fourths or more of our number. Each of us said jurors concurring in said verdict signs his name hereto this 17th day of January 1914.

Verdict

Burl Southard, L. F. Griffin, R. J. Barnes, John V. Eirich,  
Leo P. Rausch, Frank Jones, John Green, D. E. Beightler, L. H.  
Smith, Wm. H. Lake, D. A. Miller, J. H. Hammer, Foreman,

The Richwood Banking Co.  
Plaintiff

vs

A. J. Beaver, Defendant.

No. 9553.

Judgment

This day came the plaintiff by its attorney, also appeared in open court, for and on behalf of the said defendant, James E. Robinson, 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, Sixty Dollars and Eighty 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, Sixty Dollars and Eighty cents, being the amount of said note with interest computed at 6 per cent per annum, from the 11th day of November 1913; and also its cost herein expended, taxed at \$5.00.

John M. Brodrick, Judge



Jan. 17, 1914

The Richmond Banking Co.  
Plaintiff

vs

No. 9554

A. J. Beaver, Defendant.

Judgment

This day came the plaintiff by its attorney; also appeared in open court, for and on behalf of said defendant, James E. Robinson, 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 Seven Hundred Dollars, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors, and rights of appeal in the premises.

It is therefore considered that said plaintiff recover of said defendant, the sum of Seven Hundred Dollars, being the amount of said note with interest computed at 6 per cent per annum from the 14 day of March, 1913 (6% for 6 months + 8% thereafter; and also its costs herein expended, taxed at \$5.00

OK John M. Brodrick, Judge.

Sisson S. Marriott,  
Plaintiff

vs

No. 9353.

Harry E. Peck, Exec et al,  
Defendants.

This cause being heard by the Court upon the demurrer to the petition filed by the defendants herein, the Court being fully advised sustains said demurrer, to which the plaintiff excepts, and leave is granted the plaintiff to amend, if she so desires, within 30 days from Jan. 24, 1914. If not said cause will stand dismissed at the costs of the plaintiff.

OK John M. Brodrick, Judge.

Court adjourned to Jan. 19, 1914 at 9 a.m.



Jan. 19, 1914.

Monday Jan. 19, 1914 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

State of Ohio,  
 Plaintiff

vs

No. 1447

Frank Larkin,  
 Defendant.

Trial

This day came the parties herein, by their attorneys. The regular panel of jurors being rendered incomplete by reason of challenge of Sherman Hill, J. H. Hamner, Joseph Keckley, L. M. Thompson + Chris Reams, by order of the Court, A. V. Pearce and V. C. Kimball were summoned and accepted as talesmen, and now comes the following-named persons as jurors, to-wit: John Green, Leo Rausch, David E. Miller, J. W. Albert, L. F. Griffin, John Erich, William Lake, Roe Barnes, Burl Southard, Frank Jones, A. V. Pearce and V. C. Kimball who were duly impaneled and sworn. The following-named persons were sworn as witnesses: Ruth Brown, Alice Brown, Chas. Westlake, Ethel Gordon, Richard Larkin, Bert Gordon, W. A. Garrard, Dr. Angus M. Iron, Dr. C. S. Miller, Dr. L. Henderson, John Laird, William Dodge, William Lovless, Pearl Yoder, Elmer Low, Olga Low, L. B. Harvey, Thomas Hinton, E. S. Brown, W. B. Mathews, Michael Murphy, Sarah Richards, Myron Norris, Mary Otte, L. Mummy, John Hayworth, Matt Sharp, J. R. Dodge, Pearl Possey, John Low, Lee Elson, J. H. M. Colung, Jas. D. Becke, Orrell Graham, + Kate Richards and thereupon the case came on for hearing on the pleadings and the evidence, and the said jury having heard the testimony in part and time for adjournment having arrived, this is continued until to-morrow at 9 a. m.

Court adjourned to Jan. 20, 1914 at 9 a. m.

Jan. 20, 1914

Tuesday Jan. 20, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Prodrick, Judge.

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

State of Ohio,  
Plaintiff

vs

Frank Larkin,  
Defendant.

No. 1447.

This day again came the parties herein, by their attorneys, also came the jury heretofore impaneled and sworn and the trial proceeded. The following witnesses were sworn: Libby Stayworth, U.F. Taylor. The said jury having heard the testimony in part and the time for adjournment having arrived, this case is continued until to-morrow at 9 a. m.

Court adjourned to Jan. 21, 1914 at 9 a. m.



Jan. 21, 1914,

Wednesday Jan. 21, 1914 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

State of Ohio,  
 Plaintiff,

vs

Frank Larkin,  
 Defendant.

No. 1447,

Trial

This day again came the parties herein, by their attorneys; and also came the jury heretofore impaneled and sworn and the trial proceeded. Dr. W. J. Means, Dr. Edwin A. Hamilton and Walter Low were sworn as witnesses. The jury having heard the testimony in part and the time for adjournment having arrived, this case is continued until to-morrow at 9 a. m.

Trial

Court adjourned to Jan. 22, 1914 at 9 a. m.

Jan. 22, 1914.

Thursday Jan. 22, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

State of Ohio,  
Plaintiff

vs

No. 1447,

Frank Larkin,  
Defendant.

Trial

This day again came the parties herein by their attorneys; also came the jury heretofore impaneled and sworn and the trial proceeded, Frank Larkin was sworn as witness. The jury having heard the testimony <sup>in part</sup> and the time for adjournment having arrived, this case is continued until to-morrow at 9 a. m. for the argument of counsel and charge of the Court.

Court adjourned to Jan. 23, 1914 at 9 a. m.



Jan. 23, 1914.

Friday, Jan. 23, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

State of Ohio,  
Plaintiff

vs

Frank Larkin,  
Defendant.

No. 1447.

Trial

This day again came the parties herein, by their attorney; also came the jury heretofore impaneled and sworn and the trial proceeded. And the jury having heard the argument of counsel and the charge of the Court, were at 6:00 o'clock P. M. conducted to their room for deliberation, by the Sheriff.

Trial

Verdict

Stenographer  
Fees.

Leave

Court adjourned until Jan. 24, 1914 at 9 a. m.

Jan. 24, 1914

Saturday Jan. 24, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

State of Ohio,  
Plaintiff,

vs

No. 1447.

Frank Larkin,

Defendant.

Trial

This day at 9:45 a. m., came the jury heretofore impaneled and sworn, into open court with their verdict in writing signed by their foreman and say: "We, the jury in this case, duly impaneled and sworn, find the defendant, Frank Larkin Guilty of Manslaughter."

Verdict

Wm. H. Lake, Foreman.

State of Ohio,  
Plaintiff

vs

No. 1447.

Frank Larkin,

Defendant.

Stenographers  
Fees.

It is hereby ordered that the sum of thirty-eight dollars be taxed at costs in the above entitled case in favor of R. Eva Byers, official stenographer, in payment of transcript, at an estimate of 32300 words at 8¢ per 100 for the original and half that amount for the first carbon copy; and that the Clerk issue his certificate therefor directed to the Auditor of Union County, Ohio.

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

Bellefontaine Ohio, Jan. 19, 1914.

Union County, Ohio,

Dr. to R. Eva Byers,

Dec. 1, 1913 - For transcript of testimony of two witnesses taken on Nov. 28, 1913 before the Grand Jury, to be used in case of State vs Orville Phinney at Richwood, Dec. 2, 1913, by order of the Prosecuting attorney; an estimate of 5250 words at 8¢ \$420.

Approved: John H. Willis, Pros. Atty.

Jan. 24, 1914

Leo Ridgeway,  
Plaintiff

vs

No. 9367.

Frank Silsaver,

Defendant.

Leave

Leave granted Plaintiff to plead within ten days.



Jan. 24, 1914.

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

Edward M. Finley,  
Plaintiff

vs

Sella Finley et al,  
Defendants.

No. 9535.

Leave

Leave granted Defendants to file answer by Apr. 1, 1914.

Edward Smith,  
Plaintiff

vs

Alice A. Smith,  
Defendant.

No. 9530.

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 defendants 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 the day of        A.D. 1893, as alleged in said petition, and that one child was born of said marriage and resides in Marysville Ohio; and that the defendant has been guilty of Gross Neglect of duty 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 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 \$6.31, and that this case be recorded.

John M. Brodrick, Judge.

Dismissed

Court adjourned to Jan. 26, 1914 at 9 a.m.

Jan. 26, 1914

Monday Jan. 26, 1914 - Court convened at 9 a. m.

Present Honorable John M. Prodrick, Judge.

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

J. Chas. Grosse, adm.  
Plaintiff

vs

No. 9468.

William Reed et al.

Defendants.

Dismissed

This day this cause came on for hearing on the pleading and the evidence. This day came parties herein, by their attorneys; also came the following named persons as jurors, to-wit: John Green, Leo Rausch, David E. Miller, J. H. Hammer, Joseph Keckley, J. W. Albert, L. F. Griffin, John Eirich, Roe Barnes, William Lake, Buel Southard + Frank Jones who were duly impaneled and sworn and the trial proceeded. On motion of defendant, the plaintiffs affidavit was found defective, J. H. Hammer is withdrawn as a juror and the case dismissed by the court.

Court adjourned to Jan 27, 1914 at 9 a.m.



Jan. 27, 1914.

Tuesday Jan. 27, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge

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

Ross Rinehart,  
Plaintiff

vs

Board of Co. Commissioners,

Defendant.

No. 9780.

Settled

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 plaintiff and the defendant, and that the defendant has paid to the plaintiff the sum of \$25.00 in full settlement of said claim, it is now ordered and adjudged that the petition of the plaintiff be dismissed, and that the defendant pay the costs herein taxed.

Approved: John L. Loughrey, Atty for Plaintiff,  
John H. Willis, Prosecuting Atty.

New Trial

Granted

Leave

Court adjourned to Jan. 28, 1914 at 9 a. m.

Jan. 28, 1914.

Wednesday Jan. 28, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

State of Ohio,  
Plaintiff

vs

Frank Larkin,  
Defendant.

No. 1447.

New Trial

Granted

This cause coming on for hearing upon the motion of the defendant for a new trial, the Court, on consideration thereof, grant the same on the ground that one of the jurors, who sat as a juror in the trial of said cause, was not an elector of said county and was under twenty-one years of age, and the other grounds set forth in said motion are not passed upon; and the verdict of the jury heretofore returned in this cause is hereby vacated and a new trial is granted.

And for want of time in which to try said cause during this term said cause is continued until the next term of this court and the bond of said defendant is continued in force.

Approved: John H. Willis, Pros. Atty.

John M. Brodrick, Judge.

J. C. Blue,  
Plaintiff,

vs

Erie Railroad Co.,  
Defendant.

No. 9519.

Leave

petition,

Leave granted defendant to file motion to



Jan. 28, 1914.

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

State of Ohio ex rel  
 Emory Rattanner Supt.  
 Banks of Ohio,  
 Plaintiff

No. 9557.

vs  
 O. W. White,

Defendant.

Judgment

This day came the Plaintiff by J. E. Strayer Atty; and filed its petition against said defendant, O. W. White and thereupon Jas. E. Robinson, one of the attorneys of Record of this Court, for and on behalf of said defendant, O. W. White 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 Dollars (\$100.00) bearing interest at 8 per cent per annum payable annually, and that said Plaintiff sought to recover of said Defendant a judgment for that sum.

It is therefore considered by the Court that said Plaintiff do recover from said Defendant, O. W. White Defendant the said sum of One Hundred and Three and 66/100 Dollars, (\$103.66) so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 28<sup>th</sup> day of January 1914, at the rate of 8 per cent per annum. And by virtue of said warrant of attorney, all error in this action, judgment and proceeding are released, and all right of appeal and all right to file a petition in error are waived.

W. John M. Brodrick, Judge.

Court adjourned to Jan. 29, 1914 at 9 A. M.

Jan. 29, 1914.

Thursday Jan. 29, 1914 - Court convened at 9 a. m.

Present Honorable John M. Brodrick, Judge.

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

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Court adjourned to Jan. 30, 1914 at 9 a. m.



Jan. 30, 1914.

Friday Jan. 30, 1914 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Vergle Benner,  
 Plaintiff,

No. 9524.

vs  
 Ella Benner,  
 Defendant.

Divorce

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 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 8th day of August A.D. 1907, as alleged in said petition, and that one child was born of said marriage and he resides in the City of Portsmouth Ohio, and that the defendant has been guilty of wilful absence from the plaintiff for more than three years last past and has wholly disregarded all marital duties as alleged 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 said parties are hereby released therefrom, and that said plaintiff pay the costs of this proceeding taxed at \$6.67, and that this case be recorded.

John M. Brodrick, Judge.

Judgment

Jan. 30, 1914

In the Court of Common Pleas, Union County, Ohio

Lydia E. Epps,  
Plaintiffvs  
L. F. Dolan,  
Defendant.

No. 9560

Judgment

This day came the Plaintiff by Hoopes, Robinson + Hoopes, her attorneys; and filed her petition against said Defendant, L. F. Dolan and thereupon R. L. Cameron, one of the Attorneys of Record of this Court also appeared in open court, for and on behalf of said Defendant, L. F. Dolan, 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 said 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, Two  $\frac{1}{2}$  and Five Hundredths Dollars, (\$102.05) bearing interest at 8 per cent per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum.

It is therefore considered by the Court, that said Lydia E. Epps Plaintiff do recover from said L. F. Dolan, Defendant, the said sum of One Hundred, Two and  $\frac{1}{2}$  and Five Hundredths Dollars, (\$102.05) so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed at the rate of 8 per cent per annum from the 30<sup>th</sup> day of January 1914. 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.

At John M. Brodrick, Judge

Court adjourned to Jan. 31, 1914 at 9 a.m.



Jan. 31, 1914

Saturday Jan. 31, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge,

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

Robert C. Winkle,  
Plaintiff,

vs

No. 9520.

Lawrence H. Winkle et al,  
Defendants.

Leave

This day leave is granted Amanda Rader, depend-  
ant, to file general answer and answer and cross petition to  
answer and cross petition of James Winkle by Jan. 31, 1914.

Court adjourned to Feb 2, 1914 at 9 a. m.

Feb. 2, 1914

Monday Feb. 2, 1914 - 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

G. C. Edwards is hereby allowed for services as Court Constable, from Jan. 1, to Jan. 31, 27 days in all at \$2.50 per day Total \$67.50, Clerk will certify amount to Auditor Union County, Ohio.

John M. Brodrick, Judge.

depend.  
to

Court adjourned to Feb. 3, 1914 at 9 a.m.



Feb. 3, 1914.

Tuesday Feb. 3, 1914 - Court convened at 9 a. m.

Present Honorable John M. Brodrick, Judge.

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

C. E. Shoe Company,  
Plaintiff,

vs

L. E. Phillips,

Defendant.

No. 9562.

Judgment

This day came the Plaintiff by Leonidas Piper, Attorney, and filed his petition against said Defendant, 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 Defendant, now produced in open court, proven shown to the Court, and filed with the Clerk thereof, appeared in open court, in behalf of said Defendant, waived the issuing of 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 Four Hundred +  $75/100$  Dollars, bearing interest at 6 per cent per annum, and that said Plaintiff ought to recover of said Defendant, a judgment for that sum.

It is therefore considered by the Court here that the said C. E. Shoe Company, Plaintiff do recover of the said Defendant, L. E. Phillips, the sum of Four Hundred and  $75/100$  Dollars so confessed, as aforesaid, with interest from Feb. 3, 1914 at 6 per cent per annum, and also costs in their behalf expended taxed to \$5.00, and by virtue of said Warrant of Attorney all errors in this action, judgment and proceedings, petitions and writs of errors thereon, are by said Defendant waived and released.

At John M. Brodrick, Judge

Court adjourned to Feb. 5, 1914 at 9 a. m.

Feb. 5, 1914.

Thursday, Feb. 5, 1914 - Court convened at 9 a. m.

Present Honorable John M. Frodrick, Judge.

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

The Union Banking Co.  
Plaintiff,

vs

Bertha Young,  
S. G. Young,  
Defendants.

No. 9565.

Answer

The Defendants Bertha Young and S. G. Young by W. J. Hoopes their attorney, and an attorney of record of this court, duly authorized therefor by the Warrants of Attorney embraced in the notes sued on in the first and second causes of action in this suit, and which notes with the accompanying Warrants of Attorney, are produced and shown to the Court, and filed herewith, now come and waive the issuing and service of process in this action, and hereby enter the appearance of the said Defendants herein; and said Defendants by W. J. Hoopes said Attorney duly authorized as aforesaid, says that he cannot gainsay or resist the facts stated and the allegations made in the petition of the plaintiff herein filed against them, but acknowledges and confesses the same to be true, and says that they are indebted to the plaintiff on said notes in manner and form as the plaintiff has in its petition set forth, and that the amount due upon said indebtedness at this day is the sum of Eight Hundred and Fifty + 56/100 Dollars, (\$850.56) bearing interest at the rate of 6% per annum, and therefore for that sum with interest from Feb. 5, 1914 at six per cent per annum and accruing costs he confesses judgment in favor of the plaintiff and waives and releases all errors in this proceeding and said judgment, and all proceedings, petitions and writs of error therein.

W. J. Hoopes, Atty for



Feb. 5, 1914.

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

The Union Banking Co.,  
Plaintiff,

vs

Bertha Young,  
S. G. Young,  
Defendants.

No. 9565.

Judgment

This day came the plaintiff by Cameron + Cameron its attorneys; and filed its petition against said defendants Bertha Young and S. G. Young and thereupon W. D. Hooper, one of the Attorneys of Record of this court, for and on behalf of said Defendants, Bertha Young and S. G. Young, and who by virtue of the warrants 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 warrants of attorney, confessed that there is due from said defendants to said plaintiff the sum of Eight Hundred, Fifty +  $5\frac{1}{100}$  Dollars as is alleged in said plaintiff's petition, bearing interest at six per cent per annum, and that said plaintiff ought to recover of said Defendants, a judgment for that sum.

Leave

It is therefore considered by the Court that said The Union Banking Co., Plaintiff, do recover from said Bertha Young and S. G. Young, Defendants, the said sum of Eight Hundred, Fifty +  $5\frac{1}{100}$  Dollars as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 5<sup>th</sup> day of February 1914 at the rate of 6% 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.

Judgment

John M. Brodrick, Judge.

Court adjourned to Feb. 7, 1914 at 9 a.m.



Feb. 7, 1914,

Saturday Feb. 7, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

The International Harvester  
Company of America,  
Plaintiff

vs

No. 9154

Chas. H. Westlake et al,  
Defendants.

Leave

On motion to the Court, The Home Loan Company of Urbana, Ohio is given leave to file its Answer and Cross-petition forthwith.

OK John M. Brodrick, Judge.

The Farmers and Merchants  
Bank Co.,  
Plaintiff,

vs

No. 9566.

W. C. Bennett  
John A. Kennington, Adm.,  
N. P. Bennett, deceased,

Defendants.

Judgment

This day came the Plaintiff by Abner C. Riddle Attorney; and filed their petition against said Defendants, W. C. Bennett and thereupon John L. Loughrey one of the Attorneys of Record of this Court also appeared in open Court, for and on behalf of said Defendant, W. C. Bennett 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 proved, 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 Nine Hundred, Ninety-seven and 94/100 Dollars (\$997.94) bearing interest at 8 per cent per annum, and that said Plaintiff ought to recover of said Defendant, a judgment for that sum.

It is therefore considered by the Court that said The Farmers and Merchants Bank Co., Plaintiff, do recover from said W. C. Bennett, Defendant, the said sum of Nine Hundred, Ninety-seven and 94/100 Dollars so as aforesaid confessed to be due, together with the costs of suit herein, to be taxed and with interest to be computed from the 7th day of February, 1914, 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.

OK John M. Brodrick, Judge.

Court adjourned to Feb. 10, 1914 at 9 a. m.



Feb. 10, 1914.

Tuesday Feb. 10, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

In the Court of Common Pleas, Union County, Ohio

Archer G. Duncan,  
Plaintiff

vs

Jennie V. Larcoub et al,  
Defendants.

No. 9512.

Order  
Sale

This day this cause coming on to be heard on the return of the Sheriff and the Report of the Commissioners heretofore appointed, and on motion to confirm the same it appearing to the Court that said premises cannot be divided without manifest injury to the value thereof, by metes and bounds, and the Commissioners have appraised said premises at the sum of \$12,000<sup>00</sup>, the Court finds the said return and proceedings is in all respects regular, and does approve and confirm the same.

And thereupon neither of the parties electing to take said premises at their appraised value, it is on motion of the plaintiff ordered that said premises be sold at public auction at the North Door of the Court House in Marysville, Ohio, on the terms of one-third cash, balance in equal payments in one and two years, being 6% interest, and secured by mortgage on the premises, said sale to be made after due and legal publication of notice of the same as required by law, and that the Sheriff return his proceedings to this Court without delay.

John M. Brodrick, Judge

Service  
by  
Substitution

Court adjourned to Feb. 12, 1914 at 9 a. m.

Feb. 12, 1914.

Thursday, Feb. 12, 1914 - Court convened at 9 a. m.

Present Honorable John M. Brodrick, Judge.

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

Alice Johnson,

Plaintiff

vs

Sylvester B. Johnson,

Defendant.

No. 9570.

Service  
by  
Publication

This day this cause came on to be heard upon the affidavit of the Plaintiff herein above named, asking for authority to make service on the above named defendant herein by publication.

The Court being fully advised in the premises, and on consideration thereof, find that the said plaintiff has filed her certain petition in this court asking for divorce from the said defendant, and has filed therein her affidavit as to residence of the defendant, the Court further finds that the place of residence of the said defendant is unknown to the said plaintiff or can she ascertain the same, and that by reason thereof service of summons and copy of the petition filed herein cannot be served on him or is the said plaintiff herein able to mail a copy thereof to his place of residence.

It is therefore ordered that the said plaintiff make due publication for service on the said defendant for six consecutive weeks in the Marysville Tribune, a weekly newspaper published in said Union County, Ohio.

Dated Feb. 12, 1914,

John M. Brodrick, Judge.

Court adjourned to Feb. 14, 1914 at 9 a. m.



Feb. 14, 1914.

Saturday Feb. 14, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Mrs L. Myers, as Guardian  
of Beatrice H. Richman,  
Plaintiff

No. 9546.

vs  
Willis Richman et al,  
Defendants.

Leave

On motion of Milton Haines attorney for Willis Richman  
one of the defendants named herein, leave is granted said defend-  
ant to file answer herein, instant.

OK. John M. Brodrick, Judge.

Mrs L. Myers, as Guardian  
of Beatrice H. Richman,  
Plaintiff

No. 9546.

Leave

vs  
Willis Richman et al,  
Defendants.

On motion of Milton Haines as Attorney for Willis  
Richman as administrator of the estate of Luella Richman, dec-  
eased, and a defendant named herein, leave is hereby granted  
said defendant to file answer herein instant.

OK John M. Brodrick, Judge.

Mrs L. Myers, as Guardian  
of Beatrice H. Richman  
Plaintiff

No. 9549.

vs  
Willis Richman et al,  
Defendants.

On motion of the Plaintiff herein, leave is hereby granted  
said Plaintiff to file an amended petition herein and same filed.

OK John M. Brodrick, Judge.

Mrs L. Myers, as Guardian  
of Beatrice H. Richman,  
Plaintiff

No. 9546.

vs  
Willis Richman et al,  
Defendants.

Guard

ad litem

It appearing to the Court that the Defendant, Elizabeth Richman is a  
minor under age of 17 yrs and has been duly and legally served with a summons  
herein, on motion of the plaintiff, Milton Haines is hereby appointed guardian for  
the suit for said minor defendant. And now comes the said Milton Haines and in  
open court accepts said appointment, and he has leave to file answer herein.

Court adjourned to Feb. 19, 1914 at 9 a. m.

Dismiss

Feb. 16, 1914.

Monday Feb. 16, 1914 - Court absent.

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

P. F. Murtstbaugh,  
F. M. Murtstbaugh  
Plaintiffs

No. 9444.

vs

Henry V. Spicer, Esq.,  
Ex. Ray L. Jordan dec.  
Defendants.

Dismissed

Now comes the plaintiffs and defendants and settle the above entitled cause of action and dismiss the same without record and the costs paid.

F. M. Murtstbaugh,  
P. F. Murtstbaugh  
H. V. Spicer, Ex. Ray L. Jordan, dec.

Robinson + Richter Co.,  
Plaintiff

No. 9567.

vs

John R. Kennington, adm et al,  
Defendants.

This day came attorneys for plaintiff, paid the cost and dismissed this action without record.



Feb. 19, 1914

Thursday Feb. 19, 1914 - Court convened at 9 a. m.  
 Present Honorable John M. Prodrick, Judge.

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

Gertrude Thomas,  
 Plaintiff

No. 9538.

vs  
 James R. Fish et al.,  
 Defendants.

Judgment

This cause coming on for hearing on the petition of the plaintiff, and the answer and cross-petition of Chordy L. Drake, and the answer and cross-petition of E. T. Bault, as guardian of Cassie M. Fish, and the evidence, the Court find that the defendants William Fish, W. W. Warwick and James R. Fish have been duly served with summons in this case and that they and each of them are in default for answer and demurrer, and that the allegations of the petition and of said cross-petitions are thereby confessed by them and by each of them to be true.

Order  
Sale

The Court further find that the defendant, James R. Fish, executed and delivered to the plaintiff the note set forth in the petition first cause of action, that said note was overdue and unpaid at the time the petition herein was filed; that there is due to the plaintiff from the defendant, James R. Fish, on said note, the sum of \$500.00, with interest from the first day of April, 1913. The Court further find that, in order to secure to plaintiff the payment of said note, the defendant, James R. Fish, at that time, an unmarried man, executed and delivered to the said plaintiff, their certain mortgage, as in the petition described, and on the premises therein described; that said mortgage was duly recorded in Vol. 52, Page 313 and 314 of the Record of Mortgages of Union County, Ohio, and is a good and valid lien on the premises described in the petition subject to the lien of the mortgage set forth in the fourth cause of action in the petition herein; and that the conditions of said mortgage have been broken.

The Court further find that the defendant, W. W. Warwick, executed to the defendant, Chordy L. Drake, the note set forth in the third cause of action in the petition, and that subsequent thereto the said Chordy L. Drake indorsed said note to the plaintiff without recourse; that said note was overdue and unpaid at the time the petition herein was filed; that there is due the plaintiff from the defendant, W. W. Warwick, on said note, the sum of \$500.00, with interest from the 1<sup>st</sup> day of April, 1913.

The Court further find that in order to secure the payment of said note, the defendant, W. W. Warwick and Jennie Warwick, his wife, executed and delivered to the defendant, Chordy L. Drake, their certain mortgage, as in the petition described, on the premises therein described; that said mortgage was duly recorded in Vol. 43, Page 88 of the Union County Record of mortgages, and is a good



Feb. 19, 1914.

and valid lien upon the premises described in the petition herein; and that the conditions of said mortgage have been further broken.

The Court further find that on the — day of — 1903, the defendant, W. W. Warwick deeded said premises to the defendant, William Fish, that said deed is recorded in Vol. 90, page 180 of the Union County Record of Deeds, and that in said deed the said William Fish assumed the payment of said mortgage.

The Court further find that on the — day of —, 1904, the defendant, William Fish, deeded said premises to the defendant, William Fish; that said deed is recorded in Vol. 88, page 684 of the Record of Deeds, Union County, and that in said deed the said James R. Fish assumed the payment of said mortgage.

The Court further find that said mortgage has been assigned to plaintiff.

The Court further find that the defendant, Cassie Fish was married to the defendant, James R. Fish, on the 15th day of April, 1905, and that she now is the wife of said defendant and as such has an inchoate right of dower in said premises; that the said Cassie Fish has been declared insane by the Probate Court of Union County, Ohio, and that the defendant, E. T. Bault, is the duly appointed and acting guardian of the said Cassie Fish; and that the said Cassie Fish is 29 years of age and that the said James R. Fish is 34 years of age.

It is therefore considered by the Court that the plaintiff recover from the defendant, James R. Fish, the sum of \$500.00 with interest thereon from the 1st day of April 1913, and his costs herein expended; and that said plaintiff recover from the defendants, James R. Fish, William Fish and W. W. Warwick or either of them the sum of \$500.00 with interest from the 1st day of April, 1913 together with his costs herein expended. And it is further adjudged and decreed that unless the defendant, James R. Fish, shall, within five days from the entry of this decree, pay or cause to be paid to the Clerk of this Court the costs in this case, and to the plaintiff herein the sums so found due as aforesaid, with interest from the 1st day of April, 1913, that the equity of redemption of the defendant, James R. Fish be foreclosed, and said premises be sold, and that an order of sale issue to the Sheriff of Union County, directing him to appraise, advertise and sell said premises as upon execution, and report his proceedings to this Court for further order.

It is further ordered and adjudged that upon the sale of said premises the dower of the defendant, Cassie Fish, in the proceeds thereof be determined and that the same be paid to the defendant, E. T. Bault as guardian as aforesaid.

Approved: Hoopes, Robinson + Hoopes, Atty for E. T. Bault, Guardian,  
D. E. Thornton, Attorney for Plaintiff.

W. John M. Brodrick, Judge.



Feb. 21, 1914

Saturday Feb. 21, 1914 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Grand Jury

Pursuant to a call of the Prosecuting Attorney, the Grand Jury assembled this morning at 9 o'clock. On calling the names the following persons responded as present: Jas. Coak, N. C. Thompson, Stanley Bellville, Martin Bunsold, Harry Johnson, Robert Keyes, H. C. Patrick, A. F. Robinson, J. W. Ritchie, N. S. Peil, Harry M. Cune and Fred Stierhoof. Asa Smart and James Mitchel were absent, not having received notice sent out. The panel being incomplete, E. S. Brown and N. J. Kinney, by order of the Court were called as talesmen and sworn according to law.

The panel now being complete the examination of witnesses began. The following named persons were sworn as witnesses: Chas. Yarrington, J. H. Bell, J. H. Penhollowood, S. F. Southard, Fred Ormrod, Clarence Parker, John Kieckley, Will Cartmell, Pearl Crist, Fute Seamen, Will Brown, Andrew Stierhoof, Ray Hannawalt, Joe Orr, Pete Thompson, John Rodgers, James Phulew, Pearl Doolan, Robert Clifton, Harry Hodges, Paul Sierke, W. H. Kellefrath and Chas. Myers.

And now comes the Grand Jury into open court and present the following bills of indictments; signed by Harry M. Cune, their foreman:

Robert Clifton, larceny  
 Robert Clifton, burglary,  
 Pearl Doolan, larceny,  
 Pearl Doolan, burglary,  
 Victor W. Rogers, obtaining property by false pretense;  
 Court Gibson, keep a Gambling Room,  
 John F. Schoenloeb, keeping a Gambling Room.  
 B. Fleisher Receiving Stolen Property.

The Grand Jury also brought in the following "Partial Report."

To Honorable John M. Brodrick, Judge.

The Grand Jury of the Court of Common Pleas, of said County, of the January Term 1914, 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 23 witnesses, covering 8 cases, and presented 8 bills and ignored no cases considered by us. The business has been transacted in an expeditious manner as possible.

Respectfully Submitted

H. H. M. Cune, Foreman,

Feb. 21, 1914.

Judgment

Dismissed



Feb. 21, 1914

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

Richard L. Cameron,  
Plaintiff,

vs

B. Fleisher,  
Defendant.

No. 9571

Judgment

This day came the plaintiff by Cameron + Cameron, its attorneys, and filed its Petition against said defendant, and thereupon Clarence A. Tropes, 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 said defendant, waived the issuing and service of process, entered the appearance of said Defendant herein, and acknowledged that said Defendant did owe and was 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 Defendant to said Plaintiff on said indebtedness, the sum of One Hundred, Eighty-nine +  $\frac{4}{100}$  Dollars (\$189.04) bearing interest at 8 per cent per annum, and that said plaintiff ought to recover of said Defendant, a judgment for that sum.

It is therefore considered by the Court here, that the said Richard L. Cameron, plaintiff, do recover of the said B. Fleisher, defendant the sum of One Hundred, Eighty-nine +  $\frac{4}{100}$  Dollars (\$189.04) so confessed, as aforesaid, with interest from Feb. 21, 1914 at 8 per cent per annum, and also costs in its behalf expended taxed at \$5.00, and by virtue of said warrant of attorney, all errors in this action, judgment and proceedings, and all proceedings, petitions and writs of error thereon, are by said Defendant waived and released.

John M. Brodrick, Judge

The Essex Waste Co.,  
Plaintiff,

vs

The Maddock Textile Co.  
Defendant.

No. 9515

Dismissed

This day came the attorney for the Plaintiff, paid the costs and dismissed this action without record.

Court adjourned to Feb. 27, 1914 at 9 a. m.



Feb. 27, 1914.

Friday Feb. 27, 1914 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

L. A. Carmany,  
 Plaintiff

vs

No. 9573.

S. G. Young,  
 Bertha H. Young,  
 Defendants.

Judgment

This day came the Plaintiff by his attorney; also appeared in open court, for and on behalf of said Defendants, James E. Robinson, an attorney at law of this court, and by virtue of a 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, Eighty-one Dollars and fifty-five cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors, and right of appeal in the premises.

It is therefore considered that said Plaintiff recover of said Defendants the sum of Three Hundred, Eighty-one Dollars and fifty-five cents, being the amount of said note with interest computed at 8 per cent, per annum, from the 27th day of February, 1914; and also his costs herein expended, taxed at \$5.00.

OK. John M. Brodrick, Judge.

9443

Leave.

Court adjourned to Feb. 28, 1914 at 9 a. m.

Feb. 28, 1914.

Saturday Feb. 28, 1914 - Court convened at 9 a. m.

Present Honorable John M. Brodrick, Judge.

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

Order to Draw Grand and Petit Jurors

To the Clerk of said Court:

You are hereby directed to proceed according to law at ten o'clock on Monday the 2<sup>nd</sup> day of March 1914, to draw from the Jury Wheel of said County, the names of Thirty-three persons to serve as Grand and Petit Jurors for the April Term, 1914.

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 6<sup>th</sup> day of April 1914; 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 7<sup>th</sup> day of April 1914.

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

Witness my hand officially this 28<sup>th</sup> day of Feb. 1914

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

In the Matter of Compensation of G. C. Edwards, Court Constable }

G. C. Edwards is hereby allowed for services as Court Constable from Feb. 1<sup>st</sup> to Feb. 28, 1914, 9 days in all at \$25<sup>00</sup> per day, Total \$225<sup>00</sup>.

Clerk will certify amount to the Auditor of Union County.  
John M. Brodrick, Judge.

Minnie M. Jones,  
Plaintiff,

9443

vs

No. 9443

William H. Jones,  
Defendant.

Leave

Leave granted this day to the Plaintiff to file an amended petition and the same filed.

OK John M. Brodrick, Judge.



Feb. 28, 1914.

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

Minnie M. Jones,  
Plaintiff

vs

No. 9443

9443

William H. Jones,  
Defendant.

I allow a temporary restraining order in the above  
 Injunction action, as prayed for in the amended petition of the Plaintiff, until  
 the same can be further heard, and a bond is dispensed with  
 under the Statutes,

Done this 28<sup>th</sup> day of Feb. 1914,

John M. Brodrick, Judge.

State of Ohio,  
Plaintiff,

vs

No. 1464,

Victor W. Rogers,  
Defendant.This the 28<sup>th</sup> d

March 2, 1914

## Drawing Grand and Petit Jurors.

Pursuant to an Order of the Court of Feb. 7, 1914, and in the presence of the Sheriff of Union County at 10 o'clock A.M. on this day, I proceeded to draw from the Jury Wheel of said County, and did draw the following list of persons as Grand Jurors:

- |     |                  |                      |
|-----|------------------|----------------------|
| 1.  | Cory Allen       | Clairborne Township, |
| 2.  | Lafe M. Troy     | Liberty "            |
| 3.  | William Cahill   | Taylor "             |
| 4.  | H. E. Moore      | Leesburg "           |
| 5.  | Frank Southard   | York "               |
| 6.  | O. S. Kibler     | Allen "              |
| 7.  | W. E. Lovless    | Dover "              |
| 8.  | Harry Gwynn      | Liberty "            |
| 9.  | Chas. Michaels   | Union "              |
| 10. | John Woods       | Clairborne "         |
| 11. | Thomas Randall   | Paris "              |
| 12. | Solomon Turner   | Paris "              |
| 13. | Bert Sherman     | Washington "         |
| 14. | George Rausch    | Millcreek "          |
| 15. | L. W. M. Kibrick | Jerome " " " "       |

## Petit Jurors

- |     |                 |                  |
|-----|-----------------|------------------|
| 1.  | J. D. Campbell  | Jerome Township. |
| 2.  | Chas. Doudna    | Jackson "        |
| 3.  | Alva Green      | York "           |
| 4.  | M. L. Howey     | Dover "          |
| 5.  | J. B. Spair     | Allen "          |
| 6.  | L. J. Crahood   | Paris "          |
| 7.  | H. W. Hill      | Leesburg "       |
| 8.  | James Liggett   | Paris "          |
| 9.  | F. C. Stillings | Union "          |
| 10. | Clay Kezette    | Taylor "         |
| 11. | J. H. Baughman  | Millcreek "      |
| 12. | D. S. Davis     | York "           |
| 13. | Howard Gray     | Washington "     |
| 14. | Daw Longbrake   | Paris "          |
| 15. | Harry Clewiger  | Leesburg "       |
| 16. | W. E. Laughrey  | Leesburg "       |
| 17. | P. H. Smith     | Liberty "        |
| 18. | A. W. Robinson  | Clairborne "     |

John Hartshorn, Clerk



March 4, 1914.

Wednesday March 4, 1914 - Court convened at 9 a. m.

Present Honorable John M. Brodrick, Judge.

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

James E. Anderson,  
Plaintiff

vs

No. 9575,

9575

G. F. Housman,  
A. L. Housman,

Defendants.

Judgment

This day came the plaintiff by his attorney; also came Milo L. Myers, 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 Two Hundred, Twenty-one and 10/100 Dollars; and also released and waived all exceptions, errors and right of appeal herein.

It is therefore considered by the Court, that the said plaintiff recover from said Defendants the said sum of Two Hundred and Twenty-one + 10/100 Dollars, with interest at 6% from the date hereof, together with his costs herein expended, taxed at \$5.00.

OK.

John M. Brodrick, Judge

Dismiss

Partition

Court adjourned to March 6, 1914 at 9 a. m.

March 6, 1914,

Friday March 6, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge C.

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

The Mansville Hay, Feed  
and Fuel Co.

Plaintiff

No. 9189.

vs

Lennox & Elliott,

Defendant.

Dismissed

This cause settled at Defendants cost, Costs paid  
and dismissed without record.

Daniel B. Patch,  
Harriett L. Patch,

Plaintiffs

No. 9541.

vs

Grant H. Douglass et al,

Defendants.

Partition

And now this cause coming on to be heard upon  
the petition of Daniel B. Patch and Harriett L. Patch husband and  
wife and upon the answer of John L. Loughrey guardian of  
Harold E. Douglass and Grant H. Douglass minors and upon  
the answer of of Bertha H. Douglass widow of John S. Douglass, de-  
ceased, and according to evidence the Court finds that all of  
the defendants have had due legal notice of the pendency and  
demand of the said petition, and Grant H. Douglass default for  
answer thereto. Thereupon, the Court further finds that the plain-  
tiff and the defendants hereafter named are tenants in common  
in the estate described in the petition; that the plaintiff Daniel  
B. Patch has a legal right to the one-third part thereof, and  
the defendants, Harold E. Douglass and Fred W. Douglass by John  
L. Loughrey their guardian, they being minors, they have a legal  
right to the one-sixth part thereof, that being subject to the dower  
of their mother Bertha H. Douglass widow of John S. Douglass; and  
that the plaintiff is entitled to have partition of the said estate  
made, as prayed in his petition.

It is therefore ordered, adjudged and decreed that partition  
of said estate be made in favor of all the parties in interest, and  
John Adams, Charles Strumpenberg, and Jacob Fisher, three judicious  
and disinterested freeholders of the vicinity, are hereby appointed  
commissioners to make the same, and it is ordered that a  
writ of partition issue to the Sheriff of Union County, commanding  
him that by the oaths of the Commissioners above named he  
cause to be set off and divided, to each of the above named  
parties, their part and partition of said estate to which they  
are severally above found entitled, and in case the appraisers  
of said land can not be divided, that the same be appraised



March 6, 1914

free from all dower rights of the said widow,  
And of his proceedings herein, said Sheriff is ordered to  
make due return.

John M. Prodrick, Judge.

The State of Ohio,  
Plaintiff,

vs

Court Gibson,  
Defendant.

No. 1468,

Indictment for Keeping a Gambling Room.

Plea

The defendant having on the 6<sup>th</sup> day of March, 1914,  
entered a plea of guilty to the charge of the indictment in  
this case, this day voluntarily appeared in open court, 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.

Judgment

Sentence

It is therefore considered by the Court, that the said  
defendant pay a fine of Fifty Dollars, that he pay the costs  
of this prosecution taxed at \$4.25, for which execution is award-  
ed, and that he stand committed to the County Jail until said  
fine and costs are paid or until otherwise discharged by  
law.

The State of Ohio,  
Plaintiff,

vs

John F. Schoenloeb,  
Defendant.

No. 1469,

Indictment for Keeping a Gambling Room.

Plea

The defendant having on the 6<sup>th</sup> day of March, 1914,  
entered a plea of guilty to the charge of the indictment in this  
case, this day appeared voluntarily in open court; and the Court  
being fully advised in the premises, inquired of the defendant  
if he had anything to say why judgment should not be pro-  
nounced against him; and having nothing to say but what he  
hath already said;

Sentence

It is therefore considered by the Court, that the said defend-  
ant pay a fine of Fifty Dollars, that he pay the costs of prose-  
cution taxed at \$4.00, for which execution is awarded; and that  
he stand committed to the County Jail until said fine and  
costs are paid or until otherwise discharged according to  
law.

Judgment

Court adjourned to Mch 7, 1914 at 9 a. m.



March 7, 1914

Saturday March 7, 1914 - Court convened at 9 a.m.  
 Present Honorable John M. Brodrick, Judge.

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

The Peoples Bank,  
 Plaintiff

vs

W. H. Ford,

Defendant

No. 9576.

Judgment

This day came the Plaintiff by James M. Campbell its attorney, and filed its Petition against said Defendant, W. H. Ford and thereupon Miles L. Myers, one of the attorneys of Record of this Court also appeared in open court, for and on behalf of said Defendant, W. H. 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 Four Hundred and Six <sup>2</sup>/<sub>100</sub> Dollars (\$406<sup>2</sup>/<sub>100</sub>) bearing interest at eight per cent per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum.

It is therefore considered by the Court that said The Peoples Bank, Plaintiff recover from said W. H. Ford, Defendant, the said sum of Four Hundred and Six <sup>2</sup>/<sub>100</sub> Dollars (\$406<sup>2</sup>/<sub>100</sub>) so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest at the rate of eight per cent per annum, and by virtue of said warrant of attorney, all errors in this action, judgment and proceeding are released, and all right of appeal and all right to file a petition in error are waived.

OK

John M. Brodrick, Judge

J. T. Barlow Co.  
 Plaintiff

vs

L. E. Phillips,  
 Roxa Vanarsdale,

Defendants

No. 9564

Judgment

This cause now coming on for hearing on the petition of the plaintiff, now comes the plaintiffs by their attorney, A. J. Kellebrath and the defendants being in default for answer and demurrer, The Court find that the allegations of the petition are confessed by him to be true, and find that the defendants L. E. Phillips + Roxa Vanarsdale are indebted to the Plaintiffs J. T. Barlow + Co, in the sum of Nine Hundred, seventy seven + <sup>88</sup>/<sub>100</sub> Dollars, (\$977<sup>88</sup>/<sub>100</sub>).

It is therefore considered by the Court that said Plaintiff recover from said Defendants the said sum of Nine Hundred



March 7, 1914

Seventy-seven  $\frac{88}{100}$  dollars, (\$77.88) and his costs herein expended taxed at \$8.21,

March 6, 1914

State of Ohio,  
Plaintiff

vs

Robert Clifton,  
Defendant

No. 1466.

This the 6<sup>th</sup> day of March 1914, came the prosecuting attorney on behalf of the State of Ohio, and the defendant being in court in custody of the Sheriff, and arraigned upon said indictment and acknowledging service of copy thereof, and waiving 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 it appearing to the Court that the defendant had furnished the prosecuting attorney evidence which lead to the conviction of Pearl Doolan indicted herein for burglary,

Thereupon recognizance in the amount of One Hundred Dollars was required by the Court, and thereupon the defendant entered into his own recognizance before the court in the sum of One Hundred Dollars conditioned for his appearance on the 1<sup>st</sup> day of the next term of this court to answer said charge.

March 6, 1914,

The State of Ohio,  
Plaintiff,

vs

Pearl Doolan,  
Defendant.

No. 1465

On Sentence

The defendant having on the 6<sup>th</sup> day of March 1914, 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 Pearl Doolan, be imprisoned and confined in the Ohio State Reformatory at Mansfield Ohio, and kept at hard labor, "but without any solitary confinement," and that he pay the costs of prosecution taxed at \$32.15, for which execution is awarded.

W. Brodrick J.

Adjourned to Mch 17, 1914 at 9 a. m.



March 12, 1914

Thursday March 12, 1914 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Myrtle M. Ferguson,  
 Plaintiff

vs

No. 9523.

Andrew M. Ferguson et al,  
 Defendants.

Partition Now comes said Myrtle M. Ferguson, the Plaintiff herein, by Hoopes, Robinson + Hoopes, her attorneys, and thereupon this cause came on to be heard upon the petition and evidence, now consideration whereof the Court find that all of the Defendants have had due and legal notice of the pendency and demand of the said petition; and that the said Myrtle M. Ferguson is seized of, and has a legal right to, the undivided one-sixth part of the estate described in the petition, and is entitled to have partition made of said premises; that the defendants are tenants in common with the said Myrtle M. Ferguson in said premises, in the following proportions to wit: The said Myrtle M. Ferguson is seized of, and has a legal right to the undivided one-sixth part thereof, the said Andrew M. Ferguson to the undivided one-sixth part thereof, the said Elton W. Ferguson to the undivided one-sixth part thereof, the said Hattie Telso, to the undivided one-sixth part thereof, the said Nettie Daver, to the undivided one-sixth part thereof, the said Emma L. Fleck, to the undivided one-sixth part thereof, 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 Joe Hawn, B. L. Robinson and B. W. Converse, three judicious and disinterested freeholders of the vicinity, who are hereby appointed Commissioners for that purpose, he cause to be set off and divided to the said Myrtle M. Ferguson 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. And of his proceedings herein, the Sheriff is ordered to make due return.

OK John M. Brodrick, Judge

Court adjourned to Mch 14, 1914 at 9 a. m.



March 14, 1914.

Saturday March 14, 1914. Court convened at 9 a. m.  
Present Honorable John M. Prodrick, Judge.

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

Sylvia Brown,  
Plaintiff

vs

Emmet Brown,  
Defendant.

No. 9558.

Dismissed

This day came the plaintiff, paid the costs,  
and dismissed this action without record.

Judge

Received

March 18, 1914.

Wednesday March 18, 1914 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

C. F. Gill,  
 Plaintiff

vs  
 M. J. Scheiderer,  
 Defendant.

No. 9547.

Judgment,

Now comes the plaintiff, by his attorney, and the defendant being in default for answer or demurrer, and upon evidence adduced, the Court find that the allegations of the petition are true, that the plaintiff was the accommodation maker of the promissory notes set forth and described in petition of plaintiff, without consideration to him; that upon his being threatened to be sued, he paid them and find that plaintiff C. F. Gill should be subrogated by defendant for the full amount \$234<sup>63</sup> and interest thereon from March 18, 1914 and find that the defendant M. J. Scheiderer is indebted to plaintiff, C. F. Gill in the said amount \$234<sup>63</sup> and interest at 8%.

It is therefore considered by the Court, that the said plaintiff recover from said defendant the said sum of \$234<sup>63</sup> and interest at 8% per annum, and his costs herein expended taxed at \$9<sup>21</sup>.

Lynn L. Barker,  
 Frank J. Ballinger,  
 John M. Brodrick,  
 Plaintiffs

No. 9580.

vs  
 The Adams Husker Co.  
 Defendant.

Receiver  
 On this 18th day of March, 1914, this cause was heard upon the motion of the plaintiffs for the appointment of a receiver herein, the defendant having answered and consented thereto, and the Court being of the opinion that a Receiver ought to be appointed as prayed, do sustain said motion.

It is therefore ordered that Charles W. Campbell be and he is hereby appointed Receiver of all the property, real and personal, equitable interests and things in action belonging to said company wheresoever the same may be situated or found, and that he execute an undertaking according to law in the sum of \$8000<sup>00</sup> with surety to be approved by the Clerk of this court, and the Receiver being qualified according to law is ordered to take charge of all and singular the said property, books, accounts and papers of said company and to sell said property and business subject to the order of the Court, and in the meantime, to continue the business, have exclusive charge and management thereof.



March 18, 1914,

Said Receiver is further ordered to proceed to collect all debts due said company, by suit or otherwise, and to adjust the same and to collect all amounts due upon stock subscriptions, by suit or otherwise, as may be necessary, to settle, compromise and adjust claims for and against said company and to make a report to this court of the same, together with the schedule of all the debts and liabilities of said company.

And it is further ordered that said company and all officers and agents thereof and all other persons having any of said property, books or papers of said company in their possession or under their control, deliver the same to the said Receiver, and that all persons indebted to said company pay their indebtedness to said Receiver.

It is further ordered that said Receiver cause an inventory and appraisement to be made of said property upon the oaths of three disinterested persons and that he give notice of his appointment by publication in a newspaper of general circulation in this county.

Wm. F. Duncan, Judge of the  
Court of Common Pleas, Union Co. Ohio.

Court adjourned to March 26, 1914, at 9 A. M.

March 26, 1914

Thursday March 26, 1914 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge

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

Grand Jury

Pursuant to a call by the Prosecuting Attorney, the Grand Jury met this morning at 9 a.m. On calling the names of said jurors, <sup>the following</sup> were found present: Asa Smart, W. O. Thompson, Stanley Belleville, Martin Bunsold, James Mitchell, James Coe, Harry Johnson, Robert Keyes, H. C. Patrick, A. F. Robinson, J. W. Ritchie, W. S. Peck, Harry M. Cune, Fred Stierhof and L. H. Smith. The panel being complete, the Grand Jury entered into deliberations.

The following witnesses were sworn and examined:

Otto Drumm, Mrs Otto Drumm, Jesse Powell and Mrs Jesse Powell.

At 11:30 the said Grand Jury appeared in open court and presented the following Bills of Indictment:

John Zane, for Gambling

Arthur Powell . . . .

L. B. Shoemaker . . . .

Owen Griffith . . . .

At the same time the Grand Jury brought in a final report, as follows:

To the Honorable John M. Brodrick, Judge Court Com. Pleas, Union Co. O.

The Grand Jury of the Court of Common Pleas of said County, of the Jan. Term 1914, 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 4 witnesses, covering 4 cases, and presented 4 bills, and ignored — 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 regulations of County Jails has been violated.

Respectfully submitted,

March 26, 1914,

H. H. M. Cune,

Foreman

Court adjourned to April 2, 1914 at 9 a.m.



April 2, 1914.

Thursday April 2, 1914 - Court convened at 9 a.m.  
 Present Honorable John M. Brodrick, Judge.

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

Rebecca D. Davis,  
 Plaintiff

No. 9583

vs  
 Aaron A. Harshfield et al,  
 Defendants

Judgment

Service  
 by  
 Publication

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 defendants Aaron H. Harshfield, Scott H. Harshfield and Charley H. Harshfield are non-residents of Ohio, that service of summons on them can not be made in this State; that the residence of said Aaron H. Harshfield is Unionville, Iowa; Davis Co.; R. D. #1, Scott H. Harshfield, Authon Iowa; Charley H. Harshfield Louisa, Neb.

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 Defendants, whose residence is known, to his residence named therein, and make an entry thereof on the proper docket.

John M. Brodrick, Judge.

Court  
 Constable  
 Salary

In the Matter of  
 Compensation of  
 G. C. Edwards  
 Court Constable

G. C. Edwards is hereby allowed for services as Court Constable from March 1, 1914 to March 31, 1914, in all 8 days at \$25.00 per day, being a total of \$200.00.

The Clerk of this Court will please certify the amount to the Auditor of Union County, Ohio.

John M. Brodrick, Judge.

Court adjourned to April 4, 1914 at 9 a.m.

April 4, 1914.

Saturday April 4, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

B. F. Stanfield,  
Plaintiff

vs  
M. E. Tarpewing,  
Defendant.

No. 9584

Judgment

This day came the Plaintiff by his attorney; also appeared in open Court, for and on behalf of said defendant, F. A. Thompson, an attorney at law of this Court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said 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 Ten Dollars and Seventy 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 One Hundred, Ten Dollars and Seventy cents, being the amount of said note with interest computed at 6 per cent per annum, from the 4th day of April 1914; and also his costs herein expended taxed at \$5.00.

At John M. Brodrick, Judge



April 4, 1914.

It is ordered that all cases, motions, and all matters 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 January Term 1914, was begun on Monday the 5<sup>th</sup> day of January, 1914, and was continued from day to day and from time to time and is now adjourned on this 4<sup>th</sup> day of April, 1914, without day.

John M. Rodrick  
Judge.

April Term 1914 - April 6, 1914

The State of Ohio, }  
County of Union } 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 1914, held in the Court House in the Village of Marysville, County and State aforesaid, was begun on Monday the 6<sup>th</sup> day of April, 1914 at 10 a. m.

Present Honorable John M. Brodrick, Judge.

John N. Laird, Sheriff.

attest: John C. Hartshorn, Clerk.

### Grand Jury.

The venire for Grand Jurors was returned this morning indorsed: The State of Ohio, Union County ss. On the 2<sup>nd</sup> day of March 1914, I received this venire and served the same on the several persons named therein, at the times and in the manner placed opposite their names endorsed hereon:

1. Carey Allen	Mch 2,	By mail	18 miles
2. Lape M <sup>c</sup> Shoy	" 2	" "	9 "
3. William Cahill	" 2,	" "	0 "
4. H. E. Moore	" 2,	" "	5 "
5. Frank Southard	" 2	" "	19 "
6. O. S. Kibler	" 2	" "	8 "
7. W. E. Lovless	" 2	" "	4 "
8. Harry Gwynn	" 2	" "	17 "
9. Charles Michaels	" 2	" "	5 "
10. John Woods	Excused		
11. Thomas Randall	" 2	" "	0 "
12. Solomon Turner	" 2	" "	1 "
13. Bert Sherman	" 2	" "	18 "
14. George Rausch	" 2	" "	4 "
15. L. W. M <sup>c</sup> Kittrick	" 2	" "	12 "

And upon calling the names of the Grand Jurors in open court, the following were found present: Carey Allen, Lape M<sup>c</sup> Shoy, William Cahill, H. E. Moore, Frank Southard, O. S. Kibler, W. E. Lovless, Harry Gwynn, Charles Michaels, Thomas Randall, Solomon Turner, Bert Sherman, George Rausch and L. W. M<sup>c</sup> Kittrick. John Woods being absent and excused on account of illness, the panel was incomplete and by order of the Court J. W. Monroe was summoned as talesman. The Grand Jury now being complete, O. S. Kibler was selected <sup>foreman</sup> by the Court, and the Grand Jurors were sworn according to law. They they were then conducted to their room and entered into deliberations. The following witnesses were sworn and examined: J. H. Shearer, J. H. Schoenberger and W. B. Matthews.

Now comes the Grand Jury into open court and present the following Bills of Indictment:



April 6, 1914

C. C. Jackson, For Permitting to be Published a False Notice etc.  
 J. H. Barkman " " " " " " "  
 Geo. M. Osgoodby " " " " " " "  
 H. F. Miller " " " " " " "  
 C. L. Timmel " " " " " " "  
 Chas. H. Warford " " " " " " "  
 A. W. Stood " " " " " " "

Learn

The Grand Jury likewise brought in the following report: (partial)

To John M. Brodrick, Judge, etc.

The Grand Jury of the Court of Common Pleas of said County, of the April Term, 1914, 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 3 witnesses covering 7 cases and presented 7 bills, and ignored no cases considered by us. The business has been transacted in an expeditious manner as possible.

Dismiss

Respectfully submitted,

O. S. Kibler, Foreman

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

Judgment

Mary G. Michaels  
Plaintiff,

rs

No. 9504

Ellice J. Fleck et al,  
Defendants.

Leave

Leave granted Plaintiff to plead within ten days.

Stewart Moody,  
by David Moody, Guard,  
Plaintiff,

rs

No. 9352.

Clark J. Atkinson  
Defendant.

Leave

Leave granted Defendant to plead within five days.

Aeme Food Co.  
Plaintiff

rs

No. 8756

W. J. Harmon et al,  
Defendants.

Order  
Sale

Dismissed

This day this cause is dismissed at cost of plaintiff. No record.





April 7, 1914.

Tuesday April 7, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

David Williams,  
Plaintiff

vs

Roberta Williams,  
Defendant.

No. 9586.

Publication

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 Roberta Williams is a non-resident of Ohio, that service of summons on her cannot be made in this State; that the residence of said Roberta Williams is unknown to the Plaintiff;

It is therefore 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 person thus to be served when they are required to answer.

John M. Brodrick, Judge.

In the Matter of the  
Amended Exceptions  
to the Second and  
Final Account of  
Joseph W. Westlake,  
Administrator de bonis non,  
of the Estate of  
Henry A. Westlake, deceased.

No. 9793.

Decree

This cause coming on for further consideration of the second and final account of said administrator, and of the amended exceptions thereto, and upon the mandate of the Court of Appeals, and on due consideration thereof the Court finds:

First: That the first exception be and the same hereby is sustained;  
Second: That the second exception be and the same hereby is sustained;  
Third: That the third exception be and the same hereby is overruled;  
Fourth: That the fourth exception be and the same hereby is overruled;  
Fifth: That the fifth exception be and the same hereby is sustained;  
Sixth: That the sixth exception be and the same hereby is sustained;  
Seventh: That the seventh exception be and the same hereby is overruled;  
Eighth: That the eighth exception be and the same hereby is sustained as to the extra compensation of the administrator, and be further sustained as to the compensation of the administrator; and as to all other matters therein contained be and the same hereby is overruled; the Court doth find further in this connection that in the



April 7, 1914

first account of said administrator herein, filed on the 20<sup>th</sup> day of July 1907, that said administrator advanced of his own funds the sum of \$216.96; and that said amount is included in and charged to administrator in said first account in the item of \$399.20 under date of July 20, 1907; the Court doth further find in this connection, that in said first account, filed on the 20<sup>th</sup> day of July 1907, that said administrator credited himself with having received compensation in the sum of \$219.50 as per voucher No. 33, when in fact said compensation was not paid to or received by said administrator, but was left by him in said funds, and was not counted as money advanced by him to said estate, and is included in said item of \$399.20 under date of July 20, 1907.

It is therefore ordered that said administrator in rendering and stating his said account as hereinafter directed, shall omit from said account said charge of \$399.20 and shall also omit from said account said credit of \$219.50. The Court doth further find in this connection that said administrator is entitled upon settlement of said estate as hereinafter ordered, and not otherwise, to commission upon the amount of the personal estate collected and accounted for by him in this account, and upon the amount of the proceeds of real estate sold to pay debts, and accounted for in this account, both together aggregating \$18252.64 upon which sum he is entitled, upon the settlement of said estate as hereinafter ordered, and not otherwise, to the compensation fixed by the provisions of Section 10837 General Code, to wit the sum of \$487.55

It is therefore further ordered that upon the settlement of said estate as hereinafter ordered, and not otherwise, said administrator shall credit himself with said sum of \$487.55 as compensation, and file proper vouchers therefor.

Ninth: That the ninth exception be and the same hereby is sustained;  
Tenth: That the tenth exception be and the same hereby is overruled;  
Eleventh: That the eleventh exception be and the same hereby is overruled;  
Twelfth: That the twelfth exception be and the same hereby is overruled;  
Thirteenth: That the thirteenth exception be and the same hereby is overruled;  
Fourteenth: That the fourteenth exception be and the same hereby is sustained;  
Fifteenth: That the fifteenth exception be and the same hereby is overruled;  
Sixteenth: The Court finds that it has no jurisdiction over the matter set forth in the sixteenth exception, and that said exception be and the same is dismissed without prejudice.  
Seventeenth: That the seventeenth exception be and the same hereby is overruled.  
Eighteenth: The Court doth further find that the total costs herein taxed is a proper charge against said estate.

It is therefore ordered that said administrator pay all of said costs out of the funds of said estate in his hands and present voucher therefor in the further accounting of said estate as hereinafter directed and ordered.

Nineteenth: Upon further consideration thereof the Court doth find that both the first and second account of said administrator should be stated and rendered as one account, and in accordance with the findings orders of the Court herein, It is therefore ordered that



April 7, 1914

said administrator forthwith file in this court said account stated and rendered in full to the 29<sup>th</sup> day of July 1911, and in accordance with the findings and orders of the court herein.

Twentieth: Upon further consideration thereof the court doth find said account of said administrator, as of this day rendered and filed in this court in compliance with the orders of this court, to be in the words and figures following to-wit:

## Administrator's Account.

Joseph W. Westlake, Administrator de bonis non of the estate of Henry A. Westlake, deceased, Second and Final Account, In account with said estate.

Said Administrator de bonis non charges himself as follows:

1906	March 12,	To cash E. B. Westlake (5 <sup>th</sup> Exc)	\$100.00
	April 13,	" " J. W. Westlake, sale note	115.00
	" 16,	" " E. B. Westlake, Lillie note	146.75
	Dec. 8,	" " " " Jackson note	139.80
	" 9,	" " " " horse sale	135.00
	" 9,	" " " " (1 <sup>st</sup> Exc)	10.00
	" 20,	" " " " hog sale	265.70
	" 20,	" " " " (2 <sup>nd</sup> Exc)	140.00
	" 24,	" " " "	306.10
1907	Jan. 4,	" " " " Southard Ct,	300.00
	" 24,	" " " " O'Day cattle	2460.00
	" 29,	" " " " colt sale	160.00
	March 20,	" " " " horse sale	91.14
	" 23,	" " " " horse sale	179.50
	April 29,	" " " " Ed Body rec'd from Adams	89.73
	April 1,	" " " " C. H. Westlake, Int & taxes	200.00
1908	Jan. 25,	" " " " E. B. Westlake, on indem. mty.	75.00
	March 14,	" " " " " " balance on \$700.00	
		from sale of cattle (6 <sup>th</sup> Exc)	540.56
	April 4,	" " " " E. B. Westlake, from W. E. Fullington	700.00
	June 4,	" " " " Balance in Bank	.98
	Sept. 20,	" " " " E. B. Westlake	20.00
	Oct. 20,	" " " " " "	30.00
1909	July 6,	" " " " Rent notes given by tenant to	
	" 7,	" " " " widow included in voucher No. 19 to Feb, -403, 22	
	" 7,	" " " " Leroy Walke, balance of \$4500.00	
		loan from Richmond Banking Co.	
		after deducting loan expense & insurance \$9.90	4490.10
		Amount carried forward	11098.18
1909	July 7,	To cash Leroy Walke balance of \$4000.00	
		loan from Home Loan Co Urbana O,	
		after deducting loan expenses \$57.50	3942.50
	" 7,	" " " " Leroy Walke, balance of \$3000.00 loan	
		from Peoples Loan Co Urbana O after deducting	
		loan expense \$67.60	2937.40



April 7, 1914

July 7,	To cash	Leroy Walke balance of \$4000.00 loan from Home Loan Co Urbana O, after deducting loan expense and after deducting \$340.03	\$3607.47
Aug. 3,	"	Josephine E. Westlake	272.52
April 1,	"	C. H. Westlake (9th Exc.)	296.98
" 12,	"	Leroy Walke, balance of \$1650.00 loan from Commercial Savings Bank after deducting expense of loan \$169.50	1480.50
Oct. 14,	"	Leroy Walke, balance of \$1000.00 loan from Myrtle Reed after deducting loan expense of \$51.00	949.00
		Total receipts	11098.18

Said Administrator de bonis non credits himself as follows:

1906	April 6,	By Fidelity + Deposit Co. (lost) voucher	0	25.00
	" 14,	" Mutual Life Insurance Co.	1,	65.00
	May 14,	" Union Central Life Ins. Co.	2,	84.00
	" 23,	" Shearer + Shearer	3,	2.00
	July 20,	" J. J. Scott, Co. Treas. taxes	4,	74.85
	Nov. 25,	" Michigan Mutual Life Ins Co.	5,	65.50
	Dec. 10,	" D. E. Thornton, P. J. costs etc	6,	8.17
	" 10,	" D. E. Thornton, P. J. costs	7,	15.90
	" 12,	" E. W. Porter, fees	8,	25.00
	" 20,	" W. A. Garrard, J. P. costs	9,	8.10
	" 24,	" Union Banking Co.	10,	525.45
	" 29,	" Mrs. J. L. Laughrey	11,	2.25
1907	Jan. 21,	" J. J. Scott, taxes	12,	1.50
	" 21,	" J. J. Scott, taxes	13,	85.14
	" 22,	" Tom Brown note	14,	1612.97
		Amount carried forward		2600.97
	Jan. 29,	By Union Banking Co.	15,	905.00
	" 29,	" " " "	16,	153.15
	" 29,	" Bank of Marysville	17,	59.65
	Feb. 11,	" E. W. Porter	18,	25.00
	Mar 6,	" H. B. Knotts, note	19,	241.75
	" 23,	" Union Banking Co.	20,	179.50
	" 20,	" Maggie Neal, endorsed on note	21,	50.00
	" 26,	" C. H. Westlake, services	22,	50.00
	April 4,	" Union Central Life Ins Co.	23,	60.00
	" 6,	" Fidelity + Deposit Co.	24,	25.00
	" 12,	" Union Banking Co.	25,	22.68
	" 17,	" Michigan Mutual Life Ins. Co.	26,	65.00
	May 1,	" Union Central Life Ins Co	27,	84.25
	July 16,	" E. W. Porter	28,	50.00
	" 16,	" Maggie Neal on note (K. No. 20)	29,	99.91
	" 16,	" J. J. Scott, taxes	30,	1.79
	" 16,	" J. J. Scott, taxes	31,	83.13
	Mar 20,	" J. A. Bellville note	32,	42.50



April 7, 1914

July 19, 1908	By	D. E. Thornton, costs	34,	6.00
Jan. 28,	"	J. J. Scott, Treas taxes	1,	99.12
Feb 14,	"	John P. Connor	2,	6.00
" 16,	"	D. F. Mooney	3,	132.00
" 26,	"	" "	4,	20.00
" 26,	"	J. W. Westlake	5,	5.60
April 2,	"	Union Central Life Ins. Co.	6,	60.00
" 8,	"	Chas. Parrott, Clerk	7,	128.99
" 8,	"	Jas. E. Robinson, (Rain's note)	8,	333.20
May 1,	"	A. H. Kallefrath	10,	1.00
" 1,	"	Union Central Life Ins. Co.	9,	84.00
" 4,	"	Fidelity + Deposit Co.	11,	25.00
Sept. 20,	"	John R. Taylor	12,	22.00
Nov. 4,	"	Michigan Mutual Life Ins. Co.	13,	65.00
		Amount carried forward		\$ 5787.19
July 7, 1909	"	J. J. Scott, taxes	14,	96.70
" 7,	"	J. J. Scott, taxes	15,	270.63
" 7,	"	E. W. Porter	16,	400.00
" 8,	"	Union Central Life Ins. Co.	17,	2583.31
" 8,	"	Andrew S. Mowry	18,	100.00
" 6,	"	F. Z. Ballinger	19,	4975.20
" 9,	"	D. E. Thornton	20,	29.10
" 10,	"	E. W. Porter	21,	2.99
" 10,	"	Richard L. Cameron	22,	2110.92
" 10,	"	Michigan Mutual Life Ins. Co.	23,	2696.76
" 10,	"	Chas. Parrott, Clerk	24,	9.26
" 20,	"	Fidelity + Deposit Co.	25,	25.00
" 29,	"	J. J. Scott, taxes	26,	15.19
Aug. 20,	"	Otte + Juerner	27,	29.89
" 20,	"	Elizabeth Preach	28,	21.08
" 20,	"	Graham Bros.	29,	16.25
" 21,	"	Alvi Graham	30,	20.00
Nov. 6,	"	Henry Lee	31,	32.31
" 10,	"	E. W. Porter, Adm. Mulching Est.	32,	151.80
" 10,	"	E. W. Porter	33,	165.68
" 13,	"	R. L. Cameron	34,	1000.00
Jan. 21, 1910	"	Robert G. Guy	35,	141.49
April 5,	"	Fidelity + Deposit Co.	36,	25.00
Oct. 14,	"	R. L. Cameron	37,	900.00
April 1, 1911	"	E. W. Porter	38,	75.00
" 1,	"	R. L. Cameron	39,	200.00
" 14,	"	R. L. Cameron	40,	1357.34
" 17,	"	Justice Scheidner	41,	11.50
May 29,	"	A. H. Kallefrath	42,	25.00
June 7,	"	Fidelity + Deposit Co.	43,	6.25
" 7,	"	E. W. Porter	44,	65.00
July 6, 1909	"	Leroy Walker	45,	25.00
July 29, 1911	"	D. E. Thornton	46,	7.00
		Total credits		\$ 23377.84

April 7, 1914.

Recapitulation.

Total amount chargeable	\$ 24589.55
Total amount credited	23327.84
Balance due estate in hands of Adm. July 29, 1911	1261.71

Twenty-first; Said account as herein above stated and rendered coming on for further consideration, the Court doth find said account to be in all respects just and correct, and in conformity to law, and in accordance with the findings and orders of this Court herein, and that there was a balance of \$1261.71 due said estate in the hands of said administrator on the 29th day of July, 1911. It is therefore ordered that said account as hereinbefore stated and rendered be and the same hereby is approved, allowed and confirmed, and that the same be placed on the files of the court. It is further ordered that in filing said account as herein after directed and ordered said administrator shall charge himself with interest at the rate of six per cent per annum from the said 29th day of July, 1911 to the date of filing said account, on said sum of \$1261.71 less the sum of \$487.55, his compensation herein, and also less any other further sums which the Court may hereafter find to be proper credit to said administrator in the further accounting of said estate.

It is further ordered in the event that said administrator should fail or neglect to forthwith make and file said subsequent account thereby making immediate settlement of said estate, and thereafter to immediately make distribution of said estate according to law, that he be deprived of all compensation as such administrator.

It is therefore further ordered that a copy of the proceedings, findings and orders herein be certified by the Clerk of this Court to the Probate Court of this county for the proceedings thereon as is provided by law and according to the order of this Court.

Approved: John H. Millis, Atty for Administrator,  
Hoopes, Robinson + Hoopes, Atty for Exceptors.

Court adjourned to April 9, 1914 at 9 A.M.



April 9, 1914

Thursday April 9, 1914 - Court convened at 9 a.m.  
 Present Honorable John M. Brodrick, Judge.

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

The State of Ohio,  
 Plaintiff,

vs

No. 1476.

C. C. Jackson,

Defendant

Bail

This, the 9<sup>th</sup> day of April, 1914, came the defendant,  
 and Marcus Shoup and J. H. O'Brien as his sureties, entered  
 into recognizance before the court in the sum of One Thousand  
 (\$1000.00) Dollars, conditioned for his appearance on the 27<sup>th</sup>  
 day of April, 1914, to answer said charge.

W. John M. Brodrick, Judge.

Bail

The State of Ohio,  
 Plaintiff,

vs

No. 1480.

C. L. Kimmel,

Defendant

This, the 9<sup>th</sup> day of April, 1914, came the defendant,  
 and Marcus Shoup and J. H. O'Brien as his sureties, entered  
 into recognizance before the court in the sum of One Thousand  
 (\$1000.00) Dollars, conditioned for his appearance on the 27<sup>th</sup>  
 day of April, 1914, to answer said charge.

W. John M. Brodrick, Judge.

Judge

Wanted

The State of Ohio,  
 Plaintiff,

vs

No. 1481

Chas. H. Warford,

Defendant.

Bail

This, the 9<sup>th</sup> day of April 1914, came the defendant,  
 D. C. Estabrook and J. H. O'Brien as his sureties, entered  
 into recognizance before the court in the sum of One Thousand  
 (\$1000.00) Dollars conditioned for his appearance on the 27<sup>th</sup>  
 day of April, 1914, to answer said charge.

W. John M. Brodrick, Judge.

Confirmation

Distribute



April 9, 1914

The State of Ohio,  
Plaintiff

vs

No. 1477.

J. H. Barkman,  
Defendant.

Bail

This, the 9th day of April 1914, came the defendant, and Marcus Shoup and J. H. O'Brien, as his sureties, entered into recognizance before the Court in the sum of One Thousand (\$1000.00) Dollars, conditioned for his appearance on the 27th day of April 1914, to answer said charge.

OK, John M. Brodrick, Judge.

James E. Anderson,  
Plaintiff

vs

No. 9575.

G. F. Housman, et al.,  
Defendants.

Judg.

Vacated

This cause being heard upon the motion of the defendants to vacate the judgment rendered herein on the 4th day of March 1914, the Court on consideration, find that said motion was filed on the 12th day of March 1914, and was heard on the 6th day of April, 1914, and that the plaintiff had due notice of the filing of said motion and was represented at the hearing thereof by counsel, and that there was irregularity in the obtaining of said judgment, and that said defendants have 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, to all of which the plaintiff excepts,  
At M. Campbell,

Archer G. Duncan,  
Plaintiff

vs

No. 9517

Jennie V. Larcoub et al.,  
Defendants.

Confirmation

Distribution

On motion to the Court by Cameron and Cameron, attorneys for the plaintiff, and upon producing the proceedings of the Sheriff, and sale the sale of the premises by him made in pursuance of a former order of the Court, and the same being examined and found by the Court, in all respects, in due form of law, it is ordered by the Court that the said proceedings and sale be, and the same are hereby approved and confirmed.

It further appearing to the Court that the said A. G. Duncan and L. G. Duncan purchasers of said land at said sale desire to pay the entire purchase price to-wit: \$10513.75 in cash instead of making the payment one-third cash, one-third in one and two years, it is further ordered by the Court that the said Sheriff execute and deliver to the said purchasers



April 9, 1914

B. C. Duncan and L. G. Duncan, upon their payment to him in cash of the full amount of the purchase price mentioned above, a deed in fee simple for the said lands and tenements, by him sold as aforesaid.

And it is further ordered by the Court that the cost and expenses of this action including \$336.<sup>00</sup> as an attorney fee to Cameron & Cameron, attorneys for said plaintiff be paid out of the said money in the hands of the Sheriff amounting to the sum of \$428.<sup>00</sup>, and that he pay to the Treasurer of Union County out of said funds the taxes on said property amounting to the sum of \$59.49, and that said Sheriff distribute the residue of said money as follows:

To Archer G. Duncan, the one-fourth part or \$2506.41  
 To Jennie V. Larcomb, the one-fourth part or 2506.41  
 To Burette F. Longbrake, the one-fourth part or 2506.42  
 To Ruth E. Elsom, the one-fourth part or 2506.42  
 OK John M. Brodrick, Judge.

(Continued from page 309)

Nancy J. Simpson and Geo. A. Simpson have been duly served with summons in this case, and they are in default for demurrer and that the allegations are thereby confessed by them to be true, that there is due the plaintiff from the defendants Nancy J. Simpson and Geo. A. Simpson on the promissory notes set forth in the petition the sum of Three Hundred and twenty-two and 50/100 (\$322.50) Dollars with interest from the first day of this term, to-wit; the 6<sup>th</sup> day of April, 1914. The Court further finds that in order to secure the payment of said notes, the defendants Nancy J. Simpson and Geo. A. Simpson husband and wife executed and delivered to the said Jane Lake, deceased, their certain mortgage as in the petition described, and on the premises therein described, that said mortgage was duly recorded in Vol. 64 page 285, 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 adjudged and decreed that unless the defendants shall within thirty days from the entry of this decree pay or cause to be paid to the Clerk of this Court the cost of this case, and to the plaintiff herein, the sum found due as aforesaid with interest from the 6<sup>th</sup> day of April, 1914, the defendant'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 report his proceeds to this court for further orders.

OK John M. Brodrick, Judge.

Court adjourned to April 13, 1914 at 9 a. m.



April 13, 1914

Monday April 13, 1914 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

The State of Ohio,  
Plaintiff

vs

H. F. Miller,

Defendant

No. 1479

Bail

This, the 13<sup>th</sup> day of April 1914, came the defendant, and, Charles Reuch and J. H.'Brien as his sureties, entered into recognizance before the court in the sum of One Thousand (\$1,000.00) Dollars, conditioned for his appearance on the 27<sup>th</sup> day of April 1914, to answer said charge.

At John M. Brodrick, Judge.

The State of Ohio,  
Plaintiff,

vs

A. M. Stover,

Defendant.

No. 1482.

Bail

This, the 13<sup>th</sup> day of April 1914, came the defendant and James L. Lentz and L. Albert La Dow as his sureties, entered into recognizance before the court in the sum of One Thousand (\$1,000.00) Dollars, conditioned for his appearance on the 27<sup>th</sup> day of April 1914, to answer said charge.

At John M. Brodrick, Judge.

Court adjourned to April 14, 1914 at 9 a.m.



April 14, 1914.

Tuesday April 14, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Benjamin E. Kirts,  
Plaintiff,

vs

No. 9577.

Leonard A. Kirts et al,  
Defendants

Guardian

ad litem

This day, Benjamin E. Kirts, plaintiff in the above entitled case, appeared in open court, and made application for the appointment of a guardian ad litem for the minor defendant in this case, and it appearing to the Court that the defendant Nellie J. Kirts is a minor over the age of 14 years, and has been duly and legally served with summons herein, and that the said Nellie J. Kirts, minor has neglected for 20 days after the return of the summons served upon her to apply for Guardian ad litem, It is ordered that attorney F. J. Ballinger be and he hereby is, appointed Guardian for the suit, for said minor defendant, and now comes the said attorney F. J. Ballinger and in open court accepts said appointment.

John M. Brodrick, Judge.

Daniel B. Patch,  
Harriett L. Patch,  
Plaintiffs

vs

No. 9541.

Grant H. Douglass et al,  
Defendants.

Order

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 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 the said estate at \$400.00, the Court find the said return and proceedings in all respects correct and in conformity to law, and do therefore approve and confirm the same. The Court further finds that Grant H. Douglass and Daniel B. Patch both have made application to take said property at the appraised value, and it would be impossible for them both to elect to take the same of the said estate at the appraised value, and 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 further ordered that the sale of said estate

April 14, 1914

be made for cash. And the said Sheriff is ordered to return his proceedings to this Court without unnecessary delay.

W. John M. Brodrick, Judge

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Court adjourned to April 15, 1914 at 9 a.m.



April 15, 1914

Wednesday, April 15, 1914 - Court convened at 9 A. M.  
Present Honorable John M. Brodrick, Judge

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

Gertrude Thomas,  
Plaintiff,

vs

James R. Fish et al.  
Defendants.

No. 9538.

Confirmation  
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 the same have been had in all respects in conformity to law and the orders of the Court, It is ordered that the said proceedings and sale be and they are hereby approved and confirmed.

It is further ordered that the said Sheriff convey to the purchaser William Fish by deed according to law the property so sold, and the said Sheriff is ordered to convey said premises to the purchaser William Fish free of the dower of the said Cassie M. Fish having by her answer elected to receive in lieu of her dower its value in money, the Court find the just and reasonable value thereof to be One Hundred and forty-two and 12/100 Dollars, (\$142<sup>12</sup>/<sub>100</sub>), and the said purchaser is hereby subrogated to all the rights to said lien holders, in said premises, so far as they may be paid hereon, 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 mortgages herein sued on to be entered on the record thereof, in the office of the Recorder of Union County, Ohio.

And the Court coming now to distribute the proceeds of said sale amounting to Thirty-four Hundred Dollars, (\$3400<sup>00</sup>),

It is ordered that the Sheriff, out of the money in his hands pay,

First: The cost of this action at Eighty-two + 16/100 Dollars,  
Second: To the plaintiff Gertrude Thomas the amount heretofore found due her with interest, to-wit: One Thousand, Sixty-two + 50/100 Dollars, (\$1062<sup>50</sup>),

Third: To E. J. Bault, guardian of Cassie M. Fish her dower interest, One Hundred, Forty-two + 12/100 Dollars,

Fourth: To the defendant James R. Fish the balance of the money remaining in his hands, to-wit: \$ 2113.22,

Approved: Dudley E. Thornton, Atty for Plaintiff.

Hopes, Robinson + Hopes, " " E. J. Bault, guardian.

John M. Brodrick, Judge.



April 15, 1914

Jonathan Moore,  
Plaintiff

vs

Mary A. Schertzler et al,  
Defendants.

No. 9381,

Leave

Leave granted Jennie Moore, defendant to file answer instant.

Jonathan Moore,  
Plaintiff,

vs

Mary A. Schertzler et al,  
Defendants.

No. 9381

Confirmation

Distribution

This cause coming on to be heard on the return of the Sheriff and the report of the Commissioners heretofore appointed and on motion to confirm the same, it appearing to the Court that said premises can not be divided by metes and bounds without manifest injury to the value thereof and that the commissioners have appraised the premises at Forty-seven hundred and twenty-six and 25/100 dollars, The Court finds said returns and proceedings in all respects in conformity to law and the order of the Court, and do therefore confirm the same. And it appearing to the Court that said Jonathan Moore and Milstead Moore has elected to take said premises at their appraised value, the same are upon payment by them of the sum of Forty-seven Hundred and Twenty-six and Twenty-five/100 dollars hereby adjudged to them and the Sheriff is ordered to convey said premises to said Jonathan Moore and Milstead Moore, by deed in fee simple and they are subrogated to the rights of all parties hereto for the protection of their title. And the Court coming now to distribute said funds of \$4726.25 in the Sheriff's hands, do order that he pay the same to

1. The Treasurer of this County \$31.00 taxes,
2. To the Clerk of this Court, the cost of this action taxed at \$275.86 including a counsel fee of \$209.00 to plaintiffs attorney,
3. And of the rest of said proceeds that he pay to the plaintiff and defendants the following sums:

Jonathan Moore \$368.27; Mary A. Schertzler \$368.27; Susan Wortman \$368.27; Matilda Moore \$368.27; Louisa Warren \$368.27; Frank Moore \$368.27; Milstead Moore \$368.27; Milstead Moore as grantee of Tom Moore \$368.27; Jennie Coons \$368.27; Milstead Moore, adm. of Elizabeth Moore \$368.27; Jennie Moore value of dower interest \$82.06; Jesse Moore \$143.00; John Moore \$143.00; Ella Henie \$77.30; Lena Hare \$77.30; Mea Moore \$77.30; Roy Cramer Life estate \$58.96; and the remainder, to-wit \$77.30 be divided between Frank Coughman, Levi Coughman and Gladys Coughman in shares of one-third each, and each share being subject to the dower interest of Daniel Coughman.

At John M. Brodnick, Judge.  
Court adjourned to Apr. 16, 1914 at 9 a.m.



April 16, 1914

Thursday April 16, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Flora Nincehelsner,  
Plaintiff,

vs

John E. Nincehelsner,  
Defendant.

No. 9590.

Injunction

I allow a temporary restraining Order in the above action, as prayed for in the petition, until the same can be further heard, and the giving of a bond by the plaintiff is dispensed with under the Statutes, Done this 16<sup>th</sup> day of April 1914.

John M. Brodrick, Judge.

Partitions

Court adjourned to April 21, 1914 at 9 a. m

April 21, 1914

Tuesday April 21, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Ethel Gordon,  
Ruth Brown,  
Elma Reed,  
Plaintiffs

No. 9581.

vs  
Alice Brown et al,

Defendants.

Partition

This the 21<sup>st</sup> day of April, 1914, this cause came on to be heard upon the petition, the answer of the widow Alice Brown, the answer of Elizabeth Alice Brown, by her guardian, Van M. Sade, and the evidence. The Court finds that all of the defendants have waived the issuance and service of summons and have voluntarily entered their appearance herein, and consented to the partition of said premises as prayed for in the petition, and that the defendant, Bert Gordon is in default for answer and demurrer thereto. Thereupon the Court being fully advised in the premises finds that the allegations contained in the petition are true and that the plaintiffs are entitled to the relief therein sought; and that the plaintiffs and defendant, Elizabeth Alice Brown, are tenants in common in the real estate described in the petition; that the defendant, Alice Brown, widow, is entitled to dower in all the premises in the petition described; that the plaintiff, Ethel Gordon, received from the said John L. Brown, deceased, by way of advancement, in personal property and money, the sum of \$500.00; that the plaintiff, Elma Reed, received from said John L. Brown deceased, by way of advancement, in personal property and money, the sum of \$200.00; that the said Carl J. Brown, deceased, a son of the said John L. Brown, deceased, and the father of the defendant Elizabeth Alice Brown, received from the said John L. Brown, deceased, by way of advancement, in personal property and money, the sum of \$1000.00; that the plaintiff, Ruth Brown, has not received anything by way of advancement from said John L. Brown deceased.

It is therefore ordered and adjudged by the Court, that by the oaths of J. R. Dodge, Joseph Roff and J. Walter Kennedy, three judicious freeholders of the vicinity, and upon actual view of the premises one full equal third part of said lands in said petition described be assigned and set off to the said widow, Alice Brown, and by the like oaths of Joseph Roff, J. R. Dodge and J. Walter Kennedy, and upon like actual view, partition be made of said lands subject to said dower estate among the plaintiffs and said defendant, Elizabeth Alice Brown by:

1. appraising said premises at their true value in money, subject to the dower estate of said defendant, Alice Brown,



April 21, 1914

2. By deducting from the one-fourth of such appraised value, to ascertain the share and proportion of the said Ethel Gordon, the sum of \$850.00,
3. By deducting from the one-fourth of such appraised value, to ascertain the share and proportion of said Elma Reed, the sum of \$200.00,
4. By deducting from the one-fourth of such appraised value, to ascertain the share and proportion of said Elizabeth Alice Brown the sum of \$1000.00,
5. If any of said sums equal or exceeds the one fourth part value, the person who so received the same is not to have any part of said premises set off and partitioned to her; and if any of said sums be less than such one-fourth, the amount after deducting the same, is to be the fraction or proportion of the whole valuation to be set off and partitioned to such party or parties, and the residue, after the added amount of such fractional proportions are deducted, of said premises are to be set off and partitioned to the plaintiff, Ruth Brown, to be held by her in severalty as her share and estate in said premises.

It is further ordered that a writ 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

W John M. Brodrek, Judge

Publicate

April 22, 1914,

Wednesday Apr. 22, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Grace Foor,  
Plaintiff,

vs

No. 9594.

Layton E. Foor,  
Defendant.

Publication 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 Layton E. Foor is a non-resident of Ohio, that service of summons on him cannot be made in this State; that the residence of said Layton E. Foor is San Francisco, General Delivery,

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 where 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 said Defendant, whose residence is known, to his residence named therein, and make an entry thereof on the proper docket.

John M. Brodrick, Judge.

Court adjourned to Apr. 29, 1914 at 9 a. m.



April 23, 1914

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

Arthur B. Main,  
Plaintiff

vs

Christopher M. Gee Jr,  
Defendant

No. 8553.

This day this cause came on to be heard upon the  
Dismissed motion of defendant to dismiss this cause for want of prosecution;  
and on consideration whereof the Court sustained said motion  
and it is ordered that this cause be and the same is dismissed  
at the costs of the plaintiff.

It is therefore considered and adjudged by the Court  
that the defendant recover of the plaintiff his costs herein  
expended, taxed at \$ —.

Issues.

Trial

April 27, 1914.

Monday April 27, 1914. Court convened at 9 a. m.  
Present William F. Duncan, Judge.

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

Forest Davis, guardian  
Frederick Davis, et al  
Plaintiffs

No. 9539,

vs

William Stillings et al,  
Defendants.

Issues.

On this 27<sup>th</sup> day of April, 1914, and before this cause came on for trial, it appearing to the Court that the plaintiffs seek to set aside a certain writing dated Jan. 9, 1913, purporting to be the last will of the said Thomas Stillings, deceased, described in the petition, and that it has been admitted to probate according to law, the statutes in such case made and provided, It is now ordered that the issues to be tried between the parties are to be ascertained by the verdict of the jury is, whether or not the said writing is the last will of the said decedent.

It is further ordered that the Clerk enter this order on the Journal.

Forest Davis, guardian,  
Plaintiff

vs

William Stillings et al,  
Defendants.

No. 9539,

Trial

This day came the parties herein, by their attorneys; also came the following named persons as jurors, to-wit: J. M. Mc. Campbell, Chas. Doudna, Alva Green, M. L. Howey, R. F. Orahod, Clay Kezertee, J. H. Baughman, D. S. Davis, Harry Cleverger, P. H. Smith, W. H. Jolliff and D. F. Williams 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 statements of the counsel and the evidence in part, the time for adjournment having arrived, said cause was continued until tomorrow morning at 9 o'clock.

Court adjourned to Apr. 28, 1914 at 9 a. m.



April 28, 1914,

Tuesday April 28, 1914 - Court convened at 9 a. m.  
 Present William F. Duncan, Judge.

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

Forest Davis, guardian,  
 Plaintiff

vs

Williams Stillings et al,  
 Defendants.

No. 9539,

Trial

This day again came the said parties by their attorneys, and also came the jury heretofore impaneled and sworn. On announcement by counsel that cause had been settled out of court, and that they had nothing further to offer, acting under the instruction of the Court, the jury brought in the following verdict, to wit:

We, the jury, being duly impaneled and sworn, find from the evidence, upon the issue submitted, that the writing produced dated January 9th, 1913, purporting to be the last will of the said Thomas Stillings, deceased, is the last will of the said testator. Those of his concurring herein sign our names hereto: W. H. Jolliff, C. F. Soudna, H. C. Cleveland, W. L. Howey, J. D. Mc Campbell, J. H. Baughman, D. F. Williams, F. H. Smith, L. S. Davis, A. B. Green, L. F. Graham, Clay Tegerta.  
 Dated April 28, 1914,

Forest Davis, guardian  
 etc et al  
 Plaintiffs,

vs

Williams Stillings et al  
 Defendants.

No. 9539

Judgment

It is thereupon considered by the Court and is ordered and decreed that the said paper writing referred to and set up in the petition and proceedings herein, and certified to this Court from the Probate Court according to the provisions of the statute in such case made and provided, is the last will and testament of said Thomas Stillings, deceased.

It is further considered and decreed that the plaintiff pay the costs in this proceedings taxed at \$189.00.

Court adjourned to May 1, 1914 at 9 a. m.

May 1, 1914.

Friday May 1, 1914 - Court convened at 9 a. m.  
Present Honorable Wm. F. Duncan, Judge.

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

The Commercial Savings Bank,  
Plaintiff,

vs

Le Roy Walker et al,  
Defendants.

No. 9417.

Parties

Defendants

This the 1<sup>st</sup> day of May 1914, this cause came on for hearing and it appearing to the Court, that Clarence Westlake, Charles H. Westlake and Josiah M. Westlake as administrators de bonis non of the estate of Henry A. Westlake, deceased, are necessary parties to the controversy in this case, they are therefore made defendants herein, and it is ordered that process issue for them, commanding them to appear in this case; and this cause is passed for further consideration.

O. F. Lenox  
W. C. Woolard,  
Plaintiffs

vs

The Erie Railroad Co.  
Defendant.

No. 9429.

Leave

Leave is granted plaintiffs to reply by May 10, 1914.

James E. Anderson,  
Plaintiff

vs

G. F. Housman et al,  
Defendants.

No. 9575.

Leave

Leave granted plaintiff to reply by May 16, 1914.

In the Matter of Compensation }  
of G. C. Edwards, Court Constable. }

G. C. Edwards is hereby allowed for services as Court Constable from April 1, 1914 to April 30, 1914, 23 days at \$2.50 per day, total \$57.50.

The Clerk will certify the amount to the Auditor of Union County

John M. Brodrick, Judge.



Filed April 27, 1914,

In the Court of Common Pleas, Union County ss,

Benjamin F. Kirts,  
Plaintiff

vs

No. 9577,

Leona A. Kirts, widow of  
John M. Kirts, deceased et al

Confirmation

Distribution

This cause came on to be heard on the report of the Sheriff and Commissioners of their proceedings under the writ of partition herein, and upon due consideration the Court finds that said proceedings have been in all respects correct and lawful, and the same are approved and confirmed.

And it appearing that said estate cannot be divided by metes and bounds without injury to the value thereof, and Cary O. Kirts one of the defendants having elected to take all of said premises at the valuation returned by the Commissioners, to-wit, four thousand (\$4000.00) Dollars, the said estate is hereby adjudged to him. And it is ordered that on his making to the Sheriff of his proportion of the costs of this action, and any taxes that may be due on said premises, and also the balance 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 the said Cary O. Kirts, a good and sufficient deed of said premises, and it is ordered that the proceeds of said sale be distributed by the Sheriff as follows:

- First- The taxes and penalties due on said premises if any.
- Second- The cost of this action including a fee of One Hundred and Eighty (\$180.00) Dollars to John H. Clark, attorney for plaintiff, total \$243.40.
- Third- To Leona A. Kirts, widow who is of the age of 55 years the sum of Seven Hundred and Sixty-one and 40/100 (\$761.40) Dollars, being the value of her dower in cash.
- Fourth- The balance of said proceeds shall be divided equally between the plaintiff, Benjamin F. Kirts, Louis E. Kirts, Cary O. Kirts, May E. Kirts and Nellie J. Kirts, defendants each share being \$599.02 2/3.

May 4, 1914

John C. Polue,  
Plaintiff

vs

No. 9585

Erie Railroad Co,

Defendant.

Leave

June 6, 1914,

Leave granted Defendant to answer by

Court adjourned to May 5, 1914 at 9 a. m.



May 5, 1914.

Tuesday May 5, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Alice Johnson,  
Plaintiff,

vs

No. 9570.

Sylvester B. Johnson,  
Defendant.

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 he has failed to appear and is in default for answer or demurrer to the petition and that the allegations therefore are by him confessed to be true; that at the time of the filing of the petition herein, the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 11th day of May A. D. 1908, as alleged in said petition; that no children have been born of said marriage; and that the defendant has been guilty of wilful absence for more than three years past as is 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 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 defendant pay the cost of this proceeding taxed at \$12.17 and that this case be recorded.

John M. Brodrick, Judge.

Einice Graham,  
Plaintiff

vs

No. 9358.

New York Underwriters  
Agency of the Hartford  
Insurance Co.

Defendant.

Dismissed

This cause coming on to be heard upon the motion of the defendant, Hartford Fire Insurance Company for a judgment upon the pleadings and arguments of counsel, and was submitted to the Court; on consideration whereof the Court finds that the answer of the defendant filed herein is a complete bar prima facie to plaintiff's demand set forth in the petition, and that the plaintiff has failed and refused to plead to said



May 5, 1914.

to said answer though granted leave by the Court so to do, and plaintiff is in default for demurrer or reply to said answer of the defendant. Wherefore the Court finds that the allegations of the answer of the defendant by such default are confessed by the plaintiff to be true, and as such constitute a complete bar to recovery in this action.

It is therefore considered, ordered and adjudged by the Court that the defendant is entitled to recover a judgment against the plaintiff upon the petition and answer filed herein, together with a judgment for its costs herein expended taxed at \$ —

This cause further coming on to be heard upon the application of the defendant, New York Underwriters Agency, to dismiss this cause as to it, and was submitted to the Court upon argument of counsel; on consideration whereof the Court finds said motion well taken and doth sustain the same.

It is therefore considered, ordered and adjudged by the Court that this cause as to the defendant, New York Underwriters Agency, be, and the same is hereby dismissed at the costs of the plaintiff, and that the defendant, New York Underwriters Agency recover a judgment against the plaintiff for its costs herein expended, taxed at \$ —

Sarah J. Keckley,  
Plaintiff

vs

Howard Keckley,  
Defendant.

No. 9574.

Divorce

This cause came on to be heard on the petition and evidence, the defendant being in default for answer or demurrer although duly served with process, together with a copy of the petition according to law, and upon due consideration thereof the Court finds that the allegations of the petition are true; that the plaintiff was a resident of the State of Ohio for one year next proceeding the filing of her petition, and that time was a bona fide resident of this County of Union, and that the parties were duly married as stated in the petition. The Court further finds that the defendant has been guilty of wilful absence from this plaintiff for three years prior to the filing of her petition herein.

The Court further finds that the plaintiff and defendant has heretofore entered into the following agreement relating to alimony and custody of the child:

Know All Men by these Presents, That whereas, on the 18<sup>th</sup> day of April, 1914, Sarah J. Keckley, as plaintiff, filed a petition for divorce against Howard Keckley, defendant, in the Common Pleas Court of Union County, Ohio, and afterwards, to-wit: a summons



May 5, 1914.

was duly issued to the Sheriff of Van Wert County, Ohio, and duly served by him, by leaving a copy thereof with all the endorsements thereon, together with a copy of the petition, as required by law, at the usual place of residence of the said Howard Keckley, and

Whereas, The parties to said action have agreed to settle all questions of alimony out of court; also, insofar as they may have the power and legal authority to do so, to settle and agree upon the custody, care and control of their son, Herrod Keckley;

Therefore, It is agreed by and between the said plaintiff and the said defendant, that the said plaintiff retain the care, custody and control of the said Herrod Keckley, and that the defendant, Howard Keckley continue to pay to the said Sarah J. Keckley, the sum of \$1.50 per week, the same being the amount that has heretofore been fixed upon by the Court of Common Pleas of Union County, Ohio, as the amount that he should pay, for the care, clothing and support of the said Herrod Keckley and for the payment of which he together with Sue M. Keckley has duly entered into bond which bond is to remain in full force and effect, and upon the defendant's payment of said amount in the manner as hereinbefore provided and paid, then he shall be released for any further charge whatever, relative to the furnishing of a home, care, food and clothing for the said Herrod Keckley.

It is further agreed by and between the parties hereto that in the absence of the plaintiff having filed any motions for suit money, that the defendant will and does hereby pay to the Clerk of said Court of Union County, Ohio, the sum of Twenty-five Dollars as suit money, and upon the payment of said suit money and caring for the support of said Herrod Keckley, as above provided, then and in that event, the above and foregoing shall be a full and complete settlement of alimony, and all property rights between the said parties, and neither is to claim any title or interest whatever in either the personal or real property of the other, and both both parties hereto agree to do all things that might be necessary to release the property of the other of dower or any rights therein.

Dated this 24<sup>th</sup> day of April 1914.

Sarah J. Keckley  
Howard Keckley,

I, Sue M. Keckley, hereby consent to all the terms of the above agreement,

Sue M. Keckley.

The Court further finding that the said agreement is fair and just and hereby approves and confirms the same.

It is therefore adjudged and decreed that the marriage contract heretofore existing between the parties hereto between the said Sarah J. Keckley and Howard Keckley be and the same is hereby dissolved and both parties are released therefrom. And it is ordered that the plaintiff, Sarah J. Keckley, have the exclusive care and custody of the child Herrod Keckley and the said Howard Keckley is enjoined from in any manner interfering with the said



May 5, 1914

Sarah J. Keckley, in said custody and control and from any way interfering or visiting said child, until further order of the Court.

It is further ordered that said Howard Keckley, pay into the office of the Clerk of Courts for the support of said minor child the sum of One Dollar and a half per week according to a bond entered into heretofore to this court in case entitled the State of Ohio vs Howard Keckley until the further order of this Court or until the said child arrives at the age of sixteen years.

It is further ordered that each of the parties hereto shall have his or her individual property restored, divested of all and every claim, title and interest by dower or, otherwise, of the other party.

Approved:

Frank J. Ballinger, Attorney for Plaintiff

Blackley + Kerns, Attorney for Defendant,

John M. Brodrick,  
Judge.

John M. Peck et al,  
Plaintiffs

vs

The Westlake Mfg Co.

Defendant.

No. 9498.

It hereby ordered and directed that the sum of Twenty-five Dollars be taxed at cost in the above entitled case in favor of R. Eva Byers, Official Court Stenographer, in payment for a transcript of the evidence taken in said case, an estimate of 34000 words @ 8c per 100; and that the Clerk issue his certificate therefor directed to the Auditor of Union County.

Approved:

Milo L. Myers  
Referee

John M. Brodrick, Judge of the  
Court of Common Pleas, Union Co., O.

Court adjourned to May 6, 1914 at 9 a. m.

May 6, 1914.

Wednesday May 6, 1914 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

The Farmers Savings Bank Co.,  
 of West Mansfield O,  
 Plaintiff.

vs

The Union Co. Farmers Telephone Co.  
 Defendant.

No. 9600.

Cognovit

Judgment

This day came the Plaintiff by John H. Kinkade, Attorney; and filed its Petition against said Defendant, The Union Co. Farmers Telephone Co. and thereupon Clarence A. Hooper, one of the Attorneys of Record of this Court also appeared in open court, for and on behalf of said Defendant, The Union County Farmers Telephone Co. 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, Thirty-three +  $\frac{0}{100}$  Dol. (\$133 $\frac{00}{100}$ ) bearing interest at 8 per cent per annum, and that said Plaintiff ought to recover of said Defendant a judgment for that sum.

It is therefore considered by the Court that said The Farmers Savings Bank Co. of West Mansfield O, Plaintiff, do recover from said The Union County Farmers Telephone Co, Defendant, the said sum of One Hundred, Thirty-three +  $\frac{0}{100}$  Dollars (\$133 $\frac{00}{100}$ ), so as aforesaid confessed to be due, together with costs of suit herein, to be taxed and with interest to be computed from the 6<sup>th</sup> day of May 1914, 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.

J. M. Brodrick, Judge.

Court adjourned to May 8, 1914 at 9 a. m.



May 8, 1914.

Friday May 8, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Carrie S. Doremus,  
Plaintiff

vs

Guy W. Doremus,  
Defendant.

No. 9572.

Divorce

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, and summons and copy of petition mailed and addressed to him at his last known residence as required by law. That he has failed to appear and is in default for answer or demurrer to said 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 28th day of August 1898, as alleged in said petition. That no children was born to them as the issue of said marriage, and that 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.

Divorce

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 Carrie S. Sell. It is further ordered, adjudged and decreed that the said Defendant pay the cost of this proceedings taxed at \$14.30 and that this case be recorded.

John M. Brodrick, Judge.

Court adjourned to May 9, 1914 at 9 a. m.

May 9, 1914,

Saturday May 9, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Harry Hodge,  
Plaintiff,

vs  
Matilda Hodge,  
Defendant.

No. 9579,

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, 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 1st day of January A.D. 1913, 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 pay the cost of this proceeding taxed at \$7.00, and that this cause be recorded,

John M. Brodrick, Judge.

Court adjourned to May 11, 1914 at 9 a. m.



May 11, 1914.

Monday May 11, 1914 - Court convened at 9 a. m.

- Grand Jury.

Pursuant to a call by the Prosecuting Attorney, the Grand Jury met this morning. On call their names, the following were found present: Corey Allen, William Cahill, A. E. Moore, Frank Southard, C. S. Kibler, W. E. Lovell, Harry Gwynn, Charles Michaels, Thomas Randall, Solomon Burnick, Bert Sherman, George Rausch, and L. W. McKittrick, Lape McShoy and J. W. Monroe being excused on account of sickness, by order of the Court, N. J. Tinney and J. L. Summers were called as talesmen and duly sworn according to law. The Grand Jury then entered into deliberations. The following witnesses were sworn and examined: Blanch Bubus, John P. Hoban, Frank Hendig, L. R. Tione, Julius S. Jones, Fred Tinney, Lester Predmore, S. J. Bown, Dr. L. L. Roebuck, C. W. Sloop, Homer F. Miller + Mrs Homer F. Miller.

At the close of their session, the Grand Jury brought in the following Bill of Indictment signed by C. S. Kibler, their Foreman

Giovanni Catone, Murder,

The following partial report was also brought in:

To the Honorable John M. Brodrick, Judge Court Com. Pleas, Union Co. O.  
 The Grand Jury of the Court of Common Pleas of said County of the April Term 1914, by 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 matters as have legitimately come to our notice, having examined over 11 witnesses, covering 2 cases, and presented one bill, and ignored no cases considered by us. The business has been transacted in an expeditious a manner as possible.  
 Respectfully submitted,  
 May 11, 1914, C. S. Kibler, Foreman.

No further business presenting itself Grand Jury adjourned to meet at call of Prosecuting Attorney.



May 15, 1914,

Friday May 15, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Ruben F. Poling,  
Plaintiff,

vs

Bessie Poling,  
Defendant.

No. 9136.

Divorce

Now came 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 plaintiff, at the time of filing his petition herein, had been a resident of the State of Ohio for one year next preceding the same, and was at the time a bona fide resident of the County of Union, and that the parties were married as stated in the petition.

The Court further find that the defendant has not been guilty of the neglect and misconduct as charged in the petition, but has in all respects conducted herself as a good and faithful wife, and the petition is therefore dismissed.

The Court further find upon the cross petition of the defendant and the evidence, that the plaintiff has been guilty of gross neglect of duty, and that by reason thereof the defendant is entitled to a divorce as prayed for.

It is therefore ordered and adjudged by the Court that the marriage contract heretofore existing between the said Ruben F. Poling and Bessie Poling, be, and the same hereby is, dissolved, and both parties are released from the obligations of the same.

It is further ordered and adjudged that the said plaintiff pay to the defendant as her reasonable alimony in money the sum of One Hundred and Thirty (\$130.00) Dollars in cash, this day, and in default of such payment, execution is allowed to issue therefor.

It is further ordered that the said plaintiff pay the costs of this proceeding taxed at \$ — ; and that this case be recorded.

John M. Brodrick, Judge

Court adjourned to meet May 16, 1914 at 9 a. m.



May 16, 1914

Saturday May 16, 1914 - 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 the  
Appointment of  
Jury Commissioners  
for Union County, Ohio.

This day it is ordered by the Court that Lanson  
B. Harvey and Homer Southard be and they hereby are ap-  
pointed as Jury Commissioners for Union County, Ohio.  
It is ordered that 250 names be selected according  
to law.

John M. Brodrick, Judge.

Mary E. Rosebrook,  
Plaintiff

vs

No. 9604.

John B. Rosebrook,  
Defendant.

Injunction

I allow a temporary restraining order in the above  
action as prayed in the Plaintiff's petition until the same  
can be further heard, an undertaking herein is dispensed  
with under the statutes, Done this 16<sup>th</sup> day of May, 1914,  
John M. Brodrick, Judge.

Sophia Williams,  
Plaintiff

vs

No. 9568.

Clinton Williams,  
Defendant.

Divorce

This day this case came on to be heard upon the  
pleadings, evidence and arguments of counsel. On consider-  
ation 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 of the  
plaintiff 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 the <sup>said</sup> petition, and that said parties were married on the  
14<sup>th</sup> day of Feb. A. D. 1911, as alleged in said petition; and that  
no children were 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 contract heretofore entered into between said parties is a valid and subsisting contract and an equitable division of the property of said plaintiff and defendant and therefore confirms the same.

It is further ordered that defendant pay the cost of this proceeding taxed at \$8.25 and that this case be recorded.

John M. Brodrick, Judge.

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Court adjourned to May 19, 1914 at 9 a.m.



May 19, 1914.

Tuesday May 19, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

The Citizens Home  
Savings Co.,  
Plaintiff

No. 9569.

vs  
Elsworth C. Hickey et al,  
Defendants.

Judgment This cause coming on for hearing upon the petition of the plaintiff and the answer of the defendant, Charles H. Millsie and the evidence, the Court find that the defendant, Elsworth C. Hickey, and the defendant, Pauline C. Hickey, have been duly served with summons in this case, and that they are in default for answer or 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 defendant, Elsworth C. Hickey, on the promissory note set forth in the petition with interest to the date of this decree the sum of \$1722<sup>14</sup>.

The Court further finds that in order to secure the payment of said note the defendant, Elsworth C. Hickey, executed and delivered to the plaintiff his certain mortgage as in the petition described, and that on the premises therein described, that said mortgage was duly recorded in book 60, page 250, of the records of mortgages of Union County, Ohio, and is a good and valid lien on the premises described in the petition and that the conditions in said mortgage have been broken.

That the said defendant, Elsworth C. Hickey, at the time of the execution of said mortgage was an unmarried man and that he has since the execution and recording of said mortgage intermarried with the defendant, Pauline C. Hickey, and that she has no dower in said premises other than in the equity of redemption, therein.

The Court further find that the defendant, Charles H. Millsie has a tax lien upon said premises to the amount of \$90<sup>00</sup> with interest from the first day of May, 1914.

It is therefore considered by the Court that the plaintiff recover from the defendant, Elsworth C. Hickey, the said sum of \$1722<sup>14</sup> and his costs herein expended, and that the defendant, Charles H. Millsie recover the sum of \$90<sup>00</sup> with interest from the 1<sup>st</sup> day of May 1914, and his costs herein expended, and it is further adjudged and decreed that unless the defendant, Elsworth C. Hickey, shall within seven 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 decree, and to the defendant

Charles H. Miltzie, the sum of \$9000 with interest from the 1st day of May, 1914, that the said Elsworth C. Hickey's and the said Pauline C. Hickey'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 report his proceedings to this court for further orders,

OK

John M. Brodrick, Judge.

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Court adjourned to May 20, 1914 at 9 a.m.



May 20, 1914.

Wednesday May 20, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Bessie R. Stewart,  
Plaintiff,

vs

The Board of Education  
Jerome Township Union Co. O,  
The Davis Chapel Methodist  
Episcopal Church,

Defendants.

No. 9601.

Appearance and Entered This the 18<sup>th</sup> day of May 1914, came the defendants,  
The Board of Education of Jerome Township School District  
and The Davis Chapel Methodist Episcopal Church, and  
waiving the issuance and service of summons herein, enter  
their appearance as parties defendant herein.

Divorce

Leave

Court adjourned to May 26, 1914 at 9 a. m.

May 26, 1914

Tuesday May 26, 1914 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

David Williams,  
Plaintiff,

vs

Roberta Williams,  
Defendant.

No. 9586.

Divorce

This cause came on this day to be heard on the petition and the evidence, and on consideration thereof, the Court find that the plaintiff, at the time of filing his petition, had been a resident of the State of Ohio for one year last past, and was at that time a bona fide resident of Union County, and that the parties hereto were married, as in said petition set forth.

The Court further find, upon the evidence adduced, that the defendant has been guilty of wilful absence for more than three years, and of gross neglect of duty, and that by reason thereof the plaintiff is entitled to a divorce as prayed for.

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

O.K.

John M. Brodrick, Judge.

Eurton Temple,  
Plaintiff

vs

The Board of County  
Commissioners of  
Union County, Ohio,  
Defendant.

No. 9582.

Leave

Leave is granted plaintiff to file a petition herein  
instanter,

Court adjourned to June 1, 1914 at 9 a.m.



June 1, 1914.

Monday June 1, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Prodrick, Judge.

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

Emma Dilsaver,  
Plaintiff,

vs

No. 95-93.

Ida Huffman et al,  
Defendants.

Party

Now comes Bent Cahill, guardian of Emerson Blue, a minor, a defendant in the above entitled cause of action, and leave is hereby granted him to be made a party to said proceedings and to file his answer instant.

Emma Dilsaver,  
Plaintiff

vs

No. 95-93

Ida Huffman et al,  
Defendants.

Partition

And now this cause coming on to be heard on the petition and answer of Bent Cahill, guardian of Emerson Blue, a minor, defendant, and the evidence, the Court find that all of the defendants have had due legal notice of the pendency and demand of the said petition, and that with the exception above, the defendants are all in default for answer and demurrer thereto.

Therefore, the Court further find that the plaintiff and the defendants hereafter named are tenants in common in the estate described in the petition; that Maggie Blue, during her life time was a tenant in common but is now deceased, and that said John C. Blue, widower of said Maggie Blue deceased, was entitled to dower in the one-fourth part thereof which belonged to Maggie Blue, deceased, as such widower, but that he transferred the same by deed to Orus Blue. That plaintiff Emma Dilsaver, has a legal right to the one-fourth part thereof; that the defendant C. A. Moore, has the legal right to the one-fourth part thereof; that the defendant Orus Blue, has a legal right to the dower of said John C. Blue in the said estate of Maggie Blue, deceased, which estate or the heirs of Maggie Blue, deceased, is entitled to one-fourth part thereof, subject to the <sup>said</sup> dower estate of John C. Blue, therein which was deeded to Orus Blue; that Orus Blue has a legal right to one-sixteenth part thereof, subject to said dower estate of John C. Blue, ~~therein~~, that Herbert Blue has a legal right to one-sixteenth part thereof subject to the dower estate of said John C. Blue therein; that Zell L. Blue has a legal right to one-sixteenth part



June 1, 1914.

thereof subject to the dower right of said John C. Blue therein; that said Emerson Blue has a legal right to one-sixteenth part thereof, subject to said dower of said John C. Blue, therein; that Orus Blue has a legal right to said dower of said John C. Blue, and that the plaintiff is entitled to have partition made of said premises as prayed in his petition.

It is therefore ordered, adjudged and decreed that partition of said estate be made, and that dower of the one-fourth part, that of Maggie Blue, deceased, be assigned to Orus Blue, grantee of John C. Blue; that W. S. Burgeon, C. F. Gill and A. J. Miller three judicious and disinterested freeholders of the vicinity are hereby appointed Commissioners to make and set off the same.

It is ordered that if said estate is entire, and cannot be divided by metes and bounds, the dower of this said John C. Blue be assigned as a third part of the rents, issue and profits, in the one-fourth part thereof to Orus Blue and that said 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 proportions of the said estate to which they are hereby severally found entitled and also cause to be set off and assigned in manner as above ordered the dower of the said John C. Blue to Orus Blue.

And of his proceeding herein the said Sheriff is ordered to make due return. That the rights of Michael Dilsaver, Frank Hoffman, Eva Blue, and Mildred Blue, be barred from the said estate which is assigned to the other tenant, than his wife or husband respectively.

Harry E. Norris,  
Plaintiff

vs

William Duffey et al,  
Defendants.

No. 9387.

This the 1<sup>st</sup> day of June 1914, this cause came on to be heard on the petition, the answer of John H. Willis, guardian ad litem and the evidence, the defendant, William Duffey being in default for answer or demurrer, although duly served with process, and that the allegations of the petition are confessed by the said defendant to be true; 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 Five Hundred and forty-seven and 14/100 Dollars (\$547.14) which bears interest from the 6<sup>th</sup> day of April 1914 at the rate of 6 per cent

(Continued page 351)

Court adjourned to June 2, 1914 at 9 a. m.



June 2, 1914.

Tuesday June 2, 1914 - Court convened at 9 a. m.  
 Present Honorable William F. Duncan, Judge.

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

Lynn L. Barker et al,  
 Plaintiffs,

vs

The Adams Husker Co.,  
 Defendant.

No. 9580.

To Pay  
 Claims

On this 13th day of June, 1914, this cause came on and was heard upon the application of the Receiver for instructions as to his duty in the payment of claims for labor performed within the three months prior to the appointment of the said Receiver, and the evidence; and the Court being fully advised in the premises, finds that the said claimants were operatives in the manufacturing plant of said Company, that their said claims are just and unpaid and that the same are for labor performed within the period of three months immediately prior to the appointment of the said Receiver, to-wit March, 28, 1914.

The said claimants and the amount due each are as follows: Roy M. Barker \$71.30; Levi Wilbury \$36.52; Wilber Orr \$77.06; C. E. Willidus \$37.43; L. S. Cooker \$34.10; George Hauer \$53.40; Ullie Brake \$57.70; Charlie Northrup, Staushway Account \$13.27; E. C. Easterling \$49.20; L. H. Wilbury \$68.18; L. L. Barker \$82.96; Doughton Shadrack \$1.80; Mabel Huffman \$78.14.

It is therefore ordered by the Court that the said Receiver out of the first money coming into his hands realized for the sale of property which came into his hands upon his appointment pay said claims in preference to all the claims against said Company, except claims for taxes and the costs of administering the trust, and make due report of his proceedings in the premises.

Court adjourned to June 4, 1914 at 9 a. m.

June 4, 1914.

Thursday June 4, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

C. De Groes,  
Plaintiff

vs

The Board of  
Education of Marysville,  
Defendant.

No. 9506.

Party

This, the 4<sup>th</sup> day of June 1914, this cause came on to be heard upon the motion of the defendant for an order making A. M. Fry a party defendant.

Upon consideration thereof the Court doth grant said motion, and it is ordered that said A. M. Fry be made a party defendant herein, and duly served with process.

OK John M. Brodrick, Judge.

Continued from page 349.

(9387)

per annum payable annually, and is the first lien on the premises in the petition described. It is therefore considered that the said plaintiff recover of the defendant, William Duffey, said sum of Five Hundred and forty-seven and 14/100 Dollars (\$547.14) with interest from the 6<sup>th</sup> day of April 1914 at the rate of six per cent per annum, payable annually, 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, and an order shall be issued to the Sheriff of said county directing to appraise, advertise and sell said premises according to law, and from the proceeds of such sale he shall pay - First, the costs of this suit, including a fee of \$5.00 to John H. Willis, as guardian ad litem, and any taxes, penalties and interest, and assessments due on said premises. Second, to said plaintiff, said sum of Five Hundred and forty-seven and 14/100 Dollars (\$547.14) with interest as aforesaid; and pay the balance, if any to the defendants. And it is ordered that a minute of this proceeding be entered on the margin of the record of said mortgage.

OK Brodrick, Judge.

Court adjourned to June 5, 1914 at 9 a. m.



June 5, 1914.

Friday June 5, 1914 - Court convened at 9 A. M.  
Present Honorable John M. Brodrick, Judge.

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

Mary G. Michael,  
Plaintiff,

vs

Elice V. Fleck et al,  
Defendants.

No. 9504.

Dismissed

This cause dismissed by attorney for plaintiff  
at her cost. No record.

Court adjourned to June 6, 1914 at 9 A. M.

June 6, 1914,

Saturday June 6, 1914 - 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.

plaintiff

G. C. Edwards is hereby allowed for services as  
Court Constable from May 1, 1914 to May 30, 1914, 14 days at  
\$25.00 per day, Total \$350.00.

Clerk will certify the amount to Auditor Union County,  
John M. Brodrick, Judge.

Court adjourned to June 10, 1914 at 9 a.m.



June 10, 1914.

Wednesday June 10, 1914 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

The International Harvester  
 Company of America,  
 Plaintiff

vs

No. 9154,

Charles H. Nestlake et al,  
 Defendants.

On motion to the Court the defendant, The Home  
 Loan Company, of Urbana Ohio, is given leave to file an amended  
 answer and Cross Petition forthwith.

Leave,

Confirms  
 +  
 Dist.

W. H. Coder,  
 Plaintiff

vs

No. 9591,

Edna Coder,  
 Defendant.

Divorce

This cause came on this day to be heard on the petition,  
 the answer of the defendant, and the evidence, and on consideration  
 thereof, the Court find that 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 the County  
 of Union, and that the parties hereto were married as in the pe-  
 tition set forth.

The Court further find, from the evidence adduced, that  
 the defendant has been guilty of gross neglect of duty and extreme  
 cruelty as set forth in the petition, and that by reason thereof  
 the plaintiff is entitled to a divorce as prayed for.

It is therefore ordered and adjudged by the Court that the mar-  
 riage contract heretofore existing between the said W. H. Coder and  
 Edna Coder be, and the same hereby, is dissolved, and both parties  
 are released from the obligations of the same.

It further appearing to the Court that the parties hereto have  
 entered into a contract in writing whereby the plaintiff agreed  
 that in case the defendant should prove to be in a family way  
 and should ~~have~~ a baby at such time as the same could have  
 been conceived during the time said parties were living together  
 said plaintiff agreed to pay to defendant the sum of \$25.00 when  
 said child should be born, and \$5.00 per month for one year there-  
 after as support for said child in full, but in case said child  
 should die the monthly payments to cease upon the death of said  
 child, and it further appearing to the Court that the terms of the  
 contract above set forth are just & equitable they are hereby incorporated in  
 this entry and made a part of this order. It is further ordered that the plaintiff  
 pay the costs of this proceeding.

W. John M. Brodrick, Judge



June 13, 1914.

Saturday June 13, 1914 - Court convened at 9 a.m.  
Present Honorable John M. Brodrick, Judge.

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

Daniel B. Patch,  
Harriett L. Patch,  
Plaintiffs,

vs  
Grant H. Douglass  
et al,  
Defendants.

No 9541.

Confirmed  
+  
Dist.

On motion of the plaintiff, and upon return of sheriff of his proceedings and sale under the former order of this Court, and the Court, being satisfied on examination that the same has been had in all respects according to law, and said proceedings and sale are hereby approved and confirmed, and the Sheriff is ordered by deed duly executed to convey said premises to Daniel B. Patch, the purchaser,

First, to the Treasurer of Union County \$0.74 being the taxes and penalties due on said premises.

Secondly, to the Clerk of this Court the costs of this action including a counsel fee of \$26.70 to John L. Loughrey for his services herein, including taxes, attorney fees and costs taxed at \$72.03.

Thirdly, to the plaintiff Daniel B. Patch, the one-third of the balance of purchase price \$124.07

Fourth, to Grant H. Douglass, the one-third of the balance purchase price \$124.03.

Fifth - To Bertha R. Douglass widow of John D. Douglass deceased, her dower in the one-third interest to be paid in money, she being 25 years of age \$33.37

Sixth - To Harold E. Douglass a minor, a 1/6 interest subject to the dower of Bertha R. Douglass and said money to be paid to John L. Loughrey, guardian of said minor \$45.35.

Seventh - To Fred H. Douglass a minor a 1/6 interest subject to the dower of Bertha R. Douglass, and said money to be paid to John L. Loughrey, guardian of said minor \$45.36

John M. Brodrick, Judge.

Court adjourned to June 16, 1914 at 9 a.m.



June 16, 1914.

Tuesday June 16, 1914. Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

Rebecca A. Davis,  
Plaintiff,

vs

Aaron H. Harshfield,  
Scott H. Harshfield,  
Charley H. Harshfield,  
heirs of John H. Harshfield  
deceased.

No. 9583.

Divorce

Defendants.

Title

Quieted

Now comes the plaintiff by her attorney and the defendants being in default for answer or demurred, the Court find that the allegations of the petition are confessed by them to be true. The Court further find that at the time of bringing this action the said plaintiff was in possession of the real property described in the petition, and that she had the legal estate in and was entitled to the possession of the same; that neither of the defendants nor any one of them, have any estate in, or are entitled to the possession of, said real estate or any part thereof, and that the plaintiff ought to have her title and possession quieted as against each and every one of the said defendants, as prayed for in her petition.

It is therefore ordered, adjudged and decreed, that the title and possession of the said Rebecca A. Davis to all and singular the premises in the petition, situate in the State of Ohio, County of Union, Township of Liberty and part of Survey No. 3444; Bounded and described as follows: Beginning at two beeches S. 8°-27' East from the North East corner of the original survey; Thence with the Easterly line of said survey S. 8°-27' West 93 poles to a stake and stone; Thence N. 7°-40' E. 92' 7/8 poles to a stake and stone; Thence S. 86° 49' 1/2 poles to the beginning containing 50 acres more or less; he and the same hereby are quieted as against the defendants and each of them 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 Rebecca A. Davis, her heirs or assigns thereto.

It is also ordered that plaintiff pay the costs of this action.

OK John M. Brodrick, Judge.



June 16, 1914.

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

Josephine DeBolt,  
Plaintiff

vs

William L. DeBolt,  
Defendant.

No. 9588.

Divorce

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel. On consideration whereof, 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 and that the allegations thereof are thereby 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<sup>th</sup> day of February A. D. 1905, as alleged in said petition, and that there is no issue of said marriage, and that defendant has been guilty of wilful absence from the said plaintiff for more than three years 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 former name Josephine Raines, and that any and all dower rights of whatsoever nature of the defendant in the property of the plaintiff be forever barred therein. Be it further ordered and decreed that the said defendant pay the costs of this proceeding taxed at \$6.56, and that this cause be recorded.

John M. Brodrick, Judge.

Court adjourned to June 17, 1914 at 9 a. m.



June 17, 1914.

Wednesday, June 17, 1914 - Court convened at 9 a.m.  
 Present William F. Duncan, Judge.

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

Rose M<sup>c</sup>Lean et al,  
 Plaintiffs

vs

Belle Armstrong et al,  
 Defendants.

No. 4354.

Trial

This day came the parties herein and their attorneys, likewise the following persons as jurors, to-wit: Alva Green, J. L. Spain, J. H. Baughman, L. F. Crahood, D. S. Davis, Harry Cleveger, P. H. Smith, W. T. Arnold, Josiah Turner, L. N. Hagen, Samuel F. Barr and Howard Vasbury who were duly impaneled and sworn and the trial proceeded. After hearing the statement of counsel and the evidence in part and the time for adjournment having arrived this cause is continued until to-morrow morning at 9 o'clock.

Trial

Court adjourned to June 18, 1914 at 9 a.m.

June 18, 1914.

Thursday June 18, 1914 - Court convened at 9 a.m.  
Present Honorable William F. Duncan, Judge.

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

Rose M. Leau et al,  
Plaintiffs

vs

No. 9354,

Belle Armstrong et al,  
Defendants.

Trial This day again came the parties and their attorneys,  
also the jury heretofore impaneled and sworn, and the trial  
proceeded; After hearing the evidence in part and the time  
for adjournment having arrived, this cause is continued until  
to-morrow morning at 8:45.

Court adjourned to June 19, 1914 at 9 a.m.



June 19, 1914.

Friday June 19, 1914 - Court convened at 9 a. m.  
 Present Honorable William F. Duncan, Judge.

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

Rose M. Leau et al,  
 Plaintiffs

vs

Belle Armstrong et al,  
 Defendants.

No. 9354

Trial

This day again came the parties and their attorneys, likewise the jury heretofore impaneled and sworn and the trial proceeded. After hearing the evidence in part, this cause is continued until ~~to~~<sup>Monday</sup> morning at 9 o'clock.

Trial

### Partial 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, 1914, 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 6 witnesses covering 3 cases, and presented 3 bills, and ignored no cases considered by us. The business has been transacted in an expeditious a manner as possible.

Senten

Court adjourned to June 27, 1914 at 9 a. m.

June 22, 1914.

Monday June 22, 1914 - Court convened at 9 a.m.  
Present Honorable William F. Duncan, Judge.

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

Pose M. Leaw et al,  
Plaintiffs,

vs

No. 9354.

Belle Armstrong et al,  
Defendants.

Dial

This day again came the parties and their attorneys, likewise the jury heretofore impaneled and sworn, and the trial proceeded, after hearing the evidence in part and the time for adjournment having arrived, this cause is continued until to-morrow morning at 9 o'clock.

State of Ohio,  
Plaintiff

vs

No. 1485.

Thomas Sheehan,  
Defendant.

Indictment for Burglary.

Sentence

Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant being in court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto, saith he is "guilty", which plea is accepted by the prosecuting attorney; thereupon the Court being fully advised in the premises,

It is ordered and adjudged by the Court that said Thomas Sheehan, be imprisoned and confined in the penitentiary of this State, and kept at hard labor, but without any solitary confinement; there to be kept until legally discharged; and that he pay the costs of prosecution herein taxed at \$34.00 for which judgment is rendered against him, and for which execution is awarded.

The clerk will enter, - Duncan, Jr.

Court adjourned to June 23, 1914 at 9 a.m.



June 23, 1914.

Tuesday June 23, 1914 - Court convened at 9 a. m.  
 Present Honorable William F. Duncan, Judge.  
 In the Court of Common Pleas, Union County, Ohio.

Rose M. Leau et al.  
 Plaintiffs

rs

No. 9354.

Belle Armstrong et al.  
 Defendants.

Trial

This day again came the parties herein and their attorneys, likewise the jury heretofore impaneled and sworn and the trial proceeded. After hearing the evidence in part, and the time for adjournment having arrived, this cause is continued until to-morrow morning at 9 a. m.

Trial

The State of Ohio,  
 Plaintiff

rs

No. 1447.

Frank Larkin,  
 Defendant.

Stenographer  
 Fees

It is hereby ordered and directed that the sum of sixteen dollars and eighty cents be taxed in the above case in favor of R. Eva Byers, in payment of a partial transcript of evidence, by order of the prosecuting attorney, an estimate of 21000 words @ 8¢; and the clerk will issue his certificate therefor, directed to the Auditor of Union County, Ohio.

John H. Willis, Pros. Atty Union Co. O.

Union County, Ohio  
 in account with

R. Eva Byers, Official  
 Stenographer Dr.

To transcript of evidence taken before the Grand Jury of Union County, Ohio, April 6, 1914, by order of the Prosecuting Attorney; an estimate of 7000 words @ 8¢ \$56.00

Approved: John H. Willis, Prosecuting attorney  
 Union County, Ohio

Court adjourned to June 24, 1914 at 9 a. m.

June 24, 1914

Wednesday June 24, 1914 - Court convened at 9 a. m.  
Present Honorable William F. Duncan, Judge.

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

Rose M. Leau et al,  
Plaintiffs

vs

Belle Armstrong et al,  
Defendants.

No. 9354.

Trial

This day again came the parties and their attorneys herein, likewise the jury heretofore impaneled and sworn and the trial proceeded, after hearing the evidence in part and the time for adjournment having arrived, this cause is continued until to-morrow at 9 o'clock.

Court adjourned to June 25, 1914 at 9 a. m.



June 25, 1914,

Thursday June 25, 1914 - Court convened at 9 a.m.  
Present Hon. William F. Duncan, Judge.

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

Rose M. Leav et al,  
Plaintiffs

vs

Belle Armstrong et al,  
Defendants.

No. 9354,

Trial

This day again came the parties and their attorneys herein, likewise the jury heretofore impaneled and sworn and the trial proceeded. After hearing the evidence in part, the time for adjournment having arrived, this cause is continued until to-morrow morning at 7:00 o'clock.

Trial

Verdict

Stenog.

Fees

Court adjourned to June 26, 1914 at 7:00 a.m.

June 26, 1914.

Friday June 26, 1914 - Court convened at 7 a. m.  
Present Hon. William F. Sweeney, Judge.

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

Rose M. Leau et al,  
Plaintiffs

vs

No. 9354,

Belle Armstrong et al,  
Defendants.

Trial

Verdict

This day again came the parties and their attorneys herein, likewise the jury heretofore impaneled and sworn and the trial proceeded. After hearing the remaining evidence, the argument of counsel, and the charge of the Court, the jury were conducted to their room by the Sheriff, for deliberation.

At 7:30 P. M. said jury came into open court with their verdict in writing signed by their foreman, to wit:

"We the jury, being duly impaneled and sworn, find from the evidence upon the issue submitted that the writing produced, dated May 17, 1912, purporting to be the last will of the said Orville B. McLean, deceased, is the last will of said testator

S. F. Barr, Foreman,

Rose B. McLean et al,  
Plaintiffs

vs

No. 9354.

Belle Armstrong et al,  
Defendants

Stenog.

Fees

It is hereby ordered and directed that the sum of Forty-five dollars be taxed as costs in the above entitled cause in favor of R. Eva Byers, official stenographer of this court, in payment of partial transcript of the evidence herein, the same being at the rate of eight cents per hundred words; and that the clerk issue his certificate therefor, directed to the Auditor of Union County, Ohio,

Wm. F. Sweeney,

Judge Court Common Pleas.

OK Robinson for Plf.  
Cameron for Def.

Court adjourned to June 27, 1914 at 9 a. m.



June 27, 1914.

Saturday June 27, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Lewis P. Albright,  
Plaintiff,

vs

Erie Railroad Co.

Defendant.

No. 9606.

Leave

30 days.

Leave is granted defendant to plead within

J. J. Watts,  
S. G. Watts,  
Plaintiff,

vs

Erie Railroad Co.

Defendant.

No. 9607.

Leave

30 days.

Leave is granted defendant to plead within

Court adjourned to June 30, 1914 at 9 a. m.

June 30, 1914,

Tuesday June 30, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge

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

Sheriff's Certificate for Pay.

To Hon. John M. Brodrick, Judge,

The court charges for the January Term, A. D. 1914,  
Union County Common Pleas, are due for services rendered and  
are as follows:

Union County, Ohio

To John N. Laird, Sheriff D.

To serving Grand Jury venire	\$4.05
" " Petit " "	4.90
" making 27 copies Grand Jury witnesses @ 25	6.75
" 93 miles travel Grand Jury "	@ 80 7.44
Total	\$23.14

I hereby certify the above bill to be correct.

John N. Laird, Sheriff

To the Clerk of 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 adjourned to July 1, 1914 at 9 a. m.



July 1, 1914.

Wednesday July 1, 1914 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

C. De Croes,  
 Plaintiff

vs

The Board of Education  
 of Murphysville, Ohio,  
 Defendant

No. 9605.

Party

Defendant.

It is ordered by the Court that George W. Bolebacher of Bloomington, Indiana, be and he is made party hereto, and it is ordered that he be served, with process, either by publication, or by summons served out of the State, as required by law.

In the matter of  
 appointment of  
 Deputy for Clerk  
 of Courts Office,  
 Union County, Ohio

Marie Hartshorn is hereby appointed Deputy Clerk in the Office of the Clerk of Courts, Union County, Ohio.

Dated this 1<sup>st</sup> day of July, A. D. 1914.

John C. Hartshorn, Clerk of Courts.

The foregoing appointment is hereby approved this 1<sup>st</sup> day of July, A. D. 1914.

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

Whereupon came the said Marie Hartshorn, accepted the office and made oath as follows:

State of Ohio, }  
 Union County ss }

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 Courts to which I have been appointed according to law and the best of my ability.

Marie Hartshorn

Sworn to and subscribed in my presence this 1<sup>st</sup> day of July, A. D. 1914.

John C. Hartshorn

Clerk

Court adjourned to July 3, 1914 at 9 a. m.

July 3, 1914.

Friday July 3, 1914 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

In the Matter of the  
Application for Transfer  
of Funds by the  
Board of Education  
of Darby Township  
School District, Union Co. O.

No. 9612.

This the 3<sup>rd</sup> day of July 1914, this matter came on to be heard upon the petition and testimony and was submitted to the Court, whereupon the Court finds that notice of the filing of said petition, the objects and prayer thereof and the time when the same will be for hearing has been given as required by law; that the petition states sufficient facts, and that there are good reasons, and that a necessity exists for such transfers, and no injury will result by granting the prayer of said petition.

Wherefore it is ordered that said Board of Education of Darby Township School District, is authorized to transfer the sum of Five Thousand (\$5000.00) Dollars from the tuition fund to the contingent fund.

It is further ordered that said Board of Education of Darby Township School District, is authorized to transfer the sum of Thirty-five (\$3500.00) Dollars from the tuition fund to the building fund.

And it is further ordered that a copy of these findings, orders and judgments shall be certified by the Clerk to the said Board of Education and that said Board shall spread the same upon its records; that the costs herein taxed at \$6.74 be paid by said Board of Education.

The Standard Oil Company,  
Plaintiff

vs

John A. Shipley and  
Timothy M. Alexander etc,  
Defendants.

No. 9561.

The defendant herein is given leave to file an amended answer in the above entitled action within 5 days.

Court adjourned to July 6, 1914 at 9 a.m.



July 6, 1914.

Monday July 6, 1914 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

Emma Dilsaver,  
Plaintiff,

vs

Ida Hoffmaweral,  
Defendants.

No. 9593.

Confirm

This cause coming on to be heard on the return of the Sheriff and the report of the Commissioners heretofore appointed, and on motion to confirm the same, it appearing to the Court that said premises has been divided by metes and bounds and the tenants have been assigned their respective shares by metes and bounds and that the dower has been assigned by metes and bounds, by said Commissioners, the Court find said return and proceedings of said Sheriff and of said Commissioners in all respects in conformity to law, and the orders of the Court, and do therefore confirm the same.

It is therefore ordered and adjudged that plaintiff possess the premises assigned to her by the Commissioners, namely;

Being in the township of Jackson, County of Union, and State of Ohio, bounded and described as follows: - Beginning at a stone in the center of the Eastman gravel road and in the East line of Survey No. 12188 (said stone being located South  $4^{\circ}50'$  East, 97.69 poles from the Northeast corner of said survey); thence South  $4^{\circ}50'$  East 66.13 poles to a stone at the Southeast corner of a 64 acre tract of land owned by Harry Mayberry; thence with the North line of said tract South  $83^{\circ}45'$  West, 121.12 poles to a stone; thence North  $4^{\circ}50'$  West, 66.02 poles to a stone; thence North  $83^{\circ}12'$  East 121.12 poles to the place of beginning, containing 50 acres more or less.

It is therefore ordered and adjudged that the defendants possess the premises assigned to them by said Commissioners, namely, To Ida Hoffman the following: - Being in the township of Jackson, County of Union and State of Ohio, bounded and described as follows: Beginning at a stone in the center of the Eastman Gravel Road and in the East line of Survey No. 12188 (said stone being located South  $4^{\circ}50'$  East 53 poles from the Northeast corner of said survey); thence South  $4^{\circ}50'$  East 39.69 poles to a stone in the center of the Eastman Gravel road; thence South  $83^{\circ}12'$  West 121.12 poles to a stone; thence North  $83^{\circ}10'$  East to place of beginning, containing 30 acres more or less.

To said E.A. Moore, the following: Being in the township of Jackson, County of Union, and State of Ohio, bounded and described as follows: - Beginning at a stone in the center of the Oberdier road and at the Northwest corner to Survey No. 12188; thence with the West line of said survey South  $5^{\circ}15'$  East 158.51 poles to the North-



July 6, 1914.

west corner of a 64 acre tract of land owned by Harry Mayberry; thence with the north line of said tract North  $83^{\circ}10'$  East 81.24 poles to a stone; thence North  $4^{\circ}50'$  West 105.63 poles to a stone; thence South  $83^{\circ}10'$  West 51.09 poles to a stone; thence North  $4^{\circ}50'$  West 53 poles to a stone in the center of the Oberdier road; thence with the center of said road South  $83^{\circ}10'$  West 31.47 poles to place of beg containing 64.10 acres more or less.

To the said Orus Blue, the dower of John C. Blue, as widower of Maggie Blue, deceased, which dower was assigned to said Orus Blue by deed from said John C. Blue as follows:

Beginning at a stone in the center of the Oberdier road in the north line of survey No. 12188 (said stone being located North  $83^{\circ}10'$  East 31.47 from the Northwest corner of said survey) thence South  $4^{\circ}50'$  East 53 poles to a stone; thence North  $83^{\circ}10'$  East 57.42 poles to a stone; thence North  $4^{\circ}50'$  West 53 poles to a stone in the center of the Oberdier road; thence with the center said road South  $83^{\circ}10'$  West 57.42 poles to the place of beginning containing 19 acres more or less.

To the said Orus Blue the following described premises:

Being in the township of Jackson, County of Union and State of Ohio bounded and described as follows: Beginning at a stone in the center of the Oberdier Road and in the north line of Survey No. 12188 (said stone being located South  $83^{\circ}10'$  West 86.13 poles from the Northeast corner of Survey No. 12188; thence South  $4^{\circ}50'$  East 53 poles to a stone; thence South  $83^{\circ}10'$  West 28.71 poles to a stone in the center of the Oberdier road; thence North  $83^{\circ}10'$  East 28.71 poles to the place of beginning, containing 9.50 acres more or less.

To the said Emerson Blue, the following being in the township of Jackson, County of Union and State of Ohio, bounded and described as follows: - Beginning at a stone in the center of the Oberdier road and in the north line of survey No. 12188 (said stone being located South  $83^{\circ}10'$  West 57.42 poles from the Northeast corner of Survey No. 12188); thence South  $4^{\circ}50'$  East 53 poles to a stone; thence South  $83^{\circ}10'$  West 28.71 poles to a stone; thence North  $4^{\circ}50'$  West 53 poles to a stone in the center of the Oberdier road; thence with the center of said road North  $83^{\circ}10'$  East 28.71 poles to the place of beginning containing 9.50 acres more or less.

To the said Zell L. Blue, the following being in the township of Jackson, County of Union and State of Ohio, bounded and described as follows: Beginning at a stone at the Northeast corner of Survey No. 12188 and at the intersection of the Oberdier road with the Eastman Gravel road; thence with the center of the Eastman road South  $4^{\circ}50'$  East 53 poles to an iron stake; thence South  $83^{\circ}10'$  West 28.71 poles to a stone; thence North  $4^{\circ}50'$  West 53 poles to a stone in the center of the Oberdier road; thence with the center of said road North  $83^{\circ}10'$  East 28.71 poles to the place of beginning, containing 9.50 acres more or less.



July 6, 1914.

To the said Herbert Blue, the following: Being in the township of Jackson, County of Union and State of Ohio, bounded and described as follows: Beginning at a stone in the center of the Oberdier road, and in the North line of Survey No. 12188 (said stone being located South  $83^{\circ}10'$  West 28.71 poles from the Northeast corner of said survey; thence South  $4^{\circ}50'$  East 53 poles to a stone; thence South  $83^{\circ}10'$  West 28.71 poles to a stone; thence North  $4^{\circ}50'$  West 53 poles to a stone in the center of the Oberdier road; thence with the center of said road North  $83^{\circ}10'$  East 28.71 poles to the place of beginning containing 9.50 acres more or less.

It is further ordered and decreed that said plaintiff pay the one-fourth of the costs of this action taxed at \$150.22 and the defendants shall pay as follows of said costs;

Ida Hoffman shall pay one-fourth of the costs of this action taxed at \$150.22 and judgment is given therefor.

C. A. Moor shall pay one-fourth of the costs of this action taxed at \$150.22 and judgment is given therefor.

Orus Blue shall pay one-sixteenth of the costs in this action taxed at \$37.50 and judgment is given therefor.

Emerson Blue shall pay one-sixteenth of the costs of this action taxed at \$37.50 and judgment is given for said amount.

Zell L. Blue shall pay one-sixteenth of said costs of this action taxed at \$37.50 and judgment is given for said amount.

Herbert Blue shall pay one-sixteenth of the costs of this action taxed at \$37.50 and judgment is given for said amount.

It is further ordered that the Attorney for the plaintiff, H. V. Spiker, is hereby allowed as a reasonable attorneys fee in this partition the sum of \$520.00 and that the said amount shall be taxed in the costs as above directed and judgment is given him for said amount, and execution is awarded.

It is further ordered that said costs as apportioned shall be a lien upon the respective lands so set off to him or her until same is paid, and execution is awarded for said costs.

It is further ordered that the sheriff of said County shall execute deeds to the respective parties aforesaid.

H. John M. Brodrick, Judge.

July 7, 1914

David S. Danforth,  
guard, Chas. E. Cowright,  
Plaintiff

vs

Lillie G. Thompson et al  
Defendants.

No. 9518,  
(Dismissed)

This cause dismissed without record. Costs paid by Defendants.

Court adjourned to July 10, 1914 at 9 a.m.

Divorce



July 10, 1914.

Friday July 10, 1914 - Court convened at 9 A.M.  
Present Hon. John M. Brodrick, Judge.

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

Mary E. Rosebrook,  
Plaintiff

vs

No. 9604.

John B. Rosebrook,

Defendant.

Divorce

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel, On consideration whereof and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with summons and process, that at the time of the filing of the petition herein, the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 17th day of May, 1913 as alleged in said petition; and that the defendant has been guilty of gross neglect and extreme cruelty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be restored to her former name of Mary E. Wade and that the defendant pay the costs of this proceeding taxed at \$15.51 and that this case be recorded.

John M. Brodrick, Judge.

Court adjourned to July 13, 1914 at 9 A.M.



July 13, 1914.

Monday July 13, 1914 - Court convened at 9 A. M.  
Present Hon. John M. Brodrick, Judge.

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

Lynn L. Barker et al,  
Plaintiffs

vs

No. 9580

The Adams Huster Co.,  
Defendant.

Certificates  
of  
Indebtedness

This day it appearing to Court that there is a large amount of unfinished products of the defendant company now in its factory; and it further appearing that by the expenditure of not exceeding Eight Thousand Dollars said unfinished products can be completed so as to be placed upon the market; and it further appearing that at a meeting of a majority of the stockholders and of a majority of the creditors of said company such expenditure was unanimously recommended; and the Court having duly considered such recommendation;

It is therefore considered and ordered that the Receiver of said Company heretofore appointed, Charles N. Campbell, be and he hereby is authorized to issue receivers certificates of indebtedness as needed in the completion of said products, not exceeding in the aggregate, however, of the sum of Eight Thousand Dollars to be used exclusively in so completing said products ready for market.

It is further ordered that out of the proceeds of the sale of said products when so completed said certificates of indebtedness and the interest thereon be first paid.

7/7-1914 The Clerk will enter.

Duncan, Judge.

July 14, 1914.

State of Ohio,  
Plaintiff

vs

No. 1487.

Joseph B. Thornton,  
Defendant.

No indictment having been found against this defendant, he is hereby discharged.

Court adjourned to July 15, 1914 at 9 A. M.



July 15, 1914.

Wednesday July 15, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Ethel Gordow et al,  
Plaintiffs,

vs

No. 4581.

Alice Brown et al,  
Defendants.

Confirmation This cause came on to be heard on the report of the Sheriff and Commissioners of their proceedings under the Writ of Partition herein, and upon due consideration the Court finds that said proceedings have been in all respects correct and lawful, and the same are approved and confirmed.

And it appearing that said estate can not be divided by metes and bounds, without injury to the value thereof, and that Commissioners have assigned dower therein to the said Alice Brown, in the one full equal one-third part of all of said real estate, and being such as is contained within the following boundaries, to-wit: Situate in the State of Ohio, County of Union, Township of Taylor and in Survey No. 4264, bounded and described as follows: Beginning at the Northeast corner of said Lot No. 14 at a stake witness three beeches, thence S. 80°-25' West 154 poles to a stake, thence S. 9° E. 51 7/8 poles to a stake, thence N. 80°-25' E. 154 poles to a stake, thence N. 9° W. 51 7/8 poles to the place of beginning containing 50 acres more or less. Except 4 acres sold to Clark Low, deeded in the year 1876 off the west end of above described tract of land. And it appearing that said Commissioners have appraised that part of said premises upon which said dower is assigned, and subject to said dower, at One Hundred and Seventy (\$170.00) Dollars;

It is therefore considered and decreed that said Alice Brown stand endowed of said premises so assigned and set off to her.

And it also appearing that said Commissioners have appraised Tract No. 1, so called in said Writ of Partition, consisting of 40 1/2 acres, at Two Thousand Dollars (\$2000.00); and have appraised Tract No. 3 so called in said Writ of Partition, consisting of 45.12 acres, at Twenty-three Hundred (\$2300.00) Dollars; and have appraised Tract No. Four so called in said Writ of Partition consisting of 10/100 of an acre, and 45 feet off the North end of Lot 450 and 5 feet off the South end of Lot No. 449 in Village of Marysville, Ohio, at Twenty-two Hundred (\$2200.00) Dollars; and the plaintiff Ruth Brown having elected to take all of said premises at said total valuation of Six Thousand, Six Hundred and Seventy (\$6670.00) Dollars; and it appearing that she has paid the costs of this action and has paid to the other parties herein their respective proportions of said valuation, said Tract No. Two so called in said Writ of Partition, consisting of 41 acres, is hereby adjudged to her in fee simple, subject to said dower estate of the said Alice; and



July 15, 1914.

and said Tract No. One so called in said Writ of Partition consisting of  $40\frac{1}{2}$  acres and said Tract No. Three so called in said Writ of Partition, consisting of  $45\frac{1}{2}$  acres and said Tract No. 4 so called in said Writ of Partition consisting of  $10\frac{1}{100}$  acres and 45 feet off the North end of Lot No. 450 and 5 feet off the South end of Lot No. 449 in Village of Marysville, Ohio are each hereby adjudged to her in fee simple; and the Sheriff is hereby directed to execute and deliver to her a good and sufficient deed therefor.

It is further ordered by the Court that the costs and expenses of this suit, taxed at \$20<sup>25</sup>, and also an attorney fee of \$200<sup>00</sup> allowed and to be paid John H. Willis attorney for said plaintiffs, be paid within 10 days by the parties in the following proportion to wit: Ruth Brown two-sixths thereof; Elma Reed thirty-seven one-hundred and thirty-seconds thereof; Elizabeth Alice Brown one-sixth thereof, and in default thereof that execution issue therefor.

John M. Brodrick, Judge

Judgment

Court adjourned to July 17, 1914 at 9 a. m.

July 17, 1914.

Friday July 17, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Rose M<sup>c</sup>Lean et al,  
Plaintiffs

vs

No. 9354.

Belle Armstrong et al,  
Defendants.

Judgment

This day came the parties by their respective counsel, and the jury having, on a former day of this term rendered a verdict for the defendants, finding that said paper writing purporting to be the original last will and testament of Orville B. M<sup>c</sup>Lean, deceased, and admitted to Probate in the said Probate Court of this County, on the 10<sup>th</sup> day of June 1912, is the valid last will and testament of the said Orville B. M<sup>c</sup>Lean, deceased; and the plaintiffs having filed their motion for to set aside the verdict and for a new trial, and the same now coming on to be heard, the Court on consideration thereof, overrules said motion.

It is therefore adjudged by the Court that said paper writing produced in this case, and offered in evidence, purporting to be the last will and testament of Orville B. M<sup>c</sup>Lean, deceased, is his valid last will and testament. To which ruling and judgment, and the order and judgment overruling the motion to set aside the verdict and for a new trial, the plaintiffs except.

Hoopes, Robinson & Hoopes for Plaintiffs  
Cameron + Cameron for Defendants.

Court adjourned to July 24, 1914 at 9 a. m.



July 24, 1914.

Friday July 24, 1914 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge

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

Jacob C. Bowersmith,  
Plaintiff

vs

No. 9610.

The P. C. C. + St. L. Ry Co.  
Defendant

Leave

On motion of defendant, and by agreement time  
of defendant for pleading in this case is extended to Aug. 1, 1914

Leave

Hoopes, Robinson + Hoopes for Plaintiff  
Brounhull + Brounhull for Defendant

Leave

Divorce

Court adjourned to July 25, 1914 at 9 a.m.

July 25, 1914,

Saturday August 25, 1914 - Court convened at 9 A.M.  
Present Honorable John M. Brodrick, Judge.

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

J. J. Watts,  
S. S. Watts,  
Plaintiffs

vs

The Erie Railroad Co.

Defendant.

No. 9607.

time

Aug, 1, 1914

Leave

Leave is granted defendant extending the time for pleading to August 3, 1914.

plaintiff

defendant

Lewis P. Albright,  
Plaintiff

vs

The Erie Railroad Co.

Defendant.

No. 9608.

Leave

Leave is granted defendant extending the time for pleading to August 3, 1914.

Grace Foor,  
Plaintiff

vs

Layton E. Foor,

Defendant.

No. 9594.

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 defendant has been duly and legally served by publication according to law, and that he has failed to appear and is in default of 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 25th day of June, A. D. 1905, as alleged in said petition, and that there were no children born of said marriage and that the defendant has been guilty of wilful absence for more than three years last past as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

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



July 25, 1914

be and she hereby is restored to her maiden name of Grace Erwin and that the defendant pay costs for which execution is awarded and that this case be recorded.

John W. Brodrick, Judge

Forfeiture

Recog.

Apprais

Dismiss

Court adjourned to July 31, 1914 at 9 A.M.

July 31, 1914.

Friday July 31, 1914 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

The State of Ohio,  
Plaintiff,

vs

B. Fleisher,  
Defendant.

No. 1467.

Indictment for Buying etc. Stolen Goods.

Forfeited

Recog.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and presents to the Court the recognizance of the said defendant taken before A. H. Kellefrath, Mayor of the Village of Marysville, Ohio, on the 21<sup>st</sup> day of January 1914, in the sum of Two Hundred (\$200.00) Dollars, with Louis F. Otte as surety.

Thereupon, the said defendant being three times solemnly called to appear and answer said charge, as he had agreed to do, and failing so to do, and Louis F. Otte, the surety, being three times solemnly called to produce the body of said defendant, as he agreed to, and failing so to do, the Court orders that the said recognizance be, and the same hereby is, forfeited absolutely.

OK John M. Brodrick, Judge

W. J. Skidmore,  
Plaintiff

vs

The Union County  
Farmers Telephone Co.

No. 9608

Appraisers

On application of the receiver herein for the appointment of appraisers, H. C. Rogers of Mechanicsburg Ohio; Calvin Liggett of Plain City, Ohio; and L. E. Willis of North Lewisburg, Ohio are hereby appointed appraisers of the property in the hands of said receiver, and who are directed to make due report thereof to the Court without unnecessary delay.

OK John M. Brodrick, Judge.

Rebecca Wolfson,  
Plaintiff

vs

B. Fleisher,  
Defendant.

No. 9556.

Dismissed

This cause settled by defendant paying plaintiff the sum of Ten Dollars in full settlement of damages. Costs paid and dismissed. No record.



July 31, 1914

The State of Ohio,  
Plaintiff  
vs  
B. Fleisher,  
Louis F. Olle,  
Defendant.

No. 9623.

Recog.

Reduced.

This the 24<sup>th</sup> day of July, 1914, this cause came on for hearing upon the pleadings and the agreement of the parties, and upon consideration thereof the Court doth find reduce said recognizance to the sum of Fifty Dollars; upon further consideration thereof it is ordered that the plaintiff recover of the defendants the sum of Fifty Dollars and the costs of this action, for which execution is awarded.

M. John M. Brodnick, Judge.

Aug 3, 1915

The Knapp Company,  
Plaintiff  
vs  
Thomas Spratt et al,  
Defendants.

No. 9611

(Judgment)

This cause coming on to be heard on the petition of the plaintiff, The Knapp Company, and the answer and cross-petitions of the defendants, H. V. Spicer, and the Peoples and Loan Company and the defendant Thomas Spratt, being in default for answer or demurrer to the petition or answer and cross petition of defendants, the Court find that the petition of the plaintiff is confessed to be true and that of the defendants, H. V. Spicer and The Peoples Building and Loan Company to be true and decree that the said premises of said defendant Thomas B. Spratt be sold to pay judgments of plaintiff and defendant H. V. Spicer and the Court further find, order and decree that the Peoples Building and Loan Company is entitled to foreclosure on said premises as asked in their answer and cross petition and for judgment of \$1410.45 and interest at 6% from Apr. 1, 1914, Decree is therefore entered in favor of the defendant The Peoples Building and Loan Co. for foreclosure on the premises of defendant Thomas Spratt as set forth in the answer and cross petition of said defendant The Peoples Building & Loan Co. and judgment is hereby given for \$1434.60 and interest thereupon at 6% per annum in its favor against said defendant Thomas Spratt and cause is continued.

H. V. Spicer, atty for plaintiff and  
H. V. Spicer,  
Marriott, Freshwater + Wickham  
for Def. The Peoples Bldg + Loan Co.

Court adjourned to Aug. 1, 1914 at 9 A.M.

Cognovit

Jdgmt



Aug. 1, 1914.

Saturday Aug. 1, 1914 - Court <sup>convened</sup> adjourned ~~at~~ 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

C. Liggett,  
Plaintiff

vs

R. S. Welch,  
H. B. Welch,  
Nellie Welch,

No. 9624

Defendants.

Cognovit

Jdgnr.

This day came the plaintiff by his attorneys; 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 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 Six Hundred, Eighty Dollars and fifty-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 defendants, the sum of Six Hundred, Eighty Dollars and Fifty-two cents being the amount of said note with interest computed at 8 per cent per annum, from the 1<sup>st</sup> day of Aug, 1914; and also costs herein expended taxed at \$5<sup>00</sup>.

W. John M. Brodrick, Judge.

Court adjourned to Aug. 5, 1914 at 9 a. m.



Aug. 5, 1914.

Wednesday Aug. 5, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Jacob Weaver,  
Plaintiff

vs

Grant H. Douglass,  
Defendant.

No. 9625.

Cognovit

Jdgnr.

This day came the plaintiff by his attorney; also appeared in open court, for and on behalf of said defendant, Grant H. Douglass, A. H. Kelleprath, 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 <sup>and service</sup> of process in this action, and confessed a judgment on said note against said defendant, and in favor of said plaintiff for Three Hundred and Forty-two dollars and Fifty-eight cents, being the amount of 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 Three Hundred and Forty-two Dollars and Fifty-eight cents being the amount of said note with interest computed at 7% per annum from the 11<sup>th</sup> day of February, 1914; and also costs herein expended, taxed at \$5.00

W. John M. Brodrick, Judge.

Court adjourned to Aug. 15, 1914 at 9 a. m.



Aug. 15, 1914

Saturday Aug. 15, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Order to Draw Grand and Petit Jurors,  
April Term, Aug. 15, 1914,

To the Clerk of said Court:-

You are hereby directed to proceed according to law at 10 o'clock a. m. on Saturday the 15<sup>th</sup> day of August 1914, 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 1914, 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 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 14<sup>th</sup> day of September, 1914; and the Petit Jurors you will cause to be summoned to appear for such service at the same place at 10 o'clock a. m. on Tuesday the 15<sup>th</sup> day of September, 1914.

And for so doing, this shall be your sufficient warrant.  
Witness my hand officially this 15<sup>th</sup> day of August 1914,

John M. Brodrick, Judge  
Comm. Pleas Court 3<sup>rd</sup> Sub Division  
Fifth Judicial Dist. Ohio.

In the Matter of }  
Drawing Jurors }

Pursuant to the above order, at 1 P. M., the drawing having been adjourned to this hour, not all being present as required by law, but now in the presence of John M. Brodrick, Judge of the Common Pleas Court, John N. Laird, Sheriff and L. B. Harvey and Homer Southard, Jury Commissioners, I proceeded to draw from the Jury Wheel the Jurors as follows:  
Frank Mitchell, Ray Perkins, M. L. Foreman, S. L. Loughrey, F. M. Ruhlen, George Emmert, Grover Fields, P. B. Welch, Oscar Bodley, N. F. Edwards, Joseph Roff, Lewis Rupright, Marion Cowgill, E. E. Shirk and O. Livingston as Grand Jurors, and John Harris, John M. Drake, Sr., L. G. Peet, O. G. Bolembaugh, Dan Longbrake, Dow Burnham, Albert Burnham, R. B. Middleworth, John M. Cheney, John Auer, Sterling Coons, J. A. Tagay, R. E. Case, George Taylor, Alvin Stimmel, J. E. Clark, C. A. Butler and Stuart Smith as Petit Jurors for which I issued Venues.  
John Crutshon, Clerk.

Court adjourned to Aug. 17, 1914 at 9 a. m.



Aug. 17, 1914,

Monday Aug. 17, 1914 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge,

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

J. C. Blue,  
 Plaintiff

vs

The Erie Railroad Co.,  
 Defendant.

No. 9519.

Settled

This day this cause settled by the parties herein,  
 costs paid by the defendant and dismissed without record.

Motion

Overruled

Sustained

John C. Blue,  
 Plaintiff

vs

The Erie Railroad Co.  
 Defendant.

No. 9555.

Settled

This day this cause settled by the parties  
 herein, costs paid by the defendant and dismissed without  
 record.

R. S. Hall,  
 Plaintiff

vs

L. E. Holland,  
 Richard P. Holland,  
 Defendants.

No. 9627.

Cognovit

Jaymt.

This day came the plaintiff, by his attorney;  
 also appeared in open court, for and on behalf of said defend-  
 ants, Frank J. Ballinger an attorney at law of this court, and  
 by virtue of the warrant of attorney annexed to the note attach-  
 ed 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-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 ex-  
 ceptions, 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-six dollars  
 and seventy-six cents being the amount of said note with  
 interest computed at 6 per cent per annum from the 9th  
 day of Sept. 1912 and also costs herein expended taxed at \$5.00

John M. Brodrick,  
 Judge.

Aug. 19, 1914.

Wednesday Aug. 19, 1914 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

Emma Dilsaver,  
Plaintiff

vs

No. 9593.

Ida Hoffman et al,  
Defendants.

Motion

Overruled  
Sustained

This cause came on to be heard upon the motion of plaintiff to strike from the files a motion made by Orus Blue, as administrator of Maggie Blue, deceased, "To set aside and vacate the judgment or order for partition and all subsequent action thereunder," after due consideration and argument of counsel for both parties and the Court being fully advised in the premises, the Court finds the motion of plaintiff well taken and sustains the same and orders the motion of Orus Blue, as administrator of Maggie Blue, deceased, stricken from the files for the reason that the said administrator is not a proper party to an action in partition, and taxes the costs of said motion upon said administrator.

At John M. Brodrick, Judge.

Aug. 15, 1914

State of Ohio  
ex rel Herbert Rea,  
Plaintiff

vs

No. 9471

James Winkle,  
Defendant.

(Dismissed)

This cause dismissed for want of prosecution. It is therefore ordered that defendant go hence without day and recover his costs herein.

Court adjourned to Aug. 21, 1914 at 9 a.m.



Aug. 21, 1914.

Friday Aug 21, 1914 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

G. W. Southard,  
Plaintiff,

vs

Anna May Watts,  
L. H. Watts,

Defendants.

No. 9628.

Cognovit

Judgment

This day came the plaintiff by his attorney; also appeared in open court, for and on behalf of said defendants, Frank J. Ballinger, an attorney at law of this court, and by virtue of the warrant of attorney annexed to note attached to the petition in said cause, shown to have been duly executed by said defendants and 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 dollars and Seven cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors, and right of appeal in the premises.

It is therefore considered that said plaintiff recover of said defendant the sum of One Hundred dollars and Seven cents, being the amount of said note with interest computed at 8 per cent per annum from the 7<sup>th</sup> day of August 1914; and also costs herein expended taxed at \$5.00.

OK John M. Brodrick, Judge.

Motion

Overruled

Leave

Court adjourned to Aug. 24, 1914 at 9 a.m.

Aug. 24, 1914.

Monday Aug. 24, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Jacob C. Bowersmith,  
Plaintiff.

vs

The Pittsburg, Cincinnati,  
Chicago & St. Louis Ry Co.

No. 9610.

Motion

Defendant.

Overruled

This day this cause came on to be heard upon the motion of the defendant to strike out the fifth paragraph of plaintiff's petition, and upon consideration thereof, the Court overrules same and leave is granted defendant to plead within ten days, to all of which the defendant then and there excepted.

Approved: Broomhall & Broomhall,  
Attorneys for Defendant.

B. F. Carnean,  
Plaintiff,

vs

J. F. Stallsmith,  
Defendant.

No. 9427.

Leave

Leave is hereby granted plaintiff to plead instant.

W. Brodrick, Judge.

Court adjourned to Aug. 26, 1914 at 9 a. m.



Aug. 26, 1914.

Wednesday Aug. 26, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

N. J. Skidmore,  
Plaintiff

vs

No. 9608.

The Union County  
Farmers Telephone Co.

Defendant.

Appraiser

On application of the receiver herein for the appointment of an appraiser, to fill the vacancy caused by the inability of Calvin Liggett to ~~serve~~ <sup>F. E. McEligauy of Marysville is hereby appraiser to act</sup> with the other appraisers heretofore appointed.

Said appraisers are hereby directed to appraise the property in the hands of the said receiver and make due report thereof to the Court without unnecessary delay.

OK, Brodrick, Judge.

Divorce

Court adjourned to Aug. 27, 1914 at 9 a. m.

Aug. 27, 1914.

Thursday Aug. 27, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Ella Pritchard,  
Plaintiff

vs

Frank Pritchard,  
Defendant.

No. 9614.

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 defendant is in default for demurrer or answer to the petition, and that the allegations herein 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 11<sup>th</sup> day of May 1912, as alleged in said petition and that the defendant has been guilty of extreme cruelty and habitual drunkenness as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff is hereby restored to her former name of Ella Van Gordon, and that the defendant pay the costs of this proceeding taxed at \$8.75 and that this case be recorded.

John M. Brodrick, Judge.

Court adjourned to Aug. 28, 1914 at 9 a. m.



Aug. 28, 1914.

Friday Aug 28, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

In the Matter of an  
Additional Allowance  
for Deputy Hire in the  
Office of Clerk of Court,  
Union County, Ohio.

This day came John G. Hartshorn, Clerk of Courts, of Union County, Ohio, and filed herein his application for an additional allowance in order to carry on the business of his office for the balance of the year 1914.

Thereupon this said application came on for hearing before the Honorable John M. Brodrick, Judge of the Common Pleas Court of said County wherein said Clerk of Court was elected.

On consideration whereof, the said John M. Brodrick as such Judge aforesaid, finds that the allowance by the County Commissioners (\$30878) has been exhausted and that under the General Code of Ohio, it is necessary for an allowance of One Hundred, Seventy-one + 22/100 Dollars (\$17122) for Deputy Hire for said office for the year 1914.

It is therefore considered and ordered by said John M. Brodrick, Judge of said Court, that there be, and hereby is allowed to said Clerk of Court's Office of Union County, Ohio, an Additional allowance of One Hundred, Seventy-one + 22/100 Dollars (\$17122) under provisions of Sec. 29801 General Code of Ohio.

John M. Brodrick, Judge.

Ollie Roloson,

Plaintiff

vs

William Roloson,

Defendant.

No. 9616.

Divorce

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 that he is in default for answer of demurrer and has failed to appear and that the allegations of the plaintiff 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, for one year next preceding and was a bona fide resident of the County of Union next preceding the filing of said petition and that said parties were married on the 30th day of November 1914, as alleged in said petition and that there were no children born of said marriage and

Aug. 28, 1914

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 plaintiff be restored to her maiden name of Ollie Howard and that the plaintiff be decreed and adjudged alimony of \$3000.00 and that the defendant pay the costs of this proceeding taxed at \$6.93, and that this case be recorded.

John M. Brodrick, Judge.

Court adjourned to Aug. 29, 1914 at 9 a.m.



Aug. 29, 1914.

Saturday Aug. 29, 1914 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge

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

Harry E. Norris,  
Plaintiff,

vs

William Duffey et al,  
Defendants.

No. 9387.

Confirmation.

This the - day of August, 1914, this cause came on to be heard on the motion of the plaintiff for confirmation of the sale, made under the former order of this court, and on the distribution plaintiff producing the return of the Sheriff of said sale made under said former order of this court, and the Court upon consideration thereof, and of all of the proceedings of said Sheriff, and being satisfied that the same have been in all respects in conformity to law and the former orders of this court, it is ordered that said proceedings and the sale be, and they are hereby approved and confirmed.

It is further ordered that said Sheriff convey to the purchaser, Harry E. Norris, by a good and sufficient deed according to law, said property so sold, and a writ of possession is awarded to put him in possession of said property.

It is further ordered that the Clerk of this Court cause satisfaction of the mortgage herein sued upon to be entered upon 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 \$625.00, it is ordered that the Sheriff out of the money in his hands, pay

First: - To the Treasurer of Union County, Ohio, the taxes, assessments and penalties against said premises, to-wit the sum of \$39.58.

Second: - The costs of this action taxed at \$36.78.

Third: - To the plaintiff, Harry E. Norris, the amount heretofore found due him, with interest, to-wit: the sum of \$558.79 or so much thereof as remains in his hands to-wit the sum of \$548.64.

Fourth: - To the defendant, William Duffey, one-half of the balance of the money if any remaining in his hands to-wit the sum of \$ No Dollars.

Fifth: - To the Defendants, Harry Duffey, Gladys Duffey, Rebecca Duffey, the balance of the money, if any remaining in his hands \$ No Dollars.

Approved: J. R. Selover,

John M. Brodrick,  
Judge.

Aug.

Leave

Aug. 29, 1914.

Lieuscious L. Argo,  
Plaintiff

vs

Lizzie Argo,  
Defendant.

No. 9632.

Adj.

I allow a temporary restraining Order in the above action, as prayed for in the plaintiff's petition, until the same can be further heard, Bond dispensed with under the Statutes, Done this 29th day of August 1914.

John M. Brodrick, Judge.

White, Nile + Warner,  
Plaintiff

vs

Thomas M. Nichol,  
J. E. Langstaff,  
Defendants.

No. 9622

Leave

Leave is hereby granted the defendant to file answer or demurrer on or before Sept. 15, 1914.

In the Matter of Compensation  
of G. B. Edwards, Court Constable

G. B. Edwards is hereby allowed for services as Court Constable from July 1, 1914 to Aug. 31, 1914, 11 days at \$2.50 per day, total \$27.50.

The Clerk will certify the amount to the Auditor of Union County, Ohio.

John M. Brodrick, Judge.



Aug. 31, 1914,

Monday Aug. 31, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge,

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

Gottlieb Burns,  
Plaintiff,

vs

John B. Burns,  
Defendant,

No. 9630.

Settled

This day came the plaintiff herein, paid the costs  
and dismissed this action without record.

Leave

Leave

Leave

Leave

Court adjourned to Sept. 5, 1914 at 9 a. m.

Sept. 5, 1914.

Saturday Sept 5, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Frank Dodge,  
Plaintiff

vs

George M. Wilbur,  
Defendant.

No. 9578.

Leave

Leave granted defendant to answer within 10 da.

Frank Dodge,  
Plaintiff

vs

George M. Wilbur,  
Defendant.

No. 9578.

Leave

ter.

Leave granted plaintiff to file petition instan-

William A. Shipley,  
Plaintiff,

vs

The Board of Co. Com  
et al, Defendants

No. 9407

Leave.

10 days.

Leave granted defendants to answer within

Benjamin L. Robinson,  
Plaintiff

vs

Herbert Patria,  
Defendant.

No. 9531

Leave granted defendant to file answer  
and same filed.

C. O. Herd + Jerry Miller,  
Plaintiffs

vs

Frank Speicher,  
Defendant.

No. 9598.

Leave

Leave to defendant to answer within 10 days.

Berning Bros,  
Plaintiff

vs

E. E. Moore, Defendant,

No. 9602

Leave to plaintiff to file petition within 30 days.



Sept. 5, 1914

Mary E. Tennant,  
Plaintiff

vs

No. 9621,

H. S. Harmon et al  
Defendants,

Leave

Leave of plaintiff to plead to answer within 10 da.

Public

Leave

Court adjourned to Sept. 8, 1914 at 9 a.m.

Sept. 8, 1914.

Tuesday Sept. 8, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Gertrude B. Welch,  
Plaintiff,

vs

Stephen S. Welch,  
Defendant.

No. 9536.

Publication

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, Stephen S. Welch is a non-resident of Ohio, that service of summons on him can not be made in this state; that the residence of said Stephen S. Welch is unknown, but last known address was Findlay, North Dakota, and that service of summons on said defendant 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 filed, and notify the person thus to be served when he is 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 Defendants, whose residence is known, to his residence named therein, and make an entry thereof on the proper docket.

John M. Brodrick, Judge.

Sept. 9, 1914.

Leo Ridgeway,  
Plaintiff,

vs

Frank Dilsaver,  
Defendant

No. 9367.

Leave

Defendant is hereby granted leave to amend his answer and cross petition by inserting the following words after his First cause of defense "and the defendant denies each and every averment made in petition of plaintiff, not admitted in this answer and cross petition.

J. M. Brodrick Judge.

Court adjourned to Sept. 12, 1914 at 9 a. m.



Sept. 12, 1914,

Saturday Sept. 12, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Chas. A. Bumgarner,  
Plaintiff

vs

No. 9637.

Barbara Bumgarner,  
Defendant.

Publication

This day came the Plaintiff herein and filed 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 Barbara Bumgarner is a non-resident of Ohio, that service by summons on her can not be made in this State; that the of said Barbara Bumgarner is unknown to the plaintiff, that the residence of said defendant so unknown to the plaintiff can not with reasonable diligence be ascertained, and that service of summons on said defendant 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 person thus <sup>to be</sup> served when she is required to answer,  
John M. Brodrick, Judge.

It is ordered that all cases, motions, and all matters 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 was begun on Monday the 6<sup>th</sup> day of April, 1914 and was continued from day to day and from time to time and is now adjourned on this 12<sup>th</sup> day of September, 1914 without day.

John M. Brodrick  
Judge



September Term A. D. 1914, - Sept. 14, 1914.

The State of Ohio,  
Union County ss. } ss

This separate session of the Court of Common Pleas of the Fifth Judicial District, within and for the County of Union for the September Term 1914, held in the Court House, in the Village of Marysville, County and State aforesaid, was begun on Monday September 14, 1914 at 9 a. m.

Present Now, John M. Brodrick, Judge.

John N. Laird, Sheriff.

Attest: John C. Sturtshom, Clerk.

Grand Jury.

The Venire for Grand Jurors was returned this day, indorsed:

The State of Union County ss.

On the 15<sup>th</sup> day of August 1914, I received this Venire and served the same on the several persons therein named persons in manner placed opposite their names endorsed hereon.

- |                    |         |         |
|--------------------|---------|---------|
| 1. Frank Mitchell  | Aug. 17 | By mail |
| 2. Ray Perkins     | " "     | " "     |
| 3. M. L. Foreman   | " "     | " "     |
| 4. S. L. Loughrey  | " "     | " "     |
| 5. F. M. Ruhler    | " "     | " "     |
| 6. George Emmert   | " "     | " "     |
| 7. Grover Fields   | " "     | " "     |
| 8. P. B. Welch     | " "     | " "     |
| 9. Oscar Bodley    | " "     | " "     |
| 10. W. F. Edwards  | " "     | " "     |
| 11. Joseph Roff    | " "     | " "     |
| 12. Lewis Rupright | " "     | " "     |
| 13. Marion Cowgill | " "     | " "     |
| 14. E. E. Shirk    | " "     | " "     |
| 15. O. Livingston  | " "     | " "     |

On calling the names in open court, the following Grand Jurors were found present: Frank Mitchell, Ray Perkins, M. L. Foreman, S. L. Loughrey, F. M. Ruhler, George Emmert, P. B. Welch, Oscar Bodley, W. F. Edwards, Joseph Roff, Lewis Rupright, Marion Cowgill, + E. E. Shirk. There being two vacancies, Grover Fields and Owen Livingston who had been previously excused for sufficient reasons, by order of the Court James Gray and J. N. Monroe were called to fill the panel.

The panel being complete S. L. Loughrey was selected by the Court as foreman, and he with his fellow jurors were sworn according to law. After hearing the instructions of the Court, the Grand Jurors were conducted to their room for deliberations.

Court adjourned to Sept. 15, 1914 at 9 a. m.



Sept. 15, 1914.

Grand Jury.

Pursuant to adjournment the Grand Jury assembled at 9 a. m.

The following persons were sworn as witnesses: J. H. Schoenberger, J. H. Shearer, Blanch Burns, Sadie Roberts, Walter Overacker, Muriel Roberts, B. L. Robinson, L. O. Mapes, N. P. Hinder, N. H. Willis, N. K. Bailey, Howard Benson, James Lyman, William Smith, Dr. H. B. Purney, Fred Pinney, Lester Predmon, S. J. Brown, C. N. Sloop, Richard Larkin, John Hayworth, William Dodge, Mrs. Elmer Low, Dr. C. S. Mills, Dr. L. Henderson, Dr. P. P. Engard, John Cody, Pearl Galloway & A. H. Kollefrath.

The Grand Jury completed business before them, and appeared in open court and brought in the following indictments:

Claude Jarvis, Menacing Threats,  
William H. Roberts, Abandoning Legitimate Children,  
Frank Larkin, Murder Sec. Degree, Shooting Intent to kill  
Giovanni Catone, Murder,  
H. M. Patria, Cutting Intent to kill - Assault & Battery.

The Grand Jury filed the following partial report:

To the Honorable John M. Brodrick, Judge

The Grand Jury of the Court of Common Pleas of said County, of the September Term, 1914, 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 30 witnesses, covering seven cases, and presented five bills, and ignored one case 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 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 provisions of law for the regulation of county jails has been violated. We recommend that the drainage of the jail be repaired and placed in first class condition.

Respectfully submitted,

Sept. 15, 1914.

S. L. Loughrey, Foreman  
Grand Jury adjourned to Sept. 29, 1914



Sept. 15, 1914

Venire for Petit Jurors returned indorsed:

The State of Ohio,  
Union County ss }

On the 15<sup>th</sup> day of August 1914, I received this Venire and served the same on the several persons therein named, at the times and in the manner placed opposite their names endorsed thereon.

1. John Harris Aug. 17 By mail,
2. John M. Drake Sr. " " " "
3. L. G. Peet " " " "
4. O. G. Bolenbaugh " " " "
5. Saw Longbrake " " " "
6. Don Burnham " " " "
7. Albert Burnham " " " "
8. R. B. Middlesworth " " " "
9. John W. Cheney " " " "
10. John Auer " " " "
11. Sterling Coons " " " "
12. J. A. Nagay " " " "
13. R. E. Case " " " "
14. George Taylor " " " "
15. Alvin Stimmel " " " "
16. J. E. Clark " " " "
17. C. A. Butler " " " "
18. Stuart Smith " " " "

John N. Laird, Sheriff.

On calling the names of the Petit Jurors in open court all of the above responded except O. G. Bolenbaugh, John W. Cheney, John Auer, R. E. Case, Alvin Stimmel and J. E. Clark all of whom had been previously excused for sufficient reasons. There being no business to-day for the Petit Jurors they were excused until Sept. 17, 1914 at 9 a. m.

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

Order to Draw

Petit Jurors

To the Clerk of said Court:-

You are hereby directed to proceed according to law at 5 o'clock P. M. on Tuesday the 15<sup>th</sup> day of September 1914, to draw from the jury wheel of Union County, the names of twelve persons to serve as Petit in addition to those already drawn, for the September Term 1914 of the Court of Common Pleas of said County.

These Petit Jurors you will cause to be summoned to appear for such service at the Court House in Marysville in said County at 9 o'clock A. M. on Thursday the 17<sup>th</sup> day of September 1914.

And for so doing this shall be your sufficient warrant.

Witness my hand officially this 15<sup>th</sup> day of September 1914.

John M. Brodbeck, Judge.



Sept. 15, 1914.

## Drawing of Petit Jurors.

Pursuant to the foregoing order, I did on the 15<sup>th</sup> day of Sept. 1914, at 5 P. M. in the presence of John M. Brodrick, Judge, John N. Laird, Sheriff, and L. B. Harvey and Homer Southard, Jury Commissioners proceed to draw from the Jury Wheel of this county the following 12 names:

Martin Bishop, Walter Rhoades, Dwight Huffer, H. A. Williams, John Bishop, Lawson Boggs, J. H. Schoenberger, Joseph Zimmerman, M. C. Bonnett, F. J. Dodge, Ves Baughman and Cyrus Zimmerman. These persons I summoned to appear on Sept. 17, 1914 at 9 A. M.

John C. Hartshorn, Clerk.

Divorce

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

E. R. Larcoub,  
Plaintiff

Filed Sept. 16, 1915.

vs

Harry Pinney,  
Defendant.

No. 9648

(Received)

This cause came on for hearing upon the 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 since the 1<sup>st</sup> day of September, 1914, and that the defendant is ~~so~~ conducting the partnership business of the firm that an unnecessary loss will be occasioned thereby. It is therefore ordered that Chas. E. Eckleberry be, and he hereby is, appointed receiver of all the debts, property, equitable interests and things in action belonging to said firm; that said receiver, upon being duly qualified, proceed to collect debts of the firm, take charge of the property of the firm, if ~~except~~ same in to money, pay the indebtedness of the firm, if any and account to this Court for all money and property coming into his hands.

And the said parties here and, and all other persons 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 Chas. E. Eckleberry as such receiver on his demand.

And it is ordered that, before entering upon his duties such receiver execute to the parties hereto an undertaking conditioned according to law, in the sum of \$4000.00.

John M. Brodrick, Judge

Court adjourned to Sept. 16, 1914 at 9 A. M.



Sept. 16, 1914.

Wednesday, Sept. 16, 1914 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

Mary Carlisle,  
Plaintiff,

vs

No. 9617,

Le Roy Carlisle,  
Defendant

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, 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 as 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 20<sup>th</sup> day of July A.D. 1909, as alleged in said petition, that one child, Emma Louise, was born of said marriage and resides in Union County, Ohio, and that defendant has been guilty of wilful absence for more than three years last past as alleged in said petition; and that said plaintiff is therefore entitled to a divorce as prayed for in said petition.

It is therefore ordered, adjudged and decreed that 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 decreed that the care, custody, maintenance and control of said minor child, Emma Louise Carlisle, be and the same is hereby confided exclusively to the said Mary Carlisle until the further order of this court; and it is further ordered that the defendant pay the costs of this proceeding taxed at \$11.00 and that this case be recorded.

John M. Brodrick, Judge.



Sept. 16, 1914.

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

The Peoples National Bank  
of Bellefontaine Ohio,  
Plaintiff

vs  
Homer Southard,  
W. P. O'Brien,

Defendants.

No. 9638.

Cognovit

This day came the plaintiff by its attorney; also came Edward K. Campbell, 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 jointly indebted to the said plaintiff in the sum of Nineteen Hundred and Twenty-two and 58/100 Dollars; and also released and waived all exceptions, errors and right of appeal herein.

It is therefore considered by the Court that the said plaintiff recover from said defendants the said sum of Nineteen Hundred, Twenty-two and 58/100 together with its costs herein expended, taxed at \$5.00.

Edward K. Campbell, Atty Defendants.

W. K. Brodrick, Judge.

John C. Blue,  
Plaintiff

vs  
The Erie Railroad Co.

Defendant.

No. 9585  
(Settled)

This day this cause settled, cost paid by the defendant and dismissed without record.

Trial

Court adjourned to Sept. 17, 1914 at 9 a. m.

Sept. 17, 1914.

Thursday Sept. 17, 1914 - Court convened at 9 a.m.  
 Present Hon. John M. Brodrick, Judge.

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

Venue for Additional Petit Jurors.

The Venue for Additional Petit Jurors returned indorsed:

The State of Ohio, Union County ss

On the 15th day of September 1914, I received this Venue and served same on the several persons therein named at the times and in the manner placed opposite their names endorsed hereon.

- |                       |           |               |
|-----------------------|-----------|---------------|
| 1. Martin Bishop      | Sept. 15. | By telephone, |
| 2. Walter Rhoads      | " "       | " "           |
| 3. Dwight Huffer      | " "       | " "           |
| 4. H. A. Williams     | " "       | " "           |
| 5. John Bishop        | " "       | " "           |
| 6. Lawson Boggs       | " "       | not found     |
| 7. J. H. Schoenberger | " "       | " "           |
| 8. Joseph Zimmerman   | " "       | " "           |
| 9. W. C. Bonnett      | " "       | " "           |
| 10. P. J. Dodge       | " "       | " "           |
| 11. Ves Baughman      | " "       | " "           |
| 12. Cyrus Zimmerman   | " "       | " "           |

John K. Laird, Sheriff.

On calling their names, all responded except Martin Bishop who had been excused for sufficient cause, and Lawson Boggs who could not be found by Sheriff.

Percy Sanders, Rolly H. Doyle  
 Plaintiffs

vs

No. 9500

James A. Mitchell, Defendant

Trial

This day came the parties herein and their attorneys; likewise the following persons as jurors: P. J. Dodge, Sterling F. Coons, R. B. Middlesworth, C. A. Butler, Stewart Smith, W. C. Bonnett, W. W. Rhoades, John Harris, H. A. Williams, John Bishop, Dwight Huffer and John H. Schoenberger who were duly impaneled and sworn according to law, and the trial proceeded, after hearing the evidence, the argument of counsel, and the charge of the Court, the jury were conducted to their room for deliberation. Afterward the said jury came into open court with their verdict in writing as follows: We, the jury, being impaneled and sworn, find the issues joined in this case in favor of the Plaintiff, and assess the amount of the recovery due from the adverse party to the Plaintiff, at the sum of One Hundred and Five



Sept. 17, 1914.

+ 85/100 Dollars, And we do so render our verdict upon the concurrence of 12 members of our said jury, that being three-fourths or more of our number. Each of us said jurors concurring in said verdict signs his name hereto this 17<sup>th</sup> day of September 1914: T. J. Dodge, Sterling F. Coons, R. B. Middleworth, C. A. Butler, Stewart Smith, M. C. Brunette, W. W. Rhoads, John Harris, H. A. Williams, John Bishop, Dwight W. Huffer, John H. Scholuberger, Foreman,

Court adjourned to Sept. 18, 1914 at 9 a.m.

Sept. 18, 1914.

Friday Sept. 18, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

In the Matter of  
Deputy Hire in  
the office of  
Probate Judge,  
Union County, O.

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

Sir:-

The undersigned represents that he is the duly elected and qualified Probate Judge of Union County, Ohio.

That in order to carry on the business of the office, and to pay the salaries of deputies, as are required, an additional allowance of Four Hundred and fourteen and 5/100 dollars is necessary.

Wherefore, I, Edward W. Porter, Probate Judge of Union County, Ohio, respectfully ask that you make an additional allowance of said sum of \$414.51, to be transferred from the general fund of the said County, as authorized by the General Code, Sec. 2980-1.

Respectfully submitted,

Edward W. Porter, Probate Judge.

The State of Ohio, Union County ss.

Edward W. Porter, being sworn makes oath that the facts stated in the above application are true as he verily believes.

Edward W. Porter

Sworn to and subscribed before me this 18th day of Sept. 1914,  
John A. Hartshorn

Clerk of Court.

This day came Edward W. Porter, Probate Judge of Union County, Ohio, and filed herein his application for an additional allowance in order to carry on the business of the office for the balance of the year 1914. Thereupon this said application came on for hearing before the Honorable John M. Brodrick, Judge of the Common Pleas Court of said County, wherein said Probate Judge was elected. On consideration whereof, the said John M. Brodrick, as such Judge, aforesaid, finds that the allowance by the County Commissioners \$592.16 has been exhausted, and that under the General Code of Ohio, it is necessary for an allowance for Deputy Hire for said office for the year 1914.

It is therefore considered, and ordered, by said John M. Brodrick, Judge of said Court, that there be, and hereby is allowed to said Probate Judge of Union County, Ohio, an additional allowance of \$414.51, under provisions of Sec. 2980-1 General Code of Ohio.

John M. Brodrick, Judge.

Court adjourned to Sept. 19, 1914 at 9 a. m.



Sept. 19, 1914.

Saturday Sept. 19, 1914 - Court convened at 9 a. m.  
 Present Honorable John M. Brodrick, Judge.

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

Certificate for Pay.

Murphysville Ohio, Sept. 19, 1914.

To Hon. John M. Brodrick, Judge.

The Court charges for the April Term, A. D. 1914, Union County Common Pleas, are due for services rendered and are as follows:

Union County, Ohio, To John N. Laird, Sheriff Dr.		
To serving Grand Jury venire		3.95
" " Petit " "		4.90
" " Grand " witnesses		5.75
" 198 miles travel, Grand Jury witnesses @ 8c	15.84	
Total		\$30.44

I hereby certify the above bill to be correct.

John N. Laird,

Sheriff of Union County, Ohio.

To the Clerk of 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.

Sept. 21, 1914.

Monday Sept. 21, 1914 - Court convened at 9 a. m.  
Present Honorable John M. Brodrick, Judge.

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

J. W. Bradsworth et al,  
Plaintiffs,

vs

No. 9440.

Geo. F. Mouinger et al,  
Defendants

Amended  
Cr. Petition

This cause came on for hearing upon the demurrer of George F. Mouinger, Belle Mouinger, Nell Boone and Malcolm Boone to the answer and cross petition of James E. Robinson, guardian ad litem of Roland Haines, upon consideration whereof the Court overrules said demurrer as a demurrer, but treating same as a motion to strike out sustains said motion in the following particulars, That part of said cross petition found on the second page thereof and beginning with the words "That afterwards and on Jan. 27, 1903" and ending with the words "is in contravention of the rights of said Roland Haines herein," on the third page of said cross petition is stricken from said cross petition, and that part of the prayer of said cross petition on the fourth page of said cross petition reading as follows: "said entry and decree may be held as naught as to said Roland Haines, that his title may be quieted as to the same, that said plaintiffs may be required to exhaust all other remedies as to said George F. Mouinger and Malcolm Boone, before any decree is entered as to said real estate, that" be stricken from said cross petition, and leave is granted to said guardian ad litem to amend said answer and cross petition within five days. To all of which the said James E. Robinson as guardian ad litem of Roland Haines excepts.

The State of Ohio,  
Plaintiff

vs

No. 1488.

Claude Jarvis,  
Defendant

Plea

Now comes the prosecuting attorney, this 21<sup>st</sup> day of Sept. 1914, and the defendant being in court in the custody of the Sheriff and arraigned upon said indictment and acknowledging service of copy thereof, and waiving further time to consider and examine said indictment, for plea thereto saith he is "not guilty," and puts himself upon the country, and the prosecuting attorney doth the like, and thereupon the defendant is remanded to the custody of the Sheriff.

At Brodrick, Judge.



Sept. 21, 1914,

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

Angelina R. Rank,  
Plaintiff

vs

H. S. Worthington,  
Lizzie Worthington,  
Defendants.

No. 9615.

Judgment

Docket

This cause now coming on for hearing on the petition of the plaintiff, and the evidence, the Court find that the defendants, H. S. Worthington and Lizzie Worthington, have been duly served with summons in this case, and they are in default for answer and demurrer, and that the allegations of the petition are thereby confessed by them to be true, and that there is due the plaintiff from the defendants, H. S. Worthington and Lizzie Worthington, on the promissory note set forth in said petition the sum of \$946.26 with interest from the 21<sup>st</sup> day of September, 1914, the date of this decree. The Court further find that in order to secure the payment of said note, the defendants, H. S. Worthington and Lizzie Worthington, executed and delivered to the said plaintiff their certain mortgage as in the petition described, and on the premises therein described; that said mortgage was duly recorded in Book no. 70 page 67 of the mortgage records 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 defendants, H. S. Worthington and Lizzie Worthington the said sum of \$946.26 with interest from Sept. 21, 1914, and her costs herein expended, and it is further adjudged and decreed that unless the defendants, H. S. Worthington and Lizzie Worthington shall within ten days from the entry of this decree, pay, or cause to be paid, to the Clerk of this Court the costs in this case, and to the plaintiff herein the sum so found due as aforesaid, with interest from the 21<sup>st</sup> day of Sept. 1914, the equity of redemption of the defendants, H. S. Worthington and Lizzie Worthington, 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 report his proceedings to this Court for further order.

W. B. Prodrick, Judge.

Eurtou Temple,  
Plaintiff,

vs

The Board of County  
Commissioners, Union Co. O.

No. 9582.

This day this came on to be heard upon the demurrer to the petition of plaintiff herein. Upon consideration whereof the Court overrules same. To all of which defendant excepts, and has leave to plead.

Arraign

Plea



Sept. 21, 1914.

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

The State of Ohio,  
Plaintiff

vs

Giovanni Catone,  
Defendant.

No. 1491

Arraignment

Plea

Now comes the prosecuting attorney, this 21st day of September 1914, and the defendant being in court, in custody of the Sheriff and arraigned upon said indictment and acknowledging service of copy thereof, and waiving further time to consider and examine said indictment, for plea thereto saith he is "not guilty," and puts himself upon the country, and the prosecuting attorney doth the like, and thereupon the defendant is remanded to the custody of the Sheriff. And it appearing that said defendant is in indigent circumstances and unable to employ counsel, the Court at his request, assigns R. L. Cameron to defend him.

OK Brodrick, Judge

The State of Ohio,  
Plaintiff

vs

William H. Roberts,  
Defendant.

No. 1489.

Now comes the prosecuting attorney, this 21st day of September 1914, and the defendant being in court in the custody of the Sheriff and arraigned upon said indictment and acknowledging service of copy thereof, and waiving further time to consider and examine said indictment, for plea thereto saith he is "not guilty" and puts himself upon the country, and the prosecuting attorney doth the like, and thereupon the defendant is remanded to the custody of the Sheriff. And it appearing that said defendant is in indigent circumstances and unable to employ counsel, the Court, at his request, assigns J. H. Kinkade, as counsel to defend him.

OK Brodrick Judge

Pauline C. Hickey,  
Plaintiff

vs

Elsworth Hickey,  
Defendant.

No. 9438.

(Judgment)

This cause having been heard on a previous day of this Court upon the question of alimony, It is considered that defendant pay plaintiff \$50.00 as alimony, and the costs of this action.

Court adjourned to Sept. 22, 1914 at 9 a. m.



Sept. 22, 1914

Tuesday Sept. 22, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

W. J. Skidmore,  
Plaintiff

vs

The Union County  
Farmers Telephone Co.,  
Defendant.

No. 9608

Confirm

Order Sale

This the 22<sup>nd</sup> day of Sept. 1914, 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 by this court to appraise all of the property of The Union County Farmers Telephone Company, describing and enumerating in said order, and on consideration whereof the Court finds that said appraisal has been made and returned in conformity to law, and the former order of this court and it is further ordered that the said appraisal be, and the same hereby is approved and confirmed, and this cause coming on to be heard upon the application of said receiver for instruction as to the sale of said property of the said defendant company described and enumerated in said appraisal, and on consideration whereof, the Court having found that it will be necessary to sell all of the property of said defendant in order to procure funds with which to pay the claims due and owing by said defendant, the Court further finds that it will be for the best interest of all the parties hereto that said property be offered at private sale.

It is therefore ordered by the Court that said receiver proceed to offer all of said property described and enumerated in said appraisal at private sale, and for not less than the appraised value, and that he report to this court for further instruction all offers made for said property together with the terms and conditions of the same.

OK. Brodrick, Judge.

Roxanna Gibson,  
Plaintiff

vs

Joseph Gibson,  
Defendant.

No. 9595

Sem. Sust.

Leave

This cause this day coming on to be heard upon the demurrer of the defendant to the petition herein, upon consideration whereof the Court sustains same, Leave is granted plaintiff to file an amended petition within five days.

OK. Brodrick, Judge.

Court adjourned to Sept. 23, 1914 at 9 a. m.

Judgment

Partition



Sept. 23, 1914.

Wednesday Sept. 23, 1914 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

Percy Sanders and Rolly H. Doyle  
as partners under the firm name  
of Sanders + Doyle,  
Plaintiff

No. 9500

vs  
James A. Mitchell,  
Defendant.

Judgment

This cause now coming on for hearing on the motion of the defendant for a new trial, the Court, on consideration, overrules the same.

It is therefore considered by the Court, that the said Percy Sanders and Rolly H. Doyle, as partners under the firm name of Sanders + Doyle recover from the said defendant, James A. Mitchell, Defendant, the said sum of \$110.00 with interest from the 17th day of Sept. 1914, as heretofore found due them by verdict of the jury, together with their costs of this action.

Robert C. Winkle,  
Plaintiff

No. 9520

vs  
Lawrence H. Winkle et al,  
Defendants.

Partition

This 23rd day of September 1914, this cause came on to be heard upon the petition and amended petition of the plaintiff and the answer of James Winkle, widower of Della M. Winkle and the answer of Amanda Rader to the amended petition of plaintiff and the answer of John H. Willis, guardian ad litem of Howard Winkle, Maud Winkle, Mark H. Winkle, Theodore Winkle, Sylvia Winkle, Bertha Winkle and David Winkle, minor defendants, and the evidence, and the court being advised in the premises find that all of the defendants herein have had due legal notice of the pendency and demand of plaintiff's petition and amended petition, and that all of said parties have been served with summons upon said petition and amended petition herein, or have entered their respective appearances thereto. Thereupon the Court further find that the plaintiff, Robert C. Winkle and the defendants Lawrence H. Winkle, Laura Winkle, Minnie O. Winkle, Howard Winkle and Maud Winkle, Mark H. Winkle, Theodore Winkle, Sylvia Winkle, Bertha Winkle and David Winkle and Amanda Rader are tenants in common in the premises described in the amended petition, and that the said James Winkle, widower is entitled to dower therein, and that subject thereto the plaintiff Robert C. Winkle has a legal right to and is seized in fee simple of the undivided



Sept. 23, 1914.

one-eleventh part of the premises described in the amended petition as follows to-wit: Situated in the county of Union, in the State of Ohio and in Liberty Township, part of Survey No. 3443 and bounded and described as follows: Beginning at a stone in the center of the Dean Road and southwest corner to land formerly owned by Charles Joby; thence South  $77^{\circ}$  E.  $155.6\frac{1}{100}$  poles with the center of a county road to a stone Northwest corner to J. R. Hodges land; thence S.  $93\frac{1}{2}^{\circ}$  N. 82.08 poles to a stone Northeast corner to R. H. Deane's and thence N.  $77\frac{1}{4}^{\circ}$  W. 155.28 poles to a stone in the Dean Road; thence S.  $9\frac{1}{2}^{\circ}$  N. 14.04 poles to a stake where the East Liberty and Waldo Road intersect said Dean road; thence with the center of said East Liberty and Waldo road S.  $57\frac{1}{2}^{\circ}$  N. 51.78 poles to a stone Southeast corner to Uriah Cook's land; thence with said Cook's East land line N.  $9\frac{1}{2}^{\circ}$  E. 135.08 poles to a stone; thence S.  $76\frac{1}{2}^{\circ}$  E. 39 poles to the place of beginning, containing 109.45 acres;

That the said defendants, Lawrence H. Minkle, ~~Laura S. Minkle~~, Minnie O. Minkle, Howard Minkle, Maud Minkle, Mark H. Minkle, Theodore Minkle, Sylvia Minkle, Bertha Minkle, and David Minkle and Amanda Rader are each seized in fee simple of an undivided one-eleventh part of the above described premises. The Court find that Cecile Minkle and John Rader each have and inchoate right of dower in the undivided one-eleventh part of said premises subject to the dower of said James Minkle. The Court finds that James Minkle has filed his answer herein in which he contends that said premises be partitioned or sold free of any dower right that he may have therein, and has asked that the value of his said dower be assigned and paid to him in money.

It is therefore ordered, adjudged and decreed that partition of said premises be made in favor of all parties in interest therein, and that J. C. Underhill, E. V. Thompson and Cor P. J. Bowersmith, three disinterested freeholders of the vicinity be and they are hereby appointed commissioners to make the same. It is therefore ordered, adjudged and decreed that a writ of partition issue 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 assigned to each of the above parties the part and portion of said real estate to which they are severally found entitled, and cause to be set off and assigned the dower of the said James Minkle if said estate can be divided; but is ordered, upon the answer of <sup>said</sup> James Minkle that if in the opinion of the said commissioners said estate cannot be divided by metes and bounds without manifest injury to the value thereof, no dower be assigned, and that said premises be appraised free from said dower interest, and of his proceedings herein the said Sheriff is ordered to make due return; and as to all other matters this cause is passed for further order of the Court.

W. Brodnick, Judge.

Divorce



Sept. 23, 1914.

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

Amanda Rader,  
Plaintiff,  
vs  
Clayton Winkle et al,  
Defendants

No. 9521.

This day came the attorney for Plaintiff paid the costs and dismissed this action without record.

Minnie M. Jones,  
Plaintiff,  
vs  
William H. Jones,  
Defendant.

No. 9443.

Divorce

This cause came on for hearing upon the amended petition of the plaintiff and upon the testimony. The defendant having by leave of the Court withdrawn his answer herein, whereupon the Court find that the defendant has been duly and legally served with a summons herein and has appeared herein by pleading. The Court further find that the plaintiff has been a resident of the County of Union and the State of Ohio for more than one year last past and that she is now a bona fide resident of the County of Union, That the plaintiff and the defendant were married on the 24th day of December, 1900, that the defendant, William H. Jones has been guilty of habitual drunkenness for more than three years prior to the filing of the petition herein by the plaintiff, and that by reason thereof the plaintiff is entitled to a divorce as prayed for.

It is therefore ordered and adjudged that the marital relations heretofore existing between the plaintiff Minnie M. Jones and the defendant, William H. Jones, be, and the same hereby is dissolved. And the plaintiff and defendant having come into open court and agreed upon the property rights as hereinafter ordered it is therefore ordered and decreed that the plaintiff pay to S. W. Van Winkle attorney for the defendant, an attorney fee of \$50.00 and that the horse, buggy and harness now in possession of the defendant be decreed to the defendant, and that the defendant be barred from all right of dower or other interest in the real estate of the plaintiff. And the plaintiff is hereby restored to her maiden name of Minnie M. Gosnell. The costs herein are adjudged against the plaintiff, same amounting to \$\_\_\_\_, and said costs and attorney fee of \$50.00 are made a lien upon the real estate of the plaintiff.

OK John M. Brodrick, Judge



Sept. 23, 1914

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

Nora E. Lake, Administratrix  
Estate of Jane Lake, deceased,  
Plaintiff,

No. 9537

vs

Nancy J. Simpson and Geo. A. Simpson,  
Defendants

*Confirmation* This day this cause coming on to be heard on the motion of the plaintiff for confirmation of the sale made under the former order of this court and on his producing the return of the Sheriff 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.

Confirmation

Comm. Rep.

*Distribution* It is further ordered that the said Sheriff convey to the purchaser, J. W. Moore, 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.

The Court now coming to distribute the proceeds of said sale amounting to \$177.50, 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 \$4.16.

Secondly, the costs of this action taxed at \$31.35.

Thirdly, to the plaintiff, Nora E. Lake, as administratrix, of the estate of Jane Lake deceased, to apply on the amount heretofore found due her with interest the balance of said purchase price to wit, the sum of \$141.99.

And it appearing that the proceeds of said sale are insufficient to pay the judgment heretofore rendered in this case, execution is awarded against the said Nancy J. Simpson and George A. Simpson.

State of Ohio,  
Plaintiff

No. 1486.

vs  
William H. Roberts,  
Defendant.

This the 23<sup>rd</sup> day of September, 1914, this cause coming on for hearing on the motion of the defendant to quash the said indictment, the Court being fully advised in the premises grants the same for the reason that the pros. atty. has elected to proceed to trial upon indictment No. 1489. The Court further orders that the defendant be committed to the custody of the Sheriff.  
Court adjourned to Sept. 24, 1914 at 9 a. m.



Sept. 24, 1914.

Thursday Sept. 24, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodnick, Judge.

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

Robert C. Winkle,  
Plaintiff

vs

No. 9520.

Lawrence H. Winkle et al,  
Defendants.

Confirmation

Cow. Report

This 24<sup>th</sup> day of September, 1914, this cause came on for further 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 manifest injury to the value thereof, and that said commissioners have made and returned their appraisement of said estate as follows to wit: Situated in the County of Union, in the State of Ohio, and in Liberty Township, part of Survey No. 3443 and bounded and described as follows: Beginning at a stone in the center of the Dean Road and southwest corner to land formerly owned by Charles Poby; thence South 77° E. 155 60/100 poles with the center of a county road to a stone northwest corner to J. R. Hodges' land; thence S. 9 3/4° W. 82.08 poles to a stone northeast corner to R. H. Dean's, and thence N. 77 1/4° W. 155.28 poles to a stone in the Dean Road; thence S. 9 1/2° W. 14.04 poles to a stake where the East Liberty and Waldo Road intersects said Dean Road; thence with the center of said East Liberty and Waldo Road S. 57 1/2° W. 51.78 poles to a stone southeast corner to Uriah Cook's land; thence with said Cook's East line N. 9 1/2° E. 135.08 poles to a stone; thence S. 76 1/2° E. 39 poles to the place of beginning, containing 109.45 acres as described in plaintiff's amended petition at #711425; and the Court finds said return and proceedings in all respects correct and in conformity to law, and does therefore confirm the same; and this cause is passed for further order herein.

Approved:

J. M. Brodnick, Judge

W. S. Stevenson,  
A. A. Slaybaugh



Sept. 24, 1914.

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

James E. Anderson,  
Plaintiff,

vs

G. F. Housman et al,

Defendants.

No. 9575.

Trial

This day came the parties herein and their attorneys; likewise the following persons as jurors: Cyrus Zimmerman, C. A. Butler, John Bishop, John Harris, R. B. Middlesworth, W. W. Rhoads, N. A. Williams, Ves Baughman, Joseph Zimmerman, Dwight W. Huffer, Geo. E. Taylor and John H. Schouberger who were impaneled and sworn according to law, and the trial proceeded. After hearing the statements of counsel and the evidence in part, the time for adjournment having arrived, this cause is continued until to-morrow morning at 9 o'clock.

Trial

Sept. 23, 1914

State of Ohio,  
Plaintiff,

vs

Frank Larkin,  
Defendant.

No. 1490

Verdict

Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant being in court in custody of the Sheriff, and arraigned upon said indictment, and acknowledging service of copy thereof, and waiving 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 the defendant being under bond for his appearance in cause No. 1447, no recognizance is required of the defendant.



Sept. 25, 1914.

Friday Sept. 25, 1914 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

James E. Anderson,  
Plaintiff

vs

No. 9570.

G. F. Housman et al,  
Defendants.

Trial

This day again came the parties herein and their attorneys; likewise the jury heretofore impaneled and sworn and the trial proceeded. After hearing the evidence complete, the argument of counsel and the charge of the Court, the jury were conducted to their room for deliberation, by the Sheriff.

Verdict

Afterward came the jury into open court with their verdict in writing signed by the jurors agreeing to the verdict and their foreman, as follows: "We, the jury, being duly impaneled and sworn, find the issues joined in this case in favor of the Plaintiff, and assess the amount of recovery due from the adverse party to the Plaintiff at the sum of One Hundred + Seventy-three + 26/100 Dollars. Based as follows: Note in full with 9% to date \$276.37, deducting Defendant's claim of \$97.41 as commission + interest and \$5.00 for Through, and we do so render our verdict upon the concurrence of 12 members of our said jury, that being three-fourths or more of our number. Each of us said jurors concurring in said verdict signs his name hereto this 25th day of September 1914, Cyrus Zimmerman, C. A. Butler, John Bishop, John Harris, R. B. Middlesworth, W. W. Rhoads, H. A. Williams, Les Baughman, Joseph B. Zimmerman, Dwight W. Huffer, Geo. E. Taylor and John H. Schoneberger, Foreman.

State of Ohio,  
Plaintiff

vs

No. 1492

H. M. Patrie,  
Defendant.

Now comes the prosecuting attorney on behalf of the State of Ohio, and the defendant being in court in custody of the Sheriff and arraigned upon said indictment, and acknowledging service of copy thereof, and waiving 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.

Court adjourned to Sept. 28, 1914 at 9 a.m.



Sept. 28, 1914,

Monday Sept. 28, 1914 - Court convened at 9 A.M.  
 Present Hon. John M. Brodrick, Judge.

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

State of Ohio,  
 Plaintiff

vs

No. 1488.

Claude Jarvis,  
 Defendant.

This the 28<sup>th</sup> day of September, 1914, came the Prosecuting attorney on behalf of the State, and with leave of Court, entered a "nolle prosequi" on the above indictment.

Nolle

O.K. Brodrick, Judge

State of Ohio,  
 Plaintiff

vs

No. 1489.

William H. Roberts,  
 Defendant.

Now comes the prosecuting attorney in behalf of the state of Ohio, the defendant was brought into court in custody of the Sheriff, and being represented by counsel; 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; whereupon the Court being fully advised in the premises it is ordered and adjudged by the Court that said William H. Roberts, be imprisoned in the penitentiary of this State, and kept at hard labor, for an indeterminate period of one to three years but without solitary confinement; there to be kept until legally discharged; and that he pay the costs of prosecution herein taxed at \$27.00, and in default thereof it is ordered that he be confined in the jail of the county until said costs are paid or secured to be paid or until he is otherwise discharged according to law.

Thereupon in open court the defendant agreed to make monthly payments of \$6.00 per month for the support of his said children, said payments to be made to the Clerk of this Court beginning on the 1<sup>st</sup> day of November, 1914, and continuing thereafter until the youngest of said children shall arrive at the age of sixteen years.

In consideration of the agreement of said defendant as herein contained the execution of said sentence is hereby suspended pending the continuance of said payments to said Clerk.

Court adjourned to Sept. 29, 1914 at 9 A.M.



Sept. 29, 1914,

Tuesday Sept. 29, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Grand Jury.

Pursuant to adjournment the Grand Jury met this morning at 9 o'clock. On calling the names the following were found present: Frank Mitchell, Ray Perkins, M. L. Foreman, S. L. Loughrey, F. M. Ruhlen, George Emmert, G. B. Welch, Oscar Bodley, W. F. Edwards, Joseph Roff, Lewis Rupright, Marion Cowgill, E. E. Shirk, James Guy and J. W. Monroe. The panel being complete the Grand Jury entered into deliberation.

Nevin Brumbaugh was sworn as a witness.

afterward appeared in open court the Grand Jury and presented the following Indictments:

- Chas. H. Warford for Permitting Publishing False Notice Etc.
- Geo. M. Osgoodby " " " " "
- H. F. Miller " " " " "
- C. C. Jackson " " " " "
- C. L. Kimmel " " " " "
- J. H. Barkeman " " " " "
- A. W. Stover " " " " "

At the same time the Grand Jury brought in the following partial report:

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 1914, beg leave to report that they have been in session 1 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 1 witness, covering 7 cases, and presented 7 bills, and ignored no cases considered by us. The business has been transacted in an expeditious manner as possible.

S. L. Loughrey,

There being no further business, the Grand Jury adjourned to meet at the call of the Prosecuting Attorney.

Court adjourned to Oct. 1, 1914 at 9 a. m.



Oct. 1, 1914

Thursday Oct. 1, 1914 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

The State of Ohio,  
 ex rel Cecil Carter,  
 Plaintiff,

No. 9592,

vs  
 Lawrence Beard,  
 Defendant.

Bastardy.

Trial.

This day came the parties herein and their attorneys; likewise the following named persons as jurors: Stewart Smith, Joseph B. Zimmerman, John Bishop, C. A. Butler, W. W. Rhoads, M. C. Bonnette, Ves Baughman, H. A. Williams, John Harris, Geo. E. Taylor, J. J. Dodge, and John H. Schouberger who were duly impaneled and sworn according to law and the trial proceeded. After hearing the evidence complete, the argument of counsel and the charge of the Court, the jury were conducted to their room by the Sheriff for deliberation. Afterward came the jury in open court with their verdict in writing as follows: "We, the jury, in this case, do find the said defendant, Lawrence Beard guilty as charged in the complaint, and we so render our verdict upon the concurrence of 12 members of our said jury, that being three-fourths or more of our number. Each of us said jurors concurring in said verdict signs his name hereto this 1<sup>st</sup> day of October 1914.

Verdict

Stewart Smith, Joseph B. Zimmerman, John Bishop,  
 C. A. Butler, W. W. Rhoads, M. C. Bonnette, Ves Baugh-  
 man, H. A. Williams, John Harris, Geo. E. Taylor,  
 J. J. Dodge, and John H. Schouberger, Foreman.

Court adjourned to Oct. 2, 1914 at 9 a. m.



Oct. 2, 1914.

Friday Oct. 2, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Verna Coons,  
Plaintiff

vs

James Harold Sandusky,  
Defendant.

No. 9603

Proceedings in Bastardy,  
Compromise Agreement.

Whereas the above named Verna Coons, being unmarried did on or about the 17th day of June 1914, give birth to a bastard child and did make complaint against the above named James Harold Sandusky as being the father of said child, before Mr. Moffett, Esq. a Justice of the Peace of York Township, Union County, O, and such proceedings have been had therein that said action is now pending in Common Pleas Court of Union County O, and

Whereas both parties to said proceeding desire to compromise and settle the matter without trial, Now, therefore it is mutually agreed, subject to the approval of the Court, that the said James Harold Sandusky shall pay to the said Verna Coons the sum of Two Hundred and Fifty (\$50) Dollars, payable \$125.00 cash, \$50.00 in 30 days, \$75.00 in one year, <sup>cash judgment bearing 6% int secured by note</sup> in complete settlement and satisfaction of her damages, and the said Verna Coons in consideration of such payment has agreed to release and hereby does release the said James Harold Sandusky from all liability to her on account of any damages sustained by herself and also releases him from any and liability on account of the care and support of said child and said Verna Coons hereby agrees to properly care for, raise and support the said child at her own expense and trouble and releases forever the said James Harold Sandusky from any and all responsibility whatever on account of said child, and furthermore the said Verna Coons agrees that said child shall never become a public charge upon any county or township.

It is understood that with the approval of the Court that this agreement may be entered as a judgment in said proceedings and the action dismissed as settled in accordance with its terms.

Verna Coons

Harold Sandusky

Said Harold Sandusky having given bond herein as provided by Statutes this entry is approved by the Court.

J. M. Brodrick, Judge



Oct. 2, 1914,

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

Abraham Brown  
 Belle Brown,  
 Plaintiffs

No. 9631,

vs

Grant H. Douglass,  
 Defendant

Judgment

This cause coming on this day for hearing, was submitted to the Court upon the pleadings and the evidence, and on failure to answer, the defendant conclusively confesses the allegations and claims of the plaintiff against him, and that he is indebted to the plaintiff in the sum of Three Hundred five + 32/100 Dollars (\$305<sup>32</sup>),

It is therefore considered by the Court that the said plaintiffs Abraham Brown and Belle Brown recover from the defendant Grant H. Douglass the said sum of \$305<sup>32</sup> and their costs herein expended.

John M. Brodrick, Judge.

The State of Ohio on the  
 relation of John H. Willis,  
 Prosecuting Attorney  
 Union County, Ohio,  
 Plaintiff

vs

Bank of Marysville, a cor-  
 poration organized under  
 the laws of the State of Ohio  
 and doing business in  
 Marysville Ohio,  
 Defendant.

No. 9764,

This the 2<sup>nd</sup> day of October 1914, this cause came on for hearing upon the motion of the plaintiff to refer the above cause to a Special Master Commissioner; on consideration whereof the Court sustains said motion and it is hereby ordered that John S. Bainer be, and is hereby appointed Special Master Commissioner in the above cause with full power to subpoena, compel the attendance of, examine, cross-examine and swear witnesses; to examine books, papers, vouchers and accounts, and to compel the production thereof; to take any and all testimony pertinent to the issues in this cause, and report the same to the Court on or before the 15<sup>th</sup> day of December 1914, together with his findings of fact and conclusion of law separately made and stated. He shall also be authorized to employ a stenographer to take said testimony in shorthand and transcribe the same in typewriting, and to do all things necessary as incident to the taking of all the testimony in said cause, reduce the same to writing and reporting the same to the Court as above provided.

J. M. Brodrick Judge.



Oct. 2, 1914.

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

The State of Ohio on the  
 relation of John H. Willis  
 Prosecuting Attorney,  
 Union County, Ohio,  
 Plaintiff,

No. 9265.

vs  
 The Peoples Bank, a partnership  
 organized under the law of  
 the State of Ohio, and doing business  
 in Marysville, Ohio,

Defendant.

This the 2<sup>nd</sup> day of October 1914, this cause came on for hearing upon the motion of the plaintiff to refer the above cause to a Special Master Commissioner; on consideration whereof the Court sustains said motion and it is hereby ordered that John D. Bainer be, and is hereby appointed Special Master Commissioner in the above cause with full power to subpoena and compel the attendance of, examine, cross examine and swear witnesses; to examine books, papers, vouchers and accounts, and to compel the production thereof; to take any and all testimony pertinent to the issues in this cause, and report the same to the Court on or before the 15<sup>th</sup> day of December 1914, together with his findings of fact and conclusion of law separately made and stated. He shall also be authorized to employ a stenographer to take said testimony in shorthand and transcribe the same in typewriting, and to do all things necessary as incident to the taking of all the testimony in said cause, reducing the same to writing and reporting the same to the Court as above provided.

OK. Brodnick, Judge.



Oct. 2, 1914,

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

The State of Ohio on the  
 Relation of John N. Willis,  
 Prosecuting Attorney,  
 Union County, Ohio,  
 Plaintiff

No. 9266,

vs  
 The Union Banking Co., a  
 corporation organized under  
 the laws of the State of Ohio,  
 and doing business in  
 Marysville, Ohio,

Defendant.

This the 2<sup>d</sup> day of October 1914, this cause came on for hearing upon the motion of the plaintiff to refer the above cause to a Special Master Commissioner; on consideration whereof the Court sustains said motion and it is hereby ordered that John S. Bainer be, and is hereby appointed Special Master Commissioner in the above cause with full power to subpoena, compel the attendance of, examine, cross examine and swear witnesses; to examine books, papers, vouchers and accounts, and to compel the producing thereof; to take any and all testimony pertinent to the issues in this cause, and report the same to the Court on or before the 15<sup>th</sup> day of December 1914, together with his findings of facts and conclusion of law separately made and stated.

He shall also be authorized to employ a stenographer to take said testimony in shorthand and transcribe the same in typewriting, and to do all things necessary as incident to the taking of all the testimony in said cause, reducing the same to writing and reporting the same to the Court as above provided.

O. K. Brodrick, Judge.

Oct. 2, 1914

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

The State of Ohio on the  
relation of John H. Willis,  
Prosecuting Attorney,  
Union County, Ohio,  
Plaintiff

vs

The Commercial Savings Bank,  
a corporation organized under  
the laws of the State of Ohio, and  
doing business in  
Marysville, Ohio,  
Defendant.

No. 9267.

This the 2<sup>nd</sup> day of October 1914, this cause came on for hearing upon the motion of the plaintiff to refer the above cause to a Special Master Commissioner; on consideration whereof the Court sustains said motion and it is hereby ordered that John D. Bainer be, and is hereby appointed Special Master Commissioner in the above cause with full power to subpoena witnesses; to examine books, papers, vouchers and accounts, and to compel the production thereof; to take any and all testimony pertinent to the issues in this cause, and report the same to the Court on or before the 15<sup>th</sup> day of December 1914, together with his findings of fact and conclusion of law separately made and stated.

He shall also be authorized to employ a stenographer to take said testimony in shorthand and transcribe the same in typewriting, and to do all things necessary as incident to the taking of all the testimony in said cause, reducing the same to writing and reporting the same to the Court as above provided.

OK. Brodrick, Judge

Leucious L. Argo,  
Plaintiff

vs

Lizzie Argo,  
Defendant.

No. 9632.

This day came the attorneys for the plaintiff paid the cost and dismissed this action without record.

Court adjourned to Oct. 6, 1914, at 9 a.m.



Oct. 6, 1914

Tuesday Oct. 6, 1914 - Court convened at 9 a. m.,  
Present Hon. John M. Brodrick, Judge.

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

Norah Bellus,  
Plaintiff

vs

Sarah Bellus, Exc.  
Estate of Mrs. Bellus, dec.

Defendants.

No. 9634.

This day leave is granted defendant to answer  
by Nov. 7, 1914.

James E. Anderson,  
Plaintiff

vs

G. F. Housman,  
A. L. Housman,

Defendants.

No. 9575.

This day this cause coming on for hearing, on motion  
of the Defendants to set aside the verdict heretofore rendered herein,  
and for a new trial of this cause, the Court on consideration  
thereof, overrules the same.

It is, therefore, considered by the Court that the said James  
E. Anderson, plaintiff, recover from the said G. F. Housman and  
A. L. Housman, defendants, the said sum of One Hundred and  
Seventy-three and  $\frac{6}{100}$  Dollars, as heretofore, by the verdict of  
the jury herein, found due him, with interest from the 25<sup>th</sup> day  
of September 1914, together with his costs in this cause, expended,  
To all of which findings, orders and judgments of the Court the  
said defendants by their counsel except,

OK Robinson + Hoopes for Defendants

Robert C. Winkle,  
Plaintiff

vs

Lawrence H. Winkle et al,  
Defendants.

No. 9520.

This day this cause came on for further hearing upon  
the election of James Winkle to take the premises described in  
the plaintiff's petition at the appraised value thereof, to-wit: the  
sum of Seven Thousand One Hundred, seventy-five Dollars (\$7175<sup>00</sup>),  
and the Court being fully advised in the premises find that no  
other tenant in common, or party in interest has elected to take  
said premises, and that the said James Winkle, party defendant  
has elected to take said premises at the appraised value thereof  
to-wit, the sum of \$7175<sup>00</sup>. It is therefore ordered by the Court that



Oct. 6, 1914.

upon payment being made to the Sheriff of this County by the said James Winkler of the said sum of \$7,750.00 in cash, or one-third cash, one-third in one year, and one-third in two years, deferred payments to be secured by first mortgages on said premises at six per cent interest; that said premises be and it is hereby ordered, adjudged and decreed to him free and clear of all incumbrances claims of all parties hereto, and the Sheriff is ordered to make and execute to the said James Winkler a deed of conveyance for said tract of land, as to the distribution of proceeds of said sale, and all other matters connected therewith, this cause is passed for further order thereon.

John M. Brodrick, Judge

Walter S. Stevenson,  
A. A. Slaybaugh,

State of Ohio,  
Plaintiff

vs

No. 1388.

William E. Peppard,  
Defendant.

This the 8th day of October 1914, this cause was ordered omitted from the Court Docket, the same to be reinstated upon the application of the Prosecuting Attorney.

State of Ohio,  
Plaintiff

vs

No. 1471.

Robert Clifton,  
Defendant.

This the 8th day of October 1914, this cause was ordered omitted from the Court Docket, the same to be reinstated upon the application of the Prosecuting Attorney.

State of Ohio,  
Plaintiff

vs

No. 1428.

William E. Peppard,  
Defendant.

This the 8th day of October this cause was ordered omitted from the Court Docket, the same to be reinstated on the application of the Prosecuting Attorney.

State of Ohio, Plaintiff

vs

No. 1472

John Zane, Defendant.

This the 8th day of October 1914, this cause was ordered omitted from the Court Docket, the same to be reinstated upon the application of the Prosecuting Attorney.

Court adjourned to Oct. 9, 1914 at 9 a.m.



Oct. 9, 1914,

Friday Oct. 9, 1914 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

D. L. Thompson,  
 Plaintiff  
 vs  
 John H. Koenig et al,  
 Defendants.

No. 9635,

Leave is granted Walter Kennedy, a defendant, to file answer and Cross-petition herein, instante and same filed.

W. Campbell, Atty for  
 Walter Kennedy,

O.K. Brodrick, Judge.

State of Ohio,  
 Plaintiff  
 vs  
 Arthur Bedford,  
 Defendant.

No. 1450.

This the 8<sup>th</sup> day of October, 1914, this cause was ordered omitted from the Court Docket, the same to be reinstated upon the application of the Prosecuting Attorney.

State of Ohio,  
 Plaintiff  
 vs  
 J. Roy Nelson,  
 Defendant.

No. 1471

This the 8<sup>th</sup> day of October 1914, this cause was ordered omitted from the Court Docket, the same to be reinstated upon the application of the Prosecuting Attorney.

State of Ohio,  
 Plaintiff  
 vs  
 O. R. Peets,  
 Defendant.

No. 1449

This the 8<sup>th</sup> day of October, 1914, came the prosecuting attorney on behalf of the state, and with leave of the Court, entered a "nolle Prosequi" on the above indictment.

Court adjourned to Oct. 10, 1914 at 9 a. m.,

Oct. 10, 1914.

Saturday Oct. 10, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Henry G. Schueltzer,  
Plaintiff  
vs  
L. L. Argo + Lizzie Argo,  
Defendants.

No. 9647.

This cause came on to be heard upon the petition of the plaintiff and prayer for the immediate appointment of a receiver without notice, and upon due consideration and for good cause shown the said prayer is hereby granted and L. J. Mc Coy is appointed receiver herein and it is ordered that upon giving bond according to law in the sum of \$250000 to the approval of this court, he shall proceed to take possession of the property described in the petition herein and the said defendants and all other persons having possession or under control any of the said property are ordered to deliver the same to the receiver.

And thereupon the said receiver presents his undertaking in the sum of \$250000 with C. E. King and H. G. Schueltzer as his sureties, which is approved and accepted.

John M. Brodrick, Jr.

State of Ohio,  
Plaintiff,  
vs  
George Massie,  
Defendant.

No. 1456

This the 8th day of October, 1914, came the prosecuting attorney on behalf of the State, and, with the leave of the Court, entered a nolle prosequi on the above indictment.

The State of Ohio,  
Plaintiff  
vs  
William H. Roberts,  
Defendant.

No. 1489.

It appearing to the Court that John H. Kinkade an attorney at law having performed his duties as attorney heretofore appointed by the Court herein for the defendant, William H. Roberts, he is hereby granted and allowed by the Court a fee of \$2500 for such services, Dated October 10, 1914.



Oct. 10, 1914.

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

State of Ohio,  
Plaintiff

vs

George Massie,  
Defendant.

No. 1457.

This the 8<sup>th</sup> day of October 1914, came the prosecuting attorney on behalf of the State, and, with leave of Court, entered a nolle prosequi on the above indictment.

State of Ohio,  
Plaintiff,

vs

Moses Vest,  
Defendant.

No. 1474.

This the 8<sup>th</sup> day of October 1914, came the prosecuting attorney on behalf of the State, and with leave of the Court, entered a nolle prosequi on the above indictment.

State of Ohio,  
Plaintiff

vs

Ewart Stillings,  
Defendant.

No. 1458.

This the 8<sup>th</sup> day of October, 1914, came the prosecuting attorney on behalf of the State, and, with leave of Court, entered a nolle prosequi on the above indictment.

State of Ohio,  
Plaintiff,

vs

Ewart Stillings,  
Defendant

No. 1459.

This the 8<sup>th</sup> day of October 1914, came the prosecuting attorney on behalf of the State, and by leave of Court, entered a nolle prosequi on the above indictment.

State of Ohio,  
Plaintiff

vs

O. R. Peets,  
Defendant.

No. 1449.

This the 8<sup>th</sup> day of October, 1914, came the prosecuting attorney on behalf of the State, and, with leave of Court, entered a nolle prosequi on the above indictment.

Partition



Oct. 10, 1914

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

State of Ohio,  
Plaintiff

vs  
George Hull,  
Defendant.

No. 1451

It appearing to the Court that A. H. Kalleprath, an attorney-at-law having performed his duties as attorney heretofore appointed by the Court, herein, for the defendant, George Hull, he is hereby granted and allowed by the Court a fee of \$25.00 for such services.

State of Ohio,  
Plaintiff

vs  
William H. Roberts,  
Defendant.

No. 1489.

Now comes the Prosecuting Attorney, on behalf of the State of Ohio, and the defendant being in Court in custody of the Sheriff, and it appearing that he is in indigent circumstances, and unable to employ counsel, the Court at his request, appoints John H. Kinkade as counsel for his defense.

John E. Brown,  
Plaintiff

vs  
Louisa Brown and  
Pearl M. Droy as guard,  
of Louisa Brown,  
Defendants.

No. 9533

Partition

This the 10th day of October, 1914, this cause coming on to be heard upon the amended petition, the answer and cross-petition of the defendant and the reply of the plaintiff, and the evidence, the Court finds that all the defendants had due legal notice of the pendency and demand of said amended petition; on consideration thereof and the Court being fully advised in the premises finds that the facts and allegations contained in said amended petition are true, and that the plaintiff is entitled to the relief therein sought; that the plaintiff and defendant are tenants in common in the real estate described in said amended petition; that the plaintiff, John E. Brown has a legal right and is seized in fee simple of an undivided one-half part of the real estate described in said amended petition. That therefore defendant Louisa Brown is tenant in common with the plaintiff in said premises and has a legal right to and is seized in fee simple of an undivided one-half part of the real estate described in said amended petition.

It is therefore ordered, adjudged and decreed that a writ of



Oct. 10, 1914,

partition be issued to the Sheriff of said County of Union commanding him that by the oaths of Edward Cody, George Mitchell, and William Columbus, who are hereby appointed commissioners for the purpose, he cause partition be made of said land in the following proportions, to-wit:

To the said John E. Brown, one-half of said premises,

To the said Louisa Brown, one-half of said premises.

And it is further ordered, that the Sheriff shall make due return of his proceedings herein, To which finding and decree the defendant excepts, Notice of appeal. Bond fixed at \$500.00,

Approved: John H. Willis, Atty for Plaintiff,

John L. Loughrey, Atty for Defendant,

OK, Brodrick, Judge,

D. L. Thompson,  
Plaintiff

vs

No. 9635

John H. Koenig et al,  
Defendant.

This day this cause coming on for hearing on the petition of the plaintiff, and the evidence, the Court finds that the defendants, John H. Koenig and Clara E. Koenig, his wife have been duly served with summons in this case, and that they ~~have~~ are in default for answer and demurrer, and that the allegations of the petition are thereby confessed by them to be true.

The Court further finds that there is due the Plaintiff from the Defendant, John H. Koenig, on the promissory note set forth in the petition, with interest thereon at 6% from the 20th day of February 1914 to the date of the judgment and decree herein, the sum of \$12463.00 as stipulated in said note.

The Court further finds that in order to secure the payment of said note, the defendants, John H. Koenig and Clara E. Koenig, his <sup>said</sup> wife, executed and delivered to said D. L. Thompson, the plaintiff, their certain Mortgage Deed as in the petition set forth and described; that said mortgage deed was delivered to the Recorder of Union County, Ohio, on the 22nd day of August 1913, at 9:15 A. M. and recorded on the day last aforesaid, in Book No. 70 at pages 171, 172 and 173 of the Record of Mortgages of said County, and is a good and valid lien on the premises in the petition described; and that the conditions in said mortgage deed have been broken.

It is therefore, considered and adjudged by the Court that the Plaintiff recover from the defendant, John H. Koenig, the said sum of \$12463.00 and his costs expended in this behalf.

It is further considered, adjudged and decreed by the Court, that unless the defendant, John H. Koenig, shall within seven 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



Oct. 10, 1914.

herein the sum so found due as aforesaid with interest from the date of the judgment and decree herein, the equity of redemption of the said defendant, John H. Koenig, in said premises be foreclosed and said premises 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, and this cause is adjourned for further hearing on answers and cross petitions and questions as to priority of liens.

O. H. Brodrick, Judge.

Oct. 8, 1914.

State of Ohio,  
Plaintiff

vs

Arthur Powell,

Defendant.

No. 1473

This the 8<sup>th</sup> day of October, 1914, this cause was ordered omitted from the Court Docket to be reinstated upon the application of the Prosecuting Attorney.

State of Ohio,  
Plaintiff

vs

Owen Griffith,

Defendant.

No. 1475

This the 8<sup>th</sup> day of October, 1914, this cause was ordered omitted from the Court Docket, the same to be reinstated upon the application of the Prosecuting Attorney.

State of Ohio,  
Plaintiff

vs

L. B. Shoemaker,

Defendant.

No. 1474

This the 8<sup>th</sup> day of October, 1914, this cause was ordered omitted from the Court Docket, the same to be reinstated upon the motion of the prosecuting attorney.

State of Ohio,  
Plaintiff

vs

Geneva Lilly Thompson,

Defendant.

No. 1430.

This the 8<sup>th</sup> day of October 1914, this cause was ordered omitted from the Court Docket, the same to be reinstated upon the application of the Prosecuting Attorney.

Court adjourned to Oct. 12, 1914 at 9 a.m.



Oct. 12, 1914.

Monday Oct. 12, 1914 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

A. Boylan, Exc.  
 Martha J. Misset, dec.  
 Plaintiff

vs

French F. Reynolds et al,  
 Defendants.

No. 9619.

On motion leave is given the defendants, George  
 W. Burnham and Richard H. McCloud to file answer herein on  
 or before Oct. 17, 1914.

OK

G. W. Burnham  
 R. H. McCloud  
 John H. Kinkade

Oct. 8, 1914.

State of Ohio,  
 Plaintiff,

vs

Anthony Pfarr,  
 Defendant.

No. 1443.

This the 8<sup>th</sup> day of October 1914, this cause was ordered  
 omitted from the Court Docket, the same to be reinstated upon  
 the application of the Prosecuting Attorney.

Court adjourned to Oct. 13, 1914 at 9 a. m.

Oct. 13, 1914.

Tuesday Oct. 13, 1914 - Court convened at 9 a. m.  
Present Hon. Frank A. Baldwin, Judge.

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

George  
in on

ordered  
from

Court adjourned to Oct. 16, 1914 at 9 a. m.



Oct. 16, 1914.

Friday Oct. 16, 1914 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

In the Court of Common Pleas, Union County, Ohio

Milo L. Myers, guard, etc,  
Plaintiff

vs

Willis Richman, adm. etc,  
Defendant.

No. 9546.

On motion of the plaintiff this cause is dismissed at plaintiff's cost. It is ordered that no record be made hereof.

Approved: Milo L. Myers  
Robinson + Hoopes

Attorney for plaintiff

Rose Hostetter,  
Plaintiff,

vs

The Citizens Home  
and Savings Company,  
Defendant.

No. 9460

Upon motion of the plaintiff this cause is dismissed at plaintiff's cost. It is ordered that no record be made hereof.

Approved: F. A. Thompson, Attorney for plaintiff.

F. A. Thompson, Guardian  
of Rose Hostetter, an imbecile,  
Plaintiff

vs

Willis Richman, as Administrator  
Estate of Luella Richman, deceased,  
Defendant.

No. 9587.

This day came the plaintiff in open court and moved the Court to vacate the judgment heretofore rendered in this cause and to dismiss this action, and the Court being fully advised in the premises hereby orders that said judgment be, and the same hereby is, vacated, and this action is dismissed at the cost of plaintiff. It is further ordered that no record be made hereof.

Approved: F. A. Thompson, Attorney for Plaintiff.

Oct. 16, 1914

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

Rose Hostetter,  
Plaintiff  
vs  
Willis Richman,  
Defendant.

No. 9462.

On motion of plaintiff this action is dismissed at plaintiff's cost. It is ordered that no record be made hereof.  
Approved: F. A. Thompson, Attorney for Plaintiff.

Rose Hostetter,  
Plaintiff,  
vs  
Willis Richman, adm.  
Estate Luella Richman, dec.  
Defendant.

No. 9461.

On motion of the plaintiff this action is dismissed at plaintiff's cost. It is ordered that no record be made hereof.  
Approved: F. A. Thompson, Attorney for Plaintiff

Court adjourned to Oct. 17, 1914 at 9 a. m.



Oct. 17, 1914,

Saturday Oct. 17, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

In the Matter of an  
Examiner of Titles  
for Union County, Ohio,

This day the Court appoints Leonidas Piper as an Examiner of Titles for this County, he being a competent attorney at law with skill and experience in the examination of titles to real estate,

It is ordered by the Court that before entering on the discharge of his duties he shall give a bond payable to the State of Ohio for the use of whom it may concern, in an amount and with sureties to the approval of the judge of this Court in the sum of One Thousand Dollars,

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

Oct. 19, 1914,

The State of Ohio,  
ex rel Augusta Green,  
Plaintiff,

vs

William Stafford,  
Defendant,

No. 9613,  
(Judgment)

This day came the defendant, William Stafford and in open court plead not guilty to the charge herein and waived the trial by jury and consented that this cause be tried to the Court, and the Court having heard the testimony of the plaintiff and sundry witnesses and of the defendant, finds the defendant guilty as charged in the complaint of the plaintiff, wherefore the Court adjudges the defendant, William Stafford, to be the reputed father of the child of the plaintiff and orders that said defendant William Stafford, stand charged with the maintenance thereof in the sum of Six Hundred Dollars and that he pay said sum as follows: One hundred dollars within 10 days from the entry hereof and that he pay twenty five dollars per month thereafter, payable on the 30<sup>th</sup> day of each month until said six hundred dollars is paid 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 <sup>shall</sup> comply with the requirements of the Court, and by consent of the defendant, It is ordered that beginning with 1<sup>st</sup> day of July 1916, the defendant pay to said child for its maintenance the sum of \$150 per week until the child is 16 years of age.

(on next page)

Court adjourned to Oct. 21, 1914 at 9 a. m.



Oct. 21, 1914.

Wednesday Oct. 21, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Henry G. Schmeltzer,  
Plaintiff

vs

No. 9647

L. L. Argo and Lizzie Argo,  
Defendants

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 L. L. Argo has left the County of his residence for the purpose of defrauding creditors, that service of summons on him cannot be made in this State; that the residence of said L. L. Argo is unknown; that the residence of such defendant so unknown to the Plaintiff can not with reasonable diligence be ascertained, and that service of summons on such defendant can not be made;

It is therefore 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.

9613. (from preceding page)

It is further ordered that upon default of said weekly payments for the period of 10 weeks execution therefor is awarded.

It is further ordered that defendant pay the costs herein taxed at \$33.00.

OK. James E. Robinson for plaintiff

OK. D. H. Cormeaugh for defendant.

OK Brodrick J.

Court adjourned to Oct. 27, 1914 at 9 a. m.



Oct. 27, 1914

Tuesday Oct. 27, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge

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

Robert C. Minkle,  
Plaintiff

vs

No. 9520.

Lawrence H. Minkle et al,  
Defendants.

This cause coming on to be heard on the motion of James Minkle, administrator of the estate of Della M. Minkle, deceased, and the certificate of the Probate Judge of said County to the effect that the personal estate of said decedent subject to administration will be insufficient to pay the debts of said estate and the expense of its administration, and that the sum of Twenty-six Hundred Dollars from the proceeds of the sale of real estate of said decedent the partition of which is sought in this cause, may be ordered paid to said administrator.

It is therefore ordered that the Sheriff pay over to said Administrator the said sum of Twenty-six Hundred Dollars out of the proceeds arising from the sale of said lands according to law, and take his receipt therefor.

John M. Brodrick, Judge.

Robert C. Minkle,  
Plaintiff

vs

No. 9520

Lawrence H. Minkle et al,  
Defendants.

This day this cause came on to be heard upon the Answer and Cross Petition of James Minkle, and the Separate Answer of Amanda Rader to the Cross Petition of James Minkle, and was submitted to the Court upon the evidence and arguments of counsel, and the Court being fully advised in the premises find that there is due the defendant upon the claim set forth in his answer and Cross Petition, the sum of Six hundred, ninety-nine and 70/100 (\$699.70) Dollars.

The Court further find there is due to the defendant Amanda Rader upon the claim set up in her Separate Answer to the Answer and Cross Petition of the defendant James Minkle, the sum of One Hundred and Seventy-five (\$175.00) Dollars. And the Court coming now to the distribution of the proceeds of the sale of the real estate described in plaintiff's Amended Petition, to-wit the sum of \$7175.00, the Sheriff is hereby ordered to distribute said proceeds as follows, to-wit:-

- 1<sup>st</sup> To the Treasurer of Union County, Ohio, the taxes due and payable amounting to the sum of \$43.00.
- 2<sup>nd</sup> To the Clerk of this Court the costs of this proceeding, including an attorney fee of \$263.00 to A. A. Slaybaugh, and also an attorney fee



Oct. 27, 1914.

to J. H. Willis, guardian ad litem in the sum of \$5<sup>00</sup>, total costs \$332.49,  
 3<sup>rd</sup> - To James Minkler, the sum of \$1400<sup>30</sup> which the Court finds to be  
 the value of his dower in money in said premises.

21<sup>st</sup> - To James Minkler, the sum of Six Hundred, ninety-nine + 70/100  
 (\$699<sup>70</sup>) which the Court finds to be due him upon the claim  
 set up in his answer and Cross Petition.

5<sup>th</sup> - To Amanda Rader the sum of One Hundred and Seventy-five (\$175<sup>00</sup>)  
 Dollars which the Court finds to be due her upon the claim  
 set up in her separate answer to James Minkler's Cross-Petition.

6<sup>th</sup> - To James Minkler as administrator of the estate of Della  
 M. Minkler, the sum of Twenty-six Hundred Dollars, which  
 the Probate Court of Union County certified was necessary  
 to pay the debts and costs of administration of the estate  
 of Della M. Minkler.

7<sup>th</sup> - The balance of such proceeds amounting to \$1924.51 shall be  
 distributed as follows, to-wit:

One-eleventh thereof, to-wit \$174.95 to Robert C. Minkler;

One-eleventh thereof, to-wit \$174.96 to Lawrence H. Minkler;

One-eleventh thereof, to-wit \$174.96 to Minnie O. Minkler;

One-eleventh thereof, to-wit \$174.96 to Howard Minkler;

One-eleventh thereof, to-wit \$174.96 to Mark H. Minkler;

One-eleventh thereof, to-wit \$174.96 to Theodore Minkler;

One-eleventh thereof, to-wit \$174.95 to Sylvia Minkler;

One-eleventh thereof, to-wit \$174.95 to Bertha Minkler;

One-eleventh thereof, to-wit \$174.95 to David Minkler;

One-eleventh thereof, to-wit \$174.95 to Maud Minkler;

One-eleventh thereof, to-wit \$174.95 to Amanda Rader.

OK Brodnick, J.

Court adjourned to Oct. 29, 1914 at 9 a. m.



Oct. 29, 1914.

Thursday Oct. 29, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Rovanna Gibson,  
Plaintiff

vs  
Joseph Gibson,  
Defendant

No. 9595.

Now came the plaintiff herein by her attorney, and her amended 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 said petition is thereby confessed by them to be true. Thereupon the Court find that the said Rovanna Gibson is not seized of, and does not have the legal right to the undivided one-half part of the lands as described in the petition, but that she is seized of, and has a legal right to, the undivided half of the West one-half of the said premises as described in said petition, and is entitled to have partition made of said premises; that the defendant is a tenant in common with said plaintiff in said premises that in the following proportions to-wit: The said Rovanna Gibson to the undivided one-half ( $\frac{1}{2}$ ) part thereof, of the West half of the premises as described in said petition, and the said Joseph Gibson the undivided One-half ( $\frac{1}{2}$ ) part thereof, of the West half of the premises as described in said petition.

And no reason appearing why partition should not be made; It is therefore ordered, adjudged and decreed that partition of said premises be made; and that an order issue to the Sheriff of said County of Union, commanding him that by the oaths of Ernest Bown, E. H. Hatton and N. P. O'Brien, three judicious and disinterested freeholders of the vicinity who are not of kin to either party, and who are hereby appointed commissioners for that purpose, he cause to be set off and divided to the said plaintiff and to the said defendant the part and proportion of the said lands to which they are hereinbefore severally found entitled.

And it is ordered that, if in the opinion of the said commissioners said premises can not be divided by metes and bounds without injury to the value thereof, they appraise the same, and of his proceedings herein, the said Sheriff is ordered to make due return without unnecessary delay.

OK. Brodrick, Judge

Court adjourned to Nov. 4, 1914 at 9 a. m.



Nov. 4, 1914.

Wednesday Nov. 4, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Jacob C. Bowersmith,  
Plaintiff

vs

The P. C. C. & St. L. Ry Co.,  
Defendant.

No. 9610.

This case is settled without record, costs paid.

October 31, 1914.

The State of Ohio,  
ex rel Cecil Carter,  
Plaintiff,

vs

Lawrence Beard,  
Defendant.

No. 9592.

This cause coming on for hearing, on the motion of the defendant to set aside the verdict of the jury heretofore rendered in this case, and for a new trial herein, the Court, on consideration thereof, overrule the same. And the defendant Lawrence Beard, having been found guilty as charged in this case by said verdict of said jury, is now therefore adjudged to be the reputed father of the child of said complainant, Cecil Carter, and this cause ~~is~~ continued for further order as to the maintenance of said child. To all of which the defendant excepts.

Approved: Mouser + Maloney + R. L. Cameron,  
Attorneys for defendant.

Court adjourned to Nov. 5, 1914 at 9 a. m.



Nov. 5, 1914.

Thursday Nov. 5, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Sarah Sherwood,  
Plaintiff

vs

Owen Sherwood,  
Defendant.

No. 9643.

This day came the plaintiff herein, paid the costs and dismissed this action without record.

Court adjourned to Nov. 7, 1914 at 9 a. m.

Nov. 7, 1914

Saturday Nov. 7, 1914 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge,

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

Times for Holding Common Pleas Courts A. D. 1915.

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 1915 be fixed as follows to-wit:

Crawford Co.	on the 4 <sup>th</sup> day of Jan.	and the 5 <sup>th</sup> day of Apr.	and the 13 <sup>th</sup> day of Sept.
Hancock " "	4 " "	5 " "	13 " "
Hardin " "	4 " "	5 " "	13 " "
Logan " "	4 " "	5 " "	13 " "
Marion " "	4 " "	5 " "	13 " "
Seneca " "	4 " "	5 " "	13 " "
Union " "	4 " "	5 " "	13 " "
Wood " "	4 " "	5 " "	13 " "
Wyandot " "	4 " "	5 " "	13 " "

It is further ordered that the courts of Crawford County be held by Judge Daniel Babst;  
 of Hancock County by Judge William F. Duncan;  
 That the Courts of Hardin County be held by Judge to be elected at November 1914 election,  
 That the Courts of Logan County be held by Judge to be elected at November 1914 election;  
 That the Courts of Marion County be held by Judge Wm. E. Scofield;  
 That the Courts of Seneca County be held by Judge to be elected at November 1914 election,  
 That the Courts of Union County be held by Judge John M. Brodrick;  
 That the Courts of Wood County be held by Judge to be elected at November 1914 election;  
 That the Courts of Wyandot County be held by Judge to be elected at November 1914 election,  
 It is further ordered that said terms of Court begin at 9 a. m.

Wm. P. Henderson,  
 Wm. F. Duncan,  
 Frank A. Baldwin,  
 Wm. E. Scofield,  
 Daniel Babst,  
 John M. Brodrick

Judges Tenth Judicial District,

Dated at Bowling Green Ohio, this 20<sup>th</sup> day of Oct. 1914.

Court adjourned to Nov. 14, 1914 at 9 a. m.



Nov. 14, 1914.

Saturday Nov. 14, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

James Koon,  
Plaintiff

vs

Daisy Koon,  
Defendant.

No. 9676.

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 day of A. D. 1908, as alleged in said petition.

That no children were 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 plaintiff pay the costs of this proceeding taxed at \$14.60, and that this case be recorded.

John M. Brodrick, Judge

State of Ohio,  
Plaintiff

vs

H. F. Miller,  
Defendant.

No. 1495.

Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant coming voluntarily into court and arraigned upon said indictment, and acknowledging service of copy thereof, and waiving 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.



Nov. 14, 1914,

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

Curry Sesler,  
Plaintiff

vs

No. 9646.

Amy Sesler,  
Defendant.

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 that she has failed to appear and is in default for answer or demurrer to the petition, and that at the time of <sup>the</sup> filing of the petition herein the plaintiff was 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 27<sup>th</sup> day of August A.D. 1904, as alleged in said petition; that no children were 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 pay the costs of this proceeding taxed at \$7.56 and that this case be recorded.

John M. Brodrick, Judge

State of Ohio,  
Plaintiff.

vs

No. 1496.

C. C. Jackson,  
Defendant.

Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant coming voluntarily into court and arraigned upon said indictment, and acknowledging service of copy thereof, and waiving 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.



Nov. 14, 1914.

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

State of Ohio,  
Plaintiff

vs

J. N. Barkman,  
Defendant.

No. 1498.

Now comes the prosecuting attorney, on behalf of the State of Ohio, and the defendant coming voluntarily into court and arraigned upon said indictment, and acknowledging service of copy thereof, and waiving 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.

Pocanna Gibson,  
Plaintiff

vs

Joseph Gibson,  
Defendant.

No. 9595

This cause came on for hearing upon the return of the Sheriff and the report of the Commissioners heretofore appointed herein, and on the motion to confirm the same, and it appearing that said estate can not be divided by metes and bounds without injury to the value thereof, and that said Commissioners have made and returned their appraisement of said premises in the sum of \$100000, the Court find the said return and proceedings in all respects correct and in conformity to law, and do therefore approve and confirm the same. And thereupon neither of said parties electing to take the said premises at their appraised value, on motion of the plaintiff.

It is ordered that said premises be sold at public auction and that an order issue to the Sheriff of Union County, and that said Sheriff return his proceedings to this court without unnecessary delay.

OK. Brodrick, Judge.

Court adjourned to Nov. 20, 1914 at 9 a.m.

Nov. 20, 1914

Friday Nov. 20, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

State of Ohio,  
Plaintiff

vs

No. 9636.

Claude Jarvis,  
Defendant.

This day came the complainant in this case,  
John M. Jarvis, paid the cost, and dismissed this action without  
record.

Nov. 25, 1914

State of Ohio,  
Plaintiff

vs

No. 1493.

Chas. H. Warford,  
Defendant.

This the 25<sup>th</sup> day of November 1914, came the prose-  
cuting attorney, on behalf of the State of Ohio, and the defendant  
coming voluntarily into court and arraigned upon said  
indictment, and acknowledging service of copy thereof, and  
waiving the reading of, and further time to consider and ex-  
amine said indictment, for plea thereto saith he is "not  
guilty" and puts himself on the country and the prosecuting  
attorney doth the like.

Court adjourned to Nov. 27, 1914 at 9 a. m.



Nov. 27, 1914,

Friday Nov. 27, 1914 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

The Richwood Banking Co.,  
 a corporation,  
 Plaintiff

vs

M. H. Smeltzer,  
 N. M. Baldwin,

Defendants.

No. 9654

This day came the plaintiff by its attorney; also came Henry V. Spicer, 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 in open 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 and Ninety-seven and 55/100 (197.55) Dollars; and also released and waived all exceptions, errors and right of appeal herein.

It is therefore considered by the court that the said plaintiff recover from said defendants the said sum of One Hundred and Ninety-seven and 55/100 (197.55) Dollars together with its costs herein expended, taxed at \$5.00.

OK Brodrick, Judge.

Court adjourned to Nov. 28, 1914 at 9 a. m.

Nov. 28, 1914

Saturday Nov. 28, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Order to draw Grand + Petit  
Jurors January Term 1915

To the Clerk of said Court:

You are hereby directed to proceed according to law at 10 o'clock on Saturday November 28, 1914, to draw from the Jury Wheel of Union County, the names of 33 persons to serve as Grand and Petit Jurors for the January Term 1915, of the Court of Common Pleas of said County.

The first 15 names 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 for such services at the Court House in Marysville Ohio in said County, at 10 o'clock a. m. on Monday January 15th, 1915; and the Petit Jurors you will cause to be summoned to appear for such service at the same place at 10 o'clock a. m. on — the — day of 1915.

And for so doing this shall be your sufficient warrant.  
Witness my hand officially this Nov. 28, 1914, John M. Brodrick  
Judge.

Pursuant to the above order at the time specified, I proceeded to draw, in the presence of the Judge of the Common Pleas, the Sheriff and Commissioners of Jurors the following:

Grand Jurors.

- |                     |                   |                    |
|---------------------|-------------------|--------------------|
| 1. L. M. Shaw       | 6. William King   | 11. H. Ingram      |
| 2. W. L. Bonnett    | 7. O. D. Dellow   | 12. D. S. Davis    |
| 3. William Biddle   | 8. Thomas Kilgore | 13. Chas. H. Smith |
| 4. John G. Prichard | 9. Louis F. Ode   | 14. F. W. Perkins  |
| 5. Calvin Liggett   | 10. Joseph Foley  | 15. Sim Skidmore   |

Petit Jurors.

- |                   |                      |                    |
|-------------------|----------------------|--------------------|
| 1. Charles Parish | 7. Conrad Asman      | 13. P. B. Cashell  |
| 2. W. H. Lyons    | 8. Peter Fisher      | 14. George Rausch  |
| 3. E. E. Jones    | 9. William Blaney    | 15. J. C. Ford     |
| 4. Fred Sidle     | 10. J. C. McCampbell | 16. J. S. Wolf     |
| 5. J. H. Hamner   | 11. George Lower     | 17. C. M. Bird     |
| 6. B. L. Cheney   | 12. Harry S. Logan   | 18. Cary E. Bouham |



Nov. 28, 1914.

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

State of Ohio,  
Plaintiff

vs

Giovanni Catone,  
Defendant.

No. 1491

Precipe for Jurors.

To the Clerk: You will, in the presence of the Court and in the presence of John N. Laird, Sheriff of said County, draw from the jury wheel, as provided by law, a jury of thirty six (36) qualified persons to be and appear before this court on the 21<sup>st</sup> day of December, A. D. 1914 at 9 o'clock A. M. at the Court House in said County; and issued to the Sheriff of said County a venire for the persons whose names are so drawn, said venire to be served and returned at least fifteen (15) days before the said 21<sup>st</sup> day of December 1914.

John W. Willis,  
Prosecuting Attorney  
Union County, Ohio.

Pursuant to the order of the above precipe, I did, in the presence of Judge John M. Brodrick, Sheriff John N. Laird and Homer Southard and L. B. Harvey Jury Commissioners for said County, proceed to draw from the jury wheel the following names: Hadley Martin, R. S. Cook, Dell Robinson, W. L. Sanders, Ray Laird, George Frapp, Charles Jones, Walter Jewell, Richard W. Allister, Pearl Hawn, M. E. Vance, F. S. Hayer, Blaine Lingrell, Harvey Norris, Elwood Shirk, Jacob Smeltzer, Mace Curry, J. R. Miles, O. T. Howland, William H. Hatton, George Streng, J. L. Farrington, M. J. Flaherty, Chas W. Johnson, Dick Berry, John M. Horn, M. C. Long, Casper A. Haines, Joseph Harper, I. N. Sawaft, J. E. Shelton, L. F. Erb, H. E. Thackeray, J. N. Scott and Ben Carter.

Issued venire to Sheriff of Union County. Sheriff's return showed Jacob Smeltzer and Pearl Hawn to be non-residents of the county and later in the same manner, I drew from the jury wheel the following names and issued venire for the same: M. C. Molyamot, Grant Baker, J. S. Sheiderer and Calvin Eddy.

John C. Hartshorn, Clerk.



Nov. 28, 1914.

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

Under the provisions of the Gen. Code 2980-1, the amount earned by the Auditor's Office that can be expended for deputies, assistants, bookkeepers, Clerks or other employees for the year nineteen hundred and fourteen, based on the fees earned in the Auditor's Office, in nineteen hundred and thirteen, is sixteen hundred and thirty six dollars and eighty-eight cents, (\$1636.88) and as the amount required to pay the salaries of deputies, assistants, bookkeepers and Clerks amounts to the sum of nineteen hundred and twenty dollars (\$1920.00).

Therefore, I, Chas. A. Morelock as Auditor of Union County, Ohio, hereby respectfully ask that you make an additional allowance of two hundred and eighty-three dollars and twelve cents (\$283.12) to be transferred from the General fee fund of said County to the Auditor's fee fund of said County as provided by General Code Sec. 2980-1, Vol. 102 Laws of Ohio, page 136.

Chas. A. Morelock  
 Auditor

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

Entry

In the matter of an  
 Additional Allowance Deputy,  
 and Clerk Hire, Auditor's Office  
 Union County, Ohio.

This day came Chas. A. Morelock, Auditor of Union County, Ohio, and filed herein his application for an additional allowance in order to carry on the business of his office. Thereupon said application came on to be heard before the Honorable John M. Brodrick, Judge of the Common Pleas Court of said County wherein said Auditor was elected. On consideration whereof the said John M. Brodrick, Judge as aforesaid, finds that the allowance made by the Commissioners has been exhausted and that under the General Code of Ohio, it is necessary for an allowance of \$ 283.12 for Clerk and Deputy hire for the year 1914.

It is therefore considered and ordered by said John M. Brodrick, Judge of said Court, that there be, and hereby is allowed to said Auditor's Office of Union County, Ohio, an additional allowance of \$ 282.12 under provisions of Sec. 2980-1 General Code of Ohio.  
 Nov. 28, 1914.

John M. Brodrick  
 Judge



Nov. 28, 1914.

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

D. L. Thompson  
Plaintiff,

vs.

John H. Koenig, et al.,  
Defendants,

9633

Journal Entry.

This cause coming on to be heard on the application of the defendant C. S. Younger for leave to file Answer and Cross Petition, the Court being duly advised therein do grant said defendant said leave.

John M. Brodick  
Judge of Common  
Pleas Court.

Entry

This day this cause settled by the parties herein, costs paid and dismissed by the Plaintiff Without Record.

Gertrude B. Welch  
Plaintiff

vs.

Stephen S. Welch.  
Defendant

No. 9536.

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 him to be true. That at the time of the filing of the petition herein the Plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 9th day of May, A. D. 1912, as alleged in said petition. No children have been born of said marriage, and that the defendant has been guilty of gross neglect of duties towards the Plaintiff, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce as prayed for in said petition. It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and the said plaintiff hereby is restored to her maiden name of Gertrude B. Wood. That the defendant pay the costs of this proceeding taxed — and that this case be recorded.

John M. Brodick  
Judge

Court adjourned until December 1, 1914, at 9. A. M.

DEC. 1, 1914.

In the Common Pleas Court, Union County, Ohio

C. De Cross  
Plaintiff.

vs.  
The Board of Education  
of Marysville, Ohio.

No. 9605.

Defendant.

Leave is given to the Defendant A. M. Fry to file Answer and  
Cross-Petition. This 1st day of December, 1914.

John M. Brodrick, Judge.

Court adjourned until Dec. 2, 1914. at 9: A.M.



Dec. 2, 1914.

Wednesday - Dec. 2, 1914 - Court convened at 9 A.M.  
Present Hon. John M. Brodrick, Judge.

In the Court of Common Pleas Union County, Ohio.

State of Ohio  
Plaintiff.

vs.

John H. Baskman.  
Defendant.

No. 1498.

Leave is hereby given to the defendant to withdraw his plea of not guilty heretofore herein made, for the purpose of filing a motion to quash the indictment and a demurrer thereto.

John M. Brodrick.  
Judge.

State of Ohio  
Plaintiff.

vs.

Charles H. Harford  
Defendant.

No. 1493

Leave is hereby given to the defendant to withdraw his plea of not guilty, heretofore herein made, for the purpose of filing a motion to quash the indictment and a demurrer thereto.

John M. Brodrick.  
Judge.

State of Ohio  
Plaintiff.

vs.

C. L. Kimmel.  
Defendant.

No. 1497

Leave is hereby given to the defendant to withdraw his plea of not guilty heretofore herein made, for the purpose of filing a motion to quash the indictment and a demurrer thereto.

John M. Brodrick  
Judge.

Court adjourned until Dec. 3, 1914. at 9 A.M.

Dec. 3, 1914.

Thursday - Dec. 3, 1914 - Court convened at 9 a.m.

Present Hon. John M. Brodrick, Judge.

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

State of Ohio.  
Plaintiff.

vs.

H. F. Miller

Defendant

No. 1495

Leave is hereby given to the defendant to withdraw his plea of Not guilty heretofore herein made, for the purpose of filing a motion to quash the indictment and a demurrer thereto.

John M. Brodrick  
Judge.

Court adjourned until Dec. 5, 1914. at 9 a.m.



Dec. 5, 1914.

Saturday - Dec. 5, 1914 - Court convened at 9 A.M.

Present Hon. John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio

The State of Ohio.

Plaintiff.

vs.

Charles C. Jackson.

Defendant.

No. 1496.

Lease is hereby given to the defendant to withdraw his plea of not guilty herein made, for the purpose of filing a motion to quash the indictment and a demurrer thereto

John M. Brodrick  
Judge.

John E. Bown.

Plaintiff.

vs.

Louisa Bown, and  
Pearl McIlroy as Guard-  
ian of Louisa Bown.

Defendant.

No. 9533

This cause coming on to be heard on the return of the Sheriff, and the report of the Commissioners heretofore appointed, and on motion to confirm the same, it appearing to the Court that said premises cannot be divided by miles and bounds without manifest injury to the value thereof, and that the Commissioners have appraised said premises free from dower estate of John E. Bown, and Louisa Bown, at \$4764.50 Dollars: The Court find the said return and proceedings in all respects regular, and do approve and confirm the same. And, thereupon, neither of the parties electing to take said premises at their appraised value, it is on motion of Plaintiff ordered that said premises be sold at public auction at the Courthouse, in Marysville, Union County, Ohio, on the terms one-third cash, balance in equal payments in one and two years, bearing six percent, interest, and secured by mortgage on the premises.

John M. Brodrick  
Judge.

W. J. Skidmore

Plaintiff

vs.

The Union County Farmers  
Telephone Company.

Defendant.

No. 9608.

This the 5<sup>th</sup> day of December, 1914, this cause came on to be heard upon the application of the Receiver for an order to sell all of the property of said defendant company described and enumer-



Dec. 5, 1914.

ated in said appraisement, and on consideration whereof, the Court having found that it will be necessary to sell all of said property in order to secure funds with which to pay the claims due and owing said Company, the Court further finds that it will be for the best interest of all the parties hereto that said property be offered at public sale. It is therefore ordered by the Court that said receiver proceed to advertise said property described and enumerated in said appraisement for sale, by publication in the Union County Journal, and the Examiner, Newspaper of general circulation in Union and Logan Counties, Ohio, once each week for four weeks, commencing not later than December, 9<sup>th</sup> 1914, and that he then proceed to sell the same as hereinafter directed at public auction at the Courthouse in Marysville, Ohio, on the 6<sup>th</sup> day of January, 1915, at one o'clock P.M. to the highest bidder, and for cash. Said property is described and enumerated as follows:

Central Station Property at West Mansfield, Ohio.

all property of West Mansfield, Ohio, Exchange, consisting of Exchange Equipment, poles, lines and subscribers station equipment. There being 37 subscribers stations in working order. The Telephones at 21 of these stations are owned by the Company and at 16 are owned by the subscribers. One extra switch board (new) material on hand. Poles and wire, ect at East Liberty and vicinity. Poles and wire, ect at Middleburg and vicinity.

Central Station Property at York, Ohio.

all property at York, Ohio, Exchange, consisting of Exchange Equipment, poles, line and subscribers stations in working order. The Telephones at 87 of these stations are owned by the Company and 59 are owned by the subscribers. Four pieces of old cable; Three cable boxes; Nine Telephone (old); One Reel; One Swedish American Switchboard (old); One Swedish American Switchboard (old); One lot of hardware; One lot pine; brackets, ect; One Lot Cross Armes, braces, wire, ect; One Lot of Tools.

Said Receiver is further directed to report his proceedings in the premises to this Court for conformation and for further orders.

John M. Brodrick.  
Judge.

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Dec. 5, 1914.

## Court of Common Pleas, Union County, Ohio.

Charles A. Bumgarner  
Plaintiff.

vs.

No. 9637.

Barbara Bumgarner.  
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 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 filing of the petition, herein the Plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 20 day of July, A.D. 1898, as alleged in said petition and that said two children were born of said marriage, one resides with Plaintiff, and one with Defendant, and that the Defendant has been guilty of willful absence from the Plaintiff, for more than three years last past since the date of their separation May, 8, 1909, 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 are hereby released therefrom, and that said Plaintiff is given the custody, care, maintenance, Education and Control of said minor children Willard O. Bumgarner is hereby confided exclusively to Plaintiff, and Annis S. Bumgarner, as confided exclusively to the defendant. The Court finds that the contract entered into by the parties hereto, and made a part of this entry marked "Exhibit A" is a valid and substantial contract; that its terms are satisfactory to both parties, and therefore confirms the same. It is ordered that the Plaintiff pay the costs of this proceeding taxed at \$16. and that this case be recorded.

John M. Brodrick, Judge.

## Ante-Nuptial Agreement.

This agreement made and concluded this 2nd day of November, 1914, by and between Charles A. Bumgarner and Barbara Bumgarner, the former being a residence of Irwin, Ohio, and the latter being a residence of Lancaster, Ohio.

Witnesseth: That whereas the parties hereunto have been living separate and apart for more than three years last past, and do hereby agree to live separate and apart during the remainder of their natural life. Whereas, the said Charles A. Bumgarner has this day paid unto the said Barbara Bumgarner, the sum of \$25.00, Twenty Five Dollars, the receipt which is hereby acknowledged. Now therefore, in consideration of the premises, each party does agree to release and discharge the other from obligations of support and from all other claims, rights and duties arising or growing out of



said martial relation, and said parties mutually agree with other to freely sell or otherwise dispose of his or her property, by gift, deed, or last will and testament, and each party is by these presents hereby barred from any and all rights or claims by way of dower, inheritance, descent, distribution, allowance for year's support, right to remain in the mansion house, 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 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 hereinafter acquired, and all claims or rights to an allowance for year's support, or to reside in the mansion house, and all rights or claims whatsoever. The parties further agree in case there should be a divorce granted for either of them, and from this date that Charles A. Bumgarner is to the custody and care of William O. Bumgarner and Barbara Bumgarner is to have the custody and care of Annis J. Bumgarner, and they each agree to care for and support the child left in their respective care, and release the other from any obligations for the care of the child whatsoever, each party have hereunto set their hands the day and year first above written, in duplicate.

Charles A. Bumgarner.  
Barbara A. Bumgarner.

Witnesses:  
Milma Hawley  
John L. Laughrey  
Geo. A. Johnson as to  
Gladys Cupp. Barbara Bumgarner.

State of Ohio.  
Union County, ss.

Before me a notary Public in and for said County personally appeared the above named Charles A. Bumgarner who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed. In testimony whereof, I have hereunto subscribed my name at Maryville, Ohio, this 2nd day of November 1914.

John L. Laughrey  
Notary Public  
Union County, O.

State of Ohio.  
Fairfield County, ss.

Before me a notary Public in and for said County, personally appeared the above named Barbara Bumgarner, who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed. In testimony whereof, I have hereunto subscribed my name at Lancaster, Ohio, this 2nd day of November, 1914.



Dec. 5, 1914

L.S.

Jan. A. Tobin,  
Notary Public, Fairfield County, Ct.

Court adjourned to Dec. 9, 1914.

Dec. 9, 1914

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

Nona Clark

Plaintiff

vs

No. 9644,

John H. Clark,

Defendant.

This day came the plaintiff herein, paid the cost and dismissed this action without record.

Nona Clark,

Plaintiff,

vs

No. 9645,

John H. Clark,

Defendant.

This day came the plaintiff herein, paid the cost and dismissed this action without record.

Court adjourned to Dec. 12, 1914 at 9 a. m.



Dec. 12, 1914.

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

Gertrude B. Welch,  
Plaintiff

vs

Walter Wood et al,  
Defendants.

No. 9679

And now this cause coming on to be heard upon the petition of Gertrude B. Welch, she being an unmarried woman and her according to the evidence, the Court find that all of the defendants have had due legal notice of the pendency and demand of the said petition, and that they are in default for answer thereto. Thereupon, the Court find that the plaintiff and the defendants hereafter named are tenants in common in the estate described in the petition; that the plaintiff Gertrude B. Welch, or some times known as Gertrude B. Wood has a legal right to the one-fourth part thereof and ~~Walter~~ Wood a defendant has a legal right to one-fourth part thereof, ~~Walter~~ Wood a defendant has a legal right to one-fourth part thereof; and Howard Wood has a legal right to a one-fourth part thereof; and that the plaintiff is entitled to have partition of said estate made, as prayed in her petition.

It is therefore ordered, adjudged, and decreed that partition of said estate be made in favor of all parties in interest, and three judicious and disinterested freeholders of the vicinity, are hereby appointed commissioners to make the same. And it is ordered that a writ of partition issue to the Sheriff of Union County, commanding him that by the oaths of the commissioners above named he cause to be set off and divided, to each of the above named parties, the part and proportion of said estate to which they are severally above found entitled.

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

O. Brodrick, Judge.

In the Matter of  
Compensation of  
G. C. Edwards  
Court Constable

G. C. Edwards is hereby allowed for services as Court Constable for month of November 1914, 4 days service at \$2.50 per day total \$10.00.

The Clerk will please certify the amount to the Auditor of Union County.

John M. Brodrick, Judge.



Dec. 12, 1914.

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

Edna M. Finley,  
Plaintiff

vs

Della Finley et al,  
Defendants.

No. 9535.

This the 12<sup>th</sup> day of December, 1914, this cause came on for hearing on the motion of all the parties to have said cause dismissed; and on consideration thereof said motion is granted and said cause is dismissed at the cost of the plaintiffs; judgment accordingly.

OK. Brodrick, Judge.

In the Matter of  
Appointment of  
Secret Service  
Officer for Union  
County, Ohio

And now comes the Prosecuting Attorney of Union County, Ohio, and informs the Court that by virtue of Sec. 2915, of the General Code of Ohio, he has appointed Sergt. T.P. Churches of Columbus, Ohio, to act as secret service officer for the period of twenty days, commencing with the 10<sup>th</sup> day of December 1914, to aid the Prosecuting Attorney, in the collection and discovery of evidence to be used in the trial of criminal nature and asks the Court to fix the compensation of said secret service officer.

The Court upon consideration of same fixes the compensation of said secret service officer at \$5.00 per day for the time actually employed, and necessary and actual expenses in the performance of said duty, payable out of the county fund.

OK. John M. Brodrick, Judge.

Court adjourned to Dec. 14, 1914 at 9 a.m.



Dec, 14, 1914

Monday Dec. 14, 1914 - Court convened at 9 a. m.  
Present Hon. Frank A. Baldwin, Judge.

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

State of Ohio,  
Plaintiff

vs

Frank Larkin,  
Defendant.

No. 1490

It appearing to the Court that there are pending against this defendant two indictments for the same crime, It is ordered that the Prosecuting Attorney elect upon which he will proceed to trial.

Frank A. Baldwin,  
Judge.

State of Ohio,  
Plaintiff,

vs

Frank Larkin,  
Defendant.

No. 1490.

Now comes the prosecuting attorney, in accordance with the former order of the Court, and elects to proceed to trial against this defendant upon the indictment filed in this case, to wit, that of murder in second degree with count, shooting to kill, being case No. 1490, filed in said court, September 15, 1914

John H. Millis,  
Prosecuting Attorney.

J. J. Watts et al,  
Plaintiffs,

vs

Erie Railroad Co,  
Defendant

No. 9607.

This day this cause settled, cost paid by the defendant; dismissed without record.

R. Eva Byers, Official Court Stenographer, is entitled to the sum of four dollars and forty cents, in payment of transcript of evidence taken before the Grand Jury of Union County, Ohio, September 29, 1914, upon my order; and the Clerk is hereby authorized to issue his certificate therefor, directed to the Auditor of Union County, Ohio

John H. Millis,  
Prosecuting Attorney, Union Co. O.

Court adjourned to Dec. 18, 1914 at 9 a. m.

Dec. 18, 1914,

Friday Dec. 18, 1914 - Court convened at 9 a. m.  
Present John M. Brodrick, Judge.

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

The Citizens Home  
Savings Co.  
Plaintiff

vs

Bina B. Garis et al,  
Defendants

No. 9421.

This day came the plaintiff, paid the cost and dismissed this action without record.

William H. Mitchell, Exc. Ad.  
Plaintiff

vs

Seralda Taylor et al,  
Defendants.

No. 9550.

This day it being made to appear to the Court that Frank Weigle, a minor defendant has been duly served with summons and that said Frank Weigle is above the age of fourteen years and has not applied for the appointment of a guardian ad litem although more than twenty days have elapsed since the return of said summons served upon him. Upon application of the plaintiff it is ordered that James B. Yaw be appointed guardian ad litem for said minor defendant, said Frank Weigle and thereupon said James B. Yaw accepts said appointment.

Ok. Brodrick, Judge.

Gertrude B. Welch,  
Plaintiff

vs

Walter Wood et al,  
Defendants.

No. 9679.

This day came the plaintiff, paid the costs and dismissed this action without record.



Dec. 18, 1914.

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

A. Boylan, Exr Will  
Martha J. Winger, dec.  
Plaintiff

No. 9619.

vs  
French G. Reynolds et al,  
Defendants.

This cause now coming 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 Martha J. Winger, deceased, of which said plaintiff is Executor, and upon certain questions presented in said petition, and upon the answer of George W. Burnham and Richard H. McCloud and upon the reply of Thomas R. Smith, all of the other defendants being in default for pleading, The Court finds that all of the defendants and all persons interested are duly and properly in Court. And thereupon the Court, after careful consideration, finds the disposition items of said Will to be as follows:

"Item I - I direct that all my just debts and funeral expenses be paid.

Item II - I give and bequeath unto the Christian Church at Milford Center, Ohio, the sum of One Thousand Dollars.

Item III - All the rest and residue of my estate, both real and personal, I give, devise and bequeath equally to my brothers and sisters and to the brothers and sisters of my deceased husband, Luther Winger, unto them, their heirs and assigns forever, in case any of said brothers and sisters are not living, their share is to pass to their legal heirs and representatives."

Luther Winger, the testatrix's husband, had five brothers and sisters, who are all represented by heirs.

The testatrix had six brothers and sisters, all of whom are represented by heirs.

"A question having arisen as to whether the residuary distribution of said estate should be per capita or per stirpes, the executor has filed this petition asking for a construction of said Will in that behalf. Upon the question of residuary disposition of said estate raised by the pleadings, and upon which the executor asks the direction of the Court.

The Court finds and adjudges, that after payment of the debts, funeral expenses, and costs of administration, and the One Thousand Dollars to the Christian Church at Milford Center, Ohio, all the rest and residue of the testatrix's property is to be divided, per capita; that is into eleven equal shares, one share to the representatives of each of the brothers and sisters of the said Martha J. Winger and Luther Winger.

It is therefore considered, ordered and adjudged by the Court that the residuary distribution of the said estate of Martha J.



Dec. 18, 1914.

Winget, deceased, to be made in accordance with this finding of the Court, and the Executor of said estate is hereby ordered and directed to make distribution accordingly, under the direction of the Probate Court of Union County, Ohio,

The Clerk of this Court is hereby directed to furnish the said Probate Court of Union County, Ohio, with a certified copy of this Journal Entry. It is considered, ordered and adjudged by the Court, that the costs herein amounting to the sum of \$73.89 be taxed against the estate of said Martha J. Winget, deceased, and the Plaintiff as Executor is directed to pay the same.

The defendants George M. Burnham and Richard H. McCloud except to the finding and judgment of the Court in the construction of said will.

OK. Brodrick, Judge

The State of Ohio,  
Plaintiff

vs  
Giovanni Catone,  
Defendant.

No. 1483.

Motion.

Now comes Richard L. Cameron, having been heretofore appointed by this Court as the attorney of said Giovanni Catone, who is indicted upon a charge of murder in the first degree, and suggests to the Court that said Giovanni Catone, is not now sane, and moves the Court that this cause be continued until such a time as the sanity of said said Giovanni Catone can be tested under proper proceedings as prescribed by the statutes of the State of Ohio.

Richard L. Cameron  
Attorney for Giovanni Catone.

Court adjourned to Dec, 19, 1914 at 9 a.m.



Dec. 19, 1914.

Saturday Dec. 19, 1914 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

Charles Gerrian,  
 Plaintiff,

vs

E. W. Patman,  
 Henry Patman,  
 Simon Patman,

Defendants.

No. 9659.

This day came the plaintiff by his attorneys; also appeared in open court, for and on behalf of said Defendants, Richard 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 the sum of One Hundred and Sixty-three dollars and eighty-five cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.

It is therefore considered that said plaintiff recover of said defendants the sum of One Hundred and Sixty-three dollars and eighty-five cents being the amount of said note with interest computed at 8 per cent per annum from the 19th day of December 1914, and also his costs herein expended, taxed at \$5.00.

Ok. Brodrick, Judge.

Dec. 22, 1914,

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

State of Ohio,  
Plaintiff

vs

No. 1470.

Pearl Doolan,  
Defendant.

This the 22<sup>nd</sup> day of December 1914, this cause was omitted from the Court Docket, the same to be re-instated upon the application of the Prosecuting Attorney.

State of Ohio,  
Plaintiff

vs

No. 1440.

Joseph Freshwater,  
Defendant.

The Grand Jury having failed to find an indictment in this case, the defendant is discharged from his said recognizance, and has leave to withdraw all papers on file, and no record to be made.

State of Ohio,  
Plaintiff

vs

No. 1437.

John Wheeler,  
Defendant.

The Grand Jury having failed to find an indictment in this case, the defendant is discharged from his said recognizance, and he has leave to withdraw all papers on file, and no record to be made.

State of Ohio,  
Plaintiff,

vs

No. 1462.

Howard Paver,  
Defendant.

No indictment having been found against this defendant, he is hereby discharged.

State of Ohio,  
Plaintiff,

vs

No. 1431.

Mrs. Margaret Goodin,  
Defendant.

The Grand Jury having failed to find an indictment in this case, the defendant is discharged from her said recognizance, and she has leave to withdraw all papers on file, and no record to be made.



Dec. 22, 1914,

In the Court of Common Pleas, Union County, Ohio

State of Ohio,  
Plaintiff,

vs

George Hall,  
Defendant.

No. 1457.

This the 22<sup>nd</sup> day of Dec. 1914, this cause was ordered omitted from the Court Docket, the same to be reinstated upon the application of the Prosecuting Attorney.

State of Ohio,  
Plaintiff,

vs

George Hall,  
Defendant.

No. 1454.

This the 22<sup>nd</sup> day of December, 1914, this cause was ordered omitted from the Court Docket, the same to be reinstated upon the application of the Prosecuting Attorney.

State of Ohio,  
Plaintiff

vs

James H. Mc Kirgan,  
Defendant.

No. 1463.

No indictment having been found against this defendant, he is hereby discharged.

State of Ohio,  
Plaintiff

vs

George Hall,  
Defendant.

No. 1453.

This the 22<sup>nd</sup> day of December 1914, this cause was ordered omitted from the Court Docket, the same to be reinstated upon the application of the Prosecuting Attorney.

State of Ohio,  
Plaintiff

vs

Thomas Sheehan,  
Defendant.

No. 1484.

This the 22<sup>nd</sup> day of December, 1914, this cause was ordered omitted from the Court Docket, the same to be reinstated upon the application of the Prosecuting Attorney.

Dec. 22, 1914,

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

State of Ohio,  
Plaintiff

vs

Luther Ward,

Defendant.

No. 1439,

The Grand Jury having failed to find an indictment in this case, the defendant is discharged from his said recognizance, and he has leave to withdraw all papers on file, and no record to be made.

State of Ohio,  
Plaintiff

vs

Clara Conklin,

Defendant.

No. 1431

The Grand Jury having failed to find an indictment in this case, the defendant is discharged from her recognizance, and she has leave to withdraw all papers on file, and no record to be made.

State of Ohio,  
Plaintiff

vs

Norace E. McConnell,

Defendant.

No. 1446.

The Grand Jury having failed to find an indictment in this case, the defendant is discharged from his said recognizance, and he has leave to withdraw all papers on file, and no record to be made.

State of Ohio,  
Plaintiff

vs

Charles Miller,

Defendant.

No. 1435.

The Grand Jury having failed to find an indictment in this case, the defendant is discharged from his said recognizance, and he has leave to withdraw all papers on file, and no record to be made.

Court adjourned to Dec. 28, 1914 at 9 a. m.



Dec. 28, 1914

Monday December 28, 1914 - Court convened at 9 a.m.  
 Present Hon. John M. Brodrick, Judge.

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

William Shipley et al,  
 Plaintiffs

vs

Board County Commissioners,  
 Defendant

No. 9407.

Leave granted defendant to file answer instant  
 and the same filed.

Harry D. Shepard,  
 Plaintiff

vs

Henry C. Shepard,  
 Defendant.

No. 9288.

This day came the attorney for the plaintiff,  
 paid the cost and dismissed this action without record.

Court adjourned to Dec. 29, 1914 at 9 a.m.

Dec. 29, 1914

Tuesday, Dec. 29, 1914 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

Rovanna Gibson,  
 Plaintiff

vs

Joseph Gibson,  
 Defendant.

No. 9595.

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 to convey said premises to F. A. Thompson, the purchaser, in fee simple, free of dower and writ of possession is awarded to put the said purchaser in possession of said premises.

It is further ordered that out of the proceeds of said sale the Sheriff pay, -

First, to the Treasurer of Union County, \$63.35 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 \$40.02 to F. A. Thompson for his services herein, taxed at \$82.73.

Thirdly, and of the residue of the proceeds of said sale, to the plaintiff, Rovanna Gibson, one-half in cash, to-wit, the sum of \$260.21. To the said defendant, Joseph Gibson, the one-half in cash, to-wit, the sum of \$260.21.

OK Brodrick, J.

Court adjourned to Dec. 30, 1914 at 9 a. m.



Dec. 30, 1914,

Wednesday Dec. 30, 1914 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

The International Harvester Co.  
 of America,

Plaintiff

vs

No. 9655,

Ernest A. Keller, Bertha M.  
 Keller, E. L. Dillon + Marie Dillon,  
 Defendants.

Judgment

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 find the defendants being in default for answer and demurrer, the Court find the allegations of the petition are confessed by them to be true.

It is therefore considered that the said International Harvester Company of America, recover from the defendants, Ernest A. Keller, Bertha M. Keller, E. L. Dillon, and Marie Dillon, the said sum of Seven Hundred and Eleven + 87/100 Dollars (\$711.87) and costs herein expended.

John M. Brodrick, Judge.

Court adjourned to Dec. 31, 1914, at 9 a. m.



Dec. 31, 1914,

Thursday Dec. 31, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

In the Matter of  
Compensation of  
G. C. Edwards,  
Court Constable

No.

G. C. Edwards is hereby allowed for services as  
Court Constable for month of December 1914, 9 days at  
\$250 per day, total \$2250.

The Clerk will certify the amount to the Auditor of  
Union County, Ohio.

John M. Brodrick, Judge.

B. F. Carneau,  
Plaintiff

vs

J. F. Stallsmith  
Defendant.

No. 9477.

This day came said parties with their attorneys  
and thereupon this cause came on to be heard upon the  
pleadings and the evidence, whereupon the defendant  
moved the Court to first hear and determine the issue  
joined upon the cross petition of said defendant. Which  
motion the Court overruled and to which the defendant  
excepted. Whereupon neither of said parties requiring  
a jury and each of them waiving the same this cause  
was submitted to the Court upon the pleadings and the  
evidence as to all the issues joined.

On consideration whereof and upon the request of the  
defendant that the Court find separately its conclusions  
of fact and of law, the Court do find the facts to be as follows:  
1<sup>st</sup> - The plaintiff and the defendant made and entered into  
the written contract, a true copy of which is attached to  
the answer herein.

2<sup>nd</sup> - There was no contemporaneous parol agreement between  
the parties that said contract should not go into effect until  
the defendant procured the title to the house and lot in City of  
Marysville, described in the contract. Nor did the going into  
effect of the contract depend upon any other contingency  
but the same went into effect immediately upon the execution.

3<sup>rd</sup> - The plaintiff performed the preliminary executory re-  
quirements of said contract on his part and duly tendered and  
offered to complete the same by delivering to defendant the stock  
of merchandise referred to in the contract and duly demanded  
of defendant the conveyance to him of the Marysville property  
and the other stipulated considerations. The defendant



Dec. 31, 1914.

within four days after the execution of the contract notified the plaintiff that he would not and could not comply with the contract on his part, assigning as his reason that he was unable to procure the title to the Marysville house and lot, and defendant thereafter at all times refused to perform said contract.

4<sup>th</sup> At the time of entering into said contract the defendant did not have the legal title to said Marysville house and lot but such title was in one E. L. Howard. But at said time there existed a valid and enforceable written contract between said Howard and the defendant whereby said Howard was obligated to convey said house and lot to the defendant upon the delivery to said Howard of the consideration thereof, the said E. L. Howard upon defendant's request refused to make such conveyance but the defendant did not bring any action or resort to any legal measures to enforce said contract or procure the legal title to said house and lot. The facts stated in this finding were known to both parties at the time of entering into the contract sued upon.

5<sup>th</sup> Upon the final refusal of defendant to comply with said contract between him and the plaintiff, the plaintiff proceeded to advertise said stock of merchandise to be sold at public auction, and gave the defendant timely notice of such intended sale and thoroughly advertised the sale. Such sale was had in compliance with the advertisement and notice and was in all respects fairly made and had. At such sale the defendant was the highest bidder and said stock of goods was sold to him for the sum of \$1825<sup>00</sup> which amount defendant then paid to plaintiff, and the stock was delivered to him.

6<sup>th</sup> Included in said stock which the plaintiff contracted to sell to the defendant were a considerable quantity of articles which were old, shelf-worn, antiquated and unsalable, and which had totally lost the character of merchantable goods and were of no value. After deducting all such articles, and not including them in the computation, the original wholesale cost price of the stock of merchandise which was merchantable and salable amounted to the sum of \$4389<sup>26</sup>.

7<sup>th</sup> At the time of entering into said contract the defendant had no knowledge of the condition or quality of said stock of goods.

8<sup>th</sup> In the negotiations preliminary to the making of the contract, one B. F. Staunfield acted as the agent of both the plaintiff and the defendant, and he also acted as the agent of both the defendant and said E. L. Howard in the negotiations between them for said Marysville house and lot.

9<sup>th</sup> The defendant has not paid to said plaintiff, any part of the purchase price of said stock of goods under the terms of the contract. The only sum paid by him being the \$1825<sup>00</sup> referred



Dec. 31, 1914,

to in the 5th finding above. Upon the foregoing facts the Court States the following as its conclusions of law:

1<sup>st</sup> - That the defendant was bound by the terms of the contract to convey the Marysville house and lot to plaintiff in accordance therewith, notwithstanding he did not at the time of contracting have the legal title to said property and of which fact the plaintiff there had knowledge, and that his inability to procure such title upon request does not excuse or relieve him from liability to the plaintiff upon the contract.

2<sup>nd</sup> - That the failure and refusal of the defendant to convey said Marysville house and lot to the plaintiff in accordance with the contract upon the plaintiff's demand therefor, was a breach of the contract, and thereupon on such failure and refusal the liability and obligation of the defendant to convey to plaintiff the Marysville property became a money demand in favor of the plaintiff for the amount stipulated in the contract as the value at which said property was to be considered in the deal viz: \$2500.00.

3<sup>rd</sup> - That the contract between said parties contemplated the sale and delivery to defendant of a merchantable stock of goods - goods that are salable as merchandise in the usual and ordinary way by a retail dealer in order to answer to the description of the subject matter in the contract, and that such articles proffered to defendant by plaintiff as were not of that character, can not be deemed as part of the stock of merchandise, and defendant was not bound to accept or receive the same, and in calculating the original wholesale cost price of the stock all such articles must be excluded which is done accordingly.

4<sup>th</sup> - That the defendant has committed a breach of said contract, which entitles the plaintiff to recover the damages suffered by him by reason thereof.

5<sup>th</sup> - That the damages which plaintiff is entitled to recover is to be measured and computed in manner following: the original wholesale cost price of all merchantable and salable articles contained in said stock is to be ascertained (which the Court has found to be a total of \$4389.<sup>26</sup>) from which under the provisions of the contract must be deducted \$200.00 discount and to this balance must be added \$75.00 for fixtures, resulting in the sum of \$4264.<sup>26</sup>, as the original liability of the defendant. From this must be deducted said sum of \$1825.<sup>00</sup> received by plaintiff from the public sale of said stock, leaving the net amount received by the plaintiff \$2439.<sup>26</sup> less than the sum for which the defendant was liable under the contract, and this sum together with interest thereon at 6% per annum from the time of said breach to the first day of the present term of this Court amounting to \$219.<sup>54</sup> making a total of \$2658.<sup>80</sup> which the Court finds as a matter of law to be the measure and amount of the damages suffered by



Dec. 31, 1914,

plaintiff because of defendant's breach of said contract.

To each and all the foregoing findings of fact and of law severally and collectively the defendant excepts.

Upon consideration of the foregoing findings of facts and conclusions of law, It is considered and adjudged that the plaintiff B. F. Carneau have and recover from said defendant J. F. Stallsmith the sum of Two Thousand, Six-hundred and Fifty-eight + 8/100 Dollars (\$2658<sup>80</sup>) and also his costs herein taxed to \$ — and that said defendant pay the costs by him made taxed to \$ — and execution is awarded therefor, To all which the defendant excepted.

Whereupon the defendant moved the Court to set aside said judgment and grant a new trial herein, for the reasons stated in his written motion filed herein, which motion the Court on consideration overruled, and to which the defendant then excepted and now excepts.

Nettie M. Seig,  
Plaintiff

vs

William Scott,  
Louis Aller,  
Defendants.

No. 9447.

cost.

This cause dismissed by Court at plaintiff's

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Jan. 2, 1915

Saturday Jan. 2, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

It is ordered that all cases, motions, and all matters 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 September Term 1914, was begun on Monday the 14<sup>th</sup> day of September 1914, and was continued from day to day, and from time to time and is now adjourned on this 2<sup>nd</sup> Day of January 1915, without day.

John M. Brodrick  
Judge.

January 4, 1915.

January Term.

The State of Ohio,  
County of Union } ss.

This separate session of the Court of Common Pleas of the Tenth Judicial District, within and for the County of Union for the January Term 1915, held in the Court House in the Village of Marysville, County and State aforesaid, was begun on Monday January 4<sup>th</sup>, A.D. 1915 at 9 A.M.

Present Hon. John M. Brodrick, Judge  
John N. Laird, Sheriff.

Attest: John C. Hartshorn,  
Clerk.

Grand Jury.

The State of Ohio,  
Union County, ss.

Sheriff's Return.

On the 1<sup>st</sup> day of December 1914, I received this venire and served the same on the several persons therein named, at the times and in the manner placed opposite their names endorsed hereon.

- |                      |        |         |                 |     |
|----------------------|--------|---------|-----------------|-----|
| 1. L. M. Shaw        | Dec. 1 | By mail | No. of miles    | 7.  |
| 2. W. L. Bonnett     | "      | " "     | " "             | 5.  |
| 3. William Biddle    | "      | " "     | " "             | 16. |
| 4. John G. Prichard  | "      | " "     | " "             | 16. |
| 5. Calvin Liggett    | "      | " "     | " Out of county |     |
| 6. William King      | "      | " "     | No. of miles    |     |
| 7. O. D. Dillon      | "      | " "     | " "             | 9.  |
| 8. Thomas Kilyore    | "      | " "     | " "             | 6.  |
| 9. Louis F. Otte     | "      | " "     | " "             | 0.  |
| 10. Joseph Foley     | "      | " "     | " "             | 0.  |
| 11. H. Ingram        | "      | " "     | " "             | 7.  |
| 12. D. S. Davis      | "      | " "     | " "             | 15. |
| 13. Charles N. Smith | "      | " "     | " "             | 12. |
| 14. F. W. Perkins    | "      | " "     | " "             | 17. |
| 15. Sim Skidmore     | "      | " "     | " "             | 17. |

John N. Laird, Sheriff.

On calling the names in open court, the following responded: L. M. Shaw, W. L. Bonnett, William Biddle, John G. Prichard, O. D. Dillon, Thomas Kilyore, Louis F. Otte, Joseph Foley, H. Ingram, D. S. Davis, Charles N. Smith, F. W. Perkins & Sim Skidmore; the panel being incomplete by reason of Calvin Liggett and William King failing to report, by order of the Court Charles Ewing and Walter Dull were called as reg. jurymen, <sup>to fill panel</sup> the Grand Jury now being complete, John G. Prichard was selected as foreman who was duly sworn according to law, likewise the other jurymen were duly sworn and repaired to their room for deliberation after being charged by the Court.

No business presenting itself the Grand Jury adjourned to meet at call of Prosecuting Attorney.

for  
day of  
from  
Jan-



Jan. 4, 1915.

In the Court of Common Pleas, Union County, Ohio

In the Matter of Approving  
the Bond of Milton Haines,  
Prosecuting Attorney,This day the bond of Milton Haines, Prosecuting  
Attorney and the sureties thereon is approved,

John M. Brodrick, Judge.

Henry G. Schmelzer,  
Plaintiff

vs

L. L. Argo and Lizzie Argo,  
Defendants

No. 9647.

Judgment

The plaintiff by his attorneys comes, and the defendant is in default of answer or other pleading, although duly served with process, whereby the Court takes the account of plaintiff and finds that the defendants owe to the plaintiff the sum of \$129.22 with interest from the 4th day of January 1915.

It is therefore considered that the said plaintiff recover of said defendant, out of the property in the hands of the receiver herein, the said sum of \$129.22 with interest from January 4, 1915 and also costs of this action.

OK Brodrick Judge.

Henry G. Schmelzer,  
Plaintiff

vs

L. L. Argo et al  
Defendants.

No. 9647.

Order Sale

Upon considering the application of the Receiver herein for an order to sell the personal property in his hands as such receiver,

It is ordered, that L. J. McCoy, the said Receiver be and he hereby is, <sup>authorized</sup> ordered to sell the said personal property mentioned and described in the Inventory filed herein at private sale at not less than the appraised value thereof for cash.

John M. Brodrick, Judge.

Court adjourned to Jan. 8, 1915 at 9 a.m.

January 8, 1915.

Friday January 8, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Joseph J. Schlabaeh,  
Plaintiff,

vs

Albert Lemou et al,  
Defendants.

No. 9657.

This day this cause came on to be heard upon the demurrer of the defendants, Albert Lemou and Bertha Lemou, to the petition of the plaintiff, upon consideration whereof the Court overrules the same. Leave is granted defendants to answer within ten days.

Court adjourned to Jan, 11, 1915 at 9 a. m.



January 11, 1915

Monday January 11, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

N. J. Skidmore,  
Plaintiff

vs

No. 9608,

The Union County  
Farmers Telephone Co.

Defendant.

Now comes the plaintiff and offers proof of publication of the notice of the sale of the property of the Union County Farmers Telephone Company, and the Court finding said publication and the proof thereof, in all respects regular and according to law, and the former orders of this court, doth approve and confirm the same.

O. Brodrick, Judge.

N. J. Skidmore,  
Plaintiff

vs

No. 9608

The Union County  
Farmers Telephone Co.

Defendant.

Sale  
Confirmed

This the 11<sup>th</sup> day of January 1915, this cause come on to be heard on the report of A. J. Cook, Receiver of The Union County Farmers Telephone Company herein, of the sale made by him on the 6<sup>th</sup> day of January 1915, at one o'clock P. M., at the Court House in Marysville Ohio, at which he, as said receiver, publicly sold in pursuance of an order of this court made and entered on the 5<sup>th</sup> day of December 1914, all of the property of the said The Union County Farmers Telephone Company, ordered by this court in said order to be offered for sale, to the United Telephone Company of Bellefontaine, Ohio, who bid for the same the sum of \$3225.00, which was the highest and best bid made therefor; 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 respects 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 property, to convey and to deliver to said purchaser, The United Telephone Company of Bellefontaine Ohio, all of said property so sold and to be conveyed to said purchasers, The United Telephone Company of Bellefontaine, Ohio, is described and enumerated as follows:

Central Station Property at West Mansfield Ohio.

"All property of West Mansfield Ohio, Exchange, consisting of exchange equipment, poles, lines and subscribers stations equip-



Jan. 11, 1915.

ment. There being 35 subscribers stations in working order. The Tele-  
phones at 20 of these stations are owned <sup>company and 15 by the</sup> by the subscribers.

One extra switchboard (new); material on hand, Poles and wire, etc,  
at East Liberty and vicinity, Poles and wire etc at Middleburg and  
vicinity.

Central Station Property at York, Ohio.

"All property at York, Ohio, Exchange, consisting of exchange  
equipment, poles, lines and subscribers station equipment. There  
being 143 subscribers stations in working order. The telephones at 86  
of these stations are owned by the company and 57 are owned by the  
subscribers. Four pieces old cable; three cable boxes; nine telephone  
(old); one reel; one Swedish American switchboard (old); one  
Swedish American switchboard (old); one lot of hardware; one lot of  
pins, brackets etc; one lot of cross-arms, braces wire etc; one  
lot tools.

Included in and with the above described and enumerated  
property is the franchise granted to the Union County Farmers  
Telephone Company by the Village of West Mansfield, Logan County,  
Ohio, dated on the 17th day of May 1909; also the contract between  
the Union County Farmers Telephone Company and The Union County  
Telephone Company dated on the 12th day of July 1912; and the contract  
between The Union County Farmers Telephone Company and the Richwood  
Telephone Company dated on the 9th day of July 1912.

It is further ordered ~~that~~ the Court that said Receiver hold  
said funds arising from the sale of said property subject to the  
further order of this court.

OK Brodrick, Judge.



Jan. 13, 1915

Wednesday Jan. 13, 1915 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge,

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

Deephos Manufacturing Co.  
 Plaintiff

vs

No. 9451.

John Daum and John M. Daum,  
 Defendants.

This the 11<sup>th</sup> day of January, 1915, the demurrer by the defendant to the plaintiff's petition is heard and sustained, and the plaintiff not being entitled to amend or further plead, its request therefor is overruled, and it is therefore considered that said defendants go hence without day, and recover of said plaintiff their costs herein.

Judgment is rendered against said plaintiff for its costs of this suit, to which ruling, finding and judgment the plaintiff excepts.

Approved: John H. Willis, Atty for Plaintiff  
 John L. Loughrey, " " Defendants.

Billie Cahill  
 Chester Cahill,  
 Plaintiff

vs

Filed Jan. 12, 1915  
 No. 9522

J. S. Kagay,  
 Defendant.

This the 7<sup>th</sup> day of January, the motion by the defendant to strike certain matter from the second cause of action <sup>of the petition</sup> is granted, to which ruling the plaintiff excepts.

Approved: John H. Willis, Atty for Plaintiffs,  
 Cameron + Cameron, Atty for defendant,

Billie Cahill,  
 Chester Cahill,  
 Plaintiffs

vs

No. 9522.

J. S. Kagay,  
 Defendant

This the 7<sup>th</sup> day of January 1915, the demurrer by the defendant to the plaintiff's first cause of action of the petition is heard and overruled. To which ruling the defendant excepts. Leave granted defendant to answer in 30 days.

Approved: John H. Willis, Atty for plaintiffs  
 Cameron + Cameron, Atty for defendant,

Court adjourned to Jan. 15, 1915 at 9 a. m.

January 15, 1915

Friday Jan. 15, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

The James Ohlen & Sons  
Saw Manufacturing Co.  
Plaintiff

No. 9660.

vs.

J. M. Harriott,

Defendant.

This day came the plaintiff by its attorney; also appeared in open court, S. M. Van Dinkle, 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 Sixty-two dollars and thirty-seven cents, being the amount of the principal and interest, due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.

It is therefore considered that said plaintiff recover of said defendant the sum of One Hundred and Sixty-two dollars and thirty-seven cents being the amount of said note with interest computed at six per cent per annum, from the 15<sup>th</sup> day of October 1914; and also costs herein expended taxed at \$5.00

At John M. Brodrick, Judge.

Court adjourned to Jan. 16, 1915 at 9 a.m.



Jan. 16, 1915.

Saturday Jan. 16, 1915- Court convened at 9 a.m.  
 Present Hon. John M. Brodrick, Judge.

In the Court of Common Pleas, Union County, Ohio

Ada Pool,  
 Plaintiff  
 vs  
 Lewis M. Pool,  
 Defendant.

No. 9649.

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 thereof are confessed by him to be true and that at the time of the filing of the petition was a bona fide resident of the State of Ohio, and of the county of Union for one year next preceding the filing of said petition, and that said parties were married on the 5<sup>th</sup> day of August A. D. 1914, as alleged in said petition, and that there were no children born of said marriage, and that the defendant has been guilty of adultery as alleged in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be and she is hereby restored to her maiden name of Ada Cook, and that the plaintiff pay the costs of this proceeding taxed at \$6.11, and that this case be recorded.

John M. Brodrick, Judge

Jan. 16, 1915.

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

Ethel Jeffers Fearfont,  
Plaintiffvs  
Mort Fearfont,  
Defendant.

No. 9651.

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 as required by law and that he has failed to appear and is in default for answer or demurrer and that the allegations of the petition therefore confessed by him to be true; at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 26<sup>th</sup> day of February A.D. 1910, as alleged in said petition, and that one child Reta Fearfont aged 4 years Dec. 6, was born of said marriage and that at the time of said marriage he was the husband of one Edith Stanley whom he had formerly married under the name of Mortimer Teachout, as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff is decreed the custody, care and maintenance, education and control of said minor child, Reta Fearfont and pay the costs of this proceeding taxed at \$14.59, and that this case be recorded,  
John M. Brodrick, Judge.

Court adjourned to Jan. 18, 1915 at 9 a. m.



Jan. 18, 1915.

Monday Jan. 18, 1915. Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

William A. Shepard,  
Plaintiff

vs

Henry C. Shepard,  
Defendant.

No. 9789.

This day came the plaintiff paid the costs  
and dismissed this action without record.

Court adjourned to Jan. 19, 1915 at 9 a. m.

Jan. 19, 1915.

Tuesday Jan. 19, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

In the Court of Common Pleas, Union County, Ohio

W. J. Skidmore,  
Plaintiff

vs

No. 9608.

The Union County  
Farmers Telephone Co.

Defendant.

This the 19<sup>th</sup> day of January 1915, this cause came on to be heard upon the application of the receiver for instructions and an order in the payment of claims for labor performed for said company within three months prior to the appointment of said receiver, upon consideration thereof, and the Court being fully informed in the premises, finds that said claimants were laborers of said company, and that the same were performed within three months immediately prior to the 5<sup>th</sup> day of June 1914, said date being the date of the appointment of said receiver. The said claimants and the amount due each is as follows: Calmer Gordon, \$45.00; William Baldwin, \$60.00; Belle Williams, \$32.50; A. W. Skidmore, \$60.00; W. B. Ballinger, \$15.00.

It is therefore ordered by the Court that the said receiver out of the money in his hands realized from the sale of said property which came into his hands upon this appointment pay said claims in preference to all other claims against said company, except claims for taxes and the costs of administering the trust, and make due report of his proceedings in the premises.  
John M. Brodrick, Judge.

W. J. Skidmore,  
Plaintiff

vs

No. 9608.

The Union County  
Farmers Telephone Co.

Defendant

This the 19<sup>th</sup> day of January, 1915, this cause came on to be heard upon the application of the receiver for an order to pay the taxes due against said property; upon consideration whereof and the Court being fully informed in the premises, finds that the following taxes are assessed against said property, and that the same are unpaid. Due Union County, Ohio, including the December payment 1915, \$164.60; Due Logan County Ohio, including the December payment 1915, \$61.30; Annual Corporation tax due the State of Ohio with penalty \$35.88; Annual tax for support of Utilities Commission (Sec. 606) \$138 Total \$263.16.

It is therefore ordered by the Court that the said receiver, out of the money in his hands realized from the sale of said



Jan, 19, 1915.

property which came into his hands upon his appointment, pay said claims in preference to all other claims against said company, except the costs of administering the trust, and make due report of his proceedings in the premises,

John M. Brodrick, Judge.

W. J. Skidmore,  
Plaintiff

vs

The Union County  
Farmers Telephone Co.

Defendant.

No. 9608.

This the 19<sup>th</sup> day of January 1915, this cause came on to be heard upon the application of the receiver for an order to pay the expense of the receiver in administering said trust; upon consideration whereof, and the Court being fully informed in the premises, finds that said claims are just, according to law and unpaid; said item of expense and the parties to whom they are payable are as follows:

Fidelity and Deposit Company, premium on bond of receiver	\$ 75.00
L. E. Willis, appraisers fee for one day	50.00
N. C. Rogers, appraisers fee for one day	50.00
F. E. Milligan, appraisers fee for one day	50.00
The Union County Journal, notice of sale	138.00
The Weekly Examiner, notice of sale	154.00
A. T. Cook, labor as lineman	91.25

It is therefore ordered by the Court that the said receiver, out of the money in his hands upon his appointment, pay said claims in preference to all other claims against said company, except the taxes, and make due report of his proceedings in the premises.

John M. Brodrick, Judge

Court adjourned to Jan. 21, 1915 at 9 a.m.

Jan. 21, 1915

Thursday Jan. 21, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

Certificate Sheriff's Pay,  
Sept. Term 1914,

To Hon. John M. Brodrick, Judge: The court charges for the September Term A.D. 1914, Union County Common Pleas, are due for services rendered and are as follows:

Union County, Ohio, to John N. Laird, Sheriff Dr.

To serving Grand Jury venire	\$ 3.95
To serving Petit Jury venire	7.50
To serving Special Jury venire	10.00
To 214 miles travel serving Special Jury venire at 8¢ mile	17.12
To 88 miles travel, Grand Jury witnesses at 8¢ "	7.04
To serving Grand Jury witnesses	7.25
Total	\$ 52.86

I hereby certify the above bill to be correct.

John N. Laird, Sheriff Union County, Ohio.

To the Clerk of Courts, Union County, Ohio.

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

John M. Brodrick, Judge  
Common Pleas Court.

Court adjourned to Jan. 23, 1915 at 9 a.m.



Jan. 23, 1915.

Saturday Jan. 23, 1915 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

Bert Fields,  
 Plaintiff,  
 vs  
 Charles Moyer,  
 Defendant.

No. 9597.

The motion of the defendant herein having been brought on for hearing, and the plaintiff having by his attorneys consented to the granting of said motion, it is hereby ordered that the following paragraph be stricken out of the petition of the plaintiff herein, to-wit:

"Plaintiff further says that some time in the month of February 1914, the defendant brought action in the Justice Court of Clairbourne Township, Union County, to dispossess the plaintiff from the house occupied, at which time the plaintiff was unable to procure a place to which he could move and at which time the wife of the plaintiff was ill and unfit to be moved, and by reason of said action of the defendant it became necessary for plaintiff to employ counsel at an expense to him in the sum of ten dollars,

OK Brodrick Judge,

Court adjourned to Jan. 25, 1915 at 4 a. m.



Jan. 25, 1915.

Monday Jan. 25, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

J. W. Wadsworth et al,  
Plaintiffs

vs

No. 9440.

Geo. W. Moninger et al,  
Defendants.

This day this cause was heard on the petition of the plaintiff, the answer and cross-petition of the defendants George F. Moninger, Belle Moninger, Dell Boone and Malcolm Boone, the answer of the plaintiffs thereto and the evidence, and on consideration thereof, the Court find on the issues joined for the plaintiffs, and that there is due the plaintiffs from the defendants, George F. Moninger, Belle Moninger, Dell Boone and Malcolm Boone on the promissory note set forth in the petition, with interest to the first day of this term, the sum of Four Thousand Eight Hundred and Nineteen and  $24/100$  Dollars (\$4819.24). The Court further find that in order to secure the payment of said note, the defendants, George F. Moninger, Belle Moninger, his wife, Malcolm Boone his wife, executed and delivered to the said J. W. Wadsworth, J. B. Strang and Wm. A. Brodie, Trustees, the plaintiffs, their certain mortgage as in the petition described, and on the premises therein described; that said mortgage was duly recorded in Book 59, page 212 of the Records of Mortgages of Union County, Ohio, and is a good and valid lien on the premises described in the petition and that the conditions in said mortgage have been broken.

It is therefore considered by the Court that the plaintiffs recover from the defendants, George F. Moninger, Belle Moninger, Dell Boone and Malcolm Boone the said sum of Four Thousand Eight Hundred and Nineteen and  $24/100$  Dollars and their costs herein expended, and it is further adjudged and decreed that unless the defendants, George F. Moninger, Belle Moninger, Dell Boone and Malcolm Boone, 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 plaintiffs herein the sum so found due as aforesaid, with interest at the rate of eight per cent from the 4<sup>th</sup> day of January 1915, the defendants equity of redemption in the premises described in the petition be foreclosed.

It appearing from the pleadings filed by certain parties defendant in this action that an uncertainty now exists as to whether the estate of the defendants George F. Moninger and Malcolm Boone, at the time the said mortgage was executed and delivered, in all that part of the premises described in said mortgage and the petition as being in Virginia Military



Jan. 25, 1915.

Survey No. 9897, in said township and county, being One Hundred acres thereof, was an estate in fee simple, or one merely for the life of one Cyrus N. Haines; it is ordered that the sale of said One Hundred acres be postponed until it is determined as to the estate of said defendants George F. Mouinger and Malcolm Boone in said One Hundred acre tract in said Survey No. 9897.

It is further ordered that the following described part of the premises described in the petition be sold, to-wit: Part of Virginia Military Survey No. 9917, in the Township of Washington, County of Union and State of Ohio, and described as follows: Beginning at a stone and flints in the center of the Essex and Pynchalia Gravel Road, and forming David Miller's S. E. corner and in Allen Haines West line South  $6\frac{3}{4}$  deg East  $22\frac{5}{100}$  chains to a corner stone in the north line of Survey No. 9897 from which a Black ash 12 inches in diameter bears N.  $82\frac{1}{2}$  deg. W. 8 links; thence S.  $75\frac{1}{4}$  deg. W.  $5\frac{6}{100}$  chains to a stone with flints; thence N.  $34\frac{1}{4}$  deg. W.  $16\frac{7}{100}$  chains to a stone in the center of said Gravel Road; thence N.  $44\frac{3}{4}$  deg. E. along center of said gravel road  $12\frac{7}{100}$  chains; thence with said road N.  $62\frac{3}{4}$  deg. East  $3\frac{2}{100}$  chains to the point of beginning containing  $19\frac{2}{5}$  acres; also that an order of sale issue therefor to the Sheriff of Union County Ohio, directing him to appraise, advertise and sell said last described  $19\frac{2}{5}$  acres of land as upon execution and report his proceedings to this Court for further order. To which order and decree as to such  $19\frac{2}{5}$  acres, defendants Henry Katterjohn and Marie Katterjohn then and there except,

OK Brodrick, Judge

... Court adjourned to Jan. 26, 1915 at 9 A. M.,

Jan. 26, 1915.

Tuesday Jan. 26, 1915 - Court adjourned at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

H. G. Schuelzer,  
 Plaintiff

vs

No. 9647.

L. L. Argo,  
 Lizzie Argo,  
 Defendants.

L. J. McCoy the duly appointed Receiver herein, having this day filed his report to the effect that the property of the defendants in his hands as such Receiver has been sold by him to one W. W. Daniels for \$1225.00 cash in hand which amount is in excess of the inventory thereof, Now therefore on motion of Simons + Haines, attorneys for said Receiver, <sup>the said report</sup> is hereby approved and the said sale confirmed, and the said Receiver is hereby ordered to convey and deliver to said W. W. Daniels the property mentioned in the order of sale heretofore granted, upon payment of the said amount therefor.

OK John M. Brodrick, Judge.

Court adjourned to Jan. 27, 1915 at 9 a. m.



Jan. 27, 1915

Wednesday, Jan. 27, 1915 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

The Board of Commissioners,  
 of Union County, Ohio,  
 Plaintiff,

No. 9129,

vs  
 Dwight B. Edwards,  
 Defendant.

And now this cause coming on for hearing on the report of the referee, heretofore filed herein, and on motion of the plaintiff for judgment thereon, and no motion for a new trial having been filed,

It is considered that the defendant recover from the plaintiff the sum of \$16.31 with interest from the 28th day of December, 1908, by said report found to be due, together with his costs herein expended, including the sum of \$100.00, which the Court allows to J. H. Kinkade, the referee, for his services herein, taxed at \$118.65.

Approved: Robinson + Hoopes, Attorney for Defendant,  
 Milton Haines, Prosecuting Attorney.  
 O. M. Brodrick, Judge.

Court adjourned to Feb. 1, 1915 at 9 a. m.

Feb. 1, 1915,

Monday Feb. 1, 1915 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

In the Matter of Compensation  
 of G. C. Edwards, Court Constable }

G. C. Edwards is hereby allowed for services as  
 Court Constable for month of January 1915, 12 days service at  
 \$2.50 per day, total \$30.00.

The clerk will please certify the same to the Auditor  
 of Union County, Ohio.

John M. Brodrick, Judge.

Court adjourned to Feb. 2, 1915 at 9 a. m.



Feb. 2, 1915.

Tuesday Feb. 2, 1915 - Court convened at 9 a. m.

Present Hon. John M. Brodrick, Judge.

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

Glenn Baird,  
Plaintiff,

vs

The Pittsburg, Cincinnati,  
Chicago & St. Louis Ry Co,  
Defendant.

No. 9633.

This cause came on to be heard upon the motion of the plaintiff for leave to amend his petition herein by interlineation as follows: To make the next to the last sentence in the first paragraph of said petition read as follows "That at said time said engine was carrying no headlight or other lights visible from the front, and the employees in charge of said engine gave no signal upon its approach to said crossing."

Upon consideration whereof the court sustains the same and defendant is granted — days to plead. To all of which defendant excepts,

The Commercial Savings Bank,  
Plaintiff,

vs

Le Roy Walke et al,  
Defendants.

No. 9417.

It is hereby ordered and directed that the sum of three and a half be taxed as costs in the above entitled cause in favor of R. Eva Byers, Official Court Reporter, being in payment of a transcript of evidence, at the rate of eight cents a hundred words, made upon my order; and that the clerk issue his certificate therefor, directed to the Auditor of Union County, Ohio.

Feb. 7, 1915

J. F. Duncan

Trial Judge.

Lula May Ledley,  
Plaintiff

vs

J. Newton Ledley,  
Defendant.

No. 9665.

I allow a temporary restraining order in the above action, as prayed for in the plaintiff's petition, until the same can be further heard. An undertaking is dispensed with under the provisions of the statutes in such case provided.

Done this 2<sup>nd</sup> day of February 1915.

John M. Brodrick, Judge.

Feb. 2, 1915,

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

The Columbus, Magnetic Springs  
+ Northern Railway Co.  
Plaintiff,

No. 9488.

vs

E. A. Freshwater

Defendant.

This day this cause dismissed at defendant's  
cost without record thereof.

Glenn Baird,  
Plaintiff,

vs

The Pittsburg, Cincinnati,  
Chicago + St. Louis Ry. Co.  
Defendant.

No. 9633.

This cause coming on this day to be heard  
upon the motion of the defendant to require plaintiff to strike out  
the second paragraph of his petition, upon consideration  
whereof the Court overrules same, To all of which defendant  
excepts,

Le Roy Larcourt,  
Plaintiff,

vs

Harry H. Finney et al,  
Defendants.

No. 9648.

This cause coming on to be heard upon the motion  
of the defendants to require the plaintiff to separately state and  
number its causes of action herein, upon consideration, the Court  
sustains same and leave is granted plaintiff to amend its  
petition herein by interlineation as follows: To place the words  
"First Cause of action" immediately before the first paragraph  
in said petition, and to place the words "Second Cause of action"  
before the fifth paragraph thereof.

Court adjourned to Feb. 3, 1915 at 9 a. m.



Feb. 3, 1915.

Wednesday Feb. 3, 1915 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

William H. Mitchell, Ex. etc.,  
 Plaintiff

vs

No. 9550.

Serelda Taylor et al,  
 Defendants.

This day this cause coming on to be heard, the same was submitted to the Court upon the petition of the plaintiff, the answer of Frank Weigle by James B. Yaw, his guardian ad litem, the evidence and argument of counsel, the Court finds, Finding of Facts as follows:

1. That the plaintiff is the duly appointed, qualified and acting executor of the estate of Harriett R. Pennington, deceased, late a resident of said Union County, Ohio.
2. That all of the defendants have been duly served with summons or have voluntarily entered their appearance, and all except Frank Weigle, are in default for answer or demurrer, and that the allegations of the petition are admitted by all of the defendants, except Frank Weigle, to be true.
3. That, on the 18<sup>th</sup> day of December, A. D. 1912, said Harriett R. Pennington, then in full life, executed her last will and testament, which said last will and testament was duly admitted to probate and record, on the 11<sup>th</sup> day of November, 1913, in the Probate Court of Union County, Ohio.
4. That subsequent to the execution of said will, to-wit, on or about the 10<sup>th</sup> day of May, 1913, said testatrix, Harriett R. Pennington, then in full life, sold and conveyed the one hundred acre tract of land mentioned in the Second Item of said will to one J. G. Davin for the sum of Twelve Thousand Five Hundred Dollars (\$12,500.00) and took in payment therefor the eight promissory notes of said purchaser, secured by first mortgage upon said tract of one hundred acres. That on or about said last mentioned date and subsequent to the execution of said will, said testatrix, Harriett R. Pennington, then in full life, sold and conveyed the two hundred and nineteen acre tract of land mentioned in the Fourth Item of said will to said J. G. Davin for the sum of Twenty-seven Thousand Three Hundred and Seventy-five Dollars (\$27,375.00) and took in payment therefor the eighteen promissory notes of said purchaser, secured by first mortgage upon said tract of two hundred and nineteen acres.
5. That said Harriett R. Pennington departed this life, on the 31<sup>st</sup> day of October, 1913, leaving the last will and testament hereinbefore mentioned.
6. That none or any part of the notes of said J. G. Davin, hereinbefore mentioned were paid in the life time of said Harriett R. Pennington.



Feb. 3, 1915.

nor have any of them been paid to her executor, and all of said notes of said F. J. Davin are in the hands of the plaintiff as executor of said estate.

7. That the defendants, Serelda Taylor, Rebecca Ann Pennington, Laura Marilla Williams and Cynthia Ann Benson are sisters of the W. F. H. Pennington mentioned in said will; that Thomas Hagar, Frank Weigle, Frank Pennington and Harry Pennington are nephews and Frances Shannon a niece of said W. F. H. Pennington; that Clyde Siple, Walter Siple and Arthur Owey are grand nephews and Laura Bunce a grand niece of said W. F. H. Pennington; and that all said defendants are the only living sisters or the only living legal heirs and representatives of the deceased brother and sisters of said W. F. H. Pennington.

#### Conclusions of Law.

As conclusions of law, the Court finds:

1. That the legacies provided for in the last will and testament of Harriett R. Pennington, for the following named defendants, to-wit, Serelda Taylor, Rebecca Ann Pennington, Laura Marilla Williams, Cynthia Ann Benson, Thomas Hagar, Clyde Siple, Walter Siple, Arthur Owey, Laura Bunce, Frank Weigle, Frances Shannon, Frank Pennington and Harry Pennington, who are the brothers and sisters of W. F. H. Pennington, mentioned in said will, or their legal representatives, and the legacies provided for in said last will and testament for the defendants: The Home Missionary Society of the Methodist Episcopal Church under the control of the General Conference of said Methodist Episcopal Church, The Foreign Missionary Society of the Methodist Episcopal Church under the control of the General Conference of said Methodist Episcopal Church, The Methodist Home for the Aged at Colley's Hill, Cincinnati Ohio, The Preachers' Mutual Relief Society of the Ohio Conference of the Methodist Episcopal Church, a corporation not for profit under the laws of Ohio, The Trustees of the Ohio Presbyterian Board of Foreign Missions and the Home Missionary Committee of the Presbytery of Columbus Ohio, of the Presbyterian Church in the United States of America are specific legacies, payable out of the proceeds of a sale of the two tracts of land hereinabove mentioned and are not general legacies which might be paid out of any other property real or personal left by testatrix.
2. That the sale of these particular tracts of land, by testatrix, in her life time, adeemed all said specific legacies above mentioned.
3. That by Item Fifth of said last will and testament of said Harriett R. Pennington, all the notes and mortgages representing the sale price of said two above mentioned tracts of land pass to and vest, in the due course of the administration of said estate, subject however, to the payment of debts and costs of administration, to the residuary legatees named in said Fifth Item of said will, viz, Elizabeth Andrews, Alvira Smith,



Feb. 3, 1915.

Sarah Robinson, Fay M. Andrews, Clara Hawley, and Annette Converse.

4. That all the testimony offered by way of depositions was incompetent and the objection to it is sustained.

It is therefore ordered, adjudged and decreed that the plaintiff William H. Mitchell, Executor of the estate of Harriett R. Pennington, deceased, in the due course of administration, subject to the payment of the debts of said Harriett R. Pennington and the expenses of her last sickness and funeral expenses and costs of administration and of this proceeding, pay to the said Elizabeth Andrews, Alvira Smith, Sarah Robinson, Fay M. Andrews, Clara Hawley and Annette Converse, residuary legatees, the whole of said notes arising from the sale of said two above mentioned tracts of land or the proceeds arising from the collection thereof, share and share alike.

It is further ordered, adjudged and decreed that said plaintiff as executor out of the funds in his hands, pay the court costs of this proceeding taxed at \$ \_\_\_\_\_, To all of which findings, orders, judgments and decrees all the defendants except and their exceptions are noted of record, and an appeal bond in the sum of \$10000 is fixed for any or all the defendants, who may wish to prosecute appeal.

This entry is approved by William H. Mitchell, Executor etc

By Hughes + Pavey, His attorneys,

Frank Wedgell

By James B. Yaw, His guard. ad litem,

Ok John M. Brodrick, Judge.

Grant N. Douglass,  
Plaintiff

vs

Bertha R. Findley et al,  
Defendants.

No. 9650.

This cause coming on for hearing as to the answer of Barbara Brottinger to be made party defendant in the within entitled cause, leave is given for the filing of her said answer, and she is hereby made party defendant.

John M. Brodrick, Judge.

Court adjourned to Feb. 4, 1915 at 9 a. m.

Feb. 4, 1915.

Thursday Feb. 4, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

John W. Hillis,  
Plaintiff

vs

No. 9666.

J. W. Westlake,  
Defendant.

This day came the plaintiff, by his attorney; also appeared in open court, for and on behalf of said defendant, Milton Haines, 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, 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 Three Hundred and Fifty Dollars and no cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors, and right of appeal in the premises. It is therefore considered that said plaintiff recover of said defendant the sum of Three Hundred and Fifty Dollars and no cents, being the amount of said note with interest at 6 per cent per annum, from the 3<sup>rd</sup> day of February 1915; and also his costs herein expended taxed at \$5.00.

OK John M. Brodrick, Judge.

Court adjourned to Feb. 8, 1915 at 9 a. m.



Feb. 8, 1915.

Monday Feb. 8, 1915 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

The First National Bank  
 of Kenton Ohio,  
 Plaintiff

vs

Robert H. Morrison,  
 Susanna Calvin,  
 H. E. Morrison,

Defendants.

No. 9668.

This day came the plaintiff by its attorneys; also appeared in open court, for and on behalf of said defendants Finney U. Jones 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 serving of process in this action, and confessed a judgment on said note against said defendants, and in favor of said plaintiff, for the sum of Five Hundred and Twenty-six Dollars and forty cents, being the amount on said note of 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 Five Hundred and Twenty-six Dollars and forty cents, and that said judgment bear interest at 8 per cent from the 8<sup>th</sup> day of February A. D. 1915; and also its costs herein expended taxed at \$5.00.

OK John M. Brodrick, Judge.

Feb. 8, 1915.

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

The First National Bank  
of Kenton Ohio,  
Plaintiff

vs

Harry Webster,  
Alice A. Webster,  
Robert H. Morrison,  
Susanna Calvin,

No. 9669.

Defendants.

This day came the plaintiff, by its attorneys; also appeared, for and on behalf of said defendants, Finney W. Jones, an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in this cause, shown to have been duly executed by said defendants, entered the appearance of said defendants, and waived the issuing and serving of process in this action, and confessed a judgment on said note against said defendants, and in favor of said plaintiff for Two Hundred and Three Dollars and Ninety cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors, and right of appeal in the premises.

It is therefore considered that said plaintiff recover of said defendants the sum of Two Hundred and Three Dollars and Ninety cents, and that said judgment bear interest at 8 per cent from the 8th day of February A. D. 1915; and also its costs herein expended, taxed at \$5.00

ON John M. Brodrick, Judge.

Court adjourned to Feb. 9, 1915 at 9 a.m.



Feb. 9, 1915.

Tuesday Feb. 9, 1915 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

Iva M. Alexander,  
 Plaintiff

vs

No. 9657.

John E. Alexander,  
 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 answer or demurrer 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 8th. day of February A. D. 1901, as alleged in said petition; that there is one child of said marriage Carl F. Alexander who is ten years old and that the defendant has been guilty of Gross Neglect of duty for more than three years last past, and of habitual drunkenness for more than three years last past as alleged in said petition, and that said plaintiff is therefore entitled to a divorce as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom and that said plaintiff be given the care, control and custody of said minor child, Carl F. Alexander and that he be exclusively confided to her until further order of the Court. But it is ordered that the defendant can visit the child in the day time in suitable hours, and in a sober condition. He must not be intoxicated. And that the defendant pay the costs of this proceeding taxed at \$8.00, and that this case be recorded.

John M. Brodrick, Judge.

Court adjourned to Feb. 10, 1915 at 9 a. m.



Feb. 10, 1915

Wednesday Feb. 10, 1915 - Court convened at 9 a.m.  
 Present Hon. John M. Brodrick, Judge,

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

State of Ohio,  
 Plaintiff,

vs

No. 1490.

Frank Larkin,

Defendant.

This the 14<sup>th</sup> day of December, 1914, came the Prosecuting Attorney on behalf of the State of Ohio, and the defendant coming voluntarily into open court and being represented by counsel; thereupon said defendant retracts his plea of not guilty heretofore entered, and for plea to said indictment, saith he is guilty of manslaughter, which plea is accepted by the Prosecuting Attorney; and the defendant being inquired of by the Court if he had anything to say why sentence should not be pronounced against him, and having nothing to say, but what he hath already said, It is considered, ordered and adjudged that the defendant, Frank Larkin, be imprisoned and confined in the penitentiary of the State, and kept at hard labor, but without any solitary confinement for an indeterminate period of one to twenty years; and that he pay the costs of this prosecution, for which execution is awarded.

And it appearing to the Court from evidence adduced, and from the circumstance of the case that the public good does not demand or require that said defendant shall suffer the penalty imposed by law, it is therefore ordered by the Court, that the execution of said sentence be suspended during the good behavior of said defendant, and so long as said defendant shall totally abstain from the use of intoxicating liquor, and upon the further condition that said defendant within six months pay the costs of this prosecution.

Court adjourned to Feb. 15, 1915 at 9 a.m.



Feb. 15, 1915.

Monday Feb. 15, 1915- Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge

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

The Commercial Savings Bank  
 Plaintiff

vs

Le Roy Walker et al,  
 Defendants.

No. 9417,

This day this cause came on to be heard on the application of the Commercial Savings Bank to make Charles A. Miller of Thompson Township, Delaware County, Ohio and Newton Graham of Paris Township, Union County, Ohio parties defendant to the above entitled action, and the Court being fully advised in the premises, finds that said Charles A. Miller and Newton Graham are necessary and proper parties defendant hereto and it is ordered that they be made parties defendant and that process for that purpose be issued by the Clerk of this Court in due form of law.

OK

Brodrick, Judge.

Court adjourned to Feb. 17, 1915 at 9 a. m.

Feb. 17, 1915.

Wednesday Feb. 17, 1915 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

S. M. Conklin,  
 Plaintiff

vs

Mary W. Thomas,  
 W. L. Thomas,  
 Defendants,

No. 9672,

This day came the plaintiff, by his attorney; also appeared in open court, for and on behalf of said defendants, John N. Kinkade, 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 notes against said defendants, and in favor of said plaintiff, for One Hundred and Eighty-two Dollars and three cents, being the amount of the principal and interest due on said notes 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 Eighty-two Dollars and three cents, being the amount of said notes with interest computed at six per cent per annum, from the 26<sup>th</sup> day of February A. D. 1914; and also ~~his~~ costs herein expended taxed at \$5.00.

OK Brodrick, Judge.

Court adjourned to Feb. 20, 1915 at 9 a. m.



Feb. 20, 1915.

Saturday Feb. 20, 1915 - Court convened at 9 a.m.  
 Present Hon. John M. Brodrick, Judge.

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

Flora Nincchelser,  
 Plaintiff

vs

John Nincchelser,  
 Defendant.

No. 9590.

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 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<sup>th</sup> day of May 1891, as alleged in said petition, and that two children have been born of said marriage, Dwight H. Nincchelser, aged 19 years and Edgar R. Nincchelser aged 16 years, and that the defendant has been guilty of gross neglect of duty and adultery as charged in the 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, maintenance, and education of said minor children be and the same hereby is confided in the plaintiff until the further order of this court. It is further ordered that the defendant have the privilege of visiting said children at reasonable intervals. It is further ordered that defendant pay the costs of this proceeding taxed at \$8.00 and that this case be recorded,  
 John M. Brodrick, Judge.

William W. Langstaff,  
 Plaintiff.

vs

Jennie L. Langstaff  
 Defendant.

No. 9479.

Upon motion of the defendant leave is hereby granted defendant to withdraw her answer and cross petition herein and file a general demurrer to the petition, Ot Brodrick Judge.  
 Court adjourned to Feb. 24, 1915 at 9 a.m.



Feb. 24, 1915.

Wednesday Feb. 24, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

J. N. Nadsworth et al,  
Plaintiffs

vs

No. 9440.

George F. Mouinger et al,  
Defendants.

This day again came the said parties to this action, by their attorneys, and thereupon this cause came on to be heard upon the pleadings of all the parties hereto, the agreed statement of facts, and the evidence and was argued by counsel. On consideration thereof the Court find, on the issues joined, that by the terms of the last will and testament of James D. Haines, deceased, the said Cyrus N. Haines was not the owner in fee simple of that part of the lands described in the petition as being one hundred acres thereof in Virginia Military Survey No. 9897 and 9917 but that said Cyrus N. Haines was the owner of an estate for his life therein; also, that said Geo. F. Mouinger and Malcolm Boone, grantees in the conveyance of said one hundred acres of land to them by <sup>said</sup> Cyrus N. Haines and wife, were not the owners of said land in fee simple at the time said mortgage deed was executed and delivered to the plaintiffs, but were, at said time, the owners of an estate for <sup>the</sup> life of said Cyrus N. Haines therein, and that by reason thereof the plaintiffs are entitled to an order for the sale of the estate for the life of said Cyrus N. Haines in said one hundred acres of land, instead of an order for the sale of the fee thereof, as prayed for in the petition. The Court further find that the defendants, Henry Katterjohn and Marie Katterjohn are the present owners of the estate for life of the said Cyrus N. Haines, but as such they are not entitled to the relief against the plaintiffs prayed for in their answer and cross petition herein.

It is therefore adjudged and decreed that, unless the defendants George F. Mouinger, Belle Mouinger, Dell Boone, Malcolm Boone, Henry Katterjohn and Marie Katterjohn, 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 plaintiffs herein the same found on a former day of this present term of this court to be due the plaintiffs, with interest at the rate of eight per cent from the 4<sup>th</sup> day of January, 1915, the equity of the said defendants in the premises hereinafter described be foreclosed. It is further ordered and adjudged that the estate for life of the defendant, Cyrus N. Haines, in the above mentioned premises be sold, and which are situate in Washington Township Union County and State of Ohio and part of Surveys Nos. 9897 and 9917 and are described as follows; to-wit: - Beginning at a



Feb. 24, 1915

stone in the center of the Rush Creek Gravel Road the northwesterly corner of a tract of land containing 19.40 acres conveyed by James D. Haines to Cyrus N. Haines; thence with the ~~west~~ line of said tract South  $34^{\circ} 15' E$ . 64.20 poles to a stone at the southwesterly corner of said tract; thence with the south line of the same N.  $74^{\circ} 15' E$ . 22.40 poles to a stone the southeast corner of said tract in the north line of Survey No. 9897; thence with the said line N.  $83^{\circ} E$ . 79.60 poles to a stone at the N. W. corner of Samuel F. Hughes' land; thence with the west line of said land S.  $7^{\circ} E$ . 108.23 poles to a stone at the N. E. corner of the lands of Robert Woodie Sr.; thence with two consecutive lines of land S.  $82^{\circ} 30' N$ . 89 poles to a stone and thence S.  $6^{\circ} 45' E$ . 45.70 poles to a stone a corner to said land in the north line of Thomas Hicks' land; thence with said line S.  $83^{\circ} 15' N$ . 36.40 poles to a stone a corner to the lands of Casper A. Haines and Elizabeth Haines; thence with two consecutive <sup>lines</sup> of said land N.  $6^{\circ} 15' N$ . 153.20 poles to a stone and thence N.  $33^{\circ} 45' N$ . 48 poles to a stone corner to said lands in the center of said road N.  $44^{\circ} 15' E$ . 18 poles to the beginning containing 100 acres of land, subject to the ten acres of timber land and right of way thereto as set forth in the will of James D. Haines, deceased.

Also that an order of sale issue therefor to the Sheriff of Union County, Ohio, directing him to appraise, advertise and sell the said estate for life of the said Cyrus N. Haines, in said described One hundred acres of land, as upon execution and report his proceedings to this court for further order. To all of which orders, judgments and decree the plaintiff and the defendants, George F. Mouinger, Belle Mouinger, Dell Boone, Malcolm Boone, Henry Katterjohn and Marie Katterjohn then and there excepted, and gave notice of their intention to appeal this cause to the Court of Appeals, and the court do fix the amount for said appeal at the sum of \$200.00

Approved: Stillings + Dugan for Henry and Marie Katterjohn,  
Geo. E. Crane for Mouinger + Boone,  
Robinson + Hoopes for Roland Haines  
S. P. Arline + Milton Haines for Hazel Haines + Florence Aiken.

Feb. 24, 1915.

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

J. W. Madsworth et al,  
Plaintiffs

vs

George F. Mouinger et al,  
Defendants.

No. 7440.

This day this cause came on to be heard on the application of the plaintiff, the defendants Henry Katterjohn, Marie Katterjohn, George F. Mouinger and M. B. Boone for a Receiver to rent, lease, operate or cure for the premises in the petition described or such part thereof as may be necessary to cure for during the season of 1915 and was heard on the application and the evidence:— On consideration whereof the Court does find that it is for the best interests of said premises and necessary for its preservation, that a Receiver be appointed:—

It is therefore ordered, adjudged and decreed that John H. Smick be appointed as Receiver for the premises in the petition described and that he be authorized and directed by the Court to rent, lease or operate said premises for the season of the year 1915, on his giving bond to the satisfaction of the Court in the sum of \$20000.

OK Brodrick, Judge

Court adjourned to Feb. 26, 1915 at 9 a.m.



Feb. 26, 1915.

Friday Feb. 26, 1915 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

In the Court of Common Pleas, Union County Ohio.

Opha E. Snyder,  
 Plaintiff

vs

N. J. Brooks, Treas Union Co,  
 The Village of Richwood O.,  
 Defendants.

No. 9413,

This cause of action coming on for hearing, it is agreed by and between the parties and with the approval of the Court, that

First, The injunction prayed for in the plaintiff's petition herein shall be made perpetual as to the street sprinkling assessment

Second: That the Village of Richwood shall refund and pay to the plaintiff herein the sum of Nine + 88/100 dollars (\$9.88) being the sum now paid on the said street sprinkling assessments for the years of 1912 and 1913.

Third: That the plaintiff, Opha E. Snyder, shall pay the sum of \$75 and the interest thereon as assessed by the said Village of Richwood, for street paving purposes in annual installment as they appear on the County Treasurer's Books.

Fourth: That the Village of Richwood shall pay the Court costs tax herein at \$10.82.

Approved: S. W. Vandriekle for Plaintiff  
 A. B. Simons for Defendant.

At John M. Brodrick, Judge.

Court adjourned to Feb. 27, 1915 at 9 a. m.

Feb. 27, 1915.

Saturday Feb. 27, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

In the Matter of Compensation  
G. C. Edwards, Court Constable }

G. C. Edwards is hereby allowed for services as Court Constable for Month of February 1915, 10 days at \$25.00 per day, total \$250.00. The Clerk of this Court will please certify the same to the Auditor of Union County, Ohio.

John M. Brodrick, Judge.

Leona C. Gould,  
Plaintiff,

vs  
Otho J. Gould,  
Defendant.

No. 9658.

This day this cause came on to be heard upon the pleadings, evidence, and arguments of counsel. On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served by publication according to law and that he has failed to appear and is in default for answer or demurrer to the petition, that at the time of the filing of the petition herein the plaintiff was a bona fide resident of the State of Ohio, and of the County of Union for one year next preceding the filing of said petition, and that said parties were married on the 25<sup>th</sup> day August A. D. 1910, as alleged in said petition, and that no children were born of said marriage, and that the defendant has been guilty of gross neglect of duty and extreme cruelty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce, as prayed for in said petition.

It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff be and she hereby is restored to her maiden name of Leona C. Clutter. It is further ordered that defendant pay the cost of this proceeding taxed at \$11.22, and that this case be recorded.

John M. Brodrick, Judge.



Feb. 27, 1915.

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

Hiram Brottinger et al,  
Plaintiffs

vs

Helen Svidlow et al,

Defendants.

No. 9664.

This cause now coming on for hearing, was submitted to the court on the petition, the answer and cross-petition of defendant Chas. H. Wiltzie. The court further finds that the defendants Helen Svidlow and Frank Svidlow, had been duly served with summons in this case and they are in default for answer and demurrer. The Court also finds that Christopher Koerner, has also been duly served with summons and that he is in default for answer and demurrer, and that the allegations of the petition and cross-petition of Charles H. Wiltzie, are thereby confessed by them to be true. And that there is due to the plaintiff from the defendants Helen Svidlow and Frank Svidlow, on the promissory note set forth in the petition with interest at seven per cent to the 20<sup>th</sup> day of May 1914 the sum of \$1675<sup>00</sup> and interest 7 per cent from this date, February 27, 1915.

The Court further finds, that in order to secure the payment of said note, Helen Svidlow and Frank Svidlow, her husband, executed and delivered to said Hiram Brottinger and Jane Brottinger, certain mortgages as in the petition described, and on the premises therein described that said mortgage was duly recorded in book - page of the records of Union County, Ohio.

And is a good and valid lien on premises, described in petition and that the conditions of said mortgage, have been broken. And the Court further finds that there is due to the defendant Charles H. Wiltzie, from the defendant Helen Svidlow and Frank Svidlow on the taxes set up in his answer and cross-petition the sum of \$284<sup>10</sup> with interest to date of payment.

It is therefore considered by the Court, that the plaintiff recover from the defendants Helen Svidlow and Frank Svidlow, the said sum of \$1675<sup>00</sup> with interest to date of payment, and that the defendant Charles H. Wiltzie, recover from the defendants the said sum of Two hundred, eighty-four dollars and interest to date of payment as heretofore respectively found due them, the said Charles H. Wiltzie, defendant, having the best lien on the premises, it being a claim for taxes. And it is further adjudged and decreed, that unless said defendants, Helen H. Svidlow and Frank Svidlow, shall within five days from the entry of this decree pay or cause to be paid, to the Clerk of this Court the costs in this case, and to the plaintiff and to the defendant Charles H. Wiltzie, the sums so found to be due them, as aforesaid with interest from the - day of - . The defendants equity of redemption be foreclosed and said premises be sold, and that an order



Feb. 27, 1915. - March 1, 1915.

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 orders,

John M. Brodrick, Judge C.

Court adjourned to March 1, 1915 at 9 a. m.

Monday March 1, 1915 - Court convened at 9 a. m.

Present Hon. John M. Brodrick, Judge.

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

H. G. Schmelzer,  
Plaintiff,

vs

No. 9647.

L. L. Argo et al,  
Defendants,

Leave is granted E. E. Moore to file an answer and cross petition, and the same is filed.

Court adjourned to March 2, 1915 at 9 a. m.



March 2, 1915.

Tuesday, March 2, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

The Urbana Packing Co.  
Plaintiff,

vs

J. M. Mc Kirgan et al.  
Defendants.

No. 9483.

Upon motion of the defendant, The Buckeye<sup>State</sup> Building and Loan Company, it is ordered that John C. Hartshorn be, and he hereby is, appointed Receiver in this case, for the purpose of renting and collecting rents on the property described in the amended answer and cross-petition of the Buckeye State Building and Loan Company. The bond of said Receiver is fixed at fifty (\$50.00) dollars.

Said receiver is ordered and directed upon qualifying to proceed to rent the said property upon the best terms obtainable, and to collect the rental and hold the same subject the further order of the court; and all persons occupying said property are hereby directed to pay said rental to the said Receiver, and said Receiver is ordered to make return, and report to this court.

O. K. Brodrick, Judge.

In the Matter of the Will<sup>+ Codicil</sup>  
of David Sharrer, deceased

No. 9673.

Be it remembered, That, heretofore, to-wit: on the 2<sup>nd</sup> day of March A. D., 1915, an instrument of writing, purporting to be the last Will and Testament, and a Codicil thereto of David Sharrer, late of Paris Township, in this county, deceased, was produced in open court and offered for probate and was filed.

And it now being shown to the satisfaction of the Court, that due notice of the filing of said Will and Codicil, and of the application to admit the same to probate and record in this court, has been given to the next of kin of the testator, resident of the State of Ohio, pursuant to a former order of this Court; thereupon, on this day came Florence Woodburn and E. M. Porter, the subscribing witnesses to said Will and Anna E. Zwerner and Keziah M. Robinson the subscribing witnesses to the Codicil; which testimony was reduced to writing, by them respectively subscribed, and filed with said Will. Whereupon the Court finds the aforesaid instrument of writing is the last Will and Testament and the Codicil thereto of the said David Sharrer, deceased; that the same were duly executed and attested; and that the said Testator, at the time of making, signing and sealing the same, was of full age, of sound mind memory, and not under any restraint. It is therefore, by the Court

March 2, 1915.

ordered, that the said Will and Codicil be admitted to Probate, and that the same, together with the testimony of the witnesses above named, be entered of record in this Court.

It is further ordered that the Executor hereafter to be appointed pay the costs herein taxed at \$4.75, within — days.

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

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Court adjourned to March 3, 1915 at 9 a. m.



March 3, 1915.

Wednesday March 3, 1914 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Louis Saygrover,  
Plaintiff

vs

Louis F. Blue,  
Defendant.

No. 9653.

Leave is given to defendant to file answer in-  
stantly and the same is filed.

OK. Brodrick, Judge.

Glenn Baird,  
Plaintiff

vs

The Pittsburg, Cin-  
cinnati & St. Louis  
Railway Co.

No. 9633.

Default is opened up and defendant is given  
leave to plead herein, forthwith.

Court adjourned to March 4, 1915 at 9 a. m.

March 4, 1915.

Thursday March 4, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Grand Jury.

Pursuant to a call of the Prosecuting Attorney, the Grand Jury assembled at 10 o'clock this morning, at the calling of the names of the Grand Jurors, the following were found present: L. M. Shaw, W. L. Bonnett, William Biddle, John G. Prichard, O. D. Dillon, Thomas Kilyora, Louis F. Otte, Joseph Foley, H. Ingram, D. S. Davis, Charles H. Smith, F. W. Perkins, Sim Skidmore, Charles Ewing & Walter Dull, The panel being complete, the Grand Jury entered into deliberations. The following witnesses were sworn and examined: J. L. Sayre, Edna Fields, William Sloop, Harve Stithem, George Moor, Alex Hatcher, Polla Linn, C. A. Spicer, Cletus Baker, Frankie Baker, Earl Baker, & Leuk Baker, <sup>Mary E. Hatcher, Walter Draper, Hazel Simpson, & Nora Fouts</sup> Business not being completed, the Grand Jury adjourned to 9 a. m. to-morrow morning.

In the Matter of Appointment  
of a Deputy Sheriff, Union Co., O.

C. W. Sloop is hereby appointed as Deputy Sheriff of Union County, Ohio.

J<sup>h</sup>

John N. Laird, Sheriff

The foregoing appointment is hereby approved this 4<sup>th</sup> day of March 1915.

John M. Brodrick, Judge of the  
Common Pleas Court, Union Co., O.

Whereupon came the said C. W. Sloop accepted the office and made oath as follows:

State of Ohio,  
Union County ss.

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 Sheriff to which I have been appointed according to law and the best of my ability.

C. W. Sloop.

Sworn to and subscribed in my presence this 4<sup>th</sup> day of March 1915.

John M. Brodrick,  
Judge Common Pleas Court.

Court adjourned to March 5, 1915 at 9 a. m.



March 5, 1915.

Friday March 5, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge,

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

Grand Jury {

Pursuant to adjournment the Grand Jury assembled at 9 o'clock this morning. All members present. The following witnesses were sworn and examined; Albina Staley, Lena M. Curtz, Frank Belt Jr, A. H. Kellefrath, + Ellen Brown. After some deliberation the Grand Jury reported in open court the following bills of indictment signed by John G. Prichard their foreman,

William Hatcher Assault and Battery;

Harry Tanner, Burglary;

Preston Kingrell, Abandoning Legitimate Children;

Garner Eastman, Assault and Battery.

The Grand Jury likewise filed the following report:

To Hon. John M. Brodrick Judge of the Common Pleas Court, Union Co. O.

The Grand Jury of the Court of Common Pleas, of said County, of the January Term, 1915, 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 20 witnesses, covering 5 cases, and presented 4 bills, and ignored 1 case considered before 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 all been faithfully kept and observed, and we do find that provision of law for the regulation of County Jails have not been violated. We recommend that the interior of the Jail be painted.

Respectfully submitted,

Mch 5, 1915.

J. G. Prichard, Foreman.

No further business presenting itself Grand Jury discharged.

Frank Dodge,  
Plaintiff

vs

Geo. M. Wilbur,  
Defendant.

No. 9578.

Leave is granted plaintiff to reply by March 10, 1915.

March 5, 1915.

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

Benjamin,  
Plaintiff

vs

Herbert Patria,  
Defendant.

No. 9531.

This day this cause is dismissed at plaintiffs cost without prejudice.

Belle Armstrong,  
Plaintiff

vs

Louie C. McLean,  
Defendant.

No. 9401.

The parties not desiring to further litigate this cause, the same was submitted to the court upon the matter of costs. On consideration whereof it is ordered by the court that this cause be dismissed and that the costs of the same be paid by the said Louie C. McLean as executor and out of the assets of the estate of said Orville McLean; and in default of such payment, execution is awarded therefor.

Ok. Prodrick, Judge.

Court adjourned to March 6, 1915 at 9 a.m.



March 6, 1915,

Saturday March 6, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Order to Draw  
Grand & Petit Jurors  
April Term 1915

To the Clerk of said Court:-

You are hereby directed to proceed according to law at 10 o'clock on Saturday March 6, 1915, to draw from the Jury Wheel of Union County, the names of 33 persons to serve as Grand and Petit Jurors for the April Term, 1915 of the Court of Common Pleas of said County.

The first 15 persons whose names are so drawn from said Jury Wheel, you will cause to be summoned to appear and serve as Grand Jurors on Monday April 5, 1915 at 10 o'clock A. M.

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 on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 1915 at 10 o'clock A. M. And for so doing this shall be your sufficient warrant. Witness my hand officially this 6<sup>th</sup> day of March 1915.  
John M. Brodrick, Judge.

In obedience to the above order, in the presence of the above Common Pleas Judge, John N. Laird, Sheriff, L. B. Harvey and Homer Southard, Jury Commissioners, I did proceed to draw the following names: O. L. Mather, O. P. Lenox, Joseph Robertson, T. M. Munson, R. Wynn, Charles Freshwater, N. E. Figley, John Huber, Frank Ringemeyer, W. H. Sherman, L. F. Aurine, J. E. Sault, A. V. Kennedy, Thomas Connor + Calvin C. Sewell. Issued venire for same returnable ~~March~~ April 5, 1915 at 10 a. m. to serve as Grand Jurors.

At the same time and in the same manner, I did proceed to draw from the said Jury Wheel the following 18 names: Joseph Kinikin, Jacob Greenbaum, Ralph E. Smith, Gottlieb Burns, C. L. Kaerner, Frank Collier, William Langhrey, Bert Romine, Francis Smart, W. H. Rogers, Chas. Hagenlocher, L. R. Larcomb, Lee W. Elson, G. J. Evans, Harley Stubbs, E. W. Bonnette, S. G. Watts and Emory M. Coe. Issuance of venire is deferred until further ordered.

John Startshorn, Clerk.



March 6, 1915.

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

William A. Langstaff,  
Plaintiff,

vs

Jennie L. Langstaff,  
Defendant.

No. 9479.

This day came the plaintiff, William A. Langstaff, and the defendant, Jennie L. Langstaff, both in person and with their attorneys, thereupon this cause came on to be heard upon the pleadings and evidence, thereupon the defendant asked <sup>and</sup> was granted leave leave to withdraw her answer and cross petition in this cause and to file a general demurrer to the petition, and said answer and cross petition having been withdrawn and a demurrer to the petition having been filed, the same was argued by counsel and submitted to the Court, upon due consideration and being duly advised in the premises, the Court do find said demurrer not well taken, and the same is <sup>accordingly</sup> overruled, to which defendant excepted, thereupon this cause came on to be heard upon the petition and the evidence, both oral and documentary, and upon the same this cause was submitted to the Court.

The Court upon the evidence adduced do find that service of a summons and duly certified copy of the petition in this cause filed, has been had upon the defendant personally by the sheriff of Delaware County, Ohio, according to law.

The Court do find the plaintiff at the time of filing his petition in this court had been for one year and more prior thereto a bona fide resident of the State of Ohio, and that he then was and now is a bona fide resident of the County of Union, and that his cause of action arose at Union County, Ohio.

The Court do find that the plaintiff and defendant were married at the time and place alleged in the petition, and that there is no issue of said marriage.

The Court do find that the allegations of the petition are true and that defendant is guilty of gross neglect of duty as charged in the petition, and that plaintiff is entitled to a divorce as prayed for because of the aggressions of the defendant.

It is further the decree and judgment of the Court that the marriage relations heretofore existing between plaintiff, William A. Langstaff and defendant, Jennie L. Langstaff, be and the same hereby is dissolved, annulled and set aside, and both parties hereto are relieved from all the obligations arising from such marriage.

The Court do further find from the evidence that on July 7, 1913, the plaintiff and defendant made and duly entered into a contract in writing in reference to alimony, and property rights, a copy of said contract being attached to the answer and cross-petition here introduced in evidence, and which contract in writing is the words and figures following to-wit:



March 6, 1915.

Contract.

This contract made at Marion, Ohio, this 7<sup>th</sup> day of July A.D. 1913, between William A. Langstaff, first party, and Jennie L. Langstaff second party, witnesseth, Whereas,

That the parties hereto are husband and wife, having been married January 28, 1913, and have agreed upon an immediate separation, and have mutually agreed to live separate and apart during the remainder of their natural lives, Whereas,

First party is the owner of fifty acres of land now in the name of Guy Langstaff and Nellie Langstaff the execution and delivery of a deed being delayed by some formalities and situated in Clayborne Township, Union County, Ohio, Whereas

Said second party is the owner of three acres of land in Berlin Township, Delaware County, Ohio, conveyed by William Hayes and Margaret Hayes, his wife.

Now, therefore, in consideration of five hundred dollars to be paid this day by William A. Langstaff to said Jennie L. Langstaff, It is agreed further, that each party does hereby release and discharge the other from all obligations of support and from all other claims or claims, rights and duties arising or growing out of said marital relations and each party mutually agreed that each may hereafter 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 forever barred from any and all rights, 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 whatever in or to the estate of the other, whether real, personal or mixed, and whether now owned or hereafter acquired, and each party hereto, for the said consideration aforesaid, does hereby release and relinquish to the other, and to the heirs, executors, administrators of the other all claims or rights of dower and inheritance in and to all the real and personal property, and to the heirs, administrators, executors and assigns all claims and right to any property of the other or any property hereafter acquired, all rights of dower, all rights and claims claims to a distributive share of the estate of the personal estate of the other and any and all rights arising from said marriage,

It is further agreed, that each shall own and hold and dispose of as they see fit all property now owned by each or hereafter acquired free and clear of any estate, right or interest of the other,

It is further agreed that neither shall talk about the other and that second party shall have all personal property she brought to the said first party at the time of her marriage to him and all personal property bought since their marriage or acquired since said marriage shall be the property of first party. That said first party shall pay said second party, as above agreed, the sum of five hundred dollars and no more, to be paid of any and all claims or claims or demands of



March 6, 1915,

second party against him, and in full of all dower, alimony, distributive share of his estate, rights of inheritance, right to remain in the mansion house, descent and distribution and allowance and maintenance, and is forever discharged from any and all claims arising from such marriage relation.

Each party hereto further agrees, upon the request of the other to execute, sign and acknowledge before witnesses and officials, any and all deeds and instruments and conveyances or releases to enable such other to sell convey or otherwise dispose of his or her property, free from any apparent rights or inchoate dower therein.

Signed and acknowledged  
in presence of } Jennie L. Langstaff  
L. E. Myers, J. T. Himmerer } W. A. Langstaff

The State of Ohio, Marion County ss.

Before me a Notary Public in and for said county, personally appeared the above named William A. Langstaff and Jennie L. Langstaff, the parties to this agreement, and acknowledged the signing of the same to be their free and voluntary act and deed for the uses and purposes therein mentioned.

In testimony whereof, I have hereunto set my hand and affixed my official seal at Marion Ohio, this 7th day of July A.D. 1913.

L. E. Myers, Notary Public  
Marion County, Ohio.

The Court do approve and confirm said contract and orders the same made a part of the record of this cause.

The Court do order that defendant be forever barred of any and all rights by way of dower, homestead, right to occupy the mansion house, and any and all other estate or rights in and to the property or any part thereof of plaintiff wherever situate, and whether real, personal or mixed. And plaintiff likewise is forever barred of any and all right by way of dower, or otherwise, in and to the real estate and property of the defendant, wherever situate.

And each shall have the full right to sell, devise, encumber, or dispose of any property, whether in possession or hereafter acquired, free and clear of any and all right or rights of the other therein.

It is further ordered that the plaintiff pay the costs of this action, taxed at \$44.14, and execution is awarded. Exceptions noted.

Approved: Robinson + Hoopes Atty for Defendant  
Ok John M. Broadrick, Judge

Court adjourned to March 8, 1915 at 9 a.m.



March 8, 1915.

Monday March 8, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

The State of Ohio,  
Plaintiff

vs  
Harry Tanner,  
Defendant.

No. 1504.

Indictment for Burglary.

The defendant, having on the 8th day of March 1915, 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, Harry Tanner age 24 years be imprisoned in the Ohio State Reformatory at Mansfield Ohio and kept at hard labor, "but without any solitary confinement" and that he pay the costs of prosecution taxed at \$26.00, for which execution is awarded.

OK Brodrick, Judge.

Court adjourned to March 10, 1915 at 9 a.m.

March 10, 1915.

Wednesday March 10, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

Edgar A. Lutz,  
Plaintiff

vs

No. 9609.

The Hartford Fire  
Insurance Co.

Defendant.

Leave is granted plaintiff to reply by March  
16, 1915.

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Court adjourned to March 11, 1915 at 9 a. m.



March 11, 1915.

Thursday March 11, 1915 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

David L. Couklier,  
 Plaintiff

vs

Russel B. Young,  
 Defendant.

No. 9678.

Now this cause came on to be heard upon the 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 expires this day by the terms of said partnership's agreement, and by the acts of the parties herein, and that there is danger of the property of said partnership being lost; it is therefore ordered that John N. Laird, as Sheriff of Union County, be, and he hereby is, appointed receiver of all the debts, property, equitable interests and things in action belonging to said firm; and that said receiver, upon being qualified, proceed to collect the debts of the firm, and to convert the assets into money. And the said parties here, and all other persons having any of said property in their possession or under their control, are hereby ordered to deliver the same, and all persons owing any such money belonging to said firm, are hereby directed to pay over the same, to the said John N. Laird, as receiver, on his demand.

John M. Brodrick, Judge.

Now comes the said John N. Laird and accepts said appointment.

John N. Laird.

Court adjourned to March 15, 1915 at 9 a. m.

March 15, 1915.

Monday March 15, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

The State of Ohio  
ex rel Dwight B. Edwards,  
Plaintiff

vs

Charles A. Morelock  
as Auditor Union Co. Ohio,  
Defendant.

No. 9680.

The petition herein for a writ of mandamus being submitted, an alternative writ is hereby allowed returnable to this court on the 29<sup>th</sup> day of March, 1915, at 9 o'clock a.m. and it is ordered that defendant immediately on service of this order proceed to draw a warrant upon the county treasurer of Union County, Ohio, in favor of the retular in the sum of \$522.50 or show cause at said time, why he has not done so.

John M. Brodrick, Judge.

Court adjourned to March 16, 1915 at 9 a.m.



March 16, 1915.

Tuesday March 16, 1915 - Court convened at 9 a.m.  
 Present Hon. John M. Brodrick, Judge,

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

Petit Jury Venire - Return.

The State of Ohio, Union County, ss.

On the 6<sup>th</sup> day of March, 1915, I received this Venire and served same on the several persons therein named, at the times and in the manner placed opposite their names endorsed hereon

1. Charles Parish	March 6, 1915	By mail	18 miles	
2. W. H. Lyons	" " "	" "		Excused
3. E. E. Jones	" " "	" "		Excused
4. Fred Sidle	" " "	" "	20 miles	
5. J. H. Hammer	" " "	" "	9 "	
6. Conrad Asman	" " "	" "	5 "	
7. S. L. Cheney	" " "	" "	23 "	
8. Peter Fisher	" " "	" "	8 "	
9. William Blaney	" " "	" "	17 "	
10. J. C. Mc Campbell	" " "	" "		Excused
11. George Lowe	" " "	" "	9 "	
12. Harry G. Logan	" " "	" "	10 "	
13. J. B. Cashell	" " "	" "	17 "	
14. George Rausch	" " "	" "	4 "	
15. J. C. Ford	" " "	" "	8 "	
16. J. G. Wolf	" " "	" "	9 "	
17. O. M. Bird	" " "	" "	22 "	
18. Cary E. Bouham	" " "	" "		Excused.

On calling the names in open court the following were found present: Charles Parish, Fred Sidle, J. H. Hammer, Conrad Asman, S. L. Cheney, Peter Fisher, William Blaney, George Lowe, Harry G. Logan, J. B. Cashell, George Rausch, J. C. Ford, J. G. Wolf + O. M. Bird. The others showing sufficient cause, were excused from attendance. At the close of court the Petit Jury were discharged from further attendance, until March 23, 1915. Trial postponed and jury discharged from further service for the term.

Minnie A. Doyle,  
 Plaintiff

vs  
 Rolly H. Doyle,  
 Defendant,

No. 9681

I allow a temporary restraining order in the above action as prayed for in the petition, Done this 16<sup>th</sup> day of March 1915.

John M. Brodrick, Judge,



March 16, 1915

In the Court of Common Pleas, Union County, Ohio

The State of Ohio,  
Plaintiff,

vs

No. 1491,

Giovanni Catone,  
Defendant,

This day appeared the Prosecuting Attorney on behalf of The State of Ohio and the defendant with his counsel, likewise the following named persons as jurors: Fred C. Sidle, S. L. Cheney, J. H. Hammer, Geo. W. Low, J. B. Cashell, J. C. Ford, Geo. Rausch, Peter Fisher, Harry G. Logan, J. S. Wolf, C. J. Asman and W. L. Blaney who were duly impaneled and sworn according to law and the trial proceeded on the question of sanity of the defendant. The jury having heard the testimony offered, the statement of counsel and the charge of the Court were conducted to their room by the Sheriff for deliberation.

Afterward came the jury into open court with their verdict in writing signed by the jurors agreeing to the verdict including their foreman, as follows: We, the jury being duly impaneled and sworn to well and truly try the question whether the accused Giovanni Catone is or is not sane, do find that the defendant, Giovanni Catone is not sane, And we do so render our verdict upon the concurrence of all the members of our said jury, that being three-fourths or more of our number. Each of us said jurors concurring in said verdict signs his name hereto this 16 day of March 1915, Fred C. Sidle, S. L. Cheney, J. H. Hammer, Geo. W. Low, J. B. Cashell, J. C. Ford, Geo. Rausch, Peter Fisher, Harry G. Logan, J. S. Wolfe, C. J. Asman + W. L. Blaney, Foreman.

Grant H. Douglass,  
Plaintiff,

vs

No. 9650,

Bertha R. Finley, et al,  
Defendants,

This cause coming on to be heard upon the petition and the answer of Bertha R. Finley; the answer of Barbara Crottinger; the answer and cross petition of Abraham Brown and Belle Brown; the answer and cross petition of Jacob Weaver and the answer and cross petition of John K. Doughrey guardian of Fred D. Douglass and Harold C. Douglass, minors, and the evidence, the Court find that all the parties defendants have had due notice of the pendency and prayer of said petition and that Thereupon, the Court find that the plaintiff and the defendants hereafter named as tenants in common in the real estate described in the petition; that the plaintiff, Grant H. Douglass has a legal right to one-half interest thereof; the defendant Fred D. Douglass has a legal right to



March 16, 1915.

one-fourth part thereof; and the defendant Harold E. Douglass a legal right to one-fourth thereof; and 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 real estate be made, and that Thomas J. Dodge, G. E. Harriott and J. C. Engel, three judicious and disinterested freeholders of the vicinity are hereby appointed commissioners to make and set off the same.

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 divided and set off to each of the above named parties the part and portion of said real estate to which they are heretofore severally found entitled, and of his proceedings herein the Sheriff is ordered to make due return. It is further ordered that in case <sup>partition of</sup> the said land and premises can not be made without manifest injury to the value thereof, then said commissioners shall appraise said premises at its true free, from the dower interest of the said Barbara Crottinger and Bertha R. Finley and subject to the lease of Abraham Brown which expires March 1, 1917. That it is further ordered that the value of the dower interest of Barbara Crottinger and Bertha R. Finley shall be determined later and they are hereby reserved for future determination.

It is further ordered that the rights under the answer and cross petition of Abraham Brown and Belle Brown and the answer and cross petition of Jacob Weaver, and they are hereby reserved for future determination.

At Brodrick Judge.



March 19, 1915.

Friday March 19, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

O. P. Lenox,  
Wm. C. Woolard,  
Plaintiffs

vs

The Erie Railroad  
Company,  
Defendant.

No. 9429.

This day cause settled at cost of defendant costs paid and dismissed without record.

In the Matter of the Contest  
of the Local Option Election  
held in The Village of Richwood,  
Union County, Ohio, on the 12<sup>th</sup>  
day of January, 1915.

No. 9670.

This cause came on for hearing upon the petition in error and the transcript of the proceedings and judgment of the Probate Court of Union County, Ohio; On consideration whereof, the Court find that there is error in said proceeding and judgment in that said Probate Court found and ordered that the five disputed ballots which were marked below both the affirmative and negative proposition on said ballots should not be counted in determining the result of said election, said ballots being marked in a square entirely separated from both of said propositions making said election to be determined by the Court instead of by the duly qualified electors of said village and in not having set aside election for the want of proper ballots upon which the voters might express their choice at said election. And the Court now rendering the judgment which said Probate Court should have rendered finds that the want of proper ballots furnished for said election prevented a full and fair expression of the voters upon the question in said election presented and that by reason thereof said election is null and void.

It is therefore ordered that the election held in the Village of Richwood, Union County, Ohio, on the 12<sup>th</sup> day of January 1915, and known as the Beal Law Local Option Election, be and the same is hereby declared to be null and void and the same is set aside and held for naught.

It is further ordered that the contestor recover his costs of the Village of Richwood taxed at \$ —.

To all of which the contestor excepts.

To all of which the contestee excepts.

OK Brodrick, Judge

Court adjourned to Mch 20, 1915 at 9 a. m.



March 20, 1915,

Saturday March 20, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge

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

State of Ohio,  
Plaintiff

vs

Giovanni Catone,  
Defendant.

No. 1491

R. L. Cameron having heretofore on the 16<sup>th</sup> day of May 1914, been appointed by this court to defend Giovanni Catone and the said appointment having on the 21<sup>st</sup> day of September, 1914 been continued by the court and it appearing to the court that R. L. Cameron has performed his duty as such attorney for the defendant, he is hereby granted and allowed the sum of One hundred and Seventy-five (\$175.00) Dollars as attorney fee and expense.

OK. Brodrick, Judge.

State of Ohio,  
Plaintiff

vs

Chas. H. Westlake,  
Defendant.

No. 1448,

Indictment for Murder.

Nolle Prosequi is entered herein, by order of the Court, at request of the Prosecuting Attorney.

Court adjourned to March 27, 1915 at 9 a.m.

March 22, 1915

Monday March 22, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodnick, Judge.

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

Eurton Temple,  
Plaintiff

vs

The Board of County  
Commissioners of  
Union County, Ohio,  
Defendant.

No. 9582

This day this cause settled, cost to be paid by  
the defendant. Dismissed without record.

Approved: Robinson + Hoopes Atty for Plaintiff.

Court adjourned to Mch 25, 1915 at 9 a.m.



March 25, 1915.

Thursday March 25, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

Grant H. Douglass,  
Plaintiff

vs

Bertha R. Finley et al,  
Defendants.

No. 9650

This cause came on this day 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 real estate could not be divided by metes and bounds without material injury to the value thereof, made and returned their appraisements of said real estate at \$100.00 per acre, the Court find the said return and proceedings in all respects correct and in conformity to law, and do therefore approve and confirm the same. 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 real estate, subject to the lease of Abraham Brown, be sold at public auction at North doot of Court House, and that an order be issued to the Sheriff of Union County. And on motion of the plaintiff and for good cause shown, it is ordered that the sale be made for cash. And the Sheriff is ordered to return his proceedings to this Court without unnecessary delay.

J. M. Brodrick, Judge.

In the Matter of the  
Exceptions to the  
Supplemental Account  
of Josiah W. Westlake,  
Administrator de bonis non  
of the Estate of Henry A.  
Westlake, deceased,

No. 9793

This cause comes into this Court on certificate from the Probate Court of said County under the provisions of Sections 1589 and 1590 General Code of Ohio, and now coming on for consideration of the supplemental account of said administrator, and the exception thereto, and on consideration thereof the Court finds:

First: That the first exception thereto be and the same hereby is sustained. To which finding the administrator then and there at the time excepted.

Second: That the second exception thereto be and the same hereby is sustained. To which finding the administrator then and there at the time excepted. (Continued on page 554)

Court adjourned to Mch 26, 1915 at 9 a.m.

March 26, 1915.

Friday March 26, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Bradrick, Judge.

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

David L. Coukline,  
Plaintiff

vs

Russel B. Young,  
Defendant.

No. 9678.

And now this cause coming on for hearing upon the report of John N. Laird, receiver, herein, and upon consideration the court find said account correct and satisfactory, and allow the same, and it is ordered and decreed that said account be final and conclusive upon all the parties hereto.

It is further ordered that the receiver hold the balance of \$995.07 subject to the further order of the Court.

OK Bradrick, Judge

Filed March 27, 1915.

Theresa Hinterschied,  
Plaintiff

vs

Dora Kahler, Adminx,  
Defendant.

No. 9674

(Leave to Plead)

Leave granted Defendant to answer within 30 days.

Court adjourned to March 27, 1915 at 9 a.m.



March 27, 1915.

Saturday March 27, 1915 - Court convened at 9 A.M.

Present Hon. John M. Brodrick, Judge.

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

Le Roy Walke,  
Plaintiff,

vs

Charles Westlake,  
Defendants.

No. 9474.

This day this cause came on to be heard upon the motion of the defendants to dismiss this action for reasons in said motion stated; On consideration whereof the Court being fully advised in the premises finds said motion to dismiss is not well taken; but the Court treats it as a motion to consolidate this cause with, the case of the International Harvester Company of America vs Charles Westlake et al No. 9154, and as such motion to consolidate said actions the motion is sustained; and it is ordered by the Court that this cause be and the same is consolidated with said cause No. 9154, and to be further considered under the Title of The International Harvester Company of America vs Charles Westlake and others, And it appearing to the Court that since this action was commenced, Myrtle Reed, one of the defendants has assigned her judgment and order of sale to the Union Banking Company, and it is ordered that the said Union Banking Co and it is made party defendant hereto. And all the parties have leave to plead herein in fifteen days, and any of the parties hereto may amend their pleadings herein, within fifteen days.

A. B. Swisher,  
Plaintiff.

vs

W. G. Campbell,  
Olive G. Campbell,  
Defendants.

No. 9684.

This day came the plaintiff by his attorney; also appeared in open court, for and on behalf of said defendants, Cameron & 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 and waived the issuing and service of process and entered the appearance of said defendants in this action, and confessed judgment on said note against said defendants and in favor of said plaintiff for \$175<sup>88</sup> 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 received of said defendant the sum of One hundred & seventy five dollars and eighty eight cents, being the amount of said note with interest computed at 6 per cent per annum, from the 1<sup>st</sup> day of March 1915 and also costs hereon expended, taxed at \$5.00.

At John M. Brodrick, Judge.

Court adjourned to March 29, 1915 at 9 A.M.



March 29, 1915.

Monday March 29, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

Josiah W. Westlake,  
Plaintiff

vs

No. 9418.

John M. Peel et al,  
Defendants.

This the 27<sup>th</sup> day of March 1915, the demurrer by the defendant to the petition of the plaintiff was heard and overruled. To which ruling the defendants except.

Leave granted to defendant to answer within 30 days.

Approved: Johnson + Miller, Attorney for Plaintiff,

John H. Willis

Robinson + Hoopes, Attorneys for Defendants.

Josiah W. Westlake,  
Plaintiff

vs

No. 9459.

John M. Peel,  
Defendant.

This the 27<sup>th</sup> day of March 1915, the demurrer by the defendant to the petition of the plaintiff was heard and overruled. To which ruling the defendant excepts.

Leave granted to defendant to answer within 30 days.

Approved: Johnson + Miller

John H. Willis, Attorneys for Plaintiff

Robinson + Hoopes, Attorneys for Defendants.

State of Ohio,  
Plaintiff,

vs

No. 1508

Garner Eastman,  
Defendant.

Indictment for Assault + Battery.

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 thereof 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 Garner Eastman pay a fine of One Hundred Dollars and that he be imprisoned and confined in the Columbus City Work House at Columbus, Ohio for a period of 60 days which confinement and imprisonment is hereby ordered suspended during good behavior of the said defendant and that he pay the cost of this prosecution for which execution is awarded,  
Ok Brodrick, Judge.



March 29, 1915,

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

John M. Peck,  
Plaintiff

vs

The Westlake Mfg Co,  
Defendant.

No. 9498.

This cause coming on to be heard upon the report of Milo L. Myers, as referee, showing that the company has no outstanding debts, or contracts; that it has no money in its treasury, and has about three hundred dollars worth of personal property belonging to it, but owns no real estate; and the Court being fully advised in the premises find that it will be beneficial to the stockholders and not injurious to the public interest, to dissolve said corporation.

It is therefore ordered by the Court that the said report of the said Milo L. Myers, as referee herein, be confirmed and his fee as such referee is hereby fixed at \$100.00; that said corporation, The Westlake Manufacturing Company, be dissolved, and John N. Laird is hereby appointed receiver of all the estate and effects of said dissolved corporation. And the said parties here, and all other persons having any of said property in their possession or under their control including patents and patent rights, books, vouchers, moulds, machinery and all other property of said corporation, are hereby ordered to deliver the same to the said John N. Laird, as such receiver, on his demand.

To all of which findings, orders, and decrees the defendant then and there at the time excepts and now excepts thereto,  
Approved: John H. Willis, Atty for Def.

O. A. Brodrick, Judge.

Court adjourned to March 31, 1915 at 9 a. m.

March 30, 1915,

Tuesday March 30, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Bradnick, Judge

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

The Peoples National  
Bank of Bellefontaine,  
Plaintiff

vs

Homer Southard  
W. P. O'Brien  
M. J. Cody,  
Defendants.

No. 9639.

This cause settled out of court and case  
dismissed at plaintiff's cost.

John West, Attorney for Plaintiff,  
by Robinson + Hoopes.

Court adjourned to March 31, 1915 at 9. a. m.



March 31, 1915,

Wednesday March 31, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

State of Ohio,  
Plaintiff

vs

No. 1491,

Giovanni Catone,  
Defendant.

The attorney for the defendant, Giovanni Catone, having on a former day to-wit, on the day of 1915, giving notice to the Hon. John M. Brodrick, one of the Judges of the Court, of the apparent insanity of the said Giovanni Catone, now came, before the said John M. Brodrick, Judge, the Prosecuting Attorney, on behalf of the State of Ohio, the said Giovanni Catone, in charge of the Sheriff, and his attorney R. L. Cameron; also came the following named persons, summoned as jurors by the Sheriff, to-wit: Fred C. Sidle, S. L. Cheney, J. H. Hamner, Geo. W. Lowe, J. B. Cashell, T. C. Ford, George Ransch, Peter Fisher, Harry G. Logan, J. G. Wolf, C. J. Asman, and W. L. Blaney who were duly impaneled and sworn to try the issues to them presented, and thereupon this cause came on to be further heard on the evidence touching the insanity of the said Giovanni Catone, and the said jury having heard all the evidence after consultation had thereon, presented their finding in writing, signed by themselves, as follows:

We, the jury, being duly impaneled and sworn, to well and truly try the question whether the accused Giovanni Catone, is or is not sane, do find that the defendant, Giovanni Catone, is not sane, and we do so render our verdict upon the concurrence of all the members of our said jury, each of us said jurors concurring in said verdict signs his name hereto, this 16th day of March 1915, and the said John M. Brodrick, Judge, made and certified the following order, to-wit:

It is ordered, upon the finding of the jury of the insanity of the prisoner, Giovanni Catone, that the said Giovanni Catone, be committed to the Lima State Hospital, until restored to reason, and to pay the costs of this prosecution taxed at \$\_\_\_\_\_ for which execution is ordered, OK Brodrick, Judge.

March 31, 1915

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

The Urbana Packing Co.  
Plaintiff

vs

J. W. McKeigan et al,  
Defendants.

No. 9483

Leave is granted to Edward Fleck to enter his appearance herein and file answer and cross petition, instant, and same is filed

OK. John M. Brodrick

Judge Com. Pleas Court.

In the Matter of Compensation,  
G. C. Edwards, Court Constable

G. C. Edwards is hereby allowed for services as Court Constable for month of March, 1915, 12 days at \$2.50 per day, total \$30.00.

The Clerk will please certify the same to the Auditor of Union County, Ohio.

John M. Brodrick, Judge.

Court adjourned to April 1, 1915 at 9 a.m.



March 25, 1915

(No. 9293- Continued from page 546.)

Third: That the third exception thereto be and the same hereby is sustained, To which finding the administrator then and there at the time excepted.

Fourth: That the fourth exception thereto be and the same hereby is sustained, To which finding the administrator then and there at the time excepted.

Fifth: That the fifth exception thereto be and the same hereby is sustained, To which finding the administrator then and there at the time excepted.

Sixth: The court doth further find that the cost of the bond of said administrator from July 5, 1914, to April 5, 1915, is \$18.75, and is a proper charge against said estate; and also that the court costs of this proceeding, herein taxed at \$8.00 are also a proper charge against said estate.

It is ordered therefore that said administrator forthwith pay said amounts out of the funds of said estate in his hands, and file vouchers herewith.

Seventh: The court doth find that the supplemental account of said administrator should be stated and rendered herein in accordance with the findings and orders of the Court herein, and that said administrator shall charge himself with interest at the rate of 6 per cent on the sum of \$1167.65 from April 17, 1914, to March 25, 1915.

It is therefore ordered that said administrator forthwith file in this court said supplemental account stated and rendered in full to the 25<sup>th</sup> day of March 1915, and in accordance with the findings and orders of the court herein.

Eighth: Upon further consideration thereof the Court doth find said supplemental account of said administrator, as of this day rendered stated, and filed in this court in compliance with the orders of this court to be in words and figures following, to-wit:

#### Administrator's Account

Josiah W. Westlake, administrator de bonis non of the estate of Henry A. Westlake, deceased. Supplemental account. In account with said Estate. Said administrator charges himself as follows:

Apr. 17, 1914- To amount due estate as per finding of Court of  
Common Pleas, Case No. 9293 ----- \$1350.08

March 25, 1915- Interest as per order of Court herein ----- 65.74

\$ 1415.82

Said administrator credits himself as follows:

Sept. 30, 1911 By Fidelity and Deposit Co. Voucher No. 1 ----- \$12.50

Feb. 29, 1912 " John H. Miller, Pros. Atty " " 2 3.47

Apr. 16, 1914 " John C. Hartshorn, Clerk " " 3 2.00

Apr. 16, 1914 " John C. Hartshorn, Clerk " " 4 70.81

Apr. 17, 1914 " Fidelity and Deposit Co. " " 5 67.50

Apr. 17, 1914 " Edward W. Porter " " 6 5.00

March 25, 1915

March 25, 1915	By Edward W. Porter, Voucher No. 7	---	\$6.00
March 25, 1915	John C. Hartshorn, Clerk	" 8	2.00
March 25, 1915	Fidelity and Deposit Co.	" 9	18.75
Total Credits			\$183.03

Recapitulation.

Total amount chargeable	\$1415.83
Total amount credited	183.03

Balance due estate in hands of Admin, for div. March 25, 1915 \$1232.80

Held: Said supplemental account herein above stated and rendered coming on for further consideration the Court doth find said account to be in all respects just and correct, and in conformity to law, and in accordance with the findings and orders of this court herein.

It is ordered therefore that said account as hereinbefore stated and rendered be and the same hereby is approved, allowed and confirmed, and that the same be placed on the files and records of this court.

It is further ordered that said administrator make distribution of said amount due said estate to the parties entitled thereto according to law. To all of which findings and orders, and to each and every one of them the administrator then and there at the time excepted.

Motion for new trial filed, considered and overruled, to which finding and ruling on said motion the administrator then and there at the time excepted.

Notice of appeal given by the administrator. Bond fixed at \$2500.00.

Approved: Robinson + Hoopes,  
John H. Willis, atty for Administrator,  
Cameron + Cameron.



March 25, 1915.

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

The Commercial Savings  
Bank,

Plaintiff

No. 9417.

vs  
Le Roy Walke et al,

Defendants.

This the 25<sup>th</sup> day of March 1915, this cause came on to be heard upon the pleadings filed and the evidence, the defendants, Le Roy Walke, Stella M. Walke, Charles H. Westlake, Clarence O. Westlake, Josiah W. Westlake, Newton Graham, Josiah W. Westlake, administrator de bonis non of the estate of Henry A. Westlake, deceased, being in default of answer or demurrer thereto, although the said Le Roy Walke, Stella M. Walke, Clarence O. Westlake and Newton Graham, having been each duly served with process, and the said Charles H. Westlake, Josiah W. Westlake and Josiah W. Westlake, administrator de bonis non of the estate of Henry A. Westlake, deceased, having waived the issuance and service of process and voluntarily entered their appearance herein; on consideration whereof the Court finds:

First: That the note of the plaintiff is usurious; that there was legally due on said note on the 25<sup>th</sup> day of March 1915, after eliminating all usury, the sum of \$1920<sup>58</sup>, and that said amount shall draw interest at the rate of six per cent per annum until paid.

Second: That there is due to the defendant, Charles H. Wittai, on the tax title set forth in his answer and cross petition the sum of \$272<sup>81</sup>, with interest thereon at 6 per cent from the 25<sup>th</sup> day of March 1915, until paid, and which is the first lien on the premises described in the petition.

Third: There is due to the defendant, The Richwood Banking Company, on the note and mortgage set forth in its answer and cross petition, the sum of \$5070<sup>62</sup> with interest thereon at 8 per cent per annum from March 25, 1915, until paid, and which is a valid second lien on said premises.

Fourth: That Henry A. Westlake, late resident of Union Co., Ohio, died testate or about the 9<sup>th</sup> day of November, 1904, seized in fee simple of the following described premises, situate in the County of Union, in the State of Ohio, in the Township of Paris, and part of Survey No. 5392, and bounded and described as follows:

Commencing at a stake in the center of the Marysville and Richwood Gravel Road, witness a stone in the West side of the grade, Northeast corner to Samuel Westlake's land; thence with the center of said road N. 76° 30' E. 175.50 poles to a stake in the center of said road (witness a stone in the West side of the grade.) Southeast corner to another tract of said Samuel.



March 25, 1915.

Westlake's land; thence with two consecutive lines of said land South  $83^{\circ}$  N. 119.64 poles to a stone and North  $8^{\circ}$  N. 63.50 poles to a stone in the center of the Aurine and Wood road, and Northwest corner to said Samuel Westlake's land; thence with the center of said road and north line of Survey 5392, South  $82^{\circ} 30'$  N. 179 poles to a stone at the intersection of said road with the Marysville and Kenton Gravel Road being the N.W. corner of said Survey No. 5392; thence with the center of the said Marysville and Kenton Gravel Road and West line of said Survey S.  $7^{\circ}$  E. 206.81 poles to a stake witness a stone in the East side of the grade and Northwest corner to Samuel Westlake's land; thence with the North line of said land N.  $83^{\circ}$  E. 202 poles to the place of beginning.

Also one other tract of land bounded and described as follows: Being a part of the same Survey No. 5392 and described as follows; commencing at a stone in the center of the Marysville and Richwood Gravel Road and Southwest corner to lands of Henry Lee; thence with the South line of said lands N.  $82^{\circ} 30'$  E. 52 poles to a stone Northwest corner to the Union County Infirmary Lands; thence with two consecutive lines of said land S.  $6^{\circ} 30'$  E. 49.61 poles to a stone; thence S.  $83^{\circ} 30'$  N. 83 poles to a stake in the center of said Marysville and Richwood Gravel Road witness a stone in the East line of said road; thence with the center of said road N.  $26^{\circ} 30'$  E. 57.81 poles to the place of beginning, containing in all  $3\frac{1}{2}$  acres to the same now or less;

and on the 7<sup>th</sup> day of July 1909 his estate was indebted approximately \$173,140.00. On the 24<sup>th</sup> day of June 1909, the administrator of said estate, upon an order of the Probate Court of Union County, Ohio, in a proceeding to sell real estate to pay debts, sold and conveyed all of said above described real estate to LeRoy Walker, at a named consideration price of \$174,075.00, but in fact without any consideration, and upon an express agreement to hold said lands in trust for E. B. Westlake, Clarence O. Westlake, Charles H. Westlake and Josiah W. Westlake, and, upon the payment to the administrator of said estate by each of said parties of a certain designated proportion of said consideration expressed in said deed, to convey to E. B. Westlake or to any one to whom he should direct said conveyance to be made, the following portion of said real estate above described;

Situate in the County of Union, in the State of Ohio, and in the Township of Paris, bounded and described as follows: First tract;

Being part of Survey No. 5392, and bounded and described as follows: Commencing at a stake in the center of the Marysville and Richwood Gravel Road, at the northeasterly corner to Samuel Westlake's land, (witness a stone S.  $83^{\circ}$  N. in the side of the grade); thence with the northerly line of said land S.  $83^{\circ}$  N. 80 poles to a stake and tile; <sup>thence N.  $7^{\circ}$  N. 124.75 poles to a stone and tile;</sup> thence S.  $68^{\circ}$  E. 134.88 poles to a stake in the center of the Marysville and Richwood Gravel Road; thence with the center of said Gravel Road, S.  $26^{\circ} 30'$  N. 67.10 poles to the place of



March 25, 1915.

beginning, Second Tract: Being a part of Survey No. 5392, bounded and described as follows: Commencing at a stone in the center of the Marysville and Richwood Gravel Road, and at the southwest corner to Henry Lee's land; thence with the southerly line of said land, N. 82° 30' E. 52 poles to a stone, northwest corner to the Union County Infirmary lands; thence with two consecutive lines of said lands S. 6° 30' E. 49.60 poles to a stone; and thence S. 83° 30' W. 83 poles to a stake in the center of the said Marysville and Richwood Gravel Road, (witness a stone N. 83° 30' E. in the East margin of the road); thence with the center of said road N. 76° 30' E. 57.80 poles to the place of beginning, containing in 79/8 acres, be the same more or less; and to convey to Clarence O. Westlake or to any one to whom he should direct said conveyance to be made, the following portion of said above described real estate: Situate in the County of Union, in the State of Ohio, and in the Township of Paris, bounded and described as follows: Being a part of Survey No. 5392, and described as commencing at a stake in the West line of Survey No. 5392, and in the center of the Marysville and Kenton Gravel Road, witness a stone N. 83° E. in the side of grade, Northwest corner of Samuel Westlake's lands; thence with the North line of said land N. 83° E. 122 poles to a stake and tile; thence N. 7° W. 104.44 poles to a stone and tile; thence S. 82° 45' W. 122 poles to a stake in the West line of said Survey No. 5392, and in the center of the said Marysville and Kenton Gravel Road, witness a stake and iron boxing, N. 82° 45' E. in side of grade; thence with said Survey line and the center of said gravel road S. 7° E. 103.41 poles to the place of beginning, containing 79/8 acres be the same more or less; and to convey to Charles H. Westlake, or to any one to whom he should direct said conveyance to be made, the following portion of said above described real estate: Situate in the County of Union, in the State of Ohio, and part of Survey No. 5392, and bounded and described as follows: Commencing at a stake in the center of the Marysville and Richwood Gravel Road, southeasterly corner to Samuel Westlake's land (witness a stone S. 83° W. inside of grade); thence with two consecutive lines of said land S. 83° W. 119.64 poles to a stone and N. 8° W. 63.50 poles to a stone Northwest corner to Samuel Westlake's land, in the center of the Amrine and Wood Road and north line of Survey No. 5392; thence with the center of said road and said Survey line South 82° 30' W. 57 poles to a stone and tile; thence S. 7° E. 87.13 poles to a stone and tile; thence S. 68° E. 134.88 poles to a stake in the center of the Marysville and Richwood Gravel Road; thence with the center of the said road N. 76° 30' 108.40 poles to the place of beginning, containing 79/8 acres, be the same more or less; and to convey to Josiah W. Westlake, or to any one to whom he should direct said conveyance to be made, the following portion of said above described real estate: Situate in the County of Union, in the State of Ohio, and part of Survey No. 5392 and



March 25, 1915.

bounded and described as follows: Commencing at a stone in the Northwest corner of Survey No. 5392 and in the center of the Marysville and Kenton Gravel Road, and at the intersection of said road with the Aurine and Wood road; thence with the center of the said Marysville and Kenton Gravel Road and West line of said Survey S.  $7^{\circ}$  E. 103.40 poles to a stake (witness a stake and iron boring N.  $82^{\circ}45'$  E. inside grade); thence N.  $82^{\circ}45'$  E. 122 poles to a stone and tile; thence N.  $7^{\circ}$  W. 104.44 poles to a stone and tile in the center of said Aurine and Wood Road (and North line of said Survey No. 5392); thence with the center of said Aurine and Wood Road (and North line of said Survey No. 5392); thence with the center of said road and Survey line S.  $82^{\circ}30'$  W. 122 poles to the beginning, containing seventy-nine and one-eighth ( $79\frac{1}{8}$ ) acres, be the same more or less.

Fifth: That Clarence O. Westlake paid to said administrator his certain designated portion of said consideration price and directed said deed to be made to Josephine C. Westlake, who has duly received and accepted from said LeRoy Walke said deed so directed to be made by the said Clarence O. Westlake, and the legal title to said portion of said real estate is now held by Newton Graham.

Sixth: That Josiah W. Westlake paid to said administrator his certain designated portion of said consideration price, and directed said deed to be made to Lorena C. Westlake, who has duly received and accepted from the said LeRoy Walke said deed so directed to be made by the said Josiah W. Westlake, and the said Lorena C. Westlake conveyed said premises to the defendant, Chas. A. Miller, <sup>and the said Chas. A. Miller,</sup> since the hearing said case, conveyed said premises to E. C. M. Cannon, Trustee, and the legal title to said portion of said real estate is now held by E. C. M. Cannon, Trustee.

Seventh: That Chas. H. Westlake paid to said administrator his certain designated proportion of said consideration price, and directed said deed to be made to himself, and Nellie M. Westlake, his wife for and until the date that M. Christian Westlake arrives at the age of 18 years, and then to M. Christian Westlake in fee simple, who have duly received and accepted from said LeRoy Walke said deed so directed to be made by the said Chas. H. Westlake, and the legal title to said tract is now held by M. Christian Westlake.

Eighth: That E. B. Westlake has failed to make payment of the full amount of his proportionate share of said consideration price and has not received his deed, although he directed the said LeRoy Walke to convey his said part of said premises to Ada M. Westlake; that said E. B. Westlake was to pay as his proportionate share of said consideration price the sum of \$5203.50; and that on the 25th day of March 1915, there is due and owing by said E. B. Westlake on his proportionate share of said consideration price, the sum of \$449.78, includ-



March 25, 1915.

ing interest to said date.

That on or about the 7<sup>th</sup> day of April 1911, Le Roy Walker for the purpose of procuring funds with which to pay the balance due on said consideration price and the debts of said estate executed and delivered to the plaintiff the note and mortgage described in its petition herein; that the amount owing by the said E. B. Westlake on his proportionate share of said consideration price to-wit: the sum of \$449.78 with interest thereon as aforesaid, plus the further sum of \$76.43 as hereinafter shown, with interest thereon as aforesaid, is a valid and subsisting charge upon that portion of said premises to be conveyed to him, and being the same premises described in the petition; and that the mortgage of the plaintiff in said amount to-wit: \$449.78, with interest at 6 per centum from the 25<sup>th</sup> day of March 1915, until paid, is a valid lien upon said premises; that \$1550.00 of the money received from the plaintiff upon said note and mortgage was used by said administrator in the payment of the debts of the estate of the said Henry A. Westlake; that on the 25<sup>th</sup> day of March 1915, there is due upon said note, after deducting said amount, to-wit: \$449.78, hereinbefore found owing and to be paid by the said E. B. Westlake, the sum of \$1476.80, with interest thereon at 6 per centum from the 25<sup>th</sup> day of March 1915, until paid, which said amount is a charge upon all the assets of said estate in the hands of the said administrator and a lien upon all the real estate owned by the said Henry A. Westlake at the time of his decease.

Ninth: That there is at this time, to-wit: March 25, 1915, in the hands of said administrator for distribution, the sum of \$1175.05, after having deducted \$57.75, the costs taxed against said estate, which together with interest thereon at 6 per cent from the 25<sup>th</sup> day of March 1915, until paid, should be applied to the discharge of the note of the plaintiff, thereby leaving unpaid a balance of \$305.75, with interest thereon at 6 per centum from the 25<sup>th</sup> day of March 1915, until paid, and which said amount, as hereinbefore found, is a valid lien upon all the real estate owned by said Henry A. Westlake, at the time of his decease, and should be paid by the said Clarence O. Westlake, Josiah W. Westlake, Charles H. Westlake, and E. B. Westlake, in equal shares, and the portion of the said real estate received or to be received by each of said parties should be charged with its proportionate share thereof.

Tenth: That one half of the costs of this proceeding taxed at \$57.75, is a proper charge against said estate, and that one half the costs taxed at \$57.76 should be paid by the defendant E. B. Westlake.

It is therefore considered and ordered that said plaintiff recover of said defendant, Clarence O. Westlake, the sum of \$76.44 with interest as aforesaid, which said amount is



March 25, 1915,

hereby made a charge upon that portion of the real estate of the said Henry A. Westlake, conveyed by the said LeRoy Walker to the said Josephine B. Westlake, the legal title to which is now held by the defendant, Newton Graham, and it is therefore further considered and ordered that unless the said sum of \$76.44, with interest as aforesaid, hereinbefore ordered to be paid by the defendant, Clarence C. Westlake, on said note of the plaintiff, shall be paid within 30 days from the date of this decree, an order of sale shall be issued to the Sheriff of said County, directing him to appraise, advertise and sell said premises as upon execution, and according to law, and from the proceeds of such sale he shall pay:

First: Any taxes and assessments on said premises, due and payable,

Second: To the plaintiff, the sum of \$76.44, with interest as aforesaid, and bring the balance if any, into court to await the further order of this court,

It is therefore further <sup>considered</sup> ordered that said plaintiff recover of said defendant, Josiah N. Westlake, the sum of \$76.44 with interest as aforesaid, which said amount is hereby made a charge upon that portion of the real estate of the said Henry A. Westlake, conveyed by the said LeRoy Walker to the said Lorena C. Westlake, the legal title to which is now held by E. G. M. Cannon, trustee, and it is therefore further considered and ordered that unless the said sum of \$76.44, with interest as aforesaid, hereinbefore ordered to be paid by the defendant, Josiah N. Westlake, on said note of the plaintiff, shall be paid within 30 days from the date of this decree, an order of sale shall be issued to the Sheriff of said County directing him to appraise, advertise and sell said premises as upon execution and according to law, and from the proceeds of such sale he shall pay:

First: Any taxes and assessments on said premises, due and payable,

Second: To the plaintiff, the sum of \$76.44 with interest as aforesaid; and bring the balance into court to await the further order of this court,

It is further considered and ordered that said plaintiff recover of said defendant, Charles H. Westlake, the sum of \$76.44 with interest as aforesaid, which said amount is hereby made a charge upon that portion of the real estate of the said Henry A. Westlake, conveyed by the said LeRoy Walker to the said Charles H. Westlake, Nellie M. Westlake and M. Christian Westlake, and it is <sup>therefrom</sup> further considered that unless the said sum of \$76.44, with interest as aforesaid, hereinbefore ordered to be paid by the defendant, Charles H. Westlake, on said note of the plaintiff, shall be paid within 30 days from the date of this decree, an order of sale shall be issued to the Sheriff of said County directing him to appraise, advertise and sell said premises as upon execution and according to law, and from the proceeds of such sale he shall pay:



March 25, 1915.

First: Any taxes and assessments on said premises, due and payable.

Second: To the plaintiff, the sum of \$76.44, with interest as aforesaid, and bring the balance, if any, into court to await the further order of this court.

It is further considered and ordered that said plaintiff recover of said defendant, E. B. Westlake, the said sum of \$76.43 with interest as aforesaid, which said amount is hereby made a charge upon that portion of the real estate of the said Henry A. Westlake to be conveyed by the said Le Roy Walker to the said E. B. Westlake, as hereinafter provided, and it is therefore further ordered and decreed that unless one-half of the costs of this suit, and the sum of \$449.78, with interest as aforesaid, hereinbefore ordered to be paid by the defendant, E. B. Westlake, on said note and mortgage of the plaintiff and the further sum of \$76.43, with interest as aforesaid, hereinbefore found to be paid by said defendant, on said note of the plaintiff, and the further sum of \$5070.60, with interest as aforesaid as hereinbefore found to be due on the note and mortgage of the defendant, The Richwood Banking Co., shall be paid within 30 days from the date of this decree, the defendant's equity of redemption shall be forever closed, and an order of sale shall be issued to the Sheriff of said County directing him to appraise, advertise and sell said premises as upon execution and according to law. And from the proceeds of such sale he shall pay:

First: The one half of the costs of this suit, and any taxes and assessments, on said premises due and payable.

Second: To Charles H. Miltzer, said sum of \$272.81 with interest as aforesaid.

Third: To the defendant, The Richwood Banking Company, said sum of \$5070.60 with interest as aforesaid.

Fourth: To the plaintiff, the sum of \$449.78 with interest as aforesaid, and to the plaintiff the further sum of \$76.43 with interest as aforesaid, abating the one fourth part of said sum of \$305.75; and pay the balance, if any, to the defendant, E. B. Westlake.

And it is further ordered, therefore, that upon the payment of said amounts within said time, the said Le Roy Walker is hereby ordered to execute, and deliver to the said E. B. Westlake and Ada M. Westlake a good and sufficient deed for said premises, and upon his default herein for 10 days, this decree shall operate as a conveyance of said premises to said E. B. Westlake and Ada M. Westlake.

It is therefore ordered that a cancellation of said mortgage shall be entered on the margin of the records thereof.

It is further considered and ordered that the said Josiah W. Westlake, administrator de bonis non of the estate of Henry A. Westlake, deceased, out of the funds of said estate in his hands, forthwith pay the one half of the costs of this proceeding taxed at \$57.75, and that he forthwith pay the balance

March 25, 1915.

of \$1175.05, with interest as aforesaid, to the plaintiff upon said note.

Plaintiff granted to file an amendment to its petition within 10 days, to conform to the proof in this behalf, and the relief herein granted. Each defendant granted leave to plead to amendment to petition within 10 days, and the defendants, E. B. and Ada M. Westlake granted leave to plead to the answer and cross petition of Charles H. Wiltzie and same filed.

To all of which findings and orders, and to each and every one of them, the defendants, Josiah W. Westlake, Josiah W. Westlake, administrator as aforesaid, Chas. A. Miller, each respectively, then and there, <sup>at the time</sup> except, and have excepted thereto. Motion for new trial filed, considered and overruled, to the overruling of which said motion the defendants, Josiah W. Westlake, Josiah W. Westlake, administrator as aforesaid, and Chas. A. Miller, each respectively, then and there at the time except, and have excepted thereto.

Notice of appeal given by Josiah W. Westlake, Josiah W. Westlake, administrator as aforesaid, and Chas. A. Miller, Bond fixed at \$2600.00.

Approved: Cameron & Cameron, Attorneys for Plaintiff.  
Robinson & Hoopes, " " E. B. Westlake et al  
John H. Willis, " " Administrator et al  
Milton Haines, " " Clarence O. Westlake



March 29, 1915

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

The State of Ohio  
 ex rel Dwight B. Edwards,  
 Plaintiff,

No. 9680

vs  
 Charles A. Morelock,  
 Auditor Union County O.,  
 Defendant.

(Demurrer overruled.)

This cause this day coming on to be heard upon the demurrer to the petition of the plaintiff

Upon consideration whereof the Court overrules said demurrer, and the defendant not desiring to plead further,

It is ordered that the defendant, Charles A. Morelock, as Auditor of Union County, Ohio, proceed at once to draw upon the County Treasurer of Union County Ohio, a warrant in favor of the relator, Dwight B. Edwards, in the sum of \$527.73.

It is further ordered that the defendant pay the costs herein taxed at \$\_\_\_\_\_.

Approved: Milton Haines, Atty for Defendant.  
 Robinson & Hoopes, Atty for Plaintiff.

April 1, 1915.

Thursday April 1, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

Henry M. Intire,  
Plaintiff

vs

John W. Robinson et al,  
Defendants.

No. 9661,  
(Dismissed)

The Court having heretofore ordered the plaintiff to secure the costs herein by the first day of April, 1915, and the plaintiff having failed to secure said costs by said date,

It is therefore ordered that this action be dismissed at plaintiff's cost for failure to obey said order of the Court.

Court adjourned to April 3, 1915 at 9 a.m.



Apr. 3, 1915

Saturday April 3, 1915 - Court convened at 9 a.m.  
 Present Hon. John M. Brodrick, Judge.

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

Sisson S. Marriott,  
 Plaintiff

vs

Harry E. Peet, et al  
 Defendants.

No. 9353,

(Dismissed.)

This cause coming on this day to be heard upon the motion of the defendants to dismiss same, and it appearing to the court that the plaintiff herein died on the 30<sup>th</sup> day of January, 1914, and that one M. W. Hill was appointed administrator of the estate of plaintiff by the Probate Court of Union County, Ohio, on the 2<sup>nd</sup> day of February, 1914, and that said administrator has made no effort to revive this cause.

It is therefore ordered that this cause be dismissed at plaintiff's cost.

John M. Brodrick, Judge.

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April 3, 1915

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

Eliza Gossey, Claimant,  
Plaintiff in Error,

vs

John R. Dodge, Administrator,  
Defendant in Error.

No. 9682.

This day this cause came on to be heard on the motion of John R. Dodge, Administrator, to dismiss proceedings in error herein for want of jurisdiction in the Probate Court, and in this court to entertain the said proceedings. Whereupon the Court being fully advised in the premises finds that said motion is well made and therefore sustains the same upon the grounds that said entire proceedings are erroneous and should be dismissed for want of jurisdiction in the probate court or arbitrators to pass upon the claim in controversy for want of administration on the estate of William Gossey, deceased.

OK - Brodrick, Judge.

It is ordered that all cases, motions, and all matters 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 January Term 1915, was begun on Monday the 4<sup>th</sup> day of January 1915, and was continued from day to day, and from time to time and is now adjourned on this 3<sup>rd</sup> day of April, 1915 without day.

John M. Brodrick  
Judge.

April Term 1915 - Apr. 5, 1915.

The State of Ohio  
Union County ss.

This separate session of the Court of Common Pleas of the Tenth Judicial District, within and for the County of Union for the April Term 1915, held at the Court House in the Village of Marysville, County and State aforesaid, was begun on Monday April 5, 1915 at 9 o'clock a. m.

Present Honorable John M. Brodrick, Judge,  
John N. Laird, Sheriff,  
Attest: John C. Hartshorn, Clerk.

Grand Jury.

Grand Jury venire returned indorsed:

The State of Ohio, Union County ss.

On the 6th day of March 1915, I received this venire served the same on the several persons therein named, at the times and in the manner placed opposite their names endorsed hereon.

No.	Name	Date	By	Manner	No. of miles
1.	O. P. Lenox	March 30, 1915	By mail	" " "	
2.	Joseph Robertson	" " "	" " "	" " "	22.
3.	J. M. Munson	" " "	" " "	" " "	20.
4.	R. Minn	" " "	" " "	" " "	23.
5.	Chas. Freshwater	" " "	" " "	" " "	
6.	W. E. Figley	" " "	" " "	" " "	12.
7.	John Huber	" " "	" " "	" " "	0.
8.	Frank Lingemeyer	" " "	" " "	" " "	0.
9.	W. H. Sheneman	" " "	" " "	" " "	0.
10.	L. F. Aurine	" " "	" " "	" " "	4.
11.	J. G. Gault	" " "	" " "	" " "	10.
12.	A. V. Kennedy	" " "	" " "	" " "	5.
13.	Thomas Connor	" " "	" " "	" " "	5.
14.	Calvin C. Sewell	" " "	" " "	" " "	20.
15.	O. L. Mathers	" " "	" " "	" " "	

On calling the names in open court, the following responded: Joseph Robertson, J. M. Munson, R. Minn, W. E. Figley, John Huber, Frank Lingemeyer, W. H. Sheneman, L. F. Aurine, J. G. Gault, A. V. Kennedy, Thomas Connor and Calvin C. Sewell.

The panel being incomplete from the absence of O. L. Mathers, O. P. Lenox and Charles Freshwater who had been excused for sufficient reasons, by the order of the Court, D. G. Scott, Thomas Randall and W. J. Tinney were called as regular jurymen for this term of Court.

J. G. Gault was selected as foreman and sworn according to law; likewise his fellow jurymen. The Grand Jury were charged by the Court, and then conducted to their room by the Sheriff, for deliberation. No business presenting itself, the Grand Jury adjourned to meet at the call of the Prosecuting Attorney.



April 5, 1915.

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

The Isaac Eberly Co.  
Plaintiffvs  
J. L. Graham,  
Defendant.No. 9675  
(Judgment)

Now comes the plaintiff by its attorney, and it appearing to the Court that the defendant has been duly and legally served with summons and that he is in default for answer and demurrer; and the Court finds from the evidence that the allegations of the petition are true, and that the defendant is indebted to the plaintiff upon the account set for in the petition, including interest to the first day of this term of court in the sum of One Hundred and Thirty-four & 50/100 Dollars (\$134.50).

It is therefore considered by the Court that the said Plaintiff, The Isaac Eberly Company recover of the defendant, J. L. Graham, the said sum of One Hundred and Thirty-four and Fifty cents, and its costs herein expended,  
OK Brodrick, Judge

The Isaac Eberly Co.  
Plaintiff,vs  
J. L. Graham,  
Defendant.No. 9675  
(Garnishee ordered to pay in money)

It appearing from the answer of the First National Bank of Richwood, Ohio, garnishee herein, that it is indebted to the said J. L. Graham in the sum of One Hundred and Fifty-two Dollars and 37 cents, on motion of the plaintiff.

It is ordered that the said J. L. Graham pay said sum, or so much as may be necessary to wit \$148.78 to the plaintiff or its attorney, to satisfy the plaintiffs judgment against the said J. L. Graham and the costs hereof, and in default of such payment execution is awarded therefor.

OK Brodrick, Judge.

April 5, 1915.

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

In re. Albert Burnham  
L.F. Erb, and Chas. Coe,  
as Trustees of the First  
Presbyterian Church of  
Milford Center, Ohio, and  
Albert Burnham and  
L.F. Erb, as Trustees of  
the bequest of Maria  
D. Robinson to said Church.

No. 9596.

(Trustees authorized to sell)

This cause coming on this day for hearing, was submitted to the Court upon the pleadings and evidence, without the intervention of a jury; on consideration whereof the Court find that the said trustees have caused to be duly published in the Union County Journal a newspaper printed in and of general circulation in the County of Union notice of the pendency and the prayer of the petition of said trustees for four consecutive weeks ending on the 28<sup>th</sup> day of May 1914, That the premises described in the petition herein are held by the said trustees for the use and benefit of the First Presbyterian Church of Milford Center, Ohio, that said trustees hold title to said premises by virtue of the last will and testament of Maria D. Robinson; that it was the intention of said testator that said real estate be converted into money either loaned out or invested in interest bearing securities that there might be an annual interest accruing to said trustees of their successors for the purpose of paying for preaching services at said church. The Court further find that the sale of said premises is desired by the members of the First Presbyterian Church of Milford Center, Ohio, and that it is right and proper that authority be given to said Trustees to make a sale of said premises.

It is therefore ordered and decreed that said trustees be and they hereby are authorized and empowered to sell said premises at private sale for the highest price which they can obtain, the terms of said sale to be cash, and that they report their proceedings hereunder immediately after such sale is made.

At Rodrick, Judge.

Court adjourned to April 7, 1915 at 9 a.m.



April 7, 1915.

Wednesday Apr. 7, 1915 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge

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

The Commercial  
 Savings Bank,  
 Plaintiff

No. 9688

vs  
 V. M. Milloughby  
 Defendant.

(Cognovit Judgment)

This day came the plaintiff, by its attorney; also appeared in open court, for and on behalf of said defendant, Robinson + Hoopes, attorneys 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 Five Hundred and Six Dollars, and Forty 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 Five Hundred and Six Dollars and Forty cents, being the amount of said note with interest computed at 7 per cent per annum, from the 2<sup>nd</sup> day of January 1915; and also its costs herein expended, taxed at \$5.00.

H. Brodrick, Judge.

O. J. Zeigler,  
 Plaintiff

No. 9670

vs  
 F. H. Perry,  
 Defendant.

(Leave to Plead)

Leave is given plaintiff to file an amended petition herein instant, and the same is filed, and the defendant is required to plead to the same, by April 24, 1915

Simons + Haines, Atty for Defendant.

H. Brodrick, Judge.

Court adjourned to April 8, 1915 at 9 a. m.

April 8, 1915.

Thursday, April 8, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge

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

In re Albert Burnham,  
L.F. Erb and Charles Coe,  
as Trustees of the First  
Presbyterian Church of  
Milford Center, Ohio, and  
Albert Burnham and  
L.F. Erb as Trustees  
of the bequest of Maria  
D. Robinson to the Church.

No. 9596

(Sale and Distribution)

Now came Albert Burnham, L.F. Erb and Charles Coe as Trustees of the First Presbyterian Church of Milford Center, Ohio, and Albert Burnham and L.F. Erb as Trustees of the bequest of Maria D. Robinson, to said church, and produced their return of the sale of the premises described in their petition herein, made under the former order of this Court, and the Court on careful examination of said proceedings and being satisfied that the same have been in all respects in conformity to the law and the order of this Court,

It is ordered that the said proceedings and sale be, and they are confirmed, and it is further ordered that said Trustees of said church as such Trustees and said Trustees of the bequest of Maria D. Robinson, as such Trustees, convey to the purchaser, Jacob A. Yealey, by deed, according to law, the property so sold,

And the Court now coming to the distribution of the proceeds of said sale, orders that the said Trustees pay the costs of this proceeding, taxed at \$26.40; To Robinson + Hoopes, for services herein \$50.00 and the balance of said proceeds said Trustees are ordered to either loan on good first mortgage real estate security or invest in other good interest bearing security and to use the interest as directed in the will Maria D. Robinson.

W. Brodrick, Judge.

Court adjourned to April 9, 1915 at 9 a. m.



April 9, 1915.

Friday April 9, 1915 - Court Convened at 9 a. m.  
 Present Hon. John M. Frodrick, Judge.

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

H. G. Schmelzer  
 Plaintiff

vs

L. J. Argo,  
 Lizzie Argo,  
 Defendants.

No. 9647.

(Distribution)

This day this cause came on to be heard upon report and account of L. J. M<sup>c</sup> Coy, as Receiver herein, and upon the request of said receiver for instructions of the Court as to the disposition of certain claims set out in said report, and for an order of distribution of the remaining assets in his hands as such receiver, Now it appearing to the Court that said account is correct and satisfactorily proven, It is ordered that said account be and hereby is allowed and settled, and that out of the amount of \$906.42 still in the hands of the Receiver herein, that the said receiver pay:

First, To the Clerk of the Court the costs herein taxed at \$24.84.

Second, To E. E. Moore for services rendered the said Receiver in operating the business under order of the Court the sum of \$199.64

Third: To L. J. M<sup>c</sup> Coy as compensation as such receiver the sum of \$12,36.

Fourth: To Simons + Haines, attorneys for services rendered said Receiver the sum of \$75.00.

Fifth: To E. E. Moore, holder of the first mortgage lien upon the property taken in said receivership the sum of \$485.58.

Approved: S. M. VanDrinkle, Atty for M. M. Hill  
 Simons + Haines, Atty for Receiver

J. M. Frodrick, Judge.

Ella Wright and David Young  
 Plaintiffs,

vs

Elvora Braunsou et al, Defendants

No. 9501

(See Real Estate)

Issue having been joined in this cause and the attorneys for the respective parties having appeared and agreed that it is for the best interest of the estate of Mary E. Jackson, deceased, and all parties concerned in this cause, that an action to sell the real estate of said decedent now pending in the Probate Court of Union Co. No. 7732, be permitted to proceed, Now, therefore by agreement of counsel, it is ordered that Harry M. Braunsou, as Executor of the estate of Mary E. Jackson, deceased, be permitted to proceed with the said action No. 7732 in the Probate Court of Union County according to law and the orders of the Court adjourned to April 10, 1915 at 9 a. m.

April 10, 1915.

Saturday April 10, 1915- Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge

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

The Peoples Bank,  
Plaintiff

vs  
Mr. H. Ford,  
Defendant.

No. 9576  
(Aid Execution)

Plaintiff's motion to require defendant to appear and answer concerning his property being heard by me, John M. Brodrick, a judge of the Court of Common Pleas, I find that the plaintiff obtained a judgment against defendant in Court of Common Pleas of said County on the 7th day of March 1914, for \$426.62 with interest at 8% per annum from date, and for costs, and that execution on said judgment has been duly issued and returned unsatisfied.

It is therefore ordered by me that defendant appear personally before me on the 21st day April 1915, and answer concerning his property, and that Charles A. Ford, Harry Shackery and Mrs Harry Shackery be summoned as witnesses to testify under oath as to the property of the defendant, and that they be enjoined from disposing of any property of the defendant in their possession or control, and said defendant is hereby enjoined from disposing of or incumbering any of his property until further order, and the Sheriff is ordered to serve a copy of this order upon defendant and upon said witnesses.

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

No. 9501.

said Probate Court, and to sell said lands at public sale and that said Executor be permitted to pay out of the proceeds of said sale the costs thereof and also to pay the just debts due from said estate, and retain the balance of the proceeds of said sale the in his hands subject to the determination of this cause or further order of this Court.

At M. B. Earhart with Cameron for fees.



March 10, 1915

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

Margaret Cahill,  
Plaintiff

vs

William Cahill et al,  
Defendants.

No. 8630

(Confirm. Trustee Report)

This cause coming on to be heard upon the motion to confirm the final report of Cad Price, as trustee herein, and it appearing to the Court that Margaret Cahill is now deceased, and the Fielding A. Thompson has been appointed administrator de bonis non with the will annexed of the estate of Truman Cahill deceased, and that under the provisions of said will the funds now in the hands of said trustee should be paid to said administrator for administration by him,

It is ordered, on motion of said receiver, that he be allowed and paid the sum of \$125.00 out of the money in his hands in full for his services herein and that he pay out of the money in his hands to Robinson + Hoopes for their services to him as such trustee the sum of \$75.00, and to the Clerk of this court the costs herein taxed at \$1.50, and the Court finding the said report correct and that the said trustee has fully obeyed the orders of the Court to him issued, and has paid out all the moneys coming into his hands except such as said report shows to be now in his hands;

It is therefore ordered that all acts and things done by him, as well as his said report, be and they hereby are, approved and confirmed; and upon the said trustee paying to himself the sum of \$125.00, to Robinson + Hoopes, the sum of \$75.00, to the Clerk of the Court the sum of \$1.50, and to Fielding A. Thompson as administrator de bonis non with the will annexed of Truman Cahill, deceased, the sum of \$439.14 and the note held by said trustee given by Charles Morrow dated May 2, 1914, due May 2, 1915, for the sum of \$906.71, with interest, being the balance of said trust estate in his hands, he, the said trustee, is discharged from his duties, liabilities and responsibilities as such trustee, and his undertaking therefore is vacated and canceled.

John M. Brodrick, Judge.



April 10, 1915.

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

State of Ohio,  
Plaintiff,

vs

William H. Roberts,  
Defendant.

No. 1489

Judgment Abandoning Legitimate Children,  
(Sentence)

This day this cause came on to be heard upon the motion of the Prosecuting Attorney to enforce the sentence of the Court against the said defendant, William H. Roberts heretofore suspended upon agreement of the defendant, William H. Roberts to contribute the sum of \$6.00 per month for the support of his said children, and it being made to appear to the Court that the defendant, William H. Roberts has failed to contribute the amount so agreed by him to be paid,

It is therefore ordered that the said sentence against the said defendant now be carried into execution,

OK Bradrick, Judge.

The Rocket Company,  
Plaintiff

vs

The Union Plumbing  
and Heating Company,  
F. M. Demorest,  
V. M. Willoughby,  
W. P. O'Brien,  
Defendants.

No. 9689

(Cognovit Judgment)

This day came the plaintiff by L. Piper, Attorney; and filed their petition against said defendants, and thereupon Milo L. Myers 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 indebted unto the Plaintiff as they have in their 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, Sixteen & 80/100 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 The Rocket Company plaintiff do recover of the said Defendants, The Union Plumbing and Heating Co., F. M. Demorest & V. M. Willoughby, the sum of One Hundred, Sixteen & 80/100 Dollars so confessed, as aforesaid, with interest from April 10, 1915 at 6 per cent per annum, and also their costs in their behalf expended taxed at \$5.00 and by virtue of said warrant



April 10, 1915.

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.

At Brodrick, Judge.

Edward E. Laughrey et al,  
Plaintiffs

vs

Rose Scott et al,  
Defendants.

No. 9420

(Dismissed)

This the 10<sup>th</sup> day of April 1915, the motion of the plaintiffs treated as a motion to strike to strike out certain allegations of the answer of the defendant, Frances Laughrey, administratrix, is heard and refused; to which ruling the plaintiffs except.

Said motion coming on further to be heard, and treating said motion as a general demurrer to the answer of said defendant, the same is overruled; to which ruling the plaintiffs except.

Now come the parties by their attorneys, and submit this cause to the Court upon the pleadings, and upon due consideration thereof, the Court finds upon the issues joined for the defendant, Frances Laughrey, administratrix,

It is therefore considered and ordered that the petition of the plaintiffs be dismissed. Judgment is rendered against the plaintiffs for their costs herein.

Approved: John R. Laughrey, Attorney for Plaintiffs.  
John H. Willis, Attorney for Defendants.



April 10, 1915,

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

The Urbana Packing Co.,  
Plaintiffvs  
J. W. M<sup>c</sup>: Kirgan et al,  
Defendants.No. 9483  
(Foreclosure)

And now this cause came on to be heard upon the amended answer and cross-petition of The Buckeye State Building and Loan Company, the answers of James W. M<sup>c</sup>: Kirgan & John H. Miller, guardian ad litem of Sue M<sup>c</sup>: Kirgan, and was submitted to the Court. Whereupon the Court finds that the allegations of said amended answer and cross-petition are true, and that there is due the said The Buckeye State Building and Loan Company from James W. M<sup>c</sup>: Kirgan and Sue M<sup>c</sup>: Kirgan on the note set forth in the first cause of action of said amended answer and cross-petition, the sum of one thousand eight hundred and eighty-seven and 43/100 dollars (\$1,887.43) with interest from the 10<sup>th</sup> day of April 1915.

It is accordingly ordered and adjudged that The Buckeye State Building and Loan Company recover said sum from said James W. M<sup>c</sup>: Kirgan and Sue M<sup>c</sup>: Kirgan.

And the Court further finds that to secure the payment of the said note, the said James W. M<sup>c</sup>: Kirgan and Sue M<sup>c</sup>: Kirgan, his wife, executed and delivered to said The Buckeye State Building and Loan Company, their certain mortgage deed, as more fully set forth in the second cause of action of the said amended answer and cross-petition, thereby conveying to the said Company the real estate more fully described in the second cause of action, and that the said conditions have been broken, and the said Company is entitled to have foreclosed the equity of redemption of said defendants in and to said real estate, and that said mortgage was filed for record with the Recorder of said County at 8:55 o'clock a. m. on November 30, 1912, and was thereafter recorded in Mortgage Record 62, page 373, of the records of said County.

It is accordingly ordered and adjudged that unless within three days from the entry of this decree the said James W. M<sup>c</sup>: Kirgan or Sue M<sup>c</sup>: Kirgan, his wife, pay, or cause to be paid, to the Clerk of this Court the costs in this case, and to the said Company the said sum of One thousand eight hundred and eighty-seven and 43/100 Dollars (\$1,887.43) with <sup>said</sup> interest, that the said equity of redemption be foreclosed of said defendants in and to said real estate be foreclosed, and that said property be sold as upon execution, and that an order therefor issue to the Sheriff of said County commanding him to appraise, advertise & sell said property as upon execution, and according to law, and that he make return of his proceedings to this Court. And for good cause shown it is ordered that publication of said advertisement in a newspaper printed in the German language be, and the same hereby is, dispensed with.

OK Brodrick, J.

Court adjourned to Apr. 13, 1915 at 9 a. m.



April 13, 1915.

Tuesday Apr. 13, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

Verire Facias for Petit Jurors returned indorsed:

The State of Ohio, Union County ss.

Sheriff's Office Marysville O., Apr. 13, 1915.

On the 27<sup>th</sup> day of March 1915, I received this Verire and served the same on the several persons therein named, at the times and in the manner placed opposite their names endorsed hereon.

1. Joseph Kinnikin	Mar. 27, 1915	By mail	16 miles
2. Jacob Greenbaum	" " "	" "	7 "
3. Ralph E. Smith	" " "	" "	" "
4. Gottlieb Burns	" " "	" "	7 "
5. C. L. Koerner	" " "	" "	6 "
6. Frank Collier	" " "	" "	13 "
7. William Laughrey	" " "	" "	6 "
8. Bert Rovine	" " "	" "	10 "
9. Francis Smart	" " "	" "	13 "
10. W. H. Rogers	" " "	" "	" "
11. Chas. Hagendocher	" " "	" "	8 "
12. Lee W. Elsom	" " "	" "	8 "
13. E. J. Evans	" " "	" "	0 "
14. Harley Stubbs	" " "	" "	4 "
15. E. W. Bonnette	" " "	" "	0 "
16. S. G. Watts	" " "	" "	" "
17. Emory M. Coe	" " "	" "	7 "
18. L. R. Harcomb	Out of County		

John N. Laird, Sheriff.

On calling the names in open court the following responded: Joseph Kinnikin, Jacob Greenbaum, Gottlieb Burns; C. L. Koerner, Frank Collier, William Laughrey, Bert Rovine, Francis Smart, Chas. Hagendocher, Lee W. Elsom, E. J. Evans, Harley Stubbs, E. W. Bonnette, Emory M. Coe.

The balance of the panel were excused having given sufficient reasons to the Court. The panel being rendered incomplete by challenge William Cahill was called as jurymen.

April 13, 1915

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

Lester Oliver,  
Plaintiff

vs

M. W. Hill,  
Defendant.

No. 9545.

(Settled)

This day came the parties herein by their attorneys, likewise the following persons as Jurors: Jacob Greenbaum, Gottlieb Burns, Frank Collier, William Laughrey, Bert Romine, Francis Smart, Charles Hagenlocker, Lee W. Elson, Harley Stubbs, E. W. Bonnette, Emory M. Coe and William Cahill who were duly impaneled and sworn and the trial proceeded, case settled by parties, Juror withdrawn and case dismissed without record. Petit jurors excused until to-morrow morning at 9 o'clock.

Lester Oliver,  
Plaintiff

vs

Morris W. Hill,  
Defendant

No. 9545

(Dismissed)

This day this cause settled, costs apportioned and paid. Dismissed without record.

Willie Cahill et al,  
Plaintiffs

vs

J. S. Kagay,  
Defendant

No. 9572

(Settled & Dismissed)

This day this cause settled, costs paid and dismissed without record.

Court adjourned to Apr. 14, 1915 at 9 a. m.



April 14, 1915.

Wednesday April 14, 1915 - Court convened at 9 a.m.

Present Hon. John M. Brodrick, Judge.

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

C. H. Morrow et al,  
Plaintiffs

vs

Christopher Magee, Jr.,  
Defendant.

No. 9679

(Leave to Plead)

On motion of plaintiff leave is granted plaintiff to file an amended petition herein instantler.

The State of Ohio  
Exrel Dwight B. Edwards,  
Plaintiff

vs

Charles A. Morrlock  
Auditor Etc.

Defendant.

No. 9680

(Jdg against Defendant)

This cause coming on to be heard upon the return of the alternative writ of mandamus heretofore issued in this case, and it appearing to the Court that the respondent, Charles A. Morrlock, as County Auditor of Union County, Ohio, herein has complied with the order contained in said writ:

It is therefore considered that no further proceedings be had herein, and that the case be discontinued; and that the said defendant pay the costs herein taxed at \$6<sup>30</sup>.

The State of Ohio,  
Plaintiff

vs

William H. Roberts,  
Defendant.

No. 1489

(Trustee)

It appearing to the Court that the defendant has been sentenced to be confined in the Ohio Penitentiary and that under the provisions of the General Code, it is necessary that a trustee be appointed to receive and expend the funds provided to be paid by the Board of Managers of said Penitentiary;

It is therefore considered and ordered by the Court that John N. Laird, Sheriff of said County be, and he hereby is appointed as such trustee to receive and, expend and account for the funds arising hereunder, as provided by the General Code of Ohio.

John M. Brodrick, Judge.

April 14, 1915.

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

E. A. Lutz et al,  
Plaintiffs

vs

The Hartford Fire  
Insurance Co,

Defendant.

No. 9609.

(Settled + Dismissed)

It being made to appear to the Court by all parties hereto that all of the issues involved in this case have been fully compromised and settled and upon request of the parties hereto and it is ordered that this case be, and the same is hereby dismissed at the cost of the plaintiff, and a complete record of this case is dispensed with.

OK (Brodrick), J.

Petit Jury:-

Pursuant to an order of the Court the petit jurors summoned for this term reported for duty this morning as follows: Joseph Kinikin, Jacob Greenbaum, Gottlieb Burns, C. L. Koerner, Frank Collier, William Laughrey, Bert Rovine, Francis Smart, Chas. Hagenlocker, Lee W. Elson, E. J. Evans, Harley Stubbs, E. W. Bonnette, Emory M. Coe, There being no business for the jury to-day they were excused to be called by the Clerk or Sheriff.

Court adjourned to Apr. 15, 1915 at 9 a.m.



April 15, 1915.

Thursday April 15, 1915 - Court convened at 9 a. m.  
 Present Hon. John M. Brodrick, Judge.

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

The Rockel Company,  
 Plaintiff,

vs

The Union Plumbing  
 and Heating Company,  
 F. M. Demorest, V. M. Willoughby  
 W. P. O'Brien,  
 Defendants.

No. 9693.

(Judgment)

This day came the plaintiff by Leonidas Piper attorney, and filed their 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 indebted unto the Plaintiff as they have in their 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, Sixteen + 90/100 Dollars, bearing interest at 6 per cent per annum, and that said Plaintiff recover of said Defendants, a judgment for that sum.

It is therefore considered by the Court here that the said The Rockel Company Plaintiff do recover of the said Union Plumbing and Heating Company et al Defendants, the sum of One Hundred, Sixteen + 90/100 Dollars so confessed, as aforesaid, with interest from April 15, 1915 at 6 per cent per annum, and also costs in their behalf expended taxed at \$5.00, 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 due by said Defendant waived and released.

OK, Brodrick, J.

April 15, 1915.

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

James Gattore,  
Plaintiff

vs

William Moffitt,  
Defendant.

No. 9692.

(Temporary Injunction)

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 One Hundred Dollars (\$100.00).

Done this 15<sup>th</sup> day of April 1915.

John M. Brodrick, Judge.

Court adjourned to April 20, 1915 at 9 a. m.



April 20, 1915.

Tuesday April 20, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

Le Roy Walker,  
Plaintiff

vs

Chas. H. Westlake et al,  
Defendants.

No. 9474

(Leave to Plead)

Leave is hereby granted the defendant, John L. Loughrey to plead by the 20th day of April, 1915.

Leave also given to Nellie Westlake Teets to file an answer and cross-petition by April 24, 1915.

OK Brodrick, J.

Court adjourned to Apr. 23, 1914 at 9a.m.

April 23, 1915,

Friday Apr. 23, 1915 - Court convened at 9 a. m.  
Present Hon. John M. Brodrick, Judge.

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

The Marysville Hardware  
Company,

Plaintiff

No. 8987

vs

Grace Jane Hudson,

Defendant.

(Leave to file Motion)

Upon application to the Court, leave is granted to  
the defendant to file a motion in the above entitled action  
forthwith.

O. K. Brodrick, Jr.

Court adjourned to Apr. 27, 1915 at 9 a. m.



April 27, 1915.

Tuesday April 27, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

V. M. Willoughby,  
Plaintiff

vs  
Francis Demorest,  
Defendant.

No. 9697  
(Receiver)

Now this cause came on to be heard upon the 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 now dissolved at will, and that the property of The Union Heating and Plumbing Company is in great danger of being lost, sold, removed or materially injured.

It is therefore ordered that John N. Laird, Sheriff of Union County, Ohio, be and he hereby is appointed receiver of all the debts, property, equitable interests and things in action belonging to said firm; that the said receiver, upon being duly qualified, proceed to collect the debts of the firm, and make a list of debts, asked for in said <sup>the</sup> petition, and the said parties here, and all other persons having any of said property in their possession or under their control are hereby ordered to deliver the same, and all persons owing any such money belonging to said firm are hereby directed to pay over the same, to the said John N. Laird as such receiver on his demand.

At Brodrick, J.

Court adjourned to Apr. 28, 1915 at 9 a.m.

April 28, 1915.

Wednesday April 28, 1915 - Court convened at 9 a.m.  
Present Hon. John M. Brodrick, Judge.

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

The State of Ohio  
ex rel Cecil Carter,  
Plaintiff

vs

Lawrence Beard,  
Defendant.

No. 9592

(Judgment)

This cause coming on to be heard upon the motion of the plaintiff for the allowance of such sum as to the Court seems just for the maintenance of said child, and the Court being fully advised in the premises orders the said defendant, Lawrence Beard, stand charged with the maintenance thereof in the sum of \$500.00, payable forthwith, and in default of such payment that he be committed to the jail of the County there to remain until he shall comply with the requirements of the Court.

And by consent of the defendant it is ordered that beginning with the 28<sup>th</sup> day of April, 1916, the defendant pay to said child for its maintenance the sum of \$1.50 per week, said sum payable quarterly in advance to the Clerk of this Court, <sup>until</sup> said child is 16 years of age.

It is further ordered that upon default of any of said quarterly payments for the period of 30 days, execution therefor is awarded.

It is further ordered that the defendant pay the costs herein taxed at \$73.46

Approved: Nate Moffitt, Robinson + Hoopes,  
Attorneys for Plaintiff.

Mouser + Maloney, Atty for Defendant.

Ok. John M. Brodrick, Judge.

Court adjourned to April 29, 1915 at 9 a.m.



April 29, 1915.

Thursday Apr. 29, 1915 - Court convened at 9 a.m.  
Present: Hon. John M. Brodrick, Judge.

Apr. 30, 1915

Clarence A. Hoopes,  
Adm. Est. Elizabeth Fish,  
Plaintiff

No. 9400

vs

Joanna Wiley,  
Defendant.

(Settled)

This cause settled and dismissed with-  
out record at cost of plaintiff.

Court adjourned to April 30, 1915 at 9 a.m.

April 30, 1915

Friday April 30, 1915 - Court convened at 9 a.m.  
Present John M. Brodrick, Judge.

In the Court of Common Pleas Union County, Ohio,

In the Matter Compensation  
of G. C. Edwards, Court Constable }

G. C. Edwards is hereby allowed for services as  
Court Constable for the Month of April 1915, 26 days at \$25.00  
per day, total ----- \$650.00.

The Clerk will please certify the same to the  
Auditor of Union County.

John M. Brodrick, Judge.

Clarence A. Hoopes,  
Adm. Estate Elizabeth Fish,  
Plaintiff

vs

J. L. Fish,

Defendant.

No. 9396  
(Settled)

This cause settled and dismissed with-  
out record at cost of plaintiff

Clarence A. Hoopes, Adm.  
Estate Elizabeth Fish,  
Plaintiff

vs

David Fish,

Defendant.

No. 9397  
(Settled)

This cause settled and dismissed  
without record at cost of plaintiff.

Clarence A. Hoopes, Adm.  
Estate Elizabeth Fish,  
Plaintiff

vs

William Fish,

Defendant.

No. 9398  
(Settled)

This cause settled and dismissed with-  
out record at cost of plaintiff.

Clarence A. Hoopes, Adm.  
Estate Elizabeth Fish,  
Plaintiff

vs

Ellen Rush, Defendant,

No. 9399  
(Settled)

This cause settled and dismissed without  
record at cost of plaintiff.



April 30, 1915,

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

Mary E. Justice,  
Plaintiff

vs

Louis F. White,

Defendant.

No. 9527

(Jdy for Def.)

This day this cause came on to be heard upon the motion of the plaintiff for a new trial, The Court upon consideration overrules the same;

It is therefore considered that the defendant go hence without day and recover his costs herein from the plaintiff.

John M. Brodrick, Judge.

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