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TIMES OF HOLDING COURTS IN OHIO,

FOR 1868.

FIRST DISTRICT.

District Court.

Hamilton county, April 20; October 5.

Common Pleas.

Hamilton, January 6; May 11; November 2.

SECOND DISTRICT.

District Court.

Clinton, May 4; Warren, May 7; Greene, May 11; Clarke, May 14; Champaign, May 18; Darke, May 21; Preble, May 25; Butler, May 28; Montgomery, June 4; Miami, June 5.

Common Pleas.

Butler, February 10, June 8, October 19.
Preble, April 6, July 6, December 7.
Miami, February 10, June 8, October 19.
Darke, March 9, June 22, November 16.
Champaign, April 6, July 6, December 7.
Greene, February 10, June 8, October 19.
Warren, February 10, June 8, October 19.
Clinton, March 9, July 6, November 16.
Montgomery, March 9, July 20, December 14.
Clarke, April 6, July 6, November 16.

THIRD DISTRICT.

District Court.

Williams, August 5; Fulton, August 6; Wood, August 7; Henry, August 10; Defiance, August 11; Paulding, August 13; Van Wert, August 14; Allen, August 17; Putnam, August 19; Auglaize, August 20; Mercer, August 21; Shelby, August 24; Logan, August 27; Marion, August 29; Union, September 1; Crawford, September 3; Wyandot, September 5; Hardin, September 8; Hancock, September 9; Seneca, September 10.

Common Pleas.

Union, February 3, May 4, October 14.
Hardin, January 20, April 20, September 28.
Marion, February 17, May 18, November 2.
Logan, March 2, June 1, November 16.
Shelby January 6, April 6, September 14.
Auglaize, January 28 May 19, October 6.
Allen, March 10, June 16, November 17.
Mercer, January 14, May 12, September 29.
Van Wert, February 25, June 9, November 3.
Putnam, February 11, June 2, October 20.
Paulding, February 4, September 22.
Defiance, January 27, April 27, September 28.
Henry, February 10, May 4, October 5.
Fulton, February 18, May 12, October 20.
Williams, March 3, May 19, November 4.
Wood, March 17, June 2, November 17.
Seneca, February 25, May 26, November 10.
Hancock, January 28, April 14, October 27
Wyandot, February 10, May 4, September 21.
Crawford, January 14, March 24, October 6.

FOURTH DISTRICT.

District Court.

Erie, April 13; Huron, April 20; Lucas, April 27; Sandusky, April 24; Ottawa, April 16; Lorain, September 10; Medina, September 14; Summit, September 17; Cuyahoga, September 22.

Common Pleas.

Erie, January 27, May 18, October 5.
Huron, February 24, June 8, November 9.
Lucas, February 24, May 18, October 26.
Sandusky, February 10, May 4, October 12.
Ottawa, May 5, October 27.
Lorain, March 3, June 2, November 17.
Medina, February 18, May 19, November 3.
Summit, January 28, April 28, October 14.
Cuyahoga, February 10, May 11, November 4.

FIFTH DISTRICT.

District Court.

Madison, May 5; Franklin, May 6; Pickaway, May 11; Fayette, May 15; Ross, September 1; Highland, September 4; Adams, September 8; Brown, September 10; Clermont, September 15.

Common Pleas.

Brown, February 4, June 30, November 3.
Adams, February 25, May 26, September 29.
Clermont, March 10, June 9, October 14.
Highland, January 14, May 19, October 14.
Ross, February 4, June 2, October 27.
Fayette, March 3, June 23, September 22.
Madison, February 3, May 18, October 14.
Pickaway, February 18, May 26, October 27.
Franklin, March 9, June 15, November 16

SIXTH DISTRICT.

District Court.

Coshocton, June 2; Licking, June 4; Delaware, June 10; Morrow, June 13; Richland, June 22; Knox, June 26; Ashland, July 1; Wayne, July 6; Holmes, July 10.

Common Pleas.

Delaware, January 20, April 20, October 14.
Knox, March 3, July 21, November 17.
Licking February 3, April 6, August 31.
Morrow, January 28, May 5, October 14.
Ashland, February 24, September 7, November 16.
Richland, March 9, August 3, November 2
Holmes, January 21, April 21, October 20.
Coshocton, February 3, May 4, November 2.
Wayne, March 17, August 25, December 15.

SEVENTH DISTRICT.

District Court.

Washington April 9; Meigs, April 13; Gallia, April 17; Lawrence, April 20; Scioto, April 23; Pike, April 27; Perry, September 1; Fairfield, September 3; Hocking, September 7; Athens, September 10; Vinton, September 14; Jackson, September 17.

Common Pleas.

Perry, February 11, May 12, October 6.
Fairfield, February 18, May 19, October 13.
Hocking, March 9, June 8, November 2.
Lawrence, February 11, May 12, September 29.
Scioto, March 10, June 2, November 10.
Vinton, March 10, June 16, November 17.
Jackson, February 25, May 25, October 13.
Pike, February 4, May 4, September 22.
Gallia, February 7, May 1, September 25.
Meigs, February 17, May 11, October 5
Washington, March 2, May 25, October 19
Athens, March 23, June 15, November 9.

EIGHTH DISTRICT.

District Court.

Muskingum, August 31; Morgan, September 7; Noble, September 9; Monroe, September 14; Belmont, September 15; Guernsey, September 21; Tuscarawas, September 25; Harrison, September 28; Jefferson, September 29.

Common Pleas.

Muskingum, January 22, April 22, November 18.
Morgan, March 3, June 2, November 3.
Noble, January 14, April 14, October 20.
Guernsey, January 28, May 5, November 24.
Belmont, February 25, May 26, October 20.
Monroe, January 20, April 21, December 9.
Harrison, February 3, May 4, October 9.
Tuscarawas, February 17, May 18, November 23.
Jefferson, March 2, June 1, November 2.

NINTH DISTRICT.

District Court.

Stark, April 18; Columbiana, April 13; Trumbull, April 6; Lake, August 18; Ashtabula, August 24; Carroll, April 16; Mahoning, April 9; Portage, April 23; Geauga, August 20.

Common Pleas.

Carroll, January 13, May 18, October 19.
Stark, February 17, June 1, November 9.
Columbiana, January 27, April 27, September 7.
Mahoning, January 6, March 2, September 7.
Portage, January 27, June 15, October 19.
Trumbull, February 10, May 11, November 9.
Lake, February 17, May 11, September 21.
Geauga, February 4, April 28, September 8.
Ashtabula, January 6, May 25, November 9.

OFFICE SECRETARY OF STATE,
COLUMBUS, O., November 5, 1867.

I CERTIFY the above to be correctly compiled from the official lists returned to this office.

WM. HENRY SMITH,
Secretary of State.

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June 25th 1867

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Joseph Miles William Cudas David A. Williams
George T. Bennett Charles W. Lyon Samuel Carow
Wilson Armstrong & Ebenezer C. Williams Plaintiffs
Against
Nathan Poling William T. A. Epps Joseph Stratton
John Corbit & William Hazen Defendents } Petition.

This day came Thomas Cudas and suggests here to the Court that the said William Cudas one of the plaintiffs in this action has departed this life since the commencement of this suit and that he the said Thomas Cudas is the Only child & sole heir at law of the said William Cudas deceased, and the Court being satisfied of the truth of such suggestion do on motion of the said Thomas Cudas Order that he the said Thomas Cudas be & he hereby is substituted as a plaintiff in this action in place & stead of the said William Cudas deceased And that said action do stand revived as to the interest of the said William Cudas therein in the name of said Thomas Cudas that the said Thomas Cudas be permitted to prosecute the same as to all the rights & interest of the said William Cudas in said action together with the other plaintiffs named in the petition heretofore filed in this case

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C. S. Hamilton Admr of the
estate of D. D. Welsh dec'd Plff
Against
R. A. Shadrack and
M. A. Shadrack Defendants } This day came the parties by their Attorneys and thereupon the report of M. C. Laurence Master Commissioner of this Court heretofore made in this action under a former Order of this Court finding that the defendant R. A. Shadrack owes to the plaintiff as the Admr. of D. D. Welsh dec'd the Sum of one hundred & fourteen dollars and Seventy nine cents was inspected by the Court here and Ordered in all things to Stand Confirmed -
Therefore it is considered Ordered and adjudged by the Court that the plaintiff as such Administrator recover of the defendant said Sum of One hundred & fourteen dollars & Seventy nine cents his debt aforesaid and also his costs in this behalf expended. And it is further Ordered and adjudged that in case the said defendant R. A. Shadrack fails for ten days from the close of this term of Court, to pay to said plaintiff the said Sum of One hundred and fourteen ~~and~~ ~~cents~~ dollars and Seventy nine cents So as aforesaid found due with the costs of suit - An Order issue to the Sheriff of Union County Ohio, who is hereby appointed Special Master Commissioner for that purpose commanding him to cause the said lands & tenements in the plaintiffs petition described to wit, "In the Town of Marysville and being the South half of one half acre in the Southwest corner of out lot No. 4 in Mathiots Addition to the Town of Marysville" to be appraised advertised and sold according to law and apply the proceeds of said Sale in the Satisfaction of said judgment So as aforesaid rendered with the costs of suit including a fee of fifteen dollars to M. C. Laurence Master Commissioner, which is taxed and hereby allowed as a part of said costs - And it is further Ordered & adjudged by the Court that for any ballance that may remain unpaid of said judgment & costs after the application of the proceeds of said Sale that Execution issue therefor

May Term 1867 June 25th 1867

X 248	I. N. Hamilton adm^r &c vs W. H. Dunnick et als	Continued
X 281	John McAllister vs Isaac McAllister et als.	Continued
X 292	Jacob S. Newcomb vs J. C. Hanover & Wm Dahr	Submitted on demurer, Plaintiff ruled to give Security for costs in thirty days from the close of this term of Court — Demurer to original petition withdrawn and Amended petition filed by leave of the Court — Demurer to Amended petition filed and Cause Submitted to the Court
X 297	Wm Brigham vs John Phillips et, als, Taken under advisement	Continued
X 314	David Mulford vs Wm Stithem	Continued
X 321	Peter L. Mayo vs John Mayo et als	Continued
X 332	Eberly & Shedd vs J. W. Robinson Adm^r &c others	Continued
√ 348	George Lemay vs C & I. R. Railway Co.	Settled & Costs paid
X 350	Elihu Phelps vs Saml Ream	Continued
X 352	Adm^r of L. D. Rankins estate vs ~~Daniel Johnson~~ Burkam & Freeman	Continued
X 353	George Hombeck vs J. C. Lee	Cont^d
X 355	W. M. Randall vs John C. Hanover	Cont^d
X 356	Armilda Jane Huffine By &c vs Saml & Henry Grow	Cont^d
X 357	Silas Igow vs J. S. Epps	Cont^d
X 362	Nicholas Belveal vs Saml McAllister et als	Cont^d
X 363	Alden Smith vs Elizabeth Smith	Cont^d
√ 368	Eberly & Shedd vs J. C. Elliott	Settled & Costs paid
X 375	Lanson Spain vs A. A. Burroughs et, als	Continued
X 380	Lewis W. Greene vs W. M. Robinson	Continued
X 319	Thomas W. Powell vs John H. Stewart & David Dyal	On Motion and affidavit of Defendant this cause is Continued at Defts cost And Judgement against Defts for costs

X 281

X 297

X 292

May Term Tuesday June 25th A.D. 1867

X — William P. Welsh
against
George W. Cushman & John L. Scrimger

This cause came on to heard this day upon the Motion of the defendants to Set aside & vacate the Judgment rendered in this case by the Court at this May Term thereof A.D. 1867 for reasons Setforth in said Motion. And was argued by Counsel. On consideration whereof it is Ordered and Adjudged by the Court that said Motion be, & the Same is Overruled, to which Judgment ruling & decision of the Court the defendants by their Attorney excepted

X
281 — John McAllister
vs
Isaac McAllister et als

This day came on this cause to be heard On the Motion to Confirm the report and proceedings of the Sheriff & Commissioners in partition & On the Motion of Eliza A and Amzi A. Bell to Set aside the Same and the Court being fully advised in the premises do confirm said report & proceedings and overrule said Motion to set aside the Same to which decn the Atty. of said Bell excepts. It is therefore Ordered further that said Widow Stand endowed of the part of said real estate Set off to her in said report & that said Isaac McAllister Stand Seized & hold in Severalty the part thereof Set off & Assigned to him in said report as his Share of said real estate. And neither of said parties electing to take said land which was appraised at the valuation thereof it is Ordered & Adjudged that the Same be Sold according to law Subject to the dower Assigned & that an Order of Sale issue to the Sheriff of said County who is hereby Appointed Special Master Commissioner for that purpose commanding him to Advertise & Sell according to law said land not including the lot Set off to said Isaac McAllister and that he report his proceedings therein to this Court at its next term and this cause is continued for further Order

X
297 — William Brigham
vs
John Philips et als

This day came on this cause & was argued by Counsel and Submitted to the Court on the demurer to the petition — On consideration whereof the Demurer is Overruled by the Court, to which decision the defendants took exception — On Motion of Counsel for Defts, leave is granted to Defendants to file Answer by the first day of October 1867 and this cause is Continued

X
292 — J. S. Newcomb
vs
J. C. Hanover & Wm Deihl

This day came the parties & Submitted this cause to the Court on the Demurer to the petition and the Court being fully advised in the premises do Overrule the demurer to which decision Defendant Excepts. Whereupon the Defendant asked and Obtained leave to file Answer on or before the 1st day of October 1867 — and this cause is Continued

X Joseph M. Cramer
vs
Samuel Scott & others

And thereupon the Court Adjourned without day

Velorus Y. Hills Plaintiff
against
E. L. Heisler Defendant

Union County Ohio
Court of Common Pleas

On motion to me in vacation for an Order for the Sale of the property taken by the Sheriff of said Union County Ohio in attachment in this case and being satisfied by the evidence contained in the affidavits of J. B. Whelpley & others submitted to me in support of said motion & filed in said Court that said property is perishable in its nature & that it would be for the benefit of the parties. I do hereby on this 13th day of July A.D. 1867 Order that the Sheriff of said County do proceed to advertise and Sell said property according to the Statute in such case made & provided and in like manner as is the like property when taken & Sold on Execution by the Sheriff. and for cash on all Sales of five & under in amount, and upon a credit of ninety days on all sales above five dollars with personal Security to the Satisfaction of the Sheriff.

Sidney Shelby Co. O. July 13th 1867

J. S. Conklin
Judge of said Court

George Beecher
vs
William Cole

Court of Common Pleas
Union County Ohio.

This day on the application of the Plaintiff it having been made to appear by proof that the property seized in attachment in the above case is of a perishable nature & on account thereof & by reason of the expense of Keeping the same it will be for the benefit of the parties to this action that all of said property be Sold.

It is therefore Ordered by me the Judge of the Court aforsaid that the Clerk of said Court issue to the Sheriff of said County an Order of Sale commanding him to advertise and Sell said property according to law as upon Executions at law and

that he report his proceedings thereon to said Court on or befor the first day of the next Term thereof.
Done in Vacation at Marysville, this August 30th 1867

J. S. Conklin
Judge U. C. P.

John Ruling
vs
Lemuel Patch

Court of Common Pleas. Union County Ohio.
Order of Sale.

On Motion of plaintiff it appearing by proof that the property seized in attachment in this case is mostly of a perishable nature & from the costs of keeping the remainder thereof it will be for the benefit of the parties to this action that said property be sold without delay

It is therefore Ordered that the Clerk of said Court issue an Order to the Sheriff commanding him to Advertise & Sell said property as upon Executions at law And that the proceeds thereof retain for the further Order of the Court

Done In Vacation at Sidney
Shelby Co. O. Sept. 19. 1867

J. S. Conklin
Judge U. C. C. P.

To Clerk U. C. C. P. Marysville O.

Times fixed for holding Courts in the Third Judicial District of the State of Ohio for the year 1868.

Be it Remembered, That at a meeting of the Judges of the Court of Common Pleas of the Third Common Pleas Judicial District of the State of Ohio at the Court House in the Town of Ottowa, Putnam County Ohio on the day of the date hereof for the purpose of fixing the times of holding the Terms of the Courts of Common Pleas and of the District Courts in said District for the year 1868. We the undersigned Judges of the Court of Common Pleas within and for said District do hereby fix the times of holding said Courts for the year 1868 in each & every County is said District as follows

District Court,

The Several terms of the District Court in and for the year 1868, shall commence in the Several Counties thereof as follows to wit,

In Williams County	August	5th	In Mercer County	August	21st
In Fulton County	"	6th	In Shelby County	"	24th
In Wood County	"	7th	In Logan County	"	27th
In Henry County	"	10th	In Marion County	"	29th
In Defiance County	"	11th	In Union County	September	1st
In Paulding County	"	13th	In Crawford County	"	3d
In Van Wert County	"	14th	In Wyandot County	"	5th
In Allen County	"	17th	In Hardin County	"	8th
In Putnam County	"	19th	In Hancock County	"	9th
In Auglaize County	"	20th	In Seneca County	"	10th

And that the Several Terms of the Court of Common Pleas in & for the Several Counties of said District in & for said year, shall commence in the Several Counties thereof as follows,

First Sub-Division,

In Union County	February	3d	May 4th	October	14th
In Hardin County	January	20th	April 20th	September	28th
In Marion County	February	17th	May 18th	November	2d
In Logan County	March	2d	June 1st	November	16th
In Shelby County	January	6th	April 6th	September	14th

Second Sub-Division,

In Auglaize County	January	28th	May 19th	October	6th
In Allen County	March	10th	June 16th	November	17th
In Mercer County	January	14th	May 12th	September	29th
In Van Wert County	February	25th	June 9th	November	3d
In Putnam County	February	11th	June 2d	October	20th

Third Sub-Division,

In Paulding County	February	4th		September	22d
In Defiance County	January	27th	April 27th	September	28th
In Henry County	February	10th	May 4th	October	5th
In Fulton County	February	18th	May 12th	October	20th
In Williams County	March	3d	May 19th	November	4th
In Wood County	March	17th	June 2d	November	17th

Fourth Sub-Division

In Seneca County February 25th May 26th November 10th
In Hancock County January 28th April 14th October 27th
In Wyandot County February 10th May 4th September 21st
In Crawford County January 14th March 24th October 6th

And we do further Order and direct that the Several terms of said Courts Shall commence on the first day of each of said terms at eight Oclock A. M.

In Testimony Whereof, We ifsue this our Order, for the purpose aforesaid at Said Court House on the tenth day of September A. D, 1867

J. S. Conklin
A. S. Latty
Chester R. Mott
James Mackenzie
} Judges of Said Courts

To the Clerk of the Court of Common Pleas of Union County Ohio, who is hereby directed to publish this Order for three consecutive weeks in each of the Several newspapers published in Said County.

J. S. Conklin
A. S. Latty
Chester R. Mott
James Mackenzie
} Judges of Said Court

I Certify the above to be a true copy from the Original Order Now before me this October 22d 1867

Taber Randall Clerk

Oct 28 1867

Monday October 28th A.D. 1867 This morning the Court of Common for the County of Union in the State of Ohio met at ten oClock in pursuance of law Present J.S. Conklin Presiding Judge John L. Potts Prosecuting Attorney James B. Whelpley Sheriff and Jabez Randall Clerk

This day the Jurors of the Grand Jury being called came to wit, Jesse Carpenter. Abraham Wiley John Woods William H. Marriott J.F. Snedeker L.W. Smith W.H. Burnham Bolivar Hays William Roberts Ebenezer Harriott. Henry Morse Regular Jurors Andrew Keyes S.F. Kinney James Reed & Moses Thompson Tales Jurors - And the Court appointed Abraham Wiley Foreman & And the Grand Jury being duly empannelled & Sworn were Charged by the Court and retired to their room to deliberate under the Charge of a Sworn Constable

X 1	Lepsu of Saml Stokely vs John Williams	Continued
X 75	B.W. Miller vs Orlando Wells	Contd under former Order
X 76	Tullington Garwood & Co. vs Michael Davis	Contd,
X 219	Albert Galloway vs Harmon Patch	Contd.
X 232	J.C. Hanover & S.W. Brown vs Wm Wharry C.H. Cady & P. Safford	Contd for Service
X 261	Cyrus Albin vs Samantha C. Pugh et. al,	Continued
X 267	Maskell Dockum vs Harriet E. Dockum Extrx &c	Contd, at Plaintiffs Costs.
269	Everly & Shedd vs John A. Wood et als	This day came the plaintiffs but the defendants made default. And it appearing that $287. has been paid Since the Commencement of this action and there is yet $63.00 due. It is therefore considered Ordered and adjudged by the Court that the plaintiffs recover of said defendants said Sum of Sixty three dollars and their costs herein expended taxed to $
281	John McAllister vs Isaac McAllister et als	Continued under former Order of Sale

Monday October 28th 1867

14 R. C. Clark & others
vs
Aaron Shirk
This cause having been heretofore dismissed as to R. C. Clark and the heirs of David Williams Substituted in his Stead The said plaintiffs now come & dismiss this action — No Record — It is therefore considered Ordered and adjudged that the plaintiffs the said heirs of David Williams pay the costs herein expended taxed to $

15 R. C. Clark & Others
vs
John Morrow
This cause having been heretofore dismissed as to R. C. Clark and the heirs of David Williams Substituted in his Stead — The said plaintiffs now come and dismiss this action — No Record
It is therefore considered Ordered & Adjudged that the plaintiffs the said heirs of David Williams pay the costs herein expended taxed to $

16 R. C. Clark & others
vs
John Stanley
This cause having been heretofore dismissed as to R. C. Clark and the heirs of David Williams Substituted in his Stead — The said plaintiffs now come & dismiss this action — No. Record, It is therefore considered Ordered and adjudged that the plaintiffs the said heirs of David Williams pay the costs herein expended taxed to $.

17 R. C. Clark & others
vs
Levi Phelps
This cause having been heretofore dismissed as to R. C. Clark and the heirs of David Williams Substituted in his Stead — The said plaintiffs now come and dismiss this action — No Record — It is therefore considered Ordered & adjudged that the plaintiffs the said heirs of David Williams pay the costs herein expended taxed to $

18 R. C. Clark & others
vs
Matthew Elliott
This cause having been heretofore dismissed as to R. C. Clark & the heirs of David Williams Substituted in his Stead — The said plaintiffs now come and dismiss this action — No Record
It is therefore considered Ordered and adjudged that the plaintiffs the said heirs of David Williams pay the costs herein expended taxed to $.

Monday October 28th 1867

19 R. C. Clark & Others
vs
Charles Morrow } This cause having been heretofore dismissed as to R. C. Clark and the heirs of David Williams substituted in his stead — The said plaintiffs now come & dismiss this action. No Record. It is therefore considered Ordered and Adjudged that the plaintiffs the said heirs of David Williams pay the costs herein expended taxed to $

20 R. C. Clark & Others
vs
John Morrow & William Storm } This cause having been heretofore dismissed as to R. C. Clark and the heirs of David Williams substituted in his stead — The said plaintiffs now come & dismiss this action. No Record. It is therefore considered Ordered & Adjudged that the plaintiff the said heirs of David Williams pay the costs herein expended taxed to $

21 R. C. Clark & Others
vs
Sylvester Southard } This cause having been heretofore dismissed as to R. C. Clark and the heirs of David Williams substituted in his stead. The said Plaintiffs now come and dismiss this action. No Record. It is therefore considered Ordered & Adjudged that the Plaintiff the said heirs of David Williams pay the costs herein expended taxed to $

Delmon Snodgrass Plaintiff
against
Emeline Snodgrass and
Viola Snodgrass Defendants } In Partition

and now came the said Delmon Snodgrass by Porter and Stirling his attorneys, and thereupon this cause came on to be heard upon the petition and Evidence, and defendants being in default of Answer or Demur. Whereupon the Court upon due consideration do find that due Notice of the Pendency of this action has been given for more than forty days Prior to the first day of the Present term of this Court and the Court do further find that the said Delmon Snodgrass has a Legal right and is seized in Fee Simple of One half Part of said Premises, and the Court do find that said Emeline Snodgrass and Viola Snodgrass are tenants in Common in said Premises with the said Delmon Snodgrass, in the following Proportions to wit: that the said Emeline Snodgrass is seized of One fourth Part thereof, the said Viola Snodgrass of One fourth Part thereof — It is therefore Ordered that a writ of Partition issue to the Sheriff of said County of Union Commanding him that by the Oaths of A. F. Wilkins John Cassil and G. S. Mory, Partition be made of said lands in the following Proportions to-wit: to the said Delmon Snodgrass One half Part, to the said Emeline Snodgrass one fourth Part, and to Viola Snodgrass one fourth Part, and it is further Ordered that the Sheriff return his proceedings in the Premises forthwith, Thereupon the Court adjourned till to-morrow morning at Eight O'clock

J. L. Conklin Judge

403 ✓ 442 ✓ 431 ✓ 433 ✓

Tuesday October 29th 1867

This day the Court met Pursuant to adjournment. Present the Same Officers as on Yesterday

Isabella S. Hawkins
vs
Robert Snodgrass Et als — The Sheriff having returned "Not found as to Silas Snodgrass, this cause came on to be heard upon the Petition and Evidence, and the

✓ Court being fully advised in the premises find for the Plaintiff against the said L. H.
403 Wood and Robert Snodgrass Executors of Lebb Woods decs'd. & that there is due her from said defendants as alledged in said Petition the Sum of $163.24. It is therefore considered ordered and adjudged that the Plaintiff recover of said L. H. Wood and Robert Snodgrass said Sum of One Hundred & Sixty Three & 24/100 Dollars & costs of Suit taxed to $ By agreement of parties No Record to be made in this case

Kelton Bancroft & Co.
vs
P. C. Adams — No 442

This day came the Plaintiffs & the Defendant made default & thereupon this cause was submitted to the Court and
442 thereupon the Court find for Plaintiffs and that there is due them as alledged in the Petition the Sum of One Hundred and twenty One & 60/100 Dollars, It is considered ordered and adjudged that the Plaintiffs recover of Defendant said Sum of $ 121,60 and Costs of Suit taxed to $

Kelton Bancroft & Co.
vs
E. Hammond and wife — No. 431

This day came the Plaintiffs but the Defendants came not and made default and this
431 cause was submitted to the Court and thereupon the Court find for the Plaintiffs and there is due them from the defendant E. Hammond as alledged against him the Sum of thirteen hundred and forty three Dollars after deducting $ 250 — paid since the petition was filed. It is therefore considered and adjudged that Plaintiffs recover of the said defendants said Sum of $ 1343 with Costs of Suit taxed to $

And it is further Ordered that if said defendants fail for ten days to pay said Sums of Money and Costs that an Order of Sale issue to the Sheriff of said County who is appointed Special Master for that purpose Commanding him to Sell the Real Estate in said Petition described as upon execution at law

✓ Benj Tucker
433 vs — No. 433
E. E. Toby Et als

Continued

Tuesday October 29th 1867

384 James Shafer
vs
John Ryan et Als. } settled at Plaintiffs costs
Thereupon it is considered, Ordered and adjudged that
Defendants recover of Plaintiff their costs herein expended taxed to $

376 Wm P. Needles
U.S.
D. Jenkins } On application of Defendant this Cause is Continued at Defendants costs, and it is adjudged that Plaintiff recover of
Defendant the costs of this term of Court taxed to $

297 Wm Brigham
U.S.
John Phillips et Als } Continued with leave to file reply by the 15 of December next

418 Almina Eaton } No. 418
U.S. Bastardy
Samuel C. Moore } The said Petitioner not having been yet delivered of the child this Cause is Continued and with the consent of the Defendant's Sureties they remain liable on their Original bond for the defendants appearance at the next term of this Court on the first day thereof

434 James R. Mitchell
Vs
David Cook et Als } Civil Action 435
It appearing that two of the defendants are not served with process this Cause is Continued

389 The Village of Marysville
Vs
I. M. Southard } No. 389 Continued

425 James Reed
U.S.
The Columbus & Indiana Railway Co. } 425
This Cause is settled at Plaintiffs costs, It is therefore considered that the Defendant recover of the Plaintiff their costs herein taxed at $

441 Kellon Bancroft & Co.
U.S.
Orson Benton } This day came the Plaintiffs but defendant made default, Thereupon this Cause being submitted to the Court it is found there is due Plaintiffs as alledged in their petition the Sum of One Hundred and thirty seven & 10/100 Dollars, It is therefore considered ordered and adjudged that Plaintiffs recover of defendant said Sum of 137.10 and costs herein expended taxed to $

352 ✓ Ac
Ed
p

412 X

✓

413

427 X

✓

437

438 ✓

Tuesday October 29th 1867

✓ 352 — Ordr of D Rankin
~~Dickson~~
vs.
O. P. Thurman & Edward Barklow — Dismissed at Plaintiffs costs for want of Prosecution
It is therefore considered ordered and adjudged that the defendant recover of the Plaintiff his costs herein ~~taxed~~ expended taxed to ✠

X 42 — Edward Spain
vs
Columbus & Indiana Railway Co. — No. Continued

✓ 413 — Mahlon Brand
vs.
David Rus Etals — No. 413
This day came the Plaintiff Mahlon Brand and Submitted this cause to the Court with the consent of the defendants and thereupon the Court find the allegations of the Petition to be true and that is due Plaintiff from the defendant David Rus, the Sum of $328.50, It is therefore ordered and adjudged by the Court that if said defendants fail for ten days to pay said Sum of three hundred and twenty Eight 50/100 Dollars and interest and costs of suit taxed to ✠ that an order of Sale issue to the Sheriff of said County who is appointed Special Master for that purpose commanding him to advertise and Sell the Real Estate in said petition described according to law and as to the notes held by George L. Conners defendant this Cause is Continued

X 427 — Henrietta Dowell
vs.
Robert Black — This day came on this cause to be heard on demurrer to answer Whereupon after argument the Court Sustained the demurrer to which defendant excepts and thereupon by leave of the Court the defendant files a new answer

✓ 437 — William Toby Plaintiff
vs.
I. M. Hubbard Defendant — No. 437
Court of Common Pleas
Union County Ohio — Entry —
And now comes the said William Toby and the said I. M. Hubbard having failed to answer or demur to the petition of the said William Toby, it is considered that the said William Toby Ought to recover the said Sum of ✠ 399.16 so demanded in his Petition together with the Sum of ✠ 7.00, which the Court finds due as the interest thereon, as prayed for in said petition, it is therefore considered that the said William Toby recover against the said I. M. Hubbard the ~~Same~~ said Sum of ✠ 406.16, together with his costs in said suit taxed on this behalf at ✠

✓ 438 — D. P. Paul Plaintiff — No. 438 — Court Common Pleas
against — Union County O. — Entry —
O. Wells Defendant — Now come the said D. P. Paul and the said O. Wells having failed to answer or demur to the Petition of the said Plaintiff, it is considered that the said Plaintiff ought to recover the said Sum of ✠ 167.28 so demanded in his petition together with the sum of ✠ 51.02 which the Court finds due as the interest thereon was prayed for in said petition it is therefore considered that said D. P. Paul Plaintiff recover against said defendant O. Wells the said Sum of ✠ 218.30, together with his costs in this suit taxed at ✠

Thursday October 29th 1867

This day the Court appoint Thomas Brown Benja A Fay and John L Porter Prosecuting Attorney to investigate and examine the detailed report by the Commissioners of this County to this Court of their Official transactions of the financial affairs of this County according to the Statute in such case made and provided Thereupon the Court adjourned till to-morrow morning at Eight o'clock

And thereupon the Court adjourned till to-morrow Morning at Eight O, Clock

J L Lowkline Judge

Wednesday October 30th 1867

This day the Court met Pursuant to adjournment
Present the same officers as yesterday

This day the Grand Jury appeared at the Bar of this Court and Presented their Bill of Indictment against Susan Leonard for Assault and Battery Endorsed a "True Bill A Wiley Foreman of the Grand Jury", Also their Bill of Indictment against Alexander Maize for Assault with intent to Rape Endorsed "a True Bill A. Wiley Foreman of the Grand Jury, Also their Bill of Indictment against John Chapman, for Assault and Battery Endorsed a True Bill A. Wiley Foreman of the Grand Jury Also their Bill of Indictment against John W Chapman for Assault and Battery Endorsed a True Bill A Wiley Foreman of the Grand Jury Also their Bill of Indictment against Alexander Maize and Cynthia Maize for Assault and Battery Endorsed a True Bill A. Wiley Foreman of the Grand Jury, And also their Report and there being no further business before them the Grand Jury was discharged by the Court

Comfort L. Patton }
vs }
Roswell Ashbaugh et als }

On motion to the Court it is Ordered that J. W. Robinson be appointed Guardian ad litem for the Infant defendants Roswell & Franklin Ashbaugh — The said Robinson appeared & accepted said appointment and filed their Answer accordingly

X 386/1

Wednesday October 30th 1867

X 388	Comfort L. Patton vs Roswell Ashbaugh et als	This Cause came On to be heard upon the petition of Plff, Answer of Guardian ad litem of Infant defendants, and on motion of P. B. Cole attorney for Plaintiffs It is Ordered that by the Oaths of B. A Fay Levi Longsdale and James A Henderson Partition be made of said lands in the following Proportions to wit: to said Comfort L. Patton three Equal fourth part to Alvin Thompson one Equal Eighth Part to Roswell Hanson and Franklin Ashbaugh each one Fourth Part, and it is further Ordered that a writ of Partition issue to the Sheriff of Union County Commanding him to cause said Partition to be made accordingly
/ 386 X	Reuben Moore vs John Powers	Settled — Costs Paid
X 362	Nicholas Billville vs Samuel McAllister & Others	Continued with leave to reply in Forty days
X 367	Joseph N. Cramer vs Samuel Scott & Others	Continued under former Order with leave to Answer in forty days
X 319	Thomas W. Powell vs John H. Stewart & David F. Ozell	Continued
X 287	Peter Mummay vs Nancy Mummay	Continued
X 279	Edward McQuaid vs Patrick Smith	Continued for Service
X 314	David Mulford vs Wm Stidham	2d Trial Continued

And thereupon the Court adjourned till to-morrow morning at eight O'clock

J. S. Conklin Judge

Thursday October 31st 1867

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

Eberly and Sheed
V.S.
I. W. Robinson Adms &c

This day came the Parties by their Attorneys and thereupon came a Jury to wit: Nelson Coon, Jacob Parthemore, John Maskill, I. M. Capel, regular Jurors, and John F. Sabin Wm. M. Robinson, Joseph Hanon, Joseph Downs, Daniel Longbrake, Moses Thompson, W. D. Miller G L Sellers Tales Jurors, who being duly empannelled and Sworn the truth to Speak upon the issue joined between the Parties upon their Oaths do Say, they find for the defendants. It is therefore considered ordered and adjudged That the said Defendants go hence without day and recover of the Plaintiffs their costs herein expended taxed to $

Thereupon the plaintiff demanded a Second Trial which was allowed by the Court & Bond fixed at $150.00 (This demand for 2d Trial was allowed by the Court November 8th 1867)

The State of Ohio
V.S.
Susan Leonard

This day came Susan Leonard and John Pearce and in Open Court Acknowledged themselves severally to owe and stand indebted to the State of Ohio in the Sum of two hundred dollars to be levied of their goods and chattels lands and tenements if default be made in the condition following which is that the said Susan Leonard shall be and appear before the Court of Common Pleas for the County of Union on the first day of November A.D. 1867, at ten O. Clock A. M. and so continue from day to day and abide the Order and Sentence of said Court and not depart the Court without leave then this recognizance to be void, Otherwise to remain in full force,

David Moulton
V.S.
Bowen Lamme

Appeal

This day came the Parties by their Attorneys and and thereupon came a Jury to wit: Johnathan Hardman John Guthrie Aaron Mitchell Addison Bidwell, Robert McCrory James Martin Regular Jurors and John Mitchell, Levi Longbrake Adam Wolford I. N. Clement, Orlando Stewart and D. G. Crook Tales Jurors, who being duly Empannelled, and Sworn the truth to Speak upon the issue joined between the Parties upon their Oaths do Say they find for the Plaintiff and assess his damages at $1,00 — And thereupon the dependend move the Court for a New trial which Motion the Court overruled & thereupon the dependant asked the Court to Sign his bill of exceptions which is accordingly done. And thereupon it is Considered Ordered & Adjudged that the plaintiff recover of the defendant Said Sum of One dollar So Assessed - And his costs herein expended taxed to $

And thereupon the Court adjourned until eight Oclock tomorrow morning

J. L. Conklin Jud'g

Friday November 1st 1867

This morning the Court met Pursuant to adjournment. The same Officers Present as on yesterday

The State of Ohio
vs.
John Chapman
} Assault and Battery

This day came into Open Court Harvey Mather John D Mather and Richard Brannon and Each Severally acknowledged himself to owe and stand indebted unto the State of Ohio in the Sum of One Hundred dollars to be levied of his goods and chattels lands and Tenements if default be made in the following Condition which is that the said Harvey Mather, John D. Mather and Richard Brannon shall each be and appear before the Court of Common Pleas for said County on the fifth day of the next Term of said Court to Give Evidence in a Cause in said Court Pending wherein the State of Ohio is Plaintiff and John Chapman is Defendant and not depart the Court without leave, then this recognisance to be void, Otherwise to remain in full force

The State of Ohio
vs.
John W. Chapman
} Assault and Battery

This day came into Open Court Harvey Mather John D Mather and Richard Brannon and Each Severally acknowledged himself to Owe and stand indebted unto the State of Ohio in the Sum of One Hundred dollars to be levied of his Goods and Chattels lands and tenements if default be made in the following Condition which is that the said Harvey Mather, John D Mather and Richard Brannon shall each be and appear before the Court of Common Pleas for said County on the fifth day of the next Term of said Court to give Evidence in a Cause in said Court Pending wherein the State of Ohio is Plaintiff and John W. Chapman Defendant and not depart the Court without leave, then this recognisance to be void, Otherwise to remain in full force

Elihu Phelps
vs.
Samuel Reaves
} This Cause is Settled by the Parties hereto as per agreement on file, It is therefore Considered and adjudged that the Defendant Pay the Costs by him so agreed to be paid, up to date hereof and that the Plaintiff Pay the Costs by him so agreed to be paid taxed at $

The State of Ohio
vs.
Uriah Alden
} This day came into Open Court Uriah Alden and acknowledged himself to owe and stand indebted to the State of Ohio in the Sum of Five hundred Dollars to be levied of his goods and chattels lands and tenements if default be made in the following Condition which is that the said Uriah Alden be and appear before the Court

Friday November 1st 1867

of Common Pleas for the County of Union aforesaid on the fifth day of the next Term of said Court to answer unto the State of Ohio in five several Indictments against him in said Court Pending for selling intoxicating liquors ~~to be drank on the Premises when sold~~ in Violation of law and abide the Order and Sentence of said Court and not depart the Court without leave then this Recognisance to be void, Otherwise to remain in full force

The State of Ohio
U.S. } Retailing
Lawson Pooler } This day the Defendant Lawson Pooler was brought before the Court and having nothing further to say why sentence should not be Pronounced against him, It is therefore considered by the Court that the said defendant Lawson Pooler make his fine unto the State of Ohio in the Sum of ten dollars and that he pay the costs of this Prosecution

83

The State of Ohio
U.S. } Retailing
Isaac Gray } This day the Defendant Isaac Gray was brought before the Court and having nothing further to say why Sentence Should not be Pronounced against him, It is therefore considered by the Court that the said defendant Isaac Gray make his fine unto the State of Ohio in the Sum of ten dollars and that he pay the costs of this Prosecution

85

122

The State of Ohio
U.S. } Retailing
John Jackson } This day the Defendant John Jackson was brought before the Court and having nothing further to say why Sentence Should not be Pronounced against him, It is therefore considered by the Court that the said defendant John Jackson make his fine unto the State of Ohio in the Sum of ten dollars and that he pay the Costs of this Prosecution

87

125

Beriah W Miller &
Thomas W Miller Partners &c.
V.S.
W L Pangborn & I R Wan
Partners as W L Pangborn & Co, } Second Trial

126

This day came the Parties by their Attorneys & Thumpson came a Jury to wit: Johnathan Hardman John Guthrie, Aaron Mitchell Addison Bidwell Robert McCrory James Martin John Carter Regular Irons and Lory Ford Alexander Parks, David Anderson Samuel Bowden John Flick Tals Irons to the Number of twelve lawful men of the County who being duly empannelled and sworn upon the issues Joined between the Parties upon their Oaths did find their Verdict for the Plaintiffs and assessed their damages at Fourteen hundred dollars, Thereupon the Defendants give notice of their Motion for a new trial which by agreement of Parties may be filed by Tuesday Evening the 5th of November

312

124

Friday November 1st 1867

✓ Robert Henderson and
O. M. Scott Partners doing business
under the firm name of
Henderson & Scott Plaintiffs
against
Orlando Wells Defendant
} Court of Common Pleas
Union County Ohio

And now comes the said Henderson and Scott by their Attorneys and file their Petition against the said Orlando Wells and thereupon P. B. Cole one of the attorneys of this Court appeared in open Court in behalf of the said Orlando Wells, and by virtue of a warrant of Attorney for that Purpose executed and now produced to the Court and duly Proved, waived the issueing and Service of Process, and confessed that the said Orlando Wells does owe to the said Plaintiffs the said Sum of Sixty three dollars and interest thereon as Plaintiffs have set forth in their Petition, It is therefore considered that the Plaintiffs do recover of the defendant Orlando Wells the said Sum of Sixty five & 03/100 Dollars so confessed to be due and also his Costs in this behalf expended taxed at dollars and cents

✓ 122 The State of Ohio
vs
Susan Leonard
} Assault & Battery
This day the defendant being assigned in Open Court, was asked how of the premises She would acquit herself for plea Says She is guilty in manner & form as She Stands charged in said Indictment

✓ 125 The State of Ohio
vs
John Chapman
} Assault and Battery
Continued for Service

✓ 126 The State of Ohio
vs
John W Chapman
} Assault and Battery
Continued for Service

✓ The State of Ohio
vs
Alexander Maize &
Cynthia Maize
124
} Assault and Battery
This day the defendants being arraigned in Open Court were asked how of the premises they would acquit themselves for Plea say they are not guilty in manner and form as they Stand charged in said Indictment

Thereupon the Court adjourned till to-morrow morning at 7½ o'clock

J. L. Conklin Judge

Saturday November 2nd 1867

This Morning the Court Met Pursuant to adjournment Same Specus Present as on yesterday

321 | Peter L Mayo Plaintiff
vs
John Mayo et als Defendant
In Partition

On motion to the Court it is ordered that John L Porter Esq be appointed Guardian ad-litem for the Infant Defendants Joseph H. Burns, Mary Ellen Mayo, Felix Day and James Mayo who thereupon appeared and accepted said appointment and filed his answer herein

John Gray
vs
Mary Roberts
Foreclosure of Mortgage

This day came the said John Gray by Porter and Sterling his attorneys and on his Motion and on Producing the Report of the Sheriff of his Sale made under the former Order of this Court, and the Court being Satisfied on examination that said Sale has been made according to law; It is Ordered that said Proceedings and Sale be & the same are hereby approved and confirmed, and the said Sheriff is Ordered by deed duly executed to convey said Premises to the said Purchaser in fee Simple

16 | The State of Ohio vs Peter Ann } Continued

25 | The State of Ohio vs William Weber Contd,
26 | The State of Ohio vs Frederick Dasher Contd,
31 | The State of Ohio vs Dewit Clinton Cook Contd,
29 | The State of Ohio vs Uriah Alden, Recg, & Contd,
33 | The State of Ohio vs James Green Contd
47 | The State of Ohio vs John Powers Contd,
48 | The State of Ohio vs John Powers Contd
50 | The State of Ohio vs Catharine Powers Contd
51 | The State of Ohio vs Amos Marshall Left off Docket
52 | The State of Ohio vs Amos Marshall, Left off Docket
53 | The State of Ohio vs Amos Marshall Left off Docket
54 | The State of Ohio vs Amos Marshall Left off Docket
55 | The State of Ohio vs Amos Marshall Left off Docket
62 | The State of Ohio vs Amos Marshall Left off Docket

✓ 63
✓ 64
X 89
X 93
X 94 & 95
X 96
X 101
X 104 105 107 108 109 & 110
✓ 113
✓ 114
X 121
X 209
X 248
X 330
X 366
X 394

Saturday November 2d 1867

✓ 63	The State of Ohio vs Amos Marshall	Left off Docket	
✓ 64	The State of Ohio vs. Amos Marshall	Left off Docket	
X 89	The State of Ohio vs Williams Reichter	Contnd.	
X 93	The State of Ohio vs. Irwin Barnett	Contnd	
X 94 & 95	The State of Ohio vs. James Pressman	Contnd	
X 96	The State of Ohio vs Uriah Alden	Recognized and Contnd.	
X 101	The State of Ohio vs. Ellen Long	Contnd	
1. X 104 105 107 108 109 & 110	106 The State of Ohio vs. Uriah Alden	Recognized and Contnd	
✓ 113	The State of Ohio vs. John Kennedy et als	Left off Docket	
✓ 114	The State of Ohio vs. Benjamin Locke & Abraham Whelpley	Left off Docket	
X 121	The State of Ohio vs. Samuel Brake	Contnd	
X 209	Fee Bill. C McRobenson vs I S Alexander & The Bank of Marysville	Contnd under former Order	
X 248	I. N. Hamilton Adm & c. vs. W. H. Dimmick Et Als	Contnd	
X 330	William Parthemore vs The American Express Company	Contnd	
X 366	F. M. Kimball vs. P L Coe	Contnd	
X 394	Frances Thompson vs. Atylas Sabin	Down	Contnd

Saturday November 2d 1867

402 | Maria Lyons vs. James Pridmore — Settled & Costs Paid

365 | Joseph Miles et als
vs
Nathan Poling et als — On Motion leave of the Court is granted to the plaintiff to file answer to the Second defense contained in the defendants Answer and to file Reply to said defendants third defense Contained in said Answer

123 | The State of Ohio
vs.
Alexander Maize — This day came the Parties by their attorneys, the said Defendant being in Person before the Court and thereupon came a Jury to wit; Johnathan Kaufman, Nelson Cone, John Guthrie, Aaron Mitchell, Addison Bidwell, Robert McElroy, Jacob Parthemore Jr, Mc, Cahil, James Martin John Maskell, Joseph S. Goldsmith & John Carter who being duly empannelled and Sworn the truth to Speak upon the issue joined between the Parties upon their Oaths Say that the defendant is guilty of the Assault in manner and form as he Stands charged in said Indictment, and further upon their Oath Say that the said defendant is not Guilty of the intent to Commit a Murder in manner and form as he Stands charged in said Indictment

365 | Joseph Miles Thomas Audas
David A. Williams, Georg F. Bennett
Charles W. Lyon, Samuel Carroll
Wilson Armstrong and Wilson
Ebenezer C. Williams Plaintiffs
vs.
Nathen Poling, William A. Epps
Joseph Stratton Mary Stratton
John Corbitt and William Hazen, Defendants

This day came the Plaintiffs by their attorneys and Suggests him to the Court, That Ebenezer C. Williams one of the above named Plaintiffs in this action has departed this life since the commencement of this action, and that Mary Williams James Williams, Amelia Williams Grant Williams and George A. Williams are his Children and heirs, all of whom are Minors and under the age of fifteen years, And the Court being Satisfied of the truth of such Suggestion do on Motion Order that this action as to the rights and interest of the said Ebenezer C. Williams in the name of the said Minor heirs by their next friend David A. Williams and that the said heirs by their said next friend be Permitted to Prosecute this action and Substituted as Plaintiff in the Place and Stead of the said Ebenezer C. Williams deceased

And thereupon the Court adjourned till Monday morning at 8 o'clock

J. L. Conklin Judge

398 | 445 | 395

Monday November 4th 1867

398

This Morning the Court Met Pursuant to adjournment, Same officers Present as on Saturday

Velorus T. Hills
vs
E. S. Heisler

This day came the said Velorus T. Hills by his attorneys Porter and Sterling, and the said E. S. Heisler having failed to demur or answer to the Petition of the said Velorus T. Hill it is considered that the said Velorus T. Hills ought to recover of the said E. S. Heisler the Sum of four hundred & three 00/100 Dollars as demanded in his Petition, It is therefor Considered and adjudged that the said Velorus T. Hills recover of the said E. S. Heisler the said Sum of Four hundred and Three & 00/100 Dollars together with his costs in this behalf expended taxed at $

It is further Ordered and decreed by the Court that the Proceeds realized from the Sales of the Property attached, made in this Cause under a former order of the Court when collected together with any amount now collected be by the Sheriff Paid over to the Satisfaction of this judgment and costs, and the balance of the Money if any remaining be brought into Court Subject to its Order

445

Maria M. Meiching
vs
I S Alexander & wife

No. 445

This day came the Plaintiff, but the defendants made default, Thereupon this Cause was Submitted to the Court & thereupon the Court do find for the Plaintiff and that there is due her from defendants in Manner & form as alledged against them the Sum of four hundred and Eighteen Dollars, It is therefore Considered Ordered and adjudged that the Plaintiff recover of Defendants said Sum of $ 418. and Costs herein expended taxed at $
and it is further Ordered that if defendants fail for ten days to pay said Sum of Money and Costs that an Order of Sale issue to the Sheriff of said County Commanding him to Sell the Property in said Petition described according to Law & upon Executions at Law

395

William Reed Plaintiff
against
Jesse Shanks & A. D. Doolittle Defendants

Court of Common Pleas
Union County

And now Comes the said said Parties by their Attorneys and thereupon this action came on to be heard upon the Petition of the said William Reed, and the Motion of said A. D. Doolittle and was argued by Counsel; On Consideration whereof it is Ordered and adjudged by this Court that the Judgment of the said Justice of the Peace be and the Same is hereby reversed as to the Plaintiff William Reed with Costs and that the said Plaintiff be restored to all things that he has lost by reason of the said Judgment rendered against him and it is further Ordered and adjudged that the said defendant A. D. Doolittle be and the said Doolittle is hereby dismissed as a Party defendant from said action, And it is further Ordered and adjudged that the said defendant Jesse Shanks Shall pay all costs of this action taxed at $ And judgment is hereby entered against him the said Shanks for the Same

Monday November 4th 1867.

359 Robert Belt
vs
W. L. Miller &
L. M. Miller

No. 359

This day came the Parties to this action and Submitted this cause to the Court and thereupon the Court do find there is due Plaintiff from Wm L. Miller as alledged in the Petition the Sum of Seven hundred and Seventy three 30/100 Dollars and that the Sum of three hundred and Eighty Six and 67/100 dollars of said amount is a lien on the Real Estate in said Petition described, It is therefore considered and adjudged that the Plaintiff recover of said Wm L. Miller the said Sum of Seven hundred and Seventy three and 30/100 Dollars and his costs herein expended taxed to $

And it is Ordered and adjudged that if the defendants fail for ninety days from this date to Pay the said Sum of three hundred and Eighty Six and 67/100 Dollars and interest and costs an Order of Sale issue to the Shiriff of this County who is appointed Special master for that purpose commanding him to advertise, appraise and sell the Real Estate in said Petition described according to law - Selling first said lot No. 111 and then lot No. 127 if it be necessary in Order to Pay said Sum found to be ~~xxx~~ a lien as aforesaid. And on the Payment or Satisfaction of said Sum of three hundred and Eighty Six and 67/100 interest and costs which is a lien as aforesaid that the Plaintiff shall release to the said D. M. Miller all of his interest in said Real Estate by deed and in default thereof this decree shall operate as such Conveyance -

365 / P 2nd

X 427 /

292 † Jacob L. Newcomb
vs
John C. Hanover &
William Deihl

Continued with leave to Amend Petition in thirty days and Answer in thirty days thereafter

X 428 /

375 † Lanson Spain
vs
A. A. Burroughs & others

Continued

420 † Thomas W. Powell
vs
Edwin L. Edmondson

Continued

X 423 /

And thereupon the Court adjourned until tomorrow morning at Eight Oclock

J. S. Conklin Jud

Tuesday November 5th 1867

This morning the Court Met pursuant to adjournment
Present the same Officers all upon yesterday

Joseph Meiss and Thos
vs
Nathan Poling Et Als } Ejectment

This day came the Parties by their attorneys and thereupon
Came a Jury to wit: Johnathan Hardman, Nelson Cone, John Guthrie, Aaron
Metchell Addison Bidwell Robert McElroy, Jacob Parthemore, James Martin
365 John Maskill Joseph D. Goldsmith John Carter Regular Sworn and John Weaver
Pale Sworn, who being duly Empanelled and Sworn the truth to Speak, upon their
p 22 Oaths do Say they find for the defendants. It is therefore Considered Ordered
and adjudged by the Court that the defendants go hence without day
and recover of the Plaintiffs their costs herein Expended taxed to $
Second Trial demanded by the Plaintiffs and allowed by
the Court Bond fixed at $ 150.00

X Henritta Dowell
vs
Robert Black } On motion to the Court this case is continued at the cost of
427 Defendants. It is therefore Considered Ordered and adjudged
by the Court that the Plaintiff recover of the Defendant the costs of this term
taxed to $

X Sophronia Dowell
vs
Robert Black } On motion to the Court this case is continued at the cost
428 of Defendant. It is therefore Considered Ordered and adjudged
by the Court that the Plaintiff recover of the Defendant the Costs of this term
taxed to $

Margaret Grant & husband
vs
Magdalen Moore Et. als. } Contest of Will

This day came the Parties and thereupon the
X Court do Order that an issue at law be made by the Defendants filing their
423 declaration that the Paper writing (a copy of which is attached to the Plaintiffs
Petition) is the last Will and testament of the said Harvey Moore deceased
and that the said Paper Plaintiffs file their answer thereto that the said
Paper is not the last Will of said Moore

And thereupon the Court adjourned till to-morrow Morning at half past
Seven O'clock

J. L. Conklin Judge

Wednesday November 6th 1867

This Morning the Court met Pursuant to adjournment
Same Officers Present as On yesterday

James Fullington and
William Howard, Plaintiffs
V.S.
Lysander Gollady
and Others Defendants

This day came the said James Fullington and William Howard by their attorneys and the said Lysander Gollady, I. V. Robinson, John B. Coats and L. Perkins Defendants being in default and neither Party requiring a Jury this cause was Submitted to the Court by the Plaintiffs upon the Petition Evidence and Exhibits Upon Consideration whereof it is Considered by the Court that said James Fullington and William Howard Plaintiffs Ought to recover of said Defendants their damages by reason of the Premises, And the Court being fully advised in the Premises do fix with the Consent of the said Plaintiffs assess the damages of said Plaintiffs to the Sum of One Thousand Nine Hundred - fifty Nine and 78/100 Dollars ($1959.78) which Sum includes the costs in the case of Lysander Gollady V.S. Fullington & Howard referred to in the Petition - in the Sum of Sixty and 78/100 Dollars ($60.78)
It is therefore Considered Ordered and adjudged by the Court that the said Plaintiffs recover of the said Defendants said Sum of One Thousand Nine Hundred and fifty Nine and 78/100 Dollars ($1959.78) their damages aforesaid in form aforesaid assessed - And also their Costs herein Expended taxed to $

The State of Ohio
V.S.
John Powers

Bailing

This day John Powers came into Court and acknowledged himself to owe and Stand in debted to the State of Ohio in the Sum of One Hundred Dollars to be levied of his goods and Chattels Lands and Tenements if default be made in the following Condition which is that the said John Powers shall be and appear before the Court of Common Pleas for the County of Union On the fifth day of the next Term thereof at ten O'clock A. M. of said day to answer unto the State of Ohio in the Several Indictments against him in said Court Pending and abide the Sentence and Order of said Court and not depart the Court without leave then this Recognizance to be Void, Otherwise to remain in full force

The State of Ohio
V.S.
Catharine Powers

Bailing

This day John Powers came into Court and acknowledged himself to Owe and Stand in debted to the State of Ohio in the Sum of One Hundred Dollars to be levied of his Goods and Chattels Lands and Tenements if default be made in the following Condition which is that the said Catharine Powers shall be and appear before the Court of Common Pleas for the County of Union on the fifth day of the next Term thereof at ten O'clock A. M. of said day to Answer unto the State of Ohio in an Indictment against her in said Court Pending and abide the Sentence Order of said Court and not depart the Court without leave then this Recognizance to be Void, Otherwise to remain in full force

Wednesday November 6th 1867

Reed Jennings & Co. Plaintiffs
vs
Harvey Skeels Defendant
} Revival of Judgment

And now comes the said Reed Jennings & Co. by P. B. Cole their Attorney and the said Harvey Skeels has been duly served with Process in this case, and no cause being shown to the Contrary, It is Ordered and adjudged that the Judgment be revived, and the said Plaintiffs have their execution against the said Harvey Skeels Defendant for the Sum of One Hundred and Seventy Eight 50/100 Dollars his debt aforesaid and $ 0.41 his costs aforesaid according to the force and Effect of the said Recovery, and also for his Costs in this behalf Expended taxed to Dollars and cents

John Ruling
vs
Lemuel Patch
} This day came the plaintiff and made due proof of Service of Notice on said defendant & thereupon this cause was submitted to the Court and thereupon the Court finding the allegations of the petition to be true do consider order & adjudge that the plaintiff recover of the defendant the Sum of four hundred & twenty Seven dollars & his costs herein expended taxed to $ And it appearing that certain personal property attached in this case hath been sold under an order heretofore made herein and that Calvin J. Allen who was served with process as Garnishee hath answered that he doth owe said defendant the Sum of Seventy dollars by due bill

It is therefore Considered Ordered and adjudged that said Calvin J. Allen pay said Sum of Seventy dollars to said plaintiff on demand with interest and in default thereof that execution issue therefor and that so much of the proceeds of said Sale of personal property as may be necessary be applied in Satisfaction of said Judgement

George Beecher
vs
Wm Cole
} This day came the Plaintiff and made Proof of Service of lawful Constructive Notice by Publication to the defendant of the Pendency of this Petition and thereupon this Cause was Submitted to the Court and thereupon the Court being fully advised in the Premises do find that the Plaintiff hath Paid to Jesse Holmes on the Note in the Petition described as Surety for said defendant the Sum of One hundred and Seventy five Dollars and in Consideration thereof and the Payment of Five Dollars Costs in a certain Action brought by said Plaintiff against said Holmes in the Common Pleas Court of Delaware County Ohio, the Plaintiff was released by said Holmes from further liability on said Note, and do further find that there is due Plaintiff on the Claim of Walter Beecher described in his Petition duly assigned to Plaintiff the Sum of $ 67.80, and there is $ 2.40 interest on said $ 175 Paid as aforesaid Therefore it is considered ordered and adjudged by the Court that the Plaintiff recover of Defendant said Several Sums of Money amounting to two hundred and fifty and 20/100 Dollars and his Costs herein Expended taxed to $
And Truman Locke having answered that he doth Owe defendant the Sum of Five Dollars, it is Ordered that he Pay the Same on this judgment and on

Wednesday November 6th 1867

default thereof that Execution issue for the same and it is further Ordered that so much of the Proceeds of the sale of the Property heretofore Sold Pursuant to an Order of this Court in this Case be applied in Satisfaction of this Judgment as may be necessary and that the Sheriff hold the remainder thereof Subject to the Demand of the Defendant Or Such Party as may be Entitled thereto

S. Greenleaf and Co. }
vs }
Edward S. Keisler } This day came the Parties and Submitted this Cause to the Court and thereupon the Court being fully advised in the Premises do find for the Plaintiffs and that there is due to the Plaintiffs from the defendant On the account therein Set forth the Sum of three hundred and twenty Dollars It is therefore Considered, Ordered and adjudged by the Court that said Plaintiffs Recover of said Defendant said Sum of three hundred and twenty Dollars and Costs by them expended taxed to $

399

And it is further Ordered and adjudged that whatever Sum shall remain of the Proceeds of the Sale of the Property attached in this case after Satisfying the Judgment and Costs of V. T. Hill against said E. S. Keisler in this Court at this time, Shall be Paid to the Plaintiffs and apply on this Judgment and that Joseph H. Keisler Garnishee who has answered in this Cause Pay the balance of this judgment and interest and Costs On the 20th day of November 1868 and in default thereof that Execution issue therefor as upon Judgments at law

S. H. Brake }
vs }
Hurd Lewis } And now came the Parties to this action by their Attorneys and thereupon said cause came on to be heard for trial and to be heard upon the Petition of the Plaintiff, answer and Counter claim of said Defendant and Reply of the Plaintiff to said Answer and Counter claim and thereupon came a Jury to wit: I. N. Cassil regular juror and D. G. Crofs, F. W. Milsching, O. W. B. Ingman, J. B. Pyne John Cartmell G. S. Baldwin, Moses Thompson, John F. Dobin I. N. Clement, D. A. Williams and Levi Curran Tales Jurors, who were duly impannelled and Sworn the truths to Speak upon the issue joined between the Parties - upon Consideration whereof the Jury do upon their Oaths aforesaid Say and find that the allegations of said defendant's answer and Counterclaim are true and that said Defendant is Entitled to the Credits and Payments and Set off in said Answer and Counterclaim Set forth, as follows, the Sum of Four hundred and Seventy Eight dollars and Sixty Six cents on the 19th day of May A. D. 1866 - the Sum of Sixty five Dollars on the 20th day of April A. D. 1866 and the Sum of fifteen dollars Eight dollars and Sixty three cents and four dollars on the 27th of February A. D. 1867 - and the Jury do further find that the reply of said Plaintiff is not true but find that there is a balance due said Plaintiff on the Promissory Note Set forth in Plaintiffs Petition, the Sum of One hundred and forty four dollars and Ninety cents after deducting said Credits Payments and Set off aforesaid, It is therefore considered by the Court that the said Plaintiff recover of said defendant the said Sum of One hundred and forty four and 90/100 Dollars so as aforesaid found due from the defendant to the Plaintiff and also his his costs

368

Wednesday November 6th 1867

made in this Cause up to the fifteenth day of April 1867 and the Court having finding that said defendant offered to confess a judgment in this cause for a sum equal to said sum above named on the 10th day of April 1867 and which offer said Plaintiff refused to accept It is therefore considered that said Plaintiff pay all costs made in this Cause after the 15th day of April 1867
And thereupon the Plaintiff demanded a second trial under the Statute which is allowed by the Court and the undertaking is fixed at $150.00

410 | Jacob Yeazel & Elizabeth Yeazel vs George Colwell } This day came the Plaintiffs and dismissed this cause and the costs are Paid

412 | William H Barley & wife vs George W Ballow } Dismissed without Prejudice at Plaintiffs Costs
It is therefore considered Ordered & adjudged by the Court that the Defendant go hence without day and recover of the Plaintiffs his costs herein by him expended taxed at $

414 | Robert Figley vs Jacob Figley } Continued

353 | George Hombeck vs Jacob C Lee } Continued with leave to Answer in Forty days

383 | D. D. Shears vs O. P. Freeman } Continued with leave to file petition by the First of January 1868

404 | Thomas Outland vs William Harrison and Others } Debt and Costs Paid

And Thereupon the Court adjourned till to-morrow morning and at half Past Eight O. Clock

J. L. Cowgill Judge

Thursday November 7th 1867

This morning the Court met Pursuant to adjournment
Same officers Present as on yesterday

424 Casper Bowen by
Johnathan Bowen his next friend
V.S.
Lafayette Whitsel } This case is settled as per agreement
on file. Each of said Parties agreeing to
Pay One half of the costs, It is therefore considered and adjudged that the
said Plaintiffs Pay One half of the costs in this behalf expended taxed at
Dollars and cents And it is further considered that
the said defendant Pay the Other half of the costs in this behalf Expended
taxed at $

423 Margaret Grant &
Johnkthan Grant Plaintiffs
V.S.
Magdalene Moore & Others } This day came the Plaintiffs and the Defendants and thereupon came a Jury to wit-
John athan Hardman, Nelson Cone, John Guthrie, Aaron Mitchell
Addison Bidwell, Robert McCrory, Jacob Parthymore, Hines Martin
John Mastill Joseph I. Goldsmith and John Carter legal jurors
and Williams Rickey Felix Grow who were duly Empannelled and
Sworn the truth to Speak and a true Verdict Give on the issue at
law made by Pleadings of the Parties in Pursuance of the Order of
the Court, do On their Oaths aforesaid say that "We the Jury in
this Cause do find that the Paper Writing a copy of which is attached
to the Original Petition of Margaret Grant and her husband
Against Magdalene Moore and Others in this Court is the true
and Valid last will and testament of the said Harvy Moore dec'd and
Thereupon it is considered, Ordered and adjudged by the Court
that the said Petition be and the same is hereby dismissed and that def-
endants recover of the Petitioners their costs herein taxed to $
as per Judgements at law. And thereupon said Margaret
Grant and her husband Johnathan Grant did demand a Second trial
of this Cause and the Opinion of the Court being that said Parties are
Entitled to an Appeal but are not Entitled to a Second trial do refuse
to allow a Second trial as demanded, Thereupon said Margaret
Grant and her husband Johnathan Grant Give notice of an Appeal of
this Cause to the District Court, and the Court fixes the Undertaking
Or Bond for Appeal at the Sum of One hundred and Fifty Dollars

401 John Moyer
V.S.
James McGahey } This day came the Parties by their Attorneys and on
Motion leave is Given to withdraw Answers
Reply and demurrer and to Answer and reply
Anew

Thursday November 7th 1867

✓ 408

Samuel R Harbert Plaintiff
vs
James H Neal and
Henry Neal Defendants } Civil action

This day came the Parties by their Attorneys and thereupon came a jury to wit: Johnathan Hardman, Nelson Cone, John Guthrie, Aaron Mitchell, Addison Bidwell Robert McCoy, Jacob Parthemore, I McCabe, James Martin, John Mayhill, Joseph I. Goldsmith and John Carter who being duly Empannelled and Sworn the truth to speak upon the issue joined between the Parties upon their Oath do say they find for the Plaintiff and assess his damages by reason of the Premises at One Hundred Dollars It is therefore considered Ordered and adjudged by the Court that the Plaintiff recover of the Defendants the said Sum of One Hundred Dollars his damages as aforesaid assessed and his Costs in this behalf Expended taxed to $ And thereupon the Defendants demand a second trial under the Statute which is allowed and Bond fixed at $ 200

✓ 435

W. W. Woodburn Plaintiff
vs
Isaac O Bryant Defendant } This day came the Plaintiff by his Attorney no One appearing for the Defendant he being in default, and this cause came on to be heard upon the Petition, Exhibit and testimony, and was submitted to the Court, On Consideration whereof the Court do find that the Equity of the case is with the Plaintiff and that there is an Error in the Mortgage as alledged in the Petition — It is therefore considered Ordered and adjudged by the Court, that said Mortgage Ought to be and the same is hereby Corrected so as to discribe the Note therein last mentioned as for the Sum of $ 600 — And the Court do further find that there is due to the said Plaintiff from said defendant on the Mortgage in the Petition mentioned, at this date the Sum of Twelve Hundred and Sixty two and 72/100 Dollars ($1262,72) which is a balance due on the Purchase Money arising from a Sale of the land by the Plaintiff to defendant as stated in the Petition, It is therefore Considered, Ordered and adjudged by the Court that the defendant within ten days from this date pay the said Plaintiff said Sum of $ 1262,72, with interest thereon from this day until Paid and also the Costs of this Suit taxed to $
And in default thereof that the Sheriff of this County for the time being, who is hereby appointed Special Master Commissioner for that Purpose proceed to Sell the land and tenements in the Petition mentioned as upon Judgments at law, and for his report this Cause is Continued

And thereupon the Court adjourned till to-morrow morning at Eight O. Clock

J. L. Conklin Judge

Friday November 8th 1867

This morning the Court met Pursuant to adjournment
Present the Same Officers as upon yesterday

X 419 Delmon Smodgrass
V.S.
Emeline Smodgrass et Als } In Partition

On motion to the Court by Porter and Sterling Counsel for said Petitioner and upon Producing the return of the Sheriff and the report of said Commissioners heretofore Appointed and the same having been examined by the Court here, and found in all respects correct and in Conformity to Law; It is hereby Ordered that said Proceedings and report be and the same is hereby approved and Confirmed And thereupon neither of said Parties Electing to take the said premises at the said Valuation; it is Ordered that the said Premises be Sold at Public Sale by the Sheriff of said County of Union according to law, and that he return his doings in the Premises to the next term of this Court to which time this Cause is Continued

X 35 A. F. Freeman
V.S.
Charles E. Freeman Et Als } The Separate Answer of Cornelius S. Hamilton Administrator of the Estate of David D. Welsh having been filed in this Cause by Consent of Parties, leave is Given to said Defendants Mary E. Welsh, Richard Price Morris W. Hill Mary E. Hill, Somelia McClary and Absalom F. Cheney to Answer the Petition of Plaintiff 30 days from the rising of this Court and leave is Given to Plaintiff to reply in twenty days thereafter and leave is Given to Plaintiff to Reply to said Answer of C. S. Hamilton Administrator &c. within 30 days from the rising of this Court And On application of Plaintiff John Bloots was appointed Guardian Ad-litem for this Suit of Noman D. McClary, Mary McClary and Benjamin F. McClary Minor Children and heirs of Benjamin F. McClary decd. And that he answer within 30 days from the rising of this Court, And On the like application of Plaintiff by his Counsel William T. Gholson is appointed Guardian Ad-litem for this Suit of Freeman decd and Minor children and heirs of that he answer within 30 days from the rising of this Court and Cause Continued

X 407 John Mayer
V.S.
James McGaffey } This day came the Parties and Submitted the Cause to the Court upon the demurrer to the 1st defence made in Plaintiffs reply and thereupon the Court Overrule the said demurrer to which Defendants Except

Friday November 8th 1867

Y

The State of Ohio
U.S.
Alexander Maize &
Cynthia Maize

} Indictment for Assault and Battery

This day the Defendant Alexander Maize being in Person before the Court, on his motion and by leave of the Court and by the Consent of the Prosecuting Attorney withdraws his Plea of not guilty heretofore Entered upon the said indictment, and ~~the~~ says that he is guilty in manner and form as he stands charged in said indictment

The State of Ohio
U.S.
Alexander Maize &
Cynthia Maize

} Indictment for Assault and Battery

This day came the Prosecuting Attorney and Entered a Nolle Prosequi as to Cynthia Maize on the above indictment

406

Lydia A Ward
U.S.
Henry Ward

} Divorce

This cause came on to be heard upon the Petition of Plaintiff and testimony, and was argued by Counsel, in Consideration whereof the Court do find that due Notice of the filing and Pendency of said Petition was given to the said Defendant according to law, and the Court find that the said Parties were married as averred in said Petition, and the Court further find that the said defendant has been guilty of Extreme Cruelty and Gross neglect of duty towards Plaintiff as averred in her Petition, It is therefore adjudged and decreed that the said Marriage relation heretofore Existing between the said Parties be and the same is hereby Set aside and Wholly annulled, and the said Parties wholly released from the Obligations of the same - and it is further Ordered that the Custody and Care of the said children be and the same is hereby given to the Petitioner as Prayed for by her, and it is further adjudged that the defendant Pay the Costs in this behalf Expended taxed at $

436

X

W. M. Baughn
U.S.
Orlando Wells

} This cause came On ~~to be~~ for hearing on the Motion of the Defendant to require the Plaintiff to give Security for Costs, On Consideration whereof it is Ordered by the Court that said Plaintiff give Security for costs in this case to the Satisfaction of the Clerk - within thirty days - and on Motion of the Plaintiffs Attorneys this cause is Continued

Friday November 8th 1867

415

Sarah Roberts
vs.
Philip P. Roberts

Petition for Divorce

This cause came on to be heard upon the Petition of the Plaintiff and testimony and was argued by Counsel – in Consideration whereof the Court do find that due notice of the filing and Pendency of said Petition was given to the said defendant according to law: and the Court further find that the said Parties were married as in said Petition is averred, and that the said defendant did Commit adultary with the said Barbary R Sparks as there set forth. It is therefore adjudged and decreed that the said marriage relation heretofore existing between the said Parties, be and the same is hereby set aside and wholly annulled, and the said Parties wholly released from the Obligations of the same, And it is further Ordered that the Custody and Care of the said Child, Emma C Roberts be and the same is hereby given to the Petitioner, and it is further adjudged that the defendant Pay the Costs in this behalf Expended taxed at $

401

John Meyer
vs.
James Megahey

Replevin

This day came the Parties by their attorneys and thereupon came a Jury to wit:- Darius Burton, A J Whitney, Robert Snodgrass, Lewis Jenkins, Benah Wilkins, Edward Thomas, Christopher Houston, L A Powell, Leonidas Turner, D G Cross, Alexander Parks and Levi Longbrake, Who being Empannelled and Sworn the truth to speak upon the issue joined between the Parties upon their Oaths do say that the right of Property and the right to the Poseession of the following goods and Chattels to wit:- One bay horse, One gray horse, and one two horse wagon, demanded in this action, was at the Commencement of this Action of the Plaintiff:- And the Jury do assess the damages of the said Plaintiff by reason of the detaining to fourteen and 21/100 Dollars, It is therefore considered and adjudged that the Plaintiff recover of the defendant the said sum of fourteen and 21/100 Dollars his damages in form aforesaid assessed and also his costs in this behalf Expended taxed at $

And thereupon the defendant moved the Court to grant a new trial for reasons on file, and thereupon the Court Overrule said Motion to which Ruling the defendant Excepts and asked that his bill of Exceptions be signed and sealed according to law, which is accordingly done

Friday November 8th 1867

388 Comfort L Patton Plaintiff
V.S.
Roswell Ashbaugh Et al } In Partition
On motion to the Court by P. Blocher Counsel for Petitioner and upon Producing the Proceedings of the Sheriff, and the report and proceedings of the Commissioners herein before appointed, and the same being Examined It is Ordered that said Proceedings and report be and the same are hereby approved and confirmed and thereupon neither of the Parties Electing to take said Estate at the Value thereof as returned by said Commissioners. On Motion of the Petitioner it is Ordered that said Estate be sold at Public ~~Sale~~ Auction by the Sheriff of said County of Union according to the Statute in such Case made and Provided And on Motion of Lionidas Piper Attorney for Alvin Thompson One of the defendants leave is granted to said Thompson to file his Answer Setting up liens upon a Portion of the Premises herein Ordered to be Sold and his answer is filed accordingly And this cause Continued

273 Hannah Cleire Plaintiff
V.S.
Frederick Cleire Defendant } In Divorce
Now came the said Hannah Cleire by P. Blocher her Attorney, and thereupon this cause came on for hearing upon the Petition and testimony and was argued by Counsel - in Consideration whereof the Court do find that due notice of the filing and Pendency of the Petition was Given to the said defendant - according to law - And the Court do further find that the said defendant is guilty of Extreme Cruelty as charged in the Plaintiffs Petition It is therefore adjudged and decreed That the Marriage relation heretofore Existing between the said Parties be and the same is hereby set aside and wholly annulled, And the said Parties wholly rele and from the Obligations of the same - And it is further Ordered that the said Complainant have the Control and Guardianship of her Children to wit: John Alonzo Cleire, Mary and William Cleire It is further Ordered that the defendant pay the Costs of this suit in ten days - or that Execution issue therefor.

S. W. Dolbear
V S
James Mullvain &
William Elliott } And now comes the said Samuel W Dolbear by his Attorney and files his Petition against the said James Mullvain and William Elliott and thereupon John L. Porter One of the Attorneys of this Court appeared in Open Court on behalf of the said James Mullvain and William Elliott and by virtue of a warrant of Attorney for that Purpose Executed and now Produced to the Court - and duly Proved warrd the issuing and

Friday November 8th 1867

Service of Process and filed his answer and confessed that the said James Mullvain and William Elliott do owe to the said Plaintiff the said sum of Ninety Dollars as the said Plaintiff hath in his said Petition set forth — It is therefore considered Ordered and adjudged by the Court that the said $ W. Dollar do recover of the said James Mullvain and William Elliott the said sum of Ninety Dollars so confessed to be due, and also his Costs herein Expended taxed to $
And by Virtue of the same Warrant of Attorney all Error is released and all right of Appeal waived by the said James Mullvain and William Elliott

385

Mary E. Shield
vs
Andrew Taylor & others } Dismissed without prejudice at Plaintiff costs. It is therefore Considered & and adjudged by the Court that the defendants go hence without day and recover of the plaintiff their costs herein expended taxed to $

Whereupon the Court adjourned till Saturday morning November 9th 1867 at nine o'clock A.M.

J. S. Conklin Jno P

Copied for D. C.

397

Saturday November 9th A.D. 1867

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

✓ W. M. Randall }
355 vs }
John C. Hanover & }
David Mulford }

And now came the said parties by their Attys. and this cause came on to be heard upon the petition of the said W. M. Randall the Answer of the said John C. Hanover & David Mulford & testimony and was argued by Counsel. On consideration whereof the Court do find that there was fraud & a failure of consideration in the contract of Sale described in the petition. & that the said David Mulford purchased said propriety during the pendency of this cause.

It is therefore Ordered & adjudged that the said W. M. Randall properly Stamp the deed conveying by quit claim the lands described in the petition back to the said John C. Hanover. and that the same be left with the Court & that said John C. Hanover execute to the plaintiff a good & sufficient deed for the premises described in the petition & deded to defendant in the sale Specified therein and that the defendant John C. Hanover pay to said plaintiff the further Sum of fifty dollars with interest from the 1st day of November 1864.

It is further considered & adjudged that the said David Mulford surrender & relinquish all claims he may have to any title right or interest to or in In Lot No. 27. in the Town of Marysville Ohio by Virtue of his purchase of the same of the said defendant Hanover during the pendency of this cause — It is further Ordered & adjudged that the plaintiff recover of the defendant his costs herein expended taxed to $

And thereupon the defendant gave Notice of appeal And the Court fix the Bond at $150

Copied for D.

✓ Alexander Snodgrass }
397 vs } Partition
John Kramer et als }

This day came the parties & made proof to the Satisfaction of the Court of the Service of Lawful Notice on defendants & thereupon Submitted this cause to the Court Whereupon the Court do find that plaintiff is entitled to partition as prayed for.

It is therefore Considerd Ordered & adjudged by the Court that an Order of partition issue to the Sheriff of said County of Union commanding him by the oaths of James Sullington John Reed Sr. & John Cranston three disinterested freeholders of the vicinity not of kin to either party of the parties that he set off and assign to the petitioner One equal one twenty fourth part of said real estate — to John Snodgrass one twenty fourth part to Jane & William Walker One twenty fourth part — to Juliett & Thomas Maines one twenty fourth part — to Mary & John Kramer One twenty fourth part — and to Robert Snodgrass one twenty fourth part. And Rebecca McDowell waiving her dower right in said land in favor of the heirs of Glasco McDowell decd and it appearing to the Court that Jane Fife hath since the filing the petition conveyed her interest in said real estate to the heirs of Glasco McDowell aforesaid — It is therefore Ordered that said Sheriff by the like oaths of said freeholders set off & assign to the heirs of Glasco

Saturday November 9th 1867

McDowell dec'd the three fourths of said real estate to wit John R. McDowell 3/24 to Mary Morse 3/24 Thomas McDowell 3/24 Sarah McDowell 3/24 Nancy McDowell 3/24 Wm McDowell 3/24 & to George McDowell 3/24.

All questions arising on the defendants Answer as to improvements are reserved & Continued for hearing after the report of the Sheriff shall be returned at the next Term of the Court

443

James Magahy vs John Meyer } Court Of Common Pleas Union County Ohio.

Appeal Dismissed 26 1868 Clerk

By agreement of parties in the above Suit this cause is Submitted to the following named persons as Arbitrators viz. John Sidle Hugh Ross & John Cheney And this cause is Continued

363

Alden Smith vs Elizabeth Smith } Divorce

This day came the petitioner & Submitted this cause to the Court on the petition & evidence whereupon the Court find the Several allegations of the petition are true,

It is therefore considered Ordered & Adjudged by the Court that the Contract of Marriage of said parties be & the same is hereby Set aside & held for noright and the parties are by reason of the premises divorced,

And it is further Ordered that the plaintiff pay the costs in ten days & in default thereof that execution issue as upon Judgments at law

420

Peter Bland vs The Columbus & Indianapolis Rail Road Co } Settled at plaintiffs costs,

It is therefore considered Ordered & Adjudged that the Defendant recover of the plaintiff their costs herein taxed to $

391 Sardius Ward vs Joseph Cole Contd.

405 John Finley vs Clark Young Contd.

440 S. Hemingway vs C Turner & J.M. Welsh Contd

Saturday Novem 9th A. D. 1867

Frederick Haymaker }
vs }
H. K. Converse & E. B. Converse his wife } This day came the plaintiff by his Attorney And on his motion this cause came on further to be heard upon the two promisory notes in the plaintiffs petition set forth & described & as to which said two notes this cause was continued for further proceedings & Judgement thereon at a former term of this Court & the said defendant still failing to demur or Answer to the said petition Thereupon this cause as to the said two promissory notes is submitted to the Court on the Motion of the plaintiff by his Attorney & Judgement asked thereon And the Court being fully advised in the premises do find that the two notes in plaintiffs petition mentioned described & set forth therein Are Over due that said notes are secured by Mortgage on the premises in said petition described. And the Court with the Consent of the plaintiff find that there was due from the said defendant H. K. Converse upon said two notes on the 22d day of February A. D. 1867 the Sum of twelve hundred dollars with interest thereon from the third day of April A. D. 1865 making the whole gross Sum & Amount of thirteen hundred & thirty five dollars & fifty cents so as aforesaid found due on the said 22d day of February 1867 at which date the premises in said petition described were sold in pursuance of a former order of this Court made in pursuance of & by virtue of proceedings Judgement Orders & decree duly had in said Court in the premises upon the petition of the plaintiff upon a note before that time falling due & secured by Mortgage as in said petition alleged & set forth. It is therefore Considered Ordered & adjudged by the Court here that the said plaintiff recover of the said defendant the said H. K. Converse the said Sum of thirteen hundred & thirty~~s~~ five dollars & fifty cents the Sum so found due as aforesaid upon said last mentioned promisory notes ~~& also~~ his costs taxed to dollars & cents

And on further motion of the said plaintiff by John B. Coats his Atty And on producing the return of the Sheriff of this County of the Sale by him made of the said real estate in said petition described on the 22d day of February A. D. 1867 to the said plaintiff Frederick Haymaker in pursuance of a former order of this Court issued in this cause on the 21st day of January A. D. 1867 and the Court on examination of said proceedings, being satisfied that said Sale has been made in all respects in Conformity to law it is Ordered that Sale and proceedings be & the same are hereby confirmed & the said Sheriff is Ordered to make to the purchaser a deed for the lands & tenements so Sold. It is further Ordered by the Court that the plaintiff apply the Amount for which said lands & tenements were so Sold to him as aforesaid as payment of the Judgements herein therefore rendered in this case to the extent of the amount of the purchase money of such Sale. And it is further ordered by the Court that the said plaintiff have execution against the defendant H. K. Converse for the ~~ballance~~ remaining unpaid after applying to proceeds of said Sale as aforesaid to the extent aforesaid.

Saturday November 9th 1867

√ 356 Armilda A. Huffine by her next friend Moses Huffine
vs
Samuel Grow & Henry Grow
} Civil Action

This cause is Settled. Each party to pay his own costs. Judgement for costs against each party and in default of payment for five days that Execution issue therefor

394 A. & J. Townsline & Co
vs
Isaac Rees & H. Worthen
} This day came the plaintiff but defendant Isaac Rees came not & thereupon this cause was Submitted to the Court on the petition & evidence and thereupon the Court do find for the plaintiff that there is due them as alleged in said petition from the defendant Isaac Rees the Sum of Nine hundred & Eighty & 64/100 dollars and it is therefor considered Ordered & adjudged by the Court that the plaintiffs Recover of the said Isaac Rees said Sum of Nine hundred & eighty & 64/100 dollars & their costs in this behalf expended taxed to $
And it is further considered that this Cause be dismissed as to H. Worthen & it is further Ordered that the motion of Isaac Rees to dismiss the attachment be dismissed - & the Court do therefor Order & adjudge that Sheriff & the of this County proceed to advertise & Sell according to law the propirty & real estate seized by him in attachment in this cause or so much thereof as may be necessary to Satisfy said Judgment interest & costs

√ 122 The State of Ohio
vs
Susan Leonard
} Indictment for Asault & Battery on Anna H. Peters

This day came into Open Court Susan Leonard & James Grow & acknowledged themselves Jointly & Severally to owe & Stand indebted to the State of Ohio in the penal Sum of One hundred dollars to be levied of their goods & Chattels lands & tenements if default be made in the following condition to wit, that whereas the said Susan Leonard was at the October term of the Court of Common Pleas of Union County Ohio Arrested for an Asault & Battery upon the person of Anna H. Peters. & was thereupon Ordered by the Court to enter into a Recognisance with Sufficient Surety in the Sum of One hundred dollars to Keep the peace & be of good behavior for one year towards the Citizens of the State generally and especially towards the said Anna H. Peters.
Now if the said Susan Leonard Shall so Keep the peace & be of good behavior towards the Citizens of the State generally & especially towards the said Anna H. Peters for the period of One year then this Recognisance to be void Otherwise to be & remain in full force & Virtue in law.

401 Joseph E. Long & others
vs
David Mulford
} This cause is Continued

Saturday November 9th A.D. 1867

The State of Ohio
vs
Alexander Maize &
Cyntha Maize

Indictment for Apault & Battery.

This day came the Prosecuting Attorney & upon his Motion the defendant Alexander Maize was three times Solemnly called to come into Court & answer unto an Indictment found against him for Apault & Battery upon the person of Susan Wilkinson & came not but made default & thereupon William M. Randall the Security of the said Alexander Maize being three times Solemnly called to come into Court & bring with him the body of the said Alexander Maize to Answer unto said charge as by his recognisance he was bound to do Or that the Same would be forfeited - And the said William M. Randall still failing to appear according to the Condition of said recognisance with the body of the said Alexander Maize It is Ordered by the Court that the Same be & is hereby forfeited. And the Court further Order that said forfeiture be respited until the next term of this Court

411

Sarah A. Haines
vs
Jonathan Haines

Divorce

This cause is dismissed as per agreement on file at the costs of the defendant

It is therefore Ordered that the defendant pay the costs of this cause taxed to $ and in default thereof that execution issue therefor.
Leave to withdraw deposition by defendant

Peter L. Mayo
vs
John Mayo et als,

In Partition,

And now came the said Peter L Mayo by P. B. Cole his Attorney and thereupon this cause came on to be heard upon the petition of the plaintiff the Answer of Adult defendants & the Answer of Peter Williams an infant defendant by Joseph Williams his guardian for the Suit setting up on the part of said Peter Williams a verbal contract between Peter Mayo dec'd and Elizabeth Williams dec'd, Mother of the said Peter Williams for the Sale of One acre of the land described in the petition & asking that said acre of land be conveyed to said Peter Williams as heir at law of his said Mother & Reply of Plff to Peter Williams Answer and evidence was heard. And on Consideration thereof the Court find as to the Contract set up in the Answer of Peter Williams that no such contract was ever made by Peter Mayo dec'd, for the Sale of the said acre of land & upon that issue the Court find for the Plaintiff & against the said Peter Williams.
And it is therefore Ordered adjudged & decreed that the said Peter Williams pay the costs made in the litigation of the issue made by him in this case. And the Court further find that Peter L. Mayo has a legal right to & is seized in fee Simple of one Seventh part of said premises. and the Court do further find that John Mayo, Felix Day jun Matilda Mayo James Mayo Peter Williams are each entitled to One undivided Seventh part & Mary Jane Mayo & Joseph H. Burns are each entitled to One 14 part and that they are tenants in Common

Saturday November 9th 1867

with the said Peter L. Mayo. And that Catharine Mayo widow of Peter Mayo decd. is entitled to Dower in said premises.

It is therefore Ordered that a writ of partition issue to the Sheriff of said County of Union Commanding him that by the oaths of B. A. Fay John T. Sabin & A. T. Wilkins he cause one full equal third part of said premises in said petition described to be set off & asigned to the said Catharine as her dower estate And that by the like oaths of the said B. A. Fay John T. Sabin & A. T. Wilkins partition be made of said lands (subject to the said estate) in the following proportions to wit: To the said Peter L. Mayo One Seventh part. To John Mayo Felix Bayjun, Matilda Mayo. James Mayo & Peter Williams each one Seventh part and to Mary Jane Mayo & Joseph H. Burns each 1/4 part.

And it is further Ordred that the Sheriff return his proceedings in the premisys to the next term of this Court to which time this action is Continued

Samuel H. Boake }
vs } Partition
Joseph Beach }

This day came the parties & Submitted this cause to the Court On the Motion to Confirm the Sale made herein & Thereupon the proceedings & Sale being found in all respects regular the Same are hereby Confirmed & appoved and the Sheriff of said County is hereby Authorized & required to execute & deliver to said purchaser a deed in fee Simple for said real estate And it is further Ordred that the costs of this proceding including an Attorney fee of $15.00 to Robinson & Robinson be first paid out of the proceeds of said Sale & the ballance be paid One half to the petitioner & the other half to the Deft. Joseph Beach And that said plaintiff execute & deliver to the said defendant his notes & Mortgage for the half coming to him of the two defered payments on said real estate

The State of Ohio }
vs } Indictment for Rape
Samuel Grow }

This day came as well the Prosecuting Attorney for the State as the defendant in his Own proper person and by Counsel and Submitted to the Court the Motion heretofore made for a new trial in this case. And Thereupon the Court being fully advised in the premisys do Order that the Verdict herein before rendered by the Jury at the May Term 1867 be for reasons on file set aside and a New trial granted to the defendant

The State of Ohio }
vs } Indictment for Rape
Samuel Grow }

This day came into Open Court Samuel Grow John Capil & James Grow and acknowledge themselves Jointly & Severally to Owe & Stand indebted to the State of Ohio in the penal Sum of five hundred dollars to be levied of their goods & Chattels lands & tenements if default be made in the

Saturday November 9th 1867

condition following to wit, that the said Samuel Grow be & appear before the Court of Common Pleas of the said County of Union on the fifth day of the next term thereof to answer unto the State of Ohio upon an Indictment for Rape upon the ~~body~~ person of Armilda Jane Heffin And then & there abide the Order & Sentence of the Court & not depart the Court without leave then this recognisance to be void Otherwise to be and remain in full force

/

Isaac T. Walke }
vs }
Henry A. Walke et als } Partition

382

This day came the petitioner & thereupon this cause came on to heard on the proceedings & Sale of the Sheriff & the Court being fully Satisfied in the premises that said proceedings & Sale were in all respects regular & lawful do confirm & approve the Same & Order the Sheriff to execute to the purchaser a deed in fee Simple. And it is ordered that out of the procends of the Sale the costs including an Attorney fee of $ to Robinson & Robinson be paid & the ballance together with the the deferred payments be paid to the Several parties in the proportions Set forth in the Order of Partition

X

The Trustees of Liberty Church &c }
vs }
The heirs of Walter Dunn et als } Ex parte

387

This day came the Trustes of Liberty Society of the Presbyterian Church on Darby creek & made proof to the Satisfaction of the Court that due notice hath been given according to law of the filing and pendency of this petition & the Court being Satisfied by proof that the Sale of the real estate named in said petition is desired by the Members of said Society & that there is a necessity for the Same and that the Members thereof desire the reinvestment of the proceeds of the Sale thereof in a lot in the Village of Pleasant Vally as set forth in said petition and that it will be greatly to the advantage of said Church that the Same be done in Order to procure said lot & house of Worship thereon. It is Considered Ordered & Adjudged by the Court that said Trustes Sell at public Sale on the 10th day of December A.D. 1867 at 10 oclk P.M. the said real estate and reinvest the proceeds thereof in Other real estate for the use of said Church as a place of Worship for said Presbyterian Church and report the manner of said Sale and the manner of said reinvestment to this Court at its next term to which time this cause is continued for report

/

429

A. B. Robinson }
vs }
Michael S. Wood } This day came the parties & Submitted this cause to the Court & thereupon the Court being Satisfied that the defendant hath paid Since filing the

Saturday November 9th 1867

petition the interest on said note to the 28th day of October 1867 & there is due on the note & Mortgage described in plaintiffs petition the sum of One hundred & Ninety two dollars ($192.00)
It is therefore considered Ordered & adjudged by the Court that said plaintiff recover of the defendant said Sum of One hundred & Ninety two dollars together with costs herein expended taxed to $
And it is further Ordered & adjudged that if defendant fail for ten days to pay said sum of money & costs & interest thereon from the first day of this Term of Court, that an Order of Sale issue to the Sheriff of this County who is appointed Special Master for that purpose commanding him to sell as upon judgments at law the real estate described in plaintiffs petition to satisfy the same

432

L. Sullivant
vs
Stephen Burkaw et als

This day came the plaintiff but defendant made default whereupon this cause was submitted to the Court & thereupon the Court do find there is a ballance of thirty two dollars due plaintiff from the defendant Stephen Burkaw on the note & Mortgage set forth in plaintiffs petition. It is therefore considered Ordered & adjudged that plaintiff recover of said Stephen Burkaw said Sum of thirty two dollars & his costs herein expended taxed to $
and in default of the payment of the same for ten days that an Order of Sale issue to the Sheriff of this County who is appointed Special Master for that purpose commanding him to advertise & sell as upon judgments at law the real estate in said petition described to satisfy said Sum of money interest & costs.

430

Louisa Morrow
vs
J. Smith Alexander et al

This day came the parties and Submitted this cause to the Court & thereupon the Court do find there is due from defendant to plaintiff the sum of two hundred & twenty nine & 35/100 dollars as set forth in her petition and that the said plaintiff doth owe the said J. Smith Alexander the Sum of Seventy three dollars as alleged in his answer & that the same should be allowed as an off set against the same leaving a ballance of $156 35/100
It is therefore considered Ordered & adjudged by the Court that the plaintiff recover of the defendants the said Sum of One hundred & fifty Six & 35/100 dollars and her costs herein expended taxed to $ Second Trial demanded and allowed
Bond fixed at $20

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361

John Jennings & wife
vs
John & David M. Miller

This day came the parties & Submitted this cause to the Court upon the pleadings & the Award of Arbitrators filed in this cause & by agreement of parties this cause is Settled upon the terms named in said Award Viz,

1st The written Contract named in plaintiffs petition is rescinded,

2d The plaintiff John Jennings Shall pay to the defendants on or before November 1st 1867 the Sum of One hundred dollars & on the first of January 1868 the further Sum of three hundred & Seventy nine 26/100 ($379 26/100) dollars with interest on the Same from Oct, 2d 1867,

3d That on the payments of said Sums of money Defts Shall under Seal release all claims for damages & all claims of every Kind against the plaintiffs & all claims of every kind to the Mill and its fixtures,

That each of the parties Shall pay the costs taxed against them respectively by the Order of the Court herein heretofore & for which each is liable & plaintiffs pay one half the costs of Arbitration & the defendants pay the one half thereof

It is therefore Considered Ordered & Adjudged by the Court that said plaintiffs recover of the defendants the costs for which they are liable as before Stated taxed to $ & that defendants recover of the plaintiffs the costs for which plaintiffs by said Award are liable taxed to $ and that defendants recover of the plaintiffs One hundred dollars on the 1st of November 1867 & three hundred & Seventy nine 26/100 dollars on the first of January 1868 And that said defendants release on the payment of the Same all claims upon the Mill & property in the petition described, — On In default of payment as herein provided execution may issue as upon judgments at law, No Record,

Frederick Haymaker
Vs
H. K. Converse & B. Converse his wife & James D. Marr

On motion of the said plaintiff by John B. Coats his Attorney & on producing the return of the Sheriff of this County of a Sale of the real estate by him made on the 21st day of February 1867 to Frederick Haymaker the plaintiff, On an Order of Sale duly issued in this case & dated on the 15th day of January 1867 in pursuance of a former Order of this Court & the Court on Examination of said proceedings being Satisfied that said Sale has been made in all respects in conformity to law it is Ordered that the Sale & proceedings be & the Same is hereby Confirmed & the said Sheriff is Ordered to make to the purchaser a deed in fee Simple for the lands & tenements so Sold. And it appearing to the Satisfaction of the Court that the plaintiff Frederick Haymaker the said plaintiff the purchaser of said real estate as aforesaid has paid off & fully Satisfied & discharged the claim & lien of the defendant James D. Marr as heretofore found by the Court upon the said real estate together with all the costs of the proceedings in this case it is therefore Ordered by the Court that the amount of the purchase money for which said estate was so Sold as aforesaid be credited upon & deducted from the judgement & decree heretofore rendered in this case & that execution issue for the ballance that Shall remain unsatisfied after the credits & deduction aforesaid as upon judgements at Law.

Saturday November 9th 1867

444 Samuel Stiles
vs
John Meyer

This day came the parties by their Attys and Submitted this cause to the Court upon the issue Joined between the parties. And the Court being fully advised in the premises do find that the said John Meyer Dft is indebted to the Samuel Stiles plaintiff in the Sum of $133.68. after making deduction of all payments made by Defendant

It is therefore considered that the said Samuel Stiles Plff. recover of the said John Meyer Deft. the said Sum of One hundred & thirty three 68/100 ($133.68) his debt aforesaid in. Manner & form as found by the Court as aforesaid and also his costs in this behalf expended taxed to dollars

C. A. Stebbins
vs
Isaac Rees

This day came the plaintiff & the defendant came not but made default. And this cause came on to be heard and neither party requiring a Jury it was Submitted to the Court by the plaintiff On the petition & evidence Upon consideration whereof the Court with the consent of the plaintiff do find the Allegations of the petition to be true & that there is due from the defendant to the plaintiff on the account Set forth in the petition the Sum of Six hundred twenty 75/100 dollars ($620.75)

It is therefore considered Ordered & Adjudged by the Court that the plaintiff recover of the defendant said Sum of Six hundred twenty 75/100 dollars found due as aforesaid and also his costs herein expended taxed to $ And it is Considered Ordered & adjudged that the Motion made by defendant to dismiss the Attachment be Overruled And it appearing to the Court that the personal property Attached in this case has been released by proceedings before C. W. Rosette J.P. under the law relating to Trial of right of property - It is further Ordered & Adjudged by the Court that the Sheriff of this County proceed to advertise & Sell according to law the real estate Seized on Attachment in this case to Satisfy said Judgement & interest & costs -

And it Appearing to the Court that there are other & prior liens by attachment upon the Same property - leave is granted to the plaintiff to abandon proceedings under the Order of Sale - And to have execution against the property of the said Isaac Rees at any time he may see fit So to do

And thereupon the Court adjourned without day

Monday February 3d 1868 The Court of Commen Pleas for the County of Union in the State of Ohio met this morning at ten oclock in pursuance of law present Jacob S. Conklin Presiding Judge. James B. Whipley Sheriff John L. Porter Prosecuting Attorney J Faber Randall Clerk

This day the Jurors of the Grand Jury being called came to wit, Henry Knotts Lewis Borns Increase Southard, Reuben Moore William Bell Horatio C. Hamilton, William Sparks Bliss Danforth Simpson Anderson John Cassil A. Taylor regular Jurors & Stephen T. Kinney Isaac C. Bodkin. Moses Thompson & Robert Graham tales Jurors - And the Court appointed John Cassil Foreman - And the Grand Jury being duly empannelled & Sworn were charged by the Court and retired to their room to deliberate under the Charge of a Sworn Constable

Tinnitea Howell Plaintiff
vs
Robt Black } This day came the parties to this action & by mutual agreement settled all claims for damages which may Exist between them of any kind whatsoever including the claims set up in plaintiffs Petition and the defendant is to pay the costs - It is therefore Considered that the defendant go hence without day and the plaintiff recover of defendant the Costs herein taxed to $ No record

Edward Dowell &
Saphronia Dowell Plaintiffs
vs
Robert Black Defendant } This day came the parties to this action and by Mutual agreement Settling all claims for damages which may Exist between them of any kind whatsoever including the claims set up in plaintiffs Petition It is therefore Considered that the defendant go hence without day and the plaintiffs recover of defendant their costs herein taxed to $ No record

B. F. Miller & Bro.
vs
W. C. Pangborn } 2d Trial Continued.

David Montford
vs
Wm Stricker } Continued

Monday February 3d 1868

X 330	Geo. Larthmore vs The American Express Co.	Continued	
X 389	The Village of Marysville vs D. M. Southard	Leave granted Plaintiff to file amended petition in 30 days	
	and cause continued		
X 398	Francis Thompson vs H. Sabin	Continued	
X 5	B. F. Miller vs Orlando Wells	Continued under former Order	
X 76	Follington & Garwood vs Michael Davis	Continued	
X 232	A. C. Hanover & S. W. Brown vs W. Whaley Et. Als.	Continued	
X 261	Cyrus Albin vs Samantha O. Pugh & John Pugh	Continued	
X 405	John Finley vs Clark Young	See 405 Continued	
↓ 422	Edward S. Pain vs Col. Pigua & Central R. Road Company	422 Settled and costs paid	

X 433

X 443

X 444

X 446

X 454

X 449

Monday February 3d 1868

X 433 | Benjamin Tucker } V.S. } J. E. Toby Et. alz. } Continued

X 443 | James Megahey } V.S. } John Meyer } Continued

X 444 | John Finley } V.S. } John Adams } Default opened and leave granted to plaintiff to file petition in 30 days and cause continued

X 446 | Wm G. Scrimager } V.S. } T. M. Kimball } Continued

X 454 | Joseph Meily Et. alz. } V.S. } Nathan Poling } Continued

449 | Richard Gabriel } V.S. } Wm Gabriel } Court of Common Pleas Union Co Ohio

This cause came on to be heard upon the petition answer & proof. On consideration whereof it is Ordered that by the Oaths of John Reed Jr. French Garwood and Wm M. Wright partition be made of said lands in said petition described in the following proportions to-wit, to the said Richard Gabriel One Equal fifth part - to the said John & Gabriel John Gabriel William Gabriel Joseph Gabriel, Miriam Gabriel, Mary Hellings John Sellers Thomas Sellers and Hannah Selling one Equal fifteenth Part Each, and to the heirs of said Josiah Gabriel decd one Equal fifth part, And it is further Ordered that a writ of Partition issue to the Sheriff of Union County Commanding him to cause said Partition to be made accordingly & to make return of his proceedings at this Term

Then thereupon the Court adjourned till to-morrow morning at 9 Oclock

J. Corbin
Judge C.C.P.

Tuesday February 4th 1868

This day the Court met Pursuant to adjournment present the same officers as On yesterday

X | O. F. L. Ingman } Court of Common Pleas of
vs } Union County Ohio
John Carder } By agreement the Parties have leave to file
Amended bills of Particulars in ten days

D. O. Carter }
vs } Petition On Note
W. C. Bailey & }
Joseph Carter } This day came the Plaintiff by Johnston & McNeal his attorneys and the said W. C. Bailey Still failing

V 55

to answer or demur to the petition he is held to be in default, and on motion of plaintiff this cause is submitted to the Court upon the petition and Evidence and the Court being fully advised in the premises does find that there is due to the plaintiff upon the note mentioned in the petition the sum of One hundred and Eleven Dollars and fifteen cents. It is therefore considered by the Court that the plaintiff recover of the defendant W. C. Bailey the said sum of One hundred and Eleven Dollars and fifteen cents the sum so found due together with his costs in and about this suit Expended taxed at $ and as to the said Joseph Carter this cause is dismissed without prejudice

X
V 60

457

Amos H. Sterling & Bro. }
Against } Petition
Rice & Porter }
John Rice }

This day came the plaintiffs by Johnston & McNeal their attorneys and the defendants having having Still failed to answer or demur to the petition are held to be in default, and this cause is submitted to the Court upon the petition and Evidence, and the Court being fully advised in the premises does find that there is due to plaintiffs from the defendants on the note in the petition mentioned the sum of Two Hundred and thirty two Dollars & Twenty Eight cents. It is therefore considered by the Court that the plaintiffs recover of the defendants the said sum of Two hundred and thirty two dollars and twenty eight cents ($ 232 28/100) the sum so found due together with their costs taxed at $

K 2

√ | The First National Bank }
of Marion Ohio } In Union Com Pleas
vs }
A. F. Guthrey, D. S. Franklin } Journal Entry
and O. H. Ingman }

X
V 65

This day came the plaintiff by their attorneys Johnston and McNeal and filed their petition against the defendants, and thereupon came the defendants by A. H. Sterling Esq

Thursday February 4th 1868

one of the Attorneys of this Court and by Virtue of a warrant of Attorney Executed by defendants for that purpose now produced in open court and duly proved, waived the issuing and service of any process upon defendants and Enter their appearance herein, and confessed that there is due from defendants to plaintiff the sum of Eight Hundred and Ninety Seven Dollars and Twenty four Cents being the principal and interest due on said note and Covenants that judgment be rendered against defendants and in favor of Plaintiff for that amount and the costs of this action to be taxed by the Clerk and by Virtue of the same Warrant of Attorney waives all Errors that may occur in the rendition of this judgment, the right of appeal and the stay of Execution, It is therefore considered by the Court that the plaintiff recover from the defendants the sum of Eight Hundred and Ninety Seven Dollars and Twenty four cents, and the costs in this behalf Expended to be taxed by the Clerk at # and all Errors that may occur in the rendition of this judgment, the right of appeal and the stay of Execution are waived 897 24

X

V 60

W. B Rice & wife
vs
Mary Louisa Ellis Hals

This day the Court being fully advised in the premises do find that due notice hath been served on all the defendants Except Samuel Harris & Persis Harris who have waived service and do hereby appoint John B Coats Esq the Guardian ad Litem of Anna Ellis John Ellis and Benjamin Ellis minors, who appeared and accepted said appointment and filed his answer according to law, and thereupon the Court being fully advised in the premises do find the petitioners are entitled to a partition of said premises as set forth in their petition. It is therefore considered Ordered and adjudged by the Court that a writ of partition issue to the Sheriff of this County commanding him by the Oaths of A.S. Mowery R.L. Wood & William Thompson three disinterested freeholders of the Vicinity he set off and assign to Mary Louisa Ellis as her Dower in said premises the full one third of the lands in said petition described and that by the like Oaths of said Jurors he set off and assign to the petitioners the one Ninth of said premises Subject to said Dower 2nd To Persis Harris wife of Samuel Harris one Ninth Subject to said Dower 3d To Lydia Ruling wife of Solomon Ruling One Ninth 4th To Martha Jane Gordon wife of David Gordon One Ninth 5th To Matilda Gordon wife of Jesse B Gordon One Ninth 6th Perminia S. Ellis One Ninth 7th To Annie Ellis One Ninth 8th John Ellis One Ninth 9th Benjamin Ellis One Ninth and that he report his proceedings at this term of Court

X

V 65

Caleb Clark
vs
J.L. Alexander et als
Petition in this case

This day on motion of M.C. Lawrence Atty for S. W Dolbear — leave is granted to said Dolbear to file an Answer & Cross Petition in this case — which is filed accordingly

Tuesday February 4th 1868

This day the Grand Jury aforesaid at the bar of the Court presented their five Several Bills of Indictments against Ard Lewis for selling intoxicating liquors to be drank on the premises when sold in Violation of law. Each Severally Endorsed a True Bill John Capil Foreman of the Grand Jury

Also their five Several Bills of Indictment against Jeremiah Jones for selling intoxicating to be drank on the premises when sold in violation of law Each Severally Endorsed A True Bill, John Capil Foreman of the Grand Jury - Also their two Several Bills of Indictments against John Finley for selling intoxicating liquors to be drank on the premises when sold in violation of law, Each Severally Endorsed a True Bill, John Capil Foreman of the Grand Jury - Also their Other Bill of Indictment against Uriah Alden for selling intoxicating liquors in violation of law to Lafayette Legg a person in the habit of getting intoxicated, Endorsed A True Bill, John Capil Foreman of the Grand Jury

And the Grand Jury having further business prefered to their room to deliberate

Wm P. Needles
vs
Lewis Perkins

This day came the parties by their attorneys and thereupon came a Jury to wit Uriah Cahill Adelbert Lee, Nathan Howard, Asa Holbrey Samuel Gamble, John F. Winters, Sylvester Ford, W. H. Baxter E. R. Fox Anthony Morris regular Jurors and L. M. Fairbanks and Matthew Leigel Talesmen Jurors who being duly Empanelled and sworn the truth to speak upon the issue joined between the parties upon their Oaths do say they find for the defendant It is therefore Considered Ordered and adjudged by the Court that the Defendant go hence without day and recover of the Plaintiff his Costs herein Expended taxed to $

Second Trial demanded by the plaintiff and allowed & the Court fix the Bond at $ 100 —

396

And thereupon the Court adjourned till to-morrow morning at 9 oclock

J. P. Conkling
Judge C.C.C.

Wednesday February 5th 1868

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

X 1	Lefus of Samuel Stokely vs John Williams	Contd
X 217	Albert Galloway vs Harmon Pate &c	Contd
X 248	D. N. Hamilton vs Wm Dunnick Et al	Contd
X 279	Ed. McInaid vs Patrick Smith Contd for Service	
X 289	Peter Mumma vs Nancy Mumma	Contd
X 292	D. S. Newcomb vs Hanover & Diehl	Contd
X 317	Thos. W. Powell vs Stewart & Dyall	Contd by Agreed
X 362	Nicholas Bellville vs Samuel McAllister Et Al	Contd by Agreement
X 436	Wm Banghan vs Orlando Wells	Contd
X 439	Johnathan Haines vs H. W. Minnigh	Contd
X 447	Henrietta A. Williams vs Joseph Williams	Contd
X 451	Ebenezer Shedd vs D. W. Robinson Adm & Others	Contd
X 462	A. L. Whitney vs Jesse & Charles Bird	Contd
X 464	John Woodburn vs D. M. Robinson & wife	Contd
✓ 469	Elizabeth Hopkins vs O. Hammond	Settled & Costs paid
X 473	Uriah Coolidge vs Hiram Curran	Contd for Service
✓ 475	D. M. Sanders vs John Chapman	Settled as per Agreement. Each party to pay the Costs by him made.
X 484	Johnathan Hagans vs H. W. Minnigh	Rule Plein The default for petition is opened & leave to file petition instanter — and leave to defendant to answer in forty days — & came Continues

Wednesday February 5th 1868

This day the Grand Jury appeared at the bar of the Court and presented their two several Bills of Indictment against Irvin Barnes for selling intoxicating Liquors to be drank on the premises where sold in violation of law Each Severally Endorsed A True Bill. John Caspil Foreman of the Grand Jury. Also their Bill of Indictment against John Long for Selling intoxicating liquors to be drank on the premises where sold in violation of law, Endorsed A True Bill John Caspil Foreman of the Grand Jury. Also their Other Bill of indictment against William Weber for selling intoxicating liquors to be drank on the premises where sold in Violation of law, Endorsed a True Bill John Caspil Foreman of the Grand Jury, Also their Report And the Grand Jury having no Just their business before them were discharged by the Court

Delmon Snodgraf
U.S.
Emeline Snodgraf &
Viola Snodgraf

In Partition

On motion to the Court by Porter and Sterling Counsel for Petitioner, and upon producing the proceedings of the Sheriff and the Sale of the premises by him made in pursuance of a former Order of the Court, and the same being examined and found by the Court in all respects in due form of law

It is Ordered that said proceedings and Sale be and the same are hereby approved and confirmed, and that the said Sheriff Execute and deliver to the said Purchaser a deed in fee simple for said lands and tenements by him sold as aforesaid, and it is further Ordered that the costs and expenses of this Suit (including an Attorney fee to Porter & Sterling of $ 35.00) be paid out of the said moneys in the hands of the Sheriff in the following proportions to wit Delmon Snodgraf One half part, Emeline Snodgraf one fourth part, and Viola Snodgraf One fourth part, and that the said Sheriff distribute the residue of said moneys between the said parties in the following proportions to wit - to Delmon Snodgraf one half part, to Emeline Snodgraf One fourth part and to Viola Snodgraf One fourth part

And thereupon the Court adjourned till to morrow Morning at nine O'clock

J. S. Workliss
Judge

Thursday February 6th. 1868

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

— Attorneys fees in Partition Cases. —

This day it appearing to the Court that the following fees have been adopted in cases in partition by the members of the Bar of Union County It is Ordered by the Court that said table of fees so adopted be and the same is hereby made a rule of this Court, And the Clerk of this Court is Ordered to tax fees in partition cases in accordance with said table — which is as follows — If the Value of the property or proceeds of sale does not Exceed $ 500, 5 per cent
On Excess above $ 500, up to $ 2000, in addition 2 per cent
" " " $ 2000. up to $ 5000, " " 1½ per cent
" " " $ 5000, " " 1 per cent
In cases where there is an Election — or partition is made — three fourths of the above rates shall be charged — But in no case less than $ 20.00 "

X
X53

P. P. McDowell
vs
William Cole &
Alice Cole his wife

This day came the Plaintiff by his Attorney And it appearing to the Court that due notice has been given of the filing of the petition in this Case and of its Contents and prayer by Publication as required by the Statute, And no One appearing for the Defendants, this Cause came on to be heard upon the petition of the Plaintiff together with the Exhibits and testimony On Consideration whereof the Court do find the Equity of the Case with the Plaintiff, and that there is due to him on this 6th day of February 1868 upon the note and mortgage in the petition mentioned the Sum of Four hundred Fourteen & 40/100 Dollars ($ 414 40/100)

It is therefore Considered, Ordered, and decreed that the defendants within ten days from this date pay to the said Plaintiff the said Sum of Four hundred Fourteen & 40/100 Dollars ($ 414.40) with the interest to be Computed thereon from this day until paid, and also the Costs of this Suit taxed to $

And in default thereof that the Sheriff of this County for the time being who is hereby appointed Special Master for that purpose proceed to sell the lands and tenements in the petition mentioned according to law, and report his proceedings in the premises to the next term of this Court to which time this Cause is Continued

X
X52

Samuel R. Harbit
vs
A. H. Neal &
Henry Neal

On motion of Defendants this Cause is Continued at Defendants Costs and it is Considered that Plaintiff recover of Defendants of this this Costs of this term 1 Court taxed to $

Thursday February 6th 1868

450 | S. N. Drake
V.S.
And Lewis
This day came this cause to be heard on the motion for continuance on affidavit of Defendant whereupon the Court being satisfied of the sufficiency of the affidavit it is Ordered and adjudged that this cause be continued at defendants costs and that Plaintiff recover of defendant the costs of this term taxed to $

477 | Flora Amelia Mills
By her Guardian John Dewell
V.S.
James Mills & Others
Partition
This day came the parties and submitted this cause to the Court and thereupon the Court do find that the petitioner is Entitled to partition as prayed for and that the defendants are tenants in common with petitioner
It is therefore considered, Ordered and adjudged by the Court that partition be made of said premises and an Order of Partition issue to the Sheriff of this County commanding him by the oaths of Levi Kerr, Geo. Wilbur and Samuel McAllister he make said partition setting off to the petitioner the One Eighth of the premises in said petition described and to Chambers Mills the One Eighth thereof & to James Mills the three Eighths thereof and to Lewis Mills the three Eighths thereof and report their proceedings herein to this term of the Court

470 | Andrew Harris Et als
VS
David Cook & Others
This day came the Defendant David Cook & by leave of the Court filed his answer & this cause was by consent of Plaintiff Continued with leave to Plaintiff to file amended petition in 30 days

459 | Joseph Hawn
VS
Hiram Wigle
Costs Paid and Cause discontinued by Plaintiff

479 | Wm Jenkins & Burroughs
VS
Larsen Spain.
Leave to file petition in thirty days & Cause Continued

440 | Farmery Hemingway
V.S.
D. M. Welch & Turner
Continued after suggesting the death of Hemingway & Luther Wright Admr appearing as Plaintiff

Thursday February 6th 1868

4 34 / James R Mattahuls
V.S.
David Cook Et Als
Dismissed by Plaintiff and thereupon it is Considered that Plaintiff pay the Costs in 30 days or in default
Execution issue thereon

/ John McAlister
V.S.
Isaac McAllister Et als
Partition
Ex F. No 678
2 81 / p. 3
This day came the parties to this action and Submitted this Cause to the Court On motion to confirm the Sale and distribute proceeds whereupon the Court being fully advised in the premises do find the said Sale to be in all respects lawful & regular. It is therefore Considered, Ordered and adjudged by the Court that said Sale be and the same is hereby Confirmed and the said Sheriff authorized to Execute and deliver a deed in fee Simple for said land to said purchaser, And it is further Considered, Ordered, and adjudged that the Costs of this proceeding including an Attorneys fee of $100 — to Robinson & Robinson Shall be paid as following to wit fifteen dollars by Isaac McAllister & the remaining $85 — to be taken Out of the proceeds of said Sale and that the remainder of the proceeds of said Sale, including the deferred payments be distributed as follows to the Petitioners John McAllister One Seventh, Eliza A. Bell One Seventh, Adaline McAllister One Seventh William McAllister One Seventh, Nancy Jackson One Seventh Rebecca Newhouse One Seventh, Eleanor McAllister Luther McAllister, Caspius McAllister, Ida McAllister & Ann McAllister the widow & heirs of Nelson McAllister dec'd One Seventh together, but Out of said Seventh there Shall be paid to Ann McAllister in lieu of her dower the full One fourth of said Seventh and the remaining three fourths of said Seventh be paid in Equal Sums to said heirs of Nelson McAllister dec'd That said Sheriff take a Mortgage to said heirs for the deferred Sums due them before he deliver the deed to said purchaser

/ Ebenly & Shuldz
V.S.
M. L. Kirby & Co
Civil Action
This day came the Plaintiff and the defendants came not but made default and thereupon neither party demanding a Jury this Cause was Submitted to the Court; & the Court being fully advised in the premises do find the allegations of the petition to be true and that is due the plaintiffs from the defendants on said Counts the Sum of One hundred and Eighty Eight Dollars and it is Ordered and adjudged that the plaintiffs recover of the defendants said Sum of One hundred and Eighty Eight dollars and their Costs herein Expended taxed to $
And thereupon the Court adjourned till to-morrow morning at Nine O'clock

Friday February 7th 1868

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

3241

Peter L. Mayo
V.S.
John Mayo Et Als } In Partition

On motion to the Court by Mr Cole Counsel for Plaintiff, and upon producing the proceedings of the Sheriff, and the report and proceedings of the Commissioners herein before appointed, and the same being examined, It is ordered that said proceedings and report be and the same are hereby approved and confirmed, And thereupon neither of the parties electing to take said Estate at the valuation thereof as returned by said Commissioners on motion of the Petitioner, It is Ordered that said Estate be sold at public Auction by the Sheriff of said County according to the Statute in such case made and provided

4466

Thomas B. Finley
V.S.
Silas Sabine, Ann W. Sabine
his wife and Wm Gabriel Defendants } Court of Common Pleas
Union County Ohio

And now comes the said Thomas B. Finley and the said Silas Sabine, Still failing to appear demur or answer to the said petition, It is considered that the said Plaintiff Ought to recover the amount due him by reason of the premises, And the Court with the Consent of the Plaintiff find that there is due from the said defendant to the said plaintiff, on the notes in the said petition set forth, the sum of $ 2525, It is therefore considered by the said Court here, that the said plaintiff recover of the said defendant the said sum of $ 2525, the sum so found as aforesaid and also his costs taxed $ And it is further ordered and adjudged that in case the said defendant fails for ten days from the close of this term of the Court, to pay to the said Plaintiff the said sum of $ 2525,— so as aforesaid found due with costs of suit, an Order issue to the Sheriff of said County commanding him to cause the said lands and tenements in said petition described, to be appraised, advertised, and sold according to law, and apply the proceeds of said sale in satisfaction of said judgment rendered as aforesaid, and the remainder after paying the judgment as aforesaid brought into Court subject to the future Order of this Court

4467

Mashill Dockum Plaintiff
V.S.
Harriett Dockum Ex's of
Andrew Dockum dec'd } This day came the parties to this action and neither party demanding a Jury the parties submitted the cause to the Court and thereupon Remington Jolly impanneled in the premises, on the Evidence do find for the defendant —

It is therefore considered, Ordered and adjudged by the Court that the defendant go hence without day and recover of the plaintiff his costs herein Ex pended taxed to $ and thereupon the Plaintiff demanded a Second Trial under the Statute which was allowed and bond fixed at $ 100 —

Friday February 7th 1868

Whitely Fapler & Kelley
vs.
George Tuckley
} Judgment on Cognovit

This day came the Plaintiffs by their Attorney Mr. L. Lawrence and filed their petition against the said George Tuckley, and thereupon came John B. Coate, one of the Attorneys of this Court, and by virtue of a warrant of attorney Executed for that purpose by the said George Tuckley, and now produced in Open Court and duly proved, waived the issuing & service of process upon said defendant, and Entered his appearance herein, and confessed that there was due from the defendant to the Plaintiff on the note in the petition mentioned the sum of Eighty Eight and 85/100 Dollars - at this date, and consents that a Judgment be rendered against the said defendant in favor of the Plaintiffs for that amount and the Costs of this action and by virtue of the same warrant of attorney, all Errors which may occur in the rendition of such Judgment, and all rights of Appeal & Stay of Execution are released and waived, It is therefore considered and adjudged by the Court that the Plaintiffs recover of the defendant George Tuckley said sum of Eighty Eight D 85/100 Dollars (88,85) so confessed to be due and also the Costs of this suit taxed to $ And all Errors are released and right of Appeal & Stay of Execution waived

S. W. Dolbear
vs.
Benjamin Grubbs &
Wm. S. Grubbs
} Judgment on Cognovit

This day came the Plaintiff by his Attorney Mr. L. Lawrence and filed his petition against the said Benjamin Grubbs & Wm. S. Grubbs, and thereupon came the John B. Coate one of the Attys of this Court and by virtue of a Warrant of Attorney Executed for that purpose by the said Benjamin Grubbs & Wm. S. Grubbs and now produced in Open Court and duly proved waived the issuing and service of process upon said defendants, and Entered his appearance herein, and confessed that there was due from the defendants to the Plaintiff on the note in the petition (mentioned) the sum of One hundred and ten & 15/100 Dollars ($110.15) At this date, and consents that a Judgment be rendered against the said defendants in favor of the Plaintiff for that amount and the costs of this action, And by virtue of the same Warrant of Attorney all Errors that may occur in the rendition of such Judgment and all rights of Appeal and Stay of Execution are released and waived, It is therefore considered Ordered and adjudged by the Court that the Plaintiff recover of the defendants Benjamin Grubbs & Wm. S. Grubbs said sum of One hundred and ten and 15/100 Dollars ($110.15) so confessed to be due - and also the Costs of this suit taxed to $ Also all Errors are released and right of Appeal and Stay of Execution waived

Friday February 7th 1868

The State of Ohio } No 127
U.S. } Retailing &c
Jeremiah Jones }

The defendant Jeremiah Jones this day was arraigned in Open Court and the Indictment being read to him was asked how of the premises he would acquit himself for plea - Says he is Guilty in manner and form as he stands Charged in said indictment - Whereupon it is considered and adjudged by the Court that he make his fine to the State of Ohio in the Sum of Fifty Dollars and pay the Costs of prosecution taxed at $ And it is further Ordered that the defendant stand committed until said fine and costs are fully paid

The State of Ohio } No 128
U.S. } Retailing &c
Jeremiah Jones }

The defendant Jeremiah Jones this day was arraigned in Open Court and the indictment being read to him was asked how of the premises he would acquit himself for plea - Says he is guilty in manner and form as he stands charged in said indictment Whereupon it is considered and adjudged by the Court that he make his fine to the State of Ohio in the Sum of Fifty Dollars and pay the Costs of prosecution taxed at $ And it is further Ordered that the defendant stand committed until said fine and costs are fully paid

The State of Ohio } No 132
U.S. } Retailing
Hurd Lewis }

The defendant Hurd Lewis this day was arraigned in Open Court and the indictment being read to him was asked how of the premises he would acquit himself for plea - Says he is Guilty in manner and form as he stands charged in said indictment - Whereupon it is considered and adjudged by the Court that he make his fine to the State of Ohio in the Sum of Fifty Dollars and pay the costs of prosecution taxed at $ And it is further Ordered that the defendant stand committed until the said fine and costs are fully paid

The State of Ohio } No 133
U.S. } Retailing &c
Hurd Lewis }

The defendant Hurd Lewis this day was arraigned in Open Court and the indictment being read to him was asked how of the premises he would acquit himself for plea - Says he is Guilty in manner and form as he stands charged in said indictment - Whereupon it is considered and adjudged by the Court that he make his fine to the State of Ohio in the Sum of Fifty Dollars and pay the Costs of prosecution taxed at $ And it is further Ordered that the defendant stand committed until the said fine and Costs are fully paid

Friday February 7th 1868

The State of Ohio } No 137 Retailing —
vs
John Long }

The Defendant John Long this day was arraigned in Open Court and the indictment being read to him was asked how of the premises he would acquit himself Jn Plea — Says he is guilty in manner and form as he stands charged in said indictment — Whereupon it is Considered and adjudged by the Court that he make his fine to the State of Ohio in the sum of Fifty Dollars and pay the Costs of Prosecution taxed at $ and it is further Ordered that the defendant Stand Committed until said fine and Costs are fully paid

The State of Ohio } No 139 Retailing —
vs
John Finley }

The Defendant John Finley this day was arraigned in Open Court and the indictment being read to him was asked how of the premises he would acquit himself Jn Plea — Says he is Guilty in manner and form as he stands charged in said indictment Whereupon it is Considered and adjudged by the Court that he make his fine to the State of Ohio in the sum of Fifty Dollars and pay the Costs of Prosecution taxed at $ and it is further Ordered that the defendant Stand Committed until said fine and Costs are fully paid

The State of Ohio } No 141 Retailing —
vs
Uriah Alden }

The Defendant Uriah Alden this day was arraigned in Open Court and the indictment being read to him was asked how of the premises he would acquit himself Jn Plea Says he is Guilty in manner and form as he stands charged in said indictment Whereupon it is Considered and adjudged by the Court that he make his fine to the State of Ohio in the sum of Fifty Dollars and pay the Costs of Prosecution taxed at $ and it is further Ordered that the defendant Stand Committed until said fine and Costs are fully paid

The State of Ohio } No 135 Assault and Batting
vs
John Chapman }

The Defendant John Chapman this day was arraigned in Open Court and the indictment being read to him was asked how of the premises he would acquit himself Jn Plea. Says he is Guilty in manner and form as he stands charged in said indictment, Whereupon it is Considered and adjudged by the Court that he make his fine to the State of Ohio in the sum of Ten Dollars and the Costs of Prosecution taxed at $

Friday February 7th 1868

The State of Ohio } No 25 Retailing
vs.
William Weber } The defendant William Weber was this day again brought before the Court and having nothing further to say why Sentence Should not be pronounced against him. It is therefore considered and adjudged by the Court that he make his fine unto the State of Ohio in the sum of Fifty Dollars and pay the costs of prosecution taxed at $ And it is further ordered that defendant Stand Committed until said fine and costs are fully paid

The State of Ohio } No 29 Retailing
vs.
Uriah Alden } The Defendant Uriah Alden was this day again brought before the Court and having nothing further to say why Sentence Should not be pronounced against him. It is therefore considered and adjudged by the Court that he make his fine unto the State of Ohio in the Sum of Fifty Dollars and pay the costs of prosecution taxed at $ And it is further Considered that defendant Stand Committed until said fine and Costs are fully paid

The State of Ohio } No 26 Retailing
vs.
Uriah Alden } The Defendant Uriah Alden was this day again brought before the Court and having nothing further to say why Sentence Should not be pronounced against him. It is therefore considered and adjudged by the Court that he make his fine unto the State of Ohio in the Sum of Fifty Dollars and pay the costs of prosecution taxed at $ And it is further Ordered that defendant Stand Committed until said fine and costs are fully paid

The State of Ohio
vs. } Indictment for Retailing
Jeremiah Jones

This day came into Open Court Jeremiah Jones and John Finley and acknowledged themselves jointly and severally to owe and Stand indebted to the State of Ohio in the penal Sum of Two Hundred Dollars to be levied of their goods and Chattels lands and tenements if default be made in the condition following to wit. That the said Jeremiah Jones be and appear before the Court of Common Pleas of said County of Union in the State of Ohio on the fifth day of the next term thereof to answer unto the State of Ohio in three several indictments for selling intoxicating liquors to be drank in or on the premises where sold in violation of law, and then and there abide the Order and Sentence of the Court and not depart the Court without leave, then this recognizance to be void Otherwise to be and remain in full force and virtue in law

Tuesday February 7th 1865

The State of Ohio
vs.
Irwin Barnett

Indictment for Retailing

This day came into Open Court Irwin Barnett and acknowledged himself to owe and stand indebted to the State of Ohio in the penal sum of One hundred and fifty Dollars to be levied of his goods and chattels lands and tenements if default be made in the condition following to wit that the said Irwin Barnett be and appear before the Court of Common Pleas of said County of Union in the State of Ohio On the fifth day of the next term thereof to answer unto the State of Ohio in an indictment for selling intoxicating liquors to be drank upon the premises where sold in violation of law, and then and there abide the Order and Sentence of the Court and not depart the Court without leave then this recognizance to be void Otherwise to be and remain in full force and Virtue in law

The State of Ohio
vs
John Finley

Indictment for Retailing

This day came into Open Court John Finley and Jeremiah Jones and acknowledged themselves to owe and stand indebted to the State of Ohio in the penal sum of One hundred Dollars to be levied of their goods and chattels lands and tenements if default be made in the condition following to wit - That the said John Finley be and appear before the Court of Common Pleas of said County of Union in the State of Ohio in and indictment for selling intoxicating liquors to be drank upon the premises where sold in violation of law, and then and there abide the Order and Sentence of the Court and not depart the Court without leave, then this recognizance to be void, Otherwise to be and remain in full force and Virtue in law

The State of Ohio
vs
Jeremiah Jones

No 129 Retailing

This day the defendant being arraigned in Open Court was asked how of the premises he would acquit himself for Plea, Says he is guilty in manner and form as he stands charged in said indictment

The State of Ohio
vs
Jeremiah Jones

No 130 Retailing

This day the defendant being arraigned in Open Court was asked how of the premises he would acquit himself for Plea, Says he is Guilty in Manner and form as he stands charged in said indictment

The State of Ohio
vs
Jeremiah Jones

No 131 Retailing

This day the defendant being arraigned in Open Court was asked how of the premises he would acquit himself for Plea Says he is Guilty in Manner and form as he stands charged in said indictment

Friday February 7th 1868

The State of Ohio } No 140 Retailing —
vs
John Fenby } This day the defendant being arraigned in Open Court was asked how of the premises he would acquit himself for Plea — Says he is Guilty in manner and form as he stands charged in said indictment

The State of Ohio } No 134 Retailing
vs
And Lewis } This day the defendant being arraigned in Open Court was asked how of the premises he would acquit himself for Plea Says he is Guilty in manner and form as he stands charged in said indictment

The State of Ohio } No 135 Retailing — —
vs
And Lewis } This day the defendant being arraigned in Open Court was asked how of the premises he would acquit himself for Plea, Says he is Guilty in manner and form as he stands charged in said indictment.

The State of Ohio } No 136 Retailing
vs
And Lewis } This day the defendant being arraigned in Open Court was asked how of the premises he would acquit himself for Plea — Says he is Guilty in manner and form as he stands charged in said indictment

The State of Ohio } Retailing
vs
Catharine Powers } This day came the Prosecuting Attorney and upon his motion the defendant was three times solemnly called to answer an indictment found against her for selling intoxicating liquors to be drank upon the premises when sold in violation of law, and came not but made default, and thereupon John Powers the Security of the said Catharine Powers was three times solemnly called to, come into Court and bring with him the body of the said Catharine Powers to answer said charge as by his recognizance he was bound to do — or that the same would be forfeited, and the said John Powers still failing to appear according to the Condition of his said recognizance with the body of the said Catharine Powers, It is Ordered by the Court that the same be and is hereby forfeited, and it is Ordered that said forfeiture be respited until the next term of this Court.

The State of Ohio } continued
vs
William Weber }

Tuesday February 7th 1868

48/ The State of Ohio } Retailing
vs
John Powers } This day came the Prosecuting Attorney and upon his motion the defendant was three times solemnly called to answer unto two Joint indictments against him for selling intoxicating liquors to be drank upon the premises where sold in violation of law as by his recognizance he was bound to do or that the same would be forfeited, come not but made default, and the said John Powers still failing to appear according to the condition of his said recognizance, It is Ordered by the Court that the same be and is hereby forfeited, and it is Ordered that said forfeiture be respited until the next term of this Court

On motion of John S Porter Prosecuting Attorney on behalf of the State of Ohio, and it appearing to the Court that William Harris was personally served with a Subpoena to attend this term of Court as a witness on behalf of the State of Ohio before the Grand Jury and that he came not but made default, It is therefore Ordered that an attachment issue against the said William Harris for such his contempt returnable on the first day of the next term of this Court

X/ The State of Ohio } Indictment for Rape
vs
Henry Crow } The Court having appointed D. M. Robinson to assist the Prosecuting Attorney in the prosecution of this indictment the same being deemed necessary by the Prosecuting Attorney and by the Court, It is hereby directed by the Court that the Auditor of this County draw an Order upon the treasury of this County for said assistant for the sum of Twenty Five dollars for his services in said Prosecution

The State of Ohio } Indictment for Rape
vs
Daniel Crow } The Court having appointed D. M. Robinson to assist the prosecuting Attorney in the prosecution of this indictment the same being deemed necessary by the Prosecuting Attorney and the Court, It is hereby directed by the Court that the Auditor of this County draw an Order upon the Treasury of this County for said Assistant for the sum of Twenty Five Dollars for his services in said prosecution

✓ Maddux Bro & Co. } vs
80/ Robert Sharp & W. W. Woodrum } This day came the parties and Submitted this cause to the Court. Whereupon the Court being fully advised in the premises do find the petition and answer to be true and that is still a balance due and unpaid on said note the sum of Ninety Eight & 95/100 Dollars after deducting the two payments of $25 and $15,00 mentioned in the defendants answer
It is therefore Considered and adjudged that the Plaintiffs recover of the defendants said sum of Ninety Eight and 95/100 Dollars together with their costs herein Expended taxed to $

Friday February 7th 1868

Elizabeth Jones & Others
vs
Orrin Beam
Civil Action
This day came the parties and submitted this cause to the Court upon their petition demanding a Jury and thereupon the Court being fully advised in the premises do find for the Plaintiffs against the defendant, Whereupon it is Considered, Ordered & adjudged by the Court that the plaintiffs recover of the defendant the possession of the real Estate in said petition described and their costs herein expended taxed to ff And that a writ of possession issue to the Sheriff of this County commanding him to deliver to plaintiffs possession of said premises, And all questions of damages to be settled under the law for the benefit of the Occupying Claimants and the Court being satisfied that the defendant is Entitled to the benefit of the law for the payment of improvements and for waste made by defendant while in possession under an imperfect tax title, It is Ordered that a Jury be Empannelled and Sworn according to law to pass the valuations as provided by law and this cause is Continued for that purpose - But the defendant is in the meantime Enjoined from cutting or removing timber from said land from this date

William A Woods Plaintiff
vs
Abraham Decow Defendant
Action on Mortgage
This day came the Plaintiff by his Attorney and Submitted this cause to the Court. The Defendant being in default for want of Answer - Whereupon the Court do find that the defendant Owes the Plaintiff the sum of Two hundred and Seventy five 50/100 Dollars, in Manner and form as the plaintiff in his petition hath in that behalf alleged, Therefore it is Ordered, adjudged and decreed that the plaintiff recover of the defendant the said sum of Two hundred and Seventy five 50/100 Dollars his debt aforesaid, and his costs herein Expended taxed to ff Whereupon It is Ordered that James B Whelply Sheriff of this County be appointed a Special Master Commissioner & that he proceed to sell as upon Executions the lands and tenements in the petition described, that is to say, Situate in said County of Union being fifty acres off the west side of the following described lands, The East line of said fifty acres to run parallel with the Kenton road, being part of Military Survey Nos 5629 & 6493, Beginning at a red Oak North East corner to land deeded to Samford Philbrooks by George Jones thence with the North line of said land S 80 W 177 1/10 poles to a Stone in the Centre of the Kenton road thence with the Centre of said road N 16, 50' W 80 poles to a Stake in the Centre of said road thence N 81 1/4 E 34 37/100 Poles to a Stake Corner to James S Baldwins land thence N 7 W 32 38/100 poles to a Stone thence N 81 1/4 E 98 4/5 poles to a Stake thence S 8 1/2 E 39 38/100 poles to a Stake or Stone thence N 80 30' E 34 1/5 poles to a Beech thence S 9, 15' E 79 poles to the Beginning containing One hundred and ten acres more or less, And that said Master report to the Court his proceedings in that behalf together with the date, Amount and respective priorities of all liens and incumbrances by Judgment or otherwise upon said Mortgaged premises, and that he bring the money into Court, And this cause is continued as to the note not due described in said petition

Friday February 7th 1868.

V

V 101 | Joseph E Long Et al Pltff
U.S.
David Mulford &
Mary Mulford Dfts } Civil Action

This day came the parties by their Attorneys and Submitted this Cause to the Court upon the pleadings Exhibits & testimony; A Trial by Jury being waived in Open Court Now by the Oral Contract of the Parties. The Court being fully advised in the premises do find that the defendant David Mulford owes to the plaintiffs in that behalf as claimed in plaintiffs petition, the Sum of One thousand Six Hundred and Nine Dollars, And as to Mary Mulford the Other Defendant the Court find that the allegations in her said answer are not true, and that She is not Entitled to the said note as therein claimed. Therefore it is considered that the plaintiffs recover of the said David Mulford the said Sum of One thousand Six Hundred and Nine Dollars his debt aforesaid, and also his Costs in this behalf Expended Taxed to ff

Warning the Trial of said Cause the defendants offered the deposition of Mary Mulford to prove that the plaintiffs did not own said note to which the plff's objected & the Court sustained said objection to which ruling the defendants excepted & the Court signed & sealed The Bill of Exceptions

Richard Gabriel
vs
William Gabriel Et Al. } Court Common Pleas
Union Co Ohio

On motion to the Court by D. Piper Counsel for the petitioners and upon producing the proceedings of the Commissioners herein before appointed and the same being Examined, and found in all respects to be in conformity to law it is Ordered that said proceedings and report be and the same are hereby approved and confirmed, And thereupon neither of the parties Electing to take said Estate at the Valuation therein returned by said Commissioners, On Motion of the petitioners it is Ordered that said Estate be sold at Public Auction by the Sheriff of said County of Union according to the Statute in such Case made and provided, and this Cause is Continued for the Sheriffs report of sale

X 16 | The State of Ohio vs Peter Ann — Continued
X 26 | The State of Ohio vs Frederick Parker — Continued
X 31 | The State of Ohio vs R. W. Cook — Continued
X 33 | The State of Ohio vs James Green — Continued
X 47 | The State of Ohio vs Wm Richley — Continued
X 94 95 | The State of Ohio V.S. James Redmon — Continued
X 101 | The State of Ohio vs Ellen Long — Continued
X 104 105 106 107 108 109 110. | The State of Ohio vs Amah Alden — Continued

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121 The State of Ohio VS Samuel Brake Continued

126 The State of Ohio V.S. John W Chapman Continued for Service

467 Emma E. Bigelow VS Lebbeus L Bigelow } Continued by Agreement

John Miller, Thomas E. Miller and John Joyce Partners under the name of John T. E. Miller & Joyce Plaintiff's VS Tilman G. Goff, Olive Goff his wife, Henry C. Dickinson, I. H. McHenry Joseph W. Harrington, W. W. Woods and James W. Robinson Defendants } Petition on Note and Mortgage

This day came the Plaintiffs by their Attorney and submitted this cause to the Court the Defendants Tilman G. Goff and Olive Goff his wife together with Henry C. Dickinson and W. W. Woods being in Default for want of Answer, Whereupon the Court do find that the Defendant Tilman G. Goff owes to the Plaintiffs John Miller, Thomas E. Miller and John Joyce Partners under the name of J. T. E. Miller & Joyce, on the Note in the Petition set forth the sum of Six hundred and Twenty Five Dollars with interest thereon from the 24th day of November A. D. 1865 in manner and form as the said Plaintiffs in their petition have in that behalf alleged, which said sum of Six hundred and Twenty Five Dollars with the interest thereon as aforesaid the Court doth find amounts to the sum of Seven hundred and Seven Dollars and fifty Cents, Therefore it is Considered, Ordered, and adjudged by the Court that the said Plaintiffs recover of the said Defendant Tilman G. Goff the said sum of Seven hundred and Seven Dollars and fifty Cents his debt aforesaid, so as aforesaid found due, and also his Costs taxed to $

And the Court further finds that the said Note in the Plaintiff Petition described is the first Note mentioned and described in the said Mortgage in said Petition mentioned in manner and form as therein alleged, and that the three Other Note in said petition are not now due, The Court therefore find that the amount due to the Plaintiffs on said Note in their Petition described and set forth is the first lien upon the premises described in said Mortgage after the Judgment set forth in the Answer of James W. Robinson one of the Defendants in this action, On which said Judgment the Court finds there is due to the said Defendant James W. Robinson the sum of Two hundred and Fifty Dollars with interest from the 30th day of December A D 1867 which the Court find is a lien prior to that of the Plaintiffs. It is therefore further Ordered and adjudged by the Court that in Case the said Defendant Tilman G. Goff fails for twenty days from the close of this term of the Court to pay to the said Plaintiffs the said sum of Seven hundred and Seven Dollars and fifty Cents, so as aforesaid found due with Costs of Suit, an Order issue to the Sheriff of this County who is hereby appointed Special

Friday February 7th 1868

Master Commissioner for that purpose, Commanding him to Cause said lands and tenements in said petition described to-wit, Part of Survey No- 9916 Beginning at a Stake and Stone in the road from Marysville to Benton and S. W. Corner to E. S. Skeltons land thence with said Skeltons S. line N 79° 20' E 174 7/10 Poles to a Stake and Stone the S. E. Corner of said Skeltons land, thence with the E. line of his land N 11° 7' W 43 3/10 Poles to a Stake and Stone in the Original N. line of said Survey No- 9916 and N. E. Corner of said Skeltons land, thence with said Original line N 79° 20' E 4 Poles to a Stake the N. W. Corner of land owned by Walter Allyn thence with the W. line of said Allyns land S. 11° 7' E 143 1/2 Poles to a Stone the N. E. Corner of D. Chapels land thence with his N. line S 78° 50' W to the center of the above named road, thence with said road to the Beginning containing One Hundred acres more or less" To be appraised and sold according to law, And that so much of the proceeds of such sale as may be necessary for that purpose be applied first to the payment of the amount due to the said James W Robinson - Second to the payment of the said Judgment of the plaintiffs, &c as aforesaid rendered with the costs of suit and that he bring any balance that may then remain in his hands into Court to await the further Order of the Court thereon, And as to the respective rights and liens of all Other Defendants in this action Holding notes not now due and secured by Mortgage on the premises in the plaintiffs petition mentioned and described this Cause is Continued

The State of Ohio } No- 138 Retailing
vs
William Webb } This day the Defendant being arraigned in Open Court was asked how of the premises he would acquit himself for Plea says he is Guilty in manner and form as he stands charged in said Indictment

138 The State of Ohio } Indictment for Retailing
vs
William Webb } This day came into Open Court William Webb and acknowledged himself to owe and stand indebted to the State of Ohio in the Penal Sum of One Hundred Dollars to be levied of his goods and chattels lands and tenements if default be made in the condition following to-wit that the said William Webb be and appear before the Court of Common Pleas of said County of Huron in the State of Ohio on the fifth day of the next term thereof, to answer unto the State of Ohio in an indictment for Selling intoxicating liquors to be drank upon the premises where sold in Violation of law, And then and there abide the Order and Sentence of the Court, and not depart the Court without leave, Then this Recognizance to be void, Otherwise to be and remain in full force and Virtue in law

The State of Ohio } Assault & Battery No- 123
vs
Alexander Maize } Continued under former Order of Respite

The State of Ohio } No- 124
vs
Alexander Maize } Assault & Battery Continued

Friday February 7th 1868

The State of Ohio } Indictment for Retailing
vs
Hurd Lewis } This day come into Open Court Hurd Lewis and acknowledged himself to Owe and Stand indebted unto the State of Ohio in the penal Sum of Two Hundred Dollars to be levied of his goods and chattels lands and tenements if default be made in the Condition following to wit That the said Hurd Lewis be and appear before the Court of Common Pleas of said County of Union in the State of Ohio on the fifth day of the next term thereof to answer unto the State of Ohio in the Penal indictment for selling intoxicating liquors to be drank upon the premises when sold in Violation of law, and then and there abide the Order and Sentence of the Court, and not depart the Court without leave Then this recognizance to be void Otherwise to be and remain in full force & Virtue in law

D & W B Brooks Plaintiffs
against
Sherwood & Hendricks Defendants } Court of Common Pleas Union County Ohio

This day came the Defendants by their Attorneys Randall & Gilbert and moved the Court to discharge the attachment in this case issued against the property of these defendants The motion was argued by Counsel and it was thereupon Ordered & adjudged that the attachment be discharged at the plaintiffs costs with the Exception of the costs made in the taking and filing of the affidavits of G W Harpster - The Citizens of Goshen Twp. Champaign Co, Ohio - of G S Baldwin. W H Rob. W E Baxter & the affidavit signed by A D Whitney & others. The costs made in taking the affidavits last named is adjudged to be paid by defendants & Judgment accordingly It is Ordered that the attached property be returned to defendants

And thereupon the Court adjourned till Tuesday February 11th at O'clock,

J L Monklin

Tuesday February 11th 1868

This day the Court met pursuant to adjournment & present the same Officers as on Friday

Lawson Spain
vs
A. A. Burroughs } This day came the parties & submitted the cause to the Court on a motion to tax the costs made herein

Thereupon the Court being fully advised in the premises do find for the defendants & it is Ordered & adjudged that the plaintiff pay the costs of this proceeding taxed to $ in ten days & in default thereof, that Execution issue therefor

Joseph Miles et als
vs
Henry Spruce } Real Action

This day came the parties by their Attorneys and thereupon this cause came on to be heard upon the motion and affidavit of the defendant for a continuance of said cause to the next term of this Court. Whereupon it is ordered and adjudged by the Court, that this cause be and the same is continued at the costs of the said defendant. Thereupon it is considered and adjudged by the Court that the Plaintiffs recover of the defendants the costs of this term of the Court taxed to $

It is further considered, Ordered and adjudged that the said defendant be and he hereby is Enjoined and restrained from committing waste upon the premises in the plaintiffs petition described, during the pendency of this action

Alexander Snodgrass
vs
John Scraner et als } Partition

This day came the parties and submitted this cause on motion to confirm Appraisement and thereupon the Court do find the proceeding in writ of partition all regular & do confirm & approve the Appraisement & said proceedings and thereupon the same came on to be heard on the Claim of John R. McDowell, Mary Moss, Thomas McDowell Sarah McDowell, Nancy McDowell, Wm. McDowell & George McDowell for improvements made by them and their father Glasco McDowell and for rents received by them since the death of James Snodgrass and thereupon from the Evidence the Court find that the Value of the improvements made on said land by said heirs of said Glasco McDowell is now the sum of Eleven hundred and Ninety Dollars and the whole rent of the said land received by said heirs of Glasco McDowell since the death of James Snodgrass is the sum and of fifty dollars leaving Eight hundred and forty dollars to be paid Out of the proceeds of said land to the said heirs of the said Glasco McDowell dec'd & thereupon on motion of Plaintiffs Counsel it is Ordered & adjudged that an Order of Sale of said premises issue to the Sheriff of this Court commanding him to sell said premises according to law & report his proceedings to this Court at its next term to which time this cause is Continued for report & for distribution of said proceeds and the taxes of A.D. 1867 to be paid Out of said proceeds

Tuesday February 11th 1868

W. W. Woodburn
vs
Isaac O Pyeant

This day came the plaintiff by his Attorney (no one appearing for the defendant, and this cause thereupon coming on for to be heard upon the report of the Sheriff as Special Master Commissioner, on motion of said plaintiff to confirm the sale made by said Sheriff as Special Master And the Court having Examined the proceedings of the Sheriff as such Special Master and the sale by him made pursuant to Order of sale issued in this cause, and the Court being satisfied that said sale has been in all respects made in conformity to law, and that W. W. Woodburn the purchaser at said sale has assigned his interest in the lands and tenements so sold to Leonidas Piper and William L Piper. It is therefore considered ordered and adjudged by the Court that the proceedings and sale of said Sheriff and Special Master, be in all things affirmed and that said Sheriff as such Special Master Execute and deliver to said Leonidas Piper and William L Piper, the assignees of the purchaser at such sale a deed for the lands and tenements so sold, in fee simple, pursuant to the Statute in such case provided, And upon further consideration the Court do find that the plaintiffs claim with interest to the day of sale amounts to $ 1281.93. That the costs $ 24.69 and the taxes for 1867 are $ 11.74, making the sum of $ 1317.66 And that the sale amounts to $ 1200. leaving a balance of $ 117.66 due to the said W. W. Woodburn. It is therefore considered and ordered and adjudged by the Court that said W. W. Woodburn pay the costs of this case, amounting to $ 24.69 and the tax for the year 1867 amounting to $ 11.74. And that Execution be awarded to him for the sum of $ 117.66 the balance found due him as hereinbefore stated

Flora Annette Mills
By her Guardian &c
vs
James Mills Et Als

Partition

This day came on this cause to be heard on the motion to confirm Appraisement &c and thereupon the Court being fully advised in the premises do find the said proceedings & appraisment in all respects regular and lawful and therefore do approve and confirm the same, and thereupon James Mills and Lewis Mills Electing to take the land at the Appraisement & no one objecting thereto it is considered & adjudged that said James Mills & Lewis Mills stand seized of said Forty acres of land and that they pay to the said Flora Annette Mills and Chambers Mills Each their One Eighth of the said appraised value thereof after deducting from the first Payment their share of the costs of this proceeding and that the costs of this proceeding including an attorneys fee of $ 39.37 to Robinson & Robinson be paid by said parties as follows viz 3/8 by James Mills 3/8 by Lewis Mills 1/8 by Flora A Mills & 1/8 by Chambers Mills & in default of Payment for ten days that Execution issue thereon. And the Sheriff is authorized to make a deed to said James & Lewis Mills if they desire it

Abner Powers Plaintiff
vs
C. S. Hamilton Administrator
of Silas G. Strong

Suggestion of Death of Defendant and motion for new parties Defendant

Tuesday February 11th 1868

Trustes of Liberty Church
vs.
The Heirs of Walter Dunn decd Et. Als.

This day came on this cause to be heard on the motion to confirm sale & make deed, and thereupon the Court being fully advised in the premises do find that the said Trustes have made the sale of the Real Estate in the petition described in all respects according to the Order of this Court & according to law, to George Rickard, and that a contract hath been made by them Securing the investment of the purchase money of said lot in Other Real Estate for the purpose of a place of Worship for said Liberty Church

It is therefore considered, Ordered & adjudged by the Court that the said sale be & the same is hereby confirmed & that said Trustes authorized and directed to make to said purchaser a deed in fee simple for said lot in said petition described & that said Trustes pay the costs of this proceeding taxed to ff

Kellon, Bancroft & Co
vs.
E. Hammond & wife

Confirmation of Sale

This day came on this cause for hearing on motion to confirm sale and thereupon the Court being fully advised in the premises do find that the appraisement and all other proceedings of the Sheriff including the sale to Earl N. Bancroft have been regular and lawful, and it is therefore considered Ordered and adjudged by the Court that said sale & proceedings be and the same are hereby confirmed & the Sheriff authorized & required to Execute and deliver to said purchaser a deed in fee simple for said land conveying the entire interest of the defendants therein, & it is further Ordered and adjudged that if any portion of said Judgment after applying said purchase money to the payment of the Costs & debt remain unpaid, that Execution issue therefor as upon Judgments at law

B. W. Miller & Bro
vs.
W. & Pangborn & Co

Motion for new trial
Continued

Wm Beals
vs
Manchester & Hewitt

This day came the parties and the defendants in Open Court confessed that they do owe the Plaintiff as alleged in his petition against them in Plaintiffs petition the Sum of two Hundred and twenty five 78/100 Dollars ($225.78)

Therefore it is considered Ordered and adjudged by the Court that the Plaintiff recover of the defendants said Sum of two Hundred and twenty five 78/100 Dollars & his costs herein Expended taxed to ff

Almira Eaton
vs
Samuel G. Moore

Bastardy

This Cause continued on the Affidavit of the Plaintiff and at her Costs

Tuesday February 11th 1868

T. M. Kimble Plaintiff
vs
P. L. Rice Defendant } This day came the Defendant & made Oath for a Continuance on account of absent Attorney & thereupon it is considered by the Court that this cause stand Continued at the Costs of Defendant, and it is considered that Defendant pay the Costs of this term of Court taxed to $

O. D. Shearon
vs
O. P. Freeman } This day came the parties & settled this case on the terms following, The Defendant is to pay half the Judgment pending by the Justice of the Peace & half the costs made in this case & the Plaintiff remits half the said Judgment & pays half the costs in this case. It is therefore considered, Ordered, and adjudged by the Court that they so pay & in default of the payment of the same by the parties respectively for 30 days, that Execution issue thereon as on Judgments at Law. Suspended

Comfort L. Patton Plaintiff
vs
Roswell Ashbaugh Et Als Defts } In Chancery
Partition

On Motion to the Court by Mr Cole Counsel for Plaintiff, and upon producing the proceedings of the Sheriff and the Sale of the premises by him made in pursuance of a former Order of this Court and the same being Examined, and found by the Court in all respects in due form of law, It is Ordered that said proceedings and Sale be & the same is hereby approved and confirmed and that the said Sheriff Execute & deliver to the said purchaser a deed in fee simple for the lands and tenements so sold by him as aforesaid, And it is further Ordered that the costs and expenses of this suit including an Attorneys fee to C. Block of $38,00 be paid out of the moneys in the hands of the Sheriff in the following proportions to wit Comfort L Patton three fourths parts, Alvin Thompson One Eighth part, and Roswell [Harrison] And Franklin Ashbaughs, Each One [Twenty fourth] part the whole of said costs and Expenses amounting to $
And that the said Sheriff distribute the residue of said moneys and the securities for the deferred payments between said parties in the following proportions to said Comfort L Patton three fourths parts, Alvin Thompson One Eighth part and Roswell [Harrison] And Franklin Ashbaughs Each One [Twenty fourth] part, The amount of Money after paying costs and Expenses being $ and the amount to be divided of deferred payments being $ to be divided into two Equal annual payments with interest
And the said cause coming on further to be heard upon the Answer of said Alvin Thompson, one of the Defendants setting up a claim for taxes paid and improvements made upon the said lot No 1 in Maysville and Plaintiffs replication and testimony offered by both parties, On Consideration whereof the Court do find that the said Thompson did pay taxes and make improvements as set forth in his answer, but the Court find further that said Thompson had the rent of said property long Enough to pay for the rents and profits to pay him for his said expenses and taxes and the Court therefore disallow his said claim except as in payment of said rents and profits

Tuesday February 11th 1868

X1

A B Reed & wife
vs
Mary Ellis et als
} Partition

On motion to the Court by Robinson & Robinson Counsel for Petitioner & on producing the proceedings of the Sheriff and the report of the Commissioners herein before appointed and the same being examined It is Ordered that said proceedings and report be and the same are hereby Confirmed, and that said widow Hannah Endowed of the real Estate set off and assigned to her by said proceedings & that the said Amon Ellis, Permeah S. Ellis John Ellis & Benjamin H. Ellis Stand Seized of the lots assigned to them respectively, and it appearing that the lot of 34 64/100 acres assigned to the remaining heirs cannot be divided amongst them & that the 32 acre lot assigned as Dower cannot be divided amongst all of said heirs of D. C. Ellis, and said Commissioners have appraised the same and neither party Electing to take either of said lots at the appraisement, it is Ordered & adjudged by the Court that an Order of Sale issue to the Sheriff commanding him to advertise and sell said lot of 34 64/100 acres and said 32 acres Subject to said Dower Claim and report his proceedings at the next term of this Court to which time this Cause is Continued

/1

Osea Minnigh
vs
Henry H. Minnigh
} Divorce and Alimony

This day came the parties by their Attorneys, and thereupon this cause came on to be heard, upon the petition of the plaintiff and the Evidence produced by the parties, Plaintiff and defendant, and cos argued by Counsel whereupon the Court do find that the Evidence and proof of the Manage alleged in the plaintiffs petition an insufficient, Wherefore it is Considered and adjudged and decreed by the Court that the said petition of the said plaintiff be and the same is hereby dismissed, and the said Plaintiff is permitted to resume her former name of Osea Marsh, And the Court doth further find by the Consent of the plaintiff and the defendant, that the plaintiff has performed Valuable services for the said defendant as she in her petition hath alleged, It is therefore on the defendants Consent Considered and adjudged and decreed by the Court, that the said plaintiff recover of the said defendant the sum of One thousand Dollars for and in consideration of the services rendered as aforesaid, to be paid as follows to wit three hundred Dollars down or as soon as she leave the defendants premises on which she now resides lives, One hundred of which three hundred Dollars is to be paid to D. W. Robinson for advancing & Expenses and his fee in this proceeding — two hundred Dollars in four months from date, One hundred Dollars in One year — One hundred Dollars in two years, One hundred Dollars in three years, One hundred Dollars in four years & One hundred Dollars in five years — the last five payments on interest — payable annually and not to be transferable by the plaintiff

The two former decrees for Alimony pending suit are hereby set aside Except so far as payment to have been made thereon. The plaintiff to take none of the Defendants property when she leaves. The Court by like consent of the defendant doth Order and adjudge that the defendant pay the Costs of this proceeding taxed to $ in thirty days or in default thereof that Execution issue therefor as on Judgments at law. It is by like Consent of the defendant Ordered and adjudged that said several sums of Money be and remain a lien on his farm in Washington Township Linn County on which he now resides until they are severally paid or until he shall Secure the same by Mortgage on said farm

Thursday February 11th 1868

And failing to pay Either Sum when due shall Entitle the plaintiff to any Order of Sale after ten days default. It is further Ordered & decreed that the injunction heretofore allowed be and the same is hereby dissolved & held for nought

Robert Lewis Plaintiff
Against
Alf Scott, Lydia E Scott
Wesley Abrams, I & M. Abrams
Isaac Ham & B F McAllister Defendants

Petition on
Note & Mort &c

This day Comes the said Robert Lewis by Reid, Caudell & Gilbert his Attys and the said Alf Scott, Lydia E Scott, Wesley Abrams, I & M. Abrams Isaac Ham and B F McAllister, or any of them Still failing to Answer or demur to said petition - it is Considered that the said Plaintiff ought to recover the Amount due him, by reason of the premises, and the Court with the Consent of the said Plaintiff find that there is due from the said defendant Alf. Scott to the said Plaintiff on the Note in the said petition Set forth, the Sum of Six hundred and Thirty and 80/100 ($632.80) Dollars & that the same is a prior lien upon the premises described in plaintiffs petition, It is therefore considered by the said Court that the said Plaintiff recover of the said defendant Alf Scott the said Sum of Six hundred and thirty two & 80/100 dollars the Sum so found due as aforesaid also his Costs taxed to $ And it is further Ordered and adjudged that in case the said Defendants fail for ten days from the close of Term of this Court to pay the said Plaintiff the said Sum of Six hundred & thirty two & Eighty One hundredths Dollars so as aforesaid found due with Costs of Suit, an Order issue to the Sheriff of said County commanding him to cause the said lands and tenements in said petition described to wit a Situate in said County of Union and described as follows, Situated in the Virginia Military district County of Union and State of Ohio Part of Survey No 3694 Beginning at a large Stone in the Original west line of the Survey and North West Corner to Dan'l & W Pitts land S 8 1/2 E 99 1/10 poles to a Stone with brick bats and pieces of Rock and dirt S. W. Corner of Jo M Clays land and in the Grafton road, thence North with said road and west line of said Clays land N 7° E 177 Poles to a Stake in the Center of Bokes Creek, thence up the Creek with the Meandus N 45 1/4 W 13 Poles, thence South 71 1/4 Poles West 6 4/10 thence S 17 W 25 4 Poles, thence S 70 1/4 W 9 2/10 Poles, to the line Corner of a lot owned by Dan'l Gordon, thence with the East line S 4 1/4 W 12 1/10 Poles to a Stone and pieces of a Stone rock in the State road from Delaware to Bellfontaine, thence with said road N 84 3/4 W 53 2/10 Poles to a Stone & pieces of a Stone rock under it and in the East line of B L Connell thence with said line S 7 W 9 4/10 Poles to a Stone & pieces of Stone rock 12 feet South of Connells South line thence S 84 1/4 W 14 6/10 Poles to a Stone and pieces of Stone rock and in the Original West line of said Survey No 3694 thence with said line S 7 1/4° W 125 6/10 Poles to the Beginning Containing Eighty nine acres & 50 poles more or less - to be appraised and sold according to law and apply the proceeds of said Sale in Satisfaction of said judgment so as aforesaid rendered

Tuesday February 11th 1868

The State of Ohio
vs
Samuel Crow
} Indictment for Rape

This day Came as well the prosecuting Attorney as the Defendant in his own proper person and by Counsel whereupon the prosecuting Attorney with the leave of the Court Enters a Nolle prosequi to said Indictment Wherefore it is Considered that the defendant go hence without day

Thomas G. Miller Executor of the last Will and testament of Calvin Elmon deceased Plaintiff
against
John Elmon and Elizabeth T. Elmon his wife, Wesley Abrahams and Harriett Abrahams his wife, and Andrew D. Smith Calvin Richards & Joseph Richards Defendants
} Court of Common Pleas Union County Ohio
Journal Entry

And now Comes the said Thomas G. Miller Executor of the last will and testament of Calvin Elmon deceased plaintiff by Long and Lipsey his Attorneys, and the said John Elmon and Elizabeth T. Elmon his wife Wesley Abrahams and Harriett Abrahams his wife and Andrew D Smith Still failing to demur or Answer to the said petition this Cause Came on to be heard upon the petition and Exhibits of the plaintiff & upon the Answer of Calvin Richards and was argued by Counsel and the Court being fully advised in the premises it is Considered by the Court that the said plaintiff Ought to recover on the note described in his said petition the amount claimed by reason of the premises from the said defendant John Elmon and the Court finds there is due from the said defendant John Elmon to the said plaintiff on the note in said petition set for the the sum of six hundred and thirty One dollars (631) and twenty two cents (22) It is therefore Considered by the Court that the said Plaintiff Thomas G Miller Executor of the last will and testament of Calvin Elmon deceased recover of the said defendant John Elmon the said sum of six hundred and thirty one dollars and twenty two cents the sum so found due as aforesaid and also his Costs taxed at $ And it is further Ordered and adjudged that in Case the said defendant fails to pay in ten days from the close of this term of Court to pay to the said plaintiff the said sum of six hundred and thirty One dollars and twenty two cents as aforesaid found due with the Costs of suit an Order issue to the Sheriff of said County commanding him to Cause the lands and tenements in said petition described, Except 25 acres of the same which has been sold to Calvin and Joseph Richards to-wit Situate in the County of Union and State of Ohio, being that part of Survey No. Six thousand One hundred and ninety nine (6199) of the Virginia Military lands Deeded to the said defendant John Elmon by John Canada and Barshuba Canada wife of the said J. Canada Containing One hundred and seventy nine acres of land (Except so much of said One hundred and seventy nine acres as was sold to said Calvin and Joseph Richards being that part or portion of said farm consisting of about twenty five acres lying and situate west of the road called the Williamsburg road running through said farm,) The premises shall by Order to be sold being that portion of the said premises described in said petition sold by said John Elmon and wife to said Wesley

Tuesday February 11th 1868

abrahams and situate East of said pond to be appraised advertised and sold according to law, and apply the proceeds of said sale in Satisfaction of the said Judgment &c as aforesaid rendered and that Execution issue for the balance

C S Hamilton Administrator of the Estate of D D Welsh deceased
V.S.
R A Shadrick and M A Shadrick his wife

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Report of D. B. M'Gulpley Sheriff and Special Master On file herein, And was argued by Counsel. On Consideration whereof the Court do find the Proceedings of said Sheriff and Special Master, And the Sale by him made of the lands and tenements in the petition mentioned And described, to be in all respects in due form of law Therefore it is Ordered, adjudged, And decreed That the proceedings and Sale of said Sheriff and Special Master be and they are in all things confirmed, And that the said Master, Execute and deliver to the purchaser, a deed of the lands and tenements aforesaid in fee simple pursuant to the Statute in such case made and provided

This day came again the parties by their Attorneys And this cause thereupon came on to be heard upon the

All Matters causes & Motions now pending in this Court not otherwise disposed of are continued till next term

And Thereupon the Court adjourned without day

J. L. Mourklin

Monday May 4th 1868 The Court of Common Pleas for the County of Union in the State of Ohio met this morning at ten Oclock in pursuance of law. — Present Jacob S. Conklin Presiding Judge. James B. Whelpley Sheriff John L. Porter Prosecuting Attorney & Taber Randale Clerk

This day the Jurors of the Grand Jury being called Came to wit. A.G. Brooks P.L. Coe Peter Winegar Israel Carter Luther Turner. Z.C. Porter. S.N.R. Young W.H. Andrews Ingham Wood. John Sidle N.S. Bennett John Elliott. J.M. Body regular Jurors and James Reed & Robt Graham tales Jurors. And the Court appointed A.G. Brooks Foreman - And the Grand Jury being duly empannelled & Sworn were charged by the Court and retired to their room to deliberate under the charge of a Sworn Constable

X	(5)	B. W. Miller vs Orlando Wells	Continued under former Order.
X	1/2	Fallington Garwood & Co. vs Michael Davis	Continued
X	2 1/2	Albert Galloway vs Harmon Patch	Continued
X	2 3/4	J.C. Hanover et al vs Wharry. Body & Spafford	Contd.
X	3	Cyrus Albin vs Samantha C. Pugh et al	Continued
X	X	Davis Mulford vs Wm Stithem	Continued
X	3 3/4	Wm Parthemore vs American Ex. Co.	Continued
X	3 7/8	Frances Thompson vs Hylas Sabin	Contd.
X	4 1/2	J.W.B. Reed & wife vs Mary Susan Ellis	This day came Solomon & Lydia Ruling & David Corder & wife And moved the Court to Set aside the Order of Sale Heretofore Made And the Order Confirming the proceedings of the Commissioners Heretofore Made And thereupon the Court being fully advised in the premises do Hereby Set aside said Orders And do Order that another writ of partition issue to said Sheriff Commanding him to assign dower and Make Partition of said lands in the Same manner as Heretofore Ordered by the Oaths of the Same freeholders as Heretofore Named and return his proceedings forthwith
X		Mastell Dockum vs Harriett E. Dockum	Continued

Monday May 4th 1868

Robenson & Robinson
vs
William Rightlinger et al. } This day came the Parties and Submitted this Cause to the Court & thereupon the Court being fully advised in the premises do find for the Plaintiffs, And that there is due them from Wm Rightlinger as in their petition alleged the Sum of Two hundred and fifty five dollars which is a Mortgage lien on the land in said petition described, It is therefore Considered Ordered and adjudged by the Court that the said Plaintiffs Recover of said defendant Wm Rightlinger said Sum of Two hundred and Fifty Five Dollars and their Costs herein Expended taxed to $ And it is further Ordered That if said defendant fail for ten days to pay said judgment then an Order of Sale issue Commanding the Sheriff to Sell said land according to law to satisfy said judgment

David Harrington Et. al. Plaintiffs
vs
Benjamin F. Shryock
Eliza Shryock Defendants } Partition
In Com. Pleas
Union County

This Cause came on to be heard upon the petition &c of the Plaintiff, the Defendants failing to appear or make answer, On Consideration whereof It is Ordered that by the Oaths of David Hosack Levi Ray and James Henderson, the first Equal One third part of the lands in said petition be assigned and set off to the said Sophia Harrington (late Sophia Perkins) as the Widow of Amos Perkins dec'd, As her Dower, and that by the like Oaths of David Hosack, Levi Ray and James Henderson, Partition be made of said lands subject to said Dower in the following proportions to-wit, To Dorcas Harrington three Equal fourth Parts as a life Estate to the said Eliza Shryock One Equal fourth part, The fee Simple of said One fourth to vest in the said David Harrington after the termination of the said life Estate in the said Eliza Shryock, It is further Ordered that a writ of Partition issue to the Sheriff of said County, Commanding him to Cause said Dower to be assigned, and said Partition to be made accordingly returnable to the present term of this Court

Richard Gabriel }
Wm " Gabriel Et Als } Partition
Com Pleas Union Co.

This day On Motion to the Court by L. P. Jeffers Counsel for the Petitioner and upon proceeding the proceedings of the Sheriff and the Sale of the premises by him made in pursuance of a former Order of the Court, And the same being Examined and found by the Court in all respects in due form of law, It is Ordered that said Proceedings and Sale be and the same are hereby approved and confirmed And that the said Sheriff Execute and deliver to the said Purchaser a deed in fee Simple for said lands and tenements by him sold as aforesaid

And it is is further Ordered that the costs and Expenses of this suit be paid Out of said Monys in the hands of the Sheriff in the following proportions to wit- John P Gabriel John Gabriel Sen Gabriel of Milford Centre Union Co. O. Joseph Gabriel and Vivian (Gabriel) of Stewarts P.O. Crawford Co. Wisconsin, Mary Sellings wife of — Sellings of Bellfontaine Logan Co. O. John Sellers, Thomas Sellers and Hannah Sellers of Lewis Centre Delaware Co. Ohio One fifteenth (being $4.49) each, the Heirs of Josiah Gabriel deceased (names unknown) of Stateline P.O. Washington Co. Maryland and Richard Gabriel of Milford Centre Union Co. O. One fifth being thirteen and 47/100 Dollars ($13.47) Each, Amounting to Sixty Seven 37/100 Dollars And that the said Sheriff distribute the residue of said Monys to & among the said Parties in the following proportions to-wit, To John P Gabriel, John Gabriel, William Gabriel, Hiram Gabriel, Joseph Gabriel, Mary Sellings, John Sellers Thomas Sellers and Hannah Selling aforesaid fifteen and 84 3/100 Dollars Each, Richard Gabriel One fifth, being forty Seven 52/100 Dollars and the Heirs of Josiah Gabriel One fifth, being forty Seven and 52/100 Dollars ($47 52/100)

And thereupon the Court adjourned till to-morrow morning at nine O'clock

Tuesday Morning May 5th 1868

This day the Court met Pursuant to adjournment present the Same Officers as on Yesterday

Emma E. Bigelow Plff
Against
Lebbeus D Bigelow Deft } Court of Com. Pleas Union County Ohio

This cause came on to be heard upon the petition and testimony and was argued by Counsel And the Court being fully advised in the premises do find that the defendant has been properly notified of the pendency of this petition, the Court do further find from the testimony that the defendant has been guilty of Gross neglect of duty and of Extreme cruelty towards plaintiff as alleged in the petition, It is therefore Ordered, adjudged and decreed by the Court, that the marriage contract heretofore Existing between Plaintiff and Defendant be and the Same is hereby dissolved and both said parties released from the Obligations of the Same, It is further Ordered that the Plaintiff have the Sole control and Custody Nurture and Education of the Minor Children mentioned in the petition, It is further Ordered by the Court with the Consent And by the agreement of the parties, that there be allowed as alimony out of the Defendants real Estate in fee Simple Lot No 2 and 3 in the Village of Pleasant Valley in Madison County Ohio together with the Steam Saw Mill and Machinery thereto belonging and that the Same shall be in full of all alimony to be allowed in this Case And in Lieu of any and all dower interest which the Plaintiff may now have now or hereafter in the Estate of the Defendant, It is further Ordered that the Defendant be forever Enjoined from interfering with the Custody of said Minor Children, And Occupancy, Ownership or transfer of said real Estate

It is further Ordered that the Defendant pay the costs of this suit and within three days And in default thereof, that Execution issue therefor as upon judgments at law —

Tuesday May 5th 1868

Lewis H. Green
vs.
Wm M. Robinson

This day came on this cause to be heard on the demurrer of Plaintiff to the defendants answer, & thereupon the Court being fully advised in the premises do Sustain said demurrer to which ruling of the Court defendant Excepts, On motion of Defendants Counsel the Defendant has leave to Amend his answer by tuesday of next week

John Haskel & Others
vs.
Hiram McIlvain

This day came on this cause on motion of Defendants Counsel for leave to withdraw his answer and file a General demurrer, & thereupon the Court being fully advised in the premises, Overruled the motion to which ruling the Defendant Excepts And thereupon defendant asked and obtained leave to Amend his Answer by Saturday of this week

Morgan Savage
vs.
S. G. Severn & Others Trustees &c

This day came the parties and Submitted this cause to the Court on motion by Plaintiffs Counsel, And thereupon the Court being fully advised in the premises do Order that Defendants State in their answer, whether said arbitration was in writing and as to all other matters the said motion is Overruled, Defendants have leave to amend by Saturday of this week

D. W. Robinson
vs.
O. Wells

This day came the plaintiff but the Defendant came not but made default and thereupon this cause was Submitted to the Court, neither party demanding a jury and the Court being fully advised in the premises find that is due the said plaintiff from the said defendant the Sum of $593. as alleged in his petition, It is therefore Considered, Ordered, and adjudged by the Court that said Plaintiff recover of the said defendant said Sum of Five hundred and ninety three Dollars with his costs herein Expended taxed to $

D. H. Henderson
vs.
The Village of Marysville

This day came on this cause to be heard on the motion to dismiss the Petition for want of proper Verification, & thereupon on motion of Plaintiff leave was Granted him to Amend by making proper Verification at Plaintiffs costs

Rebecca A. Baldwin
vs.
Hiram McIlvain

Costs paid and Cause dismissed

Tuesday May 5th 1868

/ + George B. Hamilton &
Others &c. Plaintiffs
vs
P. Manchester S. M. Hewit &
W. H. H. Titus Defendants

This day this cause came on to be heard on the Petition of the Plaintiffs filed by their Attorney On L. Leonard against the Defendants P. Manchester S. M. Hewit & W. H. H. Titus and Thereupon Leonidas Pike One of the Attorneys of this Court appeared in Open Court in behalf of the said defendants, and by Virtue of a Warrant of Attorney for that purpose Executed by the said defendants and now produced in Open Court and duly proved, filed his Answer for said defendants and waived the issuing and Service of process and acknowledged that the said P. Manchester S. M. Hewit and W. H. H. Titus were indebted to said Plaintiffs as they had alleged in their Petition, And Confessed that there was due to the Plaintiffs from said Defendants the Sum of Five Hundred and Thirty two $\frac{75}{100}$ Dollars with interest from Feby 9th 1868 making now the full Sum of Five Hundred and Forty $\frac{38}{100}$ Dollars ($540.38) Thereupon it is Considered, Ordered and adjudged by the Court that the said George B. Hamilton and Others Plaintiffs recover of the said P. Manchester, S. M. Hewit and W. H. H. Titus defendants the said Sum of Five Hundred and Forty $\frac{38}{100}$ Dollars their debt so confessed as aforesaid And also their Costs in this behalf Expended taxed at $ And by Virtue of the same Warrant of Attorney all Error is released, And all rights and benefit of Appeal waived by the said defendants

$540 38

X L. P. McDowell
vs
William Cole and wife

This day came the Plaintiff by his Attorney and this cause came on to be heard upon the report of the Sheriff and Special Master; On Consideration whereof the Court do find the proceedings of said Sheriff as such Special Master commissioner, and the Sale by him made of the tenements in the Petition and Order of Sale mentioned, to be in all respects in due form of law. It is therefore Considered, Ordered, adjudged & decreed that the proceedings and Sale of said Sheriff and Special Master be in all respects Confirmed, And that said Sheriff as such Special Master Execute and deliver to said Purchaser a deed of the tenements aforesaid in Fee Simple, Pursuant to the Statute in such Case made and provided And the Plaintiff in this Case being the Purchaser it is Ordered that of the proceeds of said Sale, the said Sheriff after deducting Plaintiffs Claim and interest Amounting to $420.48. Pay the balance as follows 1st the Costs of this Suit and Sale amounting to $25.46. 2d The taxes on said lands for 1867 in the Sum of $ 258 And that he apply the balance in his hands Amounting to $ 3264 in Payment of a judgment in favor of R. W. Thompson & Co. vs Said William Cole Ol Execution Docket of this Court by transcript from Docket of John Cassil J.P.

This day on Motion It is Ordered by the Court that James B. Whipley William C. Malin & Robert Welsh be and the same are hereby severally appointed Auctioneers for the County of Union upon each paying to the Treasurer of said County the Sum of ten dollars and qualifying according to Law

Tuesday May 5th 1868

The First National Bank of Circleville : Plaintiff
against
Oscar Ormsbee Defendant
} Judgment by Confession $1300.22

And now comes the said First National Bank of Circleville by H. F. Shurtleff its Attorney and files its Petition against the said Oscar Ormsbee and thereupon John L. Porter One of the Attorneys of this Court appeared in Open Court in behalf of the said Oscar Ormsbee and by virtue of a Warrant of Attorney for that purpose Executed and now produced to the Court and duly proved waived the issuing and Service of Process and Confessed that the said Oscar Ormsbee does owe to the said Plaintiff the said sum of $1300, as the said Plaintiff in its Petition has set forth together with the sum of 22 cents interest thereon, It is therefore Considered That the said First National Bank of Circleville do recover of the said Oscar Ormsbee the said Sum of $1300.22/100 So Confessed to be due And also its Costs in this behalf Expended taxed to $ And by virtue of the said Warrant of Attorney All Error is Released and all right of Appeal by the said Oscar Ormsbee

Elizabeth Jones et.al.
vs.
Orrin Beam
} Proceedings under the Occupying Claimant Law.

This day came the Parties and by agreement Consented that for the taxes Paid and the improvements made on said land after deducting damages for waste committed thereon there is justly due from said Plaintiff to said defendant the Sum of One hundred and fifty Dollars. It is therefore Considered Ordered and adjudged by the Court That the said Orrin Beam recover of said Elizabeth Jones and Others Plaintiffs said Sum of One hundred and fifty Dollars upon the release by said Beam of his said Claim for taxes and improvements and that in default for ten days of Payment that Execution issue therefor as upon judgments at Law

This day the Grand Jury appeared at the Bar of this Court and presented their Bill of Indictment against Otis Millington for Petit Larceny endorsed "A True Bill Archibald G. Brooks Foreman of the Grand Jury and also their other Bill of Indictment against Henry Marshall for Selling Intoxicating liquors to be drank on the premises where Sold in Violation of law endorsed A True Bill Archibald G. Brooks Foreman of the Grand Jury And also their Report And there being no further business before them the Grand Jury were discharged by the Court

Tuesday May 5th A.D. 1868

505

John J. Davis & Edward D. Leach Partners in
Busines under the firm name of Davis & Leach
vs
Joseph Price Eliza Ann Price & Jesse Chapman } And now comes the plaintiffs Davis & Leach by Porter & Sterling their Attys. and the said Joseph Price Eliza Ann Price & Jesse Chapman still failing to Answer or demur to the said petition. it is considered that the said plaintiffs ought to recover the amount due them by reason of the premisez. And the Court with the consent of the said plaintiffs find that there is due from the said defendantz to the said plaintiffs on the note in the said petition set forth the Sum of $207.83 It is therefore considered Ordered & adjudged by the Court here that the said plaintiffs recover of the said defendantz the said Sum of $207.83 the Sum so found due as aforesaid and also their costs in this behalf expended taxed to $ And it is further Ordered & adjudged by the Court that in case the said defendant fails for ten days from this date to pay to the said plaintiffs said Sum of $207.83 so as aforesaid found due with costs of Suit an Order issue to the Sheriff of said County of Union commanding him to cause the said landz & tenements in said petition described to be Appraised advertised & Sold according to law and Apply the proceedz of said ~~said~~ Sale in Satisfaction of the said judgement and costz so as aforesaid rendered. And if the land does not satisfy this judgement then Execution ispue for the residue

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Alexander Snodgrass } Partition
vs
John Reames Et als } This day came the parties and Submitted this cause to the Court on the motion to Confirm Sale and distribute proceeds - Whereupon the Court being fully advised in the premises do approve and confirm said Sale and proceedings of the Sheriff and Order him to Execute and deliver to the said Purchasers of the premises in said petition described a deed in fee simple upon his securing the deferred payments according to law; And it is further ordered and adjudged that out of the proceeds of said Sale the Sheriff first pay the costs of this proceeding including an Attorney Fee of $150. to be paid the two thirds to Robinson and Robinson and One third to E. Bloch 2d That he pay the Amount of the taxes on said land for the year 1867 together with the Sum of $840. allowed to the heirs of Glasco McDowell decd for improvements after deducting rents - 3d That the balance of the proceeds of the payment made in hand be paid to the respective parties in the proportion in which said land was Ordered to be divided and that the deferred payments be secured to the said several parties in the same proportions And it appearing that John Snodgrass one of the heirs of Polly Snodgrass decd, hath released his interest in said premises to the heirs of Glasco McDowell decd, Since said Order was made it is Ordered that his Share of the proceeds of said Sale be paid to the heirs of Glasco McDowell decd,

503

U. F. Hills Plaintiff
Against
John Rathbun & Lee Wentz
late Partners as Rathbun & Wentz Defendants } And now Comes the said U. F. Hills and the said Rathbun and Wentz having failed to demur or Answer to the petition of the said U. F. Hills, it is considered and adjudged that the said U. F. Hills ought to recover the Sum of $541.17. It is therefore Considered that the said Plaintiff recover of the said defendants the said Sum of $541.17 And his Costs in said suit taxed at $

Tuesday May 5th 1868

Samson Thos A Burnham
vs.
A.F. Wilkins Adm. D.C. & Others

This day came the Plaintiff but defendants came not but made default and thereupon this cause was submitted to the Court, Whereupon the Court being fully advised in the premises finds that Plaintiff from defendants on the Notes mentioned in said Petition the Sum of $ 555.87, And that A.F. Wilkins is Administrator of the Estate of Lebb Wood dec'd, who was the principal debtor and said Joseph E Wood and Michael L Wood his Sureties. It is therefore Considered, Ordered and adjudged by the Court that said Plaintiff recover of said defendants, said Sum of Five hundred and fifty Eight & 87/100 Dollars and Costs herein Expended taxed at $ and by agreement No Execution is to issue against the said Sureties until the dividend of Twenty five per Cent from the Estate of Lebb Wood dec'd, is paid by said Adm'r.

$555.87

Seth C. Jenkins
vs.
A.F. Johnson, Harrison Washburn
D. E. Taylor

This day came the Plaintiff but defendants make default and thereupon this Cause was submitted to the Court, And thereupon the Court being fully advised in the premises do find the allegations of the said Petition to be true and find there is due Plaintiff from said defendants the Sum of $ 399.50 It is therefore Considered, Ordered and adjudged by the Court that said Plaintiff recover of said defendants said Sum of three hundred and ninety nine & 50/100 Dollars with the Costs of this proceeding taxed at $ And that Execution be awarded against said Johnson and Washburn as principal debtors and said Taylor as Guarantor

$399.50

John H. Tibbatts Plaintiff
Against
David Watson Defendant

Court of Common Pleas
Union County

And now comes the said John H. Tibbatts by his Attys Porter and Sterling and the said David Watson still failing to Demur or Answer to the said Petition it is considered that the said Plaintiff ought to recover the amount due him by reason of the premises, And the Court with the Consent of the said Plaintiff do find that there is due on the note in the said Petition set forth the Sum of $ 795.98 It is therefore Considered Ordered and adjudged by the said Court that the said Plaintiff recover of the said Defendant the said Sum of $ 795.98, the Sum so found due as aforesaid and also his Costs taxed at $ And it is further Ordered and adjudged that in case the said defendant fail in three days from this date to pay to the said Plaintiff the said Sum of $ 795.98 so as aforesaid found due with the Costs of Suit, An Order issue to the Sheriff of said County Commanding him to cause the said lands and tenements in said Petition described to be appraised advertised and sold according to law, And apply the proceeds of said Sale in satisfaction of the said Judgment so as aforesaid rendered, And the residue of the Money after paying said debt be brought into Court subject to the further Order of Court

Tuesday May 5th 1868

503

Henry L Dibble Dansing C. Moore, Jacob P. Boyston
George C Moore and John C Dibble Plaintiffs
doing business under the firm name Dibble, Moore & Co.
Against
William Cartmell and John Weedman former Partners
under the name of Cartmell & Weedman Defendants

And now Comes the said Dibble Moore & Co, and the said Cartmell & Weedman having failed to demur Or Answer to the Petition of the said Dibble Moore & Co. It is Considered that the said Plaintiffs Ought to recover the said Sum of $745.71, So demanded in their petition together with their Costs taxed to $ It is therefore Considered, Ordered and adjudged That the said Plaintiffs recover of the said Defendants the Sum of $745,71, and the Costs taxed as aforesaid

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James M. Westwater & W. Westwater
under the firm name of J. M. & W. Westwater Plaintiffs
Against
Matilda S. Danforth Defendant

And now Comes the Plaintiffs J M and W. Westwater and the said Matilda S. Danforth having failed to demur Or Answer to the Petition of the Plaintiffs, It is Considered That the Plaintiffs Ought to recover of the said defendant the said Sum of $ 134.75 It is therefore Considered Ordered and adjudged that the said Plaintiffs do recover of the said defendant the said Sum of $ 134.75 So as aforesaid assessed and their Costs in said Suit taxed to $

And thereupon the Court adjourned until the 18th day of May 1868 at 10 oclock A. M.

J. L. Conklin

Monday May 18. 1868

Monday May 18th 1868 this Morning the Court of Commin Pleas met at 10 oclock pursuant to Adjournment — prisent the Same officers as on the Tuesday May 5th 1868

460 H. B. Reed & Wife
vs
Mary Louisa Ellis & others

This cause came on to be heard on the Motion to confirm the Asignment of Dower & the partition made by the Commissioners on the Order issued during this Term of Court Whereupon the Court being fully advised in the premises do find the said proceedings all in conformity with law and therefore do confirm & approve the same And it is further Ordered that the said Mary Louisa Ellis be & remain endowed of the 32 acres of land asigned to her & that each of the said heirs of David Ellis decd hold in Severally the part of said land in the petition described which was asigned to & set off to them respectively in the Report & plat filed by the Sheriff & said Commissioners in partition & that the said 32 acres asigned as dower remain undivided until the death of said widow

It is further Ordered that the costs & expenses of these proceedings including an Attorney fee of $50. to Robinson & Robinson be paid by the nine heirs of David Ellis decd in said petition mentioned in equal proportions & the said Ninth of said costs & expenses is hereby made a lien on each one of the said lots asigned to said heirs respectively & in default of payment by either for ten days an Order of Sale issue commanding the Sheriff to Appraise advertise & Sell the lot of such party in default to pay his Share of said Costs and expenses

Jesse of Samuel Stokely VS John Williams Cont'd

Edward McQuaid VS Ruth Smith Cont'd under former Order

Peter Mummay
vs
Nancy Mummay

Continued

And thereupon the Court adjourned until tomorrow morning at 9 oclock

J. L. Conklin

Tuesday May 19th A.D. 1868

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

Andrew J. Freeman Plaintiff
against
Charles E. Freeman Kate Freeman
and Others Defendants

Court of Common Pleas of Union County Ohio

It appearing to the Court that on the day of December 1867 Cornelius S. Hamilton (who as Administrator of the Estate of David D. Welsh dec'd was a party defendant in the case) departed this life, Suggestion of that event is Ordered to be entered of record & it further appearing that Mrs. Mary E. Welsh one of said defendants has since then been appointed Administrator de bonis non of the Estate of said David D. Welsh, & is qualified as such — It is Ordered that said Mary E. Welsh as such Admx de bonis non be made party defendant hereto

Nicholas Belveal
vs
Samuel McAllister et als

Ejectment
Continued by agreement.

Joseph M. Cramer
vs
Samuel Scott et als

Leave to file Reply in sixty days and Continued

Peter L. Mayo vs John Mayo et als — Continued under former Order

Jacob S. Newcomb
vs
J. C. Hanover & Wm Deihl

Continued

And thereupon the Court adjourned until tomorrow morning at 8 oclock

J. L. Conklin

Wednesday May 20th 1868

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

123 The State of Ohio vs Alexander Maize } Assault & Battery.

This day the defendant Alexander Maize being again before the Court and having nothing further to say why Sentence Should not be passed upon him— It is therfore considered Ordered and Adjudged by the Court that the Said Alexander Maize be imprisoned in the dungeon of this County and be fed on bread & water only for the Term of two days & that he pay the Costs of prosecution taxed at $
Time May 20, 1868 at 11 oclock A.M.

140 The State of Ohio vs John Finley } Retailing

This day came into Open Court John Finley and acknowledged himself to owe & Stand indebted unto the State of Ohio in the penal Sum of One hundred dollars to be levied upon his goods & Chattels lands & tenements if default be made in the following condition which is that the Said John Finley Shall be & appear before the Court of Common Pleas for the Said County of Union on the fifth day of the next Term thereof to Answer unto an Indictment against him in Said Court pending for Selling intoxicating Liquors to be drank upon the premises where Sold in violation of Law and then & there abide the Sentence & Order of the Court & not depart the Court without leave then this Recognisance to be void Otherwise to remain in full force & virtue in Law.

143 The State of Ohio vs Henry Marshall } Retailing.

This day the defendant being arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stands charged in Said Indictment— And thereupon this cause was Continued for Sentence

143 The State of Ohio vs Henry Marshall } Retailing

This day came into Open Court Henry Marshall and acknowledged himself to owe & Stand indebted to the State of Ohio in the Sum of one hundred dollars to be levied of his goods & Chattels lands & tenements if default be made in the following Condition to wit that the Said Henry Marshall Shall be & appear before the Court of Common Pleas for Said County of Union on the fifth day of the next Term thereof to Answer unto an Indictment against him in Said Court pending for Selling Intoxicating Liquors to be dank on the premises where Sold in Violation

47

48

418

142

Wednesday May 20th 1868

of Law and abide the Sentence & Order of Said Court & not depart the Court without leave then this Recognisance to be void otherwise to remain in full force

47 The State of Ohio vs John Powers — Retailing

This day the defendant being again before the Court and having nothing further to say Why Sentence Should not be pronounced upon him — It is therefor Considered Ordered & adjudged by the Court that the Said defendant John Powers make his fine unto the State of Ohio in the Sum of ten dollars & that he pay the costs of prosecution — And it further Ordered that he Stand committed until Said fine and costs are fully paid

48 The State of Ohio vs John Powers — Retailing

This day the defendant being again before the Court having nothing further to Say why Sentence Should not be pronounced upon him. It is therefore Considered Ordered & adjudged by the Court that Said defendant John Powers make his fine unto the State of Ohio in the Sum of ten dollars & that he pay the costs of prosecution — And it is further Ordered that he Stand Committed until Said fine and costs are fully paid

418 Almira Eaton vs Samuel C. Moore — Bastardy

This day came the parties and thereupon came a jury to wit, Bolivar Hays, W. F. Pennington, Templeton Leggitt Jr., A. Dunborrow A. G. Boring, Joseph Morse A. J. Furgason C. Low, Michael Togle Regular jurors & J. H. Clement, Robert Graham & Moses Coe tales jurors who being duly empannuled & Sworn the truth to Speak upon the issue joined between the parties upon their oaths do say the defendant is guilty in manner and form as he Stands charged in Said Complaint — And thereupon the defendant made a Motion for a new trial

142 The State of Ohio vs Otis Millington — Petit Larceny.

This day the defendant Otis Millington being Arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea. Says he is not guilty in manner & form as he Stands charged in Said Indictment

And thereupon the Court adjourned until tommarow morning at eight Oclock

Thursday May 21st 1868

Thursday May 21st 1868 This morning the Court met pursuant to adjournment present the Same officers as on yesterday

230 Jonathan Field
vs
Robert Field
Partition in Chancery.

This Cause came on to be heard on petition Answer & evidence Whereupon the Court do find that the defendant hath made valuable improvements on said lands & advanced Considerable Sums in payment of the taxes thereon & the value of said improvements and the Sums so advanced amount to four hundred & fifty dollars in excess of deductions for the use of the Same, and that the plaintiff is entitled to partition.

It is therefore considered & adjuged that a writ of partition issue to the Sheriff of this County Commanding him by the oaths of John Cheny David R. White and John Gray three disinterested freeholders of the vicinity that he make partition of said lands assigning to the plaintiff of said lands a quantity which shall be in value $257.14 less than the four Sevenths of the said lands & to the defendant the balance of said lands to wit. a quantity in value $257.14 in excess of the three Sevenths of said lands. And that he return his proceedings to the next term of this Court. And thereupon the plaintiff gave Notice of Appeal & the Court fix the bond for appeal at $100

Andrew Harris & others
vs
470 David Cook & others
This Cause was Submitted to the Court on the motion of the defendant to Strike the amended petition from the files & On the motion of plaintiff for leave to file the Same if the former leave to file Amended petition be held insufficient to admit of an amendment adding parties - Whereupon the Court Overrule the Motion to Strike the petition from the files and grant leave to Amend by adding Mrs Harris as one of the plaintiffs and leave is given to defendant to answer by day after tomorrow morning

The State of Ohio
vs
142 Otis Millington
Petit Larceny

This day came the parties by their Attorneys the said defendant being in person before the Court and thereupon came a jury to wit. Bolivar Hays. W. F. H. Pennington Templeton Leggett D. W. A. Dunbarron. A. G. Boring, Joseph Morse, A. G. Ferguson D. Low. Michael Foltz Regular Sworn and D. G. Crop, Wm Spack David Cook and L. McAndrews Tales Jurors, who being duly Empannelled and Sworn the truth to Speak upon the issue joined between the parties upon their oaths say that the defendant is guilty in manner and form as he Stands charged in said indictment. And thereupon the prisoner was remanded to the Custody of the Sheriff to await his Sentence

X
X

John Finley
vs
John Adams

On motion of defendant leave is granted to the defendant to file an amended answer, and thereupon this cause was and on the rule Continued at the Costs of this term against the defendant

And thereupon the Court adjourned until tomorrow morning at eight Oclock

Friday May 22d 1868 This morning the Court met pursuant to adjournment, the same officers present as on yesterday

X
X 44 X

Jonathan Haines
vs.
H. W. Minugh

This day came the parties by their Attorneys and thereupon came a jury to wit. Paschal Spain A. J. Furgason regular Jurors & Robert Graham, William P. Welsh, A. S. Johnson F. L. Childs, B. H. Pickett Joseph Beach, John Singleton, J. M. Cassil, Richardson Fairland & John Evans tales Jurors, who being duly empannled & Sworn the truth to Speak upon the issue joined between the parties — Upon their oaths do say they cannot agree upon a verdict — And thereupon they were discharged by the Court And this Cause is thereupon Continued

X 16 X The State of Ohio vs. Peter Auer — Continued under former Order

X 26 The State of Ohio vs Fredrick Dasher — Contd. under former order

And thereupon the Court adjourned until tomorrow morning at Seven Oclock

H. L. Corklin

Saturday May 23d 1868

Saturday May 23d 1868 this morning the Court met pursuant to adjournment the same officers present as on yesterday

468 Joseph Miles & others vs Henry Square — Civil Action for Recovery of real property

This day came the parties by their Attornies & thereupon on motion leave was granted to the defendant to withdraw his Answer heretofore filed in this action which Answer was thereupon withdrawn & thereupon this cause came on to be heard the defendant being in default for want of Answer or Demurrer to the plaintiffs petition. Thereupon this cause was Submitted to the Court, neither party demanding a Jury. Wherefore the Court do find that the said defendant does unlawfully Keep the said plaintiffs out of possession of said premises in the petition described in manner & form as the said plaintiffs have in their petition alleged & assess their damages at One Cent, It is therefore Considered Ordered & Adjudged by the Court that the said plaintiffs recover against the said defendant Henry Square the premises in said petition described and his damages herein assessed at One Cent—And also his costs in and about this Suit expended taxed to dollars & cents

It is further Ordered & Adjudged by the Court that the said defendant be & he is hereby perpetually enjoined & restrained from the commission of any waste whatever upon said premises.

It is further Ordered & Adjudged that in case the said defendant fails to surrender up the possession of said premises to the plaintiffs in ten days from this date a writ of possession issue to the Sheriff according to law

450 Samuel H. Brake vs Hurd Lewis — And now came the parties to this action by their Attorneys & thereupon said cause came on for trial & to be heard upon the petition of the plaintiff, Answer & Counter Claim of said defendant & the Reply of the plaintiff to said Answer & Counter Claim, and thereupon came a Jury to wit, Bolivar Hays, W. J. H. Pennington A. G. Boring, Joseph Morse C. Low Michael Fogle regular Jurors & Thomas Turner William Spack, William Cartmell Joseph Powers J. C. Williams & J. M. Danforth, Talesmen who being duly empannelled & Sworn the truth to speak between the parties— The said C. Low & William Spack during the progress of the trial were with the consent of the parties excused by the Court and the remaining ten by consent constitute the Jury

Upon consideration whereof the Jury do upon their oaths aforesaid say & find that the Allegations of said defendants Answer & Counter Claim are true & that said defendant is entitled to the credits payments & Set Off in said Answer & Counter Claim set forth as follows the Sum $178.66 on the 19th day of July A.D. 1866— the Sum of $65.00 on the 20th day of July 1866 & the Sums of $15.00 $8.63 & 4.00 on the 27th of February 1867.

And the Jury do further find that the Reply of said plaintiff is not true but find that there is a balance due said plaintiff on the promissory note set forth in plaintiffs petition the Sum of One hundred & forty Eight 45/100 dollars

Saturday May 23rd 1868

after deducting said Credits payments & set off aforesaid It is therefore considered by the Court that the said plaintiff recover of said defendant the said Sum of One hundred & forty Eight 57/100 ($148.57) dollars so as aforesaid found due from the defendant to the plaintiff and also his costs made in this case up to the 15th day of April 1867. And the Court here finding that said defendant offered to confess a judgment in this case equal to said Sum above named on the 10th day of April 1867 and which offer said plaintiff refused to accept — It is therefore considered that said plaintiff pay all the costs made in this cause after the 10th day of April A.D. 1867 not herein before taxed to the defendant.

454 Joseph Miles et als vs Nathan Poling et als Continued

436 Wm M. Baughan vs C. Wells Continued

447 Henrietta A. Williams vs Joseph Williams Continued

464 John Woodburn vs John M. Robinson Continued

465 Caleb Clark vs J. S. Alexander Lydia A Alexander & S. W. Dolbear — Foreclosure

And now comes the said Caleb Clark by his Attys Randall & Gilbert & the said S.W. Dolbear by his Atty M. C. Laurence and the said J. S. Alexander & Lydia A. Alexander failing to answer to said petition it is considered that said plaintiff ought to recover the Amount due him by reason of the premises and that the said S. W. Dolbear ought to recover the amount due him. and the Court with the consent of said plaintiff find that there is due from the defendant to said plaintiff on the note & Mortgage in the petition set forth the Sum of Six hundred fourteen & 36/100 dollars ($614.36) And upon further consideration of this case the Court does with the consent of the defendant S. W. Dolbear find that there is due from the defendants to the said S. W. Dolbear on the Note & Mortgage in his Answer & Cross petition set forth the Sum of Seven hundred Sixteen & 92/100 dollars ($716.92) And the Court does further find that both of said Sums are liens upon the lands in the plaintiffs petition & Mortgage set forth & described & that the lein of the plaintiff is prior to that of Dolbear.

It is therefore considered Ordered & adjudged & decreed by the Court that the defendants within ten days from this date pay to the said plaintiff said Sum of $614.36 — And to the said S.W. Dolbear said Sum of $716.92 with interest on each from this date together with the costs in this Suit to be taxed by the Clerk — and in default of the payment of said Sums of money or either of them, that the Sheriff of this County for the time being who is hereby appointed Special Master for that purpose proceed to sell the lands & tenements in the petition mentioned as upon judgments at law & apply the proceeds arising from said Sale in satisfaction of the said Sums above found due and the costs

And Thereupon the Court adjourned until Monday the 25th day of May 1868 at Seven o'clock A.M.

Monday May 25th 1868

Monday Morning may 25th 1868 the Court met pursuant to adjournment present the same officers as on Saturday

473 Uriah Coolidge vs Hiram Cousan & wife } Continued by agreement of parties

452 Samuel R. Harbert vs James H. Neal & Henry Neal } 2d Trial

This day came the parties by their Attorneys and thereupon came a jury to wit Paschal Spain Bolivar Hays L.W. H. Durborow, A.G. Boring Joseph Mercer A.J. Ferguson & Michael Togle regular jurors & G.S. Baldwin L.F. Whitehead S.B. Berry David Cook & John Sharp tales jurors who being duly empannled and sworn the truth to speak upon the issue joined between the parties upon their oaths do say they find for the plaintiff and assess his damages by reason of the premises at $88 65

It is therefore considered Ordered & Adjudged by the Court that the Plaintiff recover of the defendants said Sum of Eighty eight & 65/100 dollars his damages so as aforesaid assessed and [illegible]

Whereupon Defendants moved the court to grant a new trial for reasons on file which Motion was Overruled & Exceptions taken & filed by the defendants

Whereupon it is Considered Ordered & Adjudged by the Court that the plaintiff recover of Defendants said Sum of Eighty eight & 65/100 dollars ($88.65) his damages so as aforesaid assessed

(each party to pay their own costs)

479 Allen Burroughs & William Jenkins vs Lanson Spain } This day came the parties by their Attorneys and thereupon came a jury to wit, W.F.A Pennington regular juror Robert Graham Wm M. Robinson Samuel McCampbell Luther Winget J.F. Snider C. Houston, Geo Snodgrass, Philip Snider, John W. Thompson Adam Sherwood & T.M. Winget tales Jurors who being empannled and Sworn the truth to speak upon the issue joined between the parties upon their oaths do say that the said defendant Lanson Spain is not guilty in manner & form as the plaintiffs have complained against him. Thereupon it is considered & adjudged that the said defendant go hence without day and recover of said plaintiffs his costs herein expended taxed at dollars $476 78

31 The State of Ohio vs De Witt Clinton Cook Contd for Service

433 The State of Ohio vs James Greene Contd.

489 The State of Ohio vs Wm Reichter Contd

Monday May 25th 1868

480 W. B. Brooks, Alexander Houston and W. H. Sloan Partners doing business under the firm name of D & W B Brooks Plaintiffs

Against

Ezekiah Sherwood and David Hendrix late Partners doing business under the firm name of Sherwood and Hendrix Defendants

Court of Common Pleas Union County Ohio

Now Comes the Plaintiffs D & W B Brooks by their Attorneys, And the said defendants Sherwood & Hendrix having withdrawn their answer, and thereby being in default of answer or demurrer to the Petition of the said Plaintiffs D & W. B. Brooks It is Considered that the said D & W B Brooks Recover to recover the said Sum of $389 86 So demanded in his Petition, It is therefore Considered And Adjudged that the said D & W. B. Brooks Recover of the said defendants the said Sum of Three Hundred and Eighty Nine & 86 Dollars together with their costs taxed to $

Mary A. Armstrong vs Houston Kirk

On Motion to the Court by Counsel for the Plaintiff leave is granted to him to withdraw his petition in this action And without prejudice to a new action And it is Considered that the Plaintiff Pay to pay the costs of this action. Therefor it is Considered And adjudged that the defendant Recover of the Plaintiff his Costs in this behalf Expended & taxed at $

James Megahy vs John Meyer

This Cause was Submitted to the Court On the award of the Arbitrators heretofore Selected and Appointed in this Cause and thereupon the Court being fully advised in the premises do Confirm And Approve of said Award of Four Hundred And Seventy Six & 78/100 dollars in favor of the Plaintiff against the defendant Amount as above. It is therefore Considered, Ordered and Adjudged by the Court that said Plaintiff Recover of the defendant said Sum of Four Hundred & Seventy Six dollars & Seventy Eight Cents & his Costs herein Expended taxed to $

And thereupon the Court adjourned until tomorrow Morning at Half past Seven O'clock

J. Conklin

Tuesday May 26th 1868

This Morning the Court Met Pursuant to adjournment
Present the Same Officers as On yesterday

508 ✓ — W. B. Woods & als vs Wm Felton & wife — This day came the Plaintiffs but the defendants came not but Made default and thereupon the Plaintiffs Submitted this Cause to the Court and thereupon the Court being fully advised in the premises do find that there is due Plaintiffs from the defendants Wm Felton On the Note Last due & On the day mentioned in Said Petition & One year interest On the Note Not due, after deducting Six hundred dollars Paid Since the Commencement of this Action — $121,85 The Sum of One Hundred and Twenty One & 85/100 Dollars remaining now due On Said Note Secured by Mortgage — It is therefore Considered, Ordered and Adjudged by the Court that the Plaintiffs Recover of the Said defendants the Sum of One Hundred and Twenty One & 85/100 dollars & their Costs herein Expended taxed to $ and it is further Ordered that if Defendants fail for ten days to Pay Said Sum of Money with interest from the 16th day of May 1868, then an Order of Sale issue Commanding the Sheriff of this County who is appointed Special Master for that purpose to appraise advertise and Sell the Premises described in Plaintiffs Petition & as to the Note Not due this Cause is Continued —

X — D. T. E. Miller & Payee vs G. Goff & als — This day on motion of Mr. Lawrence Atty. for Pltf. W. B. Woods leave was granted to file Answer of Tilman G. Goff Woods instanter, and a rule entered that the defendant Tilman G. Goff Should reply by Wednesday next at 1 O'clock P. M. Answer filed

129.13 ✓ 131 — The State of Ohio vs Jeremiah Jones — Retailing — This day came into Open Court Jeremiah Jones & acknowledged himself to owe and Stand indebted to the State of Ohio in the Sum of two hundred dollars to be levied of his goods & Chattels lands & tenements if default be made in the following Condition which is that he be & appear before the Said Court of ~~Union~~ Common Pleas for the Said County of Union on the fifth day of the next Term thereof to answer unto an Indictment against him in Said Court pending for Selling intoxicating liquors to be drank on the premises where Sold in violation of law and abide the Sentence & Order of Said Court and not depart the Court without leave then this recognizance to be void otherwise to remain in full force

496 ✓ — James Mitchell vs Jacob Yeasel & P. M. Reyes — This day came the plaintiff but the defendants came not but made default whereupon the Court being fully advised in the premises do find the allegations of the petition to be true & that is due the plaintiff from the defendants the Sum of One hundred & twenty nine & 68/100 dollars. It is therefore considered Ordered & Adjudged that the plaintiff recover of the defendants Said Sum of One hundred & twenty nine & 68/100 ($129.68) dollars & his costs herein expended taxed to $ and it is further found that P. M. Reyes is Surety for Said Jacob Yeasel & it is therefore Ordered that Execution be awarded against the principal

$129.68

Tuesday May 26th 1868

X 316 — John Maskill et als vs James Mulvane — Continued

X 448 X — I. N. Hamilton Admr &c vs W. H. Dunnick et als. — Continued

X 319 X — Thomas W. Powell vs Stewart & Dyal — Continued

389 X — The Incorporated Village of Marysville vs J. M. Southard — Continued with leave to file amended petition in thirty days

X 451 X — Eberly And Shedel vs I. W. Robinson Adm & Others — Continued by Agreement of Parties

X ✓ 489 X — William P. Noelles vs Lewis Perkins — 3d Trial

P 52 (1) P. 111

This day came the Parties by their Attorneys and thereupon came a Jury to wit: Phil Sheal, Henry Bolon, Hays H. F. Pennington, S. W. Dunbarron, A. G. Boring, Joseph Moore, A. F. Ferguson, Michael Fogle, Reynolds Timmons, D. Hoblement, Dhica B. W. Keyes, Jas. R. Pyne, Taley Dimon, who being duly Empanelled and Sworn the truth to Speak upon the issues joined between the Parties, upon their Oaths do say that the rights of Property in and to the said goods and Chattels, and the rights of Possession to the same was at the Commencement of this action in the said Plaintiff, and they do assess the damages of the said Plaintiff, by reason of the Premises to One hundred and ($100 45) Dollars and forty five cents. It is therefore Considered, Ordered and adjudged, by the Court that the Plaintiff recover of the defendant the said Sum of One hundred and Dollars & forty five Cents ($100 45/100) his damages so as aforesaid assessed and also his Costs herein expended to be taxed at $

And thereupon the Court adjourned until to-morrow morning at Seven and a half O'clock M

J. S. Conklin

Wednesday May 27th 1868

This Morning the Court Met Pursuant to adjournment & Present the Same Officers as On yesterday

James H. Noble Plaintiff
vs
Deke Bird, Elizabeth Bird
Charles Bird & Margaret Bird Defendants
} Court of Common Pleas Union County Ohio

Now Comes the said James H Noble by his Attorneys and the said Deke and Charles Bird having answered and Set up an Offset of $367.13 which the Court do find justly due said defendants as such Offset, It is Considered that the said Plaintiff Recover of said defendants the Sum of $391.93/100 By reason of the premises, that being the Amount found due the Plaintiff in Excess of Defendants Offset - And the Court with the Consent of the Plaintiff find that there is due from the said defendants to the said Plaintiff on the Notes in the said Petition Set forth, the Sum of $391.93/100, It is therefore Considered by the said Court that the said Plaintiff Recover of the said Defendants the said Sum of 391.93 the Sum so found due as aforesaid, And also his Costs taxed to $

And it is further Ordered and adjudged that in case the said defendants fail for ten days from the close of this Term of Court to Pay to the said Plaintiff the said Sum of $391.93/100, so as aforesaid found due with Costs of Suit, An Order issue to the Sheriff of said County Commanding him to Cause the said lands and tenements in said Petition described to be Appraised, Advertised and Sold according to law, And apply the proceeds of said Sale in Satisfaction of said judgment so as aforesaid rendered and it is further Ordered that the residue after Satisfying said judgment be brought into Court Subject to the further Order of the Court

J. L. McDowell
vs
William Cole &
Alice Cole
} This day on Motion to the Court by Mr Lawrence Atty for the Plaintiff and it appearing to the Court that the Proceedings had by the Sheriff under the Order of Sale- upon which the Sale was made- in this case were irregular in this, that no Proper and Valid Appraisement of the lands had been made, It is Ordered by the Court that the Order of Confirmation made in this case at this Term of the Court be and the same is hereby Set aside and it is further Ordered by the Court that said Sale so made and reported by the Sheriff, be and the same is hereby Set aside, and a new Order of Sale allowed to issue upon the decree in this case returnable according to law -

The State of Ohio VS Irwin Barnett Contd.

The State of Ohio
vs
James Predmore
} Continued for Arrest

Wednesday May 27th 1868

502 X Morgan Savage
vs
The Trustees of the M. E. Church
at Dover

This day came the Plaintiff and moves the Court to Continue this Cause on account of the absence of a Material Witness and the Court being Satisfied that this Showing for Continuance is Sufficient, the Motion is Allowed at Plaintiffs Costs. It is therefore Considered, Ordered and Adjudged by the Court that the defendants pay over of the Plaintiff the Costs of this term taxed to ff

Levi Dooly
vs
498 X James W Vangorden &
Charles Vangorden

This day came the Plaintiff but the defendants made default and Thereupon the Court being fully advised in the premises, do find the allegations of the Petition to be true and that is due Plaintiff from the said James W Vangorden as alleged the Sum of Thirty $30.56 dollars. It is therefore Considered, Ordered and Adjudged by the Court that the Plaintiff pay over of the said James W Vangorden the said Sum of Thirty $30.56 Dollars, and his Costs herein Expended taxed to ff And it is further Ordered that if default be made of Payment of this Judgment for three days that an Order issue to the Sheriff of this County who is hereby Directed & Required as Master for that Purpose, Commanding him to Appraise, advertise and Sell said land according to law to Satisfy said judgment

V 509 X L. R. Chubbard
vs
P. McKiniken &
Barbara Kiniken

Note and Mortgage

This day came the Plaintiff, but the defendant came not but made default and this Cause coming submitted to the Court, and the Court being fully advised in the premises, do find the allegations of the Petition to be true, and that is due Plaintiff from said P. McKiniken, thereon the Sum of Fourteen Hundred and Twelve Dollars. It is therefore Considered, Ordered & Adjudged by the Court that the Plaintiff pay over of the said P. McKiniken the said Sum of Fourteen $1412.00 Hundred and Twelve dollars and his Costs herein Expended taxed to ff
And it is further Ordered that in Case of default of Payment for ten days that an Order of Sale issue to the Sheriff of this County Commanding him to advertise & Appraise and Sell the land in said Petition described, according to law to Satisfy said judgment, and as to the Note not due this Cause is Continued

X 493 X L. D. Southard
vs
Rebecca Southard &
D. W. Southard

On Motion of Defendants this Cause is Continued on account of the Absence of James Cricket Witness for Defendants. It is Considered Ordered and Adjudged by the Court that the Plaintiff pay over of the Defendants the Costs of this term taxed to ff

Wednesday May 27th 1868

512 ✓ Frances E. Degood }
vs
Alvey B. Degood } And now Came the Said Petitioner Frances E. Degood by Reid, Randal & Gilbert her Attorneys and the defendant Alvey B Degood by Johnson & Johnson his Attorneys and thereupon this Cause Came on for hearing upon the Petition of the Plaintiff and the Testimony, and was Argued by Counsel, On Consideration Whereof the Court do find that due Notice of the filing and Pendency of this Petition as Prayed to the Said defendant according to law, by Publication And also by Personal Service by Summons Issued Herein And duly Served as Commanded, And the Court do further find that the Allegations and Statements of Said Petition are true and Proved to be true as therein Stated by the Testimony aforesaid, And that Said defendant fraudently Contracted with the Said Petitioner And that Said defendant was Guilty of Gross Neglect of duty to Said Petitioner It is therefore Adjudged and decreed that the Marriage relation Existing Between the Said Parties be and the Same is hereby Set aside and wholly annulled And the Said Parties wholly released from the Obligations of the Same, And it is further Ordered that the Said Complainant be restored to her Maiden Name of Frances E. Perkins and that She Pay the Costs of this Suit

$60.00

✓ John W. Falls }
vs
476 John Chapman } This day came the Parties by their Attorneys and thereupon this Cause Came On to be Heard upon the Motion of the defendant to dismiss the Appeal by reason of the failing of the Plaintiff to prosecute this action by filing his Petition in the action, and the Court being Satisfied that the Said Plaintiff is in default for Petition and has been in default for three terms of this Court Since the filing of the transcript and bringing of the Said action into this Court Whereupon it is Considered, Ordered and adjudged by the Court, That the Said action of the Said Plaintiff against the Said defendant on appeal be and the Same is hereby dismissed And by reason of the failure of the Plaintiff to Prosecute Said action, And it is further Considered, Ordered, and adjudged by the Court That the Said defendant John Chapman go hence forthwith Without day And recover of the Plaintiff his Costs herein Expended Taxed to $ Dollars And Cents

Julia A. Poppleton }
vs
James J. Thompson & Benjamin Fisher } This day came the Dep't & with drew his Answer and thereupon the plaintiff Submitted this Cause to the Court & thereupon the Court do find there is due plaintiff from defendants as alleged in her petition the Sum of five hundred & Sixty eight & 26/100 dollars. It is therefore Considered Ordered & adjudged by the Court that the plaintiff recover of defendants said Sum of five hundred & Sixty Eight & 26/100 dollars and her costs herein expended Taxed to $

✓ 101

✓ 104, 5, 6, 7 8, 9 & 110

Wednesday May 27th 1868

John Gibson
vs
Philip Hawn } This day Came the Plaintiff and thereupon Ore this Cause Came On to be heard upon the Petition of the Plaintiff, the defendant being in default for want of Answer or demurrer to the said Petition of the Plaintiff, Thereupon this Cause is Submitted to the Court, and the Court being fully advised in the premises do find by Consent of the Plaintiff Cause defendant that there is due to the Plaintiff from the defendant the Sixty dollars in Manner and form as the said Plaintiff in his Petition has alleged. It is therefore Considered Ordered and adjudged by the Court, that the said Plaintiff recover of the said defendant the said Sum of Sixty dollars, And by like Consent of the said parties it is also Considered Ordered and adjudged that the said Plaintiff recover of the defendant his Costs in this behalf Expended and taxed to Dollars Cents

$60.00

Abner Powers
vs
Cornelius S. Hamilton Admr. of Silas G. Strong decd. } This day Maccenas C. Lawrence as Administrator De bonis non of Silas G. Strong decd appeared in Open Court and was made a defendant in the above action in the place of C. S. Hamilton late Admr. now decd.

Abner Powers
vs
Maccenas C. Lawrence Admr. De bonis non of Silas G. Strong decd } This day came the parties by their Attys & Submitted this cause to the Court upon the issues joined & the Court being fully advised in the premises do find that the said defendant as administrator de bonis non of Silas G. Strong decd is indebted to the plaintiff in the Sum of five hundred & four dollars

Therefore it is Considered that the said Abner Powers Plffs. recover against the said M. C. Lawrence as Administrator de bonis non as aforesaid the Sum of Five hundred & four dollars his debt aforesaid, and also his costs in this behalf expended, to be levied of the goods & chattels which were of the said Silas G. Strong at the time of his death, & in the hands of the said Maccenas C. Lawrence as Administrator de bonis non as aforesaid yet to be administered

Joseph E. Long et. als
vs
David Mulford et. als } Leave to Answer in ten days & Continued

101 The State of Ohio vs Ellen Long Continued.

104, 5, 6, 7 8, 9 & 110 The State of Ohio
vs
Uriah Alden } Retailing Contd

Wednesday May 27th 1868

Benjamin Tucker
vs
J.E. Toby Wm Toby & Henry Dickeson } This day came on this cause to be heard on the petition & Note filed & the defendants having paid on said note $180. Oct. 26 1867 & $10 Dec 27th 1867 Since the filing of this petition & there being yet due thereon to the plaintiff from the defendants J.E. & Wm Toby as makers & from H.C. Dickerson as Guarantor the Sum of $13.25.

It is therefor Considered Ordered & Adjudged by the Court that the plaintiff recover of the said defendants J.E. & Wm Toby as makers & from H.C. Dickerson as Guarantor the said Sum of ($13.25) thirteen 25/100 dollars and his costs herein expended Taxed to $.

142 The State of Ohio
vs
Otis Millington } Petit Larceny

This day the Defendant Otis Millington being again before the Court and having nothing further to say why Sentence should not be pronounced against him.

It is therefore Considered Ordered & Adjudged by the Court that the said Otis Millington be imprisoned in the dungeon of the Jail of this County & be fed on bread & water only for the Term of two days. And that he pay the costs of this prosecution, to be Taxed at $

134 The State of Ohio
vs
Hurd Lewis } Retailing

This day Came the Prosecuting Attorney & upon his motion the defendant was three times Solemnly called to come into Court & Answer unto an Indictment against him pending for Selling Intoxicating Liquors to be drank on the premises when Sold in Violation of law as by his recognisance he was bound to do or that the same would be forfeited. Came not but made default And the said Hurd Lewis Still failing to appear according to the condition of his said Recognisance. It is Ordered by the Court that the same be & is hereby forfeited -

And it is Ordered that said forfeiture be respited until the next Term of this Court

121 The State of Ohio vs Sam'l H. Brake Conta.

126 The State of Ohio
vs
John W. Chapman } Assault & Battery Contd for Arrest.

135½ The State of Ohio vs Hurd Lewis Continued.
141

138 The State of Ohio vs Wm Weber Conta.

Wednesday May 27th 1868

Thomas Yearsley
vs
William Sayre & Gratia B. Sayre his wife } Petition on Note & Mortgage

This day came the said Thomas Yearsley the plaintiff by John B. Coats his Attorney and the said defendants William Sayre & Gratia B. Sayre his wife Still failing to demur or Answer to the petition of the said plaintiff & this cause was Submitted to the Court. Whereupon it is considered & adjudged by the Court that the said plaintiff ought to recover the Amount due him by reason of the premises and the Court with the consent of the said plaintiff find that there is due from the said defendant William Sayre to the said plaintiff on the notes in the said petition Set forth the Sum of Fourteen hundred & Seventeen & 50/100 dollars ($1417.50) in manner & form as the said plaintiff in his petition hath alleged which said Sum so found due as aforesaid is the Amount of the principal & interest on said notes to this date.

It is therefore considered Ordered & adjudged by the Court that the said plaintiff recover of the said defendant Wm Sayre the said Sum of ($1417.50) fourteen hundred & Seventeen dollars & fifty the Sum so fond due as aforesaid & also his costs in this behalf expended taxed to —— dollars & —— Cents

It is further Ordered Adjudged & decreed by the Court that in case the said defendant William Sayre fails for ten days from this date to pay the said plaintiff the said Sum of $1417.50 so as aforesaid found due with costs of Suit that an Order issue to James B. Whelpley the Sheriff of Union County Ohio who is hereby appointed Special Master Commissioner for that purpose commanding him to cause said lands & tenements in said petition described, Situate in said County of Union in the State of Ohio being part of Survey No. 829 in the name of Thomas Bowyer Beginning at a bur oak & hickory in the original line of the Means Survey No. 5386 thence N 86¼° W 228 poles to the center of the Kenton & Marysville road thence with said road N 16½° W 58 poles to the center of the Delaware & Bellefontaine road thence with said road N 72° E 280½ poles to a stake in the west line of said Means Survey No. 5386 thence S 8¼° W 158½ poles to the beginning containing (163½) One hundred & Sixty three & one half acres more or less Excepting from the above conveyance twelve (12) acres of land off of the west end by a line running parallel with the Kenton & Marysville road to be Appraised Advertised & Sold according to law and apply the proceeds of said Sale in Satisfaction of said Judgment so as aforesaid rendered

Andrew Keyes
vs
J. M. Hubbard } This day came the plaintiff by his Attorney the defendant being in default for want of Answer or Demurer to the petition of the plaintiff & by consent of the plaintiff as well as of the Court this cause is Submitted to the Court upon the petition exhibits & testimony. And the Court thereupon being fully advised in the premises do find that the defendant owes the plaintiff in that behalf the Sum of One hundred & five & 82/100 dollars in manner & form as the said plaintiff in his petition hath alleged. Therefore it is Considered Ordered and adjudged by the Court that the said plaintiff recover of the defendant the said Sum of One hundred & five dollars & eighty two cents his debt aforesaid and also his costs in this behalf expended taxed to dollars and cents

Wednesday May 27th 1868

T. A. Sells
vs
W. M. Robinson & Robert Sharp } Civil Action.

This day came the plaintiff by his attorney the defendants being in default for want of demurer or answer to the plaintiffs petition And by Consent of the plaintiff as well as of the Court, this cause is Submitted to the Court upon the petition of the plaintiff. Exhibits & testimony, & the Court thereupon being fully advised in the premises do find that the defendants have paid to the plaintiff Since the Commencement of this action to wit, on the 5th day of February 1868 the Sum of One hundred & five dollars on the note ~~on the note~~ in the plaintiffs said petition mentioned & Set forth, & the Court do further find that the said defendants do now Owe to the said plaintiff the Sum of One hundred & eleven dollars & eighty four cents being the ballance of principal & interest due on said note to this date in manner & form as the plaintiff in his said petition hath alliged.

Therefore it is Considered Ordered & Adjudged by the Court that the plaintiff recover of the defendant the said defendants the said Sum of One hundred & eleven dollars & eighty four cents his debt aforesaid found due and also his Costs in this behalf expended taxed to dollars & cents

Ormell Pyers
vs
Martin Pyers } Dismissed without prejudice at Plaintiffs Costs

It is therefore Considered Ordered & Adjudged by the Court that the defendant go hence without day & recover of the plaintiff his Costs herein expended taxed to $

And thereupon the Court adjourned until Tuesday the 23d day of June A.D. 1868 ten Oclock A. M.

J. Morklin

Tuesday June 23d 1868

This day the Court of Common Pleas for the County of Union met pursuant to Adjournment present Jacob S. Conklin presiding Judge John L Porter Prosecuting Attorney J.B. Whipley Sheriff & Jabez Randall Clerk

George Orr Plff
vs
Noah Orr et als Defts
In Partition

This cause came on to be heard upon the petition Answer of Noah Orr & Answer of the Widow of William Orr decd On consideration whereof It is Ordered that by the Oaths of William M. Robinson B. A. Jay & Daniel G. Cross one full equal third part of the tract of land first described in said petition being Sixty three acres be apigned & Set off to said Widow Elizabeth Orr - as her Dower estate therein - And that of the tract described Secondly in said petition being One hundred & three acres one full one Sixth part be Set off & apigned to said Widow as her dower in said One hundred & three Acres being one third of the undivided half of said last tract. And by the like Oaths of said Wm M. Robinson B. A. Jay & Daniel G. Cross partition be made of said tracts of land first described in said petition as Sixty three acres to the said George Orr One tenth part to Noah Orr, Abraham, Albert Oliver Amanda Aaron, Anson Mary & Joshua Orr each one equal tenth part,
And by the like Oaths of said William M. Robinson, B.A. Jay & Daniel G. Cross partition be made of the tract of land described Secondly in said petition and which One hundred & three acres that partition be made of said last named lands in the following proportions to Geroge Noah and Abraham Orr One half of said tract of 103 acres in Common, And that of the Other half of said named tract - partition be made to said Geroge One tenth part to said Noah Abraham Albert Oliver Amanda Aaron Anson Mary & Joshua Orr each One tenth part,
The Court finds that the said William Orr decd, was the Owner in fee Simple of the Sixty three acres in the petition described and that he was the like Owner of an undivided half of the tract described as one hundred & three acres, & that his first wife the Mother of the said George, Noah & Abraham Orr was the owner in fee Simple of the Other half of said 103 acres - That the said Sixty three acres descended to all the parties hereto in common and in equal proportions as aforsaid And that the said half of the 103 acres which belonged to the said William Orr descended in like manner & proportions to the said parties to this action to wit, One tenth part to Each, And that the Other half of the 103 acres which belonged to Mary Orr first wife of said William Orr deceased to the said Geroge Noah and Abraham Orr her Only Children, And it is further Ordered that a writ of partition issue to the Sheriff of Union County Commanding him to cause said lands to be Surveyed And said partition to be made Accordingly.

Samantha Ann Brooks
vs
David H. Brooks
Divorce.

The said plaintiff this day made proof of due notice of the filing & pendency of this petition & thereupon this cause was Submitted to the Court on the petition & evidence Whereupon the Court do find the allegations of the petition to be true and thereupon it is Considered Ordered & Adjudged by the Court that the Marriage Contract of the plaintiff & defendant be & the same is hereby dissolved & annulled and that the custody of the Children

Tuesday June 23d 1868

named in the said petition be given to the plaintiff And that the plaintiff recover of the defendant One thousand dollars Alimony & the costs of this proceeding taxed to $ within ten days & in default thereof that execution issue as upon Judgements at law.

George L. Converse Plff
vs
David Rees & Wife Defts
Pet. on Note & Mortgage

This cause came on to be heard & the said David Rees & Mary Rees still failing to demur or Answer to the said petition — It is considered that the said plaintiff ought to recover the amount due him by reason of the premises And the Court with the consent of the said plaintiff find that there is due from the said defendt David Rees to the said plaintiff on the said first note in the petition set forth the sum of Four hundred & fifty three ($453 75/100) dollars

It is therefore considered by the said Court here that the said plaintiff recover of the said defendant the said sum of four hundred & fifty three 75/100 dollars so found due as aforesaid and also his costs taxed to dollars

And it is further Ordered & adjudged that in case the said defendt fails for three days to pay to the said plaintiff the said sum of Four hundred fifty three 75/100 dollars so as aforesaid found due with costs of suit an Order issue to the Sheriff of Union County Ohio commanding him to cause said lands & tenements in said petition described to wit, Situate in Union County Ohio & ascribed as follows to wit. part of Survey No. 5005 Beginning at a Stake in the center of the road thence S 63 3/4° 217 3/5 poles to a Stake — thence N 54° E. 75 8/10 poles to a stake in the center of the cedar road thence N 63 3/4° — 17 3/4 poles to a stake thence N 53° 26' E 7 7/10 poles to a white ash & elm — Thence N 63° 10' W 222 4/5 poles to a stake in the center of the Hawn road — thence with said road South 38 1/4° West 78 4/10 poles to a Stake the beginning corner containing One hundred & Seven acres & twelve rods of land more or less — to be appraised advertised & Sold according to law and that he bring the proceeds of Sale into Court & report his proceedings in the premises at the next term of this Court to which this cause is Continued

And thereupon the Court adjourned until Seven Oclock tomorrow Morning

J. Hoskins Judge

Wednesday June 24. 1868

Wednesday June 24th 1868 this morning the Court met pursuant to adjournment present the Same officers as on yesterday

George Orr Pltff
vs
Noah Orr et al
Deft
Partition

On Motion to the Court by Mr. Cole Counsel for Plaintiff and upon producing the proceedings of the Sheriff & the report & proceedings of the Commissioners herein before appointed & the Same being examined, It is Ordered that Said proceedings & report be & the Same are hereby Approved and confirmed and thereupon neither of the Said parties electing to take Said Estate at the Valuation thereof as returned by Said Commissioners. On Motion of the plaintiff It is Ordered that Said Estate be Sold at public Auction by the Sheriff of Said County of Union according to the Statute in Such case made & provided Clear of Dower

J & T. E. Miller & Joyce
vs
Gilman G. Goff &
W. W. Woods et. als,
Lis P 68 - Foreclosure

This day this cause came on to be further heard on the Answer of W. W. Woods & the exhibits the Plaintiff being in default for Reply under the rule of this Court heretofore entered in this case and this cause was argued by Counsel & Submitted to the Court - On consideration whereof the Court do find the equity of the case with the Said W. W. Woods & that there is due to him On this 24th day of June 1868 upon the note & Mortgage in his Answer Mentioned (the Mortgage being the Same heretofore foreclosed in this action) the Sum of Seven hundred twenty two 18/100 dollars ($722.18) and that the Same is a lien upon the lands in the petition & Mortgage described in point of priority next after the decree heretofore rendered in favor of the plaintiffs in this action.

It is therefore Considered Ordered Adjudged & decreed by the Court that the defendant Gilman G. Goff within ten days from this date pay to the Said W. W. Woods the Said Sum of Seven hundred twenty two 18/100 dollars with interest thereon from this date until paid & the costs herein - and in default thereof that the Sheriff of this County for the time being who is hereby appointed Special Master for that purposes proceed to Sell the lands & tenements in the petition and And Mortgage Mentioned in manner & form as he hath heretofore been Ordered to Sell & in accordance with law and as to the notes not yet due this cause is Continued

Almina Eaton
vs
Samuel C. Moore
Deft
Bastardy

And now came on this cause to be heard on the Motion for a New trial & thereupon after full argument & consideration the Court do Set aside Said Verdict & grant a new trial - And it is Considered Ordered & Adjudged by the Court that the defendant within thirty days pay the costs of this case of this term & in default thereof that this judgment granting a New trial be Set aside - And this cause is Continued on the Recognisance heretofore taken herein by Consent of the Sureties.

June 24. 1868 (May Term 1868)

√ B. W. Miller & Bro.
× vs
W. C. Pangborne & Co } This cause came on to be heard upon the motion of the defendants for a new trial and was argued by counsel in consideration whereof the Court do find that the Verdict of the jury is excpive in Amount to wit, in the amount of two hundred & fifty dollars Thereupon the plaintiff remit said Sum of two hundred & fifty dollars & thereupon the Court overruled the Motion of defendants for a New trial to which ruling the defendants except and asked the Court to Sign & Seal their Bill of exceptions which is accordingly done — Therefor it is considered and adjudged by the Court that the plaintiffs recover of the defendants the Sum of Eleven hundred & fifty dollars and their costs in this behalf expended taxed at $

√ Jeremiah Jones.
× vs
The Incorporated Village of Richwood } Certiorari.
And now come the said parties by their Attys and thereupon this action come on to be heard upon the assignment of error of the said Jeremiah Jones plaintiff & the Transcript & the proceedings of the said Incorporated Village of Richwood & was argued by Counsel on consideration whereof it is Ordered & adjudged by this Court that the judgement by the Mayor of the aforesaid incorporated Village of Richwood be & the same is heuby reversed with costs & that the said Plff in Error be restored to all things which he has lost by reason of the said judgement And that the said Jeremiah Jones plaintiff recover against the said Incorporated Village of Richwood his costs herein expended taxed to dollars & Cents

√ John Gops
× vs
E. Hammond } Petition in Error.
This day came on this cause to be heard on the petition in Error & thereupon the Court being fully advised in the premises do affirm said judgement of said Justice of the Peace. Therefore it is considered & adjudged by the Court that the defendant in Error recover of the plaintiff in error his costs herein expended taxed to $. To which ruling of the Court in affirming said judgment said John Gops Plaintiff in Error excepts

√ Richardson Fairlamb
× vs
H. Early & H. Booth } This day came the Plaintiff & dismiss this cause without prejudice.
And thereupon it is considered and adjudged by the Court that the defendants recover of the plaintiff their costs herein expended taxed to $

Wednesday June 24. A.D. 1868 (May Term 1868)

Transfer Docket

366 X Tourman M. Kimbal }
VS }
P. L. Cole }

This day came the parties to this action & Submitted the same to the Court on the petition Answer Reply & evidence Whereupon the Court being fully advised in the premises, do not find any mistake in said writing set up in plaintiffs petition & therefore dismiss so much of plaintiffs said petition as seeks a reformation of said writing.

The Court further find that there is due on said written Contract to plaintiff from defendant the Sum of four thousand two hundred & Sixty one dollars ($4261) with interest since the 1st of April 1866 now amounting principal & interest to Four thousand eight hundred & thirty one 97/100 dollars ($4831.97). The Court further find that the defendant is not entitled by the law or equity of the case to a refund of the taxes paid by him on said land since the execution of said writing and therefore do not allow the claim made therefor in defendants Answer.

It is therefore considered Ordered & adjudged that so much of said petition as asks for a reformation of said writing be dismissed & that the defendant pay to the plaintiff as the Sum due him on said land within ten days the said Sum of four thousand eight hunared & thirty one 97/100 dollars ($4831.97) with interest from date together with the Costs of this Suit except such costs as relates to the correction of the alleged mistake in the written contract which plaintiff is Ordered to pay And in default thereof that an Order of Sale of said premises issue to the Sheriff of said County commanding him as Master Commissioner Specially appointed for that purpose to appraise advertise and Sell said land to Satisfy said claim of plaintiff & that on payment of said Sum of money the deed placed on file shall be delivered to the ~~plaintiff~~ Defendant. Thereupon the plaintiff gave notice of his intention to appeal & the Court fix the appeal Bond at $100

X 354 Andrew J. Freeman Plff
Against
Charles E. Freeman et.als. Dfts

This day came the parties by their Attys and thereupon this cause came on to be heard upon the petition Answer & Reply & other exhibits & testimony. On consideration whereof the Court do find that the equity of the case is with the defendants.

It is therefore Ordered Adjudged & decreed that the petition of the plaintiff do from henceforth Stand absolutely dismissed out of this Court with Costs to be taxed— Notice of Appeal by plaintiff and bond fixed at $100

X William P. Needles }
VS }
Lewis Jenkins }

This day came on this cause for hearing on the Motion of defendant to correct judgement in this cause So as to Strike out the judgement for costs for the reason that the verdict & Judgement was for $100 45/100 dollars damages which was less than $100 damages & Interest from the commencement of this action on which account the defendant claimed that no Judgement for costs should have been rendered. Whereupon the Court being fully advised in the premises do overrule said Motion to which ruling & Judgement the defendant excepted.

And thereupon the Court adjourned without day J. H. Conklin Judge

Court of Common Pleas
Special Term,

To Taber Randall Esq. Clerk of the Court of Common Pleas of Union County, Ohio
You are hereby notified that there will be held a Special Term of Said Court commencing at the hour of one oclock P. M. On the first day September A.D. 1868 to hear and determine Motions, to Confirm or Set aside Sales on Execution or under Order or Decree of Court.
NO Jury will be Summoned,
You will cause this notice and Order to be published according to law in the Marysville Tribune
July 29. 1868

J. S. Conklin
Judge of Said Court,

The State of Ohio }
Union County } ss

I John H. Shearer do make oath that the Advertisement of which the annexed is a copy, was published for four Consecutive weeks immediately preceding the first day of September 1868 in the Marysville Tribune a newspaper of general circulation within Union County Ohio and of which I am the Editor & propietor,

J. H. Shearer

Sworn to and Subscribed before me this 31st day of August A.D. 1868

Taber Randall Clerk

Tuesday September 1st A.D. 1868. This day in pursuance of Notice given under an Order of the Judge and duly published more than three weeks & now here proved and found by the Court came on to be held a Special Term of the Court of Common Pleas of Union County Ohio - for the purposes in said Order expressed.

Present J.S. Conklin Presiding Judge J.B. Whelpley Sheriff John L. Porter Prosecuting Attorney and Taber Randall Clerk

Caleb Clark
vs
J.S. Alexander et als } On motion of said Plaintiff by Reid Randall & Cameron his Attorneys and on producing the return of Sheriff of this County as Special Master Commissioner of a Sale of real estate made by him on the 1st day of September A.D. 1868 to James W. Robinson on an Order of Sale issued in this case and dated the 22d day of July 1868 and the Court on examination of said proceedings being Satisfied that said Sale has been made in all respects in conformity to law it is Ordered that the said Sale & proceedings be & the same are hereby confirmed and the said Sheriff as such Special Master is ordered to make to make to the purchaser a deed for the lands & tenements so Sold

And it is further Ordered by the Court that the Sheriff pay the proceeds of the Sale as follows - 1st the Costs in this proceedings Amounting to $ 2d That he pay to the plaintiff Caleb Clark the Sum of Six hundred twenty four 39/100 ($624.39) 3d. That he pay to the defendant S.W. Dolbear the Sum of Seven hundred twenty eight 62/100 dollars ($728.62)

J & T.E. Miller & Joyce
vs
Tillman G. Goff & others } This day came W.W. Woods one of the defendants by his Attorney no one appearing for the other defendants. and this cause came on to be heard upon the depot of the Sheriff as Special Master Commissioner. On Consideration whereof the Court do find the proceedings of said Master Commissioner and the Sale made by him of the lands & tenements in the petition mentioned to be in all respects in due form of law. It is therefore Ordered adjudged and decreed that the proceedings & Sale of said Sheriff as such Special Master Commissioner be in all things affirmed, and that the said Sheriff as such Special Master Commissioner execute & deliver to the purchaser a deed in fee Simple for the lands & tenements so Sold pursuant to the Statute in such case made & provided. and that of the proceeds of said Sale the said Sheriff & Special Master after discharging the costs of this Suit - Pay 1st the costs in the case of J.W. Robinson vs Harvey M. Haynes & wife being $9.58 - 2d That he pay to J.W. Robinson $261.50 the Sum herein before found due him and also the taxes which are a lien on said lands 3d That he allow the purchaser Wm H. Dunnick who is found to be the assignee of the plaintiffs in this suit to retain the Sum of $539.24 which is yet due and owing in favor of the plaintiffs 4th that he pay to the defendant W.W. Woods $730.24 5th That he pay to J.W. Harington one of the defendants the Sum of $729.16 and that the residue if any he pay to the other defendant Harvey M. Haines. And it is further Ordered that the defendants who may be in possession of said premises, or any person who has come in under them or either of them pending this Suit deliver up the possession thereof to said purchaser On demand & production of said Masters deed.

And thereupon the Court adjourned intil 9 Oclock to morrow morning

Wednesday September 2d 1868 This morning the Court met pursuant to adjournment present the Same Officers as on Yesterday

see P 85 No 505

Davis & Leach vs Joseph Price Etal } Foreclosure of Mortgage

On motion of the Plaintiffs Davis & Leach by their Attorneys, And On producing the return of the Sheriff of this County (who was appointed Special Master Commissioner in Such Decree) of a Sale of the Real Estate made by him on an Order of Sale him to the issued to him as Such Special Master Commissioner, And the Court On Examination of Said Proceedings being Satisfied that Said Sale has been made in all respects in Conformity to law, it is Ordered that Said Sale and Proceedings be And the Same are hereby Approved and Confirmed And the Said Sheriff as Such Special Master Commissioner is Ordered to make to the Purchaser a Deed in fee Simple for the lands and tenements So Sold pursuant to the Statute in Such Case Made and Provided

✓ 453 P 55

Wm P. McDowell vs Wm Cole & Wife Alice Cole } Confirmation

This day came the Plaintiff by his Attorney and this Cause came on to be Heard upon the Sheriff as Special Master Commissioners Report of a Sale made by him in this Cause On the 15th day of July 1868, On Consideration whereof the Court do find the Proceedings of Said Sheriff and Special Master and the Sale by him made of the lands and tenements in the Petition mentioned to be in all respects in due form of law, It is therefore Ordered, Adjudged and Decreed by the Court, That the Proceedings and Sale of Said Sheriff and Special Master be in all things Approved and Confirmed, and that Said Sheriff as Such Special Master Execute and deliver to Said Purchaser a Deed for the lands & tenements So Sold in fee Simple, Pursuant to the Statute in Such Case Made and Provided, And that of the Proceeds of Said Sale he pay the Costs of this Cause 2d That he pay the Taxes on Said lands for 1867 Amounting to $5.58 3 That he allow the Purchaser to retain the Balance of the Purchase Money - he being the Plaintiff in this Cause, And the Balance so remaining not being Sufficient to pay his Claim - It is Ordered by the Court that the Said Plaintiff have Award of Execution for the residue

And Thereupon the Court adjourned without day.

J. Locklin Judge

Times fixed for holding Courts in the third Judicial District of the State of Ohio for the year 1869

Be it Remembred That at a meeting of Judges of the Court of Common of the Third Common Pleas Judicial District of the State of Ohio at the Court House in the City of Tiffin Seneca County Ohio On the day of the date hereof, for the purpose of fixing the times of holding the Terms of the Courts of Common Pleas and of the District Courts in said District for the year 1869. We the undersigned Judges of the Court of Common Pleas within And for Said District do hereby fix the times of holding said Courts for the year 1869 in each and every County in said District,

District Court.

The Several Terms of the District Court in and for the year 1869 Shall commence in the Several Counties thereof as follows to wit

In Williams County	August	3d	In Mercer County	August	20th
In Fulton County	"	4th	In Shelby County	"	23d
In Wood County	"	5th	In Logan County	"	25th
In Henry County	"	7th	In Marion County	"	28th
In Defiance County	"	9th	In Union County	September	1st
In Paulding County	"	11th	In Crawford County	"	3d
In Van Wert County	"	12th	In Wyandot County	"	6th
In Allen County	"	14th	In Hardin County	"	8th
In Putnam County	"	17th	In Hancock County	"	10th
In Auglaize County	"	19th	In Seneca County	"	13th

And that the Several Terms of the Court of Common Pleas in and for the Several Counties of Said District in for Said year Shall commence in the Several Counties thereof as follows,

In Union County	January	25th	April	20th	September	20th
In Hardin County	January	11th	March	29th	October	4th
In Marion County	February	2d	April	27th	October	19th
In Logan County	February	22d	May	31st	November	8th
In Shelby County	February	8th	May	10th	October	18th
In Auglaize County	February	23d	June	14th	November	2d.
In Allen County	March	9th	June	22d	November	16th
In Mercer County	February	16th	June	1st	October	26th
In Van Wert County	January	19th	May	11th	September	28th
In Putnam County	February	2d	May	25th	October	13th
In Paulding County	February	2d			September	21st
In Defiance County	February	8th	April	26th	September	27th
In Henry County	February	15th	May	3d	October	4th
In Fulton County	March	2d	May	11th	October	18th
In Williams County	March	16th	May	18th	November	2d
In Wood County	January	5th	April	6th	September	28th
In Seneca County	February	16th	May	18th	November	8th
In Hancock County	January	19th	April	6th	October	19th
In Wyandot County	March	1st	May	31st	September	20th
In Crawford County	February	9th	May	4th	November	9th

And we do further Order and direct that the Several Terms of Said Courts Shall commence on the first day of each of Said Terms at eight Oclock A M,

In Testimony Whereof, We issue this Our Order for the purpose aforesaid at Said Court House on this 12th day of September A.D. 1868

J. S. Conklin
James MacKenzie
A. S. Latty
Chester R. Mott
James Pillars
} Judges of Said Court

To the Clerk of the Court of Common Pleas of Union County Ohio, who is hereby directed to publish this Order for three Consecutive weeks in each of the Several News papers published in Said County.

I hereby certify that the above foregoing is a full & true copy of the aforesaid Order now remaining on file in my office

Taber Randall Clerk

Wednesday November 4th A.D. 1868 The Court of Common Pleas for the County of Union in the State of Ohio met this morning at 11 oClock in pursuance of law present Jacob S. Conklin Presiding Judge James B. Whelpley Sheriff John L. Porter Prosecuting Attorney J. Taber Randall Clerk

This day the Jurors of the Grand Jury being called came to wit, — Joseph Evans. Peter Bland Othniel Jewett 2. W. Porter L. D. Wright A. H. McCampbell John C. Price L. Fuller Sen. David McClung Isaac Channel Regular Jurors & Stephen T. Kinney John T. Sabin. Andrew Keys John Weaver & Robert Graham tales Jurors. And the Court appointed John T. Sabin Foreman. And the Grand jury being duly empannelled & Sworn were charged by the Court and retired to their rooms to deliberate under the charge of a Sworn Constable

X 5/1 B. F. Miller — Pl. — Orlando Wells — Continued

X 76/1 Hallington & Garwood — Pl. — Michael Davis — Continued

X 219/1 Albert Galloway — Pl. — Harmon Patch — Continued

Jonathan Fields — Pl. — Robert Fields — This day came on this cause to be heard on the motion to confirm the proceedings & Report of the Sheriff On Order of Partition And it appearing that said proceedings are in all respects lawful it is Ordered that the same be & are hereby confirmed, And it is further Ordered that the Costs of the proceeding including an Attorneys Fee of $40.00 to Sterling & Porter & Robinson And an Atty Fee of $30.00 to D. Bladen be Paid by the parties to whom said lands were set off in the proportions of 1/4 by Plaintiff & 3/4 by the Defendant And in default of Payment of the same for ten days that Execution issue for the same as upon Judgments at Law

230/1

X 232/1 D. C. Hanover — Pl. — Wm Shamy & Others — Continued

X 261/1 Cyrus Albin — Pl. — Samantha A. Pugh — Continued

X 292/1 Jacob S. Newcomb — Pl. — John C. Hanover et al — Continued

X 314/1 David Mulford — Pl. — Wm Stidham — Continued

Wednesday Nov. 4th 1868

X 316	Wm Haskill	vs. Jno. Mahoney	Reply to 7th defense filed & Cause Contd
X 330	Wm Parthemore	vs. American Express Co.	Contd
367	Joseph McCrum	vs. Samuel Scott, Contd, Order from Order with leave to file reply	
382	L. F. Leech & Wm M. Robinson & Others	vs.	Amended answer filed by leave of Court
390	Village of Marysville	vs. P. M. Southard	Contd
398	Francis Thompson	vs. Elijah Sabin	Continued
405	John Finley	vs. Clark Young	Continued
440	Tarrant Hemingway Adm	vs. Edward Rumsey & Welsh	Continued
444	John Finley	vs. John Adams	Continued with leave to file Amended Answer
446	W. G. Scrimager	vs. Truman M. Kimble	Contd
470	Andrew Harris & Wife	vs. Davies Cook & Als	Dismissed for Want of Prosecution It is therefore Considered and Adjudged by the Court that the Defendants recover of the Plaintiffs their Costs herein Expended taxed to $
481	Thomas D. Long	vs. Wm Cole	Dismissed without Prejudice It is therefore Considered that Defendant recover of Plaintiff his Costs taxed to $
487	Bowen Lamme	vs. Jacob Smith & Als	Continued
488	Haskell Dockum	vs. Harriett E. Dockum Exr	Contd

X 516 / 1

527 /

X 532 / 1

546 /

573 /

X 579 / 1

563 /

Wednesday Nov. 4th 1868

X 516 | George Orr vs. Noah Orr et Als } By consent of all parties the Sale made in this case is set aside and same continues under former Order of Sale

/ 527 | George Kent vs. Wm. P. Welsh } Cause dismissed by Plaintiff with Defendants consent, whereupon it is adjudged that Defendant recover of Plaintiff his costs herein Expended taxed to $

Jacob Mapes vs. John Robinson } Continued with leave to Plaintiff to Amend Petition in 30 days —

X 532 |

/ 546 | Harriett Vannocking vs. Charles Vannocking } Cause dismissed by reason of the reconciliation of the Parties — Whereupon it is Ordered that Defendant pay the Costs herein taxed to $

X 548 | Aaron McArthur vs. Daniel Sheaver & Perion } Continued "

Moses Amrine vs. Washington Amrine & Wilson Wanzorden } Dismissed at Plaintiffs Cost Prejudice, Whereupon it is Considered that Defendant recover of Plaintiff his costs herein taxed to $

X 569 | Emma Miller Plaintiff vs. Alfred A Miller, Ethlinda Miller, Joseph F. Miller, Amos Miller, Hesterann Miller, Emma A. Miller, Ellis Miller and Lizzie Miller Defendants } On motion of N A Gilbert a friend of the said Joseph F. Miller, Amos Miller, Hesterann Miller Emma A Miller, Ellis Miller and Lizzie Miller infant Defendants, And it appearing to the Court that the said Defendants Joseph F. Miller, Amos Miller, Hesterann Miller are of the age of Fourteen years, And that the said Defendants Emma A. Miller, Ellis Miller and Lizzie Miller are under fourteen years of age And that they have no Guardian of the aforesaid defendants have neglected to appear in person for the appointment of a Guardian for more than Twenty days after the return of the Summons or service upon them — It is therefore Ordered that Leonidas Piper be and he is hereby appointed Guardian for the said Joseph F. Miller, Amos Miller, Hesterann Miller, Emma A. Miller, Ellis Miller and Lizzie Miller, And thereupon came the said Leonidas Piper Guardian for the suit and accepted said appointment

/ 567 | Wanzfield & Winters vs. C. P. Pollard } Settled at Defendants costs. It is therefore Considered, Ordered and adjudged by the Court that the Plaintiff recover of the Defendant C. P. Pollard the costs of this action taxed to $

And thereupon the Court adjourned until Nine O'clock to-morrow morning

J. S. Conklin Judge

Thursday Nov. 5th 1868

Thursday Nov. 5th 1868 This morning the Court met pursuant to adjournment present the same officers as On Tuesday

57 | Emma Miller Plaintiff
vs.
Alfred R. Miller, Ethlinda Miller, Joseph F. Miller, Hester Ann Miller, Amos Miller, Ellis Miller Emma A. Miller and Lizzie Miller Defendants } Petition for Dower

And now comes the said Plaintiff by her Attorney N. A. Gilbert and the said defendants Joseph F. Miller, Hester Ann Miller, Emma A. Miller and Lizzie Miller by Leonidas Spaw Esq, Guardian for the Suit, And the said Alfred R. Miller and Ethlinda Miller or either of them failing to appear and answer plead or demur to the said Petition thereupon this cause came on for hearing upon the Petition, Answer and Exhibits On Consideration whereof the Court find that the said Petitioner was married to the said Jacob Miller as she has in her petition set forth, and that during said coverture the said Jacob Miller was seized of an Estate of inheritance in and to said premises and that the said Jacob Miller is now deceased and that the said defendants are now in possession of said premises, claiming the Estate of the said Jacob Miller therein It is therefore adjudged and decreed that the said Plaintiff be Endowed of One Full Equal third part of the lands and tenements in said Petition described and it is further Ordered that a writ issue to the Sheriff of Union County Ohio commanding him that by the Oaths of three judicious, disinterested Men of the Vicinity, who are Free holders to Either party he cause such dower to be set off and assigned to the said Plaintiff according to law, and that he forthwith return his proceedings in the premises

Davis A. Williams } In Partition
vs.
530 | George F. Bennett & Others } It appearing to the Court that Mary Williams James Williams, Amelia Williams Grant Williams & George Williams are minors it is Ordered that D. A. Robinson Esq be appointed Guardian ad litem for said minors who has in Open Court accepted said appointment

Davis A. Williams } In Partition
vs.
George F. Bennett & Others } This cause this day came on to be heard on the Petition Answer of Guardian ad litem and Exhibits of Pltf. On Consideration whereof the Court does find that due & legal Notice of the pendency & demand of the petition hath been given to all the defendants for more than forty days prior to the commencement of the present term of this Court, And no sufficient cause appearing why Partition should not be made it is Ordered by the Court that by the Oaths of Aylesworth Mowry, Jacob Painter & Talbott Burgantine judicious and disinterested freeholders of the Vicinity Partition be made of said lands as follows
1st Davis A. Williams One Eighth thereof, 2d George F. Bennett One Eighth thereof 3d To Mary Williams, James Williams, Amelia Williams, Grant Williams & George Williams One fourth thereof, 4th To Joseph Miller One Eighth thereof, 5th To Charles W. Lyon one Eighth thereof, 6th To Edward Land One Eighth thereof, 7th To Wilson Armstrong one Eighth, And it is further Ordered that a writ of partition issue to the Sheriff of Union County commanding him to cause said partition to be made accordingly, at the present term of this Court

Thursday Nov. 5th 1868

X | N. P. Payne &
Rosina Payne Plaintiffs } Partition
vs.
P. McKeyes & Others } Court being Satisfied that due notice of the filing of
58 | this Petition has been made according to law & thereupon the Court being fully
advised in the premises do find that the Petitioners are Entitled to partition as asked for
in their Petition and that Lydia Calender, Esther Smith, Betsey Pearce, Joseph-
ine Keyes and Almina Newman had conveyed their interest in said land to P. McKeyes
before the decease of Henrietta Keyes but as heirs of Henrietta Keyes Each Shall get
the One - One Hundred and Tenth Part of said lands and that all the Other
heirs of said Lorin Keyes have Conveyed all their interest in said lands to the
said P. McKeyes It is therefore Considered & Ordered that by the Oaths
of D. A. Jay Wm M. Robinson Joseph Cameron and
You holders of the Vicinity the Sheriff of this County Set off and assign One third
part of said Real Estate to Lydia Keyes as her dower therein & that by the like
Oaths of the same persons he Set off and assign to the petitioner the One tenth of
said lands Subject to said dower & to said Lydia E Calender the One Qu
Hundred and tenth part thereof, to Esther A Smith the same quantity, Betsey
Pearce the same quantity, Josephine Keyes the same quantity, To Wesley
Newman Only Son of Almina Newman Dec'd the same quantity, and to P. M.
Keyes the Remainder Four - One Hundred & tenths of said lands, which lands are
more particularly described as follows Viz: Situate in the County of Madison &
Union State of Ohio and bounded and described as follows Beginning at a
Maple and an Ash, On the west Bank of Little Darby Creek, Opposite to the Stony
Locust On the S.E. East Side of said Creek Corner to Alex McCarleys Survey
No. 3559 Thence running up said Creek with the meandering lines of the same
North 9 Poles thence N 55° E 18 Poles thence N 28° W 18 Poles to a Locust tree thence N 72°
W 14 Poles to an Ash, thence N 27° W 30 Poles to a Hickory thence N 75° W 6 Poles to an
Elm, thence N 20° W 36 Poles to three Elms, thence N 55° W 9 Poles to a Bur Oak
thence N 16½ Poles to an Ash, thence N 7° W 14 Poles to a Black Oak thence N 13 E 34
Poles to a Stone thence N 88 W 103 Poles to a Stone thence S 25° W 180 Poles to a
Stone thence S 88° E 218 Poles to the Beginning Containing 160 Acres
And that they report at this Term of the Court

× This day the Grand Jury appeared at the Bar of the Court and presented
their Report and there being no further business before them the Grand Jury were
discharged by the Court

And thereupon the Court adjourned until Eight O'clock to-morrow Morning - -

J. Sloan Klinefelter Judge

Friday Nov. 6th 1868

Friday Nov. 6th 1868 This Morning the Court met Pursuant to adjournment present the Same Officers as On Yesterday

Admrs Estate } Bastardy
vs.
Samuel C Moore } This day came the Parties and thereupon the Plaintiff dismiss ed her Petition and Complaint and the Defendant is to pay the Clerks and Sheriffs Costs and his own Costs and the Plaintiff the Ballance
Whereupon it is Ordered and adjudged by the Court that this Complaint be dismissed and that Defendant pay within ten days the Costs of the Sheriff and Clerk and the Costs by Defendant made taxed to $ And that Plaintiff pay all other Costs herein made taxed to $

Johnathan Haines } This day came the Parties by their Attorneys and thereupon
vs. came a Jury to wit Daniel Darrall Garret Harris
C F Minugh } James Cendus on W. H. H. Titus R. Vanlaw Simons and D. Clement
Andrew Hayes John F Sabin B. Z. Hayes L. D. Wright John Weaver Robert Snodgrass
and D. Selby Tales Diens, who being duly Empanelled and Sworn the truth to Speak upon the issue joined between the Parties upon their Oaths do Say they find for the Plaintiff and asses his damages at five cents
It is therefore Considered Ordered and adjudged by the Court that the Plaintiff recover of the Defendant the Sum of five cents his damages so as aforesaid assessed and also his Costs & Charges therein Expended taxed to $

Estate of Samuel Stakely & John Williams Continued

Edward & Lucia W Pollock Smith Continued "

Peter Mummay vs Nancy Mummay Continued "

Peter L. Mayo & John Mayo et als Continued "

Henrietta A. Williams & Joseph Williams Continued by Consent

A. B. Whitney vs. Hope & Charles Bird Continued "

John Woodburn vs John M. Robinson & wife Continued

Matthew Leigel } Settled
vs. Debt & Cost Paid
Eby. B Southwick & wife

Friday Nov 6th 1868

X 534	John D. Winder Vs. Edward Weller	Contd by Consent
X 581	Callahan Vs. Callahan	Contd by Consent
X 584	Miller & Co Vs. Hetrick & Rowland	Contd by Consent
589	John A. McKnight Vs Sanford Philbrook	Settled & Costs Paid
590	H P Mills Vs Martin Richardson	Contd
592	H. L. Kennedy Vs. Aaron Boylan	Contd by Consent
580	Samuel F. Cowan Vs. Howard Shaffer	This Cause came on to be heard On Motion to require Defendant to Elect upon which defence of his Answer he will go to trial - which Motion is Overruled and Cause Continued
1	B. W. Miller Vs. Isaac Simpson & Matthew Leigel	On Cognovit This day came the said B W Miller by Porter and Sterling his Attorneys and filed his petition against the said Isaac Simpson and Matthew Leigel and thereupon Mr L Lamme One of the Attorneys of this Court appeared in Open Court in behalf of the said Isaac Simpson and Mathew Leigel and by Virtue of a Warrant of Attorney for that purpose Executed and now produced to the Court and duly proved touching the issuing and Service of process and Confessed that the said Isaac Simpson and the said Matthew Leigel doth owe to the said B. W. Miller the Sum of Fifty two & 28/100 Dollars as the said Plaintiff hath in his petition Set forth, It is therefore Considered and adjudged that the said B. W. Miller recover of the said Isaac Simpson and Matthew Leigel the said Sum of Fifty two & 28/100 Dollars so Confessed to be his due, and also his Costs in this behalf Expended taxed at $ And by Virtue of the same Warrant of Attorney all Error is released and all right of Appeal waived by the said defendants

And thereupon the Court Adjourned till to-morrow Morning at 8 Oclock

J. L. Conklin Judge

Saturday Nov. 7th 1868

Saturday Nov. 7th 1868 This Morning the Court met pursuant to adjournment present the Same officers as on Yesterday

John E Cahill }
vs } On Cognovit
D. D. Thompson & }
B. S. Fishr }

This day came the said John E Cahill by Porter & Sterling his attorneys and files his petition against the said D. D. Thompson and B. S. Fishr and thereupon M. Lawrence One of the Attorneys of this Court appears in Open Court in behalf of the said D. D. Thompson and B. S. Fisher and by Virtue of a Warrant of Attorney for that purpose Executed, and now produced to the Court and duly proved, waives the issuing and Service of Summons Procss and Confesses that the said D. D. Thompson and B. S. Fishr do the owe to the said John E. Cahill the Sum of One thousand and Ninety Seven D 10/100 Dollars ($1097.10) as the Plaintiff hath in his petition Set forth, It is therefore Considered and adjudged that the said John E Cahill do recover of the said D. D. Thompson and B. S. Fisher the said Sum of One thousand and Ninety Seven D 10/100 Dollars So confessed to be his due and also his costs in this behalf Expended to wit &
And by Virtue of the same warrant of Attorney all Error is released and all right of appeal waived by the said defendants

Isaac Eberly & Edmund
E. Sheedd Partners &c
vs
J. W. Robinson Administrater of
Elijah Smith dec'd Elizabeth Harriott
& Samuel Harriott her husband

This day came the plaintiffs - and the defendants Samuel Harriott & Elizabeth Harriott, none appearing for J. W. Robinson Administrater of Elijah Smith deceased who still failing to Answer is in default

Thereupon came a Jury to wit. E. C. Smith W. H. H. Titus regular jurors & Levi Longbrake John C. Price. Franklin Justice, Reuben Foote Jehu Gray. Geo. Snodgrass D. G. Cross. Henry Crist W. A. Bellus & Hugh McFadden tales jurors to the number of twelve good and lawful men of the County who being duly empannelled & Sworn to try the issue joined between the parties upon their oaths do find for the plaintiffs and assess the Amount due to them as alleged in the petition at $175.75. It is therefore Considered that plaintiffs recover from the said Samuel Harriott & Elizabeth Harriott his wife & the said J. W. Robinson as Administrater of Elijah Smith deceased the said Sum of $175.75 and also their Costs to be taxed the same if paid by the said Admr. to be paid only out of assets of real or personal property of said estate which have come or may come into his hands

And thereupon the Court adjourned until Monday morning at half past nine o'clock

J. S. Conklin Judge

Monday November 9th 1868 This morning the Court met pursuant to adjournment present the same officers as on Saturday.

X V
5 6/ 1 Rutan Riddle & Co a partnership firm
vs
Leonard Cole

The defendant failing to Answer & none appearing for him is adjudged to be in default.

And thereupon the cause is by the plaintiff Submitted to the Court who finds the allegations of the petition to be true & that there is due to the plaintiffs from defendant on said first note in the petition set out $188.65 which Sum with interest thereon & the costs of this action. the defendant is adjudged to pay to plaintiffs within five days & in default thereof that said Mortgaged premises be Sold as upon Execution & the money brought in to Court to await our further Order. And as to said notes not due this cause is continued & all other question are reserved.

5 6/ 1 Rutan Riddle & Co a Partnership firm
vs
Shannon Bailey

The defendant failing to Answer is adjudged to be in default. Thereupon this cause is by the plaintiff Submitted to the Court. who finds the allegations of the petition to be true & that there is due to plaintiffs from the defendant on the first two notes in the petition set out $179.66 which Sum with interest & costs he is adjudged to pay to plaintiffs within five days from this date & in default thereof that said premises be Sold by the Sheriff as upon Executions at law & the money brought into Court to await our Order. As to the notes not yet due this cause is Continued — All other questions are reserved.

5 6/ X 1 Rutan Riddle & Co a Partnership firm
vs
John McClain

The defendant failing to Answer is adjudged in default & this cause by the plaintiff is Submitted to the Court who being fully advised finds the allegations of petition to be true & that there is due to plaintiffs on the first two notes in the petition described $253.07 which Sum with interest & Costs the defendant is adjudged to pay plaintiffs within five days & in default thereof the said premises be Sold by the Sheriff as upon Executions at law & the money brought into Court to await our Order thereon. And as to said note note due & all other questions not disposed of this cause is Continued.

Monday November 9th A.D. 1868

Lewis Foos
vs
John Hall & Nancy Hall his wife
William W. Ballinger & Resolve Critchfield

This day came the plaintiff by none appearing for the defendants who still failing to Answer are in default. Thereupon this cause came on to be heard on Submission to the Court who being fully advised finds the allegations of the petition to be true & that there is due to the plaintiff from the said John Hall & William W. Ballinger on the note in said petition discribed as due the Sum of $1323.34.

It is therefore considered that the defendants John Hall & William W. Ballinger pay to the plaintiff said Sum of $1323.34 with interest thereon until paid & also the costs of this proceeding within five days from this date & in default that the said Mortgaged premises be sold as upon Execution at law. It is further considered & decreed that said Nancy Hall be & She is forever barred & foreclosed of all right & expectancy of dower in said lands — It is further Ordered that as to said notes not due & other questions not disposed of this cause is continued.

Sol. Miles & Others
vs
Nathan Poling Et Als

2d Trial

This day came the parties by their attorneys and thereupon came a Jury to wit Daniel Duvall, Garrett Adams, James Lewis Wm H. H. Titus, E. C. Smith James D. Haines regular jurors & D. H. Clement L. D. Wright Robert Snodgrass, G. L. Sellers James A. Henderson & Philip Snyder Tales Juror who being duly Empannelled & Sworn the truth to Speak upon the issue joined between the parties upon their Oaths do say they find for the defendants. Thereupon the plaintiffs Submitted a motion for a new trial which motion is Continued

John G. Southard
vs
S. W. Southard & Rebecca Southard

Civil Action

This day came the parties by their attorneys and the Plaintiff for their Second Amended ~~Petition~~ Complaint in this cause, and thereupon a Jury being Empannelled and called to wit Leonidas Tenney, D. Drummond, John C. Price Robert Graham, Samuel Cartmell, S. A. Chevy, D. Snider C. H. Kapp, Andrew Keyes Wm. M. Robinson Leonard E. Bellez, & Joseph W. Lawrence do come who to say the truth of the premises being Chosen, tried and Sworn Say upon their Oaths that the Defendants doth not Owe to the Plaintiff the Sum of Eight Hundred Dollars on any part thereof in manner and form as the Plaintiff hath herein in that behalf alleged. Therefore it is considered that the Defendants go hence thereof without day and recover of the Plaintiff their costs in this behalf Expended taxed at Dollars

Monday Nov. 9th 1868

X 525 Henry Hoover
vs.
Jacob Figley
This day came the parties by their attorneys & this cause came on to be heard upon the demurrer of the Defendant to the 4th Amended petition of the Plaintiff and was argued by Counsel and the Court being fully advised in the premises are of the opinion that the petition and matters therein contained are not sufficient in law to support this action. Whereupon on application of the Plaintiff the Court granted leave to Amend the petition in 30 days & answer to be filed in 20 days thereafter And this cause was continued

X Mary Armstrong
vs.
Hester Kirk
This day came the Parties by their attorneys and this cause came on to be heard upon the motion of Defendant to dismiss this action for want of Jurisdiction, whereupon the motion was argued by Counsel and submitted and the Court being fully advised of the premises, Overruled said motion and this cause stands for trial in its regular Order

X 514 Sanford Philbrook
vs.
Jacob Frilley
John Frilley
This cause is continued at the costs of the Defendant.
It is therefore Considered that the Plaintiff recover of the Defendant the costs of this Continuance and Leave to Plaintiff to Amend Petition in Thirty days

And thereupon the Court adjourned till the morrow morning at 8 Oclock

J. L. Conklin Judge

Tuesday Nov. 10th 1868

Tuesday Morning November 10th 1868, The Court met this morning pursuant to adjournment Present the Same Officers as on yesterday

Emma Miller Plaintiff
vs. Petition for Dower
Alfred K Miller Et al

On Motion to the Court by R. A Gilbert Counsel for the Plaintiff and upon producing the Sheriffs Return and the Assignment of Dower herein under the Seal of this Court, and the Same being found by the Court to be in all respects in conformity to law It is Ordered that the said proceedings and Assignment of Dower be and the Same is hereby approved and Confirmed, and that the said Emma Miller hold and Possess said lands so Assigned as and for her reasonable Dower in and to the said premises, And it is further Ordered that a writ of Seizin issue to the Said Sheriff Commanding him to deliver to the said Emma Miller full possession of the premises assigned to her as aforesaid, And it is further Ordered that the said Emma Miller pay one third of the Costs of this Suit taxed at Dollars And the said Defendants pay two thirds of the Costs of this Suit taxed as aforesaid at & within ten days And in default thereof that an Execution issue therefor as upon Judgments at Law

Louisa Alice Hamilton &
Carrie Hamilton by Benatio C. Hamilton
their Guardian Plaintiffs
vs. In Partition
Laura E Randall, Jacob C Sidle as Trustee
of said Laura E Randall and Wm. M Randall Defendants

This day came the said Plaintiffs by their Attorneys Reid & Cannon & filed their Petition for Partition and thereupon both said Jacob C. Sidle as Trustee of Laura E Randall, and the said Laura E Randall and Wm. M Randall filed their Waiver of Service of process in this action and Entered their Appearance herein, And then for this cause coming on to be heard upon the Petition Evidence and Exhibits, On Consideration whereof the Court do find that the Defendants herein have waived Service and Entered their Appearance, and they consent that a writ of Partition issue in this Cause, and the Court do further find that the said Louisa Alice Hamilton & Carrie Hamilton, have a legal right to and are seized in fee simple of the undivided One fourth Part Each of the premises described in the Petition, And the Court do further find that the said Laura E Randall by her Trustee Jacob C Sidle is a tenant in Common in said premises with the said Louisa Alice and Carrie Hamilton, And has legal title to and is seized by and through said Trustee of the undivided One half of said premises Subject to the interest in or charge upon said lands in the Sum of $1000, which is owned & held by the other Defendant herein Wm. M Randall. It is therefore Ordered that a writ of Partition issue to the Sheriff of this County Commanding him that by the Oaths of Henry Anderson W. C. Sides and Alf Scott Partition be made of said lands in the following proportions to-wit- to the said Louisa Alice Hamilton One Equal fourth part to the said Carrie Hamilton, One Equal fourth Part, And to the said Jacob C Sidle as the Trustee of Laura E Randall all One half of said premises which shall be Subject to the Claim or interest of said Wm. M Randall in the Sum of

$1000 &c And it is further Ordered that the Sheriff return his proceedings in the premiss forthwith

And thereupon the Court adjourned till to-morrow morning at 8 Oclock

J. L. Conklin Judge

Wednesday Morning November 11th 1868 This morning the Court met pursuant to adjournment Present the Same officers as On yesterday

X
502
1

Morgan Savage
vs.
The Trustees of the Methodist Episcopal Church at Dover

This day came the parties and On application leave was granted to the Defendants to file an amended answer, which was then accordingly done whereupon the Plaintiff filed a demurrer to the third Ground of defence set up in said amended answer & this Cause came On to be heard upon the said demurrer to said third Ground of defence in said amended answer & was argued by Counsel & the Court On consideration thereof doth sustain said demurrer to which action and ruling of said Court in sustaining said demurrer the Defendants do by their Counsel Except, which Exception was allowed & Ordered to be made a part of the record in this Case

1
Henderson & Scott
vs.
D. McKinkin

Cognovit

And now comes the said Henderson and Scott by P. Piper their attorney and file their petition against the said D. McKinkin And thereupon M. Lawson One of the attorneys of this Court appears in Open Court in behalf of the said D. McKinkin and by Virtue of a warrant of Attorney for that purpose Executed and now produced to the Court and duly proved confesses the Issuing and Service of process And confesses that the said D. McKinkin does owe to the said Plaintiffs the said Sum of Twenty Five and 18/100 Dollars, as the said Plaintiffs have in their said Petition Set forth. It is therefore considered that the said Henderson & Scott do recover of the said D. McKinkin the said Sum of Twenty Five & 18/100 Dollars So confessed to be due And also their costs in this behalf Expended taxed to Dollars and Cents, And by Virtue of the same warrant of Attorney all Errors releases and all right of Appeal waived by the said D. McKinkin

$25.18
58
2

502
1

Morgan Savage
vs.
The Trustees of the Methodist Episcopal Church at Dover

On leave of the Court first had & Obtained the Defendants filed this day an Amendment to the Amended Answer also this day filed herein, And thereupon this Cause came On to be heard further upon the said Demurrer to the said third defence set up in said Amended Answer as Amended, And was argued by Counsel, whereupon the Court On Consideration thereof doth sustain said demurrer, to which decision And ruling of the Court Defendants do Except, which Exception is allowed And Ordered to be made of record in this Case

Wednesday Nov. 11th 1868

Henderson & Scott
vs.
Edward Quinn

Capias

And now comes the said Henderson and Scott by D. Piper their Attorney and files their Petition against the said Edward Quinn and thereupon M. L. Lawrence One of the Attorneys of this Court appeared in Open Court in behalf of the said Edward Quinn and by Virtue of a Warrant of Attorney for that purpose Executed and now produced to the Court and duly proved waived the issuing and Service of process and Confessed that the said Edward Quinn does Owe to the said Plaintiffs the Sum of Sixty Five and 67/100 Dollars as the said Plaintiffs have in their said Petition Set forth
It is therefore Considered that the said Henderson & Scott do recover of the said Edward Quinn the said Sum of Sixty Five & 67/100 Dollars so Confessed to be due and also their Costs in this behalf Expended and taxed to $
And by Virtue of the same Warrant of Attorney all Error is released and all right of Appeal waived by the said Edward Quinn

$65.67

Henderson & Scott
vs.
James S. Baldwin

Capias

And now Comes the said Henderson & Scott by D. Piper their Attorney and files their petition against the said James S. Baldwin and thereupon M. L. Lawrence one of the Attorneys of this Court appeared in Open Court in behalf of said James S. Baldwin and by Virtue of a Warrant of Attorney for that purpose Executed and now produced to the Court and duly proved, waived the issuing and Service of process and Confessed that the said James S. Baldwin does owe to the said Plaintiffs the sum of Nine & 85/100 Dollars as the said Plaintiffs have in their said Petition Set forth
It is therefore Considered that the said Henderson and Scott do recover of the said James S. Baldwin the said Sum of Nine & 85/100 Dollars so Confessed to be due and also their Costs in this behalf Expended and taxed to $
And by Virtue of the same Warrant of Attorney all Error is released and all right of Appeal waived by the said James S. Baldwin

$9.85

Henderson & Scott
vs.
D. P. Graham

Capias

And now comes the said Henderson & Scott by D. Piper their Attorney and file their petition against the said D. P. Graham and thereupon M. L. Lawrence One of the Attorneys of this Court appeared in Open Court in behalf of the said D. P. Graham and by Virtue of a Warrant of Attorney for that purpose Executed and now produced to the Court and duly proved, waived the issuing and Service of Process and Confessed that the said D. P. Graham does Owe to the said Plaintiffs the said Sum of Fifteen and 9/100 Dollars as the said Plaintiffs have in their said Petition Set forth
It is therefore Considered that the said Henderson & Scott do recover of the said D. P. Graham the said Sum of Fifteen and 9/100 Dollars so Confessed to be due and also their Costs in this behalf Expended taxed to $
And by Virtue of the same Warrant of Attorney all Error is released and all right of Appeal waived by the said D. P. Graham

$15.09

Wednesday Nov 11th 1868

V / $32.06 $60

Henderson & Scott
vs
Lewis Evans

Cogsuit

And now comes the said Henderson & Scott by L P Piper their attorney and file their Petition against the said Lewis Evans and thereupon Mr Lawrence One of the Attorneys of this Court appears in Open Court in behalf of the said Lewis Evans and by Virtue of a Warrant of Attorney for that purpose Executed and now produced to Court and duly proved, waived the issuing and Service of process and Confesses that the said Lewis Evans doth Owe to the said Plaintiffs the said Sum of Thirty two and 6/100 Dollars as the said Plaintiffs have in their said Petition set forth. It is therefore considered that the said Henderson and Scott do recover of the said Lewis Evans the said Sum of Thirty Two and 6/100 Dollars so Confessed to be due and also their Costs in this behalf Expended taxed to $ and by Virtue of the same warrant of Attorney all Errors released, and all right of appeal waived by the said Lewis Evans

£99 / X

Johnathan Burt
vs
Wm W Franklin

This day came the parties and thereupon the Defendant for thereas his Answer to the 3d Count in the Plaintiffs Petition and thereupon came a Jury to wit Daniel Duvall Garrett Harris James Henderson, E L Scott Thos D Evans Reuben Ellis, Andrew Riggs, B W Riggs, Adam Wolfe and Edward Thomas who being duly Empannelled Sworn the truth to Speak and a true Verdict give upon the issues joined between the parties do find for the Plaintiff On the 3d Count in his Petition and that there is due Plaintiff from Defendant on said account the Sum of $47.00 and do find for the said Defendant on the said first and second Causes of Action set out in said Plaintiffs Petition. It is therefore Considered, Ordered & adjudged by the Court that the Plaintiff recover of said Defendant said Sum of $47.00 due on said third Count and that Defendant go hence without day as to the Causes of Action in said first and second Counts in said Petition, Whereupon the Plaintiff demanded a second trial under the Statute which is allowed and Bond fixed at $100.00

535 / V

A. L. Scoville & Co
vs
E. Hammond

This day came the plaintiff by their Attorney and the said E. Hammond having failed to Answer or demur to the petition of the said A. L. Scoville & Co it is therefore considered that the said A. L. Scoville & Co ought to recover of the said E. Hammond the Sum of One hundred & thirty three & 90/100 dollars so demanded in their petition.

It is therefore considered & adjudged that the said A. L. Scoville & Co recover of the said E. Hammond the said Sum of One hundred & thirty three & 90/100 dollars together with their costs in this behalf expended taxed at $

528 / X

Randall J Gilbert
vs
Samuel Carter

Continued at costs of Defendant

It is therefore considered Ordered & adjudged by the Court that the plaintiffs recover of Defendant their costs of this Term taxed at $

Nov. 5: 1873 Ex. Rec'd & Sheriff of Union Co. Ohio

531 | Mary Armstrong
vs.
Hunter Kirk
Answer or demurrer.
Civil Action
This day came the Plaintiff Mary Armstrong by her Attys. and the Defendant being in Default for want of Answer or Demurrer. Thereupon came a Jury to wit Daniel Derrah Garret Harris, James Henderson, E. L. Smith, Henry D. Harris, W. H. H. Telus, Appleton Burns and F. H. Clement, L. D. Wright, C. L. Selley, Andrew Keys, B. C. Keys and Robert Snodgrass Tales Burns who being duly Emp[anelled] and Sworn to Speak the truth upon the Several allegations of the Petition of the said Mary Armstrong do upon their Oaths Say they find for the Plaintiff and assess her damages at Three thousand five Hundred Dollars It is therefore Considered, Ordered and Adjudged by the Court that the Plaintiff recover of the Defendant the Sum of Three Thousand Five Hundred Dollars and her Costs herein in this behalf Expended and have execution &c

Nov. 5: 1873. Ex. returned & filed endorsed to writ. Rec'd this writ Nov. 25: 1873
No goods chattels lands or tenements found whereon to levy, and this writ returned wholly unsatisfied Fees 75 cts
John C. Nice Sheriff Union Co. O.

535 | Bancroft Bro's & Co.
vs.
John Duffy & others
to file answer in thirty days
Continued with leave to file amended petition in ten days & to dft. I. N. Wells

529 | H. M. Woodruff vs J. J. Thompson et als — Settled & costs paid

535 | Beckle & Blakeney vs S. A. Berry — Contd

537 | Michael Coely vs John Macan — Contd,

538 | W. C. Barnett vs Welsh & Billus — Contd,

539 | M. Lingrel vs McClain & Converse — Settled & Costs paid

541 | J. S. Sams vs Sarah A. Sams — Contd.

543 | Jane E. Buckner vs A. & G. W. Rail Way Co. — Continued with leave to Dept to Answer in 30 days.

544 | Wm J. Laird vs A & G W R W. Co — Contd with leave to Answer in 30 days

545 | Mosis Wolford vs A & G W. R. W. Co. — Contd with leave to Answer in 30 days.

And Thereupon the Court adjourned until 8 o'clock tomorrow morning

Thursday November 12th A.D, 1868

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

5-74

David Wood
VS
Aaron Thornton Mary Thornton & Job Dillon

Court of Common Pleas Union Co. Ohio

Now comes the said David Wood by his Attorneys and the said Aaron Thornton. Mary Thornton & Job Dillon still failing to answer or demur to the said petition of the plaintiff, it is considered that the said plaintiff ought to recover the amount due him by reason of the premises; And the Court, with the consent of the said plaintiff find that there due from the said defendant to the said plaintiff, on the notes in the said petition set forth, the sum of $631,46/100

It is therefore considered by the said Court here that the said plaintiff recover of the said defendants the said sum of $631 46/100 the sum found due as aforsaid And his costs taxed at $

And it is further Ordered & Adjudged that in case the said defendants fail for three days from the close of this Term of the Court to pay the said plaintiff the said sum of $631 46 so as aforsaid found due with costs of suit an Order of Sale issue to the Sheriff of said County Commanding him to cause the said lands & tenements in said petition described to be Appraised Advertised & Sold according to law and apply the proceeds of said Sale in Satisfaction of the said judgement so as aforsaid rendered & that he be Ordered to bring the residue into Court Subject to the further Order of the Court And if the proceeds arising from the Sale of said premises do not Satisfy said judgement & Costs that an execution be awarded for the balance

5-71

William P. Vansant an Infant
By Joel D. Vansant Plff.
Vs
George W. Joliff Deft.

1st " Case

5-72

Charles L. Vansant an Infant
By Joel D. Vansant Plff.
VS
George W. Joliff Deft

2d " Case

These two cases are Settled by defendant George W. Joliff agreeing to give up possession of the lands in the said petition described on or before April 1st 1869 to the said plaintiff. Defendant until said 1st day of April to have fire wood for his own use but is not to cut valuable timber And is also to have the use of Wood & pasture lots to feed in. Defendant is to take proper care of said premises & to yield quit & peaceable possession of the premises to plaintiff On or before April 1st. 1869— Plaintiff to pay one half & the defendant one half of the costs made herein. No record in the cases.

Thursday Nov. 13 1868

Chas A. Marshall
vs
Walter Marshall

Court of Common Pleas
Union County Ohio

This day came the said Parties by their Attorneys and thereupon this Cause came on to be heard upon Motion to allow the Plaintiff Alimony as an allowance for her Support until the final Adjustment of this Case at the January Term of said Court for 1869. And the Court do Consider and Adjudge that the Defendant pay to the Plaintiff the Sum of Two Hundred Dollars for her Support as aforesaid, as follows to wit, One Hundred Dollars by said 25th day of November 1868, and the Second One Hundred Dollars by said 25th day of December 1868, and that in Case that Either of said Sums remain Unpaid Ten days after the same become Due Execution may issue against the said Defendant in favor of the said Plaintiff to collect the Same

Levin Wright Plaintiff
vs
Jonas Figley Defendant

This day Came the Plaintiff by his Attorney and submitted this Cause to the Court, the said Jonas Figley being in default for want of Answer or Demurrer to the Petition of the said Plaintiff Levin Wright Plaintiff, Whereupon the Court do find that the said Defendant Owes to the said Plaintiff the Sum of Two Hundred and Twenty two Dollars and Ninety five Cents, on the promissory Note in said Petition set forth in Manner and form as the said Plaintiff in his Petition in that behalf hath alleged, Therefore it is Considered and Adjudged by the Court that the said Levin Wright recover of the said Jonas Figley the Sum of Two Hundred and Twenty two dollars and Ninety five Cents his debt aforesaid, So as aforesaid found due, and also his Costs in this behalf Expended taxed to $

Benjamin Sells
vs
Philip Haun

This Cause is Continued by Consent of the Parties

And thereupon the Court adjourned till to morrow Morning at 8 O'clock

J. L. Conklin Judge

Friday Nov. 13th 1868

Friday Morning Nov. 13th 1868 This Morning the Court Met Pursuant to Adjournment and Went the Same Officers as Yesterday

597 O. A. & C. B. Childs
vs
J. D. White Et Al

This day Came the Plaintiffs by their Attorneys and the said Defendants having failed to Answer or Demur to the Petition of Plaintiffs it is Considered that the Plaintiffs Ought to Recover of the Defendants the Sum of One Hundred and Eleven 67/100 Dollars so Demanded in their Petition. It is therefore Considered and Adjudged that the said O. A. & C. B. Childs Recover of the said Defendants the said Sum of One Hundred and Eleven 67/100 Dollars together with their Costs in this behalf Expended taxed at $

598 O. A. & C. B. Childs
vs
J. B. Stewart Et Al

This day Came the Plaintiffs by their Attorneys and the said Defendants having failed to Answer or Demur to the Petition of Plaintiffs it is Considered that that the Plaintiffs Ought to Recover of the said Defendants the Sum of One Hundred and twelve 22/100 Dollars so demanded in their Petition. It is therefore Considered and Adjudged that the said O. A. & C. B. Childs Recover of the said Defendants the said Sum of One Hundred and Twelve 22/100 Dollars together with their Costs in this behalf expended and taxed at $

599 R. Woodruff
vs
James T. Scott

This day Came the Plaintiff but Defendants Made Default Whereupon the Court being fully Advised in the premises do find for Plaintiff, and that is due from the said James T. Scott the Sum of $303.00 On said Note & Mortgage. It is therefore Considered, Ordered & Adjudged by the Court that the Plaintiff Recover of the said James T. Scott said Sum of Five Hundred and three dollars and his Costs herein Expended, and it is further Ordered that if said Judgment & interest be not paid in ten days that an Order of Sale issue to the Sheriff of this County for the time being who is ex Officio Special Master Commissioner Commanding him to Sell said Premises in Plaintiffs Petition described according to law to Satisfy the same

552 A. B. Rumphreys
vs
P. M. Hubbard

This day Came the Plaintiff but Defendant Made Default and thereupon this Cause Came on to be heard by the Court and thereupon the Court being fully Advised in the premises do find for the Plaintiff from Defendant the Sum of $193.00 as Claimed in said Petition, It is therefore Considered, Ordered and Adjudged by the Court that Plaintiff Recover of the Defendant said Sum of One Hundred & Ninety three dollars & Costs herein Expended taxed to $

553 Mary Stokes
vs
John Perry & W. H. Sites

This day Came the Plaintiff but Defendants Made Default, and thereupon this Cause Came on to be heard by the Court and thereupon the Court being fully Advised Find for the Plaintiff from Defendants the Sum of $ 112.00 as Claimed in said Petition, It is therefore Considered, Ordered and Adjudged by the Court that Plaintiff Recover of the Defendants said Sum of One Hundred and Twelve Dollars and Costs herein Expended taxed to $

Friday November 13, 1868

C. M. Robinson
vs
D. D. Alexander
Continued Under former Order

D. W. Henderson
vs
Village of Marysville
Continued

George Slaw
vs
Martin Ryan &
M. L. Ride
This day Came the Plaintiff but Defendants Made default and thereupon this Cause Came on to be heard by the Court and thereupon the Court find there is due the Plaintiff from defendants the Sum of $230.00 as Claimed in Said Petition, It is therefore Considered Ordered & adjudged by the Court that Plaintiff recover of the defendants Said Sum of Two Hundred and Thirty Dollars and Costs herein Expended taxed to $

Lewis Poler
vs
O. Wells & O. H. Wells
This day Came the Plaintiff but Defendants Made default and thereupon this Cause Came on to be heard by the Court and thereupon the Court find there is due the Plaintiff from defendants the Sum of $101.00 as Claimed in Said Petition It is therefore Considered Ordered & adjudged by the Court that Plaintiff recover of the Defendants Said Sum of One Hundred and Five Dollars and Costs herein Expended taxed to $

James McElroy
vs
E. Hammond & S. P. Sturlen
This day Came the Plaintiff but the Defendants Came not & thereupon this Cause was Submitted to the Court whereupon the Court find for the Plaintiff that there is due as claimed in Said petition from defendants to Plaintiff the Sum of $206.00 it is therefore Considered Ordered and adjudged by the Court that Plaintiff recover of the Defendants On Said note, Said Sum of Two Hundred and Six dollars due as aforesaid and his Costs herein Expended taxed to $

Mack & Brothers
vs
A. D. Elliott
This day Came the Plaintiffs & the Defendant Came not but made default whereupon the Court find there is due Plaintiff from defendant On Said note the Sum of One Hundred & nine ten & 50/100 Dollars, It is therefore Considered Ordered and adjudged by the Court that Plaintiff recover of the Defendant One Hundred & nine ten dollars and fifty cents Costs herein Expended taxed to $

No Record by order of Plffs Attys

James M. Welsh
vs
Saml. P. G. Brown
Continued

Thomas Bancroft
vs
Virginia Bancroft
Divorce
Continued

Friday November 13. 1868

502

Morgan Savage Plaintiff
vs
The Trustees of the Methodist
Episcopal Church at Dover Defts

This day came the parties by their attorneys and thereupon came a jury to-wit, Samuel Hendrickson, E.C. Smith, James D. Harris W.H.H. Files regular jurors and J.H. Clement, L.D. Wright G.L. Robert Snodgrass and Leonidas Jenner Talesmen who to speak the truth being duly empannelled and sworn do upon their oaths say that they find for the Plaintiff and assess his damages at five hundred and fifty four Dollars and forty three cents. It is therefore considered and adjudged by the Court that the Plaintiff recover of the Defendants as Trustees of said Church the sum of Five hundred and fifty four Dollars and Forty three cents and his costs herein laid to $ Twelve hundred Dollars. Second Trial demanded and allowed. Bond fixed at

565

Elizabeth Hudson
vs
David Hildreth

Partition — Continued with leave to file an Amended Petition in Forty days

Samuel H. Cowan Plaintiff
vs
Howard S. Shoffner Defts

This Cause Continued by Consent and the Plaintiff has leave to file an amended petition within Thirty days from this time

522

Mary Armstrong
vs
Austin Kirk

Civil Action

This day came the Pla

539

Elizabeth Clark
vs
Asa Clark

Petition for Divorce & Alimony.

This day came the parties by their Attorneys and thereupon this cause came on to be heard upon the motion of the plaintiff for Alimony pending this Suit. The motion was submitted on testimony & Argument of Counsel. In consideration whereof the Court do find the plaintiff is entitled to recover of the defendant the sum of Sixty dollars her Alimony pending this action.

It is therefore Considered Ordered & Adjudged by the Court that the defendant pay to plaintiff Sixty dollars within fifteen days from this date & if not then paid that execution issue for the same and this cause stands Continued

Isaac J. Sparks
vs
Julia A. Benedict

Civil Action.

This day came the parties by their Attorneys & thereupon came a jury to wit, Daniel Duvall regular juror and W.E. Burrows D.G. Crop J.C. Price Robert Graham G.W. Montgomery Samuel McCampbell W.E. Baxter Darius Buxton Alvin Bellis

Friday November 13. 1868

Philip Haun & Wm M. Robinson Talis Jurors who to speak the truth of the premises being duly empannelled & Sworn do upon their oaths say they find for the plaintiff and assess his damages at fifty dollars,

It is therefore considered Ordered & adjudged by the Court that the plaintiff recover of the defendant the sum of fifty dollars and his costs herein in this behalf expended taxed to dollars

George Moody
vs
Hiram Stokes &
Wm Whately

On motion of the defendant and his Affidavit this cause is Continued at defendants costs

Lewis W. Greene
vs
Wm M. Robinson

On Demurer
This day came on this cause to be heard on demurer to the 2d 3d & 5th defence of the defendants amended Answer—Whereupon on full consideration the Court do Sustain said demurer, to which ruling & judgement of the Court Defendant excepts and this cause is thereupon Continued by agreement,

Nimrod B. Payne &
Rosina Payne
vs
Pearl M. Keyes et als

Partition,
This day came on this cause to be heard on the motion to confirm the proceedings & Report of the Sheriff & Commissioners in partition and thereupon the Court do approve & confirm said proceedings & report & appraisement & neither party electing to take said land at the appraisement it is Ordered & adjudged that an Order of Sale issue to the Sheriff of this County commanding him to sell said land on the premises according to law, and report to this Court at its next Term thereof

David A. Williams
vs
George T. Bennett & others

In Partition
On motion to the Court by Mssrs. Young & Chance Counsel for Petitioners & upon producing the proceedings of the Sheriff & also the report & proceedings of the Commissioners herein before appointed & the same being examined & found in all respects to be correct it is Ordered that said proceedings & report be & the same are hereby approved & confirmed & that the said parties hold in Severalty the Shares set off & assigned to each respectively by said Commissioners. It is further Ordered that the costs & expenses of this Suit including a fee of One hundred dollars to Young & Chance Attys & a fee of Dollars to Guardian ad litem be paid within ten days by the parties in the following proportions viz Joseph Miles one Eighth part thereof, Samuel S. Carrell one Eighth part thereof the heirs of Ebenezer C. Williams one fourth part thereof— David A. Williams George T. Bennett Chas W. Lyon & ~~George T. Bennett~~ Wilson Armstron each one eighth part thereof

Louisa A Hamilton & Carrie Hamilton by Horatio C. Hamilton their Guardian Plffs. vs Jacob C. Sidle Trustee of Laura C. Randall Wm M. Randall & Laura C. Randall Defts. } In Partition

On Motion to the Court by Mssrs Ruddlemon Attorneys for the Plaintiffs & upon producing the proceedings of the Sheriff & also the report & proceedings of the Commissioners herein before appointed and the same being examined & found correct It is Ordered by the Court that said proceedings & report be & the same are hereby approved & confirmed: And thereupon the said Laura C. Randall & Wm M. Randall electing to take said estate at the said valuation of said Commissioners and the said Jacob C. Sidle as Trustee &c consenting thereto and the parties having agreed among themselves as to the terms of payment for said Estate – the said estate is adjudged to the said Wm M. Randall & Laura C. Randall and with the consent of the parties the said Sheriff is Ordered to execute to them a deed in fee Simple for the same according to the Statute in such case made & provided whenever they shall execute their notes & Mortgage upon the premises so taken by them to Horatio C. Hamilton ~~in the following sums~~ payable ~~as follows~~ as Guardian of the said Louisa Alice Hamilton & Carrie Hamilton for the following Sums payable as follows: The Sum of Five hundred dollars April 1st 1869 – the Sum of Six hundred dollars December 1st 1869 – the Sum of Five hundred dollars April 1st 1870 And the Sum of Six hundred dollars December 1st 1870 Also $500 – April 1st 1871 and $600 December 1st 1871 And the Sum of $300. April 1st 1872 – with interest on each payment from April 1st 1869 And when they shall have Secured to or arranged with the said Jacob C. Sidle as Trustee of Laura C. Randall for his interest as such Trustee, And it is further Ordered that the costs & expenses of this suit taxed to $ be paid within ten days by the parties in the following proportions to wit The said Horatio C. Hamilton as Guardian the $\frac{36}{72}$ part – The said Jacob C. Sidle Trustee &c, the $\frac{26}{72}$ part and the said Wm M. Randall the $\frac{10}{72}$ part, And in default thereof that execution issue therefor as upon judgments at Law.

Almira P. Whitford vs David Sheneman Exr &c. of the Estate of David Jakeway } Whereas Almira Whitford claims of the estate of David Jakeway deceased the Sum of $249.48 for work & labor performed for & at the request of the said David Jakeway deceased as hired girl in the house & family of said deceased at one dollar & fifty cents per week commencing July 1. 186 continuing until the 17th day of January 1864, And has presented said Claim to David Sheneman Administrator of said estate of said David Jakeway deceased for allowance & whereas the said David Sheneman disputes the validity of said Claim, It is therefore agreed between said Almira Whitford & David Sheneman to refer the matter in Controversy to the Arbitration & award of Daniel Crosp, Darius Burton & Levi Longbrake & that said Referees shall be submitted for approval to the Probate Judge of Union County Ohio. Signed & Sealed by us this 4th day of November A.D. 1868

Almira Whitford by Randall Hamerton her Attys (Seal)
David Sheneman as Exr. of the estate of David Jakeway dec'd (Seal)

I approve the Referees above named
November 4. 1868 James R. Smith Probate Judge

November 13, 1868

Elizabeth Ann Meager
vs
George H. Meager } Petition for Divorce

And now came the said Elizabeth Ann Meager by Reid Randall & Cameron her Attorneys & thereupon this cause came on for hearing upon the petition & testimony. On consideration whereof the Court do find that due notice of the filing & pendency of this petition was given to the said defendant according to law And the Court do further find that the said defendant has been guilty of habitual drunkenness for more than three years prior to the filing of said and has also been guilty of gross neglect of duty towards this plaintiff. It is therefore adjudged & decreed that the Marriage relation heretofore existing between the said parties be & the same is hereby set aside and wholly annulled & the said parties wholly released from the obligations of the Obligations of the same. And it is further Ordered that the custody nurture education & care of the said Charles E. Meager be & the same is hereby given to the said petitioner and the said defendant is hereby forever enjoined from interfering with or disturbing the said petitioner in the custody nurture education & care of the said above named child until the further Order of this Court. And it is further Ordered that the said defendant pay the costs of this suit in ten days or that execution issue therefor

Matthew Lingrel
vs
J. A. Wilgus & J. B. Elliott } This day the plaintiff Matthew Lingrel by his Attorney and submitted this cause to the Court the defendants J. A. Wilgus & J. B. Elliott being in default for want of Answer or demurer to the petition of the said plaintiff. Wherefor the Court do find that the said defendants owe to the said plaintiff the sum of thirty three dollars & seventy four cents On the promissory note in the said plaintiff's petition set forth in manner & form as the said plaintiff in his said petition in that behalf hath alleged.

Thereupon it is considered & adjudged by the Court that said Matthew Lingrel plaintiff recover of the said J. A. Wilgus & J. B. Elliott the said sum of thirty three dollars & seventy four cents his debt aforesaid so as aforesaid found due & also his costs in this behalf expended taxed to dollars & cents

Thomas Yeasley
vs
William Sayre &
Gratia B. Sayre his wife } On confirmation

This day came again the parties by their Attorneys and this cause thereupon came on to be heard upon the report of the Sheriff & Special Master Commissioner on file herein & was argued by Counsel on consideration whereof the Court do find the proceedings of said Sheriff & Special Master & the sale by him made to Philip Snider of the lands & tenements in the petition mentioned & described as set forth in said report of said sale to be in all respects in due form of law.

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Therefore it is Ordered Adjudged & decreed by the Court that the proceedings & Sale made by said Sheriff & Special Master be & they are herby in all things confirmed And it is further Ordered Adjudged & decreed by the Court that the said Sheriff & Special Master execute & deliver to the said purchaser Philip Snider a deed for the lands & tenements aforesaid in fee Simple pursuant to the Statute in such case made & provided. And it is further Ordered that out of the proceeds of said Sale the ~~the~~ said Sheriff & Special Master after discharging the costs of this Suit & taxes due thereon pay to the plaintiff the amount herein before found due to him by the judgement & decree of this Court heretofore rendered herein with the interest thereon Since the rendition thereof in pursuance of a former Order of this Court as aforesaid & that he pay the balance remaining thereafter in his hands if any to the said defendant William Sayre.

Horatio C. Hamilton George B. Hamilton & Jacob C. Sidle Administrating of the Estate of William Hamilton deceased, vs Salathiel Carter } Petition on Note & Mortgage.

And now comes the said Horatio C. Hamilton George B. Hamilton & Jacob C. Sidle Administrators of the estate of William Hamilton deceased by Coats Gilbert their Attorney & the said Salathiel Carter Still failing to demur or Answer to the said petition of said plaintiff it is considered that the said plaintiffs ought to recover the amount due them by reason of the premises. And the Court with the Consent of the said plaintiffs find that there is due from the said defendant to the said plaintiffs on the first note in said petition Set forth the Sum of two hundred & eighty Seven dollars & fifty cents with interest from the 1st day of November ~~1866~~ 1866 which said Sum of two hundred & eighty Seven & 50/100 dollars with interest thereon as aforesaid the Court doth find amount to the Sum of three hundred & twenty dollars & fifty two cents.

It is therefore considered Ordered & adjudged by the said Court here that the said plaintiffs recover of the said defendant the said Sum of three hundred & twenty two dollars & fifty two cents the Sum so found due as aforesaid and also their costs taxed to dollars & cents

And the Court finds that the said note upon which judgment is rendered in this action is the first note mentioned in plaintiffs petition & also the first note described in the Mortgage Set forth in said petition in manner & form as therein Set forth And that the other note in said petition mentioned & described is not now due

And it is further Ordered adjudged & decreed that in case the said defendant fails for ten days from the close of this Term of the Court to pay to the said plaintiffs the said Sum of three hundred & twenty two dollars & fifty two cents so as aforesaid found due with costs of Suit An Order issue to the Sheriff of said County of Union who is herby appointed Special Master for that purpose commanding him to cause the said lands & tenements in said petition described to wit. Situate in Union County State of Ohio & in Claibourne Township & bounded & described as follows to wit. In Military Survey No. 6161 it being (44½) forty four & one half acres off of the South part of Lot No. 10. and the same lands conveyed by C. W. Rosette & Mary Rosette November 1. 1866 and Larkin Longcut & wife to April 1. 1866 containing forty four & one half acres of land in said Lot No. 10 according to a Survey of said Survey No 6161 Made & recorded in the Recorders office in said Union County Ohio

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to be appraised advertised & Sold according to law & apply the proceeds of Said Sale in Satisfaction of the Said Judgment So as aforesaid ordered & that he bring any balance that may then remain in his hands into Court to await the further Order of the Court thereon. And as to the rights of the plaintiffs in respect to Said Second Note Mentioned in this petition & not now due & Secured by Said Mortgage on the Said premises in the plaintiffs petition mentioned & discribed this cause is Continued.

Fleetwood Courtright
vs
Hurd Lewis & Anna J. Lewis
S. H. Brake & John Wright

Note & Mortgage

This day came the parties & thereupon this cause was Submitted to the Court. Whereupon the Court being fully advised in the premises do find the Several allegations of Said petition to be true & that there is due the plaintiff on Said Note & Mortgage from the Said Hurd Lewis the Sum of five hundred & eighteen $\frac{50}{100}$ dollars & that S. H. Brake hath a prior Judgment lien as Set up in his Answer amounting to the Sum of One hundred & forty eight $\frac{90}{100}$ dollars debt with interest from May 23d 1868 & fifty eight $\frac{50}{100}$ dollars costs. & that Said John Wright hath no interest whatever in Said land in Said petition discribed

It is therefore considered Ordered & adjudged by the Court that Said plaintiff recover of Said Hurd Lewis Said Sum of Five Hundred & Eighteen $\frac{50}{100}$ dollars & his costs herein expended taxed to $. & it is further Ordered by the Court that if Said Judgement remain unpaid for three days that an Order of Sale issue to the Sheriff of this County for the time being commanding him to Sell according to law Said premises & that this cause be Continued as to the claim of Brake

William Toby
vs
J. M. Hubbard

Now comes the Said William Toby by his Attorney's and the Said J. M. Hubbard Still failing to demur or Answer to the Said petition it is considered that the Said plaintiff ought to recover the amount due him by reason of the premises. And the Court with the consent of the Said plaintiff find that there is due from the Said defendant to the Said plaintiff on the note in the Said petition Setforth the Sum of ($638 $\frac{75}{100}$) Six hundred & thirty eight $\frac{75}{100}$ dollars.

It is therefore considered by the Said Court here that the Said plaintiff recover of the Said defendant the Said Sum of $638.75 the Sum So found due as aforesaid & also his costs taxed to $

And it is further Ordered & adjudged that in case the Said defendant fails for four days from the close of this Term of Court to pay the Said plaintiff the Said Sum of $638.75 So as aforesaid found due with costs of Suit. An Order issue to the Sheriff of this County Commanding him to cause the Said lands & tenements in Said petition described to be appraised Advertised & Sold according to law & apply the proceeds of Said Sale in the Satisfaction of the Said Judgement So as aforesaid rendered

And that the proceeds arising from the Sale of Said lands & tenements

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as aforesaid after paying the Judgement as aforesaid be brought into Court subject to the further Order of the Court.

579 James Palen & Wife
Lucy Palen
vs
David Cook

On note

This day came the parties & thereupon by agreement this Cause was Submitted to the Court Whereupon the Court find for the plaintiffs & that there is due Lucy Palen wife of James Palen on the note in said petition described the Sum of Two hundred & twenty four dollars.

It is therefore Considered Ordered & Adjudged by the Court that plaintiffs recover for the use of said Lucy Palen said Sum of Two hundred & twenty four dollars and Costs in their behalf expended taxed to $ And by the agreement of parties no Execution is to issue on this Judgement for Sixty days.

583 Otee Hush
vs
H. W. Minugh

Continued on affidavit of the defendant and at his costs

W. W. Woods &
J. W. Robinson
vs
C. E. Felton

Cognovit

And now comes the said plaintiffs by their Attorney & file their petition against the said C. E. Felton and thereupon M. C. Lawrence one of the Attorneys of this Court appeared in open Court in behalf of the said C. E. Felton and by virtue of a Warrant of Attorney for that purpose executed & now produced to the Court & duly proved waived the issuing & and Service of process and confessed that the said C. E. Felton doth owe the said W. W. Woods & J. W. Robinson plaintiffs the Sum of Five hundred & Sixty three & 80/100 dollars as the said plaintiffs have in their said petition set forth.

It is therefore Considered Ordered & Adjudged by the Court that the said W. W. Woods & J. W. Woods recover of the said C. E. Felton the said Sum of $563 80 So confessed to be their due and also their costs in this behalf expended taxed to $ And by virtue of the same warrant of Attorney all error is released and all right of appeal waived.

This day on Motion to the Court it is Ordered that Peleg Branston be & he is hereby appointed Auctioneer for the County of Union upon his paying to the Treasurer of said County the Sum of five dollars and qualifying according to law.

November Term A.D. 1868 Nov. 13. 1868

576 Amelia Kuler vs Samuel Grant — Bastardy.

This cause is Continued by consent of parties & by the like consent of the Sureties of defendant. & the said defendant is to remain under his former recognisance for his Appearance at the next Term of this Court to answer the plaintiffs Complaint &c.

591 Philip Snider vs Sophia Heminway et als — Continued

297 William Brigham vs John Philips, Josiah Knight, Elhanan W. Devore et al

This day came the parties by their Attorneys and Submitted this Cause to the Court upon the petition of plaintiff the Answer of Josiah Knight & Elhanan W. Devore, (the other Defendants named in the petition not having been found nor Served with process) and upon the demurer of plaintiff to all the defenses Set up in the said Answer of Knight & Devore Except defense No. 6. in the Answer of said Devore to which the plaintiff replies denying said defense & on which an agreed Statement of facts in writing was made. And the Court being fully advised in the premises do find as follows to wit,

1st On the said issue of fact upon the said 6th defense which is a plea of the Statute of limitations the Court finds for the Plaintiff that said action of the Plaintiff is not bared by the Statutes of limitations

2d And the Court being further advised as to the demurer of plaintiff to the residue of defendants Answers are of opinion that the part of said Answers of said defendants so demured to do contain facts sufficient to constitute a defense to plaintiffs said Action and that the matters Contained in said Answers are Sufficient in law to bar the said plaintiff from his Action against the said Josiah Knight & Elhanan W. Devore.

It is therefore considered by the Court that the said Josiah Knight and Elhanan W. Devore go hence without day and recover of the said William Brigham Plaintiff their Costs in this behalf expended taxed to dollars

To all of which rulings Judgements & Orders the plaintiff Excepts

603 W. W. Woods & others vs Wm Felton Trustee — Note and Mortgage Continued

586 Smith Brown vs J. H. Rube & J. M. Hubbard — Contd

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143 The State of Ohio
VS
Henry Marshall } Retailing.

This day came into Open Court Henry Marshall & Acknowledged himself to Owe & Stand indebted to the State of Ohio in the Sum of One hundred dollars to be levied of his goods & Chattels lands & tenements if default be made in the following condition which is that he be & appear before the said Court of Common Pleas for said County of Union on the 5th day of the next Term thereof to Answer unto an Indictment against him in said Court pending for Selling Intoxicating liquors to be drank on the premises where Sold in violation of law And abide the Sentence & Order of said Court and not depart the Court without leave then this Recognisance to be Void Otherwise to remain in full force

The State of Ohio
VS
Jeremiah Jones } Retailing

This day came into Open Court Jeremiah Jones & Acknowledged himself to owe and Stand indebted to the State of Ohio in the Sum of one hundred dollars to be levied of his goods & Chattels lands & tenements if default be made in the following Condition which is that the said Jeremiah Jones be & appear before the said Court of Common Pleas for said County of Union On the 5th day of the next Term thereof to Answer unto an Indictment against him pending in said Court for Selling Intoxicating liquors to be drank on the premises where Sold in Violation of law & abide the Order & Sentence of said Court & not depart the Court without leave then this Recognisance to be void Otherwise to remain in full force,

The State of Ohio
140 VS
John Finley } Retailing

This day came into Open Court John Finley & acknowledged himself to Owe & Stand in indebted to the State of Ohio in the Sum of One hundred dollars to be levied of his goods & Chattels lands & tenements if default be made in the following Condition which is that the said John Finley be & appear before the said Court of Common Pleas for said County of Union on the 5th day of the next Term thereof to Answer unto the State of Ohio in an Indictment against him in said Court pending for Selling Intoxicating liquors to be drank on the premises where Sold in violation of law and abide the Sentence & Order of said Court and not depart the Court without leave then this Recognisance to be void Otherwise to be & remain in full force,

16 The State of Ohio VS Peter Auer
Left off of the Docket by Order of Court

26 The State of Ohio VS Frederick Dasher Continued

31 The State of Ohio VS Dewit Clinton Cook
Contd. for Service

November 13. 1868

33	The State of Ohio vs James Greene	Contd
50	The State of Ohio vs Catharine Powers	Continued
89	The State of Ohio vs William Reichter	Contd
93	The State of Ohio vs Irwin Barnett	Contd
94	The State of Ohio vs James Bradmore	Contd for arrest,
95	The State of Ohio vs James Bradmore	Contd for Arrest
101	The State of Ohio vs Ellen Long	Contd
104-105-106 107-108-109-110	The State of Ohio vs Uriah Alden	Continued.
121	The State of Ohio vs Saml Brake	Contd
126	The State of Ohio vs John W. Chapman	Contd for Arrest
129-130 #131	The State of Ohio vs Jeremiah Jones	Recognized & Continued
134-135 #141	The State of Ohio vs Hurd Lewis	Continued
138	The State of Ohio vs Wm Weber	Continued
248	I. N. Hamilton Admr &c vs W. H. Dunnick	Contd,
559	Mary J. Williams vs Walter Marshall	Contd,
600	J. V. Finley vs N. C. Pilcher et al	Contd,
570	Prouty L. D. &c vs Wife A. Foy	Contd,
572	Wm P. Reed Exr &c vs John Fleck	Contd
571	Same " J Leggett	Contd.

Ordered that all causes Motions & Matters now pending in this Court and not otherwise disposed of do Stand Continued.

And thereupon the Court adjourned without day

D. L. Conklin Judge

Monday January 25th A.D. 1869 This day the Court of Common Pleas of the County of Union & State of Ohio met in pursuance of law at 4 o'clock P.M.
present J. S. Conklin Presiding Judge John L. Porter Prosecuting Attorney
Robert Sharp Sheriff And Taber Randall Clerk

This day the Jurors of the Grand Jury being called came to wit — Samuel Barnett. Samuel B. Woodrum Wm M. Robinson. Henry Poling George Graham. Ingham Wood George Reckley. R. S. Bonnett Simpson Anderson D. R. Cone. Hiram Inskeep Thomas Stillings regular Jurors. and Joseph Powers John Gibson & Moses Coe talis Jurors. And the Court appoint Wm M. Robinson Foreman. And the Grand Jury being duly empannelled & Sworn were Charged by the Court and retired to their room to deliberate under the Charge of a Sworn Constable

353 George Hornbeck
vs
Jacob C. Lee
This day came the parties by their Attorneys & Submitted this Cause to the Court the defendant being in default, for want of Answer or demurer to the petition of the said plaintiff.
Wherefore the Court by the consent and agreement of the said plaintiff & defendant do find that the said defendant owes to the said plaintiff the Sum of six dollars & fifty eight cents in manner & form as the plaintiff in his petition in that behalf hath alleged. Therefore by the consent of the said plaintiff & defendant it is considered and adjudged by the Court that the said George Hornbeck plaintiff recover of the said Jacob C. Lee defendant the said Sum of Six 58/100 dollars his debt aforesaid So as aforesaid found due & also his costs in this behalf expended taxed to $

367 Joseph Kramer
vs
Samuel Scott et als
Continued

147
113
34

390 Incorporated Village of Marysville
vs
J. M. Southard
This day came the plaintiff & dismissed this cause without prejudice And thereupon it is Considered & Adjudged by the Court that defendant recover of the plaintiff his costs herein taxed to $
No record

398 Frances Thompson
vs
Hylas Sabin
Continued

405 John Finley vs Clark Young Contd.

444 John Finley
vs
John Adams
Settled and costs paid

Monday January 25th 1869

X 3	Beriah W. Miller vs Orlando Wells	Continued under former Order of reference
X 26	Tullington & Garwood vs Michael David	Contd.
X 27	Albert Galloway vs Harmon Patch	Continued
X 232	J.C. Hanover & S.W. Brown vs W. Wharry C.H. Cady & P. Safford	Continued
X 261	Cyrus Albin vs Samantha C. Pugh et al	Continued
X 314	David Mulford vs Wm Sutkem	Continued
X 330	Wm Parthemore vs The American Express Co.	Continued
528	Randall & Gilbert vs Samuel Carter	This day came the plaintiffs & dismiss this cause without prejudice. It is therefore considered & adjudged by the Court that the defendant recover of the plaintiffs his costs herein expended taxed to $
532	Jacob Mapes vs John Robinson	This day came the plaintiff & obtained leave to file amended petition in thirty days & this cause was continued.
639	Thomas Degood vs John & Isaac McAllister	Continued
644	George Blis vs Manchester & Hewett	Settled & costs paid
647	Cyrus C. Tilton vs Isaac Staley & wife	Dismissed without prejudice Costs paid
X 59	Thomas Degood vs John McAllister	Continued
X (no 488)	Mastel Dockum vs Harriet Dockum	On 2d Trial Contd.
	Jos. K. Richey Adm vs Sam'l Staley & wife	Dismissed & costs paid

(666)

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X 608

X 612

Monday January 25th 1869

666 | John Wesson Johnson & wife
vs
Oliver P. Martin et. als

The Court being fully advised in the premises do find that all of the defendants have waived process in this case & unite in asking partition and being satisfied that the plaintiffs are entitled to partition. It is Ordered & adjudged by the Court that an Order of partition issue to the Sheriff of this County, Commanding him by the oaths of Aquilla Turner Hamilton Blue & B.A. Jay three disinterested freeholders of the vicinity he set off & assign to Mary Martin the full one third of the real estate in said petition described as her dower therein. And it is further ordered by the Court by the like oaths & he make partition of said real estate between the said heirs of Benjamin Martin dec'd to wit: To the Pltff one fifth To Oliver P. Martin one fifth. To Martha J. Martin One fifth. To Riley Martin One fifth And to Charles W. Martin One fifth
And it is further Ordered that if in the Opinion of said Commissioners it would be best that the portion assigned as dower remain undivided unsold that they may make partition of the part unincumbered of dower and if they can set off to Charles W. Martin his Share without injury to the remainder of the farm they may do so & appraise the balance if they cannot divide the Whole — & they are Ordered to make their return at this term of Court.

656 | W. W. Woods et. als
vs
Samuel Marshall & wife

Dismissed without prejudice Costs paid

657 | Magdalene Moore Exr &c
vs
Sydney Hodgden et als

Continued

537 | Michael Cody
vs
John Macan

Ex & No 849
This day came the plaintiff & dismissed this cause by Consent of the defendant.
It is therefore Considered that defendant recover of the plaintiff his costs herein layed to $ No Record.

590 | N. P. Mills
vs
Martin Richardson

Continued

605 | John Hilderbrand
vs
Mary E. Welsh Admx &c

Settled and costs paid

608 | John Swan & others
vs
Henry Williams et als

By Consent of Defendant, Plaintiff filed Amended ~~Order~~ Petition & Cause Continued & have to file answer in forty days

612 | Samuel J. Marshall
vs
Thadeus Wood

By leave of Court Default opened & Amd petition filed by the plaintiff

Monday January 25th 1869

524 | Dolbear Ryan & Wood vs William Felton & co — This day came the plaintiff & dismissed this cause without prejudice It is therefore considered Ordered & adjudged by the Court that the defendants recover of the plaintiffs their costs herein expended taxed to $ — No record

446 | Wm G. Scrimager vs Truman M. Kimball — Settled & costs paid

[illegible] 487 | Bowen J. Lamme vs Jacob Smith & David Mulford — Continued

X No. 654 | Meskill Dockum vs Harriet Dockum Exr &c — Continued

X 570 | L. D. Prouty & co vs Elizabeth A. Fox — Continued

615 | Henry Rezarty vs Benjamin Evans et als — Settled & costs paid.

X 616 | Jonathan Burt vs W. W. Franklin — Continued

X 629 | Garrett Harris vs Juliana Conrad et als — Continued

628 | Joseph E. Wood vs Silas Snodgrass et als — Settled & costs paid

629 | John Reed vs Maria Staley et als — Settled at the costs of Plff. No Record It is therefore considered & adjudged by the Court that the defendants recover of the Plffs. their costs in this case taxed to $

And thereupon the Court adjourned until tommorow morning at 9 oclock

J. L. Conklin Judge

Tuesday January 26th A.D. 1869

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

556 J M. Welsh vs S. P. G. Brown } This day came the parties & Submitted this cause to the Court upon an agreement of Settlement of this cause of action to this effect that in consideration of three hundred dollars to be paid by Defendant to plaintiff & the payment of one half the costs in this case this cause is to be dismiped by plaintiff, and the written agreement rescinded cancelled and delivered up to Defendant, leave granted to either to withdraw his pleadings

It is therefore considered that the Plff & Deft each pay half the costs herein layed to $ in ten days and in default thereof that Execution issue therefor

436 Wm M. Baughan vs Orlando Wells } Dismised without prejudice at Plaintiffs costs It is therefore Considered Ordered & Adjudged by the Court that the Defendant recover of the Plaintiff Wm M. Baughan his costs herein expended layed to $

This day the Grand Jury appeared at the Bar of this Court & in open Court presented their two Several Bills of Indictments against Matthew Lingel for Selling Intoxicating liquors to be drank on the premises when Sold in violation of law each Severally endorsed "A True Bill W. M. Robinson Foreman of the Grand Jury. And also their other Bill of Indictment against Martha Lingel for Selling Intoxicating liquors to be drank on the premises when Sold in violation of law endorsed "A True Bill W. M. Robinson Foreman of the Grand Jury.

And the Grand having further business retired to their room to deliberate

This day the following persons were Sworn in Open Court and received Certificates to testify before the Grand Jury, to wit. James Furrow. James Haines. George Johnson. Anthony Middleswarth. David Moore, Charles Toby. Jas C. Moffit. George Brown Nelson Davis Marion Flickinger. Thomas Bosh. Maicenas Cole John Gannon Alexander Burns Melville Mallory. James C. McElary John Black James Shape. Jonathan Burt. Joshua Cole. John Brown Calvin Weaver Cyrus Turner John Smith James Richerick. Calvin Wolford James Grow Archibald Poling Chamberz Powers Theodore Poling Napolum Powers Hugh McFadden. Robert Gibson. Jacob Elliott. William Shadrach & Wm C. Malin

And thereupon the Court Adjourned until half past Eight Oclock to morrow Morning

J. L. Conklin Judge

Wednesday January 27th 1869

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

Hannah Bonham
vs
Joseph Bonham et als

On motion of Plaintiff J. L. Cameron Esq. was apporited Guardian ad litem of the infant defendants Joseph Bonham John E. Bonham, Wm H. Bonham Clara V. Bonham & Charles W. Bonham who appeared & filed Answer for them

Hannah Bonham
vs
Joseph Bonham et als

Partition.

This day came the petitioner and made proof of lawful notice to the defendants And the Court being fully advised in the premises find the allegation of the petition to be true & the petitioner entitled to dower and partition as prayed for.

It is therefore considered & adjudged by the Court that an Order of Partition issue to the Sheriff of this County commanding him by the oaths of Jacob C. Sidle Russel Bigelow & A S Mowry three disinterested freeholders of the vicinity he set off & apign to the petitioner as her dower in the real estate in said petition described, one full third thereof. And it is further considered and adjudged by the Court that said Sheriff by the like oaths of said freeholders he set off to said petitioner the One Seventh of said premises exclusive of her dower And if the balance of said land will not bear division between the said Louisa Wood Joseph Bonham John E. Bonham. Wm H. Bonham. Clara V. Bonham & Charles W. Bonham each the One Seventh thereof then they shall set off these Six Sevenths & the One Seventh of Orville Bonham in the said Dower lot in One lot — And that he return his proceedings to this Term of Court.

David W. Henderson
vs
The Incorporated Village of Marysville

Civil Action

This day came the parties by their Attorneys & this Cause came on to be heard upon the Demurer of the plaintiff to the "Additional Answer" of the defendant and was argued by Counsel & Submitted, And the Court being fully advised in the premises do Sustain said Demurer to which ruling & Sustaining said demurer the Defendant Excepts

Edna J. Beach & Harriet D. Beach
by Wm. O. Hara Guardian
vs
George Leasure et als

In Partition.

And now came the said Wm O Hara Guardian of said Harriet D. Beach & Edna J Beach by Coats & Gilbert his Attorneys & thereupon this case came on to be heard upon the petition exhibits & evidence On consideration whereof the Court do find that due Notice of the pendency

Wednesday January 27th 1869

of this action has been given for more than forty days prior to the first day of the present term of this Court And the Court do further find that the said Edna J. Beach has a legal right to & is seized in fee Simple of One undivided Sixth part of the said premises in the petition described And the Court further find that the said Harriet D Beach has a legal right to & is seized in fee Simple of One undivided Sixth part of the said premises. And the Court do further find that the said George Leasure, Sarah E. Langstaff & Catharine Beach & Harriet D. Beach & Edna J. Beach are tenants in Common in said premises with each other in the following proportions to wit, that the said Geo Leasure is seized of 26 forty second parts thereof — the said Sarah E. Langstaff to one undivided forty second part thereof And the said Catharine Beach to One undivided forty second part thereof. And the Court further find that Christiana Beach widow of said Henry has conveyed & parted with her right to dower in said premises. It is therefore Ordered that a writ of partition issue to the Sheriff of said County of Union. Commanding him that by the oaths of John Evans S. Liggett & A.S. Mowry partition be made of said lands in the following proportions to wit to the said Edna J. Beach One Sixth parts to the said Harriet D. Beach One Sixth part. to the said George Leasure twenty Six forty second parts — to the said Sarah E. Langstaff One undivided forty second part to the said Catharine Beach One undivided forty second part. And it is further ordered that said Sheriff return his proceedings in the premises forthwith.

Joseph S. Sams
vs
Sarah Ann Sams

And now came the said Joseph S. Sams by Randall & Cameron his Attorneys & thereupon this cause came on for hearing upon the petition & testimony & was argued by Counsel. On Consideration whereof the Court do find that due notice of the filing & pendency of this petition was given to the said defendant according to law. And the Court do further find that the said parties were married as in said petition averred and that the said defendant did commit adultery with said Ja McKey as in said petition set forth & averred.

It is therefore adjudged & decreed that the said Marriage relation heretofore existing between the said parties be & the same is hereby wholly set aside & annulled and the said parties wholly released from the Obligations of the same. And it is further Ordered & adjudged by the Court that the plaintiff pay the costs of this proceeding in ten days or in default thereof Execution therefor as on judgments at law

John P. Bailey
vs
Charles Andrews &
Rufus Andrews

This day came the parties & by consent this cause was submitted to the Court upon the motion to Order partition & the claim for taxes set up in the Answer of Charles Andrews is abandoned by him. And the Court being fully advised in the premises do find that the plaintiff is the owner in fee Simple of the undivided one third of said lands in said petition described and the defendant Charles Andrews is the Owner in fee Simple of the undivided two thirds thereof.

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It is therefore Ordered & adjudged by the Court that an Order of partition issue to the Sheriff of this County Commanding him by the oaths of Samuel Wood Wm C. Pipes & Wm Winget three disinterest freeholders of the vicinity he make partition of said lands & set off & apign to the plaintiff the One third of the said lands and to the defendant Charles Andrews the two thirds of said lands-And make return to this term of the Court. And all questions as to the Mortgage is paped for disposition after the Report is filed

John Maskill et al
vs
James Malvane

This day came the parties by their Attorneys and thereupon came a jury to wit. Henry Knotts William Bell William Westlake William Roberts, Philip Coe Gustavus McDowall Levi Hagar, & William Goff regular Jurors & A. D. Doolittle Levi Longbrake J. H. Clement & Thomas Wharton tales Jurors who being duly empannelled & Sworn the truth to Speak upon the issue joined between the parties upon their oaths do Say they find for the plaintiffs and assess their damages at One hundred & twenty four $^{16}/_{100}$ ($124.16) dollars And thereupon the defendant moves the Court to give Judgment for defendant Notwithstanding the Verdict for the plaintiffs which motion being fully argued by Counsel the Court Overrules - to which ruling the defendant Excepts.

It is therefore considered Ordered & adjudged by the Court that the plaintiffs recover of the defendant the said Sum of One hundred & twenty four $^{16}/_{100}$ dollars found due as aforesaid And their costs herein expended taxed to $

387

Lewis W. Green
vs
Wm M. Robinson et al

This day came the parties by their Attorneys & thereupon came a jury to wit. Henry Knotts. William Bell William Westlake, William Roberts J. V. Nash. H. T. Jones. Gustavus McDowall Levi Hagar & William Goff regular Jurors & I. C. Bolmins Thomas Wharton & D. G. Crop tales Jurors who being duly empannelled & Sworn the truth to Speak upon the issue joined between parties upon oaths do Say they find for the defendants

It is therefore considered Ordered and adjudged by the Court that the defendants go hence without day & recover of the plaintiff their costs herein expended taxed to $

And thereupon the plaintiff demanded a Second Trial under the Statute which is allowed and the Bond fixed at $100.00

Jasmery Hemenway
Vs
Edmund Turner &
J. M. Welsh

Continued

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H. P. Mills
vs
Samuel G. Dixon

Dismissed without prejudice and costs paid.

Aaron Mather
vs
Danl. Shearer & A. Pierson

Continued

Jacob S. Newcomb
vs
J. C. Hanover & William Diehl

Eq. F. No 628

This day came the parties by their Attorneys and thereupon by consent of parties this case came on to be heard. Whereupon by like consent of parties the Court do find this cause is Settled and that by the said agreement of said parties this cause is to be dismissed at the costs of the defendant John C. Hanover. Therefore it is considered & adjudged by the Court by consent of the parties that this cause be & the same is hereby dismissed and it is further Ordered & adjudged that the said plaintiff recover of the said J. C. Hanover his costs herein expended taxed to Dollars & Cents

And thereupon this Court adjourned until Eight oclock tomorrow Morning

J. L. Mocklin Judge

Thursday January 28th A.D. 1869

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

R. L. Broome vs Aquilla Turner } This day came the said R. L. Broome Plaintiff and filed his Petition in this case and thereupon ~~He~~ came the said Aquilla Turner by P. B. Cole an Attorney of record of this Court who appeared in Open Court in behalf of said defendant Aquilla Turner by virtue of a Warrant of Attorney for that purpose duly Executed Proved and now produced in Open Court. Waived the issuing & Service of process filed an Answer herein & admits all the allegations of the petition of the plaintiff to be true, and also waived errors that have or may accrue in the taking or rendition of the judgement in this action. Also waived all right or benefit of appeal from the said judgment and confess that the said Aquilla Turner defendant Owes the said R. L. Broome plaintiff the Sum of One hundred dollars with interest thereon at ten per centum payable annually in advance from November 10th 1867.

Therefore it is Considered Ordered & adjudged by the Court that the plaintiff R. L. Broome recover of the defendant Aquilla Turner the Sum of One hundred & thirteen dollars & five cents being the principal & interest thereon at ten per cent from November 10th 1868 and also his costs taxed at. And that this judgment draw ten per cent interest from this date,

This day the Grand Jury appeared at the bar of the Court and in open Court presented their eight Several Bills of Indictment against John Kirchner for Selling Intoxicating Liquors in violation of Law each Severally endorsed "A True Bill" Wm. M. Robinson Foreman of the Grand Jury. And the Grand Jury having further business before them retired to their room to deliberate.

Elizabeth Hudson by &c vs David Hildreth et als } On motion of plaintiff P. B. Cole Esq was appointed Guardian ad litem of the Infant defendantz Joana A. Jackson William B. Jackson. George C. Jackson Abram B. Jackson who appeared & filed Answer for them.

This day the Grand Jury again appeared at the bar of this Court and in open Court presented their three Several Bills of Indictments against William Richter for Selling Intoxicating liquors in violation of law each Severally endorsed "A True Bill W. M. Robinson Foreman of the Grand Jury" Also their two several Bills of Indictment against John Cartmell for Selling Intoxicating liquors in violation of law each Severally endorsed "A True Bill W. M. Robinson Foreman of the Grand Jury." Also their two other Several Bills of Indictment against Alice McGee for Selling Intoxicating Liquors in violation of law each Severally endorsed "A True Bill W. M. Robinson Foreman of the Grand Jury Also their other Bill of Indictment against Thomas McGee for Selling Intoxicating liquors in violation of law endorsed "A True Bill W. M. Robinson Foreman of the Grand Jury. And the Grand having further business retired to their room to deliberate.

Thursday January 28th 1869

√ | Thomas Bancroft
vs
Virginia A Bancroft | Divorce

This day came the plaintiff & Submitted this cause to the Court upon the pleadings & evidence Whereupon the Court being fully advised in the premises do find the Several allegations of the petition to be true And that defendant has been guilty as in said petition alleged.

It is therefore considered Ordered & adjudged by the Court that said Marriage contract be dissolved & that said parties be divorced on account of said guilt of said defendant, And it is further Ordered that the plaintiff pay the costs of this proceedings taxed to $ within ten days and in default thereof that execution issue therefor

X | D. W. Henderson
vs
The Village of Mansfield | Continued

And thereupon the Court adjourned until tomorrow morning at half past Eight o'clock

Friday January 29 1869

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

√ | W. C. Barnett
vs
J. M. Welsh & Alvin Bellis

This day came the parties by their Attorneys and thereupon came a jury to wit. Henry Knotts William Bell William Westlake, William Roberts, J. V. Nash H. J. Jones Gustavus McDowall Levi Hagar George W. Truman & A. C. Knox regular jurors and A. D. Doolittle & J. J. Snider talis jurors. Who being duly empannelled & Sworn the truth to Speak upon the issue Joined between the parties

Whereupon Said Jury having heard the evidence & arguments of Counsel and charge of the Court retired for Consultation - but failing to be able to agree on a Verdict were discharged by the Court & this Cause was Continued

√ | C. M. Robinson
vs
J. S. Alexander | Continued under former Order of Reference

X | George W. Cook
vs
John Finley

On Motion to the Court by the defendant and it appearing to the Court that the plaintiff is a Nonresident of the State of Ohio - It is Ordered by the Court that the plaintiff George W. Cook Secure the costs in this case within thirty days and cause Continued

Friday January 29th A.D. 1869

Elizabeth Hudson
vs
David Hildreth William Hildreth
Gilman B. Hildreth Benoni P. Hildreth
Lafayette Hildreth, Marcus M. Hildreth, Barsheba Hildreth
Mary Everett Her husband Henry Everett Joana Amitta Jackson
William B. Jackson Abram B. Jackson Gurge E. Jackson
Benjamin Hudson & Elizabeth Hildreth

In Partition

And now comes the said Elizabeth Hudson by Randall & Cameron her Attorneys and thereupon this cause came on to be heard upon the petition & erridence and waz argued by Counsil & Submitted to the Court On Consideration whereof the Court do find that due notice of the pendency of this action has been given for more than forty days prior to the first day of the present term of this Court And also that personal Service by Summons has been made upon each of the defendants. And the Court do further find that the said intestate died Seized in fee Simple of the premises described in the petition & that advancements in lands have been made by said intestate to the following of the above named defendantz as followz to wit. To David Hildreth lands to the value of three hundred dollars
To William Hildreth lands to the value of three hundred dollars.
To Gilman B. Hildreth lands to the value of three hundred dollarz
To Benoni P. Hildreth lands to the value of three hundred dollars.
To Lafayette Hildreth lands to the value of three hundred dollarz
To Marcus M. Hildreth lands to the value of three hundred dollarz
That the whole value of the advancements made as aforesaid to the hirs aforesaid is eighteen hundred dollars.

And the Court do further find that the Said Elizabeth Hudson has a legal right to & is Seized in fee Simple of One eleventh part of the Said premises and the Court do further find that David Hildreth, William Hildreth Gilman B. Hildreth Benoni P. Hildreth Lafayette Hildreth, Marcus M. Hildreth, Barsheba Hildreth Mary Everett Joana Amnitta Jackson William B. Jackson, Gurge E. Jackson & Abram B. Jackson are tenants in common in Said premisez with the Said Elizabeth Hudson in the following proportions to wit. The Said David Hildreth is Seized of One eleventh part thereof (1/11) And the Said William Hildreth of the on eleventh part thereof And the Said Gilman B. Hildreth of One eleventh (1/11) part thereof And the Said Benoni P. Hildreth of One eleventh (1/11) part thereof & the Lafayette Hildreth of one eleventh part thereof & the Said Marcus M. Hildreth of one eleventh part thereof & the Said Barsheba Hildreth of One eleventh part thereof and the Said Mary Everett of One eleventh part thereof and the Said Joana Amnitta Jackson of five forty fourths (5/44) part thereof and the Said William B. Jackson of one forty fourths (1/44) part thereof and the Said Abram B Jackson of forty fourths (1/44) part thereof and the Said Gurge E. Jackson of one forty fourth (1/44) part thereof and the Said Elizabeth Hildreth is entitled to dower in Said premises. It is therefore Ordered that a writ of partition issue to the Sheriff of Said County of Union commanding him that by the oaths of A.S. Mowry Wm J. Hunt & B. W Welsh

One full equal third part of Said premises in Said petition discribed be Set off & apigned to Said Elizabeth Hildreth as her dower estate And that by the like oaths of the Said A. S. Mowry Wm J Hunt & B W Welsh
an appraisiment be made of the lands Subject to Said dower & to the value of the premis be added the Amount of the advancements made as aforesaid to the hirs aforesaid & that a just & equitable partition be made of the hotchpot in the following manner to wit. To the Said Elizabeth Hudson a portion of Said lands equal in value to One eleventh part thereof. To Barsheba Hildreth a portion equal in value to One eleventh part thereof. To Mary Everett a portion equal in

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in value to One eleventh part thereof. To Joana Annetta Jackson a portion equal in value to five forty fourths (5/44) part thereof To William B. Jackson a portion equal in value to one forty fourth part thereof To George E. Jackson a portion equal in value to one forty fourth part thereof To Abram B. Jackson a portion in value to one forty fourth part thereof To David Hildreth a portion equal in value (including the advancement to him made) to one eleventh part thereof. To William Hildreth a portion equal in value including the advancement to him made to one eleventh part thereof

To Gilman B. Hildreth a portion equal in value including the advancement to him made to one eleventh part thereof

To Benoni P. Hildreth a portion equal in value including the advancements to him to one eleventh (11) part thereof

To Lafayette Hildreth a portion equal in value including the advancement to him made to one eleventh part thereof.

And to Marcus M Hildreth a portion equal in value including the advancement to him made to one eleventh part thereof.

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

p257 / 134

Nimrod P. Payne &
Rosina Payne
vs
Pearl M. Keyes et, als

Partition Ex Pl. No 858

This day came the plaintiff & by the Consent of the defendants move the Court to Set aside the Order of Sale & permit the defendant Pearl M. Keyes elect to take the land at its appraisement. And the Court being fully advised in the premises do Set aside the Order of Sale herein before made and Said Pearl M. Keyes electing to take Said land at its appraised value & no one Objecting it is Ordered by the Court that the Said estate be & is hereby adjudged to the Said Pearl M. Keyes, And the Sheriff of this County is Ordered to execute a deed in fee Simple for the Same to him upon his paying & Securing to Said other defendants their respective Shares of the Value thereof according to law in the proportion Stated in Said Original Order of Partition. And the Costs of this proceedings including an Attorney fee of fifty dollars to Robinson & Robinson are Ordered to be paid by the respective parties aforesaid in proportion to their Several interest Set forth in Said Order & in default for twenty days an execution be issued therefor as upon Judgments at Law,

And thereupon this Court adjourned until tomorrow morning at 8 Oclock

J. L. Conklin Jr Pro

Saturday January 30th A. D. 1869

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

	Samuel W. Cowan vs Howard S. Shaffer	On Plaintiffs showing Continued at Plaintiffs costs
	Alexander G. Stevenson vs Allen Lister	The Motion of defendant to require plaintiff to make his petition more Specific certain was heard and the Court do Sustain Said Motion and thereupon the plaintiff asked & obtained leave to file amended petition in thirty days. And by agreement of the parties the deposition of Irwin A. Dawson on file be withdrawn & not be read at the trial And this cause is continued
576	State of Ohio for the use of Amelia Keller vs Samuel Grant	Bastardy
626	Samuel Grant vs Amelia Keller	Injunction This day came the parties & by agreement these causes were consolidated and were settled upon the terms of the written agreement on file whereby said parties are to pay the costs made by each respectively in both cases And Said Samuel Grant is to pay the three notes named in said agreement according to the terms thereof — It is therefore by consent of said parties considered Ordered & adjudged by the Court that said Amelia Keller be forever enjoined from further proceedings upon said complaint of Bastardy from the Sale of said note first coming due until She Shall have Satisfied her Share of the costs in this cause — And if either of said parties fails for thirty days to pay said costs afsed as aforesaid Execution Shall issue therefor as upon judgments at Law.
	David Cook vs James R. Mitchell	This day the Motion to Strike out a portion of defendant Answer was Sustained & thereupon by leave of the Court the defendant withdrew his said Answer and obtained leave to file Answer in thirty days and cause continued at defendants costs
	Beckett & Blakeny vs S. A. Cherry	This cause was dismissed for want prosecution It is therefore considered Ordered & adjudged by the Court that the defendant recover of the plaintiff his costs herein expended taxed to $

Saturday January 30th A.D. 1869

Osee Hursh }
vs }
A. W. Mimugh } The defendant by written Motion & affidavit applied for a Continuance which Motion is allowed by the Court, Whereupon it is Considered and adjudged by the Court that defendant pay the costs of this Term in twenty days & in default thereof that execution issue therefor

This day the Grand Jury appeared at the Bar of this Court and in Open Court presented their twelve Several Bills of Indictment against John Kerchner for Selling Intoxicating Liquors in violation of law each Severally endorsed "A True Bill W. M. Robinson Foreman of the Grand Jury" Also their Other four Several Bills of Indictment against John Cartmell for Selling Intoxicating liquors in violation of law each Severally endorsed "A True Bill W. M. Robinson Foreman of the Grand Jury. Also their Other Six Several Bills of Indictment against William Richter for Selling Intoxicating liquors in violation of law each Severall endorsed "A True Bill W. M. Robinson Foreman of the Grand Jury" Also their two other 2 Several Bills of Indictment against John Huber for Selling Intoxicating liquors in violation of law each Severally endorsed "A True Bill W. M. Robinson Foreman of the Grand Jury" Also their Other two Several Bills of Indictment against Alice McGee for Selling intoxicating liquor in violation of law each Severally endorsed "A True Bill W. M. Robinson Foreman of the Grand Jury" Also their Other Bill of Indictment against Thomas McGee for Selling Intoxicating liquas in violation of law endorsed "A True Bill W. M. Robinson Foreman of the Grand Jury And their Other Bill of Indictment against Hylas Wood & Patrick Hannahan for Gaming endorsed "A True Bill W. M. Robinson Foreman of the Grand Jury And also their report and the Grand Jury having no further business before them were discharged by the Court,

Bancroft Bro. & Co }
vs }
John Duffy et. als } This day came the parties to this action & Submitted this Cause to the Court, Whereupon the Court do find the allegations of the petition to be true, and there is due to the plaintiffs from said John Duffy on said Note & Mortgage the Sum of eight hundred & thirty Six 20/100 dollars which is a lien on the real estate in said petition described,

It is therefore Considered Ordered & adjudged by the Court that said plaintiffs recover of said defendant John Duffy said Sum of Eight hundred & thirty Six & 20/100 ($836.20) dollars & Costs of Suit taxed to $

And it is further Ordered by the Court that if said defendant shall fail for ten days to pay said judgement & costs that an Order of Sale issue to the Sheriff of said County commanding him to sell according to law said real estate to satisfy said claim. And leave is granted to I. N. Wells to file Answer in thirty days And as to his claim this Cause is continued for distribution of proceeds of Sale,

The State of Ohio } Retailing
vs }
Mathew Lingel } The defendant Mathew Lingel this day was arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stand charged in said Indictment,

Saturday January 30th A.D. 1869

643 J.W. Robinson vs Emeline Donly & Mathias Donly } This day came the plaintiff but the defendants came not but made default. Whereupon this cause was submitted to the Court being fully advised in the premises do find the allegations of the petition to be true & there is due plaintiff from said defendants on said notes & Mortgage as follows to wit balance on note due Novemb 15th 1867 $287,40 And due on the note due November 15th 1868 $387.32 & there is on years interest due March 30th 1868 on the note to become due Nov. 15th 1869 Amounting with interest to this date to $21,92 making due at this date $696.64 And there will be due March 30th 1869 the Sum of $20.88 interest to that date & on the 15th of November 1869 the further sum of $348 with interest therein from March 30th 1869.

Therefore it is considered Ordered & adjudged by the Court that the plaintiff recover of said defendants said Sum of Six hundred & ninety Six 64/100 dollars now due as aforesaid & costs of suit taxed to $ And if default be made in the payment thereof for twenty days that an Order of Sale issue to the Sheriff of this County who is appointed Special Master Commissioner for that purpose commanding him to sell said land to pay said claim according to law & as to the sums not due & as to the Judgement lien of P. Snider & Co this Cause is Continued.

The State of Ohio vs Wm Richter } Retailing. This day came into open Court Hugh McCadden and acknowledged himself to Owe & Stand indebted to the State of Ohio in the Sum of One hundred dollars to be levied of his goods & chattels lands & tenements if default be made in the following condition which is that the said Hugh McCadden be and appear before the Court of Common Pleas for the County of Union on the fifth day of the next Term thereof to give evidence in a cause in a cause in said Court pending wherein the State of Ohio is plaintiff & William Richter is defendant and not depart the Court without leave then this recognisance to be void otherwise to be & remain in full force

1572-1574 1575-3

The State of Ohio vs John Kirchner } This day came into came into Open Court Hugh McCadden James McClary Chambers Powers Napoleon Powers and Cyrus Turner and each Severally acknowledged himself to Owe & Stand indebted to the State of Ohio in the Sum of One hundred dollars to be levied of their goods & chattels lands & tenements if default be made in the following which is that the said Hugh McCadden James McClary Chambers Powers Napoleon Powers & Cyrus Turner each Severally be & appear before the Court of Common Pleas for the County of Union on the fifth day of the next Term thereof to give evidence in a cause in said Court pending wherein the State of Ohio is plaintiff and John Kirchner defendant & not depart the Court without leave then this recognisance to be void otherwise to remain in full force

And Thereupon the Court adjourned until nine oclock A.M. of monday February 1 A.D. 1869

536 ✓ P14 ✓ 630 $2286

Monday February 1st A.D. 1869

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

✓
536 Elizabeth Clark }
vs } Divorce Ex. Fi. No 873
Asa Clark }

This day this cause was dismissed without prejudice for want of evidence. It is therefor considered Ordered and adjudged by the Court that the defendant go hence without day

✓
Hugh Moore }
vs }
J. O. Bakes }

The defendant moved the Court to grant a Continuance of this cause for reasons on file in his affidavit. It is therefore considered & adjudged by the Court that this cause Stand Continued at defendants costs & that defendant pay the costs of this term within ten days & in default thereof that execution issue therefor

✓
Pltf
Fleetwood Courtright } No 5-5-0
vs
Hurd Lewis et als }

This day came On this cause to be heard by the Court On the Motion to confirm Sale & Award execution for the balance due the plaintiff And the Court being fully advised in the premises do find all of said proceedings to be lawful & regular. It is therefore Ordered & adjudged by the Court that Sale & proceedings be & the Same are approved & confirmed & the present Sheriff of said County is authorized & Ordered to execute & deliver to said purchaser a deed in fee Simple for the premises So Sold

And it is further Ordered that out of said purchase money the Sheriff pay the costs of Suit - Second - The Judgement due S. H. Brake. Third the taxes on said lots and the balance to the plaintiff to apply on plaintiffs said claim. And it is further Ordered that if defendant Hurd Lewis fail for twenty days to pay the ballance due the plaintiff Amounting to $ that execution issue for Such ballance as upon judgements at Law.

✓
630
B. Stanton }
vs }
James Kennedy & } This day came the plaintiff but defendants
A. E. Haines } made default Whereupon this cause was Submitted to the Court. Whereupon the Court find for the plaintiff and that there is due him from defendants as alleged in his petition two hundred & twenty Eight & 66/100 dollars

It is therefore considered and Adjudged by the Court that plaintiff recover of Said defendants Said Sum of two
$228 66 hundred & twenty eight & 66/100 dollars & Costs of Suit taxed to $

Monday Febuary 1st A.D. 1869

Benjamin Evans
vs
Jefe Bird & T. D. Davis

This day came the plaintiff but the defendants made default. Whereupon this cause was submitted to the Court Whereupon the Court find for the plaintiff And that there is due him from defendants as alleged in his petition the Sum of Three hundred Nine 82/100 dollars It is therefore Ordered Considered & Adjudged by the Court that the Plaintiff recover of the said defendants the said Sum of Three hundred Nine 82/100 ($309 82) dollars and also his Costs herein expended taxed to $

Thomas W. Powell & others
vs
Edwin L. Eamonson

This cause came on to be heard ~~on the Motion~~ on Motion of Defendant to dismiss this cause for want of jurisdiction & Service. Which Motion after full argument is Overruled. to which ruling & Judgment of the Court Deft excepts And thereupon defendant files his demurer to plaintiffs petition which being fully argued by counsel of the parties is Sustained by the Court to which ruling of the Court Plaintiffs except— Leave given to plaintiffs to amend in twenty days from this date And to Defendant to Answer in twenty days thereafter And cause Continued

$386 32

Thomas W. Powell
vs
John R. Stewart & David T. Dyall

This day this cause came on to be heard upon the Demurr filed by the Defendants to the Reply of the Plaintiff and was argued by Counsel. On consideration whereof the Court doth, Overrule said demurr, to which judgment & ruling of said Court in overruling said Demurr the Defendants did by their Counsel at the time Except; which exception was allowed & ordered to be made a part of the record in this case which is accordingly done, and thereupon on application of Defendants on account of absent witness this cause is continued at Defendants costs

George Moody
vs
Hiram Stokes & W. B. Whately

This day came the parties Plaintiff & Settled this cause by the defendant St Reg paying $105 in full of plaintiffs claim & the Plaintiff agreeing to pay all costs Made in this case. No record

It is therefore Ordered & Adjudged by the Court that the plaintiff pay all costs in this case made in twenty days & in default thereof that execution issue therefor.

634

Wm Hall
vs
J. M. Kinikin

645

This day came the plff but defendant made default. Whereupon this cause was Submitted to the Court & the Court being fully advised in the premises do find for the plaintiff & there is due him one hundred & Seventy four 74/100 dollars in Manner & form as alleged against him
It is therefore considered Ordered & Adjudged by the Court that the plaintiff

Monday February 1st A.D. 1869

recover of defendant said Sum of One hundred & Seventy four 21/100 dollars and costs of Suit taxed to ff

✓

George W. Henry
vs
627 Martin Turner & wife

This day came the plaintiff but defendants came not but made default Whereupon this cause was Submitted to the Court. Whereupon the Court being fully advised in the premises do find for the plaintiff & there is due on said Note & Mortgage three hundred & eighty Six & 22/100 dollars which is a lien on said land in the petition described It is therefore considered Ordered & adjudged by the Court that plaintiff recover of the defendant Martin Turner said Sum of three hundred & eighty Six & 22/100 dollars & costs of Suit taxed to ff $386.22 and it is further Ordered that if default of payment be made for ten days an Order of Sale issue to the Sheriff of this County who is appointed Special Master Commissioner for that purpose commanding him to appraise advertise & Sell said land to Satisfy said Sum interest & costs

✓

W. W. Woods et als
vs
Wm Felton & wife

The defendants having paid the costs, By agreement the plaintiffs dismiss this cause without prejudice.

John Johnson & wife
vs
Oliver P. Martin et als

Partition,

This day came on this cause to be heard on the Report & proceedings of the Sheriff & Commissioners On the Order of partition made herein at this term, and the Court finding the said proceedings all regular & lawful do approve & confirm the same & Order that Mary Martin stand endowed of the lot set off to her in said proceedings and that the said Charles Martin stand seized of the lot set off to him as his share of said farm exclusive of the Dower lot,

And the said Appraisers having decided that the ballance of said farm will not bear division among the other four heirs of Benjamin Martin as Ordered by the Court & appraised the same at ff 33 per acre & neither party electing to take said premises at the appraised value thereof It is Ordered & adjudged by the Court that an Order of Sale issue to the Sheriff of this County commanding him to advertise & Sell the ballance of said premises according to law And this cause is Continued for the Sheriffs Report

✓

William Westlake
vs
634 James Mills & Lewis Mills

This day came the plaintiff but the defendants came not but made default And this cause was Submitted to the Court, Whereupon the Court being fully advised in the premises do find the allegations of the petition to be true & there is due the plaintiff from defendants in manner & form as alleged against them the Sum of One hundred & thirty 62/100 dollars It is therefore considered & adjudged by the Court that plaintiff recover of defendants said Sum of ff 130 62/100 dollars & costs of suit taxed to ff & it appearing that Defts have paid ff 101 since the suit was commenced the Same is Ordered to be credited On this judgement

Monday February 1st A.D. 1869

Hannah Bonham }
vs } Partition.
Joseph Bonham et alz }

This day came this cause on to be heard on Motion of the plaintiff to confirm the Report & proceedings of the Sheriff upon the Order herein before made & thereupon the Court being fully advised in the premises do approve & confirm said Report & proceedings And the Court do Order that said Hannah Bonham Stand endowed of the lot assigned to her as her dower in the premises in the petition discribed & it is further Ordered & adjudged by the Court that said Hannah Bonham as grantee of the said Orville Benham of the one Seventh of said farm exclusive of the dower lot Stand seized in Severalty of the ten acres Set off to her as Such & that the said Louisa Wood Joseph Bonham Clara V. Bonham. John E. Benham. William H. Bonham, Charles W. Bonham & Orrie L. Bonham Stand seized of all of said premises exclusive of the said ten acres & Subject to the said dower claim in the proportions Stated in said Report. And it is further Ordered that the costs of this proceeding including an Attorney fee of $ 45. to Robinson & Robinson be paid in the proportions following to wit, the said Hannah Benham the three Sevenths & Louisa Wood Joseph Bonham John E. Bonham Wm H. Bonham Clara V Bonham Charles W. Bonham each the part represented by the fraction two twenty first ($\frac{2}{21}$) parts of a Unit.

Benjamin Sells }
vs } In Replevin
Philip Hawn }

This day came the parties by their Attorneys and this cause came on to heard and thereupon came a jury to wit, William Westlake William Roberts Philip Coe. A. E. Knoy. H. I. Jones. Jerr Hagar & William Goff regular jurors and D. G. Cops J. H. Clement Thomas Wharton Josiah Reed & Geo. Reed tales Jurors who being duly empannelled & Sworn the truth to Speak upon the issue joined between the parties upon their oaths do Say they find for the plaintiff and assess his damages by reason of the premises at one cent.

Therefore it is considered Ordered and adjudged by the Court that the said Benjamin Sells plaintiff recover of the said defendant Philip Hawn the said Sum of One cent his damages aforesaid in form aforesaid assessed and also his costs herein expended taxed to $

The defendant demanded a Second trial which was Allowed and the bond fixed at $100.00

Edna J. Beach & Harriet D. Beach }
by William O. Hara Guardian }
vs } In Partition
George Leasure et al } On Motion to the Court by Coal & Gilbert Counsel for said Petitioner & upon producing the return of the Sheriff and the report of the Commissioners herefore appointed and the same having been examined by the Court here & found in all respects correct & in conformity with law it is hereby approved & confirmed & thereupon neither of said parties electing to take said premises at the said Valuation It is Ordered that the said premises be Sold at public Sale on the premises

by the Sheriff of said County of Union according to Law.

And thereupon the Court adjourned until tomorrow morning at Eight oclock

Tuesday February 2nd A.D. 1869 This morning the Court met pursuant to adjournment present the Same officers as on yesterday

Sanford Philbrook
vs
Jacob L. Sidle & John Sidle

This day came the parties by their Attorneys and thereupon came a jury to wit Henry Knotts William Bell Gustavus McDowall regular jurors & Levi Longbrake, John Weaver, Robert Graham, Wm M. Robinson, Daniel Longbrake Gregory Hawley, Adam Wolford Andrew Amine & John Thomas tales jurors who being duly empannelled & Sworn the truth to speak upon the issue joined between the parties upon their oaths do Say they find for the Defendant

It is therefore considered Ordered & adjudged by the Court that the defendants go hence without day and recover of the plaintiff their costs herein expended taxed to $ The Plaintiff demanded a Second Trial which was allowed by the Court and the Bond fixed $150.00 The defendants asked & obtained leave to file amended Answer in thirty days

Jacob L. Sidle
vs
Henry M. Ramey et als

This day came the plaintiff & John Ramey & J.L. Evans but the other defendants made default no Motions or answer or demurrer being on file in this case by them & thereupon this cause was submitted to the Court Whereupon the Court being fully advised in the premises do find the allegations of the petition to be true and that there is due from Henry M. Ramey to the plaintiff on the note & Mortgage as alleged in said petition the sum of two hundred & fifty & 56/100 dollars, which is a Mortgage lien on the premises & property in said petition described which Sum is the first in priority & right on said property

It is therefore considered Ordered & adjudged by the Court that the plaintiff recover of defendant Henry M. Ramey said Sum of two hundred & fifty & 56/100 dollars & his costs herein expended taxed to $ And it is further Ordered & adjudged by the Court that if said defendant Henry M Ramey fail for twenty days to pay said Sum of two hundred & fifty & 56/100 dollars & costs & interest from this date that an Order of Sale issue to the Sheriff of this County who is appointed Special Master for that purpose commanding him to advertise & Sell the undivided half of the said premises & property according to law— And the Court being fully advised in the premises, as to the Cross petition of J.L. Evans herein filed do find that the said Henry M. Ramey is indebted to said Evans in the Sum of one hundred & Seventy One & 26/100 dollars with interest thereon from Nov 2, 1868 & costs amounting to $6.90 as alleged in said Cross petition.

It is therefore considered Ordered & adjudged by the Court that said J.L. Evans recover of the said Henry M. Ramey the said Sum

Tuesday February 2d A.D. 1869

of One hundred & Eighty 72/100 dollars & his costs herein expended taxed to $
And if said Henry M. Ramey fail for twenty days to pay said Sum interest
& costs it is Ordered & adjudged by the Court that an Order of Sale issue to the Sheriff
of said County commanding him to advertise & Sell said premises & property
according to law to Satisfy said claim — And as to the claim of John Ramey
set up in his Answer & all questions between said J. C. Evans & said John Ramey
this Cause is Continued

James McCormick
vs
Manerva McCormick } Divorce

And now come the said James McCormick by Randall & Cameron his Attorneys and thereupon this cause came on for hearing upon the petition & testimony & was argued by Counsel & Submitted to the Court on consideration whereof the Court do find that the said parties were married as is in said petition averred that due notice of the filing & pendency of this petition was given to the said defendant according to law. And the Court do further find that the said defendant did commit did commit adultery with the said Geo. Jones as is in said petition set forth & averred

It is therefore adjudged & decreed that the Marriage relation heretofore existing between said parties be & the same is hereby set aside & wholly annulled and the said parties wholly released from the obligation of the same and it is further Ordered that the said plaintiff have the care & custody of John McCormick Wm. Franklin McCormick Elizabeth Emma McCormick his minor Children and that he pay the costs of this action in twenty days & in default thereof that execution issue therefor as upon judgments at law

Culver Harper
vs
The Columbus Chicago & Indiana Central Railway Company } And now came the said Culver Harper by Randall & Cameron his Attorneys & the said defendant having failed to demur or Answer the petition of the said Culver Harper & neither party demanding or requiring a jury this cause was Submitted to the Court upon the petition & evidence and the Court after hearing the evidence & being fully advised in the premises do find that the said Culver Harper hath Sustained & ought to recover his damages by reason of the premises And the Court with the consent of the said plaintiff do assess the damages of the said plaintiff to the sum of eighty one dollars & fifteen cents. ($81.15)

It is therefor considered Ordered & adjudged that the said plaintiff recover against said defendant the Sum of Eighty one 15/100 dollars his damages in form aforesaid assessed and also his costs in & about his Suit in that behalf expended taxed to dollars & cents

Tuesday Feby 2d 1869

John M. Pollard & David Vandusen
vs
The Columbus Chicago & Indiana Railway Company } Civil Action.

And now came the said John M. Pollard & David Vandusen by Randall & Cameron their Attorneys and the said defendants having failed to demur or Answer the petition of the said John M. Pollard & David Vandusen and neither party demanding or requiring a jury. This cause is Submitted to the Court upon the petition & evidence and the Court after hearing the evidence & being fully advised in the premises do find that the said John M. Pollard & David Vandusen hath Sustained & ought to recover their damages by reason of the premises and the Court do assess their damages
the agent of the said plaintiffs at to the Sum of two hundred & thirty five 12/100 dollars ($235 12/100)
It is therefore considered Ordered & adjudged by the Court that the said plaintiffs recover against the said defendant the Sum of two hundred & thirty five 12/100 dollars their damages in form aforesaid assessed & also their Costs in & about their Suit in that behalf expended taxed to dollars

The State of Ohio }
vs } Retailing
John Cartmell } The defendant John Cartmell was this day arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for Plea Says he is guilty in manner and form as he Stands charged in said Indictment

The State of Ohio }
vs } Retailing
John Cartmell } The defendant John Cartmell was this day arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner and form as he Stands charged in said Indictment

The State of Ohio }
vs } Retailing
John Cartmell } The defendant John Cartmell was this day arraigned in Open Court and the Indictment being to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged in said Indictment

The State of Ohio }
vs } Retailing
John Cartmell } The defendant John Cartmell was this day arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged in said Indictment

The State of Ohio }
vs } Retailing
John Cartmell } The defendant John Cartmell was this day arraigned in Open Court & the Indictment being read to him was ask how of premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged in said Indictment

Tuesday February 2nd A.D. 1869

The State of Ohio vs John Cartmell } Retailing

The Defendant John Cartmell this day was arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stands charged in said Indictment

The State of Ohio vs Alice McGee } Retailing

The defendant Alice McGee this day was arraigned in open Court & the Indictment being read to her was asked how of the premises she would acquit herself for plea Says She is guilty in manner and form as She stands charged in said Indictment,

The State of Ohio vs Alice McGee } Retailing

The defendant Alice McGee this day was arraigned in open Court & the Indictment being read to her was asked how of the premises she would acquit herself for plea Says She is guilty in manner & form as She stands charged in said Indictment

The State of Ohio vs John Huber } Retailing

The defendant John Huber this day was arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stands charged in said Indictment,

The State of Ohio vs John Huber } Retailing

The defendant John Huber this day was arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stands charged in said Indictment

Aaron Thornton vs. William Bird et als } This day this Cause is dismissed without prejudice & It is therefore Considered Ordered & adjudged by the Court that the defendants go hence without day & recover of the plaintiff their Costs herein expended taxed to $ No Record

Philip Snider vs Sophia Hemingway et ds. } Continued

Samuel Marshall vs Thadeus Wood Continued

454

P 126

Tuesday February 2d A.D. 1869

454 Joseph Miles et als
vs
Nathan Poling et als
P 126

This day came on this cause to be heard on the motion of Plaintiff for a New Trial. Whereupon the Court being fully advised in the premises do overrule the Motion to which plaintiff's except.
It is therefore considered ordered adjudged by the Court that the defendants go hence without day and recover of the plaintiffs their costs herein expended taxed to $

Angeline Lockwood
vs
William Tuttle et al

Foreclosure of Mortgage
This day came the plaintiff by Attorneys & Submitted this cause to the Court, the defendant being in default for Answer whereupon the Court do find that the defendant William Tuttle owes to the plaintiff the Sum of three hundred & Sixteen dollars ($316^{00}) in manner & form as the plaintiff in her petition hath in that behalf alleged.
Therefore it is considered ordered & adjudged that the plaintiff recover of the said defendant William Tuttle the said Sum of three hundred & Sixteen dollars ($316^{00}) her debt aforesaid and also her costs in this behalf expended taxed to $
And it is further Ordered & adjudged that in case the said defendant William Tuttle fails for three days from the close of this Term of Court to pay to said plaintiff said Sum of three hundred & Sixteen dollars ($316^{00}) so as aforesaid found due with costs of suit an Order of sale issue to the Sheriff of said County who is hereby appointed Special Master Commissioner for that purpose commanding him to cause the lands & tenements in said petition described to be appraised advertised & Sold according to law & apply the proceeds of said Sale in satisfaction of this judgment &c as aforesaid rendered

Caleb Clark
vs
J.C. Lee Elizabeth Lee
A.A. Woodworth

And now came the said Caleb Clark by P.O. Cole his Attorney And the said defendants having failed to demur or Answer. It is considered that the said Caleb Clark ought to recover the said the said Sum of three hundred and Sixty one 75/100 dollars so demanded in his petition together with $13.25 which the Court find due as interest thereon as prayed for in said petition.
It is therefore considered ordered & adjudged by the Court that the said Caleb Clark recover against the said J.C. Lee & A.A. Woodworth the said Sum of $375. together with his costs in and about this Suit in this behalf expended taxed to dollars & cents
And as to the said Elizabeth Lee the other defendant the Court finds that she is a Married woman & therefore She is hence dismissed

John Gates & Co.
vs
Abraham L. Ronkel & Jacob Long partners under the name of Ronkel & Long

This day came the parties by their Attorneys & Submitted this cause to the Court upon the pleadings exhibits & testimony a trial by jury being waived in open Court here by the Oral Consent of said parties plaintiff & the defendants by their Atty.

And the Court being fully advised of the premises do find that the said defendants Abraham S. Ronkle & Jacob Long partners under the name of Ronkle & Long owe the said plaintiff John Gates & Co in manner & form as they in this petition have alleged the sum of two hundred & ninety four dollars & fifty one cents with interest thereon from the 5th day of October A.D. 1868

Therefore it is by this Court considered Ordered & adjudged that the said John Gates & Co plaintiffs recover of the said Abraham S. Ronkle & Jacob Long defendants the sum of three hundred dollars & twenty five cents being the principal & interest due to this date on said promissory note in the plaintiffs petition set forth

And it is also considered Ordered & Adjudged that the plaintiff recover of the said defendants their costs herein laid to $ $213.51

Nicholas Belveal
vs
Samuel McAllister } This day came the parties by their Attorneys and thereupon this cause came on to be heard & thereupon by consent of parties the Court do find that this cause is settled by the parties each party to hold the premises in the petition described in accordance with a Survey heretofore made and corners fixed by A. S. Mowry County Surveyor of this County & B. A. Fay Surveyor in the presence of both parties and by the consent and agreement of said parties & in accordance with a plat hereunto filed Marked "A" And by the like Consent & Agreement of parties this cause is dismiss'd and the Costs of this proceeding to be paid by the said plaintiff Nicholas Belveal & the defendant Samuel McAllister in equal proportions including the costs & expenses of all Survey made of said premises Since the Commencement of this action & the said defendant Samuel McAllister is to pay the costs of Survey prior to the Commencement of this action to the amount of two dollars & fifteen cents. No record

Lessee of Samuel Stokely vs John Williams Contd,

I. N. Hamilton vs W. W. Dunnick Contd

Edward McQuaid
vs
Patrick Smith } Dismissed without prejudice at Pltffs costs It is therefore considered Ordered & adjudged by the Court that the plaintiff pay the costs herein in two days & in default thereof that execution therefor as on judgements at law

Peter Mummay vs Nancy Mummay Contd,

P. L. Mayo vs John Mayo et als Contd under former Order

And thereupon the Court adjourned until tomorrow morning at 8 oclock

Wednesday February 3d A.D. 1869

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

√ | Thomas Degood vs Isaac McAllister } This day came the plaintiff by his Attorneys & Submitted this cause to the Court the defendant being in default for want of Answer. Whereupon the Court do find that the defendant owes the plaintiff the Sum of two hundred & thirteen 51/100 dollars ($213.51) in manner & form as the plaintiff in his petition hath in that behalf alleged — Therefore it is considered & Adjudged that Said Thomas Degood recover of the Said Isaac McAllister the Said Sum of two hundred & thirteen 51/100 dollars ($213.51) his debt aforesaid also his costs in this behalf expended taxed at $

√ | Thomas Degood vs Isaac McAllister, John McAllister & Duncan McLain } This day came the plaintiff by his Attorney & Submitted this cause to the Court the defendants being in default for Answer Whereupon the Court do Court do find that the defendants owe the plaintiff the Sum of three hundred & eighty four 90/100 dollars ($384.90) in manner & form as the plaintiff in his petition hath in that behalf alleged — Therefore it is Considered Ordered & Adjudged that the Said Thomas Degood recover of the Said Isaac McAllister John McAllister & Duncan McLain the Sum of three hundred & eighty four 90/100 dollars ($384.90) his debt aforesaid And also his costs in this behalf expended taxed at $

√ | Isaac Zane vs James Mulvane, Cornelius Mulvane & William Mulvane } This day came the Said Isaac Zane by his Attorney and the Said James Mulvane Cornelius Mulvain And William Mulvain defendants to came not but made default whereupon this cause was Submitted to the Court, And on Consideration thereof the Court does find that there is due from the defendants to the plaintiff on the promissory note in the petition mentioned the Sum of four hundred & forty Seven 36/100 dollars ($447.36)

It is therefore Considered Ordered & Adjudged by the Court that the Said Plaintiff recover of the Said defendants Said Sum of Four Hundred Forty Seven 36/100 dollars So found due And also his costs herein expended taxed to $

√ | M.E. Lawrence Guardian of Oscar Smith a minor vs L. H. Smith et, als } This day came the Said M.E. Lawrence guardian of Oscar Smith and the Said L.H. Smith, W.S. Smith & A. James Sterling defendants came not but made default and neither party demanding a jury this cause was Submitted to the Court by the Plaintiff upon the petition exhibits & testimony upon consideration whereof the Court does find for the Plaintiff as Such Guardian — and assess his damages by reason of reason of the premises at the Sum of three hundred & twenty Six 41/100 dollars ($326.41) And the ~~Court~~ further finds that Said W.S. Smith & A. James Sterling are Surties for the Said L.H. Smith.

It is therefore considered ordered & adjudged

Wednesday February 3d A.D. 1869

by the Court that the said M.C. Lawrence as Such Guardian recover of the said Defendants said Sum of Three Hundred ~~&~~ Twenty Six 11/100 dollars his damages so as aforesaid assessed and also his Costs herein expended taxed to ~~$~~

M.C. Lawrence Guardian of Frank Smith a minor
vs
L.H. Smith et al, } This day came the said M.C. Lawrence Guardian of Frank Smith and the said L.H. Smith W.S. Smith & A. James Sterling defendants came not but made default and neither party demanding a jury, this cause was submitted to the Court by the plaintiff upon the petition, exhibits and testimony upon consideration whereof the Court does find for the Plaintiff as Such Guardian - and assess his damages by reason of the premises at the Sum of Two hundred & Thirty Seven dollars ($237.00) And the Court further finds that said W.S. Smith & A. James Sterling are Sureties for the said L.H. Smith. It is therefore Considered Ordered & adjudged by the Court that the said M.C. Lawrence as Such Guardian recover of the said defendants Said Sum of Two hundred & Thirty Seven dollars ($237.00) his damages so as aforesaid assessed. And also his costs herein expended taxed to ~~$~~

Wm M. Randall Laura Randall Nothing } Injunction.
vs
I.C. Bolkins & Alexander Park } This cause Settled upon written agreement on file - No Record
Therefore it is Ordered & adjudged by the Court that each party pay the costs by him made in twenty days & in default thereof that execution issue therefor

Miller & Co } This cause came on to be heard on the motion
vs to Strike out Whereupon the Court Sustain
Hetrick & Rowland } the Motion and Order all of the Answer after the word "forty two" to be Struck out as irrelevent matter and thereupon leave given to file Answer at Once & Thereupon came the parties & Submitted this cause to the Court upon the issues joined having waived a trial by jury Whereupon the Court being fully advised in the premises by the proofs do find for the plaintiffs & assess their damages at one hundred & Sixty two dollars.
It is therefore Considered Ordered & Adjudged by the Court that the plaintiffs recover of the defendants Said Sum of One hundred & Sixty two dollars and their costs and charges herein expended taxed to ~~$~~
And thereupon the Defendants the demanded a Second trial under the Statute which was allowed by the Court & Bond fixed at $325.

Wednesday February 3d A.D. 1869

473 Uriah Coolidge }
vs }
Hiram Crusan } This day came the parties by their Attorneys & Submitted this cause to the Court upon the issues joined And the Court being fully advised in the premises doth find the equity of the case with the plaintiff. And further that the plaintiff is bona fide the owner of the notes and Mortgage in the petition mentioned.

And the Court further finds that there is a balance due from Defendant to Plff On said Notes of $197 dollars It is therefore Considered by the Court here that said plaintiff recover of the said defendant the said Sum of One hundred & Ninety Seven dollars So found due as aforesaid

And it is further Ordered & Adjudged that in case the said defendant fails for ten days from the Close of this Term of the Court to pay said Sum of One hundred & Ninety Seven dollars as aforesaid found due an Order issue to the Sheriff of Union County commanding him to cause the said lands and tenements in said petition described to be appraised advertised & Sold according to law and apply the proceeds of Sale in Satisfaction of said Judgment So as aforesaid rendered.

($197)

And the Court do further find that there was no Sufficient proof ~~of~~ that the Plaintiff offered to indemnify the defendant against said lost note & Mortgage Therefore the Court Order & Adjudge that the plaintiff pay the defendants his costs in this behalf expended taxed to $

And it is further Ordered that the plaintiff within ten days from the rising of this Court execute & deliver to the Clerk of this Court a Bond to indemnify defendant against any further payment of said lost note & Mortgage in the penalty of dollars to the acceptance of the Clerk of this Court

Notice of appeal by Defendant)

Jane E. Buckner }
vs }
The Atlantic & Great Western }
Railway Company } This day came the parties by their Attorneys and the Defendant withdrew its first cause of defense set up in its Answer And therefore this cause came on to be heard upon the demurer of the plaintiff to the second cause of defense in defendants answer & was argued by Counsel & Submitted to the Court & the Court being fully advised in the premises do overrule said demurer to which ruling of the Court in overruling said demurer the plaintiff excepted

John R. Bailey }
vs } In Partition.
Charles Andrews & }
Rufus Andrews } This day came the parties & Submitted this cause on the pleadings as to the Mortgage & Note held by Rufus Andrews given by John R. Bailey to N. T. Bennet for four hundred dollars & the Court being fully advised in the premises find there is due thereon by estimating interest thereon at Six per cent $391.81 which plaintiff tenders & has in Court ready to pay.

It is therefore ordered that said Rufus Andrews accept said Sum in full Satisfaction of said note & Mortgage

Adjourned Wednesday February 3d A.D. 1869

Elizabeth Hudson
vs
David Hildreth William Hildreth Gilman B. Hildreth
Benoni P. Hildreth. Lafayette Hildreth Marcus M. Hildreth — Partition & Dower
Barsheba Hildreth Mary Everett & her husband Henry Everett
Joanna Annetta Jackson Wm B. Jackson George E. Jackson
Abram B. Jackson Benjamin Hudson & Elizabeth Hildreth

On motion to the Court by Randall & Cameron Attorney for Said petitioner & upon producing the return of the Sheriff & the report of said Commissioners heretofore appointed & the Same having been examined by the Court here & found in all respects correct & in conformity to law. It is hereby ordered that the Said proceedings & Report be & the Same is hereby approved & confirmed and Order that Said Elizabeth Hudson Stand endowed of the 1/3 Set off to her in Said proceeding as her dower estate in Said premises.

And thereupon neither of Said parties electing to take Said premises at at the Said valuation at the Said valuation it is Ordered that the Said premises be Sold by the Sheriff of Said County of Union Ohio according to law and that he return his doings in the premises to the next term of this Court to which time this Cause is Continued.

William W. Woods
vs
Benjamin F. Beck & Beck his wife

And now comes the Said William W. Woods by P. B. Cole his Attorney & the Said Benjamin F. Beck Still failing to demur & Answer to Said petition it is considered that the Said plaintiff ought to recover the Amount due him by reason of the premises. And the Court with the consent of the Pltff find that there is due from the Said defendant Benjamin F. Beck to the Plaintiff on the notes in the Said petition Set forth the Sum of two Thousand three hundred & forty three dollars.

It is therefore considered by the Court here that the Said plaintiff recover of the Said defendant Benj^a. F. Beck the Said Sum of Two Thousand three hundred & forty three dollars the Sum So found due as aforesaid and also his costs taxed to $ — $2 343^00

And it is further Ordered & adjudged that in case the Said defendant fails for ten days from the close of this Term of this Court to pay to the Said plaintiff the Said Sum of Two Thousand Three Hundred & Forty three dollars as aforesaid found due with interest and costs of Suit taxed to $ an Order issue to the Sheriff of Said County commanding him to cause Said lands & tenements in Said petition described to be appraised advertised and Sold according to law & apply the proceeds of Said Sale in Satisfaction of Said judgment So as aforesaid rendered

A. J. Whitney
vs
Jesse Bird & Charles Bird

This day came the plaintiff by his Attorney and dismissed this Suit

It is therefore considered by the Court that the defendants recover of the plaintiff their costs herein expended taxed to $

Wednesday February 3d. A.D. 1869

Jacob C. Lee
vs
Michael Hinton

In Repleven.

This day came the parties by their Attorneys & thereupon this cause came on to be heard, the plaintiff J.C. Lee being in default for want of petition, and otherwise failing to prosecute his action herein and failing to file a petition or move the court for leave to file a petition herein. Thereupon the defendant moved the Court to impannelled to enquire as well into his right to the property & chattels taken by virtue of the writ of Repleven in this action and to his wright & to the possession of the same as to assess his damages in the premises, and the Court being advised in the premises by the consent of the plaintiff do find that the said property has been delivered to the plaintiff by virtue of his said writ & proceedings in repleven. And the Court further finds that the said plaintiff J.C. Lee has failed to prosecute his action to final judgment by filing his petition or asking leave to file his petition herein as Order that a jury be impannelled to try the issue aforesaid, and to assess the said defendants damages in the premises in pursuance of law. Thereupon the said plaintiff in Open Court offered & agreed to waive a Trial by Jury upon said issue & consented that the same be submitted to the Court to which offer & agreement the defendant also consented.

Whereupon a jury being waived this cause came on further to be heard upon the issues aforesaid Exhibits & testimony and was argued by Counsel On consideration whereof the Court do find by the consent of the plaintiff & defendant that the right of possession & the right of property in the Chattels & property so delivered as aforesaid to the said plaintiff by virtue of his said writ & proceedings in Replevin was in the said Michael Hinton the said defendant at the commencement of this action and assess his damages by reason of the premises to Sixty dollars & ninety cents.

It is therefore considered Ordered & adjudged by the Court here that the said Michael Hinton defendant do recover of the said Jacob C. Lee plaintiff the said Sum of Sixty dollars & Ninety cents his damages aforesaid in form aforesaid assessed and also his costs herein expended taxed to $

David & Mary Mulford
vs
Joseph E. Long Mary Jane
Jos. E. Long Adm. of Mary Morrison

On Motion of the Plaintiff And it appearing to the Satisfaction of the Court that the Original Judgement in the above named action was in action on a Contract for the payment of money only, and it appearing further that a petition in Error has been filed on said Judgement by the defendants Plffs in Error & a Supersedeas Bond given to Stay proceedings to collect said Judgment

Therefore leave is hereby granted to the defendants in Error the said Jos. E. Long Sarah Ann his wife & Joseph E. Long as Administrator of Mary Ann Morrison give adequate Security in the Sum of thirty three hundred dollars to the Plaintiffs in Error within ten days from this day to the acceptance of the Clerk of the Court to make restitution in case the judgement in this is reversed or modified in the District Court That the same be done according to the provisions of Section 522 of the Code of Civil procedure,

Thomas O. Timmons Adm.
vs
Rebecca Haines et als

This Cause came on to be heard on the Motion of Plaintiff to dismiss the Appeal & was Submitted to the Court Whereupon the Court being fully advised in the premises Overrule the Motion

Wednesday February 3a A.D. 1869

Evaline Stulhard }
vs } Bastardy.
George W. W. Degood } This day cam the defendant & mad affidavit for a continuance, Whereupon the Court Sustained the motion for a Continuance and the Securities for the appearance of defendant appearing & Consenting to continue liable on their undertaking befor the Justice of the Peace for the Appearance of defendant On the first day of the next term of this Court - It is Ordered that this cause Stand Continued at Defts, costs and if he fail for ten days to pay the costs of this Term an execution issue therefor as upon Judgments at Law

The State of Ohio }
vs } Retailing
John Cartmell } The defendant John Cartmell was this day again brought 1877 the Court & having nothing further to Say Why Sentence Should not be pronounced against him, It is therefore Considered Ordered & Adjudged that the Said John Cartmell make his fine to the State of Ohio in the Sum of fifty dollars and that he pay the Costs of prosecution taxed at $

The State of Ohio }
vs } Retailing
John Huber } The defendant John Huber was this day again brought before the Court & having nothing further to Say Why Sentence Should not be pronounced against him. It is therefore Considered & Adjudged that the Said John Huber make his fine unto the State of Ohio in the Sum of fifty dollars & that he pay the Costs of prosecution taxed to $

The State of Ohio }
vs } Retailing
John Cartmell } This day came into open Court John Cartmell & Acknowledged himself to Owe & Stand indebted to the State of Ohio in the Sum of Two hundred dollars to be levied of his goods & Chattels lands & tenements if default be made in the following Condition which is that the Said John Cartmell Shall be and appear befor the Court of Common Pleas for the County of Union on the fifth day of the next Term thereof to Answer unto an Indictment against him in Said Said Court pending for Selling Intoxicating liquors in Violation of law and abide the Sentence & Order of Said Court and not depart the Court without leave then this Recognizance to be void Otherwise to remain in full force

The State of Ohio }
vs } Continued
John Cartmell }

Wednesday February 3d 1869

The State of Ohio }
vs } Retailing
John Huber }

This day came into open Court John Huber and acknowledged himself to Owe & Stand indebted to the State of Ohio in the Sum of One hundred dollars to be levied of his goods & chattels Lands & tenements if default be made in the following Condition which is that the said John Huber Shall be & appear before the Court of Common Pleas for the County of Union on the fifth day of the next term there of to answer unto an Indictment against him in said Court pending for Selling Intoxicating liquors in Violation of law and abide the Sentence & Order of said Court & not depart the Court without leave then this Recognisance to be void otherwise to remain in full force

The State of Ohio }
vs } Retailing
John Huber } Continued

Lewis Foos } Ex G- No 837
vs }
John Hall & Nancy Hall his wife } This day came the plaintiff no one appearing
William W. Ballinger & Reuben Critchfield } for the defendants, who Still failing to answer are adjudged to be in default. Thereupon this cause came on to be heard on Submission to the Court, who being fully advised find the Allegations of the petition to be true & that there is due to the plaintiff from the said John Hall & William W. Ballinger on the Second note in the petition discribed the Sum of $1431.53

It is therefore considered that the defendants John Hall & William W. Ballinger pay to the plaintiff said Sum of $1431.53 with interest thereon until paid & also the costs this finding taxed at $ within ten days from this date & in default that the said mortgaged premises be sold as upon execution at law.

It is further ensidered & decreed that said Nancy Hall be & She is forever barred & foreclosed of all right of expectancy of dower in said lands.

It is further ordered that as to said notes not due & other questions not disposed of this cause is Continued.

Mathew L. Stewart }
vs }
Joseph Deffenbaugh }

This day came the said Mathew L. Stewart plaintiff by George Lincoln his Attorney & the said Joseph Deffenbaugh defendant Still failing to demur or Answer to the petition of said plaintiff this cause was Submitted to the Court, Whereupon it is considered & adjudged by the Court that the said plaintiff ought to recover of the said defendant the amount due him by reason of the premises and the Court with the Consent of the plaintiff find that there is due from said defendant Joseph Deffenbaugh to the said plaintiff on the note ~~here~~ in said petition Set forth the Sum of $405 cts in manner and form as the plaintiff in his petition hath alleged.

It is therefore ensidered ordered & adjudged by the Court the said plaintiff Mathew L. Stewart recover of the said defendant Joseph Deffenbaugh the said Sum of four hundred & five dollars so found due as aforesaid & also his costs herein expended taxed to $

And it is further Ordered & decreed by the Court that if the said defendant fail for five days from this date to pay the said plaintiff said Sum of four hundred & five so as aforesaid found due with interest and costs of Suit

Wednesday February 3d A.D. 1869

that an Order issue to the Sheriff of said County of Union who is hereby appointed Special Master Commissioner for that purpose commanding him to cause said lands & tenements in said petition described to be appraised advertised & sold according to law to satisfy said judgement so as aforesaid rendered And as to the notes not yet due & all questions herein this cause is Continued

Mathew L. Stewart
vs
Jacob K. Deffenbaugh Wife

This day come the said Mathew L. Stewart Plaintiff by his Attorney and the said Defendants still failing to demur or Answer to the petition of the said plaintiff this cause was submitted to the Court. And the Court being fully advised in the premises do find the allegations of said petition to be true. And that the said plaintiff ought to recover of the said defendant Jacob K. Deffenbaugh the amount due him by reason of the premises. And the Court with the consent of the said plaintiff find that there is due from the said defendant Jacob K. Deffenbaugh to the said Plaintiff on the note in said petition set forth the sum of $722 15 in manner & form as the plaintiff hath in his petition alleged

It is therefore considered Ordered & Adjudged by the Court that the said Plaintiff Mathew L. Stewart recover of the said Defendant Jacob K. Deffenbaugh the said sum of Seven hundred twenty two 15/100 dollars his debt so as aforesaid found due and also his costs in this behalf expended taxed to $

And it is further Ordered & decreed by the Court that if the said defendant fail for five days from this date to pay said plaintiff said sum of $722.15 so as aforesaid found due with interest & costs of suit that an Order issue to the Sheriff of said County of Union who is hereby appointed Special Master Commissioner for that purpose commanding him to cause said lands & tenements in said petition described to be appraised advertised and sold according to law to satisfy said judgement so as aforesaid rendered. And as to the notes not yet due & all questions herein this cause stands Continued

Henry Hoover
vs
Jacob Figley

This day came the parties by their Attorneys & thereupon this cause came on to be heard upon the demurer of the Defendant to the amended petition of the plaintiff & was argued by Counsel and Submitted to the Court. And the Court fully advised in the premises do Sustain said demurer and the plaintiff asked & obtained leave to file an amended petition in 40 days

Alexander Snodgrass
vs
John R. McDowell et als

Partition Eq'y No 725

This cause came on to be heard on Motion to Re Tax Costs so as to pay John Shearer Nine dollars for publishing Origal Notice to defendants in the above named case & due Notice having been served on P.B. Cook Atty for defts & the Court being fully advised in the premises do Sustain said Motion & Order the Clerk of this Court to so retax Costs in said case to be paid by the respective in the

Wednesday February 3d A.D. 1869

proportions originally ordered for the payment of costs & on default of payment for ten days execution issue as upon judgments at law.

John P. Bailey
P 175 & vs
P 153 / Rufus Andrews & Charles Andrews } Partition.
This day came the parties & Submitted this cause to the Court to confirm the partition made. And the Court being fully advised in the premises do approve & confirm Said partition & Order that Said parties Stand Seized in fee in Severalty of the parts of Said lands set off to each respectively. And it is further Ordered & Adjudged that the costs of this proceeding including an Attorney fee of $30.00 to P. B. Cole & $35.00 to Robinson & Robinson be paid One third by the petitioner & two thirds by the defendant Charles Andrews & in default of payment for ten days that Execution ispue therefor as upon judgments at law.

/ R. L. Spencer
No. 631 vs
O. P. Freeman et.als. } This day came the plaintiff but defendants made default Whereupon this Cause was Submitted to the Court. Whereupon the Court being fully advised in the premises find the allegations of the petition to be true & there is due plaintiff in manner & form as alliged in his Said petition from Said
$87.69 O. P. Freeman the Sum of Eighty nine & 69/100 dollars
It is therefore considered Ordered & adjudged by the Court that defendant O. P. Freman pay to the plaintiff Said Sum of Eighty nine & 69/100 dollars & pay the costs of this proceeding in ten days & in default thereof that an Order of Sale ispue to the Sheriff of this County Commanding to Advertise & Sell the lands in Said petition discribed according to law to Satisfy Said claim.

James V. Finley
vs
H. E. Pilcher & ~~Richard~~
James W. Robinson ~~Lucky~~ } This day came the Said James V. Finley by his Attorney & the Said H. E. Pilcher & J. W. Robinson defendants being in default, & neither party demanding a jury this cause was Submitted to the Court by the plaintiff Upon Consideration whereof the Court does find that there is due from the defendant to the plaintiff on the promissory note in the petition mentioned the Sum of One hundred & Seventy eight dollars. And the Court with the consent of the plaintiff further find that Said H. E. Pilcher is the principal on Said note & that Said J. W. Robinson is his Surety.
It is therefore Considered Ordered & Adjudged by the Court that the plaintiff Recover of the Said H. E. Pilcher as principal debtor & the Said J. W. Robinson as his Surety Said Sum of One hundred & Seventy Eight ($178.00) dollars the Sum so found due And also his Costs herein expended taxed to $

Wednesday February 3rd A.D. 1869

p 107

George Orr
vs
Noah Orr Et,als

Ex F. No 828

On Motion to the Court by P.B. Cole Counsel for Petitioner and upon producing the proceedings of Sheriff & the Sale of the premises by him made in pursuance of the former order of this Court and the same being examined and found by the Court in all respects in due form of law. It is Ordered that Said proceedings & Sale be & the Same is hereby approved & confirmed. And it further appearing to the Court that James B. Whelpley a former Sheriff of this County Sold Said premises & that his term has since expired. It is therefore Ordered that the present Sheriff of this County execute and deliver to the Said purchaser a deed in fee Simple for the Said lands & tenements So Sold as aforesaid

And the Court further find that Elizabeth Orr widow of William Orr dec'd paid of her own money Eighty dollars On the Original purchase made by Said William Orr of the Said Sixty three acres of land part of the premises So Sold. The Court also find that Elizabeth Orr is entitled to Dower in the Sixty three acres aforesaid Also in the undivided half of the One hundred & ten & one fourth acres tract described in the petition And that the Said Elizabeth has Elected to take her Dower in Money instead of in land and that the Same amounts to $761

1 It is therefore Ordered by the Court that the Said Elizabeth receive her said Eighty dollars of the Original purchase as aforesaid

2 That the Said $761 in lieu of Dower in land be in payments the Same as the other parties in partition. Out of the money in the hands of the Sheriff One third part thereof being $253

3 It is further Ordered that the Costs & expenses of this Suit & the taxes for 1868 of $36.74 Amounting in all to two hundred & ninety three & 24/100 dollars which includes an Attorney fee of One hundred & fifty dollars. To P.B. Cole one hundred dollars thereof & to J.W. Robinson fifty. That the Same be paid in the following proportions. George Orr. Noah & Abram Orr each $51.80 by Albert Oliver, Anson, Aaron Amanda Mary & Joshua Orr each $19.87

That the residue of the money in the hands of the Sheriff be divided as follows

1st Of the proceeds of One half of the 110¼ Amounting (after paying its proportion of the costs taxes & Expenses) to ($617 40/100) Six hundred Seventeen 40/100 dollars be equally divided between George Noah & Abram Orr.

2 The proceeds of the Sale of the Other half of the 110¼ acres together with that of Sixty three acres which is in the hands of Said Sheriff be distributed as follows

To Elizabeth Orr widow of William Orr Eighty dollars ($80.00) for money advanced by her in the purchase of the Said 63 acres by her late husband Wm Orr. And to the Said Elizabeth One third of her Dower being two hundred & fifty three dollars

The residue of the Money in the hands of the Sheriff which came from the Sale of the last half of the 110¼ acres & the Sixty three acres Amounting to One thousand & fifteen & 60/100 dollars ($1015 60) be distributed equally between the Children of Wm Orr dec'd who are parties to this Suit to each One equal tenth part thereof making one hundred one & 56/100 dollars.

That for the deferred payments of Said premises the Said Sheriff distribute the Securities as follows: To George Noah & Abram Orr the whole amount for one half of the 110¼ acres Amounting in all to fifteen hundred & twenty eight & 72/100 dollars to each of Said last named parties an equal Amount being $509.57 each one half on the 25th of January 1870 the other on the 25th of January 1871 from the first of February 1869 with interest

That of the defred payments on the other half of the 110¼ acres & also the Sixty three acres the Securities be distributed as follows - 1st To Elizabeth Orr Widow of William Orr for the residue of her Dower $508.42 half payable on the 25th of January 1870 & the other half the 25th of Jany 1871 with interest from Febuary 1. 1869

2 To each of the said children of Wm Orr dec'd (who are parties to this Suit) there be distributed an equal one tenth part of the residue of the Securities for defred payments Amounting to each of said parties to $270.03 one half payable on Jany 25th 1870 & the other half January 25th 1871 all to draw interest from Feby 1. 1869

There is as part of the first payment a note for $88 93/100 on Wm Emirt due Feby 15th 1870 with interest. The proceeds of which is to be divided between the parties by giving to George Noah and Abram one half of the whole and three tenths of the other half and the other heirs the residue

It is Ordered that all causes, Motions & matters not otherwise disposed of Stand Continued,

And thereupon the Court adjourned without day =

J. S. Conklin Judge

X

Sophia Heminway
v
Luther Winget Administrator
of Farmery Heminway decd

Arbitration. April 9. 1869

Agreement to Arbitrate with approval of Referees by Probate Judge April 15th 1869

It is ordered by me That the matters in controversy between the be refered to A. Z. Wilkins. Philip Snider & Darius Buxton. That they meet at the office of A.Z. Wilkins Esq. on the 16th day of April 1869 at 10 o'clock A. M. And after being first duly Sworn to the discharge of their duties under this reference

April 15. 1869

Taber Randall Clerk
Court Common Pleas Union Co. Ohio

Tuesday April 20th 1869

Tuesday April 20th 1869 this day the Court of Common Pleas for the County of Union in the State of Ohio at 10 oclock A.M. in pursuance of law present J.S. Conklin Presiding Judge John L. Porter Prosecuting Attorney Robert Sharp Sheriff & Taber Randolf Clerk.

This day the Jurors of the Grand Jury being called came to wit Milton Southard Jos. Smith L.G. Monroe Joseph Evans W.L. Said A.D. Doolittle. Isaac Lake. D.H. Henderson S.S. Jewell. Addison See S.A. McAdow James Sweeney & Shepherd Clark regular Jurors & John T. Sabine & Wm M. Robinson Tales Jurors And the Court appointed S.S. Jewell Foreman And the Grand Jury being duly empannelled & Sworn were Charged by the Court and retired to their room to deliberate under the Charge of a Sworn Constable.

671 Miller & Co. Plff
vs
Hitner & Rowland Defts
2d Tria

This day came the parties by their Attorneys and Submitted this cause to the Court. Whereupon the Court being fully advised in the premises do find for the plaintiffs & that there is due them from defendants as alleged against them the Sum of $176.11
It is therefore Considered Ordered & Adjudged by the Court that said plaintiffs Recover of said defendants said Sum of One hundred & Seventy Six 11/100 dollars & their costs herein expended taxed to $
by Agreement of parties & the Security for 2d Trial Stay of Execution On this Judgement is allowed to the first of August next.

699 Daniel Rice
vs
Martha Matilda Rice
Divorce

On motion to the Court by P. B. Cole Counsel for defendant It is Ordered that Twenty five dollars as Alimony pending Suit be paid to the defendant forwith
It is therefore Considered & adjudged by the Court that the Plff pay to to the defendant the said Sum of Twenty Five dollars this day and in default thereof that Execution issue for the Same

593 George Coleman
vs
Orlando Wells
Action on Acct.

This day came the parties by their Attorneys and Submitted this cause to the Court & by agreement Settled this cause by consenting that a judgement Shall be rendered for the plaintiff against the defendant for fifty dollars & Costs of Suit
It is therefore Considered & adjudged by the Court that the Plaintiff recover of the Defendant said Sum of fifty dollars & costs of Suit taxed to dollars

5
76
209
219
248
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314
330
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487
488

Tuesday April 20th 1869

X 5	Beriah W. Mills vs Orlando Wells	Continued under former Order
X 16	Tullington & Garwood vs Michael Davis	Continued
X 209	C. M. Robinson vs J.S. Alexander	Continued under former Order
X 219	Albert Galloway vs Harmon Patch	Continued
X 248	I. N. Hamilton Admr vs W. H. Dunnick	Continued
X 261	Cyrus Albin vs Samantha O. Pugh et als.	Continued
X 314	David Mulford vs Wm Stithem	Continued
X 330	Wm Parthemore vs The American Ry. Co.	Continued
X 367	Joseph Cramer vs Saml Scott et als	Continued
X 398	Frances Thompson vs Hylas Sabins	Continued
X 405	John Finley vs Clark Young	Continued
X 487	Bowen Lamme vs Jacob Smith & David Mulford	Continued
X X 488	Maskell Dockum vs Harriet E. Dockum Exr	2d Trial Continued

Tuesday April 20th A.D. 1869

√ 595 | D. W. Henderson vs The Village of Marysville } Settled by written agreement on file with the Recorder of the said Village at Defendants Costs. It is therefore considered & adjudged that the Pltff recover of the defendant his costs herein expended taxed to $

X 538 | W. C. Barnett vs J. M. Welsh & Alvin Bellus } Continued

√ 568 | Cynthia A. Marshall vs Waller Marshall } Divorce. This day came the plaintiff in person And dismissed her petition without prejudice

√ 570 | F. J. Prouty & Co vs Elizabeth A. Loy } This day came the parties by their Attorneys & Settle this cause by written agreement on file at Defendants Costs It is therefore considered & Adjudged by the Court that the plaintiffs recover of the defendants their costs herein expended taxed to $

X 580 | Samuel W. Cowan vs Howard S. Shaffer } On Motion of Plaintiff this cause is continued at plaintiffs Costs.

X 590 | H. P. Mills vs Martin Richardson Cont'd

X 591 | Philip Snider vs Sophia Hemenway } Continued with leave to file Reply Answer in thirty days

X 595 | Mary J. Williams vs Waller Marshall } Continued by Consent.

And thereupon the Court adjourned until Eight oclock tomorrow Morning

√ 540 X

affirming √ 532

√ 514

Wednesday April 21st A.D. 1869

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

X
540 Wm M. Hamilton Plff
vs
Elizabeth Sidle et als. Defts } It being made to appear to the Court that the Plaintiff in this case seeks to set aside certain paper writings purporting to be the last will & testament & Codicils thereto of William Hamilton late of Union County Ohio decd. (Copies of which are attached to the petition in this case) which have been admitted to probate by the Probate Judge of Union County Ohio. It is Ordered that an issue at Law be made up between the parties to try the validity of said Will & the Codicils thereto and to ascertain by verdict of a Jury whether said writings are the valid last will & testament & Codicils of the said William Hamilton or not. And that in making the said issue the defendants file a declaration affirming ~~affirming~~ the said paper writings to be the last will & testament and Codicils of the said William Hamilton decd. And the said plaintiff shall plead to said declaration that the said paper writings are not the last will and testament and Codicils of the said William Hamilton

✓
592 Jacob Mapes
vs
John Robinson } This day came the parties by their Attorneys and thereupon came a Jury to wit Henry L. Marriott, David B. Cahill, Henry Kezartee, Alphonzo Young, Ros Townsend, Nelson Morse, A. P. Harvey, John Weaver, George W. Cary regular Jurors & J. H. Clement & C. Botkin & G. L. Sellers tales Jurors, who being duly empannelled and Sworn the truth to Speak and a true verdict give upon the issue Joined between the parties upon their oaths do say they find for the defendant

It is therefor Considered Ordered and Adjudged by the Court that the said defendant go hence without day and recover of the plaintiff his costs herein expended taxed to $

Second trial demanded under the Statute & Allowed & Bond fixed at $

514 George W. Cook
vs
John Finley } On Motion of defendant this cause is dismissed without prejudice at the Costs of Plaintiff

It is therefor Considered and Adjudged that the defendant recover of the Plaintiff his costs herein expended taxed at $

And thereupon the Court adjourned until Eight Oclock Tomorrow Morning

Thursday April 22d. A.D. 1869

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

592	A. C. H. Kennedy vs Cason Boylan	On Motion of the plaintiff this cause is Continued at his costs, It is therefore considered & adjudged that the defendant recvr of the plaintiff his costs herein taxed at $
608	John Swan vs Henry Williams et.als	Continued
654	Maskell Dockum vs Harriet E. Dockum Exrx &c	Contd.-
687	Nathan Howard vs Mose Blake & Jos. Culbertson	Dismissed without prejudice at Plaintiffs Costs Costs paid
688	Oliver P. Freeman vs R. Fairland & A. Early	Continued. for service
695	Robert West vs W. Zimmerman et.als	On affidavit of Defendant Zimmerman for Continuance for absence of Material witness this cause is Continued at Defts Costs, It is therefore considered that the plaintiff recvr of defendants the costs of this term taxed to $
319	Thomas W. Powell vs J. H. Stewart & D. F. Dyal	Continued

This day the Grand Jury appeared at the Bar of this Court and in Open Court presented their two Several Bills of Indictment against Andrew M. Marks for Assault & Battery each Severally endorsed "A True Bill Samuel S. Jewell Foreman of the Grand Jury Also their other five Several Bills of Indictment against Patrick Roach for Selling Intoxicating liquors in violation of law each Severally endorsed "A True Bill Samuel S. Jewell Foreman of the Grand Jury." and Also their Report and their Grand Jury having no further business before them were discharged by the Court

April 22d A.D. 1869

639 | Thomas Degood
vs
John McAllister &
Isaac McAllister

This day this cause came on to be heard & neither party requiring a jury this cause was submitted to the Court & the Court by the agreement of all parties herein do find that the Defendants do owe to the plaintiff, the Sum of Eighty Seven dollars ($87.00)
It is therefor considered & adjudged by the Court that the plaintiff recover of said defendants the said Sum of Eighty Seven dollars. And also his costs herein expended taxed at $

And thereupon the Court adjourned until tomorrow morning at eight Oclock

Friday April 23d. 1869 This morning the Court met pursuant to adjournment present the same officers as on yesterday

155 | The State of Ohio
vs
William Richter

Retailing

The defendant William Richter this day was arraigned in Open Court and the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stands charged in said Indictment

161 | The State of Ohio
vs
William Richter

Retailing

The defendant William Richter this day was arraigned in Open Court and the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged in said Indictment

162 | The State of Ohio
vs
William Richter

Retailing

The defendant William Richter this day was arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stands charged in said Indictment

171 | The State of Ohio
vs
William Richter

Retailing

The defendant William Richter this day was arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for Plea Says he is guilty in manner & form as he Stands charged in said Indictment

Friday April 23d 1869

172 | The State of Ohio vs William Richter } Retailing

The defendant William Richter this day was arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged in said Indictment

173 | The State of Ohio vs William Richter } Retailing

The defendant William Richter this day was arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged in said Indictment

174 | The State of Ohio vs William Richter } Retailing

The defendant William Richter this day was arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged in said Indictment

175 | The State of Ohio vs William Richter } Retailing

The defendant William Richter this day was arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged in said Indictment

176 | The State of Ohio vs William Richter } Retailing

The defendant William Richter this day was arraigned in Open Court & the Indictment being to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands in said Indictment

134 | The State of Ohio vs Hurd Lewis Conta.

192 | The State of Ohio vs Andrew M. Marks } Assault & Battery

The defendant Andrew M. Marks was this day arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stands charged in said Indictment

135 | The State of Ohio vs Hurd Lewis Contd

Friday April 23a 1869

X
193 | The State of Ohio
VS
Andrew M. Marks } Assault & Battery
The defendant Andrew M. Marks this day was arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged in Said Indictment

X
152 | The State of Ohio
VS
John Kirchner } Retailing
The defendant John Kirchner this day was arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged in Said Indictment

X
153 | The State of Ohio
VS
John Kirchner } Retailing
The defendant John Kirchner this day was arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for pleas Says he is guilty in manner & form as he Stands charged in Said Indictment

X
154 | The State of Ohio
VS
John Kirchner } Retailing
The defendant John Kirchner this day was arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged in Said Indictment.

X
156 | The State of Ohio
VS
John Kirchner } Retailing
The defendant John Kirchner this day was arraigned in open Court & the Indictmen being read to him was asked how of the premises he would acquit himself for pleas Says he is guilty in manner & form as he Stands charged in Said Indictment

X
157 | The State of Ohio
VS
John Kirchner } Retailing
The defendant John Kirchner this day was arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged in said Indictment.

X
158 | The State of Ohio
VS
John Kirchner } Retailing
The defendant John Kirchner this day was arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged said Indictment

X
138 | The State of Ohio vs Wm Weber Contd.

Friday April 23d A. D. 1869

X
159 | The State of Ohio } Retailing
vs }
John Kirchner } The defendant John Kirchner was this day arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea, Says he is guilty in manner & form as he stands charged in said Indictment.

X
160 | The State of Ohio } Retailing
vs }
John Kirchner } The defendant John Kirchner was this day arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea, Says he is guilty in manner form as he stands charged in said Indictment.

†
177 | The State of Ohio } Retailing
vs }
John Kirchner } The defendant John Kirchner was this day arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stands charged in said Indictment

†
178 | The State of Ohio } Retailing
vs }
John Kirchner } The defendant John Kirchner was this day arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stands charged in said Indictment.

X
179 | The State of Ohio } Retailing
vs }
John Kirchner } The defendant John Kirchner was this day arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stands in said Indictment

X
180 | The State of Ohio } Retailing
vs }
John Kirchner } The defendant John Kirchner was this day arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stands charged in said Indictment

X
181 | The State of Ohio } Retailing
vs }
John Kirchner } The defendant John Kirchner was this day arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself ~~for~~ for plea Says he is guilty in manner & form as he stands charged in said Indictment

X
182 |

X
183 |

X
184 |

X
185 |

X
186 |

X
187 |

X
188 |

X
150 & 157

Friday April 23d 1869

X
182 | The State of Ohio }
vs } Retailing
John Kirchner } The defendant John Kirchner was this day arraigned in open Court & the Indictment being read to him was asked how of premises he would acquit himself for plea, Says he is guilty in manner & form as he stands charged in said Indictment

X
183 | The State of Ohio }
vs } Retailing
John Kirchner } The defendant John Kirchner was this day arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stands charged in said Indictment.

X
184 | The State of Ohio }
vs } Retailing
John Kirchner } The defendant John Kirchner was this day arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he stands charged in said Indictment.

X
185 | The State of Ohio }
vs } Retailing
John Kirchner } The defendant John Kirchner was this day arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in Manner & form as he Stands charged in said Indictment

X
186 | The State of Ohio }
vs } Retailing
John Kirchner } The defendant John Kirchner was this day arraigned in open Court & the Indictment being read to him was asked how of the premises he would acquit himself for Plea Says he is guilty in manner & form as he Stands Charged in said Indictment

X
187 | The State of Ohio }
vs } Retailing
John Kirchner } The defendant John Kirchner was this day arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in Manner & form as he Stands charged in said Indictment.

X
188 | The State of Ohio }
vs } Retailing
John Kirchner } The defendant John Kirchner was this day arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands in said Indictment

X
150 & 151 | The State of Ohio vs Alex McGee Contd

Friday April 23d 1869

143 | The State of Ohio vs Henry Marshall } Retailing

This day the defendant Henry Marshall came into open court & acknowledged himself to owe & stand indebted to the State of Ohio in the Sum of One hundred dollars to be levied of his good & chattels lands & tenements if default be made in the following condition which is that the said Henry Marshall shall be & appear before the Court of Common Pleas for the said County of Union on the 5th day of the next Term of said to answer unto an Indictment against him in said Court pending for selling Intoxicating liquors to be drank on the premises where sold in violation of law and abide the Order & Sentence of said Court & not depart the Court without leave then this Recognisance to be void otherwise to remain in full force

Rutan Riddle & Co vs John McLain } Confirmation of Sale

The Court this day on Motion of Plaintiffs Attorneys having examined the proceedings of the Sheriff & the Sale by him made upon the Order of Sale issued in this cause, & being satisfied that said Sale has in all respects been made in conformity to the provisions of the Statute in such case made & provided, do Order the Clerk to make an entry on the Journal, that the Court are satisfied of the legality of the Sale: And that he also enter an Order on the Sheriff to make to the purchaser a deed for the lands & tenements so sold All which is accordingly done

Rutan Riddle & Co vs Shannon Bailey } Judgement On last note

This day on Motion of the Plaintiffs Attorneys and it appearing to the Court the last note mentioned in the petition is now due & the defendant still being in default. It is considered Ordered & adjudged by the Court that the said Plaintiffs recover of the said Shannon Bailey the Amount due on said last note & the Court with the consent of the plaintiffs finds that there is due to said plaintiffs from defendant on said note the Sum of $92.11 which Sum with accruing costs & interest he is adjudged to pay to said plaintiffs within five days from this date & in default thereof that said premises be sold as upon Execution at Law and the money brought into Court

289 | Peter Mummay vs Nancy Mumay } Divorce Continued

321 | Peter L. Mayo vs John Mayo & others } Partition Costs under former Order of Sale

Friday april 23a. A.D. 1869

X 544	William J. Laird vs The A. & G. W. R. Way Co.	Contd.	
X 545	Moses Wolford vs The A. & G. W. R. Way Co	Contd	
X 646	Almira P. Whitford By &c vs David Shuman Exr & of D. Ja Rway dcd	Contd, with leave to plaintiffs to file amended petition in 30 days	
X 688	Oliver P. Freeman vs R. Fairlamb & H. Early	Contd. for Service	
X 548	Aaron Mathes vs Dan[l] Shearer & A. Pearson	Appeal	Contd
623	Edna J. Beach & Harriet D. Beach By William O. Hara their Guardian vs George Leasure et. als	On motion to the Court by Coats & Gilbert Attorneys for the petitioners and upon producing the proceedings of the Sheriff & the Sale of the premises by him made in pursuance of a former Order of this Court & the Same being examined and found by the Court in all respects in due form of law, It is Ordered by the Court that Said proceedings & Sale be & the Same are hereby approved & Confirmed. And that the Said Sheriff execute & deliver to the Said purchaser Geo. Leasure a deed in fee Simple for Said lands & tenements by him Sold as aforesaid, and the Said Geo. Leasure the purchaser of Said premises being one of the defendants in this proceeding & the Owner prior to Said Sale to him by the Said Sheriff as aforesaid of the (26/42) twenty Six forty Second parts thereof as found by a former Order of this Court in this Suit. It is further Ordered by the Court that the Said Geo. Leasure pay the (26/42) twenty Six forty Second parts of the Costs & expenses of this Suit in addition to the Sum to be paid by him to the other tenants in common with him in Said premises as their Share of the purchase money for Said lands and tenement Amounting to $ and that the balance of Said Costs and expenses be paid Out of Said money in the hands of the Sheriff in the following proportions to wit. Sarah Langstaff One forty Second part thereof Amounting to $. Catharine Beach One forty Second part Amounting to $ & being the two thirds of the whole costs & expenses to be paid by the parties aforesaid & Edna J. Beach & Harriet D. Beach by their Guardian William O. Hara the remaining One third Amounting to $ in which Costs & expenses are included an Attorney fee of Sixty dollars to Coats & Gilbert And it is further Ordered that the Sheriff Secure the balance of the purchase money to be paid for Said premises by Mortgage thereon & that he distribute the residue of the money in his hands after payment of the Costs & expenses aforesaid together with the Securities for balance between the Said parties in accordance with their respective Shares & interests in Said premises as herein Set forth	

Friday April 23d 1869

1 J. M. Davids
vs
Floyd Reynolds

This day came J. M. Davids plff by his Attorneys Coats & Gilbert & filed his petition in this case and thereupon came the said Floyd Reynolds by & James Sterling an Attorney of Record of this Court who appeared in open Court in behalf of ~~xxxx xxxxx~~ said Floid Reynolds defendant by virtue of a Warrant of Attorney for that purpose duly executed & proved & now produced in open Court waived the issuing & Service of process & filed an Answer herein and admits all the allegations of the petition of the plaintiff to be true & also waived all Errors that have or may accrue in the taking or rendition of judgment in this action. Also waived all right or benefit of Appeal from the said judgment Also waived all right of the said defendant to hold Exempt from execution any real or personal property and confessed that the said Floid Reynolds defendant Owes the said J. M. Davids $112 - with interest at 1 per ct pr month to be computed monthly from 1st February 9th 1869.
Therefore it is considered Ordered & adjudged by the Court that the ~~plaintiff~~ plaintiff J. M. Davids recover of the said Defendant Floid Reynolds the Sum of One hundred & thirteen dollars & forty cents being the principal & interest thereon at Six per ct from Feb. 9th 1869 And also his costs herein taxed at $

147
164-165
166-167

670 Lewis W. Greene
vs
Wm M. Robinson

Continued on Motion of Plff. at plaintiffs costs
It is therefore considered Ordered & adjudged by the Court that the defendant recover of the Plaintiff his costs of this Term

663 Lewis Toos
vs
John Hall et als

Continued under former Order

And thereupon the Court adjourned until 8 o'clock A M Tuesday April 27th A.D. 1869

148

Tuesday April 27th 1869

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

The State of Ohio
vs
John Huber
Retailing

This day the defendant John Huber appeared in Open Court and acknowledged himself to owe & Stand indebted to the State of Ohio in the Sum of fifty dollars to be levied of his goods & Chattels lands & tenements if default be made in the following condition which is that the Said John Huber be & appear before the Court of Common Pleas on the fifth day of the next Term thereof to Answer unto an Indictment against him in Said Court pending ~~xxxxx~~ of Ohio for Selling Intoxicating liquors to be drank on the premises where Sold in Violation of law & abide the the Sentence & Order of Said Court and not depart the Court without leave then this Recognisance to be void otherwise to remain in full force

147

The State of Ohio
vs
John Cartmell
Retailing

This day the defendant John Cartmell appeared in Open Court and acknowledged himself to owe & Stand indebted to the State of Ohio in the Sum of two hundred dollars to be levied of his goods & Chattels lands & Tenements if default be made in the following Condition which is that the Said John Cartmell Shall & appear before the Court of Commen Pleas for Said County on the fifth day of the next Term thereof to Answer unto an Indictment against him in Said Court pending for Selling intoxicating liquorz to be drank on the premisez where Sold in Violation of law And abide the Order & Sentence of Said Court & not depart the Court without leave Then this Recognisance to be void Otherwise to remain in full force

164-165
166+167

The State of Ohio
vs
John Cartmell
Retailing

The defendant John Cartmell this day appeared in Open Court & Acknowledged himself to Owe & Stand indebted to the State of Ohio in the Sum of two hundred dollars to be levied of his goods & Chattels lands & tenementz if default be made in the following Condition which is that the Said John Cartmell Shall be & appear before the Court of Common Pleas for Said County of Union on the fifth day of the next Term thereof to Answer unto an Indictment against him in Said Court pending for Selling Intoxicating liquors to be drank on the premises when Sold in Violation of law & abide the Order & Sentence of Said Court & not depart the Court without leave Then this Recognisance to be void Otherwise to remain in full force

14[illegible]

The State of Ohio
vs
Thomas McGee
Retailing

This day the defendant Thomas McGee was Arraigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea says he is guilty in manner & form as he Stands charged in Said Indictment

Tuesday April 27th A.D. 1869

The State of Ohio
vs
Thomas McGee } Retailing

The defendant Thomas McGee was this day Assaigned in Open Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in Manner & form as he Stands Charged in Said Indictment,

Bancroft Bros. & Co
vs
John Duffey et als } On Motion to confirm Sale

This day came the parties & Submitted this cause to the Court On the Motion to confirm the Sale & the Court finding all of Said proceeding & Sale regular & lawful do confirm the Same & Order the Sheriff to execute & deliver to Said purchaser a deed in fee Simple for the Said premises Sold in this case according to law. And as to the priority of liens & the distribution of the proceeds of Said Sale this cause is Continued with leave to A.N. Wells to file Answer in thirty days.

David Cook
vs
James R. Mitchell } On Motion of Defendant upon affidavit for Absence of A Material witness this cause is Continued at the defendants costs.

It is therefore Considered & Adjudged that the plaintiff recover of the defendant the Costs of this Term

Jonathan Burt
vs
Wm W. Franklin } On Motion of plaintiff on his affidavit of the absence of a Material witness this cause is Continued at plaintiffs costs

It is therefore considered Ordered & Adjudged by the Court that Deft recover of the plaintiff the costs of this term with leave to file answer in 30 days

Sanford Philbrook
vs
Jacob Sidle & John Sidle } On Motion to the Court by the defendants. & On the Affidavit of One of Said defendants- This cause is Continued at the costs of Defendants. It is therefore Considered Ordered & adjudge by the Court that the plaintiff recover of defendants his costs made at this Term taxed at $

Deebold Isey & Bro
vs
Hylas Sabine } On Motion to the Court by Defendant And upon his affidavit this cause is Continued at defendants costs

It is therefore Consided Ordered & Adjudged by the Court that the plaintiff recover of the defendant the costs made at this term taxed at $

Tuesday April 27th 1869

635 | Hugh Moore }
vs }
J. O. Baker } This day came the parties by their Attorneys & thereupon came a Jury to wit. Henry J. Marriott Alphonzo Young A. P. Harvey John Weaver & George W. Carey regular Jurors & Levi Longbrake Samuel McCampbell Joseph Powers Wm M. Robinson David Snider S. A. Cherry & Robert Graham tales Jurors who being duly empannelled & Sworn the truth to speak upon the issue joined between the parties upon their oaths do Say they find for the plaintiff on the issues joined between them.

It is therefore considered Ordered & Adjudged by the Court that the said Hugh Moore recover of the said defendant J. O. Baker the Sum of three hundred & thirty One & 35/100 dollars the amount due as set forth in said petition not denied by Defendant. And also his costs in this behalf expended taxed to ff

692 | Jonathan Burt }
vs }
William Richter & }
William Weber } This day came the parties by their Attorneys & thereupon this cause came on to be heard on the demurr of the defendants to the pleintiffs petition and was argued by Counsel. On Consideration whereof it is Ordered & adjudged by the Court that the said demurer be and the Same is hereby Sustained. And thereupon on Motion of the plaintiff leave is granted by the Court to the said plaintiff to amend his petition by Striking out of the Same the name of the said William Richter one of the defendants therein which is accordingly done And as to the said William Richter this cause is dismissed without prejudice. And thereupon on Motion of the defendant William Weber leave is granted to him to file his answer to said petition as amended by Friday Morning.

Therefore it is considered Ordered & Adjudged by the Court that this cause be dismissed without prejudice as to the said defendant William Richter. And that he recover of the plaintiff his costs herein taxed to

dollars & cents

And thereupon the Court Adjourned until 8 o'clock Tomorrow Morning

Wednesday April 28th A.D. 1869

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

This day came the Prosecuting Attorney and moved the Court to call together a New Grand Jury at this Term of Court the Grand Jury at this Term having been discharged. And the Court being fully advised in the premises do consider & deem it necessary to call together a New Grand Jury.

Thereupon it is Ordered that the Sheriff call together a new Grand Jury by Summoning from the by Standers & Neighboring Citizens fifteen good & lawful men having the qualifications of Grand Jurors. And thereupon the following persons were duly Summoned ~~and Sworn~~ as a Grand Jury to wit. James B. Whelpley. A. C. Pearson. Samuel McCampbell. T. L. Childs Thomas Arthur John L. Sabin. David Sheneman John Jewell. Michael S. Wood William Smith Jeremiah Danforth John W. Thompson J. J. Morelock John Cooder & G. L. Sellers. And the Court appointed James B. Whelpley Foreman. And the Grand Jury being duly empannuled and Sworn were charged by the Court & retired to their room to deliberate under the charge of a Sworn Constable

5 8

William Callahan
vs
James D. Callahan

This day came the parties by their Attorney and Compromised this cause as follows viz—
The plaintiff is to dismiss his action and pay the costs in Court all matters in Controversy between the parties in this Case are Settled as per written agreement on file. It is therfore Considered Ordered & adjudged by the Court that the plaintiff pay the costs of this action within Sixty days from the rising of this Term of Court and in default thereof that Execution issue therefor as upon judgements at Law.

199

This day the Grand Jury appeared at the Bar of this Court and in open Court presented their Bill of Indictment against Gideon Draper for Shooting with intent to Kill endorsed "A True Bill James B. Whelpley Foreman of the Grand Jury" Also their Other Bill of Indictment against Sarah A. Melick for Asault & Battery endorsed "A True Bill James B. Whelpley Foreman of the Grand Jury" And the Grand Jury having further business before them retired to their room to deliberate

200

The State of Ohio
vs
Sarah Ann Melick

Asault & Battery

This day appeared in Open Court Sarah Ann Melick Henry H. Melick & B. F. McCombs and acknowledged themselves each Severally to Owe & Stand indebted unto the State of Ohio in the Sum of One hundred dollars to be levied of their goods & Chattels lands & tenements if default be made in following condition which is that the said Sarah Ann Melick Shall be & appear before the Court of Common Pleas for the said County of Union on the fifth day of the next Term thereof to Answer unto the State of Ohio in an Indictment against her for Asault and Battery in

199

Wednesday April 28th A. D. 1869

Said Court pending and abide the Order and Sentence of said Court and not depart the Court without leave then this Recognisance to be void otherwise to remain full force

The State of Ohio }
vs } Assault & Battery.
Sarah Ann Melick } This day appeared in open Court Joseph McCombs Cornelia M. McCombs John G. McCombs & Edwin McCombs and each Severally acknowledge themselves to owe & Stand indebted to the State of Ohio in the Sum ~~fifty~~ One hundred dollars to be levied of their Goods & Chattels Lands & Tenements if default be made in the following Condition which is that the said Joseph McCombs Cornelia M. McCombs John G. McCombs & Edwin McCombs each be & appear before the Court of Common Pleas for the said County of Union on the fifth day of the next thereof to give evidence in a cause in said Court pending wherein The State of Ohio is plaintiff & Sarah Ann Melick defendant And not depart the Court without leave then this Recognisance to be void otherwise to remain in full force

199

The State of Ohio }
vs } Shooting with intent to Kill
Gideon Draper }
This day the defendant was arraigned in open Court and the Indictment being read to him was asked how of the premises he would acquit himself for Plea Says he is Not guilty in manner and form as he stands charged in said Indictment

690

Osmond Wells }
vs } In Replevin
Robert Sharp }
This day came the parties by their Attorneys & thereupon came a Jury to wit. Henry J. Marriott. Alphonzo Young Nelson Morse A. P. Harvey John Weaver & George W. Carey regular Jurors and George B. Hamilton O. B. Williams. Christopher Houston Wm M. Robinson. Darius Burton & Robert Graham tales Jurors. Who the truth to Speak upon the issue joined being duly empannelled & Sworn do upon their oaths Say they find for the plaintiff & assess his damage at One cent. It is therefore considered Ordered & Adjuged by the Court that the plaintiff recover of the defendant the said Sum of One cent his damage so as aforesaid and his costs herein taxed to $
The defendant thereupon Asked for a Second Trial which is Allowed and the Bond fixed at $100

199

The State of Ohio }
vs } Shooting with intent to Kill
Gideon Draper }
This day the defendant came into Court ~~into Court~~ in his own proper person And it appearing to the Court the Deft is without Counsel and unable to employ Counsel the Court Assign to him N. A. Gilbert as his Counsel

Wednesday April 28th 1869

673 | Benjamin Sells
vs
Philip Hawn
2d Trial
Continued

677 | Thomas P. Neal
vs
Aaron Melick et als
Partition
Settled & costs paid

666 | Silas Igow
vs
Joshua S. Epps
Appeals
Continued with leave to file Answer in thirty days

This day the Grand Jury appeared at the Bar of this Court & having no further business before them were discharged by the Court

Alexander G. Stevenson
vs
Allen Lister

On Motion to the Court by the Defendant and upon his Showing this cause is Continued at defendants Costs. It is therefore Considered Ordered & Adjudged by the Court that the plaintiff recover of the defendant his Costs of this Term taxed to $

E. R. Southwick
vs
James B. Oram
In account of Partnership

This day came the parties & On Motion of the plaintiff with the Consent of the defendant this cause is referred upon the issues of law & fact in the case to Jas. B. Whelply & Thomas Brown as Referees to report at this term of the Court

Maggie Payne
vs
William Lenox
In Bastardy

This day came the parties by their Attorneys and Compromised this suit on the following terms
1st The defendant is to pay the plaintiff four hundred dollars which is Secured by note
2d Defendant pays all costs Except fees of Witnesses Subpoenaed by Plaintiff.
It is therefore Considered Ordered & Adjudged by the Court that the plaintiff recover of the defendant her Costs & Expenses herein expended taxed to $ Except the the Witness fees as above Specified

And thereupon the Court Adjourned until tommorow morning at Eight O'clock

Thursday Apriℓ 29th A.D. 1869

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

565/1 Elizabeth Hudson By her next friend John Hudson
vs
p176 David Hildreth & Others } In Partition.

And now comes the Said Elizabeth Hudson by Randall & Cameron her Attorneys and on their Motion for producing the Report of the Sheriff of his Sale made under under the former Order of this Court and the Court being Satisfied on examination, that Said Sale has been made according to law, It is therefore considered Ordered & adjudged by the Court that the Said proceedings & Sale be & the Same is hereby approved and confirmed and the Said Sheriff is Ordered by deed duly executed to convey Said premises to the Said purchasers in fee Simple. And it is further Ordered that the Said Sheriff out of the moneys in his hands pay first the Costs of this case including an Attorney fee of One hundred & forty dollars to Randall & Cameron and an Attorney fee of twenty five dollars to P.B. Cole - taxed to three hundred & thirty two 00/100 dollars - And that of the residue of Said Moneys in his hands being the first payment on Said premises and one third the proceeds of Said Sale he pay to Elizabeth Hudson $284.04 and to Mary Everett $284.04. to Barsheba Hildreth $284.04 to Joana Annetta Jackson $355.05 to George E. Jackson $71.01 to Abram B. Jackson $71.01 to William Benton Jackson $71.01

And that out of Second payment for Said premises being the one third of Said purchase money he pay to Elizabeth Hudson $168.00 to Mary Everett $168.00 to Barsheba Hildreth $168.00 to Joanna Annetta Jackson $210.00 to George E. Jackson $42.00 to Abram B. Jackson $42.00 to William Benton Jackson $42.00 to David Hildreth $152.04 to William Hildreth $152.04 to Gilman B. Hildreth $152.04 to Benoni P. Hildreth $152.04 to Lafayette Hildreth $152.04 & to Marcus M. Hildreth $152.04

And that out of the third payment being the one third of Said purchase money he pay to Said Elizabeth Hudson $159.29 to Barsheba Hildreth $159.29 to Mary Everett $159.29 to Joanna Annetta Jackson $199.11 to George E. Jackson $39.82 to Abram B. Jackson $39.82 to William Benton Jackson $39.82 to David Hildreth $159.29 to William Hildreth $159.29 to Gilman B. Hildreth $159.29 to Benoni P. Hildreth $159.29 to Lafayette Hildreth $159.29 to Marcus M. Hildreth $159.29

And it is further Ordered that the Sheriff take a Mortgage &c on Said premises from the purchasers thereof to Secure the Said 2d & 3d payments on Said premises according to the Statute in Such case made & provided

And thereupon the Court adjourned until 8 oclock Tommorw morning

Friday April 30th 1869

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

67 — John Johnson & wife vs Oliver P. Martin & others } Partition

This day came the parties & Submitted this cause to the Court On the Motion to confirm the Sale & distribute the proceeds of the said Sale And the Court being fully advised in the premises do approve and confirm said Sale And order the Sheriff to execute & deliver to Said purchaser a deed in fee Simple for the 57 3/5 acres sold to him as aforesaid

And the Court Order that the Costs of this proceeding including an Attorney fee of $63.00 to Robinson & Robinson be paid by the parties as follows One fifth by each of Said heirs of Said Benjamin Martin decd. Also that the Tax of 1868 unpaid be also paid in the Same proportion and that the Sum of $90. paid & agreed to be paid by Mary Martin for the funeral expenses of Mary L. Martin decd. whose Share in Said land Said five heirs inherited be also paid by them in the Same proportion out of the purchase money & that as to the Share of Charles Martin whose Share in Said land was set off to him, if he fail for ten days to pay his Share that execution issue therefor as upon Judgements at law

It is therefore Ordered that the balance of Said purchase money including the two payments to become due be divided between the four heirs whose Shares were Sold in equal proportion

Daniel Rice vs Martha M. Rice } This day came the parties by the Attorneys and agreed that this cause be Continued until the next Term of this Court. And it is further ~~agreed~~ agreed the Alimony allowed by the Court to the said defendant Martha M. Rice at this Term of the Court Amounting to twenty five dollars be postponed until the 20th day of August 1869

679 — Annetta Marks vs Chas W. Weber & William Richter } Settled and Costs paid

104 — The State of Ohio vs Josiah Alden } Retailing Conts.

105 — The State of Ohio vs Josiah Alden } Retailing Conts

Friday apriel 30th 1869

✓ Thomas Degood }
650 vs }
John McAllister } This day this cause came on to be heard and the said John McAllister having failed to Answer or demur as to the first & third cause of action Set forth in plaintiffs petition, it is considered that the Said Thomas Degood ought to recover the Sum of eighty three 47/100 dollars so demanded in said first & third causes action so Stated in said petition of plaintiff And as to the Second cause of action Set forth therein a jury came to wit. Henry T. Marriott. Alphonzo Young. Nelson Morse. A. P. Harvey John Weaver & George W. Carey regular jurors & J. K. Clement David Shenemon. William Smith. Wm M. Robinson A. D. Doolittle Samuel McCampbell tales Jurors, who being duly empannled & Sworn the truth to Speak upon the issue joined between the parties upon their oaths do
($160 00) Say that the defendant doth owe the Sum of One hundred & Sixty dollars.
It is therefore Considered & Adjudged that the plaintiff recover of the defendant the Sum of eighty three 27/100 dollars found due by the Court. And Also the further Sum of One hundred & Sixty dollars found due the plaintiff from the Defendant by the Verdict of Said Jury together with his Costs in this behalf expended & laid at $
A Second Trial demanded & allowed as to the 2d cause of action under the Statute & bond fixed at $320

✓ The State of Ohio }
26 vs } Retailing
Frederick Dasher } Continued

✓ The State of Ohio }
33 vs } Retailing
James Green } Contd

✓ The State of Ohio }
50 vs } Retailing
Catharine Powers } Contd

✓ The State of Ohio }
101 vs } Retailing
Ellen Long } Contd.

✓ The State of Ohio }
106 vs } Retailing
Uriah Alden } Contd

And thereupon the Court adjourned until 8 oclock tomorrow morning

Saturday May 1st A. D. 1869

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

168

The State of Ohio }
vs } Retailing
Thomas McGee }

Thusday the Defendant was again befor the Court having nothing further to Say why Sentence Should not be pronounced against him

It is therefore considered by the Court that the defendant Thomas McGee make his fine unto the State of Ohio in the Sum of fifty dollars & that he pay the costs of this prosecution

Delilah J. McKinney }
vs } Petition for Divorce
John McKinney }

This day came the plaintiff & made proof to the Satisfaction of the Court of due Notice by publication to the defendant of the pendency of this petition & thereupon this cause was Submitted to the Court on the evidence Submitted by the petitioner Whereupon the Court being fully advised in the premises do find the allegations of the petition to be true & that petitioner is entitled to be divorced from the defendant. It is therefore Considered Ordered and adjudged by the Court that the Marriage Contract between the plaintiff & defendant be & the Same is dissolved & annulled and the petitioner divorced from the said defendant.

p 433
So 574

Jonathan Haines }
vs } On Petition in Error
H. W. Minugh }

This day came the parties by their Attorneys and thereupon this cause came on to be heard upon the Motion of the defendant to dismiss the plaintiffs petition in Error in this action & was Submitted to the Court upon the agreed Statement of facts in writing filed in Said case and was argued by Counsel. On Consideration whereof it is Considered Ordered & adjudged by the Court that said petition in Error be and the Same is hereby dismissed. It is therefore further Considered Ordered adjudged by the Court that the Said H. W. Minugh defendant go hence without day & that he recover of the plaintiff Jonathan Haines his costs in this behalf expended taxed to dollars & cents.

The State of Ohio }
vs }
~~Riel~~ Reely Draper & }
Charles Wilmoth }

This day appeared in open Court Wm H. Huffine James Archer, Selina Draper William Draper Louisa Moore & O. P. Freeman and each Severally acknowledged to owe and Stand indebted to the State of Ohio in the Sum of two hundred dollars each to be levied of their goods & chattels lands & tenements if default be

Saturday May 1st A. D. 1869

made in the condition following which is that the said Wm H. Huffine James Archer Selina Draper William Draper Louisa Moore & C. P. Truman each be & appear before the Court of Common Pleas for said County of Union on the first day of the next Term thereof to give evidence befor the Grand Jury and not depart the Court without leave then this Recognisance to be void otherwise to remain in full force

Joseph A. Glasscock
vs
G. J. Hill & R. H. Hill

This day came the plaintiff but the defendants came not but made default & this cause was Submitted to the Court. Whereupon the Court being fully advised in the premises do find for the plaintiff and that the allegations of his petition are true — And the defendants having paid $200 April 24th & $35 On the 1st of May there remains due & unpaid the Sum of Six hundred & thirteen & 24/100 dollars

It is therefore considered Ordered & adjudged by the Court that the plaintiff recover of the said defendants said Sum of Six hundred & thirteen 24/100 dollars due as aforesaid together with Costs of Suit.

And it is further Ordered that if said defendants fail for ten days to pay said judgement costs & interest that an Order of Sale issue to the Sheriff of this County Commanding him to advertise Appraise & Sell said premises according to law to Satisfy said claim & report his proceedings to this Court

p 433 / No 574

David Wood
vs
Aaron Thornton & others
Mary " Job Dillon

Foreclosure
On Order of Sale $631 46/100

On Motion to the Court by the plaintiff and it Appearing to the Court that the premises herefore Ordered to be Sold in this case after having been appraised & twice duly advertised & offered for Sale Still remains unsold for want of bidders.

It is therefore Ordered that said appraisement be & the same is hereby Set aside and a new appraisement of said premises is hereby Ordered to be made

Henry Hoover
vs
Jacob Figley

And now comes the said parties by their Attorneys and thereupon this cause came on to be heard upon the pleadings exhibits & testimony & was argued by Counsel & Submitted to the Court and the Court being fully advised in the premises do find that the matters & facts Set forth & allegations made by the said plaintiff in his petition & denied by the said defendant in his Answer are not true.

It is therefore Considered Ordered & adjudged by the Court that this action be dismissed at the costs of the said plaintiff and that the said defendant recover of the plaintiff & ~~xxx the said~~ his costs herein expended taxed to $

And thereupon the plaintiff gives notice of his intention to appeal this case to the District Court & the Court fix the amount of appeal of appeal Bond at $[illegible]

Saturday May 1st 1869

Mary Ann Miles
vs
George Miles

And now came the said parties by their Attorneys and thereupon this cause came on to be heard upon the demurer of the Plaintiff to the Second ground of defense Set up in the Answer of defendant & was argued by Consil & Submitted to the Court And the Court being fully advised in the premises do overrule said demurer. Whereupon the plaintiff asked & obtained leave to file a Reply in thirty days Cents Cents

Mary E. Johns
vs
Harvy Johns

Divorce

And now Come the said Mary E. Johns by Randall & Cameron her Attorneys and thereupon this cause came on for hearing upon the petition & testimony was argued by Counsel & Submitted to the Court On consideration whereof the Court do find that due Notice of the filing & pendency of this petition was given to said defendant according to law. And the Court do further find that the said defendant has been guilty of gross neglect of duty toward this plaintiff in Manner & form as She has in her said petition alleged.

It is therefore Considered Ordered Adjudged & decreed by the Court that the Marriage relation heretofore existing between the said parties be & the Same is hereby Set aside and Wholly annulled & the said parties released from the ~~Obligations~~ Obligations of the Same And it is further Ordered that the said plaintiff be restored to her maiden name of Mary E. Blackburn and that the defendant pay the Costs of this Suit in ten days and in default thereof that Execution issue therefor

And thereupon the Court Adjourned until Monday Morning at Eight Oclock

Monday May 3a A.D. 1869

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

X

Jeremiah Jones
vs
The Village of Richwood et al

This day came on this cause to be heard on the demurer to the petition by Hylas Sabin defendant & leave being granted the said Village to withdraw its Answer & file general demurer to the petition. this cause came on also on the general demurer of said Village to plaintiffs petition. Whereupon the Court being fully advised in the premises do Sustain said demurers & thereupon leave is granted to plaintiff to file an amended petition in 30 days and it appearing that plaintiff is not a resident of this County it is Ordered that he give Security for costs in thirty days and Cause is Continued.

X

Edward Thomas
vs
J. J. Morelock

Petition in Error

This day came the parties and Submitted this cause to the Court and thereupon the Court being fully advised in the premises do find there is Error in said proceedings of the said Justice of the Peace

It is therefore considered Ordered & adjudged by the Court that said Judgment & proceedings of said Justice of the peace be & the same are hereby reversed with costs and plaintiff in Error is restored to all that which he has lost by reason of said Judgement

And it is Ordered that this cause be retained for hearing and Judgement as in cases of Appeal to which ruling of the court as to the reversal of said judgement Deft in Error excepts & cause continued

John W. Elliott
vs
A. L. Smith

And now came the said John W. Elliott and the said A. L. Smith having failed to demur or answer to the petition of the said John W. Elliott it is considered & adjudged that the said John W. Elliott ought to recover of the said Deft the said Sum of $100.00 So demanded in his petition together with the Sum $1.00 which the Court finds as the interest thereon as prayed for in said petition. It is therefore considered Ordered and Adjudged that the said John W. Elliott recover against the said A. L. Smith the said Sum of $101 together with his Costs in this Suit Expended taxed to $

John C. Elliott
vs
A. N. Bell

And now came the said John C. Elliott & the said A. N. Bell having failed to demur or answer to the petition of the said John C. Elliott. It is considered & adjudged that the said John C. Elliott ought to recover of the said defendant the said Sum of $140 81/100 So demanded in his petition together with the Sum of $10.37 which the Court finds due as the interest thereon as prayed for in said petition. It is therefore considered Ordered & adjudged that the plaintiff John C. Elliott recover against said Deft A. N. Bell said Sum of $151.18 together with his costs in this behalf expended taxed to $

Monday May 3d A. D. 1869

E. R. Southwick
vs
James B. Oram

This day came the parties & Submitted this cause to the Court on Motion of Plaintiff to confirm the Report of the Referees on file. Whereupon the Court being fully advised in the premises do Confirm & approve the Said Report & thereupon the Court finding that in Order to a Settlement of Said Copartnership busines that the Lot & Machinery & Tools mentioned in Said Report be Sold it is Considered Ordered & Adjudged by the Court that Joseph Newlove the Receiver herein before appointed & who is approved Special Master for that purpose proceed to appraise advertise & Sell Said premises & property according to law & Collect any Out Standing uncollected Claims due Said firm & report his proceedings to this Court at its next term to which time this cause is continued

Magdalene Moore Exr &c
vs
Sydney Hodgen et als

This day came the parties & Submitted this cause to the Court On the demurer to the petition. Whereupon the Court being fully advised in the premises Overrule Said demurer to which ruling defendant Sydney Hodgen Excepts and leave is given defendants to file Answer in 30 days And Cause Continued

X83

Osce Hursh
vs
H. W. Minugh

This day Came the parties & thereupon came a Jury to wit I. C. Bolkin, Andrew Keyes, David Wright, Wm Cartmell James B. Whelpley, Abram Mosey, B. W. Keyes Adam Wolford, J. F. Snider J. H. Clement, Samuel McCampbell & G. L. Sellers who being duly empannelled & Sworn the truth to Speak & a true Verdict give on the issue joined between the parties - do find for the plaintiff & against the defendant on the counter claim & Set off And that there is due the plaintiff on the Note as Set up in her petition two hundred & eleven dollars.
It is therefore Considered & Adjudged by the Court that the plaintiff recover of the defendant Said Sum of Two hundred & eleven dollars & her herein expended taxed to ff Second trial demurred to allowed Pend ff 5th

Thomas Q Timmons Admr &c
vs
Rhoda Haines et als.

This day came on this cause to be heard on the demurrer to answer. Whereupon the Court being fully advised in the premises do Overrule Said demurer and plaintiff obtained leave to file Reply in 30 days & this cause is Continued

J C Sidle
vs
Henry M. Ramey et als.

Cont'd under former Order

Monday May 3d. 1869

On Motion to the Court by the Prosecuting Attorney & it Appearing that Adam Blue & Cyrus Turner were personally Served each with a Subpoena to Attend this Court as Witnes to give evidence & the truth to Speak before the Grand Jury on behalf of the State of Ohio and the Said Adam Blue & the Said Cyrus Turner being Solemnly called to come forth & testify before the Grand Jury came not but made default It is therefor Ordered that an attachment ipsue the Said Adam Blue & against the Said Cyrus Turner for Such their contempt returnable at the next term of Court

The Court by reason of pressure of busines. Considering it necessary to have a new Petit Jury at this Term of Court hereby Order the Clerk of this Court to draw from the box Such Jury as in Other Cases & to ipsue a Venire to Summon them to appear on the 8th day of June 1869 at nine Oclock A.M. to Serve as a Petit Jury at this term of Court at the time aforesaid

John H. Thomas vs Orlando Wells & Osmond Wells } Mechanics lien

This day this cause came on to be heard upon the ipsue joined between the parties & was Submitted to the Court and the Court being fully advised in the premises do find that the Said Orlando Wells doth Owe the plaintiff the Sum of thirty three & 72/100 dollars as plaintiff hath in his petition demanded against him

It is therefore Considered & Adjudged that the plaintiff recover of the Said Orlando Wells Said Sum of thirty three & 72/100 dollars So found his due as aforesaid & also his Costs in this behalf expended taxed at $

And it is further found by the Court that the Said plaintiff hath a lien upon the premises as plaintiff hath in his petition alleged for work & labor done upon the building thereon as Carpenter as therein alleged It is therefore Ordered & adjudged that in case the Said Orlando Wells fails for ten days from this date to pay to plaintiff Said Sum of $33.72 So as aforesaid found due with Costs of Suit that an Order of Sale ipsue to the Sheriff of Said County Commanding him to cause the lands and tenements in Said petition described to be appraised Advertised & Sold According to law to Satisfy Said judgement So as aforesaid rendered and that execution be awarded for the balance. And thereupon the defendants moved the Court for a Second trial which was refused & to the ruling of the Court in refusing Said Second trial the defendants Excepts. The defendants gave notice of their intention to appeal this Cause to the District Court & the Court fix the Amount of the bond at $150.

Farmery Heminway & Sophia Heminway vs Joseph Johnson & Everett Mespinger } On Motion of the plaintiff it is ordered that this cause be dedocketed and thereupon this cause is Continued

Monday May 3d A.D. 1869

Almira P. Whitford
vs
David Sheneman Exr &c } Arbitration

p 139

By leave of the Court the said David Sheneman as Executor of David Jakeway deceased withdraws his motion to confirm the award heretofore made in this case.

And it is therefore Ordered & Adjudged that said Sheneman as such Executor pay the costs of such Motion in this Court herein taxed at $

W. W. Woods
vs
Daniel H. Kinikin & J. M. Kinikin } Cognovit.

And now comes the said W. W. Woods by R. B. Cole his Attorney & files his petition against the said Daniel H. Kinikin & J. M. Kinikin & therefor A. James Sterling Esq. one of the Attorneys of this Court appeared in Open Court in behalf of the said Daniel H. & J. M. Kinikin and by virtue of two Warrants of Attorney for that purpose executed & now produced to the Court and duly proved waived the issuing & Service of process and confessed that that the said Daniel H. Kinikin & J. M. Kinikin do owe to the said plaintiff the said Sum of $357.12 as the said plaintiff hath in his said petition set forth. It is therefore considered that the said W. W. Woods do recover from the said Daniel H. Kinikin & J. M. Kinikin the said the said Sum of $357.12 so confessed to be due & also his costs in in this behalf expended taxed to $ And by virtue of the said warrants of Attorney all errors are released & all right of Appeal waived by said Daniel H. Kinikin & J. M. Kinikin

W. W. Woods
vs
Perry A. Kinikin & J. M. Kinikin } Cognovit

And now come the said W. W. Woods by R. B. Cole his Attorney & files his petition against the said Perry A. Kinikin & J. M. Kinikin and A. James Sterling Esq one of the Attys of this in behalf of the said Perry A. Kinikin & J. M. Kinikin & by virtue of two warrants of Attorney for that purpose executed & now produced to the Court & duly proved waived the issuing & Service of process and confessed that the said Perry A. Kinikin & J. M. Kinikin do owe the said plaintiff the said Sum of $535.69 as the said plaintiff hath in his said petition set forth— It is therefore considered that the said W. W. Woods do recover from the said Perry A. Kinikin & J. M. Kinikin the said Sum of $535.69 so confessed to be due & also his costs in this behalf expended taxed to $ And by virtue of the said warrant of Attorney all errors are released and all right of appeal waived by the said Perry A. Kinikin & J. M. Kinikin

107 The State of Ohio vs Uriah Alden Contd.

108 The State of Ohio vs Uriah Alden Contd.

Monday May 3d 1869

1

W. W. Woods
vs
William S. Kinikin & J. M. Kinikin

Cognovit

And now comes the said W W Woods by P. B. Cole his attorney and files his petition against the said William S. Kinikin & J. M. Kinikin & thereupon A. James Sterling one of the attorneys of this Court appeard in open Court in behalf the said William S. Kinikin & J. M. Kinikin and by virtue of a warrant of attorney for that purpose executed & now produced in Court and duly proved waived the issuing & Service of process & confessed that the said William S. Kinikin & J. M. Kinikin doth owe to the said Plff the said Sum of $191.15 as the said plaintiff hath in his said petition set forth.

It is therefore considered that the said W. W. Woods recover from the said William S. Kinikin & J. M. Kinikin the said Sum of $191.15 so found due as aforesaid and also his costs herein expended taxed to $

And by virtue of the same warrant of Attorney all Errors are released and all right of appeal waived by the said William S. Kinikin & J. M. Kinikin.

1

W. W. Woods
vs
J. M. Kinikin

Cognovit

And now comes the said W. W. Woods by P. B. Cole his Attorney & files his petition against the said J. M. Kinikin and thereupon A. James Sterling one of the Attorneys of this Court appeared in Open Court in behalf of the said J. M. Kinikin and by virtue of a warrant of Attorney for that purpose executed and now produced in Court and duly proved waived the issuing & Service of procss and confessed that the said J. M. Kinikin doth owe the said plaintiff the said Sum of $209.50 as the said plaintiff as the said plaintiff hath in his said petition set forth.

It is therefore considered that the said W. W. Woods recover from the said J. M. Kinikin the said Sum of $209.50 so found due as aforesaid and also his costs herein expended taxed to $

And by virtue of the same warrant of Attorney all Errors and Errors are released and all right of appeal waived.

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The State of Ohio
vs
William Richter

Retailing

This day the defendant William Richter being again before the Court & having nothing further to say why Sentence Should not be pronounced against him.

It is therefore considered by the Court that the defendant William Richter make his fine unto the State of Ohio in the Sum of fifty dollars & that he pay the costs of this prosecution.

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The State of Ohio
vs
William Richter

Retailing

This day the defendant William Richter being again before the Court & having nothing further to say why Sentence Should not be pronounced against him.

It is therefore considered by the Court that the defendant William Richter make his fine unto the State of Ohio in the Sum of fifty dollars. and that he pay the costs of this prosecution

Monday May 3d A.D. 1869

161 The State of Ohio }
vs } Retailing
William Richter } This day the defendant William Richter being again before the Court & having nothing further to Say why Sentence Should not be pronounced against him
It is therefore considered by the Court that the defendant William Richter make his fine to the State of Ohio in the Sum of fifty dollars and that he pay the costs of this prosecution

162 The State of Ohio }
vs } Retailing
William Richter } This day the defendant William Richter being again before the Court & having nothing further Say why Sentence Should not be pronounced against him
It is therefore considered by the Court that the defendant William Richter make his fine unto the State of Ohio in the Sum of fifty dollars and that he pay the costs of this prosecution

171 The State of Ohio }
vs } Retailing
William Richter } This day the defendant William Richter being again before the Court & having nothing further to Say why Sentence Should not be pronounced against him.
It is therefore considered by the Court that the defendant William Richter make his fine to the State of Ohio in the Sum of fifty dollars and that he pay the costs of this prosecution

172 The State of Ohio }
vs } Retailing
William Richter } This day the defendant William Richter being again before the Court & having nothing further to Say why Sentence Should not be pronounce against him
It therefore considered by the Court that the defendant William Richter make his fine unto the State of Ohio in the Sum of fifty dollars and that he pay the costs of this prosecution.

152 The State of Ohio }
vs } Retailing
John Kirchner } This day the defendant John Kirchner being again before the Court & having nothing further to Say why Sentence Should not be pronounced against him.
It is therefore considered by the Court that the defendant John Kirchner make his fine to the State of Ohio in the Sum of fifty dollars & that he pay the Costs of this prosecution.

153 The State of Ohio }
vs } Retailing
John Kirchner } This day the defendant John Kirchner being again before the Court & having nothing further to Say why Sentence Should not be pronounced against him. It is therefore considered by the Court that the defendant John Kirchner make his fine to the State of Ohio in the Sum of fifty dollars and that he pay the Costs of this prosecution

154 155 156 157 158 159 163-170

Monday May 3d A.D. 1869

154 The State of Ohio }
vs } Retailing
John Kirchner } This day the defendant John Kirchner being again before the Court there Nothing further to say why Sentence Should Not be pronounced against him It is therefore considered by the Court that the defendant John Kirchner Make his fine to the State of Ohio in the Sum of fifty dollars & that he pay the costs of prosecution

156 The State of Ohio }
vs } Retailing
John Kirchner } This day the defendant John Kirchner being again before the Court having nothing further to Say why Sentence Should not be pronounced against him It is therefore considered by the Court that the defendant John Kirchner make his fine to the State of Ohio in the Sum of fifty dollars and that he pay the costs of this prosecution,

157 The State of Ohio }
vs } Retailing
John Kirchner } This day the defendant John Kirchner being again before the Court having nothing further to Say why Sentence Should not be pronounced against him It is considered by the Court that the defendant John Kirchner make his fine to the State of Ohio in the Sum of fifty dollars & that pay the costs of this prosecution,

158 The State of Ohio }
vs } Retailing
John Kirchner } This day the defendant John Kirchner being again before the Court having nothing further to Say why Sentence Should not be pronounced against him It is therefore considered by the Court that the defendant John Kirchner make his fine to the State of Ohio in the Sum of fifty dollars and that he pay the costs of this prosecution

173 The State of Ohio }
vs } Retailing.
William Richter } This day the defendant William Richter appeared in Court & in Open Court acknowledged himself to owe & stand indebted to the State of Ohio in the Sum Six hundred dollars to be levied of his goods & Chattels lands & tenements if default be made in the condition following which is that the said William Richter Shall be & appear before the Court of Common Pleas of said County of Union on the first day of the next Term thereof to Answer unto an Indictment against him in said Court pending for Selling intoxicating liquors in violation of law and abide the Sentence & Order of said Court & not depart the Court without leave then this Recognisance to be void otherwise to remain in full force

174 The State of Ohio }
vs } Retailing
William Richter } Continued.

163-169 170 The State of Ohio vs Martha Lingrel Contd

Monday May 3d. 1869

159-179 / 180-181-182-183-184-185-186-187-188-189-190

The State of Ohio }
vs } Retailing
John Kirchner }

This day the said John Kirchner appeared in Court and in Open Court acknowled himself to Owe and Stand indetted to the State of Ohio in the Sum of $600 to be levied of his goods & chattels lands & tenements if default be made in the condition following which is that the said John Kirchner shall be & appear before the Court of Common Pleas for said County of Union on the first day of the next Term thereof to Answer unswer unto an Indictment against him in said Court pending for Selling Intoxicating liquors in violation of law and abide the Sentence & Order of said Court and not depart the Court without leave then this Recognisance to be void Otherwise to remain in full force

X160 / The State of Ohio } Contd. for Sentence
vs }
John Kirchner }

X177 / The State of Ohio } Retailing Contd for Sentence
vs }
John Kirchner }

X178 / The State of Ohio } Retailing Contd for Sentence
vs }
John Kirchner }

X175 / The State of Ohio } Retailing Contd for Sentence
vs }
Wm Richter }

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X176 / The State of Ohio } Retailing Contd. for Sentence
vs }
Wm Richter }

X109 / The State of Ohio vs Uriah Alden Contd.

X110 / The State of Ohio vs Uriah Alden Contd.

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X121 / The State of Ohio vs Saml Brake Contd

X126 / The State of Ohio vs Jno W. Chapman – Assault & Battery Contd

X129 / The State of Ohio vs Jeremiah Jones Contd.

X130 / The State of Ohio vs Jeremiah Jones Contd

X131 / The State of Ohio vs Jeremiah Jones Contd

And thereupon the Court adjourned until 8 o'clock tomorrow Morning

Tuesday May 4th A.D. 1869

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

Mathew L. Stewart
vs
Joseph Deffenbaugh } This day came the plaintiff & moved the Court to appoint Hylas Sabine Receiver to take possession of the premises in said petition described & the same safely Rep for further order of this Court, & the Court being Satisfied that said motion ought in Equity to be allowed.

It is therefore Ordered that said Hylas Sabine on giving bond in $100 be qualified as Receiver as aforesaid. and leave is granted to Willoughby to become defendant & file Answer in 30 days & cause continued under former Order,

Mathew L. Stewart
vs
Jacob K. Deffenbaugh & wife } This day came the plaintiff & moved the Court to appoint Hylas Sabine Receiver to take possession of the premises in said petition described & the same safely Rep for further Order of this Court & the Court being Satisfied that said Motion ought in Equity to be Allowed — It is therefore Ordered that said Hylas Sabine on giving Bond in $100 be qualified as Receivs as aforesaid and leave is granted Willoughby to become defendant & file Answer in 30 days & cause Continued under former Order

193 The State of Ohio
vs
Andrew M. Marks } Assault & Battery

This day the defendant Andrew M. Marks being again before the Court and having nothing further to say why Sentence Should not be pronounced against him — It is therefore considered by the Court that the defendant Andrew M. Marks make his fine to the State of Ohio in Sum of Ten dollars and that he pay the costs of this prosecution

194 The State of Ohio
vs
Andrew M. Marks } Assault & Battery

This day the defendant Andrew M. Marks appeared in Court And in open Court acknowledged himself to owe & stand indebted to the State of Ohio in the Sum of two hundred dollars to be levied of his goods & chattels lands & tenements if default be made in the condition following which is that he be & appear before the Court of Common Pleas of said County of Union On the fifth day of the next Term to answer unto an Indictment against him in said Court pending for Assault & Battery and abide the Sentence & Order of said Court and not depart the Court without leave then this Recognisance to be void Otherwise to remain in full force

The State of Ohio
vs
Andrew M. Marks } Assault & Battery Contd. for Sentence

May 3d AD 1869 Tuesday April Term

5 40 / p 187

William M. Hamilton
vs
Elizabeth Sidle Et als. } As of April 30th

This day came the Plaintiff - and Defendants and thereupon came a Jury to wit. Henry Hezarlie Alphonzo Young, Rofs Townsend, Nelson Morse, A. P. Harvey John Weaver & George W. Casey regular Jurors & W. E. Burrows, A. C. Pearson, Robert Graham, Adam Wolford & Thomas Arthur Tales Jurors who being duly empannled & Sworn & the truth to Speak & a true Verdict give on the issue at law made by the pleadings of the parties in pursuance of the Order of the Court do on their Oaths aforesaid Say they find for the paper writings produced in Court Copies of which are attached to the original petition of Wm M. Hamilton in this case are the true & valid last Will & Testament & Codicils thereto of the said Wm Hamilton late of Union County Ohio deceased.

And Thereupon the Plaintiff made a Motion to the Court for a new trial for reasons on file which Motion was Overruled by the Court - to which ruling & decision of the Court the Plaintiff William M. Hamilton by his Attorney excepted - & the Court Signed his Bill of Exceptions which are Ordered to be recorded as a part of the record

It is therefore considered Ordered & Adjudged by the Court that the defendants go hence without day and recover of the plaintiff their costs herein expended taxed to $

Notice of Appeal by Plaintiff & bond fixed at $800

This Entry Showed have been entered on the 30. of April

174-195-196 197 & 198

The State of Ohio
vs
Patrick Roach } Retailing. Costs for Arrest

171

The State of Ohio
vs
Hyles Wood & Patrick Hannahan } Costs,

On motion this day it was Ordered by the Court that Robert Welsh be & he is hereby appointed Auctioneer for the County of Union upon his paying to the County Treasurer of said County the Sum of Five dollars & giveng Bond & qualifying according to law

1

Samuel J. Marshall
vs
Thadeus Wood } This day came the parties & Settled this cause by agreement as follows - Said Woods takes the mare back & pays $90.00 to said Marshall Sept 1. 1869 & pays all of the costs but it is to have credit on the $90.00 for the costs made by Marshall made in this case

It is therefore considered that the said the plaintiff recover of said defendant said Sum of $90.00 & the costs of Suit but when said defendant pays the costs the amount thereof which were made by plaintiff to be credited on said $90 — Execution Stayed till the 1st Sept 1869

May 3d 1869 Tuesday April Term

X
Vol

May Reed admr &c
vs
H. H. Witter and others
Continued

Thomas W. Powell et als.
vs
Edwin L. Edmondson
Demurer to Amended Petition Overruled, leave to file Answer, filed & Continued till next term.

The State of Ohio
vs
Amos Marshall
Motion to appropriate money in Clerks hands &c.

This day the Prosecuting Attorney by leave of the Court withdraws his Motion from the files of this Court.

Elizabeth Garton Husband
Dan Garton
vs
David Shuler &
George Dugan
This day this cause came on to be heard upon the Motion of Defendants to dismiss this action for want of Jurisdiction for the reason that the appraised value of the property replevied in this action was lys than One hundred dollars, & that the said property was in fact of lys value than $100.

And thereupon the Court being fully advised in the premises do Order & adjudge that said cause be dismissed for want of jurisdiction in this Court

Jane E. Buckner
vs
The Atlantic & Great Western Rway Co
This cause came on to be heard on the demurer of said Jane E. Buckner to the second ground of defense stated in Defendants Answer as grounds of demurer that in said 2d defense "facts sufficient to constitute a defence are not stated".

And the Court being fully advised in the premises are of Opinion that in said second ground of defence facts sufficient are stated to constitute a defense for the defendant against the said action of the plaintiff. And said plaintiff not asking leave to Reply to said second defence. It is therefore considered by the Court that the defendants go hence without day and recover of the Plaintiff its costs in this behalf expended taxed to dollars

To which ruling and judgement of the Court the Plaintiff Excepts

Tuesday May 3a 1869

Thomas W. Powell
vs
Edwin L. Edminson } Demurer to amended petition Overruled - To which ruling of the bourt defendant Excepts.

And on application of Defendant leave was given to file Answer instanter. which was accordingly done and cause Continued

Lydia A. Parsons Admx of
John Parsons dec'd
vs
The Atlantic & Great Western Railway Co. }

This Cause came on to be heard upon the demurer of the Said Atlantic & Great Western Railway Co Defts. to the petition of the plaintiff and was argued by Counsel and the bourt being fully advised in the premises are of Opinion that Said petition of plaintiff does not State facts sufficient to constitute a Cause of action and are not sufficient in law to maintain the action of the Said plaintiff against the Said defendant

It is therefore considered that the defendant go hence without day and recover of the plaintiff its costs in this behalf expended taxed to dollars and cents

To which ruling of the bourt the Excepts

Smith Brown Plff
vs
N. H. Beebee &
J. M. Hubbard Defts } This day came on this cause to be heard on the Motion of the defendants N. H. Beebee & J. M. Hubbard to dismiss the Appeal for the reason that the Transcript was not filed in this bourt within thirty days from the date of the rendition of the Judgement.

And thereupon the bourt being fully advised in the premises do dismiss Said Appeal & it is therefore considered & adjudged that the defendants recover of the plaintiff the costs made in this case whereupon plaintiff excepted and asked the bourt to Sign & Seal his Bill of Exceptions which is accordingly done & made part of the record of this cause

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Tuesday June 8th A.D. 1869 this morning The Court of Common Pleas for the County of Union in the State of Ohio met pursuant to adjournment Present the Hon. James Mackenzie Presiding Judge. John L. Porter Prosecuting Attorney Robert Sharp Sheriff J Taber Randall Clerk

The State of Ohio }
vs } Shooting with intent to Kill
Gideon Draper }

This day came the defendant Gideon Draper & moved the Court for leave to withdraw his plea of Not Guilty heretofore made in this case And thereupon the Court grant leave to said Defendant to withdraw his plea so as aforesaid made

Thereupon the Defendant by his Atty moved the Court to quash the first & Second Counts in said Indictment which Motion was argued by Counsel And Overruled by the Court - To which ruling of the Court the defendant Excepts

And thereupon the defendant by his Atty, moved the Court for a Rule requiring the Prosecuting Attorney on behalf of the State of Ohio to make his election & proceed to trial under either the first & Second Counts or under the third Count of said Indictment - which Motion is overruled by the Court - To which ruling of the Court the Defendant Excepts

The State of Ohio }
vs } Shooting with intent to Kill
Gideon Draper }

This day the Defendant Gideon Draper was again arraigned before the Court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is not guilty in manner & form as he stands in said Indictment

The State of Ohio }
vs } Shooting with intent to Kill
Gideon Draper }

This day came the Prosecuting Attorney on behalf of the State of Ohio and the defendant Gideon Draper in his own proper person & by Counsel being before the Court and the parties being at issue & thereupon came a jury to wit John Curry Samuel Turner John Bland Solomon Walker J. L. Lenox William Jordan J. H. Shirk Lory Ford Zachariah McElroy & Isaac Daily regular Jurors & William H. Marriott & Jonas Tegley Tales Jurors who were thereupon duly empanneled & Sworn well & truly the truth to Speak upon the issue joined between the parties — And thereupon the trial proceeded & witnesses were Sworn & examined — And this trial not being through this cause was was continued until tomorrow morning

And thereupon the Court Adjourned until tomorrow morning at 8 Oclock

James Mackenzie
Judge

Wednesday June 9th A. D. 1869

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

A

The State of Ohio
vs
Gideon Draper } Shooting with intent to Kill

This day came the parties by their Attorneys the Said Defft, Gideon Draper being in person before the Court, And thereupon the trial of this case proceeded – And the evidence being heard and Arguments of Counsel finished the Jury were Charged by the Court and retired to their room to deliberate And thereupon the Jurors aforesaid after deliberation returned into Court the Defendant Gideon Draper being in person before the Court, with the following Verdict.
"We the Jurors upon our oaths aforesaid do Say the defendant Gideon Draper is not guilty in manner & form as he Stands Charged in Said Indictment.

And Thereupon the Court adjourned without day

James MacKenzie
Judge

Monday September 20th A. D. 1869

The Court of Common Pleas for the County of Union in the State of Ohio met this Morning pursuant to Law
Present J. S. Conklin Presiding Judge John L. Porter Prosecuting Attorney Robert Sharp Sheriff and Taber Randall Clerk

This day the jurors of the Grand Jury being called came to wit. David Sheneman Hiram Stokes J.P. Gabriel S. Shirk Henry Myers. John S. Smart. A. Minthorn A. G. Brooks Bill Welsh. William Thompson John Hutchinson regular jurors J. H. Clements John T. Sabin Henry J. King Robert Graham tales jurors. And the Court appointed David Sheneman Foreman And the Grand Jury being duly empannled & Sworn were Charged by the Court and retired to their room to deliberate under the Charge of a Sworn Constable

749 | W. W. Woods & Co vs Amos Liggett & John Foreman } Settled & Costs paid

289 | Peter Mummay vs Nancy Mumay } Contd

544 | William Laird vs The A. & G. W. R. way Co. } Contd.

545 | Moses Wolford vs The A. & G. W. R. way Co } Contd

546 | Almira P. Whitford Ex &c vs David Sheneman Ex &c } Leave given to Plaintiffs to file Amended Petition instanter And Continued At Plffs Costs

68 | Mary A. Miles vs George Miles } Contd.

706 | Henry Biddle vs Joseph Watson } Costs paid and Case withdrawn without prejudice

717 | Jenny Allen vs Calvin Allen } Settled & Costs paid

X 723

X 2
X 76
X 209
X 219
X 232
X 248
X 261
X 314
X 319
X 330
X 367
X 398
X 405
X 447

Monday September 20th 1869

X

X723 John G. Silver
vs
Wm H. Silver
Arthur D. H. Silver &
Ann Silver

Partition

This cause came on to be heard upon the petition on consideration whereof and it appearing to the Satisfaction of the Court that due notice hath been given more than forty days previous to the present time of the pendency and demand of said petition as required by law And that the demandant hath a legal right and estate in the premises described in said petition and as therein set forth And it appearing that said Ann Silver waives her right of Dower in aforesaid premises and no Sufficient reasn appearing why partition Should not be made it is Ordered that by the oaths of D. A. Jay, John W. Foreman and Samuel Sherwood judicious freeholders of the vicinity that partition be made of Said lands in the following proportions to wit.

To John G. Silver One third (1/3)
To William H. Silver One third (1/3) &
To Arthur D. H. Silver One third (1/3)

And it is further Ordred that a writ of Partition issue to the Sheriff of Union County commanding him to cause said partition to be made accordingly

X2 B. W. Miller vs Orlando Wells Contd. under former Order

X16 Tullington Garwood & Co vs Michael Davis — Continued

X209 C. M. Robinson vs J. S. Alexander et al — Contd. under former Order

X219 Albert Galloway vs Harmon Patch Contd.

X232 Hanover J. Brown vs Wm Whany et. als Contd

X248 J. N. Hamilton vs W. H. Dunnick Contd.

X261 Hyras Albin vs Samantha A. Pugh et ale Contd.

X314 David Mulford vs Wm Stithem Contd.

X319 Thos. W. Powell vs Stewart J. Dyal Contd.

X330 Wm Parthemore vs. The American Ex. Co Contd.

X367 Joseph Cramer vs Saml Scott et. als Contd

X398 Frances Thompson vs Hyras Sabin Contd.

X405 John Finley vs Clark Young Contd

X417 Richard Woodruff
vs
David Cook

This cause is continued with leave to plaintiff to petition in fifty days

Monday September 20th 1869

Porter & Sterling
vs
Joseph A. Culbertson

Cognovit,

And now came the said Porter & Sterling and file their petition against the said Joseph A. Culbertson & thereupon John B. Coats one of the Attorneys of this Court appeard in Open Court in behalf of the said Joseph A. Culbertson and by virtue of a warrant of Attorney for that purpose executed now produced to the Court & duly proved waived the issuing and Service of proces and confessed that the said Joseph A. Culbertson does owe to the said plaintiff the said Sum of $52.10 as the said plaintiff hath in his said petition set forth.

It is therefore considered that the said Porter & Sterling do recover of the said Joseph A. Culbertson the said Sum of $52.10 so confessed to be due and also their costs in this behalf expended taxed to $

And by virtue of the same warrant of Attorney all error is released and right of appeal waived by the said Joseph A. Culbertson.

Maskill Dockum vs Harriet E. Dockum — Contd.

Samuel W. Cowan
vs
Howard S. Schaffer

Settled & Costs paid

A.P. Mills vs Martin Richardson — Continued

Philip Snider
vs
Sophia Hemingway et, als.

Leave given to plaintiff to demur to Defendants Answer this day.
Demurer filed

John Swan & others
vs
Henry Williams & others

Contd.

Edward Thomas vs J.J. Murdock — Continued

Maskill Dockum vs Harriet E. Dockum — Contd

And thereupon the Court adjourned until 8 O'clock tomorrow Morning

J. L. Conklin Judge

Tuesday September the 21st A. D. 1869

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

658	Mathew L. Stewart vs Joseph Deffenbaugh et. als.	Leave granted to file Answer by Benjamin F Barger Answer to be filed in twenty days & Cause Continued
659	Mathew L. Stewart vs Jacob K. Deffenbaugh	By leave of the Court Answer filed by Benjamin F. Barger & cause contd,
688	Oliver P. Foreman vs Fairlamb & Early	Leave given to R. Fairlamb to file answer at Once — filed
695	Robert West vs W. Zimmerman et. als,	Continued,
703	S. R. Harbert vs Ja.s H. Neal et.al,	Continued
724	Eunice Phelps vs Angus Clark	Continued
	Isaac Headley vs J.J. Thompson & B. S. Fisher	Judgement on Cognovit.

This day came the Plaintiff Isaac Headley by his Attorneys Coats & Gilbert & filed his petition against the defendants J.J. Thompson & B. S. Fisher Claiming a Judgment against the Said J.J. Thompson & B. S. Fisher for the Sum of $500 with interest from April Second A.D. 1866 at ten per cent. And thereupon J.M. Robinson an Attorney of record of this Court and by virtue of a warrant of Attorney duly executed for that purpose & proved & exhibited in open Court waived the issuing & Service of process upon the defendants J.J. Thompson & B.S. Fisher Confessed a judgment On the claim set up by the Plaintiff in his petition for the Sum of $500 with ten per cent interest from April 2d 1866 — Released all error in the rendition of Said judgment & all right of appeal from Said judgment — the right & privilege of holding exempt from Execution any Real or personal property belonging to the Said defendants or either of them at or after the date of this judgement — And the Court being fully Satisfied by proof duly adduced by Said plaintiff of the premises do consider Order & adjudge that the plaintiff recover of the defendants J.J. Thompson & B.S. Fisher the Sum of Six hundred and Seventy three dollars & twenty eight cents being the principal & interest to to this date And also his costs in this behalf expended taxed to $ff

And it appearing to the Satisfaction of the Court that the defendant B.S. Fisher is Surety on the note in the plaintiffs petition described. It is therefore Ordered by the Court that the Said B.S. Fisher be & he is entitled to the rights and benefit of Surety herein According to the Statute in such case made and provided

Tuesday September 21st A.D. 1869

The State of Ohio }
vs
Joseph Price } This day came into Court Anthony W. Smith and in open Court acknowledged himself to owe & stand indebted to the State of Ohio in the sum of two hundred dollars to be levied of his goods & chattels lands and tenements if default be made in the following condition which is that the said Anthony W. Smith shall be and appear before the Court of Common Pleas for the County of Union on the 24th day of September A.D. 1869 to give evidence in a cause in said Court pending wherein The State of Ohio plaintiff and Joseph Price defendant and not depart the Court without leave then this Recognisance to be void Otherwise to remain in full force

H. C. Kennedy }
vs
Aaron Boylan } This day came the parties to this action & thereupon this cause came on to be heard upon the Demurer of the Defendant to the plaintiffs petition, which was argued by Counsel and the Court being fully advised in the premises do overrule said Demurer and grant leave for the defendant to file his Answer. And thereupon on Motion of defendant and at his Costs this case is Continued and leave is granted to the plaintiff to amend his petition in 30 days from the rising of this Court

This day the Grand Jury appeared at the Bar of this Court and in open Court presented their Bill of Indictment against Benjamin Ayres for Grand Larceny, to wit horse Stealing endorsed "A True Bill" David Sheneman Foreman of the Grand jury" and also their Other Bill of Indictment against Ryal Draper & Charles Wilmoth for obstructing Railroad Injuring Machinery Cars Rail Road tracks &c. endorsed "A True Bill David Sheneman Foreman of the Grand Jury. And the Grand Jury having further business before them retired to their room to deliberate

Mary J. Williams }
vs
Wallar Marshall } Dismissed without prejudice at plaintiffs costs. It is therefore considered Ordered & adjudged by the Court, that defendant recover of the plaintiff his costs herein expended taxed at $

And thereupon the Court adjourned until Eight Oclock tomorrow morning

J. Conklin Jud

Wednesday September 22d A.D. 1869

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

The State of Ohio }
vs } Obstructing Railroad
Ryal Draper & }
Charles Wilmoth } This the defendants Ryal Draper & Charles Wilmoth being arraigned in Open Court & the Indictment being read to them was asked how of the premises they would acquit themselves for plea Say they are not guilty in manner & form as they Stand charged in Said Indictment. And thereupon the defendants were remanded to the Jail of the County to await their trial

This day the Grand Jury appeared at the Bar of this Court and in Open Court presented their two Several Bills of Indictment against Joseph Price for Selling Intoxicating Liquors in violation of Law each Severally endorsed "A True Bill David Sheneman Foreman of the Grand Jury Also thier Other three Several Bills of Indictment against John Long for selling intoxicating liquor in violation of law each Severally endorsed "A True Bill David Sheneman Foreman of the Grand Jury. Also thier Other Bill of Indictment against Ellen Long for Selling Intoxicating Liquors in violation of law endorsed "A True Bill David Sheneman Foreman of the Grand Jury. Also thier Other Bill of Indictment against Jonah Marks for Assault & Battery endorsed "A True Bill David Sheneman Foreman of the Grand Jury. Also their Report of the Conditions of the Jail of Said County and there being no further business before them the Grand Jury were discharged by the Court

No 636 }
David Cook }
vs }
James R. Mitchell } The exceptions taken to the Deposition of Martin & John O'Hara was Sustained & thereupon Plaintiff asked for a Continuance which is granted by the Court at plaintiff's cost

It is therefore considered by the Court that defendant recover of the plaintiff the costs of this Term

No 725 }
Reuben Cook }
vs }
James R. Mitchell } This day the defendant came and waived his Exceptions to the Depositions of O'Hara on file So far as this term is concerned but not further

And thereupon the Court adjourned until tomorrow morning at Eight Oclock

J. Corklin Judge

Thursday September 23a A.D. 1869

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

Jonathan Burst
vs
Wm W. Franklin } 2d Trial Exp G. No 874

This day came the parties by their Attorneys & thereupon came a jury to wit, Thomas Miller Samuel Myers L. H. Ballinger A.J. Ferguson Josiah Westlake J. M. Roney regular Jurors & Milton Thompson. & J. Olas James Boron, George Reed George W. Freman & Samuel McCampbell Tales Jurors who being duly empannelled & Sworn the truth to Speak upon the issue joined between the parties upon their oaths do say We find We the Jury find for the plaintiff on the third Count in his petition and find his due thereon the Sum of fifty dollars & Sixty four cents And We find for the defendant on the issues Joined upon the first & Second Counts of the Same It is therefore Considered Ordered & adjudged that the plaintiff recover of the said defendant Said Sum of fifty dollars & Sixty four cents So as aforesaid found due

Lucius Stephenson
vs
Eliza Hamilton } On motion to the Court by plaintiffs Counsel & it manifestly appearing to the Court that the said defendant is an Insane person and that Rinaldo Moses is the lawfully appointed Guardian of the estate of said defendant: It is therefore ordered by the Court that the Rinaldo Moses be & he is hereby made a party defendant to this action Whereupon the said Rindo Moses came & waiving the issuing & Service of process entered his appearance herein

And Thereupon the Court adjourned until tomorrow morning at 8 oclock

J Hamilton Judge

Friday September 24th 1869

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

The State of Ohio }
vs } Retailing
John Long }

This day came into Court Napoleon Powers James McClary & Charles Morey and in Open Court acknowledged themselves each to owe and Stand indebted to the State of Ohio in the Sum of $200.00 to be levied of their goods & Chattels lands & Tenements if default be made in the following Condition which is that the said Napoleon Powers, James McClary & Charles Morey each be and Appear before the Court of Common Pleas for the County of Union on the fifth day of the next term thereof to give testimony in a cause in said Court pending wherein the State of Ohio is plaintiff & John Long is defendant and not depart the Court without leave then this recognisance to be void Otherwise to remain in full force & virtue in law.

The State of Ohio }
vs } Retailing
Ellen Long }

This day came into Court James McClary and in Open Court acknowledged himself to owe and Stand indebted to the State of Ohio in the Sum of two hundred dollars to be levied of his goods & Chattels lands & tenements if default be made in the following Condition which is that the said James McClary Shall be & appear before the Court of Common Pleas for the County of Union on the fifth day of the next thereof to give evidence in a cause ~~of~~ in said Court pending wherein the State of Ohio is Plaintiff and Ellen Long is defendant & not depart the Court without leave then this Recognisance to be void Otherwise to Remain in full force

The State of Ohio }
vs } Retailing
John Cartmell }

This day came into Court John Cartmell and in Open Court Acknowledged himself to owe & Stand indebted to the State of Ohio in the Sum of two hundred dollars to be levied of his goods & Chattels lands & tenements if default be made in the condition following which is that the said John Cartmell Shall be & appear before the Court of Common Pleas for the ~~the~~ Union on the fifth day of the next ~~day of the~~ to answer unto an Indictment against him in said Court pending Term thereof, And abide the Order & Sentence of said Court and not depart the Court without leave then this Recognisance to be void otherwise to be & remain in full force

The State of Ohio }
vs } Retailing
Joseph Price }

This day came into Court A. W. Smith & in Open Court Acknowledged himself to owe and Stand indebted to the State of Ohio in the Sum of two hundred dollars if default be made in the following Condition which is that the said W. Smith Shall be & appear before the Court of Common Pleas of Union County on the fifth day of the next

Friday September 24th 1869

Term thereof to give evidence in a cause in said Court pending wherein the State of Ohio is plaintiff and the said Joseph Price is defendant and not depart the Court without leave then this Recognisance Shall be void Otherwise to remain in full force and virtue in Law

The State of Ohio
vs
Henry Marshall } Retailing

This day came into Court Henry Marshall and in Open Court Acknowledged himself to Owe and Stand indebted to the State of Ohio in the Sum of two hundred dollars to be levied of his goods & Chattels lands & tenements if default be made in the following Condition which is that the said Henry Marshall Shall be and appear before the Court of Common Pleas for the County of Union on the fifth day of the next term thereof to Answer unto an Indictment against him in said Court pending for Selling intoxicating liquors in Violation of Law and abide the Order & Sentence of said Court and not depart the Court without leave then this Recognisance Shall be void Otherwise to remain in full force & virtue in Law.

The State of Ohio
vs
Jonah Marks } Assault & Battery

This day came into Court Jonah Marks & A. James Sterling and acknowledged themselves each to Owe & Stand indebted to the State of Ohio in the Sum of Two hundred dollars to be levied of their goods & Chattels Lands & tenements if default be made in the following Condition which is that the said Jonah Marks Shall be & appear before the Court of Common Pleas for the County of Union on the fifth day of the next Term thereof to Answer unto an Indictment against him in said Court pending for Assault & Battery and abide the Order & Sentence of said Court and not depart the Court without leave then this Recognisance to be void Otherwise to remain in full force in Law.

The State of Ohio
vs
Sarah A. Mellick } Assault & Battery

This day the defendant Sarah A. Mellick being arraigned in open Court & the Indictment being read to her was asked how of the premises She would acquit herself &a Plea Says She is guilty in manner & form as She Stands charged in said Indictment And the defendant having nothing to Say why Sentence Should not be pronounced against her. It is therefore Ordered by the Court that She make her fine to the State of Ohio in the Sum of five dollars and that She pay the costs of this prosecution

J. C. Evans
vs
Henry M. Ramey & other } On motion to the Court by Hannah Bonham. It is Ordered that She be made a party defendant in this Action.

And thereupon the Court adjourned until 8 oclock tomorrow morning

Saturday September 25th 1869

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

James Taylor Exr of James Taylor deceased
vs
Corlius B Miller } Civil Action

This cause came on to be heard on the petition & exhibits of the plaintiff and the defendant failing to answer or demur thereto is adjudged to be in default and thereupon the Court being fully advised in the premises doth find that there is due from the defendant to the plaintiff on the note described in the petition the Sum of two hundred and Sixty three dollars and Sixty four ($263 64) cents and that the same is a lien in favor of the plaintiff as vendor for the purchase of the premises described in the petition, And that the taxes mentioned in the contract aforesaid have been paid by the plaintiff - It is therefore considered by the Court that the plaintiff recover of the defendant the said ~~said~~ Sum of $263.64 and the costs herein taxed at $ And it is further Ordered that an Order for the Sale of said premises issue to the Sheriff of Union County Commanding him to advertise and Sell said premises according to law for the Satisfaction of this judgement & costs also for the payment of all taxes so paid by the plaintiff as aforesaid

John Woodburn
vs
John M. Robinson } This Cause is Settled as per agreement at defendants costs

It is therefore Considered by the Court that that the plaintiff recover of the defendant his costs & charges in this behalf expended taxed to dollars & cents

The State of Ohio
vs
Ryal Draper &
Charles Wilmoth } Obstructing Rail Road

At the request of the defendant Ryal Draper and it appearing to the Court that the said Ryal Draper is without Counsel and unable to employ Counsel the Court Appoint and Asign George Lincoln Esq. as his Counsel in this case

And thereupon the Court Adjourned until Monday morning next at eight OClock

J. Conklin Judge

Monday September 27th A.D. 1869

This day the Court met pursuant to adjournment present the same Officers as on Saturday

Thomas H. B. Park
vs
Moses H. Blake &
Joseph C. Culbertson &
Martha Culbertson

Petition on Note & Mortgage

And now comes the said Thos. H. B. Park by his Attorneys and the said Moses H. Blake Joseph C. Culbertson & Martha Culbertson Still failing to demur or Answer to the said petition it is considered that said plaintiff ought to recover the amount due him by reason of the premises and the Court with the Consent of the Plaintiff find that there is due from said defendant Moses H. Blake to said plaintiff on the said note in said petition set forth the Sum of eight hundred and Sixty eight dollars & twenty cents ($868 20/100) which said amount is a lien on said lands now owned by said Joseph C. Culbertson.

It is therefore considered by said Court here that the said Plaintiff recover of the said defendant Moses H. Blake the said Sum of Eight hundred & Sixty Eight dollars & twenty cents the Sum found due as aforesaid and also his costs taxed to $

And it is further Ordered & adjudged that in case the said defendant fails for ten days from the close of this Court to pay to the said plaintiff the said Sum of $868 20/100 so as aforesaid found due with costs of Suit an Order issue to the Sheriff of said County of Union commanding him to cause the said Lands & tenements in said petition described to wit, being part of Survey No. 1798 beginning at a Stone at the South W. Corner of a tract of Seventy four acres convey by David Walson to Hiram Stokes, land of which this conveyance is a part thence ~~thence~~ with the W. line of said tract N 31 1/2 E 12 8/10 poles to a Stone thence S 54° E. 116 6/10 poles to a Stone in one of the Easterly lines of said tract thence with said line S 10 1/2 W 33 3/4 poles to a Stone South Easterly Corner to said tract, thence with its Southerly line N 46 1/2 W 132 poles to the beginning Containing Sixty & one fourth acres to be appraised advertised & Sold according to law and apply the proceeds of said Sale in Satisfaction of said Judgment So as aforesaid rendered,

John G. Silver
vs
William H. Silver
Arthur D. H. Silver &
Ann Silver

In Partition

On motion to the Court by Counsel for Petitioner and upon producing the return of the Sheriff and the Report of the Commissioners heretofore appointed and the same having been examined by the Court here and found in all respects correct & in Conformity to Law It is hereby Ordered that the said proceedings and report be and the same is hereby Approved and Confirmed. And thereupon neither of said parties electing to take the said premises at the said valuation it is ordered that the said premises be Sold at public Sale by the said County of Union according to law and that he return his doings in the premises to the next term of this Court to which time this action is Continued,

Monday September 27th 1869

Adam Blumenschein
vs
P. Manchester &
W. H. H. Titus

And now comes the said Adam Blumenschein and the said P. Manchester & W. H. H. Titus having failed to demur or Answer to the petition of the said Adam Blumenschein it is considered that the said Adam Blumenschein ought to recover the said Sum of $105 35/100 So demanded in his petition together with the Sum of $1 58/100 which the Court finds due as the interest thereon as prayed for in said petition

It is therefore considered that the said Adam Blumenschein recover against the said P. Manchester and W. H. H. Titus the said Sum of $106 93/100 together with his cost in & about his Suit in this behalf expended taxed to dollars & cents

Samuel Cartmell
vs
A. Curl & Margaret Curl
by J. W. Robinson his Attorney

Petition Note & Mortgage

And now comes the said Samuel Cartmell and the said A. Curl & Margaret Curl still failing to demur or Answer to the said petition it is considered that the said plaintiff ought to recover the amount due him by reason of the premises & the Court with the consent of the said Plaintiff find that there is due from the said defendant to the said Plaintiff on the notes in the said petition set forth the Sum of three hundred & thirty four dollars & eight cents

It is therefore considered by the said Court here that the said plaintiff recover of the said defendant the said Sum of $334 08/100 the Sum so found due as aforesaid and also his Costs taxed to $

And it is further ordered & adjudged that in case the said defendant fails for ten days from the close of this term of the Court to pay to the said plaintiff the said Sum of $334 08/100 So as aforesaid found due with costs of Suit an Order issue to the Sheriff of said County commanding him to cause the said lands & tenments in said petition described to wit. Situate in the County of Union in the State of Ohio & in Survey No 4069 & being the 17 Acre lot on the Milford & Marysville road conveyed by said J. W. Robinson by deed dated March 16th 1867 and bounded on the west by said road on the South by the Fulton land on the east by the McVeigh land and on the North by the lot Sold to Edward Malone but once by George Good to be appraised advertised & Sold according to law & apply the proceeds of said Sale in Satisfaction of the said judgment as aforesaid rendered,

And as to the note not due this cause is Continued

And Thereupon the Court adjourned until 8 Oclock tomorrow morning

J. L. Conklin Judge

Tuesday September 28th 1869

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

G. A. Cassil & Emily H. Cassil his wife
vs
John M. Kinikin & Others
} Petition on Note & Mortgage

And now Comes the Sd G. A. Cassil & Emily H. Cassil by their Attorney & the Said J. W. Robinson by his Atterney and thereupon this cause came on for hearing on the petition of the Said plaintiff & the Answer by way of Cros petition of the Said James W. Robinson. On consideration whereof the Court do find that the Several allegations contained in the Said petition as also in Said Cros petition are true in manner & form as the Said plaintiff has in his Said petition averred and the Said John M. Kinikin W. W. Woods & Ruth A. Wood Still failing to demur or Answer to the Said petition it is considerd that the Said plaintiff ought to recover the amount due him by reason of the premises and the Court with the Consent of the Said plaintiff find that there is due from the Said defendant to the Said plaintiff on the note in the Said petition Set forth the Sum of $520

It is therfore Considerd by the Said Court hereby that the Said plaintiff recover of the Said defendant the Said Sum of $520 Cts the Sum So found due as aforesaid & also his Costs taxed to $

It is further ordered & Adjudged that in case the Said defendant fails for ten days from the close of this term of the Court to pay to the Said plaintiff the Said Sum of $520 Cts So as aforesaid found due with costs of Suit an Order issue to the Sheriff of Union County Commanding him to cause the Said lands & tenements in Said petition described to wit, being Situate in the County of Union & State of Ohio & beginning at a red oak & buck in line of land Sold by Hellen Massie to Michael Blue thence S 80° W 136 poles to a buckeye beech & ash in the line of Said Blue - thence S 10° E 164 poles to two Sycamores & beech thence N 80° E 136 poles to a Sycamore thence N. 10° W 164 poles to the beginning being the M. S Wood farm Containing one hundred & forty Seven acres except forty acres Sold & conveyed to Wm. Blue now in the Knott farm - to be appraised advertised & Sold according to law and apply the proceeds of Said Sale in Satisfaction of the Said Judgment So as aforesaid rendered

And on Consideration that the Said James W. Robinson holds a Mortgage as he has in his Said Answer Set forth and that the Same became a lien on Said premises in Said petition described on the 1st day of June 1869 on which Mortgage there is now due to the Said James W. Robenson the Sum of $ 28 39 13/100

It is Therfore further considered by Said Court here that the Said defendant J. W. Robinson recover of the Said defendant J. M. Kinikin the Said Sum of $2839 13/100 the Sum So found due as aforesaid And also his costs taxed to $ - And it is Also further Ordered & adjudged that in case the Said defendant John M. Kinikin fails for ten days from the rising of this Court to pay to the Said James W. Robinson the Said Sum $2839 13/100 the Sum So found due as aforesaid with costs of Suit an order issue to the Sheriff of Union County ~~of Union~~ Commanding him to cause the Said lands & tenements in Said Answer described, to wit - Part of Survey No 4075 in Said County of Union & State of Ohio the farm of 126 acres known as the Michael S. Wood farm & the farm of 97 acres known as the King or Henry Knots farm the two constituting the

Tuesday September 28th 1869

John M. Kinikin farm on which he resides and more particularly described in said Mortgage of said date viz 23d day of March 1868 and Recorded in Vol. 6 page 462 of the record of Mortgages of Union County Ohio. to be appraised advertised & Sold according to Law and apply the proceeds of said Sale in Satisfaction of the said Judgement so as aforesaid rendered

The State of Ohio
vs
Andrew M. Marks } Assault & Battery.

This day came into Court Andrew M. Mark and in open Court acknowledged himself to owe & Stand indebted to the State of Ohio in the Sum of two hundred dollars to be levied of his goods & chattels lands & tenements if default be made in the following condition which is that the said Andrew M. Marks shall be and appear before the Court of Common Pleas for the said County of Union on the fifth day of the next term thereof to Answer unto an Indictment against him in said Court pending for Assault & Battery and Abide the Order & Sentence of said Court and not depart the Court without leave then this recognisance to be void Otherwise to remain in full force & virtue in Law.

648

Alexander G. Stevenson
vs
Allen Lister } This day came on this cause to be heard on the Motion of Deft. to Strike out the words named in the Motion which being Argued, the Court Overruled to which defendant Excepted and thereupon this case came on to be heard on the demurer to plaintiffs petition which being fully argued - the Court Overrule to. which defendant excepted & thereupon the defendant with the leave of the Court filed his Answer

And thereupon the Court adjourned until 8 oclock tomorrow morning

J. S. Conklin Judge

Wednesday September 29th A.D. 1869

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

716 / Cynthia Spain W. T. Spain & Minerva Spain Plffs vs William Folk Et, als Defts } Foreclosure of Mortgage

This day came the plaintiffs by their Attorney no one appearing for the defendant William Folk and this cause thereupon came on to be heard upon the petition of the plaintiff together with the exhibits & evidence & was submitted to the Court by said Plaintiff On consideration whereof, the Court do find that the equity of the case is with the plaintiffs and that there is due from the defendant William Folk to the plaintiffs on the promissory notes & Mortgage in the petition set forth at this date the Sum of One thousand Two hundred & Eighteen dollars ($1218 00)

It is therefore Considered Ordered & Adjudged & decreed by the Court that the defendant William Folk within ten days from this date pay to the said plaintiffs - said Sum of $1218 00 with interest from this day until paid and also the costs of this Suit to be taxed and in default thereof that an Order issue to the Sheriff of this County for the time being who is hereby appointed Special Master for that purpose commanding him to proceed to Sell the lands in the petition mentioned as upon judgements at Law, and report his proceedings to the next term of this Court to which time all questions as to the rights & priorities of the other defendants are Continued And for report of Sale this cause is Continued

765 / 741 / 703 / 440 /

709 / Samuel W. Dolbear vs Thomas A. Mapes et als } Foreclosure of Mortgage

This day came the plaintiff by his Atty no one appearing for the defendants Mapes or Cody & this cause thereupon came on to be heard upon the petition of the plaintiff and the Cross petition of J. W. Robinson filed herein by the leave of Court on the 20th of September 1869 together with the exhibits & evidence & was Submitted to the Court. On Consideration whereof the Court do find that there is due from the defendant T. A. Mapes to the plaintiff on the 1st promissory note & the Mortgage mentioned in the petition at this date the Sum of two hundred Seventy eight 70/100 dollars ($278 70) which is a lien on the premises in the said petition & Mortgage described & the Court do further find that there is due to J. W. Robinson on his note the Sum of thirty Eight dollars ($38 00) at this date which is also secured by said Mortgage in the petition mentioned and is a lien upon the premises - prior to that of the plaintiff

It is therefore Considered Ordered & adjudged by the Court that the defendant Thomas A. Mapes within ten days from this date & pay to said J. W. Robinson said Sum of $38 00 with interest from this day and that he also pay to the plaintiff the Sum of two hundred Seventy eight & 70/100 dollars ($278 70) with interest from this day until paid and also the costs of this Suit to be taxed, And in default of payment of either Sum so found due and of costs that an Order issue to the Sheriff of this County for the time being who is hereby appointed Special Master for that purpose commanding him to proceed to sell the lands in the petition mentioned as upon Jeedgments

at Law and sepnt his proceedings to the next term of this Court and as to the note not yet due and for sepnt of Sale this cause is Continued.

765 | W.W. Woods & Co vs James H. Wall et.als. | This day came the said defendant James H. Adair by his Attorney James W. Robinson and waived the ipsuing & Service of procep entered his appearance herein and asked and obtained leave to file an answer herein in thirty days and this cause is continued

741 | H. P. Mills vs Ellen Pierson & John Pierson | Continued

763 | Betsey E. Smith vs David Rees | Continued with leave to answer in thirty days

440 | Farmery Heminway & By Luther Winget Admr vs Edmond Turner & James M. Welsh | This day came the parties by their Attorneys and Submitted this cause to the Court neither party requiring a jury and thereupon by agreement of the parties the defendants are Allowed a deduction of twenty dollars on the Note Sued on in this action for the causes Set up in the defendants answer and it is further agred by the parties that the defendants are indebted to the plaintiff for the balance of Said Note & interest Amounting to the Sum of One hundred & Eighty three & 43/100 dollars and it is further agred that a judgement against Said defendants & in favor of the plaintiff for Said Sum of $183.43 Shall be entered.

It is therefore Considered & Adjudged by the Court here that the Said Luther Winget Administrator of Farmery Heminway dec'd Plff do recover of the Said defendants Edmund Turner & James M. Welsh the Said Sum of $183.43/100 dollars his debt aforesaid and his costs in this behalf expended taxed to dollars & cents

S.W. Dolbear J.H. Ryan & W.W. Woods partners in busineps under the firm of Dolbear Ryan & Woods Plffs vs J.M. Kinikin Defendant | This day came into Court the Plaintiffs by their Counsel and filed their petition against the Said J.M. Kinikin defendant and thereupon Leonidas Piper one of the Attorneys of this Court appeared in Open Court in behalf of the Said J.M. Kinikin and by virtue of a warrant of Attorney for that purpose executed by the Said J.M. Kinikin and now produced in Open Court & duly proved waived the ipsuing & Service of procep & acknowledged that the Said J.M. Kinikin did assume & promise in manner & form as the plaintiffs have in their Said petition alleged against him and confessed that there was due from the Said defendant to the plaintiffs the Sum of $245.40 with interest from January 4th 1868 making the Sum of $270.92. It is therefore Considered

Wednesday September 29th 1869

Ordered & adjudged by the Court that the said Dolbear Ryan & Woods recover of the said J. M. Rinkin the Sum of two hundred & Seventy 92/100 dollars ($270.92) & costs as aforesaid and also their costs herein expended taxed &c & that by virtue of the same warrant of Attorney all error & writs of error in the premises are released and all right of appeal waived

Michael Davis
vs
Everett Messinger & others

This day came the parties & this cause was submitted to the Court on the plaintiffs Motion to enter the Mandate of the District Court made in this cause at the September term 1868 of said District Court to be & to have the same effect as if entered at the term of this Court held next after said term of the District Court - And thereupon said Motion is granted by the Court and the said Mandate now entered as of said term of this Court

775

Morgan Savage
vs
The Trustees of M. E. Church of Dover

This day came this cause on to be heard on Mandate from the District Court & the demurer to the Amended Answer of defendants is Overruled & leave granted to plaintiff to Reply in 40 days & cause Continued

774

Henry R. Galloway et. als.
vs
David Mulford & Jacob Smith

Leave granted to defendants to answer in 30 days and cause Continued.

Alexander G. Stevenson
vs
Allen Lister

This day came the parties by their Attorneys & the parties being at issue upon the Amended petition of the plaintiff and the Answer of the defendant and thereupon came a jury to wit L. H. Ballinger, A. F. Ingason, Josiah Westlake J. M. Roney regular jurors Milton Thompson James Brown Georg Reed, Georg W. Freeman Henry Ammine 2d J. R. Hubbard F. F. Arthur & Henry Knotts tales jurors Who being duly empannelled & Sworn the truth to Speak & a true verdict give according to the evidence upon the issue joined between the parties do upon their oaths Say they find for the plaintiff & assess his damages at one dollar - It is therefore considered Ordered & adjudged by the Court that the plaintiff recover of the defendant one dollar his damages aforesaid.

Whereupon the plaintiff asked the Court to give judgement against the defendant for costs of Suit which judgement the Court refused to give to which the plaintiff Excepts.-

Each party demanded a Second Trial under the Statute which is allowed and Bond fixed at $800 for each party

Wednesday September 29th 1869

111 Manirva W. Johnson }
vs } Divorce
Samuel Johnson }

And now came the said plaintiff by Randall & Cameron her Attorneys & thereupon this cause came on for hearing upon the petition & testimony and was argued by Counsel and Submitted On consideration whereof the Court do find that due Notice of the filing & pendency of this petition was given to the said defendant according to law And the Court do further find that the said defendant has been wilfully absent from the said petitioner for more than three years next before the filing of said petition,

It is therefore Adjudged & decreed that the Marriage relation heretofore existing between the said parties be & the same is hereby Set aside & wholly annulled and the said parties wholly released from the obligations of the same and it is further Ordered that the said petitioner be restored to her maiden name of Manerva M. Ford. And it is further Ordered & decreed that the said defendant pay to the said Plaintiff the Sum of three hundred dollars ($300) as alimony in Six months after the entry of this decree and pay the costs of this suit in ten days and in default thereof that Execution issue therefor

H. Colby A. L. Grimes E. Sturges Sen & E. H. Rice Partners in business under the firm name of the Mansfield Machine Works Plaintiffs }
vs }
John Perry Defendant }

This day came the said plaintiffs by their Attorney and the said John Perry came not but made default and neither party demanding a Jury this cause was Submitted to the Court, thereupon The Court do find that there is due from the defendant to the plaintiffs on the promissory notes in the petition Set forth the sum of $226.60

It is therefore considered ordered & adjudged by the Court that the said Plaintiffs recover of the said John Perry defendant the Sum of Two hundred twenty Six & 60/100 dollars ($226.60) the Sum so found due and also their costs herein expended taxed to $.

H. Colby A. L. Grimes E. Sturges Sen & E. H. Rice Partners in business under the firm name of the Mansfield Machine Works Plff }
vs }
Z. Noteman Defendant }

This day came the said Plaintiffs by their Attorney And the said Z. Noteman came not but made default & neither party demanding a Jury this cause was Submitted to the Court by the Plaintiffs Upon Consideration whereof the Court do find there is due from the defendant to the Plaintiffs on the promissory notes in the petition Set forth the Sum of $257.25

It is therefore Considered Ordered & Adjudged by the Court that the said Plaintiffs recover of the said Z. Noteman defendant the Sum of Two hundred fifty Seven & 25/100 dollars ($257.25) the Sum so found due and also their Costs herein expended taxed to $

Wednesday September 29th 1869

The State of Ohio
vs
Ryal Draper &
Charles Wilmoth } Obstructing Rail Road

On Motion to the Court by the defendants Ryal Draper & Charles Wilmoth and by the Consent of the Prosecuting Attorney and by leave of the Court said defendants withdraw their plea of not guilty heretofore made & entered in this case

The State of Ohio
vs
Benjamin Ayres } Grand Larceny to wit Horse Stealing

This day came the Prosecuting Attorney and upon his motion the said defendant was three times Solemnly called to Answer unto an Indictment found against him for Grand Larceny to wit ~~horse stealing~~ Stealing a gelding and came not, but made default and thereupon. Ambrose F. Ayres Luther Liggett James Thompson Thomas R Shields & Thomas M. Bodley Securities of the said Benjamin Ayres being three times Solemnly called to come into Court and bring with them the body of the said Benjamin Ayres to answer unto said charge as by their recognisance they were bound to do or that the same would be forfeited. And the said Ambrose F Ayres Luther Liggett James Thompson. Thomas R Shields and Thomas M. Bodley Still failing to appear according to the condition of their said recognisance with the body of the said Benjamin Ayres. It is ordered by the Court that the same be and is hereby forfeited.

Reuben Cook
vs
James R. Mitchell } This day came on this cause to be heard upon the demurrer of Plaintiff to the Second defense ~~& Consideration~~ Set forth in defendants Answer and was argued by Counsel & thereupon the Court being fully advised & satisfied in the premises do Sustain said demurrer to which ruling & Judgment of the Court defendant Excepts.

Thomas Degood
vs
John McAllister } This day came the parties by their Attorneys and this cause came on to be heard & the Court being fully advised in the premises do find there is due the plaintiff from said dependant the Sum of One hundred & Sixty three 10/100 dollars

It is therefore considered & adjudged that the plaintiff recover of the said defendant said Sum of One hundred & Sixty three 10/100 dollars and also his costs in this behalf expended taxed at dollars

Thomas W Powell et als
vs
Edwin L. Edmondson } This cause came on to be heard upon the Motion filed September 15th 1869 by plaintiffs to Strike out certain parts of the Answer of Defts, On Consideration whereof the Court does Sustain said Motion & doth order the Answer to be reformed, according to thereto. to which action ruling & decision of the Court said Defendant by his Counsel except

Weanesday September 29th 1869

1 J & W. B. Brooks
vs
J. A. Culbertson

Now comes the plaintiffs J. & W. Brooks and the said J. A. Culbertson having to Demur or Answer to the petition of the said plaintiff it is considered that the said J & W. B. Brooks ought to recover of the said J. A. Culbertson the said Sum of $398.66 which the Court finds due the plaintiffs as claimed in their said petition it is considered that the said plaintiffs J. & W. B. Brooks recover against the said defendant J. A. Culbertson the said Sum of $398 66/100 together with their costs in this suit expended taxed to ff

The State of Ohio
vs
Ryal Draper &
Charles Wilmoth

Obstructing Rail Road

This day the defendants Ryal Draper and Charles Wilmoth were again brought before the Court & again arraigned and the Indictment being read to them were asked by the Court "Are you guilty of the offense therein Charged or are you not guilty" for plea say that they are not guilty ~~xx xx~~ in manner & form as they Stand Charged in Said Indictment

The State of Ohio
vs
Ryal Draper &
Charles Wilmoth

Obstructing Rail Road

This day came the Prosecuting Attorney & entered a Nolli prosequi on the above Indictment as to the said Charles Wilmoth

The State of Ohio
vs
Ryal Draper

Obstructing Rail Road

This day came the parties by their Attorney's, the said defendant Ryal Draper being in person before the Court & by Counsel and thereupon came a jury to wit. L. A. Ballinger, A. J. Ferguson, Josiah Westlake, J. M. Roney regular jurors Milton Thompson, J. R. Hubbard, Henry Knotts, Garret Harris Samuel McCampbell, Jacob V. Nash, Robert Bell & Hugh McAdow tales jurors who being duly empannelled and Sworn to well & truly try and true deliverance make between the State of Ohio and the prisoner at the bar Ryal Draper upon their oaths say that the defendant is guilty in manner & form as he Stands charged in the first, Second & third Counts of Said Indictment and not guilty as he Stands charged in the fourth & fifth Counts of Said Indictment.

And thereupon the Court adjourned until Eight Oclock tomorrow morning

J. Conklin Judge

Thursday September 30th 1869

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

James W. Robinson Plff
vs
James Mulvane Deft. — And now comes the said James W. Robinson & the said James Mulvane having failed to demur or answer to the petition of the said James W. Robinson it is considered that the said James W. Robinson ought to recover the said Sum of $133 79/100 so demanded in his petition together with the Sum of $10 41/100 which the Court finds due as the interest thereon as prayed for in said petition.

It is therefore considered that the said James W. Robinson recover against the said James Mulvane the said Sum of $145 20/100 together with his costs in & about his Suit in this behalf expended taxed to dollars & cents

694

725 Reuben Cook
vs
James R. Mitchell — Continued by Consent for want of time to try it.

710 Susan Guy
vs
Nelson Guy — This day came the plaintiff - And the Court being satisfied that due Notice hath been given defendant this cause was submitted on evidence. Whereupon the Court find the several allegations of the said petition to be true.

It is therefore Considered Ordered & Adjudged by the Court that the Marriage Contract between the said parties be & the same is dissolved & said parties divorced. And it is further Ordered & adjudged by the Court that plaintiff have the Custody & care of their Minor Children and that plaintiff recover of the defendant her costs herein expended taxed to $

670 Lewis W. Greene
vs
Wm M. Robinson — On motion of Plaintiff this cause is continued at plaintiffs cost It is therefore considered & Adjudged by the Court that the defendant recover of the plaintiff the costs of this Term

J. C. Evans
vs
Henry M. Ramey et.als. — This cause was continued on the defendants affidavit and at defendants costs
Whereupon it is considered & adjudged by the Court here that plaintiff recover of defendant the costs of this term of Court

764 W. W. Woods
vs
Peter Vancilla et.als — Dismissed by Plff without prejudice

Jonathan Burt Plff
vs
William Weber Dept

This day came the plaintiff Jonathan Burt by his Attorney's and thereupon this Cause came on to be heard upon the Motion of plaintiff for leave to file an amended petition which was granted and was accordingly done

694

Elizabeth A. Elliott
vs
John C. Elliott

Divorce

This day came the plaintiff & the Court being satisfied that Lawful Service of process hath been made on the defendant & having heard the proofs do find the Several allegations of the petition to be true with the exception of the charge of Adultery which is not proved.

It is therefore Considered Ordered & Adjudged by the Court that the Marriage contract between the parties be & the Same is hereby dissolved & Said parties divorced — It is further Ordered that the plaintiff have the care, Custody and Education of the minor Children named in Said petition but defendant Shall have the right at Such times & places as may be Reasonable to See the Said Children but not to the Annoyance of the plaintiff or disturbance of Said Children,

And the Court being Satisfied that the Arrangement Made by & between the parties as to the division of property as Stated in the paper filed with the papers in this Case is Reasonable & Just do Approve & Confirm the Same & Said Agreement as to property is Ordered to be made a part of Decree.

Aaron Mather Plff
vs
Daniel Shearer Dept

Continued

John M. Hall Plff
vs
W W Woods et als

Continued

Benjamin Sells
vs
Philip Haun

Continued by agreement

Dibold Iny & Co
vs
Hylas Sabin

Continued

And thereupon the Court adjourned until 8 Oclock Tomorrow Morning

J. S. Conklin Judge

Friday October 1st A.D. 1869

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

The State of Ohio
vs
Ryal Draper
} Obstructing Rail Road

The defendant Ryal Draper was this day again brought before the Court and having nothing further to say why Sentence Should be pronounced against him. It is therefore considered by the Court that the said defendant Ryal Draper be imprisoned in the Penitentiary of the State of Ohio and kept at hard labor for the term of Six years (no part ~~thereof~~ of the time in Solitary confinement) and that he pay the costs of prosecution taxed at $

The Court allow the Sheriff one guard in conducting the said convict to the Penitentiary.

W. W. Woods & Co
vs
Bennett Watkins et.als
} Petition on Note & Mortgage

And now comes the said W. W. Woods & Co. By Randall & Cameron their Attorney's & the said Bennett Watkins still failing to demur or answer to the said petition. It is considered Ordered & Adjudged by the Court that the said plaintiffs Ought to recover the amount due them by reason of the premises and the Court with the Consent of the said plaintiff find that there is due from the said defendant Bennett Watkins to the said plaintiffs on the note in the petition Set forth the Sum of Eleven hundred & eleven 79/100 dollars ($1111.79)

It is therefore Considered Ordered & Adjudged by the Court here that the said Plaintiffs recover of the said Bennett Watkins the said Sum of eleven hundred & eleven dollars & Seventy nine cents the Sum so found due as aforesaid & and also their costs herein expended taxed to $

And as to the other matters claimed & Set forth in said petition this cause is continued

Magdalene Moore Exr &c
vs
Sydney Hodgden & Others
} This day came the parties to this Suit and Submitted this cause to the Court on the pleadings and evidence whereupon the Court being fully advised in the premises do find the allegations of the petition to be true and that the said Sydney Hodgden doth owe the said plaintiff as Executrix of Harvey Moore dec'd as alleged in said petition the Sum of thirteen hundred & Seventy two dollars & forty two cents which Sum of money is a lien on the land in said petition described which is held by the widow and heirs of Harvey Moore dec'd in trust for said Hodgden ~~&~~ Subject to said claim of $1372 42/100 dollars. I also find that the said heirs are ready & willing to release to said Hodgden & have all but Magdalene Hodgden filed their deed of release with the papers in this case.

It is therefore Considered Ordered & adjudged by the Court that the plaintiff recover of said Sidney Hodgden said Sum of Thirteen hundred & Seventy two

& 42/100 dollars due as aforesaid & the costs herein expended taxed to ff
And it is further ordered that on the payment of said Sum the deeds of release on file from the Widow & heirs of Harvey Moore dec'd be delivered to said Sidney Hodgdon & that said Magdalene Hodgdon release to him her interest in said lands & that all of said heirs be forever enjoined from in any way claiming any interest in said lands & if said Sidney Hodgdon shall for twenty days fail to pay said Sum of money it is ordered & adjudged by the Court that an Order of Sale issue to the Sheriff of this County who is appointed Special Master for that purpose commanding him to appraise advertise & sell said land to satisfy said judgment according to law & depart his proceedings to the next term of this Court.
Second trial demanded & Overruled — Excepted to by defendant Sidney Hodgdon
Notice of Appeal by defendant Sydney Hodgdon & Bond fixed at $2744.84

1

I N. Hamilton Plaintiff
vs
James Landon Defendant

This day came the said I N Hamilton by his Attorney and the said James Landon came not but made default & neither party demanding a jury this cause was submitted to the Court by the plaintiff upon the petition - exhibits & testimony. Upon consideration whereof the court do find for the plaintiff and that he has the legal title to the lands in the petition mentioned & is entitled to the possession of the same.
It is therefore considered ordered and adjudged by the Court that the plaintiff I N Hamilton recover of the defendant James Landon his Term yet to come in the lands & tenements in the petition mentioned together with his costs ~~in the~~ herein expended taxed to ff

4

James W. Robinson Plff
vs
John M. Kinikin Defd.

Cognovit

This day came into Court the plaintiff by his Counsel filed his petition against the said J. M. Kinikin defendant & thereupon M. B. Lawrence one of the Attorneys of this Court appeared in Open Court in behalf of the said J. M. Kinikin and by virtue of a warrant of Attorney for that purpose executed by the said J. M. Kinikin and now produced in Open Court & duly proved waived the issuing & Service of process and acknowledged that the said J. M. Kinikin did assume & promise in manner & form as the said plaintiff has in his said petition alleged against him and confessed that was due from the said defendant to the plaintiff the Sum of $443 65/100 with interest from the 1st of September 1869 making the Sum of $445 87
It is therefore considered Ordered & adjudged by the Court that the said James W. Robinson recover of the said J. M. Kinikin the Sum of $445 87 so confessed as aforesaid and also the costs herein expended taxed to ff and by virtue of the same warrant of Attorney all Errors and writs of Error in the premises are released and all right of appeal waived

Friday October 1st A.D. 1869

Butler Earhart & Co
vs
William M. O. Harra Eliza O. Harra & John Latham

And now comes the said Butler Earhart & Co by their Attorneys and the said William M. O'Harra Eliza O. Harra & John Latham still failing to Answer or demur to the said petition it is Considered by the Court that the said Plaintiffs ought to recover the amount due them by reason of the premises & the Court with the Consent of the plaintiffs find that there is due from the said defendants to the said plaintiffs on the note in the said petition mentioned the sum of of $173.12 It is therefore Considered by the Court hereof that the said plaintiffs recover of the said defendants the said sum of $173.12 the same so as aforesaid found due and also their costs in this suit expended taxed to $

And it is further Ordered & adjudged that in case the said defendants fail for ten days from the close of this Term of the Court to pay to the said plaintiffs the said sum of $173.12 so as aforesaid found due with costs of suit an Order issue to the Sheriff of Union County Ohio Commanding him to cause said lands & tenements in said petition discribed to be appraised advertised & sold according to law and apply the proceeds of said sale in satisfaction of said judgement so as aforesaid rendered. And that an Execution issue against said defendants for the balance of said judgment & costs

668
p 202
" 210

Alfred Ammine
vs
Sophia Ammine
Divorce

And now came the said Alfred Ammine by his Attorney & thereupon this cause came on for hearing upon the petition & testimony. On consideration whereof the Court do find that due notice of the filing & pendency of this petition was given to said defendant according to law. And the Court does further find that the said defendant has been willfully absent from the said petitioner more than three years prior to the filing of said petition It is therefore considered adjudged & decreed that the marriage relation heretofore existing between the parties be & the same is hereby set aside and wholly annulled and the said parties wholly released from the Obligations of the same. And it is further Ordered that the plaintiff pay the cost of this ~~prosecution~~ action in ten or that execution issue therefor

Edwin L. Edmonson
vs
Thomas W. Powell

This cause is Continued by Consent with leave to file answer in thirty days.

Thomas W. Powell et als
vs
Edwin L. Edmondson

Leave granted to plaintiffs to amend their petition in thirty days — and on application of Defendant that the Court require of Plaintiffs as condition of filing such Amendment terms as to costs because of said amendment, it is Ordered by the Court that all questions of costs by reason thereof be reserved till the final hearing of said case and Cause Continued

Friday October 1st A.D. 1869

1 Jasper N. Gosnell Plff
vs
A. P. Meeker Deft

This day came the said plaintiff by his Attorney And the said A. P. Meeker came not but made default and this cause was submitted to the Court by the plaintiff — upon Consideration whereof the Court do find that there is due from the defendant A. P. Meeker to the plaintiff on the promissory note in the petition mentioned the Sum of $117.10

It is therefore considered Ordered & adjudged by the Court that the said Jasper N. Gosnell recover of the said A. P. Meeker the Sum of One hundred seventeen 10/100 dollars ($117.10) the Sum so found due & also his costs herein expended taxed to $

668 / E. R. Southwick
vs
James B. Oram

This day came on this cause to be heard on the Report of the Receiver & the Court being fully advised in the premises do approve & confirm the said Sales by him made & Order him as Special Master Commissioner to execute & deliver to said purchaser a deed in fee Simple for said premises & that of the purchase money so received he pay the debts of said firm found due by the Referees heretofore confirmed & the costs of this proceeding & that the balance be applied in payment of the Capital due said E. R. Southwick & said James B. Oram in the proportions named in said Report of said Referees & that of the Sum so due & coming to said James B. Oram as the proceeds of said Sales he pay to E. R. Southwick the Sum of $ being the Amount of the Judgement, & costs of said Southwick against said Oram obtained for rent & obtained before Wesley Garran J.P. & which by the filing of the Transcript with the Clerk of this Court before the Sale of said land became a lien on the same, & the balance if any be paid to said Oram

p 202
" 210

1 A. James Sterling
vs
J. A. Culbertson & David Watson

Now comes the plaintiff A. James Sterling & the said Defts. J. A. Culbertson & David Watson having failed to Answer or demur to the said petition of the said plaintiff it is considered that the said plaintiff A. James Sterling ought to recover the said Sum of $192.55 so demanded in his said petition which the Court finds due him. It is therefore considered by the Court that the plaintiff recover of the said defendants the said Sum of $192.55 together with his costs in this suit expended taxed to $

1 A. R. Gage Plff
vs
J. A. Culbertson Deft.

And now comes the said A. R. Gage & the said J. A. Culbertson having failed to demur or Answer to the petition of the said A. R. Gage it is considered & adjudged that the said A. R. Gage ought to recover the said Sum of $168.57 so demanded in his petition. It is therefore considered that the said A. R. Gage recover against the said J. A. Culbertson the said Sum of $168.57 together with his costs in & about his suit in this behalf expended taxed to $

Friday October 1st 1869

743 | John L. Gill
vs
Columbus Chicago & Indiana Central Railway Co

This day came the parties & thereupon this cause was submitted to the Court upon the demurer of plaintiff to the Cross petition of the defendant & the Court being fully advised in the premises & on consideration thereof do sustain said demurer and thereupon said defendant filed his affidavit for a Continuance of this cause which continuance is allowed by the Court at the costs of defendant,

It is therefore considered & adjudged by the Court that the said plaintiff recover of the defendant his costs of this term expended taxed to $
And leave is granted to defendant to file an amended answer in 30 days.

E. L. Larrowe
vs
The Columbus Chicago & Indiana Central Railway Company

And now came the said E. L. Larrowe by Randall & Cameron his Attorneys & the said defendant not appearing by themselves or Counsel having failed to demur or Answer to the petition of the said plff and neither party demanding or requiring a jury this cause was submitted to the Court by the plaintiff upon the petition & evidence & the Court after hearing the evidence being fully advised in the premises do find the said E. L. Larrowe hath sustained & ought to recover his damages by reason of the premises & the Court with the Consent of the plaintiff do assess the damages of the said plaintiff to Sum of Eighty four dollars & fifty Seven cents.

It is therefore considered ordered & adjudged by the Court that the said plaintiff recover of the said defendant the Sum of Eighty four dollars and fifty Seven cents his damages so as aforesaid assessed and also his costs herein expended taxed to $

James Kinkade Admr. of the estate of John Cassil dcd
vs
Nelson Cone & Daniel Cone

And now comes the said James Kinkade Administrator of the estate of John Cassil dcd. by Coats & Gilbert his Attorneys & the said defendants & either of them Nelson Cone & Daniel Cone still failing to demur or Answere to the said petition & neither party demanding a jury this cause was Submitted to the Court. And the Court being fully advised in the premises it is considered that the said plaintiff James Kinkade as Admr. of the estate of John Cassil dcd ought to recover the amount due him as such Administrator by reason of the premises. And the Court with the Consent of the said plaintiff find that there is due from the said defendants on the note in the said petition set forth the Sum of five hundred & Eighty eight 16/100 dollars ($588 16)

It is therefore considered & adjudged by the Court here that the said plaintiff recover of the said defendants the said Sum of five hundred & eighty eight 16/100 dollars the Sum so found due as aforesaid & also his costs taxed to $

Friday October 1st A.D. 1869

1

Mc Kee Woodward & Weakley Plffs
vs
Adam Sherwood & Zebediah Sherwood

And now comes the said Mc Kee Woodward & Weakley Plffs & the said Adam Sherwood & Zebediah Sherwood having to demur or Answer to the petition of the said Mc Kee Woodward & Weakley it is Considered that the Mc Kee Woodward & Weakley Ought to recover the said sum of $ 94 00 So demanded in in their petition together with the sum of $ 8 93/100 which the Court finds due as the interest thereon as prayed for in said petition.

It is therefore considered that the said Mc Kee Woodward & Weakley recover against the said Adam Sherwood & Zebediah Sherwood the said Sum of $102 93/100 dollars together with his costs in & about his Suit in this behalf expended taxed to $

1

Harriet A. Davis
vs
Richard Davis

And now came the said Harriet A. Davis by Randall Warner her Atty & thereupon this cause came on for hearing upon the petition & testimony & was argued by Counsel & Submitted to the Court on consideration whereof the Court do find that due notice of the filing & pendency of this petition was given to the said defendant according to law & the Court do further find that the said defendant has been guilty of Adultery as charged in said petition.

It is therefore considered Ordered & decreed by the Court that the marriage relation heretofore existing between the said parties be & the same is hereby set aside & wholly annulled & the said parties wholly released from the Obligations of the same

And it further Ordered that the custody nurture Education & care of the said James L. Davis be & the same is hereby given to the petitioner & the said defendant is hereby forever enjoined from interfering with or disturbing the said petitioner in the custody care nurture or Education of the said above named child until the further Order of this Court — And that the said defendant pay the costs of this suit in ten days

1

Gratia B. Sayre
vs
William Sayre

Divorce

And now came the said Gratia B. Sayre by her Attorneys and thereupon this cause came on for hearing upon the petition and evidence on consideration whereof the Court do find that due notice of the filing & pendency of this petition was given to said defendant according to law & the Court do further find that the said defendant has been willfully absent from the said petitioner more than three years prior to the filing of said petition.

It is therefore adjudged & decreed that the marriage relation heretofore existing between the said parties be & the same is hereby set aside & wholly annulled & the said parties wholly released from the Obligations of the same And it is Ordered that the said Complainant pay the costs of this suit in ten days Or that execution issue therefor

John L. Porter Prosecuting Attorney James A. Henderson & Wm M. Randall are appointed by the Court to Examine the Report of the Commissioners of this County and are Ordered to Report upon the same at the next Term of this Court as required by Law.

Friday October 1st A.D. 1869

W. W. Woods
vs
J. M. Kinikin } This day came the plaintiff by his Atty. & the said Defendant J. M. Kinikin having failed to demur or answer to the petition of the said W. W. Woods, it is considered that the said W. W. Woods ought to recover of the said defendant J. M. Kinikin said sum of $540 50 so demanded in his petition together with the sum of $178 36 which the Court finds due as the interest thereon as prayed for in said petition.

It is therfor considered that the said W. W. Woods recover of the said J. M. Kinikin the sum of $718 86 for his principal & interest aforesaid together with his costs in & about his suit in this behalf expended taxed to dollars & cents

James W. Robinson Pff
vs
Frank Smart Principal & Lewis Jenkins Surety Defts } And now comes the said James W. Robinson by Isaak Smart as principal & Lewis Jenkins as surety having failed to demur or answer to the petition of the said James W. Robinson it is considered that the said James W. Robinson ought to recover the said sum of $32 70 so demanded in his petition together with the sum of $16 33/100 which the court finds due as the interest thereon as prayed for in said petition.

It is therfor considered that the said James W. Robinson recover against the said Frank Smart as principal & Lewis Jenkins as guarantor the said sum of $343 33/100 together with his costs in & about his suit in this behalf expended taxed to dollars and cents

James W. Robinson
vs
Robert Welsh & Nancy Welsh } On note & Mortgage

And now comes the said James W. Robinson by his Attorney & the said Robert Welsh & Nancy Welsh Silo failing to demur or answer to the said petition it is considered that the said plaintiff ought to recover the amount ~~the amount~~ due him by reason of the premises and the Court with the consent of the plaintiff find that the is due from the said defendant to the said plaintiff on the notes in the said petition set forth the sum of $523 46/100

It is therfore considered by the said Court here that the said plaintiff recover of the said defendant Robert Welsh the said sum of $523 46 the sum so found due with costs of suit taxed to $

And it is further Ordered & adjudged that in case the said defendant fails for ten days from the rising of this court to pay to said plaintiff the said sum of $523 46 so as aforesaid found due with costs of suit an order issue to the Sheriff of said County commanding him to cause the said lands & tenements in said petition described to wit. Being Situate in the Co. of Union & State of Ohio & being part of Survey No. 3351 Bounded on the North by the Hinton road on the East by the Sherwood land on the South by the Dublin road & On the west by the Snider & the Rice land & being the same land conveyed to said Welsh Jany. 19, 1865. & being the same land described by said Mortgage duly recorded in the Records of Mortgages for Union County Ohio Jan. 28, 1865 in Vol. 5 page 141 — to be appraised advertised & sold according to law & apply the proceeds of said Sale in Satisfaction of said Judgment so as aforesaid rendered — but that the Order of Sale issue first or that part unsold as described in said petition

Friday October 1st 1869

Amanda Harriott
vs
Wm B. Harriott
Petition in Divorce

And now came the said Amanda Harriott by her Attorneys & thereupon this cause came on for hearing upon the petition & testimony, On consideration whereof the Court do find that due notice of the filing & pendency of this petition was given to the said defendant according to law, And the Court do further find that the said defendant was guilty of Adultery with one Nancy Mummay as in her said petition aversed.

It is therefore adjudged & decreed that the Marriage relation heretofore existing between the said parties be & the same is hereby set aside & wholly annulled & the said parties wholly released from the Obligations of the same, And it is further Ordered & decreed that the defendant pay the costs of this Suit in ten days or that Execution issue therefor.

And it is further Ordered that the custody nurture education & care of the said

Minor Children of said parties be & the same is hereby given to the said petitioner & the said defendant is hereby forever enjoined from interfering with or disturbing the said petitioner in the custody nurture education & care of the said above named children until the further order of this Court

Jonathan Burt
vs
William Weber
On motion of the plaintiff & upon his Showing by affidavit this cause is Continued at his costs

It is therefore considered & adjudged by the Court that the defendant recover of the plaintiff his costs herein taxed at $

Jonathan Burt
vs
William Richter
On motion of the plaintiff & upon his Showing by affidavit this cause is continued at his costs. It is therefore considered & adjudged by the Court that the defendant recover of the plaintiff his costs herein taxed at $

Deacon Rogers
vs
William Parthemore
This cause is continued with leave to plaintiff to Amend his petition in forty days

And thereupon the Court Adjourned until Eight Oclock tomorrow Morning

J. L. Conklin Judge

Saturday October 2d 1869

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

739

W.W. Woods Plff
vs
Perry A. Kinikin Dft. } In Cognovit,

This day came the said W.W. Woods by P.B. Cole his Attorney & filed his petition against the said Perry A. Kinikin Dft and thereupon M.C. Lawrence Esq. one of the Attorneys of this Court in behalf of the said Perry A Kinikin and by virtue of a warrant of Attorney for that purpose executed by the said Perry A. Kinikin & produced in Open Court and duly proved waived the issuing & Service of process & acknowledged that the said Perry A. Kinikin is indebted to the said W.W. Woods in the Sum of Three hundred & ten & 00/100 dollars ($310.00) as alleged against him in Plffs. petition- Therefore it is considered that the said W.W. Woods recover of the said Perry A. Kinikin the said Sum of three hundred & ten & 00/100 dollars his debt so confessed to be due together with his costs in this behalf expended taxed to $ And by virtue of the same warrant of Attorney all Error is released & all right & benefit of Appeal waived by the said Perry. A. Kinikin

W.W. Woods Plff
vs
William S. Kinikin Dft } In Cognovit

This day came the said W.W. Woods by P.B. Cole his Atty & filed his petition against the said William S. Kinikin Dft, & thereupon M.C. Lawrence Esq. one of the Attorneys of this Court in behalf of the said William S. Kinikin and by virtue of a Warrant of Attorney for that purpose executed by the said William S. Kinikin & produced in Open Court & duly proved waived the issuing & Service of process & acknowledged that the said William S. Kinikin is indebted to the said W.W. Woods in the Sum of three hundred & eight & 20/100 dollars ($308.20) as alleged against him in plaintiffs petition — Therefore it is considered that the said W.W. Woods recover of the said Wm S. Kinikin the said Sum of three hundred & eight & 20/100 dollars his debt so confessed to be due together with his in this behalf expended taxed to $ — And by virtue of the same Warrant of Attorney all Error is released & all right & benefit of Appeal waived by the said William S. Kinikin

591

Jno. F. Snider & Co
vs
T. E. Bowen et.als. } This cause came on to be heard on the demurrer to the petition & the Court being fully advised in the premises Sustain said demurrer & thereupon leave is granted to plaintiffs to Amend their petition in thirty days and cause Continued

Saturday October 2d 1869

✓ 739	H. P. Goff & others vs Harrison Lockwood et. als	In regard to the Matter of Vacating the Town Plat of Union Center.

This day came the petitioners H. P. Goff & others & made proof to the Satisfaction of the Court that said petition is Signed by more than three fourths of the proprietors of the Village of Union-Center of said County of Union — Also that due notice of the filing of said petition hath been given according to the Statute in such case made & provided And that there is no opposition to the Vacation of said Town Plat & that no injury public or private will be caused by such Vacation

It is therefore considered Ordered & adjudged by the Court that the said Town Plat of Union-Center be & the same is hereby Vacated as prayed for in said petition. And it is further Ordered that the petitioners pay the costs of this proceeding within ten days & in default thereof that execution issue therefor as upon Judgments at Law.

	Michael Davis vs Sophia Hemingway et. alz.	Motion to Require Defendants to Show cause why they fail to pay Money into Court according to the Order of the District Court — Leave granted to plaintiff to amend his Motion and Motion Continued.

591	Philip Snider vs Sophia Hemingway et. als.	Leave to Plaintiff to Demur And Reply to Answer in thirty days & cause Continued

	W. C. Barnett vs James M. Welsh & Alvin Bellis	This day came the plaintiff and by leave of the Court dismissed this action without prejudice — It is therefore Considered Ordered & adjudged by the Court that the defendants recover of the plaintiff their costs herein expended taxed to $ & that the plaintiff pay his own costs herein taxed to $ in ten days from this date & in default that execution issue therefor

✓ 515	Joseph E. Long et. als. vs David Mulford et al	This day came the plaintiff & by agreement with David Mulford dismissed this cause at the costs of David Mulford Deft, It is therefore considered & adjudged that the defendant David Mulford pay the costs of this proceeding taxed to $ in ten days & in default that execution issue therefor No Record

Saturday October 2d 1869

Wesley Amrine Plff
vs
Andrew Reed Alonzo Reed & Amos Burris Defts

This day came the plaintiff by his Attorneys and thereupon this cause came on for hearing upon the petition exhibits & testimony, the defendants being in default for want of Answer or demurer to said petition and the Court being fully advised in the premises do find that the allegations of the plaintiffs petition are true and that the defendants Andrew Reed & Alonzo Reed owe to the plaintiff Wesley Amrine the Sum of three hundred & forty dollars & twenty Six cents in Manner & form as the said plaintiff hath in his petition hath in this behalf alleged.

It is therefore considered Ordered & adjudged by the Court that the said plaintiff Wesly Amrine recover of the said defendants Andrew Reed & Alonzo Reed the said Sum of three hundred & forty dollars & twenty Six cents the Sum so found due as aforesaid & also his costs in this behalf expended taxed to $ And the Court further find that the said Sum of three hundred & forty & 26/100 dollars so found due as aforesaid is a lien upon the lands & tenements in the petition set forth & described excepting twenty five acres heretofore Sold & conveyed to the defendant Amos Burris by the defendants Andrew Reed & Alonzo Reed of the lands & tenements in the plaintiffs petition described leaving of said lands and tenements twenty five acres now owned & held by the said defendants Andrew Reed & Alonzo Reed upon which the Court do find the said Sum of three hundred & forty & 26/100 dollars is a lien and which is described as follows Beginning at a bur Oak Northwest west corner to John Overlin's Survey No. 4066 - thence S. 80° W with the line of the John Donley farm 135 2/10 poles to a Stone in said line Corner to Amos Burris' land thence with One of his lines N 8½ W 30 13/100 poles to a Stone another of his Corners - thence with another of the lines of the said Amos Burris' land N 80¾ E. 135 2/10 poles to a Stake in the east line of said Survey No. 4074. thence with said line S 10° E. 30 poles to the beginning. Containing twenty five acres more or less - And it is further Ordered adjudged & decreed that in case the said defendants Andrew Reed & Alonzo Reed fail for twenty days from the rising of this Court to pay to the said plaintiff the said Sum of three hundred & forty & 26/100 dollars so as aforesaid found due together with the costs aforesaid that an Order issue to the Sheriff of Union County who is hereby appointed Special Master for that purpose commanding him to cause the said lands & tenements above described to be appraised advertised & sold according to law and apply the proceeds of said Sale in Satisfaction of said judgement and costs so as aforesaid rendered -

A. R. Gage
vs
John Williams

This cause is dismissed by agreement at the costs of Defendant

It is therefore considered Ordered & adjudged by the Court here that the Plaintiff recover of the Defendant his costs herein expended taxed to $

Lucius Stephenson
vs
Eliza Hamilton

This day this cause came on to be heard on demurer to Petition and the Court being fully advised in the premises do Overrule the demurer - And thereupon leave is granted Defendant to answer by December 1869 - & Cause Continued

Saturday October 2d 1869

(1) Nimrod P. Pane & wife
vs
Pearl M. Keyes et. als, } This cause came on to be heard this day on motion to Authorize Robert Sharp present Sheriff of this County to make deed of the lands described in plaintiffs petition & taken at the appraisement by said Pearl M. Keyes. And thereupon it appearing that said proceedings were in all respects lawfull And that said Keyes has paid the other parties their full share of said valuation And that no deed has been made, It is Ordered that said Robert Sharp execute to said Pearl M. Keys a deed in fee Simple conveying to him the entire estate of said parties in said lands,

1 O. P. Freeman
vs
R. Fairlamb & H. Early } And now came the parties & on their Oral Consent now given in open Court. It is Ordered that this action be referred to P. B. Bole to hear & determine the same upon the issues joined between the said parties and to determine all matters relative to or touching the things contained in said petition and that the said Referee report his determination to the Court at the next term thereof

We agree to this Entry and agree that the time for hearing shall be, On thursday December 2d 1869 at the office of the Referee
Nov. 24, /69 Randall Hamerton Plffs Attys
Robinson per Fairlamb

Thomas C. Hamilton a Minor
by M. C. Lawrence his Guardian Plff.
vs
John S. Hamilton Et. als, Defts } This day this cause came on to be heard upon the petition of the plaintiff & the Answers of the guardians of the Minor Children defendants the said Laura C. Randall & Wm. M. Randall the other defendants being in default and this cause was submitted to the Court. Upon Consideration whereof it appearing to the Court that the said Thomas C. Hamilton has a qualified or Conditional estate in the premises sought to be Sold; and it further appearing to the Court by satisfactory proof that the Sale of the real estate in the petition mentioned would be for the benefit of the said Thomas C. Hamilton & that the Sale of the same would do no Substantial injury to the defendants herein who have the estate in Succession or expectancy, upon the determination of the estate of the said Thomas C. Hamilton.

It is therefore Considered Ordered & Adjudged and decreed by the Court that the said lands be Sold in the same manner as Sales are made upon Judgements at Law - And for that purpose Geo. B. Hamilton & M. C. Lawrence are hereby appointed as Trustees with Authority to have the same Appraised advertised & Sold upon the following terms to wit. One third in hand & the balance in two equal annual installments with interest Secured by Mortgage on the premises. And they are further authorised to divide said real estate into two or more parcels & to Sell the same Separately if they Shall deem it best So to do And for a report of their proceedings herein this cause is Continued

And thereupon the Court adjourned without day

J. L. Conklin Judge

Courts for 1870

Times fixed for Holding Courts in the Third Judicial District of the State of Ohio for the yr. 1870

Be it Remembered That at a meeting of Judges of the Court of Common Pleas of the Third Common Pleas Judicial District of the State of Ohio at the Court House in the Town of Tiffin County of Seneca Ohio on the 4 day of the date hereof, for the purpose of fixing the times of holding the Terms of the Courts of Common Pleas and the District Courts in said District for the year 1870. We the undersigned Judges of the Court of Common Pleas within & for said District do hereby fix the times of holding said Courts for the year 1870 in each & every County in said District as follows

Common Pleas Court.

The Several Terms of the Court of Commen Pleas in & for the Several Counties of said District in & for said year Shall Commence in the Several Counties thereof as follows

In Union County	January 4.	April 25.	August 16.
In Hardin County	February 14.	May 23.	September 5.
In Logan County	March 7.	June 6.	October 17.
In Shelby County	January 24.	May 9.	September 26.
In Auglaize County	February 22.	May 17.	October 26.
In Allen County	February 15.	May 3.	October 18.
In Mercer County	February 8	May 3.	October 18
In VanWert County	January 18	April 19.	September 20.
In Putnam County	February 1.	May 17.	September 20.
In Paulding County	February 1.	June 7	September 20
In Defiance County	January 24.	April 25.	September 26.
In Henry County	February 7.	May 2.	October 3.
In Fulton County	February 22.	May 10.	October 18.
In Williams County	March 8.	May 17.	November 1.
In Wood County	January 4.	April 5.	September 20.
In Marion County	February 1.	May 3.	October 25.
In Seneca County	March 1.	June 1.	November 22.
In Hancock County	February 1.	April 26	October 25.
In Wyandot County	January 10.	April 4.	October 3.
In Crawford County	March 1.	May 17.	November 15.

District Court. The Several Terms of the District Court in & for the year 1870 Shall commence in the Several Counties thereof as follows.

In Williams County	June 21.
In Fulton County	June 22.
In Wood County	June 23.
In Henry County	June 27.
In Defiance County	June 29.
In Paulding County	July 1.
In VanWert County	July 5
In Allen County	July 6
In Putnam County	July 9.
In Auglaize County	July 12.
In Mercer County	July 13.
In Shelby County	July 15.

See next page

Courts Continued from page 258

In Logan County July 18,
In Marion County July 21,
In Union County July 25,
In Crawford County July 28
In Wyandot County July 30
In Hardin County August 2,
In Hancock County August 5,
In Seneca County August 8,

And We do further Order & direct that the Several Terms of Said Courts Shall Commence on the first day of each Said terms at Eight Oclock A.M.

In Testimony Whereof We ifsue this Our Order for the purpose aforsaid at Said Court House On this the 15.th day of September A.D. 1869.

A.S. Latty
J.S. Conklin
Chester R. Mott
James MacKenzie
James Pillars
E.M. Phelps
} Judges

To the Clerk of the Court of Common Pleas of Union County Ohio Who is hereby directed to publish this Order for three Consecutive weeks in each of the Several Newspapers publish in Said County

A True Copy of the Original Order now remaining on file

Taber Randall Clerk

Bank of Marysville
against
John Sidle

D. F. Parsons et, als
against
John Sidle

Farmers Bank of Union County
against
John Sidle & J. C. Sidle

Bank of Richwood
against
John Sidle

Bellefontaine O. In Vacation Nov. 24th 1869

I hereby Order that the personal property taken by the Sheriff of Union County Ohio under an Order of Attachment in the Cases named in the foregoing Motion be Sold by Said Sheriff at public Sale in the manner prescribed by law for the Sale of personal property taken in Execution except that the Sale Shall be upon a credit of three Months & upon Such personal Security as the Said Sheriff Shall deem Sufficient Making prompt & full Return of his proceedings under this Order

J. S. Conklin
Judge Union Com. Pleas.

Received and Recorded December 4th 1869
Taber Randall Clerk

January Term 1870

Tuesday January 4th A.D. 1870 this morning the Court of Common Pleas for the County of Union in the State of Ohio met pursuant to law present J.S. Conklin Presiding Judge Robert Sharp Sheriff Leonidas Piper Prosecuting Attorney & Isaac Randall Clerk

This day the Jurors of the Grand Jury being called came to wit. Martin Eisie J.B. Whelpley. Solomon Burtz George Wilber. J.H. Wall. Uriah Zimmerman John E. Harriman William R. Webb. William L. Said. George W. Freeman. S.A. McAdow John Gibson regular Jurors and Joseph Powers. Alexander Park and Andrew Keys Tales Jurors. And the Court Appointed J.B. Whelpley Foreman

And the Grand Jury being duly empanneled & Sworn were Charged by the Court & retired to their Room to deliberate under the charge of a Sworn Constable

W W Woods & Thos J. Burton late partners in busines in the firm name of W.W. Woods & Co Plaintiffs
vs
Robert Welsh & James W. Robinson Defendants
} Judgement on Cognovit

This day came into Court the Said Plaintiffs by their Attorney M.F. Lawrence and filed their Petition against the Said Robert Welsh & James W. Robinson and thereupon N.A. Gilbert one of the Attorneys of this Court appeared in open Court in behalf of the Said Robert Welsh & James W. Robinson defendants and by virtue of a warrant of Attorney for that purpose executed by the Said defendants and now produced in Court and duly proved, filed his Answer, and waived the issuing and Service of process and acknowledged that the Said Robert Welsh & James W. Robinson defendants did owe to the Said Plaintiffs in the promissory note in the petition Mentioned the Sum of One Hundred & four & 70/100 dollars

Therefore It is Considered Ordered adjudged and decreed by the Court that the Said Plaintiffs recover of the defendants Said Sum of $104.70 the Sum Confessed to be due, And also their Costs in this behalf expended taxed to $

And by virtue of the Same warrant of Attorney all errors are released and all right of Appeal waived by the Said defendants,

Thereupon came James W. Robinson one of the defendants and Showed to the Court that Said Robert Welsh was principal & Said James W Robinson Surety — It is therefore Ordered that Execution issue Accordingly

This day the following persons were Sworn and received Certificates as Witnesses before the Grand Jury to wit. Wm W. Carr D.F. Carr John Austin A.A. Stanley John G. Koerner Henry Baldwin James Roberts William Williams Alonzo Chapman A.W. Smith Thomas Parish J.D. White Lorenzo Mather Joseph Meyers John Scholler John Spain James Heasley Lewis Andrews Moses Burris B.F. Beck Chambers Powers Charles Ammine Martin Ammine Asberry Beightler Clinton Burris. Harrison Beightler John Hawley

January 4th 1870 Tuesday

X5 | Beriah W. Miller vs Orlando Wells } Continued

X76 | Fullington Garwood & Co vs Michael Davis } Continued

209 | C. M. Robinson vs J. S. Alexander & BK of Manerville } Continued

232 | J. C. Hanover & S. W. Brown vs Wm Wharry C. H. Cady & P. Safford } Continued

261 | Cyrus Albin vs Samantha O. Pugh et als } Continued

289 | Peter Mummay vs Nancy Mummay } Dismissed by plaintiff

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

X 311 | David Mulford vs Wm Slitkem } 2d Trial Continued

319 | Thos W. Powell vs J. H. Stewart & D. F. Dyal } Continued

X 321 | Peter L. Mayo vs John Mayo et als } Continue under former Order

X 330 | Wm Parthemore vs The American Express Co } Continued

X 367 | Joseph Cramer vs Samuel Scott et als } Continued

777 X

398 X

X 405

481

608

636

X 725

Tuesday January 4th 1870

777 | James H. Roney
vs
John M. Hall — This day this cause came on to be heard upon a motion by defendants Counsel to open the default and Allow the defendant to plead to the petition in the case filed by plaintiff which Motion was duly Argued by counsel and the Court being fully advised in the premises do Order said default be Opened so far as to allow the defendant to plead to the Merits of the Cause of Action in the petition Set forth and as to all other causes of Demurr or Answer said Motion is Overruled And especially said Motion is overruled as to Opening said default for the purpose of pleading the Statute of Limitation - To which ruling of the Court refusing to open said default as above set forth the defendant Excepts

398 | Frances Thompson
vs
Hylas Sabine — Continued

X 405 | John Finley vs Clark Young — Continued

487 | Bowen Lamme
vs
Jacob Smith & David Mulford — This day came the plaintiff by his Attys and by leave of the Court dismiss this action without prejudice.
It is therefore considered Ordered & adjudged by the Court that the defendants recover of the plaintiff their costs taxed to $ And that the plaintiff pay his own Costs herein taxed to $
And it is further Ordered that if the plaintiff fail for ten days to pay the costs aforesaid that Execution issue therefor

X 608 | John Swan & Others
vs
Henry Williams et, als — Continued

X 636 | David Cook
vs
James R. Mitchell — On motion of plaintiff by affidavit for absence of Material witness this cause is Continued at Plffs costs
It is therefore considered Ordered & adjudged by the Court that the defendant recover of the plaintiff his costs of this term herein expended taxed to $

X 725 | Reuben Cook
vs
James R. Mitchell — On Motion of plaintiff by affidavit for absence of Material witness, this cause is continued at Plffs costs,
It is therefore considered Ordered & adjudged by the Court that that the defendant recover of the plaintiff his costs of this term herein expended taxed to $

And thereupon the Court adjourned until nine O'clock tomorrow morning

J. H. Conklin Clk

Wednesday January 5th 1870

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

X
CH1 | Edward Thomas
vs
J.J. Mosclock } continued

662 | Rutan Riddle & Co
vs
Leonard Cole } To be left off the Docket

This day the Grand Jury appeared at the Bar of the Court & in open Court presented their Bills of Indictment against Samuel M. Sanders for Selling Liquor to a Minor endorsed A True Bill J.B. Whelpley Foreman of the Grand Jury Also their Bill of Indictment against Simpson Price for Selling intoxicating liquors in violation of law Endorsed A true Bill J.B. Whelpley Foreman of the Grand Jury. Also their Bill of Indictment against Charles Mount for Selling intoxicating liquor in violation of law Endorsed A true Bill J.B. Whelpley Foreman of the Grand Jury Also their Bill of Indictment against Samuel M. Sanders for Common Nuisance Endorsed a true Bill J.B. Whelpley Foreman Grand Jury. Also their Bill of Indictment against Joseph Price Saml M. Sanders Horace Andrews Burgess Mathes for Gaming Also their Bill of Indt against Jos Price for Selling intoxicating liquors in violation of law endorsed A true Bill J.B. Whelpley foreman of the Grand Jury & the Grand Jury having further business retired to their room

X
177

W.W. Woods Plff
vs
Robert Welsh Deft } Judgement in Cognovit

This day came into Court the said Plaintiff ~~Plaintiff~~ by his Attorney & filed his petition against the said Robert Welsh defendant and thereupon J.L. Porter one of the Attorneys of this Court appeared in open Court in behalf of the said defendant & by virtue of a warrant of Attorney for that purpose executed by the said Robert Welsh and now produced in open Court and duly proved, waived the issuing & Service of process and acknowledged that the said defendant owed the plaintiff on the note in the petition described the Sum of $30.35 at this date and he confessed judgment therefor and for costs — It is therefore considered Ordered and adjudged by the Court that the plaintiff recover of the said Robert Welsh defendant
$30.35 said Sum of ($30.35) Thirty & 35/100 dollars so confessed as aforesaid and also his costs in this behalf expended taxed to $
And by virtue of the same warrant of Attorney all errors are released and all right of appeal waived by the said defendant

X
796

W.W. Woods & Thos J. Buxton late partners in business under the firm name of W.W. Woods & Co Plaintiffs
vs
J.K.P. Welsh & Robert Welsh Defendants } Judgement in Cognovit,

This day came into Court the said plaintiffs by their Atty and filed their petition against the said J.K.P. Welsh and Robert Welsh defendants and thereupon J.L. Porter one of the Attorneys of this Court appeared in Open Court in behalf of the said
$112.40 defendants. And by virtue of a warrant of Attorney for that purpose executed by the said J.K.P. Welsh and Robert Welsh & now produced in open Court and duly proved waived the issuing and Service of process & acknowledged that the said defendants did owe the plaintiffs as alleged in the petition and that there was due to plaintiffs from said defendants on the note in the petition mentioned at this date, the Sum of $112.40 and he confessed judgment therefor and for costs. It is therefore considered Ordered & adjudged by the Court that the plaintiffs recover of the said J.K.P. Welsh and Robert Welsh Defendants the said Sum of ($112.40) One hundred and Twelve & 40/100 dollars so confessed as aforesaid and also their costs

Wednesday January 5th 1870

in this behalf expended taxed to $ And by virtue of the same Warrant of Attorney All error is released and all right of appeal waived by the defendants

X
781 James B. Marshall }
vs
Wi Marshall & others } This day came on this cause to be heard on Motion by Plaintiffs Counsel that P.B. bole be appointed Guardian ad litem of Emily E. Marshall, Victor A. Marshall & Sarah Marshall infant defendants in this action which was accordingly done whereupon P.B. bole appeared in open Court and accepted said Appointment & filed his Answer accordingly.

X
777 James H. Roney Plff }
vs
John M. Hall Deft } This day this cause came on to be heard on Motion to make Petition more Specific and Certain by Stating the time when the said W.W. Woods with the approval of the said Hall paid the said $500 in the petition set forth — And the Court being fully advised in the premises do sustain said Motion which is done by interlineation by consent,

X
796 Samuel H. Carson & }
Jane A Carson his wife }
vs } In Partition
John R. Taylor & }
Eliza Ellen Taylor }

And now comes the said Samuel H. Carson & wife by their Attorneys and thereupon this cause came on to be heard upon the petition and Evidence and was Argued by Counsel On consideration on consideration whereof the Court doe find that due Notice of the pendency of this action has been given for more than forty days prior to the first day of the present term of this Court — And the Court do further find that the said Samuel H. Carson & Jane A. Carson his wife have a legal right to & are seized in fee Simple of the One half part of the said premises — And the Court do further find the said John R. Taylor is a tenant in common in the said premises with the said Samuel H. Carson & wife in the following proportions to wit, that the said John R Taylor is Seized of One half part thereof and that the said Eliza Ellen Taylor is entitled to dower therein It is therefore Ordered that a writ of partition issue to the Sheriff of said County of Union Commanding him that by the oaths of Andrew H. McCampbell, Albert S. Chapman & B. F. Fay One full equal third part of said premises in said petition discribed be set off and apigned to the said Eliza Ellen Taylor as her dower estate and that by the oaths of Andrew H. McCampbell, Albert S. Chapman & Benjamin A. Fay partition be made of said lands Subject to the said dower estate in the following proportions to wit, to the said Samuel H. Carson & Jane A. Carson his wife One half part and to the said John R. Taylor One half part. And it is further Ordered that the Sheriff Return his proceedings in the premises forthwith

And thereupon the Court adjourned until 9 o'clock tomorrow morning

J. H. Lourklin Judge

Thursday January 6th 1870

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

646 / X — Almira P. Whitford By &c vs David Shenman Exr &c of David Jakeway dcd — This day came on this cause to be heard upon the motion of defendant to make the petition filed herein by plaintiff more specific and certain and was argued by Counsel and Submitted to the Court and the Court being fully advised in the premises do Overrule said Motion, And thereupon the defendant has leave to file his Answer herein in forty days and cause Continued.

683 / ✓ — O. P. Freeman vs R. Fairlamb & H. Early — This day came on this cause to be heard on the Report of the Referee herein before appointed and the Court being fully advised in the premises do Confirm and approve said Report - It is therefore considered Ordered & adjudged that the plaintiff recover of defendants the Sum of One hundred & Seventy five dollars the amount found due in said Report and the costs of this action taxed to $ including a fee of $10 to the Referee

709 / ✓ — Ex G. No 967 Foreclosure P 238 — Samuel W. Dolbear Plff vs Thomas A Mapes et als Defts — Confirmation of Sale — Ex — J W Robinson

This day came the plaintiff by his Attorney & this cause came on to be heard on the Report of the Sheriff & Special Master herein On consideration whereof the Court do find the proceedings of said Sheriff as such Special Master and the Sale by him made of the lands & tenements in the petition mentioned to be in all respects in due form of law,

It is therefore considered Ordered & adjudged by the Court that the proceedings and Sale of said Sheriff as such Special Master be in all things affirmed and that the said Sheriff as such Special Master execute & deliver to the purchaser a deed of the lands & tenements so sold in fee Simple pursuant to the Statute in such case made & provided: and that of the proceeds of said Sale the said Special Master pay as follows to wit: 1st the costs of this Suit amounting to $22.73 2d To James W. Robinson the Sum of $38.62 3d The taxes & tax liens Amounting to $27.25 4th That he pay the balance of the purchase money Amounting to $511.40 on the decree & note which fell due since the decree in favor of the plaintiff: And it is further Ordered by the Court that the Plaintiff have award of execution against the defendant Thomas A. Mapes for the balance due him in the Sum of $54.13 And it is further Ordered by the Court that the defendants who may be in possession of said premises or any person who has come in under them or either of them pending this suit deliver possession thereof to said purchaser on demand & production of said Special Masters deed

694 / ✓ — Daniel Rice vs Martha M. Rice — Contd.

802 / ✓

488 / X

113 / X

714 / X

715 / X

591 / X

759 / X

774 / X

Thursday January 6th 1870

802 | Joseph Russel vs Cyrus Phillips & D.T. Dyal } This Cause came on to be heard upon the Demurr of Defts to Plffs Second Reply - the Same is Sustained and the Court Order that defendant Dyal Amend his Answer by Stating the date of the alleged agreement to extend time of payment and further that all of Said Answer after the word "Manner" to and including the words "twenty one days" where they first occur to the word "Wherefore" be Stricken out as redundant matter in Said Answer

X 488 | Maskill Dockum vs Harriet E. Dockum Exrx & James Gus, Admr & Defendts } On 2d Trial

This day came the parties the parties by their Attorneys and thereupon came a jury to wit. George Holloway Levin Price. J.P. Martin Jacob Painter John Maskill G.S. Robertson C.W. Smith J.S. Gill. William L. Robinson. William Sparks and G.L. Sellers regular jurors & John Chapman tales Juror. who being duly empanneled & Sworn the truth to Speak upon the issues joined between the parties.

Whereupon Said jury having heard the evidence & Arguments of Counsel & the Charge of the Court Retired for Consultation - but having failed to be able to agree upon a Verdict were discharged by the Court And this cause was Continued,

X 713 | Davia Mulford vs Jacob Mapes } Continued

X 714 | Davia Mulford vs Harmon Patch jr } Continued,

X 715 | Davia Mulford vs Esley Patch } Continued

X 591 | Philip Snider vs Sophia Heminway } Contd

X 759 | W. W. Woods &co vs Bennett Watkins et, als } Contd

X 774 | Henry P. Galloway et, als vs David Mulford & Jacob Smith } Continued

And thereupon the Court Adjourned until 9 oclock tomorrow Morning

Friday January 7th 1870

This morning the Court met pursuant to Adjournment the same officers present as on Yesterday

X
781 James C. Marshall vs Ai Marshall & others } In Partition

And now came the said James C. Marshall by Coats Hilbert his Attorneys and thereupon this cause came on to be heard upon the petition and evidence and was argued by Counsel. On consideration Whereof the Court do find that due notice of the pendency of this action has been given for more than forty days prior to the first day of the present term of this Court. And the Court do further find that the said James C. Marshall has a legal right to and is Seized in fee Simple of one fifth part of the said premises in the petition described. And the Court do further find that the said Ai Marshall, Emily C. Marshall Victor C. Marshall and Sarah Marshall are tenants in common with the said James C. Marshall in said premises in the following proportion to wit That the said Ai Marshall is Seized of one fifth part thereof. the said Emily C. Marshall of one fifth part thereof. The said Victor C. Marshall of one fifth part thereof And the said Sarah Marshall of one fifth part thereof. And that the said Annetta Wilber is Entitled to Dower therein. It is therefor Ordered that a writ of partition issue to the Sheriff of the said County of Union commanding him that by the Oaths of B. A. Fay Levi Longbrake & Joseph K. Richey One full equal third part of said premises in said petition described be set off & assigned to said Annetta Wilber as her dower estate And that by the like Oaths of the said B. A. Fay Levi Longbrake & Joseph K. Richey partition be made of said lands subject to said Dower in the following proportions to wit. To the said James C. Marshall one fifth part To the said Ai Marshall one fifth part. To the said Emily C. Marshall one fifth part. To the said Victor C. Marshall one fifth part And to the said Sarah Marshall one fifth part. And it is further Ordered that the Sheriff return his proceedings in the premises forthwith.

V
720 James P. Allen vs Almira Cook } Replevin Settled & Costs paid

791 Alexander G. Stevenson vs Allen Lister } Continued.

V
792 Albert Chadwick vs William A. Winston et al, } Dismissed without prejudice Costs paid

X
795 Peggy Sanders vs Saml R. Sanders } Continued.

X 734

X V 716

X 828

Friday January 7th 1870

X
734 | Emma Miller }
vs }
Ethlinda Miller et als } In Partition

Now came on this action to be heard on the ~~Motion~~ to Motion to appoint Guardian ad litem of the infant defendants and thereupon the Court appoint John L. Porter Guardian ad litem of all the infant defendants whereupon the said Guardian filed his Answer. And this cause came on to be heard upon the petition. On consideration whereof the Court being fully advised in the premises find that defendants have been duly notified of the filing of the said petition and that plaintiff is entitled to partition as prayed for. and that the Dower of Emma Miller hath been duly set off to her,

It is therefore Ordered by the Court that a writ of Partition issue to the Sheriff of said County of Union commanding him that by the oaths of William Foster Ingham Wood and Peter Jolliff three disinterested pesons not of kin to either of said parties, partition be made of said lands subject to said Dower estate in the following proportions to wit. To the said Emma Miller the petition one Eighth part,

To Ethlinda Miller One Eighth part
To Joseph Miller One Eighth part
To Ellis Miller One Eighth part
To Amos Miller One Eighth part
To Hester Ann Miller One Eighth part
To Emma A. Miller One eighth part And
To Elizabeth Miller One Eighth part

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

X
716 | Cynthia Spain et als } Foreclosure $1218 cc
vs }
William H. Folk et als }

This day came the Attorney of the Plaintiff and moved the Court to Set aside the Sale made in this case for the reason that the purchaser has not paid the purchase money and that the defendant William H. Folk has paid a decree in favor of plaintiff and costs to this date— the said purchaser agreeing thereto

It is therefore considered and Ordered by the Court that said Sale be and the same is hereby Set aside

X
628 | William Naughton by his next friend Bridget Naughton } In partition
vs }
Mary Bridget Naughton & others }

Now came on this action to be heard on the Motion to appoint a Guardian ad litem for the Infant defendants and thereupon the Court Appoint John L. Porter Guardian ad litem of all the Infant defendants. Whereupon the said Guardian filed his answer

And thereupon the Court adjourned until nine oclock tomorrow morning

L. L. Coulter Judge

Saturday January 8th A. D. 1870

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

828

William Naughton by his next friend Bridget Naughton
vs
Mary Bridget Naughton et, als } In Partition

And now came the said William Naughton by his Attorneys And thereupon this Cause came on to be heard upon the petition and evidence and was argued by Counsel On consideration whereof the Court do find that due Notice of the pendency of this action has been given for more than forty days prior to the first day of the present term of this Court. And the Court do further find that the said William Naughton has a legal right to and is Seized in fee Simple of one ninth part of the said premises. And the Court do further find that the said Mary B. Naughton Michael Naughton. Patrick Naughton Maggie Naughton Mary Naughton Susan Naughton Elizabeth Naughton and John Naughton are tenants in common in said premises with the said William Naughton in the following proportions to wit, that the said Mary B. Naughton is Seized of one equal ninth part thereof Michael Naughton one equal ninth part thereof. Patrick Naughton is Seized of one ninth part thereof Maggie Naughton of one equal ninth part Mary Naughton of one equal ninth part. Susan Naughton one equal ninth part. Elizabeth Naughton of one equal ninth part thereof & John Naughton of one equal ninth part thereof. And that the said Bridget Naughton is entitled to dower therein

It is Therefore Ordered that a writ of Partition issue to the Sheriff of said County of Union commanding him that by the oaths of A. J. Wilkins James B. Whelpley and James A. Henderson one full equal third part of said premises in said petition described be set off and assigned to the said Bridget Naughton as her dower estate and that by the like oaths of the said A. J. Wilkins James B. Whelpley and James A. Henderson partition be made of Lots in said petition described subject to said dower estate in the following proportions to wit.

To the said William Naughton One ninth part. To the said Mary B. Naughton One ninth part. To the said Michael Naughton one ninth part To the said Patrick Naughton One ninth part. To the said Maggie Naughton one ninth part. To the said Mary Naughton one ninth part. to the said Michael Naughton One ninth part. to the said Patrick Naughton one ninth part To the said Maggie Naughton One ninth part to the said Mary Naughton one ninth part to the said ~~Susan Naughton One ninth part~~ To the said Susan Naughton the One ninth part to the said Elizabeth Naughton one ninth part to the said John Naughton one ninth part. And it is further Ordered that the Sheriff return his proceedings in the premises forthwith

Saturday January 8. 1870

206 | The State of Ohio vs Joseph Price } Retailing

This day the defendant Joseph Price was arraigned in open court and the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands charged in Said Indictment

It is therefore considered Ordered & adjudged by the Court that the Said defendant Joseph Price make his fine unto the State of Ohio in the Sum of fifty dollars & that he pay the costs of this prosecution taxed to $

204 | The State of Ohio vs Joseph Price } Retailing

This day the defendant Joseph Price was arraigned in open court and the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner and form as he Stands charged in Said Indictment

It is therefore considered Ordered & adjudged by the Court that the Said defendant Joseph Price make his fine unto the State of Ohio in the Sum of Twenty five dollars and that he pay costs of this prosecution taxed to $

207 | The State of Ohio vs Simpson Price } Retailing

This day the defendant Simpson Price was arraigned in open court and the Indictment being read to him was asked how of the premises he would acquit himself for Plea Says he is guilty in manner & form as he Stands charged in Said Indictment

It is therefore considered Ordered and adjudged by the Court that the Said defendant Simpson Price make his fine unto the State of Ohio in the Sum of fifty dollars and that he pay the costs of prosecuting this action taxed to $

208 | The State of Ohio vs Charles Merriott } Retailing

This day the defendant Charles Merriott was arraigned in open court and the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands in Said Indictment. It is therefore considered & adjudged by the Court that the Said defendant Charles Merriott make his fine unto the State of Ohio in the Sum of fifty dollars and that he pay the costs of prosecution taxed to $

210 | The State of Ohio vs Joseph Price } Gambling

This day the defendant Joseph Price was arraigned in open court & the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner & form as he Stands in Said Indictment. It is therefore considered Ordered & adjudged by the Court that he make his fine unto the State of Ohio in the Sum of twenty five dollars and that he pay the costs of this prosecution taxed to $

Saturday January 8. 1870

209 | The State of Ohio vs Joseph Price } Retailing

This day the defendant Joseph Price was arraigned in open Court and the Indictment being read to him was asked how of the premises he would acquit himself for plea Says he is guilty in manner and form as he stands charged in said Indictment

Stephen Branston vs C.S. Morford & J.W. Morford } On note & Mortgage

And now comes the 2d Stephen Branston by Coats & Gilbert his Attys

C. Houston vs Charles Baker et als } Motion

This day came on the Motion for an Order to the present Sheriff of this County to make deed for land Sold in this cause.

Whereupon the Court being fully advised in the premises do find the Court at its former term confirmed the Sale made of the land in this case and that the Sheriff at that time went out of office without making a deed. It is therefore Ordered that the present Sheriff execute to the purchaser a deed in fee Simple for said land to have the same effect as if it had been made in pursuance of said former Order

X 797 David Mulford vs Joseph Kales & others } Continued

X 799 John Wood vs H. M. Ramey & J. C. Sidle } Continued

And thereupon the Court Adjourned until monday morning at ten oclock

J. Hawkins Mayor

Monday January 10th A.D. 1870

This morning the Court met pursuant to Adjournment the Same officers present as on Saturday

803 John Penn
vs
David Wood } This day came this cause on to be heard upon the demurr of defendant to the petition of Plaintiff and was argued by Counsel and Submitted to the Court and the Court being fully advised in the premises do Overrule Said demurer And thereupon the Said defendant has leave to Answer in fifty days. Cause Continued

806 Cyrus N. Carnes Plff
vs
Floid Reynolds J.M. Davids
& B.L. Talmage Defts. } Petition on note & Mortgage

And now comes the Said Cyrus N. Carnes plaintiff by Coats Hilbert his Attorneys And the Said Floid Reynolds defendant Still failing to Answer or demur to Said petition It is considered that the Said plaintiff recover the amount due him by reason of the premises And the Court with the consent of the Said plaintiff find that there is due from the Said defendant Floid Reynolds to the Said plaintiff On the notes in the petition Set forth the Sum of Sixteen hundred & Seventy dollars. It is therefore considered by the Said Court here that the Said plaintiff recover of the Said defendant the Said Sixteen hundred & Seventy ($1670 00) the Sum So found due as aforsaid And also his costs layed to $

And it is further Ordered and Adjudged that in case the Said defendant fail to pay Said Sum of Sixteen hundred & Seventy dollars So as aforesaid found due with costs of Suit on or before the 26th day of March 1870 to the plaintiff an Order issue to the Sheriff of Union County who is herby appointed Special Master Commissioner for that purpose - Commanding him to cause Said lands & tenements in the petition described to be appraised advertised and Sold according to law and apply the proceeds of Said Sale in Satisfaction of Said Judgement So as aforesaid rendered, And as to the determination of any lien held by the defendants J.M. David or B.L. Talmage this cause is Continued.

This day the Grand Jury again appeared at the Bar of the Court & in open Court presented their four Several Bills of Indictment against John Kirshner for Selling intoxicating liquors in violation of law each Severally endorsed "A True Bill J.B. Whelpley Foreman of the Grand Jury Also their three other Several Bills of Indictment against Samuel M. Sanders for Selling Intoxicating liquors in violation of law each Severally endorsed "A True Bill J.B. Whelpley Foreman of the Grand Jury." Also their other three Several Bills of Indictment against Mrs. William Richter for Selling Intoxicating Liquors to a Minor in violation of law each Severally endorsed "A True Bill J.B. Whelpley Foreman of the Grand Jury" Also their other Two several Bills of Indictment against John Cartmell for Selling Intoxicating liquors in violation of law each Severally endorsed "A True Bill J.B. Whelpley Foreman of the Grand Jury"

Also their other two Bills of Indictment against John Long

Monday January 10th 1870

Selling Intoxicating Liquors in violation of Law each severally endorsed "A True Bill J B Whelply Foreman of the Grand Jury" Also their Other Bill of Indictment against Henry Vigo for Selling Intoxicating Liquors to a Minor in violation of law endorsed "A True Bill J B Whelply Foreman of the Grand Jury" Also their Other Bill of Indictment against Horace Andrews for Selling Intoxicating liquors to a minor in violation of Law Endorsed "A True Bill J B Whelply Foreman of the Grand Jury" Also their other Bill of Indictment against James McClary for Maiming endorsed A True Bill J B Whelply Foreman of the Grand Jury" Also their Other Bill of Indictment against William McIntyre and Michael Cody for an Affray Endorsed "A True Bill J B Whelply Foreman of the Grand Jury" And also their Report

And the Grand Jury having no further business before them were discharged by the Court

777 | X

James H. Roney Pltf
vs
John M. Hall Deft

This day came on this cause to be heard on the demurer filed by Defendant to plaintiffs petition which the Court allowed to be filed as a general demurer only — And thereupon the Court having heard Counsel of both parties upon said demurer the Same is Overruled to which ruling of the Court overruling said demurer the defendant Excepts And the defendant has leave to answer in fifty days. ~~X [illegible]~~ but not to plead the Statute of limitation And Cause Continued

592 | X

721 | X

Eunice Phelps
vs
Angus Clark

This day on the Affidavit of defendant this was continued at Defendants costs by reason of the absence of Leander Grubbs & Soda Jones Defts. witness
It is therefore Considered Ordered & adjudged by the Court that the Plaintiff Recover of the said Defendant her costs of this term

813 | X

676 | ✓

695 | X

Robert West
vs
Uriah Zimmerman & others

Continued

152 | (

Cornelius Walker
vs
James Dawson

Continued

And thereupon the Court adjourned until 9 oclock tomorrow morning

J. Monklin Jr

Tuesday January 11th 1870

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

This day on Motion It was Ordered by the Court that Adam M. Sherwood & Peleg Branston be and the same are hereby appointed Auctioneers for the County of Union for the term of upon each paying to the Treasurer of Union County the Sum of $500 and giving Bond according to law.

592 | H. C. Kennedy vs Aaron Boylan } Continued on application of Plaintiff and at Plaintiffs Costs It is therefore Considered Ordered & adjudged that the defendant recover of the Plaintiff his costs of this term taxed to $

813 | Stephen Branston Plff vs A. S. Morford & J. W. Morford Defts } This day this cause came on to be heard upon the Motion of plaintiff for leave to amend his petition and to make one Z. McIlroy a party to this action and the Court being fully advised in the premises do Sustain Said Motion. And thereupon the Said plaintiff filed an amendment to his petition and the Said Z McIlroy entered his appearance in this action & filed his answer accordingly.

And thereupon the plaintiff by leave of the Court dismissed the defendant J. W. Morford from this action without prejudice

676 | Deibold Isey & Bro. vs Hyles Sabine } This day this cause came on to be heard upon the Plffs. Petition and Supplemental Answer of Defendant And neither party demanding a jury was submitted to the Court and the Court being fully advised in the premises find that the claim in the plaintiffs petition Set forth has been fully Settled and paid as per agreement on file at plaintiffs costs.

It is therefore Considered ordered and judged by the Court that the defendant go hence without day and recover of the plaintiffs his costs herein expended taxed to $

And thereupon the Court Adjourned until nine Oclock tomorrow morning

J. Hourlin Judge

Wednesday January 12th 1870

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

Silas Igow
vs
Joshua S. Epps

This day came the parties by their Attorneys & thereupon came a jury to wit, George Holloway Levin Price J. P. Martin Jacob Painter John Maskill, G. S. Robertson C. W. Smith J. H. Clement, G. L. Sellers, Alpheus Turner, Milton L. Thompson regular Jurors and Levi Longbrake tales juror, who being duly empannled and sworn the truth to Speak upon the issues joined between the parties, upon their oaths do say they find for the Defendant,

It is therefore Considered Ordered & Adjudged by the Court that the Defendant go hence without day and recover of the plaintiff his costs herein expended taxed to $ And that the Said Plff pay his own costs herein in ten days &c in default thereof that Execution thereof issue upon judgment at Law

Sarah E. Harris
vs
Richard L. Harris

Pet. for Divorce

This day came the said parties by their Attorneys and thereupon this cause came on to be heard upon the petition of the said plaintiff, Answer of the defendant and testimony and was argued by Counsel, On Consideration Whereof the Court find that the said parties were married as in said petition is averred and that the said defendant was often drunken and cruel towards the plaintiff in his conduct and never provided for the said plaintiff, and wilfully absented himself from the plaintiff for the last five years as is in said petition set forth & averred.

It is therefore Ordered adjudged & decreed that the Marriage Relation heretofore existing between the Same is hereby set aside and wholly annulled, and the said parties wholly released from the Obligation of the Same. And it is further Ordered that the Custody nurture Education and the Care of the said Henry E. Harris Six years of age be and the Same is hereby given to the said petitioner & the said defendant is hereby forever enjoined from interfering with or disturbing the said petitioner in the Custody Nurture education & Care of the said above named Child until the further Order of this Court

This day on motion it was ordered by the Court that W. G. Malin be appointed Auctioneer for the County of Union upon his paying to the Treasurer of Said County the Sum of $5 00 & giving Bond as required by law

And thereupon the Court adjourned until half past Eight O'clock Tomorrow morning

J. Flournoy Jno P

Thursday January 13th 1870

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

X
664 / John M. Hall Plff
vs
W. W. Woods & others Defts — This day came on this cause to be heard on the demurer of the Administrator of the Estate of C. S. Hamilton dec'd to the petition. Whereupon the Court being fully advised in the premises Sustain said demurr on the ground of the want of a previous presentation of said claim for allowance but as to all other causes the demurer is overruled. Whereupon said Administrator waived the objection for which the demurer is Sustained and asked leave to file answer in thirty days

✓
741 / Richard Woodruff
vs
David Cook — This day came the said Richard Woodruff and the said David Cook having to Answer or demur to the petition of Plaintiff. It is considered that said plaintiff ought to recover of the defendant the Sum of One hundred and Six dollars so demanded in plaintiffs petition. It is therefore considered and adjudged that the said Richard Woodruff recover of the said David Cook the said Sum of one hundred & Six dollars together with his costs in this behalf expended excepting therefrom the Sum of five dollars & eighty five cents which by agreement of the parties hereto is to be paid by the plaintiff. No Record

X
672 / Sanford Philbrook
vs
Jacob C. Sidle & John Sidle — This day came the parties by their Attorneys and thereupon came a Jury to wit: George Holloway Levin Price J. P. Martin Jacob Painter John Maskill G. S. Robertson. C. W. Smith J. H. Clement G. L. Sellers Alpheus Turner Milton L. Thompson regular Jurors & Samuel McCampbell tales Juror who being duly empanneled and Sworn the truth to Speak upon the issues joined between the parties upon their oaths do say we find for plaintiff and assess his damage at one hundred & forty Seven 62/100 dollars

X
664 / John M. Hall Plff
vs
W. W. Woods & Others — And now came the said parties by their Attorneys and thereupon the Motions of the defendants to make the petition of plaintiff more Specific and certain as per Motions on file and to Strike out certain portions of said petition as per Motions on file came on to be heard and thereupon the plaintiff by his Attorneys objected to the hearing of said Motions for the reason that the same were filed when defendants were in default and after the defendants had obtained further time to answer to plaintiffs petition & when they were in default Whereupon the Court overruled said Motions and the defendants have leave to answer to said petition within thirty days from this date

Thursday January 13th A.D. 1870

622 | Garret Harris
vs
Julia Ann Converse & others

This day came on this cause be heard by the Court the defendants being duly Notified by publication of the penancy of this cause came not. Whereupon this cause was Submitted to the Court upon the petition and proofs

Whereupon the Court being fully advised in the premises do find the allegations of the petition to be true and that plaintiff and that plaintiff paid the purchase money for said land

It is therefore considered Ordered and adjudged that the defendants the heirs of Hannah N. Johnson one of the heirs of Samuel Parker convey by deed of release to said plaintiff their interest in the real estate in said petition described and in default of said conveyance for ten days this decree shall operate as such conveyance from said heirs of said Hannah N. Johnson and the same as if the conveyance had been made And it is Ordered that plaintiff pay the costs of this proceeding in ten days and in default thereof that execution issue therefor

701 | Sophia Hemingway
vs
Luther Winget admr. &c of
Jarmey Hemingway

Continued

762 | Andrew Keyes
vs
Saml. McCampbell et als

Contd,

And thereupon the Court adjourned until 9 oclock tomorrow morning.

J. Mourlin Jnop

212 | 213 | 214 | 215 | 216 | 217

Friday January 14th 1870

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

X
212 The State of Ohio }
vs } Retailing
John Kirchner } This day the defendant John Kirchner being arraigned in open Court and the Indictment being read to him was asked how of the premises he would acquit himself for plea says he is not guilty in manner and as he stands charged in said Indictment

X
213 The State of Ohio }
vs } Retailing
John Kirchner } This day the defendant John Kirchner being arraigned in Open Court and the Indictment being read to him was asked how of the premises he would acquit himself for plea says he is not guilty in manner Form as he stands charged in said Indictment

X
214 The State of Ohio }
vs } Retailing
John Kirchner } This day the Dept. John Kirchner being arraigned in open Court and the Indictment being read to him was asked how of the premises he would acquit himself for plea says he is not guilty in manner and form as he stands charged in said Indictment

The State of Ohio }
vs } Retailing
X
215 John Kirchner } This day the Dept. John Kirchner being arraigned in Open Court and the Indictment being read to him was asked how of the premises he would acquit himself for plea says he is not guilty in manner Form as he stands charged in said Indictment

X
216 The State of Ohio }
vs } Retailing
John Cartmell } This day the Dept. John Cartmell being arraigned in Open Court and the Indictment being arraigned was asked how of the premises he would acquit himself for plea says he is not guilty in manner and form as he stands charged in said Indictment

X
217 The State of Ohio }
vs } Retailing
John Cartmell } This day the dept. John Cartmell being arraigned in open Court and the Indictment being read to him was asked how of the premises he would acquit himself for plea says he ~~is~~ not guilty in manner & form as he stands charged in said Indictment

Friday January 14. 1870

219 The State of Ohio vs John Long } Retailing

This day the dft John Long being arraigned in Open Court and the Indictment being read to him was asked how of the premises he would acquit himself for plea says he is not guilty in manner and form as he stands charged in said Indictment

221 The State of Ohio vs John Long } Retailing

This day the dft. John Long being arraigned in open Court and the Indictment being read to him was asked how of the premises he would acquit himself for plea says he is not guilty in manner and form as he stands charged in said Indictment

723 John G. Silver vs Wm H. Silver et als } Partition Ex G Nov 969

This day came this cause on to be heard on the Motion to confirm Sale made in pursuance of the Order made in this cause and the Court being fully advised in the premis do find the proceedings of Sale are in all respects regular & lawful,

It is therefore Considered Ordered & Adjudged by the Court that Sale & proceedings be & they are hereby confirmed & approved & the Sheriff of this County is hereby Ordered to execute & deliver to said purchaser to said purchasers a deed in fee Simple on his securing to the defendants Wm H. Silver & Arthur D. Silver their full Share of the purchase money According to the forar Order of this Court.

And it is further Order that out of the purchase money the Sheriff pay the costs of this proceeding including an Attorney fee of $114.00 to Robinson & Piper and the ballance he pay the One third to the petitioner & ~~One third~~ & One third to Wm H. Silver & Arthur D. Silver One third

And it is further Ordered that the Dower claim of Ann Silver be forever barred She having filed her written request to that effect

692

800 Erastus Parthemore vs George Caldwell } On Motion of defendant this cause is continued at defendants costs.

It is therefore Considered by the Court that the plaintiff recover of the defendant his costs of this term herein expended taxed to $

And thereupon the Court adjourned until tomorrow Morning at 9 Oclock

J L Conklin Jr

Saturday January 15th 1870

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

The State of Ohio }
vs }
Wm McIntyre & } Indictment for an affray
Michael Cody } This day the Defft. William McIntyre being arraigned in open Court and the Indictment being read to him was asked of the premises he would acquit himself for plea says he is guilty in manner and form as he stands charged in said Indictment

It is therefore considered by the Court that the said Defendant William McIntyre make his fine to the State of Ohio in the sum of Seven dollars and that he pay the costs of this prosecution taxed to $

And thereupon came L. Piper Prosecuting Attorney & entered a Nolle Prosequi on the above Indictment as to the defendant Michael Cody.

The State of Ohio }
vs }
Henry Vigor } Indictment for Retailing

This day came the L. Piper Prosecuting Attorney and entered a Nolle Prosequi on the above Indictment.

692

Jonathan Burt Plaintiff }
vs }
William Weber Defendant } This day came the parties by their Attorneys And thereupon came a jury to wit George Holloway, J. P. Martin Jacob Painter, John Maskill, C. W. Smith J. H. Clement G. L. Sellers Alpheus Turner, Milton L. Thompson, William Sparks Regular jurors, Samuel McAllister & Robert Burt talesmen who being duly empannelled & Sworn the truth to Speak upon the issue joined between the parties upon their Oaths do Say they find find for the plaintiff and apes his damages at Four hundred and Seventy eight dollars & fifty cents.

It is therefore considered Ordered & adjudged by the Court that the said plaintiff against the said defendant the said Sum of Four Hundred & Seventy Eight dollars & fifty cents ($478.50) his damages so as aforesaid apesed and also his costs in & about his suit in this behalf expended taxed at dollars & cents

And thereupon the defendant demanded a Second trial which was allowed and the Amount of the Bond fixed at $1000.00

The State of Ohio }
vs } Retailing
John Cartmell } This day came into Court John Cartmell & in open Court Acknowledged himself to owe & Stand indebted to the State of Ohio in the Sum of ($200) two hundred dollars to be levied of his goods & chattels lands & tenement if default be made In the following condition to wit that he be & appear before said Court of Common Pleas on the first day of the next term thereof to Answer unto two Indictments in said Court pending against him Selling Intoxicating liquors in Violation of law and abide the Order & Sentence of said Court & not depart the Court without leave then this recognizance to be void Otherwise to be & remain in full force & Virtue in law.

Saturday January 15th 1870

H. P. Mills
vs
John & Ellen Pierson

This day came this cause on to be heard & was submitted to the Court and thereupon the Court find the allegations of the petition to be true & that there is due the plaintiff on the $420 payment mentioned in said petition a ballance of $124 14 And there is further due as interest on the remaining $350 the sum of $21 50/100 and that the plaintiff is bound by said agreement to deliver the deed on file in this case upon the defendants paying said sums now due & securing by Mortgage the said $350 as set forth in said petition

It is therefore Ordered that the plaintiff receive of said defendant Ellen Pierson said sum of One hundred & forty six & 24/100 now due together with costs of suit. And it is further Ordered & Adjudged that if said Piersons fail for thirty days from this date to pay said judgement & costs & interest then that an Order of Sale issue to the Sheriff of said County commanding to appraise advertise & Sell according to law the premises in said petition described. And it is further Ordered that on the defendants paying said Judgement & interest & costs & tendering their Mortgage deed to plaintiff to secure the $350 not yet due upon the sums stated in said petition that the deed filed be delivered over by the Clerk to the Defendant

Bancroft Bros. & Co
vs
Isaac N. Wells

Petition on Note & Mortgage

And now comes the said Bancroft Bros. & Co by Robinsons & Piper their Attorneys and the said Isaac N. Wells still failing to demur or Answer to said petition it is considered that the said plaintiffs ought to recover the amount due them by reason of the premises, And the Court with the consent of the said plaintiffs find that there is due from the said defendant to the said plaintiffs on the notes in the said petition set forth the Sum of Twelve hundred & eighty one 89/100 ($1281.89) dollars

It is therefore considered by the Court here that the said plaintiffs recover of the said defendant the Sum of Twelve hundred & eighty one 89/100 dollars the sum so found due as aforesaid and also his costs layed & ff

And it is further Ordered and Adjudged that in case the said defendant fails for ten days from the close of this term of the Court to pay to pay to the said plaintiffs said Sum of Twelve Hundred & Eighty One 89/100 dollars so as aforesaid found due with costs of Suit an Order issue to the Sheriff of this County commanding him to cause the said lands & tenements in said petition described to wit, Being part of Survey No 2991 in the Virginia Military District in the name of John Philips, beginning at two ashes & an elm in the North line of line of the Original Survey, North west corner to Shover thence S 80° W 175 poles to two Sugar trees & a beech N.W. corner to the Original Survey thence S 10° E. 176 poles to two buckeyes & a Sugar tree thence N 80° E. 175 poles to a buck dogwood & an ironwood Shovers S.W corner thence N 10° W 176 poles to the beginning containing 192 acres of land more or less. — Except fifty acres on the East side which E. D. Thrasher sold to B. H. Picket & conveyed by warranty deed bearing date April 1859 to be appraised advertised and Sold according to law & apply the proceeds of said Sale in Satisfaction of the said Judgment so as aforesaid rendered

Saturday January 15th 1870

911 Bancroft Bros & Co vs Isaac N. Wells — And now comes the said Bancroft Bros & Co by their Attorneys and the said Isaac N. Wells having failed to demur or answer to the petition of the said Bancroft Bros & Co it is considered that the said Bancroft Bros & Co ought to recover the said sum of five hundred & seventy one 74/100 dollars so demanded in his petition together with the sum of $25 91/100 dollars which the court finds due as the interest thereon as prayed for in said petition.

It is therefore considered that the said Bancroft Bros & Co recover against the said Isaac N. Wells the said sum of $597.70 together with his costs in & about his suit in this behalf expended taxed to $

805 Carl N. Bancroft vs Lewis Pote & wife — Petition on Note & Mortgage

And now comes the said Carl N. Bancroft by his Attorneys & the said Lewis Pote & Susan C. Pote still failing to demur or answer to the said petition it is considered that the said plaintiff ought to recover the amount due him by reason of the premises and the court with the consent of the said plaintiff find that there is due from the said defendant to the said plaintiff on the note in said petition set forth the sum of $761 25/100.

It is therefore considered by said court here that the said plaintiff recover of the said defendant the said sum of Seven hundred & Sixty one dollars & twenty five cents the sum so found due as aforesaid and also his costs taxed to $

And it is further ordered & adjudged that in case the said defendants fail for ten days from the close of this term of court to pay to the said plaintiff the said sum of $761.25 so as aforesaid found due with costs of suit an Order issue to the Sheriff of said County commanding him to cause the said lands & tenuments in said petition described to wit being situate in the said County of Union & State of Ohio being part of Survey No. 5771 bounded & discribed as follows, beginning at an ash & beech corner of a piece of land now owned by E. Hammond thence N 80° E 74 poles along Joseph Glascocks line to a Sugar tree & ironwood & an elm thence N 7° E within 25 feet of the center of the Bellefontaine & Delaware Rail Road thence west with the line of said Rail Road within twenty five feet of the same to the line of E. Hammond thence S. 7° W with said Hammonds line to the beginning containing fifty acres more or less. to be appraised advertised and sold according to law & apply the proceeds of said sale in satisfaction of the said judgement so as aforesaid ordered

And as to the note not yet due this cause is continued.

Thomas C. Hamilton by &c vs John S. Hamilton et als — Proceedings to sell land under entailment act

This day on Motion & it appearing to the court that Geo B. Hamilton who was appointed one of the Trustees in this case at the last term of this court declines to serve further as such Trustee; It is Ordered by the court that M. C. Lawrence act as Sole Trustee in the premises & that he give Bond with Securities to the Satisfaction of the Clerk of this court in the sum of Thirteen Thousand dollars conditioned according to law. And thereupon the said M. C. Lawrence gave bond as required with as his Sureties

And thereupon the court adjourned until Nine O'clock Tuesday morning January 18th 1870

Tuesday January 18th 1870

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

Benjamin H. Williams }
vs }
John Williams & }
Sarah E. Williams } On motion to the Court by Porter & Sterling counsel for the plaintiff. It is Ordered by the Court that by the Oaths of A. S. Mowry. Hiram Stokes & George St. Clair partition be made of said lands in the following proportions to wit. to the said Benjamin H. Williams one equal third part. to the said John Williams one equal third part & to the said Sarah E. Williams one equal third part.

And it is further Ordered that a writ of Partition issue to the Sheriff of Union County commanding him to cause partition to be made accordingly and that he return his proceedings therein to this Court forthwith.

Palestine Lodge No. 158 }
of I & A. Masons }
vs }
Benjamin Dougherty & wife } This day came the plaintiff by its Attorney and the said defendants having failed to demur or Answer to the said petition it is considered that the said plaintiff ought to recover the amount due it by reason of the premises. and the Court with the consent of the plaintiff find that there is due to the said plaintiff from the said Defts. On the Note & in the petition set forth the sum of $108.50

It is therefore considered by the Court that the said plaintiff recover of the said defendant Benjamin Dougherty the said sum of One hundred & eight $\frac{50}{100}$ dollars so found due with costs of suit to be taxed to the Clerk & And it is further Ordered & adjudged that if the said defendant fail for ten days from the rising of this Court to pay to the said plaintiff the said sum of $108.50 so as aforsaid found due with costs of suit that an Order issue to the Sheriff of this County who is hereby Appointed Special Master Commissioner for that purpose commanding him to appraise advertise & Sell said lands in the petition discribed and apply the proceeds of Sale to the payment of said judgment and costs so as aforesaid rendered, And as to the claim of the Adms of John Cassil this cause is Continued

A. M. Holycross }
vs } Replevin
Robert Sharp } By Consent of parties the default of Deft is Opened up and his Answer filed this a day

Tuesday January 18th 1870

Dacon Rogers Plff
vs
William Parthemore Deft. } The Plff. moved the Court to open up the default for amended petition which motion was Granted and leave given to file an amended petition instanter which was done accordingly And cause Continued at Costs of Plaintiff with leave to Defendant to file An Answer in thirty days

It is therefore considered & adjudged by the Court that the defendant recover of the Plaintiff his costs of this term of Court,

And thereupon the Court adjourned until tomorrow morning at Eight Oclock

J. Stockton Judge

Wednesday January 19th 1870 This morning the Court met pursuant to adjournment the same officers present as on yesterday

743

John L. Gill Plaintiff
vs
The Columbus Chicago & Indiana Central Railway Company Defendants

This day came the parties by their Attorneys & the said parties being at issue upon the petition & Answer - Then came also a Jury to George Holloway Levin Price Jacob Painter John Maskill G. S. Robertson C. W. Smith G. L. Sellers. Alpheus Turner Milton L. Thompson Wm Sparks J. H. Clement Regular Jurors & J. F. Snider tales Juror who being duly empannelled & Sworn the truth to Speak upon the said issues joined between the parties do upon their oaths Say they find for the plaintiff and assess his damages at fifty three 75/100 dollars

It is therefore considered Ordered & adjudged by the Court that the said plaintiff recover of the said defendant the Columbus, Chicago & Indiana Central Rail way Company the said Sum of fifty three & 75/100 his damages in form aforesaid assessed and also his costs in and about his Suit in this behalf expended taxed to $

James L. Marshall Plff
vs
A. A. Marshall et. als. Defts } On Motion of Coats & Gilbert Counsel for Petitioner and upon producing the return of the Sheriff and the report of said Commissioners heretofore appointed and the same having examined by the Court here & found in all respects correct and in conformity to law it is hereby Ordered that the said proceedings & report be and the same is hereby approved & confirmed

Wednesday January 19th 1870

and thereupon neither of said parties electing to take said premises at said valuation. And whereas the said Annetta Wilber widow of the said Joshua Marshall died has filed Answer to said petition and therein waived the assignment of Dower by Metes & bounds in the said real estate of her late husband.

It is Ordered that the said premises be Sold free of dower at public auction by the Sheriff of Union County according to law And that he return his proceedings in the premises to the next term of this Court to which time this cause is continued

813

Stephen Cranston
vs
A.S. Morford & Z. McIlroy

And now comes the said Stephen Cranston by his Attorneys and thereupon this cause came on to be heard upon the plaintiffs petition exhibits testimony and Answer of Defendant Z. McIlroy. and the defendant A.S. Morford Still failing to Answer or demur and this cause being Submitted to the Court it is considered by the Court that the said plaintiff ought to recover of the said defendant A.S. Morford the amount due him by reason of the premises. And the Court with the Consent of the plaintiff find there is due from A.S. Morford to the plaintiff on the note in the petition Set forth the Sum of Five hundred & fourteen 60/100 dollars

It is therefore considered Ordered Adjudged & decreed by the Court here that the said plaintiff recover of the said defendant A.S. Morford the said Sum of Five hundred & fourteen dollars & Sixty cents the Sum so found due as aforesaid and also his costs layed to $

And it is further Ordered adjudged & decreed that in case the said A.S. Morford fail for three days from the close of this term of Court to pay said plaintiff the said Sum of $514 60 So found due as aforesaid & costs of Suit an Order issue to the Sheriff of Union County who is hereby appointed Special Master Commissioner for that purpose Commanding him to proceed in the manner following first to cause the lands and tenements in the petition described Excepting therefrom 54 3/4 acres as described in the answer of Z. McIlroy which said 54 3/4 acres the Court find with the consent of plaintiff was purchased by said defendant Z. McIlroy Since the giving of the Note & Mortgage in the petition described. which remaining portion of lands & tenements mentioned in the petition is described as follows. being in Union County Ohio and in Survey Nos. 12400-12405-12393 & 12413. Beginning at a hickory N.W. corner to a lot Sold by James Galloway to Orson Darrow S38E 87 8/10 poles to a Stone in a road or lane thence S53° 35' W 124 poles to a Stone thence N 36 1/2° W Correcting the Course 53 3/4 poles to the center of the Newton Browder road thence with said road N 46° E 65 3/10 poles to a Stake in the last Mentioned road thence N 38° W 15 poles to a Stake in the north line of the lot thence N 42 E 61 poles to the place of beginning containing 55 acres more or less. to be appraised advertized & Sold according to law and to apply the proceeds thereof in payment of the plaintiffs Claim. and if the said proceeds of Sale of said lands & tenements above described should fail to pay the whole of said Sum of $514 60 with costs of Suit and any prior liens that may be thereon then in that case the said Sheriff shall proceed to Appraise advertise & Sell according to law the remaining portion of said lands & tenements in the petition described. Being the lands & tenements Mentioned in the answer of Z. McIlroy and apply the proceeds of said Sale to the payment of plaintiffs claim

Wednesday January 19th 1870

J. S. Copeland
vs
S. C. Smith. Newton Missenger
& C. Missenger
} Cognovit

This day came the pleintiff and filed his petition herein and thereupon came defendants by J.C. Johnston An Attorney of this Court who by virtue of a warrant of Attorney for that purpose executed and here to the Court produced & proved waived the issuing & Service of proces entered the appearance of defendants; and confessed Judgment in favor of plaintiff $351.68 against defendants for Three hundred fifty One & 68/100 dollas and costs herein

It is therefore considered that plaintiff recover from defendants Said Sum of Three hundred fifty one & 68/100 dollars together with his costs herein taxed to dollars

And by virtue of the Same warrant of Attorney all errors accruing in the rendition of said judgment are released

Enoch Clark
vs
Peyton Ford
} Cognovit

This day came the plaintiff and filed his petition herein and thereupon came defendant by M.B. Lawrence an Attorney of this Court who by virtue of a warrant of Attorney for that purpose executed and here to the Court produced & proved. waived the issuing & Service of proces. entered $40.05 the appearance of defendant, and confessed Judgement in favor of plaintiff against defendant for Four hundred & Ninety Dollars & five cents & costs herein

It is therefore considered that the plaintiff recover from defendant Said Sum of Four hundred & ninety dollars & five cents together with his costs herein layed to dollars

And by virtue of the Same warant of Attorney all errors accruing in the rendition of Said Judgment are released

Betsey E Smyth Plff
vs
David Rus Deft
} Real Action

And now came the parties by their Attorneys and thereupon came a jury to wit. Geoge Holloway Levin Price J.P. Martin Jacob Painter John Maskill. G.S. Robertson C.W. Smith. G.L. Sellers Alpheus Turner. Millin L. Thompson William Sparks & J.H. Clement who being duly empanneled & Sworn the truth to Speak upon the issues joined between the parties do upon their oaths aforesaid Say that the Said Plaintiff is Seized in fee Simple of the premises So as aforesaid demanded in manner and form as the Said plaintiff hath in his Said petition Set forth. And the Jury do asess the damages of Said plaintiff by reason of said unlawful withhold thereof the Sum of cents

It is therefore considered that the Said Betsey E Smyth recover against the Said David Rus the premises in Said petition described and also the Said Sum of cents her damages So as aforesaid assessed and also her costs in & about this Suit in this behalf expended taxed to $

Defendant demanded a Second trial according to law which is allowed & bond fixed at $100.— Thereupon Defendant moved the Court to grant him the benefit of the Occupying Claimant law.

John E. Cahill Wm H. Conkright
B L Talmage partners & as the
Bank of Richwood Plff.
vs
John Sidle Defendant

Judgement & Order of Sale

This day came the Plaintiffs by their Attorneys and the said John Sidle defendant came not but made default whereupon it is considered that said pleintiffs ought to recover their damages by reason of the premises and neither of the parties demanding a jury this cause was submitted to the Court by the plaintiffs and the Court being fully advised in the premises do assess the damages of the plaintiffs to the sum of Six hundred & twenty Six dollars ($626-)

It is therefore Considered Ordered & Adjudged by the Court that the plaintiffs recover of the said John Sidle said sum of $626 their damages aforesaid And also their costs in this behalf expended taxed to $

And it is further Ordered by the Court that an Order of Sale issue to the Sheriff commanding him to sell the goods & chattels lands & tenements attached in this case which remains unsold as upon judgements at law and that he bring the proceeds into Court,

And thereupon the Court adjourned until tomorrow morning at half past eight Oclock

J. L. Conkling Judge

Thursday January 20th 1870. This morning the Court met pursuant to adjournment present the same officers as on Yesterday

John F. Snider & Co
vs
F. E. Bowen et. als

This day came on this cause to be heard on the demurer & plea to the Jurisdiction of the Court filed by defendants nov. 15th 1869

Whereupon the Court being fully advised in the premises do overrule said demurer & plea to the Jurisdiction to which ruling the defendants Except

And defendants not desiring to amend or further plead to the amended petition the cause was Submmitted to the Court

Whereupon the Court find there is due plaintiffs from defendants as alleged against them in said petition the Sum of thirty Six 51/100 dollars

It is thereupon Considered Ordered & Adjudged by the Court that plaintiffs recover of the defendants said Sum of thirty Six & 51/100 dollars and their costs in this behalf expended taxed to $

To which ruling and judgement defendants except

Thursday January 20th 1870

779 | Alvin Bellus Phipps
vs
J.M. Cassil & J.W. Lawrence Defts } In Replevin

This day this cause came on to be heard upon the motion of the plaintiff for a continuance of this case for reasons stated in plaintiffs affidavit on file and the Court being fully advised in the premises do overrule said motion. And thereupon the parties plaintiff & defendants waiving a Jury trial this cause was by agreement Submitted to the Court upon the pleadings exhibits & testimony And the Court being fully advised in the premises do find that the defendants J.M. Cassil & J.W. Lawrence or either of them did not unlawfully detain the said goods & chattels in the said petition described. And the Court do further find that the right of possession in and to the goods & chattels in the said petition described was at the commencement of this action in the said defendants J.M. Cassil & J.W. Lawrence. And the Court with the consent of the parties do assess the damages of the defendants by reason of the premises to Five hundred & forty one dollars and forty cents his damages aforesaid and also his costs taxed to $

And thereupon the plaintiff demanded a Second trial which was allowed by the Court and the bond fixed at ten hundred & eighty two dollars & Ninety four cents

3/46
15-
3-
4-
2 25-

1 | Johnston E. Phipps
vs
Lucy Phipps } And now comes the said Johnston E. Phipps by Randall & Cameron his Attorney and thereupon this cause came on for hearing upon the petition & testimony & was argued by Counsel and Submitted to the Court, on Consideration whereof the Court do find that due notice of the filing & pendency of this petition was given to the said defendant according to law and the Court do further find the allegations of the petition in this case to be true

It is therefore Considered Ordered & decreed by the Court that the Marriage Relation heretofore existing between the said parties be And the same is hereby set aside and wholly annulled & the said parties wholly released from the obligation of the same. And it is further Ordered by the Court that the care & custody of said Minor Child Lewis Phipps be given to the plaintiff and that the said plaintiff pay the Costs of this case in ten days and in default of such payment that Execution issue therefor as upon judgments at Law

X | William Naughton By & C,
vs
Mary B. Naughton & others } In Partition

On Motion to the Court by Robinson & Piper Counsel for petitioner & upon producing the return of the Sheriff & the report of said Commissioners heretofore appointed & the same having been examine by the Court here and found in all respects correct and in conformity to law it is hereby ordered that the said proceedings and report be & the same is hereby approved & confirmed. And thereupon neither of said parties electing to take the said premises at the said Valuation it is Ordered that the said premises be Sold clear of Dower at public sale by the Sheriff of said County of Union according to Law and that he return his proceedings in the premises to the next term of this Court to which time this action is continued

Thursday January 20th 1870

Morgan Savage
vs
The Trustees of the M.E. Church at Dover O. } This day came the parties by their Attorneys

and thereupon came a jury to wit George Holloway Levin Price J.P. Martin Jacob Painter John Maskell G.S. Robertson C.W. Smith Alphus Turner Milton L. Thompson William Sparks regular jurors Levi Longbrake & Thomas Whorton talesjurors who being duly empannelled & Sworn the truth to Speak upon the issue joined between the parties And the jury having heard the evidence and arguments of Counsel & Charge of the Court retired for consultation and being unable to agree upon a Verdict were discharged by the Court and this cause is Continued with leave to Amend Answer in thirty days

Emma Miller
vs
Ethlinda Miller et als } In Partition

On Motion to the Court by Robenson & Piper Counsel for said petitioner & upon producing the return of the Sheriff and the report of the said Commissioners heretofore appointed & the same having been examined by the Court here & found in all respects correct and in conformity to law it is hereby Ordered that the said ~~that the~~ said proceedings & report be & the same is hereby Approved & Confirmed and thereon neither of said parties electing to take the said premises at said Valuation it is Ordered that the said premises be Sold at public Sale by the Sheriff of said County of Union according to law and that he return his proceedings in the premises to the next term of this Court As to all Claims & liens on the land this cause is Continued

John Wood
vs
J.C. Sidle } Appeal

On Motion to the Court by the plaintiffs he has leave to file a petition in Sixty days from the rising of this Court & this cause is Continued

John H. Sterling D.F. Parsons
& A. James Sterling
vs
John Sidle } This day came the plaintiff and the said defendant John Sidle having failed to Answer or demur to the petition of Plaintiff it is considered that the plaintiff ought to recover of the defendant the Sum of twenty four hundred dollars So demanded in their petition.

It is therefore considered & adjudged that the said plaintiffs recover of the said defendant the said Sum of $2400 00 together with their costs in this behalf expended taxed at $ — And it is further Ordered on Motion of said Plaintiffs. And it appearing from the answer of the said Berah Wilkins Garnishee that he has under his control as Cashier of the Farmers & Merchants Bank at Circleville Ohio belonging to the defendant John Sidle the Sum of $ & that said Sum is now due being on deposit in said Bank & payable Weekly to be applied under

Thursday January 20th 1870

said attachment it is therefore Ordered that the said Beriah Wilkins Garnishee do pay to the plaintiffs John A. Sterling the D. F. Parsons & James Sterling the said Sum of $ being the money under his Control as Cashier of said Farmers & Merchants Bank and which is now or for deposit in said Bank within Six days

780 | D. F. Parsons
Vs
William Robinson } Replevin E. G. No 974

This day came the said D. F. Parsons by his Attorneys and the said William Robinson having failed to Answer or demur to the petition of Plaintiff and neither party requiring a Jury this cause was submitted to the Court and the Court being fully advised in the premises do find the right of possession of said goods & chattels to be in the plaintiff and thereupon with the assent of the plaintiff the Court assess the damages of Plaintiff by reason of the premises to One cent.

It is therefore considered & adjudged that the plaintiff recover ~~of the plaintiff~~ recover of the defendant said Sum of one cent his damage so as aforesaid assessed and also his costs in this behalf expended taxed at dollars

786 | The Farmers Bank of Union County
vs
John Sidle & ~~Jacob B~~ Sidle } This day came the plaintiffs by their Attorneys and the said John Sidle & ~~Jacob B Sidle~~ having failed to Answer or demur to the petition of plaintiffs it is considered that the said plaintiffs ought to recover of the said defendants the Sum of Two thousand and forty one dollars ($2041) so demanded in their petition.

It is therefore considered & adjudged that the Plaintiffs recover of the defendants the said Sum of Two thousand and forty one dollars ($2041) together with their costs in this behalf expended taxed at $

X
682 | Edwin L. Edmondson Plff
vs
Thos W. Powell & others Defts } Leave is given to plaintiff to Reply in thirty days from the rising of this Court and cause Continued

X
420 | Thos W Powell
vs
Edwin L. Edmondson } Continued

And thereupon the Court adjourned until half past eight o'clock tomorrow morning

J. L. Conklin Judge

Friday January 21st 1870

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

830 V. I. Hills
vs
Washington Taylor

This day came the said V. I. Hills by his attorneys and the said Washington Taylor having failed to Answer a demur to the petition of plaintiff it is considered that the plaintiff ought to recover of the defendant the sum of Six hundred & forty eight 95/100 dollars ($648.25) so demanded in his petition.

It is therefore considered and adjudged that the said V. I. Hills recover of the said Washington Taylor the said sum of Six hundred and forty eight 25/100 dollars ($648.25) together with his costs in this behalf expended taxed at Dollars

Joshua S. Gill
vs
Lorenzo Moses & Lucind Moses

This day came the said Joshua S. Gill by his Attorneys and the said Lorenzo Moses and Lucinda Moses having failed to Answer or demur to the petition of plaintiff. It is considerd that the said Joshua S Gill ought to recover of the said Lorenzo Moses the sum of One hundred and eighty four 12/100 dollars ($184.12) so demanded in his petition

814

It is therefore considered & adjudged that the plaintiff recover of the said Lorenzo Moses the said sum of One hundred and eighty four 12/100 dollars ($184.12) so demanded in his petition & it is further Ordered & adjudged that in case the said defendant fail for ten days to pay to the plaintiff the said sum of one hundred & eighty four 12/100 dollars ($184.12) so as aforesaid found due with costs of Suit an Order issue to the Sheriff of Union County (who is hereby appointed Special Master Commissioner for that purpose) commanding to cause the lands & tenements in the said petition described to be appraised, advertised and Sold according to law and apply the proceeds of said Sale in Satisfaction of said Judgment so as aforesaid rendered And that execution be awarded for the balance

A. D. Elliott
vs
Peter Gray & Catharine Gray

This day came the said A. D. Elliott by his Attorney and the said Peter Gray & Catharine Gray having failed to Answer or demur to the petition of plaintiff. It is considered that the said A. D. Elliott ought to recover of the said Peter Gray the sum of three hundred & Sixty eight 40/100 dollars ($368.40) so demanded in his petition

It is therefore considered and adjudged that the plaintiff recover of the said Peter Gray, the said Sum of three hundred & Sixty eight 40/100 dollars together with his costs in this behalf expended taxed to dollars

And it is further Ordered & adjudged that in case the said defendants fail for ten days to pay to the plaintiff said sum of three hundred and Sixty eight 40/100 Dollars ($368.40) so as aforesaid found due

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with costs of Suit An Order ipon to the Sheriff of Union County (who is hereby appointed Special Master Commissioner for Such purpose) commanding him to cause the lands & tenements in Said petition discribed to be appraised advertised & Sold according to law and Apply the proceeds of Said Sale in Satisfaction of the Said Judgement So as aforesaid rendered and that execution be awarded for the balance. And it is further ordered that the residue of the proceeds of Said Sale after this Judgement be brought into Court Subject to the further Order of the Court in the premises

J G & F Howard
vs
John Long

This day came the plaintiffs by their Attorneys and the Said defendant having failed to Answer or demur to the petition of plaintiff. It is considered that the plaintiff ought to recover of the Said defendant the Sum of One hundred & Sixty five 15/100 dollars So demanded in his petition

It is therefore Considered & Adjudged that the plaintiff recovers of the Said defendant the Said Sum of One hundred & Sixty five 15/100 dollars together with his Costs in this behalf expended taxed at $

814

William B. Laird
vs
J. A. Culbertson & David Watson

This day came the Said William B. Laird by Coats & Gilbert his Attorneys and the Said J. A. Culbertson & David Watson defendants Still failing to Answer or demur to the Said petition of Plaintiff it is considered that the Said plaintiff ought to recover the amount due him by reason of the premises and the Court with the consent of the plaintiff find that there is due from the Said defendants J. A. Culbertson & David Watson to the Said plaintiff on the Note in the Said petition Set forth the Sum of Seven hundred & eighty four dollars & eleven cents.

It is therefore Considered, Ordered, and Adjudged by the Court here that the Said that the Said plaintiff William B. Laird Recover of the defendants J. A. Culbertson & David Watson the Said Sum of Seven hundred & eighty four dollars & eleven cents the Sum So found due as aforesaid and also his costs ~~aforesaid~~ and taxed to $

Samuel S. Laughman
vs
T. E. Bowen & Israel Carter

This day came the parties by their Attorneys and neither party requiring or demanding a Jury this cause was by Consent of the parties Submitted to the Court upon the issues joined between the plaintiff and Israel Carter. the Said T. E. Bowen being in default for demurer or Answer and the Court fully advised in the premises do find that the Said T. E. Bowen & Israel Carter does owe to the Said plaintiff the Sum of One hundred & one 06/100 dollars And the Court with the like Consent of parties do assess the damages of plaintiff by reason of the detention thereof to $101.06

It is therefore considered Ordered & adjudged by the Court that the plaintiff recover of the Said defendants T. E. Bowen & Israel Carter the Said Sum of ($101.06) One hundred & one 06/100 dollars his damages So as aforesaid assessed and his costs herein in this behalf expended taxed to $

And the Court do further find there is due from

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the said L. E. Bowen alone to the said plaintiff the further sum of $26.06 twenty six dollars and six cents and the court with the consent of the plaintiff do assess the damages of plaintiff by reason of the detention thereof to $26.06

It is therefore considered ordered & adjudged by the court that the plaintiff do recover of the said L. E. Bowen the sum of $26.06 his damages so as aforesaid assessed

W W Woods & T. Burton partners doing busines in the name of The Bank Marysville
vs
John Sidle

This day came the plaintiffs by their Attorneys and the said John Sidle Deft. came not but made default. Whereupon it is considered that the plaintiffs recover of the said defendant the Sum of Five hundred & Ninety eight 15/100 dollars so demanded in their petition.

It is therefore considered & adjudged that the plaintiffs recover of the said John Sidle the said Sum of Five hundred & ninety eight 15/100 dollars together with their costs in this behalf expended taxed to $

And it is further ordered by the court that an Order of Sale issue to the Sheriff of Union County commanding him to sell the goods & Chattels lands & tenements attached in this case which remains unsold as upon judgements at law & that he bring the proceed into court

S. S. Jewell
vs
L. B. Jennings Et. als

This day came this cause on to be heard the defendants being in default and neither party demanding a jury this cause was submitted to the court by the Plaintiff. Upon consideration whereof the court finds for the plaintiff

It is therefore considered ordered & adjudged by the court that the plaintiff recover of the defendants L B Jennings Oziel Lapham & James B. Whelpley the Sum of two hundred & three dollars and also his costs herein expended taxed to $

And the court finds from a Showing made by James B. Whelpley that he is only Surety on said note in the petition mentioned and it is Ordered that execution issue accordingly

And thereupon the court adjourned until half past seven o'clk tomorrow morning

J. Stocklin Judge

Saturday January 22d 1870

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

p 179

Mathew L. Stewart Plff
vs
Joseph Deffenbaugh Deft
} Foreclosure of Mortgage

This day came the parties by their Attorneys & the defendant Benj^a F. Barger having withdrawn his answer and been dismissed from this case without prejudice and this cause thereupon came on for further hearing upon the return and report of the Sheriff as Special Master Commissioner On consideration whereof the Court do find the proceedings of the Sheriff as Such Master Commissioner and the Sale by him made of the tenements in the petition Mentioned to be in all respects in due form of law

It is therefore Ordered adjudged & decreed that the proceedings & Sale of Said Sheriff as Such Master be in all things affirmed and that the Said Sheriff As Such Master execute and deliver to Said purchaser a deed of the Tenements So Sold as aforesaid in fee Simple pursuant to the Statute in Such case made and provided. And that of the proceeds of Said Sale the Said Sheriff as Such Master after discharging the Costs of this Suit pay to the plaintiff 1st The Sum of Eight hundred & 00/100 Dollars — And that he pay the (5) five remaining notes not yet due after deducting from the Same the discount thereon from the Confirmation of the Sale until the time they would become due at the rate of Six per cent

And it is further Ordered that the defendant who may be in possession of Said premises or any person who has come in under him pending this Suit deliver up the possession, on demand & production of the deed of Said Sheriff as Such Master

p 180

Mathew L. Stewart
vs
Jacob K. Deffenbaugh & wife
} Foreclosure of Mortgage

This day came the parties by their Attorneys and the defendant Benjamin Barger having withdrawn his Answer and been dismissed from this case without prejudice and this cause thereupon came on for further hearing upon the return and report of the Sheriff as Special Master Commissioner on consideration whereof the Court do find the proceedings of the Sheriff as Such Master Commissioner and Sale by him made of the tenements in the petition Mentioned to be in all respects in due form of law

It is therefore Ordered Adjudged and decreed that the proceedings and Sale of Said Sheriff as Such Master be in all things affirmed & that the Said Sheriff as Such Master execute & deliver to said purchaser a deed of the tenements So Sold as aforesaid in fee Simple in pursuant of the Statute in Such case made & provided, And that of the proceeds of Said Sale the Said Sheriff as Such Master after discharging the costs of this Suit pay to the plaintiff 1st the Sum of ($1438.20) Fourteen hundred & thirty eight 20/100 dollars, And that he pay the 5 remaining notes not yet due after deducting from the Same the Discount thereon from the Confirmation of this Sale until the time they would become due at the rate of Six per cent,

And it is further Ordered that the defendant who may

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be in possession of said premises or any person who has come in under him pending this suit deliver up the possession on demand and production of the writ of said Sheriff as Masters deed

670 | Lewis W. Greene vs Wm M. Robinson et al } This cause is continued at Plaintiffs costs.

Betsey E. Smyth vs David Rees } This cause came on to be heard on Motion for the benefit of occupying claimant law. Thereupon the Court being fully advised in the premises do find the defendant David Rees is entitled to have the benefit of said occupying Claimant law & Cause continued.

Sanford Philbrook vs John Sidle & Jacob b. Sidle } Ex. Ct. No 912

This day this cause came on to be heard on the Motion of Dft Jacob b. Sidle for a New trial and was argued by Counsel. And the Court being fully advised in the premises do overrul said Motion. It is therefor Considered and Adjudged by the Court that Plaintiff recover of said defendants the said Sum of $147.62 and also his costs in this behalf expended taxed to $

John Gibson vs Christian Stiner } Appeal

By agreement of parties the appeal in this action taken by defendant is dismissed at defendants costs and cause remanded to the Justice of Peace to be proceeded with the Same as if said appeal had not been taken, according to the terms of the written agreement of the parties to this action which agreement of the parties to this action which agreement is on file in this Court.

786 | Thos b. McDowell et al vs Wm & Esau Reed } Settled at Plaintiffs Costs. It is therefore considered & adjudged that the Defendants recover of the plaintiffs their costs in this behalf expended taxed to $

780 | Thos b. McDowell et al vs Wm & Esau Reed } Settled at Plaintiffs Costs. It is therefore considered & adjudged by the Court that the defendants recover of the Plaintiff their costs in this behalf expended taxed to $

782 | Martha b. Reed vs Robert Sharp } Settled at Dfts costs. It is therefor considered & adjudged by the Court that the recover of Defendant her costs herein expended taxed to $

783 | 820 | 726 | $860

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783 | Andrew Holycross vs Robert Sharp } Settled at Defendants Costs
It is therefore Considered & Adjudged by the Court that the plaintiff recover of Defendant his costs herein taxed to $

820 | E. H. Walden vs A. G. Stevenson } This cause came on to be heard upon the Motion of plaintiff to Dismiss the appeal of the said A.G. Stevenson and the Court being fully advised in the premises do find that the Transcript of the proceeding and judgment had before the Justice of the Peace in said cause was not delivered by the said appellant to the Clerk of this Court on or before the thirtieth day from the rendition of the said judgement appealed from And thereupon the Court on application of the appellee do dismiss said appeal at the costs of the appellant and remand this cause to the said Justice of the Peace to be thereafter proceeded & carried into execution & effect as if no appeal had been taken

726 | Lucius Stephenson vs Eliza Hamilton & Rinaldo Moses her Guardian & Trustee } This day came the parties by their Attorneys and thereupon came this cause on to be heard upon the petition of plaintiff. Answer of defendant & evidence & neither party requiring or demanding a jury this cause was by consent of parties submitted to the Court upon the issues joined. And the Court being fully advised in the premises do find that the facts stated in the said petition are true And that the plaintiff ought to recover of the said Rinaldo Moses as Guardian of said defendant Eliza Hamilton the sum of Eight hundred & Sixty dollars
It is therefore considered Ordered & Adjudged by the Court that
$860 | the plaintiff recover of the said defendant Rinaldo Moses as Guardian of the said Eliza Hamilton the said sum of Eight hundred & Sixty dollars and his costs herein expended taxed to $

1 | Samuel H. Carson & Jane Carson vs John R. Taylor & Eliza E. Taylor } Partition
On Motion to the Court by Robinsons & Piper Counsel for the petitioners & upon producing the proceedings of the Sheriff and also the Report & proceedings of the Commissioners heretofore appointed and the same being examined and found in all respects Correct
It is Ordered that said proceedings & Report be and the same are hereby approved and confirmed. And that the said Widow Eliza E. Taylor hold her said Dower in said premises so set off & assigned to her
And that the said Jane Carson wife of said Samuel H. Carson hold in Severalty the Share set off & assigned to them. And that the said John R. Taylor hold in Severalty the Share set off and assigned him by said Commissioners
And it is further that the costs of this action including a Counsel fee to Robinsons & Piper of $120 be paid by the said parties in the proportions to wit The said Saml H. Carson the four months part - the said John R. Taylor the four months part thereof And the said Eliza E. Taylor the one ninth part thereof

Saturday January 22nd 1870

808 | Benjamin H. Williams
vs
John Williams &
Sarah E. Williams } In Partition

On Motion to the Court by Porter & Sterling Counsel for said Petitioner & upon producing the return of the Sheriff & the Report of said Commissioners heretofore appointed and and the same having been examined by the Court here and found in all respects correct and in conformity to law.

It is hereby Ordered that said proceedings & Report be & the same is hereby approved & confirmed and that said parties hold in severalty the parts & premises so set off and assigned to each respectively.

And it is further Ordered that the costs of this action including a Counsel fee to Porter & Sterling of $ be paid by the said parties in the following proportions to wit: the said Benj. H. Williams One third part the said John Williams One third part and the said Sarah E. Williams One third part. And in default thereof that Execution issue therefor

Thos. E. Hamilton By &c
vs
John S. Hamilton Et als } Ex 4. Nos 1018

This day came the said plaintiff by his Guardian & Attorney and this cause thereupon came on to be further heard upon the report of M.C. Lawrence Trustee in this case On consideration whereof the Court do find the proceedings of the said Trustee and the Sale by him made of the lands & tenements in the petition and in his report described to be in all respects in due form of law. And the Court do further find that said Sale has been fairly conducted & made and that the price obtained is the reasonable value of said estate sold. It is therefore Ordered Adjudged & decreed by the Court the Trustee assenting thereto that the proceedings and Sale of said Trustee be in all things Approved & Confirmed as to Lots Numbered in his Report of Sale One - two - four - five - Six and Eight respectively. And the said Trustee is hereby Authorised and directed to make and deliver to the respective purchasers deeds for the lots or parcels to them so Sold in fee Simple freed from the Conditions & limitations in the will of E. S. Hamilton contained upon the payment to said Trustee of the One third of the purchase money for the respective purchasers Securing the residue by Mortgage on the premises so Sold to them.

And the Motion to Confirm the Sale is by the consent of the Trustee and purchas Continued as to Lots Numbered Three and Seven in the Report of Sale - And for the purpose of making Orders as to reinvestment this cause is Continued -

790

Reuben W. Weisz
vs
James Megahy & others } This cause came on to be heard upon the demurrer of James Megahy & was argued by Counsel & the Court being fully advised in the premises do Sustain the demurrer and thereupon on Motion of Plaintiff leave is granted to amend his petition within thirty days & Cause Continued. the question of costs on demurrer reserved.

Saturday January 22d 1870

Mary A. Miles }
vs }
George Miles } This day came the parties and Settled this cause as follows
The Said Mary A Miles is to Execute and deliver to Said George Miles a deed of release of all her title and interest in & to Said premises in the petition discribed on or before the first of April next. And Said Mary A Miles releases all her claims for rents & profits of Said lands since the death of her husband

And Said George Miles is to pay Said Mary A Miles the Sum of $325- as follows $25- in hand paid ($50- dollars on or before the first of April 1870- $125- on or before the first of April 1871- $125- on or before the first of April 1872- for which Said Sums of Money Said George Miles is to Execute to Said Mary A Miles his promisory notes with interest and Secured to the Satisfaction of Said Mary A. Miles Said Notes to be executed before Afore April 1. 1870. George Miles to pay the costs of Court thus far made and Mary A Miles to pay costs of release

It is therefore Considered Ordered & adjudged by the Court that the plaintiff Recover of the Said defendant George Miles her costs in this behalf expended taxed to $ And that defendant pay his own costs in ten days & in default thereof that execution issue therefor

798 Huldah Pierce }
vs }
Wm H. H. Stout } This day came the plaintiff but the defendant made default Whereupon the plaintiff Submitted this cause to the Court Whereupon the Court being fully advised in the premises do find the allegations of the petition to be true & that plaintiff is entitled to the possession & is the Owner of the property in said petition discribed and the Court assess plaintiffs damages for the unlawful detention at One Cent.

It is therefor considered & Adjudged by the Court that plaintiff hold Said property & Recover of the defendat her costs herein expended taxed to $

James W. Robinson }
vs } Coprovit
David Cook, Reuben Cook }
& David McClung } This day came the plaintiff & filed his petition herein and thereupon came the defendants by J. L. Cameron an Attorney of this Court who by Virtue of a Warrant of Attorney for that purpose executed and here to the Court produced And duly proved waived the issuing and Service of process and entered the Appearance of Defendants herein, and confessid judgement in favor of the plaintiff against the Said Defendants for the Sum of $260 65 This costs herein ~~taxed~~

It is therefore considered Ordered and Adjudged by the Court that the Recover of the Said defendants David Cook Reuben Cook & David McClung the Said Sum of Two hundred & Sixty 65/100 dollars So confessed to be due together with his costs herein expended taxed to $

And by Virtue of the Same Warrant of Attorney all errors are released and all right of appeal waived

Saturday January 22d 1870

X
793

Mary Riddle }
vs }
James Riddle et als } This day the Court appoint Esq the Guardian for the Minor Children named defendants in this cause who appeared & filed his Answer denying the allegations of said petition so far as it charges that it will not be to their injury to Sell said lands

And thereupon the Court being Satisfied that due Notice hath been given to all of the defendants of the filing and pendincy of this petition. and being satisfied by the proofs that the Several allegations of said petition are true. It is therefore Ordered & adjudged that said twenty Seven acre lot be Sold According to law the Shriff of said County having first caused said lands to be duly appraised by three disinterested freeholders of the vicinity not of Kin to any of the parties he Advertising the Same for thirty days for Sale according to law & Sell the Same on the following terms to wit. One fourth in hand. One fourth in One One fourth in two & one fourth in three years - all upon Six percent interest payable Annually. And he is further ordered to bring the proceeds of Said Sale into Court further Order

657

W. W. Woods James Tullington &
Charles Phellis }
vs }
P. Manchester. W. H. H. Titus & S. M. Hewett } This day came the plaintiffs & filed their petition herein And thereupon came the defendants by J. L. Cameron an Attorney of this Court who by Vertue of a warrant of Attorney for that purpose executed and here to the Court produced and duly proved waived the issuing and Service of process and the appearance of said defendants and confessed Judgment in favor of the Plaintiffs against the Said defendants P. Manchester W. H. H. Titus & S. M. Hewett for the Sum of $678 46 And their Costs herein.

It is therefore Considered Ordered & Adjudged by the Court that the plaintiffs recover of the Said Defendants P. Manchester W. H. H. Titus & S. M. Hewett the Said Sum of Six hundred & Seventy eight 46/100 dollars So confessed to be due and also their costs herein expended taxed to $

And by Vertue of the Same Warrant of Attorney all errors are released and all right of appeal waived

W

W. W. Woods James Tullington }
& Charles Phillis }
vs }
I. J. Marsh. D. A. Williams & }
George F. Bennett } This day came the plaintiffs and filed their petition herein and thereupon came J. L. Cameron an Attorney of this Court who by virtue of a Warrant of Attorney for that purpose executed and here to the Court produced and duly proved waived the issuing and Service of process and entered the appearance of Said defendants herein and confessed Judgment in favor of Said plaintiffs against the said defendants I. J. Marsh D. A. Williams & George F. Bennett for the Sum of Two hundred and one dollars & their costs herein

Saturday January 22d 1870

It is therefore Considered Ordered and Adjudged by the Court that the Plaintiffs Recover of the Said defts D J. Marsh D. A. Williams & George L Bennett the Said Sum of Two hundred & One dollars So confessed to be due and also their costs herein expended ~~dec~~ taxed to $ And by virtue of the Same Warrant of Attorney all errors are released and all right of appeal waived

657

Magdaline Moore Exr. of Harvy Moore dec'd
vs
Sidney Hodgdon et. als

P 246 Ex H. No 989
Jwgt vs Defts $1372.42

This day came on this Cause to be heard On the report of Sale made by the Sheriff under a former order of this Court Whereupon the Court being fully advised in the premises do find all of Said proceedings to be regular and lawful Whereupon the Court do Approve and confirm the Same and Order Said Sheriff to execute and deliver to Said purchaser a deed in fee Simple for Said lands according to law Conveying to him all the rights and interests of all the defendants to Said Suit in Said lands.

And it is further Ordered that out of Said purchase Money the Said Sheriff pay first the costs of this Suit. Second the taxes on Said land for the years 1868 & 1869 third the Sum with interest due the plaintiff under Said decree And fourth any balance that may remain of Said purchase Money to Said Sidney Hodgdon. And it is Ordered that on the delivery of Said deed that all of Said parties defendants Surrender possession of Said lands to the Said purchaser

Theodore Rhoads
vs
John G. Silver

And now Comes the Said Theodore Rhoads Plff By H. B. Gilberry his Attorney & the Said John G. Silver Deft Still failing to demur or Answer to Said petition & being in default. Whereupon this Cause came on to be heard & was duly Submitted to the Court & the Court being fully advised in the premises do find that there is due from the Said John G. Silver to the Said Theodore Rhoads on the note in the petition described & Set forth the Sum of $362.27 in manner & form as the plaintiff in his petition in that behalf hath alleged. It is therefore Considered Adjudged & decreed by the Said Court here that the Said plaintiff Recover of the Said defendant the Said Sum of three hundred & Sixty two & 27/100 dollars the Sum So found due as aforesaid & also his costs herein taxed to dollars and cts

And it is further Ordered Adjudged & decreed by the Court that in case the Said defendant fails for ten days from the close of this term of the Court to pay to the Said plaintiff the said Sum of three hundred & Sixty two & 27/100 dollars So as aforesaid found due with Costs of Suit an Order Issue to the Sheriff of Union County Ohio commanding him to cause the Said lands & tenements in Said petition described to be Appraised Advertised & Sold according to law And that the proceeds of Said Sale be applied in Satisfaction of the Said Judgment & costs So as aforesaid rendered

January Twenty Second 1870

826 Thomas Brown
vs
Joseph A. Culbertson } This day came the Plaintiff but defendant made default And thereupon this cause was Submitted to the Court. And the Court being fully advised in the premises do find there is due the plaintiff from the said defendant the Sum of $174.40 as the plaintiff in his petition hath alleged

It is therefore Considered Ordered & Adjudged by the Court that the Plaintiff recover of the defendant Joseph A. Culbertson the said Sum of One hundred & Seventy four 40/100 dollars the Sum so as aforesaid found due & also his costs herein expended taxed to $

522 Jeremiah Jones
vs
Incorpd Village Richwood } Continued

673 Benjamin Sells
vs
Philip Haun } Ln. Replevin Ex Gr No 913
This Cause is Settled between the parties as per agreement on file.

The Plaintiff therein agreeing to dismiss his action - relinquish the jury fee by him paid, pay five dollars of the general costs & pay the fees of his own witnesses. The Defendant agreeing to relinquish all claim made by him to & in the property herein replevied, and to pay all of the balance of the costs made in this case.

It is therefore Ordered that this cause be dismissed in accordance with said agreement.

And it is further Ordered & adjudged that the plaintiff recover of the defendant the costs so agreed to be paid by said defendant taxed to $ And that the defendant recover of the plaintiff the costs so agreed to be paid by said plaintiff taxed at $ and that in default of such payment in ten days that Execution issue therefor

No Record

700 Mary Reed Admrx
vs
Henry H. Witter et als. } This day came on this cause to be heard on the agreement of parties Whereupon the Court with the Consent of the parties find that said Jesse Lawton has paid the Widow & heirs of Wilson Reed decd. Sixty two dollars & fifty cents in full to their Satisfaction for said Real estate in said petition described.

It is Ordered & Adjudged by the Court that the title of the said Jesse Lawton to the said Real estate be & the same is hereby quieted against the claims of said Widow & heirs of said Wilson Reed decd & they are hereby enjoined forever from any interference with the possession and occupancy of said premises by the said Lawton.

By Consent of the parties there is to be no record of this cause And by like consent the plaintiff is to pay the costs.

Saturday January 22d 1870

It is therefor considered & adjudged by the Court that said defendant Jesse Lawton recover of the plaintiff his costs herein expended taxed to $

James Martin Exr. of Robert Neeson's Will
vs
The Apociate Presbyterian Church &
The United Presbyterian Church

This day came on the Motion to be heard which was filed May 11th 1866 to open the decree & Judgement made in this Court at its Term 186 & thereupon the Court being fully advised in the premises do find that said Executor after said decree & in pursuance thereof & before the filing of the said Motion had paid over to United Presbyterian Church the whole of the said Legacy & Settled as said Executor with Probate Court & therefore do Order & decree that he be released & remain discharged from the payment of the same. Whatever shall be the final determination of said cause as between said two Churches or the persons claiming to constitute said two churches.

And it further appearing that said persons claiming to constitute the Associate Presbytinan Church had no actual notice of the pendency of said cause until after said decree & that a full hearing ought to be allowed the said parties.

It is Ordered & decreed & that so much of said decree as adjudges said sum of Money to the said United Presbyterian Church & against said Apociate Church be & the same is set aside so far as to allow said two churches to try & have adjudicated their respective rights thereto & the right of said Associate Church to recover back from said United Presbyterian Church the Sum so paid it by said Executor in good faith - in case it shall be finally held that said Associate Church was legally entitled thereto & said United Presbyterian Church is to remain plaintiff and said Associate Church defendant And the said defendant has filed its Answer of May 11th 1866 which is now allowed to remain on file as its Answer and the cause is Continued with leave to either of said parties to file any Amended pleadings within Sixty days.

And Thereupon the Court adjourned without day

J. L. Locklin
Judge

Monday April 25th 1870

Monday April 25th A. D. 1870 this day the Court of Common Pleas for the County of Union in the State of Ohio met pursuant to law present P. S. Conklin Presiding Judge Robert Sharp Sheriff Leonidas Piper Prosecuting Attorney & H. J. Arthur Clerk

This day the Juross of the Grand Jury being called Came to wit George H Turner John Trimble Peter Hill Jacob W Beem W E Tanner John. S. Gandy Zelotus. C. Pooler John Knock John H Sabin Abraham Sager Foster Bennett A J Blake John H Snedeker John. K. Dodge

Farmers Bank of Union County }
Against }
Thomas Brown & }
James W Robinson }

This day the Farmers Bank of Union County by its Attorneys comes & files its petition against the said Thomas Brown and J. W. Robinson and thereupon N. A. Gilbert one of the Attorneys of this Court appeard in open Court in behalf of the said Thomas Brown & J. W. Robinson and by virtue of a warrant of Attorney for that purpose executed and now produced to the Court and duly proved, waived the issue and service of process and confessed that the said Thomas Brown & J. W. Robinson do owe the said Farmers Bank of Union County the sum of six hundred & two Dollars as the said Plaintiff hath in its petition demanded, it is therefore considered & adjudged that the said Farmers Bank of Union County recover of the said Thomas Brown & J. W. Robinson the said sum of six hundred & two Dollars so confessed to be its due and also ~~the~~ costs in this behalf expended taxed at $ and by virtue of the same warrant of Attorney all error is released and all right of appeal waived by the said defendants & it appearing that J. W. Robinson is surety it is ordered that execution be awarded against Thomas Brown first

John. M. Hall } No 664
vs
W. W. Woods et. al. }

This cause is continued with leave to ~~Plaintiff~~ Plaintiff to file a reply in ~~thirty~~ days

Miller & Brother } No 5
vs } Continued
O Wells }

Monday April 25th 1870

Fullington & Garwood } No 76
vs } Continued
Michael Davis }

O. M. Robinson } No 209
vs } Continued under former order
J. S. Alexander }

Albert Galloway } No 219
vs } Continued
Harmon Patch }

P. C. Hanover & Brown } No 232
vs } Continued
William Wharry et. al. }

Cyrus Albin } No 261
vs } Settled by agreement at Plff costs
Samantha C. Pugh et. al. } costs paid

Cost bill - made by Randall - $18.95
Publication 7.00
$25.95

John Swan et. al. } No 608
vs } Continued
Henry Williams et. al. }

David Cook } No 636
vs } Continued
James R. Mitchell }

Edward Thomas } No 641
vs } Continued
J. J. Morelock }

Maskil Dockum } No 488
vs } Continued
Harriet E Dockum }

Robert West } No 695
vs } Continued
Uriah Zimmerman & others }

David Mulford } No 314
vs } Continued
William Stithem }

William Parthemore } No 330
vs } Continued
The American Express Co }

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Joseph Cramer } No 367
v s } Continued
Samuel Scott et. al's)

Francis Thompson } No 398
v s } Continued
Hylas Sabine }

John Finley } No 405
v s } Continued
Clark Young)

H. P. Mills } No 590
v s } Continued
Martin Richardson }

Jeremiah Jones } No 522
v s
The Village of Richwood }

This day came the defendant and moved the Court to dismiss this cause for failure to give security for costs as herein before required & said Plaintiff not asking further time to give such security this cause is dismissed at Plaintiffs costs
it is therefor considered that defendants recover of the Plaintiff its costs herein expended taxed to $

Aaron Mather } No 548
v s
Daniel Shearer &
A Pierson)

This day came the parties & settled this cause on the terms following to wit, Defendants pay half the judgment rendered by the Justice of the Peace & half of all the costs made in this cause & Plaintiff remits half of said judgment & is to pay half the costs,
it is therefore ordered & adjudged that said defendants pay half of said judgment & costs in twenty days & in default thereof that execution issue therefor & that Plaintiff pay the other half of said costs in the same time & in default thereof that Execution issue therefor

And thereupon the Court adjourned until tomorrow morning at 8 oclock

J. L. VanKleeck Judge

Tuesday April 26th 1870

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

This day the Jurors of the Grand Jury being called came to wit George H Turner John Trimble John K Dodge Peter Hill Jacob. W. Beem W. E. Tanner John. S. Gandy Zelotus. C. Pooler John Knock John F Sabin Abraham Sager Foster Bennett A. J. Blake John H Snedeker regular Jurors Joseph Powers Tales Juror and the Court appointed John H Sabin Foreman, and the Grand Jury being duly empannelled & Sworn were charged by the Court & retired to their room to deliberate - under the charge of a sworn constable

This day the following persons were sworn and received Certificates as witnesses before the grand Jury to wit D. M. Robinson Stephen. E. Robinson A. Thurman Curry William Valentine James Anderson John. S. Gill John McDowell

James H Roney } No 777
vs }
John. M. Hall } Defendant } Continued by agreement and answer of is refiled by consent

Benjamin F Breckenridge } No 872
vs }
Oliver. P. Freeman. Jane Freeman } This day came the parties by their Attorneys
Helen Rose John H Price } the said plaintiff appearing for himself
R. L. Broom & R. S. Spencer } and thereupon his cause came on for hearing upon the petition answers Exhibits and evidence and was argued by Counsel and the Court being fully advised in the premises do find that there is due from the defendant Oliver P Freeman to the said plaintiff on the note in the said petition set forth the sum of Nine hundred and twenty Nine Dollars & Sixty cents ($929.60) and the Court do further find that said Mortgage is a valid and existing lien on the premises herein described and that said premises by said Mortgage are held and bound for the payment of said indebtedness - and it is further ordered and adjudged that in case the said defendant Oliver. P. Freeman fails for ten days from the close of this Term of the Court to pay to the said plaintiff the said sum of Nine hundred and twenty Nine dollars and sixty cents ($929.60) So as aforesaid found due, together with the costs of this suit taxed to $ dollars and order issue to the Sheriff of said County who is hereby made Master Commissioner for that purpose. Commanding him to cause the said lands and tenements in said petition described to wit - Beginning at three Buckeyes South east corner of lands belonging to Hugh McAdow thence South 10° East 140 poles to a large elm in the original South line thence with said line South 80° W 130 poles to two Beeches and elm thence N 10° W 140 poles to a Sugar tree and beech thence N 80° E 130 poles to the beginning containing one hundred and thirteen acres more or less - to be Appraised advertised and sold according to law and to apply the proceeds of said sale as follows to wit -

First the Judgment of said defendants R. L. Broom rendered

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as set forth in his answer December 1865 for five hundred and Sixty Nine Dollars and seventy five cents ($569 75/100) with interest as set forth in said decree. Second the Amount of Judgment rendered February A.D. 1869 in favor of the defendant R.S. Spencer as set forth in his answer to wit- Eighty Nine dollars and Sixty Nine cents ($89.69) and costs of suit—
Thirdly to the Satisfaction of the said judgment so as aforesaid rendered in favor of said plaintiff Benjamin F. Breckenridge and it is further ordered that should the proceeds of the sale of said premises be insufficient to liquidate all of the aforesaid Claims and Judgments, Execution be awarded for the balance according to law—

Samuel R. Harbert } No 703
vs } Continued
James H. Neal & }
Henry Neal }

David Mulford } No 713
vs } Continued
Jacob Mapes }

David Mulford } No 714
vs } Continued
Harmon Patch }

David Mulford } No 715
vs } Continued
Esley Patch }

Reuben Cook } No 725
vs } Continued
James R. Mitchell }

H.P. Galloway } No 774
vs } Continued
David Mulford et. al. }

Jos. H. Berry } No 777
vs } Continued
Jos. M. Neal }

Peggy Sanders } No 795
vs } Continued Dismissed Judgment for a Plff & costs
Samuel R. Sanders }

David Mulford } No 797
vs } Continued
Joseph Kaler et. al. }

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Amanda Harriott } No 823
vs } Continued ~~Settled~~
Samuel Harriott } that the defendant recover of the plaintiff his costs herein expended taxed to $

Settled at plaintiffs costs it is therefore considered ordered & adjudged by the Court
no record

James Martin Etr } No 829
vs } Continued
Associated Church }

Peter Bland } No 830
vs } Continued
John S. Gill }

and thereupon the Court adjourned until tomorrow Morning 8 oclock

Wednesday April 27th 1870

This Morning the Court met pursuant to law the Same officers present as on Yesterday

Lewis Foos } No 663
vs
John M. Hall et. al. }

This day this cause came on to be heard, and upon Motion, the defendant John M. Hall obtained leave and was allowed to file his answer to the plaintiffs Petition

William M. Randall & } No 8875
Jesse L. Cameron }
vs }
Adam Reever }

and now comes the said Wm M. Randall & Jesse L Cameron in their own proper persons & the said Adam Reever still failing to demur or answer to the said Petition it is considered that the said plaintiff ought to recover the amount due them by reason of the premises and the Court with the consent of the said plaintiff find that there is due from the said defendant to the said plaintiff on the Notes in the said petition set forth the sum of Ninety six $\frac{24}{100}$ Dollars and further find the said sum is for purchase Money of said premises it is therefore Considered ordered & adjudged by the said Court here that the said plaintiff recover of the said defendant the said sum of Ninety Six Dollars & twenty four cents the sum so found due as aforesaid and also their costs taxed to $
and it is further ordered & adjudged that in case the said defendant fail for ten days from the close of this term of the Court to pay to the said plaintiff the said sum of Ninety six $\frac{24}{100}$ Dollars so as aforesaid found due with costs of suit; and order issue to the Sheriff of said County Commanding him to cause the said lands & tenements in said petition described to wit: Situate in the County of Union & State of Ohio Survey No 5728 described as follows beginning at a Stake in the Lewisburg & Marysville Road witness 2 Dog woods S 15 E $1\frac{92}{100}$ the other S 34 E $2\frac{44}{100}$ poles being the corner of James W Robinsons land thence with the center of the said Lewisburg Road S 62¼ W 12 poles to a Stake thence running back from said Road and from said beginning corner with the line of said Robinsons land S 25½ E a distance sufficient to inclose two acres by running a line parallel with the last named line by beginning at the Stake in the said Lewisburg Road 12 poles S. W; from the said beginning corner being

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two acres out of the N. E. corner of a tract of land conveyed by W. W. Woods to William Daugherty to be appraised advertised and sold according to law & apply the proceeds of said sale in satisfaction of the said judgment so as aforesaid rendered

H. D. Kennedy } No 592
vs
Aaron Boylan } This day came the parties by their Attorney's & thereupon came a jury to wit. William Lane Abram Beck A. G. Brooks D. M. Robinson Lewis Potee Beverly Keyes C & H Converse William Smith Philip Snider John Hobensack Gregory Holley B. D. Evans who being empannelled and sworn the truth to speak upon the issue Joined between the parties upon their oaths do say that the said Aaron Boylan is not guilty in manner & form as the said Henry C Kennedy hath complained against him ~~and upon said issue that the said defendant do recover his costs in this behalf expended taxed to $~~ Thereupon it is considered ~~and adjudged that the plaintiff recover of the said Henry C Kennedy his costs in this behalf expended taxed to $~~ Dollars ~~thereupon the plaintiff gave notice of a motion~~ for a new trial

Almira P. Whitford } No 646 Ex G. No 875
vs
David Shenemain } Attorneys and the parties being at issue upon the Petition answer & reply thereupon came a jury to wit
Executor of David Shenemain dec'd
Peter Bland James Williams J. K Richey Michael S. Wood Robert Graham Alexander Davis Andrew Keyes C. P. Freeman Adam Sherwood Josiah Westlake Samuel Cartmel C. W. K Ingman who to speak the truth upon the issues Joined between the said parties being duly empannelled and sworn do upon their oaths say they found their is due the said plaintiff from the said defendant as Executor of said estate the sum of One hundred & seventy two dollars. it is therefore considered ordered & adjudged by the Court that the plaintiff recover of said defendant as such Executor the said sum of one hundred & seventy two Dollars & her costs herein taxed to $
Whereupon defendant demanded a second trial which is allowed by the Court and the Bond fixed at $

And thereupon the Court adjourned until tomorrow morning 8 o'clock

J. J. Conklin Judge

Thursday April 28th 1870

This morning the Court met pursuant to Law the same officers present as on Yesterday

John Pence } No 803
vs
David Wood }

This day came the parties by their Attorneys & thereupon came this cause on to be heard upon the demurrer of plaintiff to the second ground of defence set up in the answer of defendant and was argued by Counsel and submitted to the Court and the Court being fully advised in the premises do maintain said demurrer

Lewis Floos } No
vs
John M Hall &
Wife William W
Ballinger et. al's }

On motion of John M. Hall & it appearing that Rhs Miller Claims to have acquired title to said land subject to the Mortgages mentioned to the petition he is made a party & procefs is ordered to be served on him thereupon the cause came on to be further heard and it appearing that the Note of $1262 50 payable December 1st 1869 is past due and that the annual interest on said Note and also the last Note payable December 1st 1870 is also due said interest amounting to $498 40 the whole amount so falling due since the Entry of the last judgment being now $1760 90 the whole of which is unpaid it is considered by the Court that plaintiff recover of the said John M. Hall and William W Ballinger said sum of Seventeen Hundred and Sixty Dollars and Ninety Cents $1760 90 and costs and that unless said sum and costs be paid in ten days that then the said Mortgage premises be sold to satisfy the same, it is farther ordered by the Court that the said John M. Hall have leave to file his answer setting up his claim and lien on the premises in the plaintiffs Petition described as against the said Rhs Miller for the purpose of determining the rights and lien of the said John M. Hall upon said premises after first satisfying the plaintiffs Claim therein from the proceeds of the sale thereof and for the purpose aforesaid and as to the distribution of the residue of the Money arising from the sale of said premises after the satisfaction of the plaintiffs said claim in full this cause is continued

April 28th 1870

This day the Grand Jury appeared at the bar of the Court & in open Court presented their three several Bills of Indictment against Henry Marshall for selling Intoxicating liquors in violation of law each severally endorsed a true Bill. John H Sabine Foreman of the Grand Jury also their other two several Bills of indictments against William Richter for selling intoxicating liquors in violation of law each severally Endorsed a True Bill John H Sabine Foreman of Grand Jury — also their other two several Bills of indictments against Andrew J.

Thursday April 28th 1870

Ferguson for buying & furnishing Intoxicating Liquors in violation of Law Each severally endorsed a true Bill John H Sabine Foreman of Grand Jury also their other Bill of Indictment against William Harris for selling Intoxicating Liquors in violation of law Endorsed a true Bill John H. Sabine Foreman of Grand Jury also their other Bill of Indictment against John Kirchner for selling Intoxicating Liquors in violation of law Endorsed a true Bill John H Sabine Foreman of Grand Jury also their other Bill of Indictment against John D. Steiner for Buying and furnishing Liquors in violation of law Endorsed A true Bill John H. Sabine Foreman of Grand Jury Also their other Bill of Indictment against Lysander P Holycrofs for selling Intoxicating Liquors in violation of law endorsed a true Bill John H. Sabine Foreman of Grand Jury also their other Bill of Indictment against John P. Baier for selling intoxicating Liquors in violation of law endorsed a true Bill John H Sabine Foreman of Grand Jury also their other Bill of Indictment against Daniel Mitchell for buying & furnishing Intoxicating Liquors in violation of law Endorsed a true Bill John H Sabine Foreman of Grand Jury also their other Bill of indictment against Andrew Greenbaum for buying and furnishing liquors in violation of Law Endorsed at true Bill John H. Sabine Foreman of Grand Jury also their other Bill of Indictment against Alexander Snodgrass for buying & furnishing intoxicating liquors in violation of law. Endorsed John H. Sabine Foreman of Grand Jury also their Report of the condition of the County Jail there being no further business before the Grand Jury they were then discharged by the Court

And thereupon the Court adjourned until tomorrow morning at 8 oclock

J. Monklin Judge

Friday April 29th 1870

This Morning the Court met pursuant to law the same officers present as on Yesterday

Peter L Mayo } No 321
vs } Continued
John Mayo et. al. }

Samuel Langstaff } No 873
vs }
Catharine D. Langstaff Exde. }

On motion of Plaintiff & it appearing to the Court that William A. Langstaff one of the defendants to this action is a minor over fourteen years of age and has been duly served with Summons and has for more than twenty days after the return thereof neglected to apply for the appointment of a guardian for the suit for himself and it also appearing that Kendrick Langstaff one of the defendants herein is a minor under fourteen years of age and has been duly served with summons it is therefore ordered by the court that P. B. Cole be and he is hereby appointed a guardian for the said for said William A Langstaff and Kendrick Langstaff and thereupon came said P. B. Cole and accepted said appointment and filed his answer here in behalf of said defendants

Osmond Wells } No 707
vs } In Replevin P 336
Robert Sharp }

This day came the parties by their Attorneys and thereupon come a Jury to wit. Peter Bland. D. M. Robinson George Sinclair B. D. Evans William Smith John Hobensack A. G. Brooks C H Converse James Williams William Walke William Lane William Robinson who being empannelled & sworn the truth to speak upon the issue joined between the parties upon their oaths do say that they find for the defendant and the said Jury further say that the right of Property and the right of possession in said Goods & chattles in said Petition mentioned was at the commencement of this suit in the said defendant, Robert Sharp, and they assess the damages of the said Robert Sharp, by reason of the premises to two hundred & fourteen & twenty five hundredths Dollars. And thereupon the said Plaintiff gave notice of his intention to move for a New Trial

Butler Earhart & Co } No 863
vs }
John. P. Bailey }

This day came the said Butler, Earhart & Co by their attorneys and the said John. P. Bailey having failed to answer or demur to this Petition of the said Butler Earhart & Co it is considered that the said Butler Earhart & Co ought to recover of this said John P. Bailey the sum of one hundred & ninety one & 02/100 Dollars So demanded in their petition it is therefore considered & adjudged that the said Butler Earhart & Co Recover of the said John P Bailey the said sum of one hundred & ninety one & 02/100 Dollars together with their costs in this behalf Expended taxed at

and thereupon the Court adjourned until tomorrow morning at 9½ oclock

Saturday April 30th 1870

This Morning the Court met pursuant to law the same officers present as on Yesterday

J. M. Southard
J. K. Richey
Edward Weller
John Guthrie
John H Sterling
Thos. Martin
Joseph Newlove
N. James Sterling
Partners doing business under the firm name of the Farmers Bank of Union Co
vs
N. A. Gilbert &
P. N. Hamilton

And now comes the said Farmers Bank of Union County by its Attorneys and files a Petition against the said N. A. Gilbert & P. N. Hamilton & thereupon William M. Randall one of the Attorneys of this Court appeared in open Court in behalfs of the said N. A. Gilbert & P. N. Hamilton & by virtue of a warrant of Attorney for that purpose executed, and now produced to the Court and duly proved, waived the issuing and service of process and confessed that the said N. A. Gilbert and P. N. Hamilton does owe to the said Plaintiff the said sum of $ 100 00/100 as the said plaintiffs hath in their petition set forth it is therefore considered that the said Farmers Bank do recover of the said N. A. Gilbert and P. N. Hamilton the said sum of $ 100 00/100 so confessed to be due and also his costs in this behalf expended taxed to $ and by virtue of same warrant of Attorney all error is released & all right of appeal waived by said N. A. Gilbert & P. N. Hamilton

Erastus Parthemore } No. 800
vs } Settled as per Agreement on file
George Caldwell } Debt & costs paid

And thereupon the Court adjourned until Monday Morning 8 oclock

J. L. Worklin Judge

Monday May 2d 1870

Angus Clark as Administrator of Caleb Clark deceased vs Jonathan Haines } No 880

This Morning the Court met pursuant to Late the same officers present as on Yesterday

This day came the said Angus Clark as Administrator of Caleb Clark deceased by his Attorneys and the said Jonathan Haines having failed to answer or demur to the petition of Plaintiff it is considered that the said Angus Clark as such administrator ought to recover of the said Jonathan Haines the sum of seven hundred and thirty Eight & 23/100 Dollars so demanded in his petition it is therefore considered and adjudged that the said Angus Clark as such Administrator recover of the said Jonathan Haines the said sum of seven hundred and thirty Eight & 23/100 dollars and also his costs in this behalf Expended taxed at $

John M. Shiderer vs William Parthemore Frederick Parthemore & Dacon Rogers } No 894

This day came the Plaintiff by his Attorneys and the said William Parthemore Frederick Parthemore and Dacon Rogers having failed to answer or demur to the Petition of Plaintiff it is considered that the said John M. Shiderer ought to recover of said defendants the sum of two hundred & Eleven & 05/100 Dollars so demanded in his Petition it is therefore considered and adjudged that the said John M. Shiderer recover of the said William Parthemore Frederick Parthemore and Dacon Rogers the said sum of two hundred and eleven & 05/100 dollars and also his costs in this behalf Expended taxed to $ and it is further found by the Court that the said William Parthemore is principal debtor and the said Frederick Parthemore & the said Dacon Rogers are his Surties

Alonzo Teeters vs Ralph Moffitt & Elizabeth Moffitt } No 862

And now comes the said Alonzo Teeters by his Attorneys and the said Ralph Moffitt and Elizabeth Moffitt Still failing to demur or answer to the said petition it is considered that the said Plaintiff ought to recover the Amount due him by reason of the premises and the Court with Consent of the said plaintiffs find that there is due from the said defendants to the said plaintiff on the Notes in his Petition set forth the sum of $453 four hundred & fifty three Dollars it is therefore considered by this Court that the said plaintiff recover of the said defendants the said sum of four hundred & fifty three Dollars the sum so found due as aforesaid and also his costs taxed to $ and it is further ordered and adjudged that in case the said defendant fails for four days from the close of this Term of the Court to pay to the said plaintiff the said sum of $453 dollars so as aforesaid found due with costs of suit an order issue to Robert Sharp Sheriff of said County commanding him to cause the said lands & tenements in said petition described to be appraised advertised and sold according to law and apply the proceeds of said sale in satisfaction of the said judgment so as aforesaid rendered and that this suit is continued as to the two Notes not due

And thereupon the Court adjourned until tomorrow Morning at 8 oclock

Tuesday May 3d 1870

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

The State of Ohio }
vs }
Andrew J. Ferguson }

This day came in open Court Andrew J. Ferguson & Daniel Mitchell & acknowledge themselves jointly & severally to owe & stand indebted to the State of Ohio in the penal sum of one hundred Dollars to be levied of their goods & chattels lands & tenements if default be made in the following condition to wit.. that the said Andrew J. Ferguson & Daniel Mitchell be & appear before the Court of common Pleas of said County of Union on the fifth day of the next term thereof to answer unto the State of Ohio upon an Indictment for Furnishing Liquors to one David A Ridenour in the habit of getting Intoxicated & then & there abide the order & sentence of the Court & not depart the Court without leave then this recognizance to be void otherwise to be & remain in full force

The State of Ohio }
vs }
Andrew J. Ferguson }

This day came in open Court Andrew J. Ferguson & Daniel Mitchell & acknowledge themselves jointly & severally to owe & stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their Goods & Chattels lands & tenements if default be made in the following condition to wit.. that the said Andrew J. Ferguson & Daniel Mitchell be & appear before the Court of Common Pleas of said County of Union on the fifth day of the next term thereof to answer unto the State of Ohio upon an indictment for furnishing Liquors to one David A Ridenour in the habit of getting intoxicated & then & there abide the order & sentence of the Court & not depart the Court without leave then this recognizance to be void otherwise to be & remain in full force

The State of Ohio }
vs }
Daniel Mitchell }

This day came in open Court Daniel Mitchell & Andrew J. Ferguson & acknowledge themselves jointly & severally to owe & stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their Goods & Chattels Lands & Tenements if default be made in the following condition to wit that the said Daniel Mitchell & Andrew J. Ferguson be & appear before the Court of Common Pleas of said County of Union on the fifth day of the next term thereof to answer unto the State of Ohio upon an Indictment for furnishing Liquors to one David A. Ridenour in the habit of getting Intoxicated & then & there abide the order & sentence of the Court & not depart the Court without leave then this recognizance to be void otherwise to be & remain in full force

The State of Ohio }
vs }
John D. Steiner } This day came in open Court John D. Steiner & Alexander Snodgrass & acknowledge themselves

Tuesday May 3d 1870

Jointly & severally to owe & stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their Goods & Chattels Lands & tenements if default be made in the following condition to wit:. that the said John D. Steiner & Alexander Snodgrass be & appear befor the Court of Common Pleas of said County of Union on the fifth day of the next term thereof to answer unto the State of Ohio upon an Indictment for furnishing Liquors to a minor. one Samuel W. Dunfee & then & there abide the order & sentence of the Court & not depart the Court without leave then this recognizance to be void otherwise to be & remain in full force

The State of Ohio }
vs }
X William Harris } This day came in open Court William Harris & Andrew J. Ferguson & acknowledged themselves Jointly & severally to owe & stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their Goods & Chattels Lands & tenements if default be made in the following condition to wit that the said William Harris & Andrew J. Ferguson be & appear before the Court of Common Pleas of said County of Union on the fifth day of the next term thereof to answer unto the State of Ohio upon an Indictment for selling Intoxicating Liquors to a minor. one Samuel W. Dunfee & then & there abide the order & Sentence of the Court & not depart the Court without leave then this recognizance to be void otherwise to be & remain in full force

The State of Ohio }
vs }
X Alexander Snodgrass } This day came in open Court Alexander Snodgrass & L. P. Holycrofs & acknowledged themselves Jointly & Severally to owe & stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their Goods & Chattels Lands & tenements if default be made in the following condition to wit that the said Alexander Snodgrass & L. P. Holycrofs be & appear before the Court of Common Pleas of said County of Union on the fifth day of the next term thereof to answer unto the State of Ohio upon an Indictment for buying & furnishing Intoxicating Liquors to one in the habit of getting Intoxicated & then & there abide the order & sentence of the Court & not depart the Court without leave then this recognizance to be void otherwise to be & remain in full force

The State of Ohio }
vs }
X Lysander P. Holycrofs } This day came in open Court Lysander P. Holycrofs & H. H. Marshall & acknowledge themselves Jointly & Severally to owe & stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their Goods & Chattels Lands & tenements if default be made in the following condition to wit that the said Lysander P Holycrofs & H. H. Marshall be & appear before the Court of Common Pleas of said County of Union on the fifth day of the next term thereof to answer unto the State of Ohio upon an Indictment for selling Liquors to be drank on the premises to one David A. Ridenour & then & there abide the order & Sentence of the Court & not depart the Court without leave then this recognizance to be void otherwise to be & remain in full force

Tuesday May 3d 1870

The State of Ohio
vs
Henry Marshall

This day came in open Court Henry Marshall & L. P. Holycrofs & acknowledge themselves jointly & severally to owe & stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods & chattels lands & tenements if default be made in the following condition to wit, that the said Henry Marshall & L. P. Holycrofs be & appear before the Court of Common Pleas of said County of Union on the fifth day of the next term thereof to answer unto the State of Ohio upon an Indictment for selling Liquors to be drank on the premises, to one David A. Ridenour & then & there abide the order & sentence of the Court & not depart the Court without leave then this recognizance to be void otherwise to be & remain in full force

The State of Ohio
vs
Henry Marshall

This day came in open Court Henry Marshall & L. P. Holycrofs & acknowledge themselves jointly & severally to owe & stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their Goods & Chattels lands & tenements if default be made in the following condition to wit- that the said Henry Marshall & L. P. Holycrofs be & appear before the Court of Common Pleas of said County of Union on the fifth day of the next term thereof to answer unto the State of Ohio upon an Indictment for selling Liquors to be drank on the premises to one David A. Ridenour & then & there abide the order & sentence of the Court & not depart the Court without leave then this recognizance to be void otherwise to be & remain in full force

The State of Ohio
vs
Henry Marshall

This day came in open Court Henry Marshall & L. P. Holycrofs & acknowledge themselves jointly & severally to owe & stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their Goods & Chattels lands & tenements if default be made in the following condition to wit that the said Henry Marshall & L. P. Holycrofs be & appear before the Court of Common Pleas of said County of Union on the fifth day of the next term thereof to answer unto the State of Ohio upon an Indictment for selling Liquors to be drank on the premises to one David A Ridenour & then & there abide the order & sentence of the Court & not depart the Court without leave then this recognizance to be void otherwise to be & remain in full force

The State of Ohio
vs
Alexander Snodgrafs

This day came into open Court Samuel Dunfee & Andrew J. Fergurson & severally acknowledged themselves to owe & stand indebted to the State of Ohio in the sum of fifty dollars each to be levied of their goods & chattels lands & tenements if default be made in the condition following to wit that the said Samuel Dunfee & Andrew J. Fergurson be &

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appear before the Court of Common Pleas of said County of Union on the fifth day of the next Term thereof to Give evidence in a cause therein pending wherein the State of Ohio is Plaintiff and the said Alexander Snodgrass is defendant & not depart the Court without leave then as to such of said persons as perform this condition this recognizance to be void otherwise to be & remain in full force

The State of Ohio }
vs }
Alexander Snodgrass }

This day came into open Court David A. Ridenour & acknowledged himself to owe & stand indebted to the State of Ohio in the sum of fifty dollars to be levied of his goods & chattels lands & tenements if default be made in the condition following to wit that the said David A. Ridenour be D appear before the Court of Common Pleas of said County of Union on the fifth day of the next term thereof to give evidence in a cause therein pending wherein the said State of Ohio is Plaintiff & the said David A Ridenour is defendant & not depart the Court without leave then as to such of said persons as perform this condition this recognizance to be void otherwise to be & remain in full force

Susan Stookey }
vs }
David Stookey }

This day came the petitioner & submitted this cause to the Court upon the petition proof of service of notice to defend & the proofs whereupon the Court being fully advised in the premises do find all of the allegations of said Petition are true
it is therefore considered ordered & adjudged by the Court that said Marriage Contract between said plaintiff & defendant be & the same is hereby annulled & said parties are hereby divorced the one from the other for the reason assigned in said petition & the plaintiff restored to her maiden name Susan McNear & it is further ordered that defendant pay the costs herein expended taxed to $. in ten days & in default thereof that execution issue therefor as upon judgments at law

George L. Converse }
vs }
David Rees et. al. }

This day this cause come on to be heard upon the petition & the testimony in the case all of said defendants being in default for answer & neither party requiring a jury with the assent of the plaintiff this cause is submitted to the Court without the intervention of a jury and argued by Counsel & the Court being fully advised in the premises do find that there is due to the plaintiff on the cause of action mentioned in the petition from the defendant David Rees, as principal & the defendants John Towns & William Towns as indorsers the sum of Seven hundred & three dollars & 88 cents it is therefore considered by the Court that the said Plaintiff recover of the said defendants David Rees John Towns & William Towns the said sum of seven hundred & three & 88/100 dollars & his costs in this behalf expended taxed at $
and the Court do further find that the said sum of seven hundred & three & 88/100 dollars so as aforesaid found due to the plaintiff from said defendants is a lien upon the following described real Estate as set forth in the petition situate in Union County Ohio to wit being part of survey 3005 beginning at a Stake

Tuesday May 3d 1870

in the center of the road thence S 63¾° 21 7/10 poles to a Stake thence N 54° E 75 8/10 poles to a Stake thence N 53° 26' E 7 1/10 poles to a hickory White ash & Elm thence N 63° 10' west 222 4/5 poles to a Stake in the center of the Hann Road thence with said road South 38 1/4° West 78 1/10 poles to a Stake the beginning containing 107 acres & 12 Rods more or less by virtue of the Mortgage set forth in the petition it is therefore ordered Adj'udged & decreed by the Court that the said David Rees pay to the said Plaintiff the said sum of seven hundred & three & 88/100 dollars & interest thereon from this date and that he pay the costs herein taxed at $ so as aforesaid found due him within three days from this date & in default thereof that an order of sale issue to the Sheriff of Union County Ohio as master commissioner of this Court & that the said Sheriff & master cause said real Estate and all the title & interest of the said defendants David Rees & Mary Rees therein to be duly appraised & sold according to law & that he pay out of the proceeds thereof first the costs in this case and 2d the said amount so as aforesaid found due to Plaintiff & interest thereon from this date and that he pay the residue to the said defendants David Rees. it is further ordered that the said Sheriff & Master report his proceedings in the premises at the next term of this Court to which this cause is continued

Lewis W Green
vs
William M. Robinson et. al. } Ex. Ord 916

This day came the parties & thereupon came a Jury to wit William Lane, Abram Beck, A. G. Brooks Isaak Cartmell Edward Powers John Hobensack William Smith Gregory Holley B. D. Evans C. H. Converse George Davis George Sinclair who being duly Emphannelled & sworn the truth to Speak and a true verdict give on the issues joined between the parties. Whereupon the Evidence being closed the Court at the request of the plaintiff instructed the Jury to render a Special verdict & State its findings separate on each issue joined & it being objected by defendants counsel that the cause had been tried upon the 4th & 6th defences set up in the answer & that there might be Claimed to be a contradiction between the finding on the 1st defence & the finding on the 4th or 6th defence Whereupon to avoid this difficulty the Counsel for the parties agree in open Court that if it should seem or be claimed that any discrepancy existed between the finding on the 1st defence & the finding on the 4th or 6th defence, then that discrepancy should be construed in favor of the finding of the Jury in the 4th & 6th defences whereupon the said Jury after due deliberation returned its verdict for defendants on the said fourth defence & for the plaintiff in the first & sixth defence

And thereupon the Court adjourned until tomorrow Morning at 8 oclock

T. L. Conklin Judge

Wednesday May 4th 1870

This Morning the Court met pursuant to law present the same officers as on Yesterday

James C Marshall vs Victor A. Marshall et. al. } No 781

And now comes the said James C Marshall by Coats & Gilbert his Attorneys & on his motion & on producing the return of the Sheriff of his sale made under the former order of this Court & the Court being satisfied on Examination that said sale has been made according to law it is ordered that the said proceedings & sale be & the same is hereby approved & confirmed & the Sheriff is hereby ordered by deed duly Executed to convey said premises to said purchaser George Wilber in fee simple & it is further ordered that the said Sheriff out of the money in his hands pay first the costs of this suit Taxed to & Three hundred & forty seven Dollars & twenty three cents including a counsel fee of one hundred & Ninety seven dollars & fifty cents to Coats & Gilbert & the Court being satisfied that Annetta Marshall formerly, now Annetta Wilber & late widow of Joshua Marshall deceased was entitled to dower in the land & tenements described in the plaintiffs Petition, in one third part thereof & that the said Annetta Wilber since the Commencement of this action has filed her answer with said petition herein, waiving the assignment of dower to her by Metes & Bounds & asking the Court to allow & apportion to her out of the proceeds of the sale of the lands & tenements aforesaid said sum in money as the Court might deem the just & reasonable value of her dower estate & interest therein Whereupon the Court do find that the said Annetta Wilber is of the age of Fifty two years & that her just & reasonable dower in money from the proceeds of said sale is the sum of three thousand & seventeen Dollars & Ninety nine & one half cents which sum the Court does hereby order shall be allowed to & paid to her, the said Annetta Wilber, out of the proceeds of said sale to be paid one third by the Sheriff out of the first payment of the purchase money for said land the balance to be paid in two equal payments & that out of the residue of the money now in his hands after paying the costs as aforesaid he pay to the said Annetta Wilber as one third of her dower estate in money the sum of $1005.99½ to the said James C. Marshall the sum of $714.85 13/30 to the said Ai Marshall the sum of 714.85 13/30 to the said Emily E. Marshall the sum of $714.85 13/30 to the said Victor A Marshall the sum of $714.85 13/30 to the said Sarah Marshall the sum of $714.85 13/30 & that out of the second payment on said land said payment being the one third of the proceeds of said sale the pay to the said Annetta Wilber the sum of $1005.99½ to the said James C Marshall the sum of $784.30 1/30 to the said Ai Marshall the sum of $784.30 1/30 to the said Emily E. Marshall the sum of $784.30 1/30 to the said Victor A. Marshall the sum of $784.30 1/30 to the said Sarah Marshall the sum of $784.30 1/30 & that out of the third payment of said land being the one third of the money of said sale he pay to said Annetta Wilber the sum of $1005.99½ to the said James C. Marshall the sum of $784.30 1/30 to the said Ai Marshall the sum of $784.30 1/30 to the said Emily E. Marshall the sum of $784.30 1/30 to the said Victor A. Marshall the sum of $784.30 1/30 to the said Sarah Marshall the sum of $784.30 1/30 & it is further ordered by the Court that the Sheriff take a Mortgage on the lands sold according to the Statute in such cases made & provided to secure the defendants payments on said land & that the said Sheriff distribute the promissory notes so secured by Mortgage to the said Annetta Wilber James C Marshall Ai Marshall Emily E Marshall Victor A. Marshall & Sarah Marshall according to their respective Shares & interest therein as set forth heretofore in this order

Wednesday May 4th 1870

Eunice Phelps } No 721
vs
Angus Clark }

This day came the parties by their Attorneys & thereupon a Jury being Empannelled & called to wit:: A.G. Brooks, C.H. Converse, John. Hobensack John Guthrie John Weaver Peter Bland Charles McCampbell Philip Snider B.D. Evans George Wilber Abram Beck William Lane sworn the truth of the premises, being chosen tried & Sworn say upon their oaths that the said Eunice Phelps Plff hath sustained damages to the amount of Five thousand dollars in manner & form as the said Eunice Phelps hath herein in that behalf alleged therefore it is considered & adjudged that the said Eunice Phelps recover of the said Angus Clark the sum of Five thousand Dollars her damages aforesaid & also her costs in this behalf expended taxed to $
Second trial demanded & allowed & Bond fixed at $ 10000

J. W. Robinson } No 900
vs
H.W. Minnich et.al. } Settled & costs paid

A.L. Williams } No 801
vs
Trustees Allen Township }

This day came the parties & thereupon came a Jury to wit John Hobensack A.G. Brooks B.D. Evans Abram Beck Philip Snider William Lane O.W.R Ingman Jacob Barthemore Alonzo Cherry J.S Alexander C. Bodkin C.H. Converse who being duly empannelled & Sworn the truth to speak & a true verdict give upon the Issues Joined between the parties returned its verdict in favor of the plaintiff & assess the same sum due by reason of the premises at Forty two dollars it is therefore considered ordered & adjudged by the Court that the plaintiff recover of the defendants as Trustees of Allen Township of said County the said sum of forty two dollars with his costs herein extended taxed to $

Judgment on Cognovit

Leevi Longbreak
John Guthrie
J.H. Richey
J.M. Southard
Joseph Newlove
A.J. Sterling
J.M. Sterling
E Weller
Thomas Martin
Partners in the Farmers Bank Union &
vs
W.J. Griffis & B.W. Keyes

This day came into Court the Plffs by their Attorneys P.B. Cole & filed their petition against said Dfts the said W.J. Griffis & B.W. Keyes. the said B.W. Keyes having signed the name of Houston & Keyes & thereby bound himself only, and thereupon L Piper one of the Attys of this Court appeared in open Court on behalf of said defendants & by virtue of a warrant of Attorney for that purpose executed by the said W.J. Griffis & the said B.W. Keyes now produced in open Court in behalf of said defendants & by virtue of a warrant of Attorney for that purpose executed by the said W.J. Griffis & the said B W Keyes now produced in open Court & duly proved waived the issuing & service of process & acknowledged that the said Defendants did owe the plaintiff as alleged in the petition & there was due to plaintiffs from said defendants on the note in the petition mentioned at this date the sum of Sixty five

Wednesday May 4th 1870

Dollars & he confessed Judgment therefor & for costs it is therefore considered ordered & adjudged by the Court that the plaintiffs recover of the defendant W. J. Griffis & B. W. Keyes the said sum of $63 Cts & also the costs in this behalf expended taxed to $ dollars & by virtue of the same warranty of Attorney all error is released & all right of appeal waived by defendants;
& it was shown to the Court that Keyes was surety only & the Court ordered execution to issue accordingly

C. A. Baker vs J. A. Culbertson } Judgment on cognovit

And now comes the said C. A. Baker, Plaintiff by M. C. Lawrence his Attorney & filed his petition against the said J. A. Culbertson defendant & thereupon L Piper one of the Attorneys of this Court appeard in open Court in behalf of said J. A. Culbertson & by virtue of a warrant of Attorney for that purpose executed & now produced to the court & duly proved waived the issuing & service of process upon the said defendant & confessed that said defendant does owe to said plaintiff the sum of $167 60 dollars as the said plaintiff hath in his petition set forth & confessed judgment therefor & for costs it is therefore considered ordered & adjudged by the Court that said C. A. Baker recover of the said J. A. Culbertson said sum of one hundred Sixty seven & 60/100 dollars so confessed to be due & also his costs in this behalf expended taxed to $
and by virtue of the same warrant of Attorney all error is released & right of appeal waived by the said J. A Culbertson

C A Baker vs J. A. Culbertson } Judgment on cognovit

And now comes the said C. A. Baker Plff by M. C. Lawrence his Attorney & files his petition against the said J. A. Culbertson defendant & thereupon L Piper one of the Attorneys of this Court appeared in open Court in behalf of said J. A. Culbertson & by virtue of a warrant of Attorney for that purpose executed & now produced to the Court & duly proved waived the issuing & service of process upon the said defendant & confessed that said defendant does owe to said Plaintiff the sum of $157 40/100 as the said plaintiff hath in his petition alleged & confessed judgment therefor & for costs it is therefore considered ordered & adjudged by the Court that said C. A. Baker recover of the said J. A. Culbertson said sum of one hundred fifty seven & 40/100 Dollars so confessed to be due & also his costs in this behalf expended taxed to $
& by virtue of the same warrant of Attorney all error is released & all right of appeal waived by the said J. A Culbertson

And thereupon the Court adjourned until tomorrow morning at 7½ oclock

J. Hawkins Pres

Thursday May 5th 1870

Lucus B Goff
vs
Aaron Richardson et.al.
No 847

This Morning the Court met pursuant to law present the same officers as on Yesterday

This day came the parties & submitted this cause to the Court Whereupon the Court being fully advised in the premises do find the petition to be true it is therefore ordered & decreed that said injunction be made perpetual & that said threshing Machine be by the receiver herein before appointed sold according to law & after payment of costs the proceeds be applied in payment of the debt of said Lucus B Goff & Alfred. T. Tallman & Henry. C. Goff to O. Farrall Daniels & co named in said petition which is entered up in judgment in this Court this day for $513 17/100 dollars & costs of suit & this cause is continued for further order

John. O. Ferrall & Thos. L Daniels
Partners in name of O. Ferrall & Daniels
vs
Alfred. T. Tallman. Henry. C. Goff et.al.
No 848

This day came the plaintiffs as partners & submitted this Cause to the Court the defendants served with process having made default Whereupon the Court being fully advised in the premises do find for the Plaintiff & that there is due them on said Notes from said defendants the sum of five hundred & thirteen & 17/100 dollars it is therefore considered & adjudged by the Court that the plaintiffs recover of the defendants Alfred. T. Tallman Henry C. Goff & Lucus. B. Goff said sum of five hundred & thirteen & 17/100 dollars & their costs herein expended taxed to $

A Thompson
vs
P. Manchester
S M Hewitt &
W H H Titus
No 842

This day came the plaintiff & the said S. M. Hewitt & W. H. H. Titus defendants served with process came not but made default Whereupon this cause was submitted to the Court & thereupon the Court being fully advised in the premises do find for the plaintiff & that there is due him from said Hewitt & said Titus on said Note the sum of Eleven hundred & twenty dollars it is therefore considered ordered & adjudged by the Court that the plaintiff recover of the said S. M. Hewitt & W H H Titus said sum of Eleven hundred & twenty dollars & his costs herein expended taxed to $

Robinson & Robinson
vs
Nathan Poling
W. J. A Epps
Mary Stratton
J. C. Huffman
No 879

This day came the Plaintiff but defendants came not but made default whereupon this cause was submitted to the Court & thereupon the Court being fully advised in the premises do find for the plaintiff & assess the sum due them at two hundred & twenty six dollars it is therefore considered ordered & adjudged by the Court that the plaintiff recover of the said defendants said sum of two hundred & twenty six dollars & their costs in this behalf expended taxed to $

Thursday May 5th 1870

J. W. Robinson Adm. C. S. Hamilton } No 859
vs
Robert McElroy }

This day came the plaintiff & submitted this cause to the Court the defendants not demanding a jury whereupon the Court being fully advised in the premises do find for the plaintiff & that there is due him as said Administrater the sum of four hundred & thirty one dollars from said defendant it is therefore considered ordered & adjudged by the Court that plaintiff recover of said defendant said sum of four hundred & thirty one dollars with his costs herein expended taxed to $

Thos. J. McAdow } No 899
vs
Ralph Moffit et al }

This day came the plaintiff but Wm. C. Moffit & C. M. Smith came not but made default Ralph Moffit not being found whereupon this cause is submitted to the Court & thereupon the Court being fully advised in the premises do find for said plaintiff & find there is due him as claimed in said petition from said W. C. Moffit & C. W Smith the sum of one hundred & ten dollars, it is therefore considered ordered & adjudged by the Court that said plaintiff recover of said defendants said W. C. Moffit as principal & C W Smith as Guarantor the said sum of one hundred & ten dollars & his costs herein expended taxed to $

Jacob Leonard } No 884
vs
D. A. Williams
David Walson &
George F. Bennett } This day came the plaintiff & the defendants George F. Bennett & David Walson came not but made default & D. A. Williams was not found & thereupon this cause was submitted to the Court & the Court being fully advised in the premises find for the plaintiff & that there is due him from said George F. Bennett & said David Walson on said Note the sum of ten hundred & sixty three dollars & 75/100 $1063 75/100 it is therefore considered ordered & adjudged by the Court that the plaintiff recover of the defendants George F. Bennett & David Walson the said sum of ten hundred & sixty three & 75/100 dollars & his costs herein expended taxed to $

Jacob Leonard } No 882
vs
D A Williams
George F. Bennett
E. M. Bennett }

This day came the Plaintiff but defendants made default & this cause was thereupon submitted to the Court Whereupon the Court being fully advised in the premises find for the plaintiff & that there is due plaintiff from defendants the sum of ten hundred & sixty four dollars as claimed in said petition It is therefore considered & adjudged by the Court that plaintiff recover of said defendants said sum of ten hundred & sixty four dollars & his costs herein expended taxed to $ said E. M. Bennett being surety it is ordered that the property of said principal debtor be first liable

Thursday May 5th 1870

Jacob Leonard
vs
D. R. Williams
George F. Bennett &
P. L. Coe

No 883

This day came the plaintiff but the defendants ~~came~~ not George F. Bennett & P. L. Coe served with process came not but made default whereupon this cause was submitted to the Court & thereupon the Court do find for the plaintiff & that there is due him from said George F. Bennett & P. L. Coe on said Note thirteen hundred & Eighteen 22/100 dollars it is therefore considered & adjudged by the Court that plaintiff recover of defendants George F. Bennett & P. L. Coe said sum of thirteen hundred hundred & Eighteen 22/100 dollars & his costs herein expended taxed to $ 1 & it appears that P. L. Coe is surety it is ordered that the property of said principal debtor be first liable

D. M. Robinson
vs
J. S. Alexander & Bank of Marysville

No 209
Continued

Alexander G Stevenson
vs
Allen Lisler

No 700 ~~701~~
Continued

2 91

George Sinclair for himself & as Guardian of C. W. & Francis Sinclair
vs
Luther Winget

This day this cause came on to be heard upon a motion to confirm an amicable Partition made by the parties in this case & the petition survey plats & agreements being produced & examined by the Court & it appearing to the Court that the proceedings had by the parties are regular & in due form of law the same are hereby approved & confirmed & it is ordered by the Court that the said George Sinclair C. W. Sinclair & Francis Sinclair hold together the parts & parcels of real estate as designated & assigned to them on the plat in the proportions of undivided one half to George Sinclair & the other undivided half to said C. W. & Francis Sinclair & that said Luther Winget hold in severalty the parts & parcels of real estate as designated & assigned to him on the plat & it is further ordered that the papers on file in this case be recorded & that the parties pay the costs & expenses of this proceeding in proportion to their interests to wit George Sinclair 1/3 C. W. & Francis Sinclair together 1/3 & the said Luther Winget 1/3 & in default of such payment that execution issue therefor

Lewis Rings
vs
Elijah Warner
J. D. Warner &
Isaac H. Warner

No 893

This day came the plaintiff by his Attorney & the said defendants came not but made default whereupon this cause was submitted to the Court by the plaintiff neither party demanding a Jury & the Court assess the damages of the Plaintiff to the sum of $ 310 & 00/100 dollars it is therefore considered ordered & adjudged by the Court that the plaintiff recover of the defendants his damages in the sum of $ 310 & 00/100 dollars ~~Three hundred~~ in form aforesaid assessed & also his costs herein taxed to $

Thursday May 5th 1870

Jacob. C. Sidle
vs
B. L. Tallmadge
Wm H Cowkright
John E Cahill partners as the Richwood Bank } No 834

This day came the parties & by written agreement on file duly proved settled this cause at plaintiffs costs the defendants releasing the plaintiff from all liabilities upon the note mentioned in said petition it is therefore ordered & decreed by the Court that said Plaintiff is released from all liabilities on account of said Note & defendants perpetually enjoined from taking any Judgment thereon against said Plaintiff & that Plaintiff pay the costs of this suit in twenty days & in default thereof that execution issue as upon Judgments at law

Stillwell & Bierce } No 831
vs
Robinson & Robinson }

This cause is continued by consent of parties & Plaintiffs in consideration of the consent for continuance agree in open Court to waive the right of a second trial under the Statute

Dacon Rogers }
vs
William Parthemore }

This day came the plaintiff by his Attorneys & the defendant as to the first cause of action set forth in plaintiffs petition having failed to answer or demur It is considered that the said Dacon Rogers ought to recover of the said Wm Parthemore the sum of one hundred & sixty four & 64/100 dollars as the plaintiff in said first cause of action has demanded against him & as to the second cause of action set forth in plaintiffs petition a Jury came to wit- William Smith D. M. Robinson James Williams Albert Pierson Adam Sherwood Robert Graham John H Sabine Joseph Powers Valonus Turner Levi Longbreak George Snodgrass W. H. Titus who being duly empannelled & sworn the truth to speak upon the issue joined between the parties upon their oaths do say that they find for the plaintiff & that the defendant doth owe the plaintiff upon said 2d cause of action the sum of seventeen & 77/100 Dollars & the said Jury further upon their oaths do say that they find against the defendant as to the offsets set up in his answer it is therefore considered & adjudged that the said Dacon Rogers recover of the said Wm Parthemore the sum of one hundred & Eighty two & 41/100 dollars & also his costs in this behalf expended taxed at $

John Pence } No 803
vs
David Wood }

This day came the parties by their Attorneys & thereupon came a Jury to wit- A. G. Brooks. C. H. Converse John Hobensack Abram Beek. B. D. Evans Philip Snider G. W. Huff J. H. Clement C Bodkin Reuben Hoot Thos. Peacock William Lane who being duly Empannelled & sworn to speak the truth & a true verdict to give upon the issues joined between the said parties according to the law & evidence do upon their oaths say they find for the plaintiff & assess his damages at fifty dollars it is therefore considered ordered & adjudged by the Court that the said plaintiff recover of the said defendant the said sum of fifty dollars his damages as aforesaid assessed & his costs herein expended taxed to $

Thursday May 5th 1870

Perry Buck } No 861
vs
Daniel & David Gleck et.al. }

This day came the parties & submitted this cause to the court Whereupon the Court being fully advised in the premises do find the allegations from the proofs of said petition to be true & that said plaintiff Perry Buck is entitled to be Quited in his title to said lot No two of the plat attached to the petition as prayed for in his petition & that David Gleck & his children are entitled to the other lot to wit No one of said plat it is therefore considered ordered & adjudged by the Court that the partition of the Buck lands as set forth in said petition to wit- lot No. one & lot No. two of said plat be & the same is hereby confirmed & the said Perry Buck Quieted in his right & title to said lot No 2 & said David Gleck & his said heirs are hereby Quieted in the title & possession to said lot No. one- it is therefore ordered by the Court that the plaintiff pay one half of the costs of this proceeding & said David Gleck & his said Children pay the other half thereof in ten days & in default of such payment that execution issue as upon Judgments at Law

George Snodgrafs }
vs
Robert Welsh. W.W. Woods et.al. }

And now comes the said George Snodgrafs by Robinsons & Piper his Attorneys & the said Robert Welsh & Nancy J. Welsh W W Woods P.B. Cole & J. W Robinson still failing to demur or answer to the said petition it is considered that the said plaintiff ought to recover the amount due him by reason of the premises & the court with the Consent of the said plaintiff find that there is due from the said defendants to the said plaintiff on the Note in the said petition set forth the sum of $1027 04/100 it is therefore considered by the said court here that the said plaintiff recover of the said defendant the said sum of One thousand & twenty Seven & 04/100 Dollars the sum so found due as aforesaid & also his costs taxed to $ and it is further ordered & adjudged that in case the said defendant fails for ten days from the close of this term of the court to pay to the said plaintiff, the said sum of One thousand & twenty seven Dollars & four cents so as aforesaid found due with costs of suit & order issue to the Sheriff of said County as Special Master Commissioner of this Court Commanding him to cause the said lands & tenements in said petition described to wit all of the in Lot No. 175 in the Village of Marysville on which his house and improvements are situated on which said Welsh now lives to be appraised advertised & sold according to law & apply the proceeds of said Sale in satisfaction of the said Judgment so as aforesaid rendered & execution awarded for the Balance as to any & all other liens this action is continued

And thereupon the Court adjourned until tomorrow Morning at 8 oclock

J. L. Conklin Judge

Friday May 6th 1870

This Morning the Court met pursuant to law the Same officers present as on Yesterday

Emma Miller } No 734
vs } Partition
Ethelinda Miller }

This day came on this cause to be heard on the motion to confirm the Sale made by the Sheriff of the land in said petition described whereupon the Court being fully advised in the premises find the said proceedings & Sale to be in all respects regular & lawfull & do confirm the same & order said Sheriff to execute to said purchaser a deed in fee simple for said land subject to the dower of the petitioner and said Court further order that the costs of this proceeding including an attorney fee of $40.00 to Robinson & Piper & $20.00 to Porter & Sterling Attys for Dft. & including the costs of the Court in the case wherein said dower was assigned be paid out of the proceeds of the said Sale in said Sheriffs hands (that the sum of $122.48) Second- that the tax claim of J. W Robinson for $20.25 be paid to Peleg Branston as administrator of the estate of Jacob Miller decd to pay the Balance of the debts of said Estate Fourth that the sum of $114.66 be paid said Branston admr. to pay the debts of Joseph Miller decd. fifth that the sum of $80.40 be paid him out the proceeds of said Sale to pay his account against said heirs as set forth in his answer. Sixth that the sum of $9.25/100 be deducted from the share of said Emma Miller & paid to said Branston for the share of Alfred Miller in said $18.37/100 mentioned in his answer and upon the payment of said several sums the Mortgage given to the defendants Long & Wells shall be cancelled, and it appearing that said Emma Miller hath given to A. B. Robinson an order for $12.70/100 to be paid out of her share of said lands the same is hereby ordered to be paid to said A.B. Robinson & deduct from her share, and it is further ordered that the said purchase money be divided between said parties in the same proportions in which said lands were ordered to be divided & of the money now in the hands of the Sheriff prove insufficient to satisfy all of said claims the deficiency shall be made up out of the second payment

X M. R. Haynes } Continued
J. S. Gee Et als }

X Andrew Keys } Continued
Saml McCampbell }

✓ Erastus Parthemore } Settled as per agreement
vs } on file - debt & costs
George Caldwell } paid -

X John M. Hall } On motion to the Court by the
vs } Attys for Defendants - It is ordered
W. W. Woods - Et als } by the Court that John M. Hall,
} he being a non resident of this
} County - give security for the
costs in this case in thirty days from May 5th 1870

Friday May 6th 1870

William W Woods } No886
vs
Perry A Kinikin }

This day came the Plaintiff by his atty & submitted this cause to the Court the defendant being in default for want of answer. thereupon the Court do find that the defendant owes to the plaintiff the sum of Three hundred & Nineteen 44/100 dollars in manner & form as the plaintiff in his petition hath in that behalf alleged therefore it is considered that the plaintiff recover of the said Dft the said sum of three hundred nineteen 44/100 dollars his debt aforesaid & thereupon it is ordered by the Court that the Sheriff of said County for the time being be appointed Special Master Commissioner & that the proceeds to sell upon execution the lands & tenements in the petition described that is to say part of Wa Military Survey No 5728 beginning at an ash Sugar & Ironwood Corner to Daniel Kinikin thence with the same N 36½, 45 7/10 poles to an elm 1.62 W 4 links a to S 70¼ W 19 links to an ash S 27 links to a maple N 54½ E 38 links thence N 36 W 16½ poles to a Stake & Stone thence N 8° 50" E 188 4/10 poles to a stone in the center of the Blue road thence with the same S 6¾ E 56 poles to a stone corner to Daniel H Kinikin thence with his line S 80 50" W 156½ poles to the beginning Containing 59 140/160 Acres & that said Special Master report to the Court here his proceedings in that behalf to settle with the due amount & respecting priorities of all liens & incumbrances by Judgment or otherwise upon said Mortgage premises As to the notes not due as for report this Cause is continued

David Baker Whitfield & Co } No885
vs
Wm Cartmell & John Weidman }

This day came the plaintiff by his Attorney the defendant being in default for want of answer & by consent of the plaintiff as well as of the Court this cause is submitted to the Court upon the Petition exhibits & testimony & the Court thereupon being fully advised in the premises do find that the defendant owes to the plaintiff in that behalf the sum of Five hundred & ten dollars ($510) therefore it is considered that the plaintiff recover of the Defendant the sum of Five hundred & ten dollars ($510) his debt aforesaid & also his costs in this behalf expended taxed to $

W W Woods } No887
vs
William S. Kinikin }.

This day came the plaintiff by his attorney the defendant being in default for want of answer by consent of the plaintiff as well of the Court this cause is submitted to the Court upon the petition exhibits & testimony & the Court thereupon being fully advised in the premises do find that the defendant owes to the plaintiff in that behalf the sum of three hundred & seventeen dollars therefore it is considered that the plaintiff recover of the defendant the sum of three hundred Seventeen dollars his debt aforesaid & thereupon it is ordered by the Court that the Sheriff of said Union County proceed to sell as upon execution the lands & tenements in the petition described that is to say to wit part of survey No 5728 beginning at a Stake in the west line of the survey in the center of the old Bellefountain road Witness a red oak N 45¼ E 48 links thence with said line N 36½ W 96 4/10 poles to a white ash thence N 80 50 E 119 6/10 poles to a stone in the center of the Blue Road thence with the same S 6¾ E 120 poles to a stone in

Friday May 6th 1870

the Bellefountain Road thence with the same N 72 3/4 W 19 6/100 poles to the beginning containing 3 9/2 Acres also that said Sheriff report to the Court here his proceedings in that behalf together with the date amount & respective priorities of all liens incumbrances & Judgements or otherwise upon said Mortgaged premises for that purpose as to the notes not due this cause is Continued,

Andrew J. Scott } No 832
vs
John G. Koerner }

This day came the parties by their Attorneys & submitted this cause waiving a Jury to the Court upon the issue joined between the parties & the Court being fully advised in the premises do find that the said John G. Koerner is not guilty in manner & form as the said Andrew J. Scott hath complained against him it is therefore considered that the said John G. Koerner go hence without day & recover of the plaintiff his costs in this behalf expended taxed at $
thereupon the plaintiff demanded a second trial which is allowed by the Court and the Amount of the bond fixed at one hundred & twenty five Dollars

J. B. Whelpley }
vs
Eugene M Bull }

And now comes the said J. B. Whelpley by his Attorney & makes proof of service upon the defendant Eugene M. Bull by Publication in due form of law & the said Eugene M. Bull Defendant having failed to answer or demur to said petition & neither party demanding a jury this cause was submitted to the Court by the plaintiff upon the petition & proofs & the Court being fully advised in the premises do find that there is due from the defendant to the plaintiff as in the petition demanded the sum of Forty Eight dollars at this date—
it is therefore considered considered ordered ordered & adjudged by the Court that the said plaintiff recover of the said defendant said sum of Forty Eight Dollars & also his costs herein expended taxed to $
On motion of said Plaintiff by his Attorney it is ordered by the Court that the Sheriff of this County proceed as upon execution at Law to advertise & sell the real estate attached in this action & in case a Sale shall be made that he report his doings herein to this Court

Calvin Richards et al } No 901
vs
Catharine Langstaff et al }

On motion of Plaintiff & it appearing to the Court that Wm A Langstaff one of the defendants to this action is a minor over fourteen years of age & has been duly served with summons & has for more than twenty days after the return thereof neglected to apply for the appointment of a Guardian for the suit for himself & it also appearing that Kendrick Langstaff one of the defendants herein is a minor under fourteen years of age & has been duly served with summons it is therefore by the Court that P. B. Cole be & he is hereby appointed a Guardian for the suit for said William A Langstaff & Kendrick Langstaff & thereupon came said P. B. Cole & accepted said appointment & filed his answer here in behalf of said defendants

Friday May 6th 1870

Oliver P. Freeman } No 835
vs
Henry G. Booth }

This cause settled by agreement of Parties on file at Plaintiffs cost it is therefore considered by this Court that the defendand recover of Plaintiff his costs herein taxed to $

John Doe Ex dem Samuel Stokely et. al. } proceedings under the
vs } occupying Claimant law
John Williams et. al. }

it being saggested that Samuel Stokely one of the Claiments is dead & that Mantford S. Stokely Jane S. Loyd Wife of Wm R Loyd Elizabeth A Wood & Thomas Stokely are his only heirs at law the said heirs are on motion substituted as defendants in said proceedings under the occupying Claimant law instead of the Samuel Stokely decd. & it appearing that Morgan Savage hath bought the interest of all of the said occupants of said lands he is substituted in their stead & thereupon comes on this cause to be heard on the motion of said heirs of said Samuel Stokely to set aside the verdict of the Jury in said proceedings under the occupying Claimant law also on the Motion of said Morgan Savage for an order allowing him to pay to the said heirs for their share of said land at the price with interest for which the same was appraised in a State of nature by said verdict of the Jury whereupon the Court being fully advised in the premises do overrule said Motion to set aside said verdict & do sustain said Motion of Morgan Savage & it appearing to the Satisfaction of the Court that said heirs are entitled to fifteen Acres & Seventy poles valued by said Jury at $ 3.96 per acre or $ 61.13 th 25th of sept 1850 which with interest to this term amounts to $ 131 4/100 it is therefore ordered & adjudged that said Morgan Savage pay to the Clerk of this Court the said sum of $ 131 4/100 for said heirs of said Samuel Stokely & that said heirs releas to said Savage their interest in said lands in ten days after such payment & in default thereof that this decree shall operate as such Conveyance & it is further ordered that the said heirs pay the one twenty fourth part of the costs under said proceedings under the occupying Claimant law & the remainder of said costs the said Savage pay the ~~remaining part~~ of said costs & in default thereof for ten days execution issue therefor he having bought the remaining Shares of said lands to all of which the said heirs of said Stokely excepts

Robert Norville } No 850
vs
Elizabeth Norville }

On this cause on motion of defendant it is ordered by the Court that the plaintiff pay to the defendant the sum of twenty five dollars on or before the first day of July next as an alimony to enable defendant to prepare her defense & this cause is continued

Friday May 6th 1870

Joseph Russel } 10802
vs
Cyrus Philips & D. H. Dyal }

This day came the said Joseph Russel by N. D. Gilbert his Attorney & the said defendant Cyrus Philips still failing to answer or demur to the plaintiffs Petition it is considered by the Court that the said Joseph Russel ought to recover of the defendant Cyrus Philips the sum of four hundred & Eighty Six dollars & thirty five cents which the Court finds due to said Joseph Russel on the promissory Note in his petition set forth as principal & interest thereon & the said defendant D. H. Dyal thereupon demanding a Jury to try the issue joined between said D. H Dyal & the plaintiff a Jury being called came to wit, James Williams, D. M Robinson Wm. M. Robinson Levi Longbreak M. S. Wood Joseph Powers Peter Bland W. E Baxter Gregory Hanley Andrew Keyes Adam Sherwood James Moore who being Empannelled & Sworn well & truly the truth to speak upon the issue joined between the said plaintiff Joseph Russel and D. H Dyal upon their oaths do say that the said defendant owe to the plaintiff the sum of Four hundred & Eighty Six Dollars & thirty five cents in manner & form as the plaintiff in his petition hath alleged it is therefore considered ordered & adjudged by the Court that the said plaintiff recover of the defendants Cyrus Philips & D H Dyal the said sum of Four hundred & Eighty Six Dollars & thirty five cents so as aforesaid found due, from the said defendants Cyrus Philips & D. H. Dyal to the plaintiff Joseph Rusel & also his costs of suit in & about his suit in this behalf expended taxed to $ & it having been made to appear to the satisfaction of the Court that the said Cyrus Philips is principal on said note & that said D. H. Dyal surety on the promissory Note sued upon it is ordered that the said D. H. Dyal be and he hereby is entitled to the rights & benefits of surety in this action according to the Statute in such cases made & provided & thereupon said defendant D. H. Dyal demanded a second Trial which was allowed by the Court & the Bond fixed at $912 50

James Hullington, Charles Phellis & W. W. Woods } No 856
vs
John A Stricklin Mary E. Stricklin, Catharine Stricklin }

This day came the plaintiffs by their Attorney & submitted their cause to the Court the defendants being in default for want of answer this cause was submitted to the Court where upon the Court do find that the defendants John A & Mary E. Stricklin owes to the plaintiffs in their petition hath in that behalf alleged, therefore it is considered that the plaintiff recover of the defendants John A & Mary E Stricklin the said sum of one thousand & nine dollars ($1009) their debt aforesaid & thereupon it is ordered by this Court that Sheriff of this County for the time being as a Special Master proceed to sell as upon execution the lands & tenements in the petition described that is to say situate in said County of Union described as follows beginning at a stake the south East corner to a lot conveyed to Alexander Pollock & in the original east line of survey No 4069 thence with said original line S 10° E 80 poles to a stake thence S 79 W 85 poles to a stake in the London Road thence with said Road N 11 East 84 poles to a stake, S.W. Corner to said Pollocks lot thence N 79 E 54 poles to the beginning containing thirty four acres & 3/4 of an acre

Stricklin
John A & Mary

Friday May 6th 1870

be the same more or less it being the same land conveyed by Silas G. Strong & Wife by deed dated Dec. 28th 1838 to William Campbell also the following tract of land lying in the said County of Union Ala & bounded as follows to wit: being that lot of land deeded to Cipprean Lee by Silas G. Strong said lot being bounded on the east by the original line of survey No 2256 in the name of Edward Davis 40 poles on the South by lands formerly owned by A Pinney about 100 poles & on the west by the London Road 43 poles on the North by land formerly owned by William Campbell about 70 poles containing twenty two acres more or less & being part of survey No 4069 & being the same land conveyed by Cipprean Lee to Wm Campbell by deed dated July 12th 1843
that said Sheriff report to the Court here his proceedings in that behalf together with the date Amount & respective priorities of liens & incumbrances by Judgment or otherwise upon said Mortgaged premises & as to the Note not due & for the report of the Sheriff this Cause is continued

Wm. J. Laird } No 544
vs
The A. & G. W. Railway Co }

This day came on this cause to be heard on the demurer of W. J. Laird Plff to the 2d Grounds of defence Stated in the defendants Answer as grounds of demurer that in said 2d defence facts sufficient to constitute a defence are not stated. And the Court being fully advised in the premises is of opinion that in 2d ground of defence facts sufficient are stated to constitute a defence for the defendant against the said action of the plaintiff & said plaintiff not asking leave to reply to said 2d defence it is therefore considered by the Court that the defendant go hence without day & recover of the plaintiff its costs in this behalf expended taxed to $
to such ruling & Judgment the Plaintiff excepts

Moses Wolford }
vs
The A. & G. W. Railway Co }

This day came on this to be heard on the demurer of Moses Wolford Plff to the 2d Grounds of defence Stated in the defendants answer as grounds of demurer that in said 2d defence facts sufficient to constitute a defence are not Stated & the Court being fully advised in the premises is of opinion that in 2d Ground of defence facts sufficient are Stated to constitute a defence for the defendant against the said action of the plaintiff & said plaintiff not asking leave to reply to said 2d defence it is therefor considered by the Court that the defendant go hence without day & recover of the plaintiff its costs in this behalf expended taxed to $
to such ruling & Judgment the Plaintiff excepts

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

D. L. Hawkins
Judge

Saturday May 7th 1870

This morning the Court met pursuant to law the same Officers present as on yesterday

J. C. Evans } No 724
vs
Henry M. Ramey et al. }

This day this cause came on to be heard upon the petition of Plaintiff & the answers of the said Jacob C. Sidle & the said Hannah Bonham, the said Henry M. Ramey Mary K. Ramey & John Ramey heirs being in default & was submitted to the Court & this Court being fully advised in the premises do find the equity of the case to be with the said Hannah Bonham it is therefore ordered adjudged & decreed that the said Hannah Bonham hold said premises so claimed by her free from said judgment of plaintiff against the said Henry M. Ramey & that the action of Plaintiff be dismissed & it is further considered & adjudged that the said Hannah Bonham she agreeing thereto pay the costs of this proceeding taxed at $ Notice of appeal is given by Plaintiff & Bond filed at $ 100

J. W. Robinson }
vs
Robert Welsh & Wife }

This day came on this cause to be heard on the motion of Plaintiff to confirm the sale of the ten acres struck off to him at $47 per acre & the Court being fully advised in the premises do find said proceedings & Sale to be in all respects regular & lawfull it is therefore ordered & decreed that the same be confirmed & approved & said Sheriff & Special Master is ordered to execute to said purchaser a deed in fee simple for the land so sold to him as aforesaid conveying to him all the title of said Robert Welsh & wife & they are hereby ordered to deliver to said purchaser the full possession of said ten acre lot, it is further ordered that the purchase money be distributed as follows 1st the said Sheriff pay the costs of this proceeding 2d that he pay the tax liens thereon 3d that he pay the sum due the Plaintiff on the decree & judgment rendered herein before if the same is sufficient & if the same is not sufficient then the sum left after paying costs & taxes shall be applied on plaintiffs claim & that execution issue for any Ballance that shall remain due Plaintiff

William M. Randall } No 878
vs
Daniel Rice et al. }

This day came the said William M. Randall Plaintiff by J. L. Cameron his Attorney & the said defendant Daniel Rice being in default for answer or demurer & the said George Snodgrass Adam Reever Coats & Gilbert defendants having filed answers herein setting forth liens on said premises described in said petition & the said Norman & Gilbert having obtained leave to file an answer herein in ten days for the purpose of setting up a lien on said premises this cause by the consent & agreement of all parties was submitted to the Court upon the petition exhibits & testimony & the Court being fully advised in the premises do find the several facts & allegations set forth in said petition are true & that the plaintiff ought to recover the amount due him by reason of the premises & the Court with the consent of the said Plaintiff find that there is due from the said defendant Daniel Rice to the said plaintiff upon the first Note mentioned in the

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first cause of action set up in the said petition the sum of $260 25/100 which sum of $260,25 is a lien on the lands & tenements described in said first cause of action & that the two other notes mentioned in said first cause of action are not due & one a lien on said premises and the Court with the like Consent of Plaintiff do further find there is due from the said defendant Daniel Rice to the said Plff upon the Notes mentioned in the second cause of action set forth in said petition the sum of $213,80 which said sum of $213 80/100 is a lien upon the lands & tenements mentioned & described in said second cause of action & the Court with the like consent of Plaintiff do find that there is due from the said defendant Daniel Rice to the said Plaintiff upon the Note mentioned in the third cause of action set forth in said petition the sum of $67.40 which said sum of $67.40 is a lien upon the lands & tenements set forth & described in said first & second causes of action set forth in said petition It is therefore considered ordered & adjudged by the Court that the said Plaintiff recover of the said defendant Daniel Rice the said several sums of money so as aforesaid found due to wit upon the first cause of action the sum of $260,25 upon the second cause of action the sum of $213,80 & upon the third Cause of action the sum of $67,40 & also his costs herein expended taxed to $ & It is further ordered adjudged & decreed that in case the said defendant Daniel Rice fails for ten days from the close of this term of the Court to pay to the said Plaintiff the said sum of $260,25 so as aforesaid found due upon the said first cause of action with costs of suit in said petition then that an order issue to the Sheriff of said County of Union commanding him to cause the said lands & tenements in said first cause of action described to be appraised advertised & sold according to law to satisfy said Judgment so as aforesaid rendered upon said cause of action & It is further ordered & decreed that in case the said defendant Daniel Rice shall for ten days after the close of this term of Court fail to pay to said Plff the said sum of $213,80 so as aforesaid found due upon said second cause of action mentioned in said petition an order issue to the Sheriff of Union County commanding him to cause the said lands & tenements in said second cause of action mentioned & described to be appraised advertised & sold according to law to satisfy said Judgment so as aforesaid rendered upon said second cause of action & it is further ordered & decreed that in case the said defendant Daniel Rice shall pay the said Plff the amount found due him upon the first & second cause of action or either of them but if he shall for ten days after the close of this court to pay to said Plff the said sum of $67,40 so as aforesaid found due upon said third cause of action an order issue to the Sheriff of said County commanding him to cause the said lands & tenements in said Petition described to be appraised advertised & sold to satisfy the Judgment so as aforesaid rendered upon said third cause of action & that the said Sheriff report his doings thereon by the next term of this Court to which time all other matters in this action are continued

S. 313 Edmond Wells vs Robert Harsh No 707 In Replevin Exp: 1 No 933

This day this Cause come on to be heard upon the motion

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of Plaintiff for a new trial in said action & the court after hearing the argument of counsel do overrule said Motion it is therefore considered & adjudged that the defendant recover of the Plaintiff said sum of two hundred & fourteen & 75/100 dollars so found his due by the verdict of the Jury & also his costs in this behalf expended taxed at $ to all of which the Plff. Excepts

X Jacob. G. Sille } No 604
Henry M. Ramey et al. } Note & Mortage

This day came this cause on to be heard upon the answer & cross petition of John Ramey the answer & cross Petition of J. G. Evans & the reply thereto by the said John Ramey & the exhibits & testimony & was argued by counsel & submitted to the court Whereupon the court do find that there is due & that the said John Ramey ought to recover on the promissory Note in his said answer & cross petition set forth the sum of one Thousand & Seventy one Dollars it is therefore considered ordered ordered & adjudged by the Court that the said John Ramey recover of the said Henry M. Ramey the said sum of One thousand and Seventy one Dollars together with his costs herein expended & taxed to $ and the court being fully satisfied in the premises further find that said Sum of one thousand and seventy one Dollars is a lien upon the property premises, land & tenements in the petition & in the answer & cross Petition of the said John Ramey described & also that the same is a prior lien to the lien of the said J. G. Evans & it is further ordered & adjudged that in case the said ~~John~~ Henry M. Ramey fail for five days from the close of this term of this court to pay to the said John Ramey the said Sum of One thousand & Seventy one Dollars so as aforesaid found due with costs of suit that an order issue to the Sheriff of Union County who is hereby appointed Special Master Commissioner for that purpose commanding him to cause the said property, premises, lands & tenements in the plaintiffs Petition & in the answer & cross petition of John Ramey, described to be appraised advertised & sold according to law & apply the proceeds of said sale first to the satisfaction of the judgment in favor of the said Plaintiff Jacob. G. Sille & to the satisfaction of said judgment in favor of said John Ramey, then to the payment of said judgment in favor of said J. G. Evans as in judgments at law & the sale heretofore made to Jacob G Sille set aside & cause continued

✓ John T. Bennett } No 855
vs
Nelson, T. Bennett et al. } This day came the parties & submitted this cause on the petition of John T. Bennett & cross Petition of Nelson. T. Bennett & the proff & Exhibits & the court being fully advised in the premises do find that due notice hath been published to non resident defendants & that the several allegations in said petition & said cross petition are true it is therefore considered ordered & adjudged by the court that the said John T. Bennett be & he is hereby quieted in his right & title & posession of the land described in plaintiffs petition as set off to him & that said Nelson. T. Bennett be & he is hereby quieted in his title to the land described in his cross petition as set off to him it is further ordered that the several heirs at law of Anna Smith decd. defendants in said petition within ten days execute to said plaintiff a deed in fee simple releasing to him the land set off to him & that they also in the same time execute a deed to said Nelson. T. Bennett for the land set off to him & in default of such conveyance this decree shall operate as such conveyance & it is further ordered that in case either the said John T. Bennett or Nelson. T. Bennett shall Prefer a deed M. C. Lawrence who is appointed Master Commissioner for that purpose is hereby authorized & empowered by the court to execute & deliver to them deeds conveying in fee simple the said lands to them the same as if the said heirs had done the same themselves

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it is further ordered that said John F. Bennett & Nelson, J. Bennett pay the costs of this proceeding in Equal shares within ten days & in default that execution issue therefor

Jonathan Burt
vs
William Weber

This day came the parties by their Attorneys & after empanneling a Jury to try the issue joined between them, the parties by agreement withdrew this cause from the Jury & the same was settled as follows the defendant is to pay the plaintiff one hundred dollars & to pay all the costs made in this cause from the commencement thereof it is therefore considered & adjudged by the Court here, that the Plaintiff do recover of the defendant William Weber the said sum of one hundred dollars together with his costs as aforesaid Taxed at $

Jeremiah J. Ellis
vs
Richard Clark et. al.

This day came on this cause to be heard on the demurer to Plaintiffs petition which being fully considered by the Court is overruled & Richard Clark excepts. Thereupon the defendant asked & obtained leave to file answer at once, Whereupon this cause came on to be heard on the motion to dissolve the provisional injunction & upon the issues joined Whereupon the Court being fully advised in the premises do find for plaintiff it is therefore considered ordered & adjudged by the Court that said injunction be & the same is hereby made perpetual & it is further ordered & decreed by the Court that Richard Clark defendant pay the costs of this suit in thirty days & in default thereof that execution issue therefor as upon Judgments at law Notice of appeal by Richard Clark & Bond fixed at $ 100

P. 199

Jonathan Burt
vs
William Richter

This day came the parties by their attorneys & settled this cause as follows the Plaintiff dismisses his action & the defendant is to pay all costs. it is therefore considered by the Court that the Plff. recover of the Deft. Wm Richter his costs in this behalf expended taxed to $

Chloe A. Parthemor
vs
William Parthemor

Divorce

and now comes the said Chloe A. Parthemor by her Attorneys and thereupon this cause came on for hearing upon the petition of Plaintiff & the answer of Deft. & was argued by Counsel in consideration whereof the Court do find that the said defendant has been guilty of extreme cruelty towards plaintiff as she in her petition alleged it is therefore ordered & decreed that the marriage relation relation heretofore existing between said Parties be & the same is hereby set aside & wholly annulled & the said parties wholly released from the obligations of the same & it is ordered that the custody and care of their said Child Gilpleen Anna Parthemor be given to the said Chloe A. Parthemor until the further order of the Court & it is ordered that the said William Parthemore be allowed at all reasonable times to see & visit

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said Child and it is further considered that the said William Santhemar pay the costs of this suit taxed at $

Calvin Richards & Margret Richards) No 901
vs
Catharine C Longstaff Et al) Decree for specific performance of real contract

and now comes the said Plffs, by Randall & Hamerer their attorneys & the said Catharine C Longstaff Lemuel Longstaff Asa Longstaff Samanda J. Morrow Wm Morrow Mattie Stouffer Isaac Stouffer & Lena A McAlister having been duly served with summons still failing to demur or answer to the said petition this Cause came on to be heard upon the petition of Plffs answer of Wm & Longstaff & Kendrick Longstaff by P. B. Cole their Guardian for this suit Exhibits & Testimony & was argued by Counsel & submitted, & the Court being fully advised in the premises do find the facts stated & the several allegations made in said petition are true & that said contract of conveyance ought to be Specifically performed & that said Plffs are entitled to a deed of conveyance for said premises in said petition described in fee simple & the court do further find that the said Plffs shall pay unto the said Catharine C Longstaff for the use & benefit of said Estate the sum of five hundred & fifty Dollars which is accordingly done it is therefore ordered adjudged & decreed that the said defendants forthwith execute & deliver to the said Plffs a good & sufficient deed of General warranty conveying the said premises to the said Plffs in fee simple & in default of the execution & delivery of such deed as aforesaid it is ordered that this judgment & decree shall have the effect & operation of such conveyance so as to vest the title to the said premises in the said plaintiffs fee simple & it is further considered that the said Plffs recover of the defendants their costs herein expended taxed to $

Lemuel Longstaff) No 878
vs
Catharine C Longstaff Et al)

And now comes the said plaintiff by Randall & Hamerer his Attorneys & the said Catharine C Longstaff Lemuel Longstaff Asa Longstaff Samanda J Morrow Wm Morrow Mattie Stouffer Isaac Stouffer & Lena A McAlister having been duly served with summons still failing to demurer or answer to the said petition this Cause came on to be heard upon the petition of Plaintiff Answer of Wm & Longstaff & Kendrick Longstaff by P. B. Cole their Guardian for this suit Exhibits & testimony & was argued by Counsel & submitted & the Court being fully advised in the premises do find the facts stated & the several allegations made in said petition are true & that said contract of conveyance ought to be Specifically performed & that said Plffs is Entitled to a deed of conveyance for said premises in said petition described in fee simple & the Court do further find that the said plaintiff shall pay unto the said Catharine C Longstaff for the use & benefit of said estate the sum of $38[illegible]00 which is accordingly done it is therefore ordered adjudged & decreed that the said defendants forthwith execute & deliver to the said plaintiff a Good & Sufficient deed of General Warranty Conveying the said premises to the said Plff in fee simple & in default of the execution & delivery of such deed as aforesaid it is ordered that this judgment & decree shall have the effect & operation of such Conveyance so as to vest the title to the said premises in the said plaintiff in fee simple & it is further considered that said Plffs recover of the defendants his costs herein expended taxed to $

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Wm Naughton by his next fd } No 828
vs } in Partition
Mary B. Naughton et al }

And now comes the said Wm Naughton by his Counsel and on his Motion & on producing the report of the Sheriff of his sale made under former order of this Court & the Court being satisfied on examination that said Sale has been made according to law it is ordered that the said proceedings & Sale be & the same is hereby Approved & Confirmed & the said Sheriff is ordered by deed duly executed to convey said premises to said purchaser in fee simple & it is further ordered that the said Sheriff out of money in his hands pay first the costs of this Case including Counsel fee of $15. Robinson & Piper taxed to $ & that he pay said Bridget Naughton the sum of $2625 in lieu of Dower & of the residue he pay to the said Wm Naughton one Ninth part Edward to Mary Bridget Naughton one Equal nineth part to Michael Naughton one Equal nineth part to Patrick Naughton one equal nineth part to Maggie Naughton one Equal ninth part to Mary Naughton one equal nineth part to Susan Naughton one Equal ninth part to Elizabeth Naughton one Equal ninth part to John Naughton one equal ninth part

W W Woods } No 759 759 P 246
vs } Settled & costs paid
Bennett Wallis }

Mary Riddle } No 793
vs } in Partition
James Riddle et al }

And now comes the said Mary Riddle by her Counsel & on her motion & on producing the report of the Sheriff of his sale made under former order of this Court & the Court being Satisfied on examination that said Sale has been made according to law it is ordered that the said proceedings be & the same is hereby confirmed & Approved & the said Sheriff is ordered by deed duly Executed to convey said premises to said purchaser in fee simple & it is further ordered that said Sheriff out of the moneys in his hands pay first the costs of this Cause including a Counsel fee of $43.30 to Robinson & Piper taxed to $ and that as to the distribution of the residue this cause is Continued

This day on motion it was ordered by the Court that Robert Welsh be appointed an auctioneer for the County of Union upon his paying the Treasurer of said County the Sum of $3.00 & Giving bond in the Sum of $1000 as required by Law

Thomas W Powell & Lucy A Cooke & Wm G Cooke } No 420
Littleton Waddell Jr Wm M. Waddell & James D Waddell }
vs
Edwin L Edmondson }

This day came on this Cause to be heard upon the petition Answer reply & testimony & the Court being fully advised in the premises do find that in Equity there should be deducted from said Mortgage the sum of fifteen hundred Dollars at the date of its execution by reason of the Equity of said heirs of Elizabeth Waddell

Dec'd. in said Bondurant survey at the time the said was conveyed to Said Powell & which sum the said Powell paid & agreed to pay them in consideration of their assignment to him as to all other matters & things set up & prayed for in said petition the court find for Defendant it is therefore considered & ordered by the Court that said Plaintiff have a credit in said Mortgage for said sum of fifteen hundred Dollars which is done by the decree of this Court rendered in the cause No 641 wherever said Edwin L Edmondson is plaintiff & said Powell & said heirs & others are defendants at this term & it is further ordered & adjudged by the Court that plaintiff recover of defendants their costs herein expended taxed to $\$$
& as to all other relief sought in said petition this cause is dismissed
Second trial under the Statute demanded by each party & disallowed = Notice of appeal by each party & Bond fixed for each party by the Court at $\$$ 100.

Edwin L. Edmondson
vs
Thomas W. Powell Lucy A Cooke Wm D Cooke
Littleton Waddle Jr. Wm M. Waddell & James A. Waddell

This day this cause came on to be heard & was by the parties who appeared (The said T. W. Powell appearing in person & by Counsel) by their Counsel submitted to the Court & the case was thereupon heard & tried upon the proceedings & Exhibits in the case and testimony & was argued by Counsel & the Court being fully advised in the premises doth find that the said Thomas W. Powell did execute & deliver to the plaintiff the Note & Mortgage mentioned in the petition & that the said Mortgage is a valid lien on the lands & tenements therein described for the amount due thereon as hereinafter mentioned the Court doth further find that the said unpaid Note in said petition & Mortgage mentioned for $\$$3135; payable two years after its date should be reduced by the following amounts first the Court finds that the said Powell is entitled in Equity to deduct from the said Note as of the date thereof the sum of fifteen hundred Dollars for and on account of & that being the sum paid & to be paid by said Powell to the said heirs of Elizabeth Waddell Dec'd. as consideration for the assignment & conveyance to him (said Powell) of them (the said heirs) in Trust & Equity in said lands as set forth in the answer in this case (which also is the matter set up by said Powell & said heirs in another case in this Court pending wherein they are plaintiffs & said Edwin L. Edmondson is defendant) and the Court doth order that said fifteen hundred dollars be so deducted from said Note
The Court doth further find that by direction of said Edwin L. Edmondson Plff. the said Thomas W. Powell one of the defendants did on the 15th day of January A.D. 1870 pay to Henry Stanberry the sum of five hundred Dollars for said Edmondson to apply on fees of said Stanberry as Attorney for said Waddell heirs & Edmondson (as colleagues with said Thomas W Powell) in the said suit in the Circuit Court of the United States mentioned & refered to in the pleading in this case (as also refered to in the case of said Powell & others against said Edmondson pending in this Court hereinbefore refered to and the Court doth find that by the understanding between said Powell & said Edwin L Edmondson said payment of fifteen hundred dollars was to be applied on & credited on the said Note & it is ordered by the Court that said Powell have the benefit of a credit of that amount as of that date & as to the balance of said Note after said deduction the Court doth find that the Equity of the cases with the said plaintiffs and that the condition of said Mortgage has become forfeited & the said

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Mortgage deed absolute and that there is due to plaintiff Edwin L. Edmondson from the said Thomas W. Powell in said Note & Mortgage the sum of one thousand five hundred Seventy Nine dollars & thirty four cents ($1579.34) which plaintiff ought to recover it is therefore considered by the Court that the plaintiff Edwin L. Edmondson do recover of the defendant Thomas W Powell the said sum of one thousand five hundred Seventy Nine Dollars & thirty four cents, together with his costs herein expended taxed to $

And the Court doth further order adjudge & decree that in default of payment by said Thomas W. Powell of said Judgment & said Amount of one thousand five hundred Seventy Nine Dollars & thirty four cents, so as aforesaid found to be due on said Note & Mortgage with the interest thereon until paid together with the costs of this suit within ten days from the rising of this term of this Court that an order of Sale issue to the Sheriff of this County, Commanding him to cause the said lands & tenements in the petition & in said Mortgage described to wit:- A lot of land in the Virginnia Military Survey Known as Survey No 4072 containing six hundred acres be the same more or less & known as the Bondurant lot - to be appraised advertised & sold according to Law & to apply the proceeds of said Sale or so much thereof as shall suffice therefor to the payment of said Judgment & Claim as aforesaid with interest & costs as aforesaid & accruing costs

Thereupon the said Edwin L. Edmondson plaintiff did give Notice of & did demand a second trial of this action & the Court being of the opinion that this case is not one in which a trial by Jury may be demanded by either party the Court doth disallow & refuse to allow a second trial in this action to which said Edwin L. Edmondson by his Counsel did except & thereupon said Edwin L. Edmondson did give notice of his intention to appeal this case to the District Court Whereupon the Court did fix the amount of the undertaking & Bond to be given by said Edwin L. Edmondson in & for said appeal at the sum of One hundred Dollars

And thereupon Also the said Thomas W. Powell did give notice of & did demand a second trial of this action & the Court being of the opinion that this case is not one in which a trial by Jury may be demanded by either party, the Court doth disallow & refuse to allow a second trial in this action to which said Thomas W Powell & Counsel did except & thereupon Thomas W Powell did give notice of his intention to appeal this case to the District Court Whereupon the Court did fix the amount of the undertaking & Bond to be given by said Thomas W Powell in & for said appeal at the sum of one hundred Dollars

John McNear }
vs } No 740
Allen Latham et. als }

This day came on this cause to be heard on the issues joined between the parties & the Court being fully advised in the premises do find that Plaintiff has paid for the 106½ acre lot of land in his petition described & is entitled to a deed for the same as prayed for - It is further found by the Court that the other parcel or lot of 5 acres in said Petition described was laid off & set apart by said Allen Latham for a road for the use of the defendants Michael Wilbert Conrad Rudolph & Andrew Greenbaum among lands as set up in their said answer & that

X

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it would be ~~unjustifiable~~ inequitable to permit him or his assigns to close the same it is therefore considered ordered & adjudged by the Court that said Allen Latham be & he is required in 30 days to execute and deliver to plaintiff his good & sufficient warranty deed for said 106½ acre lot & that as to the other five acre lot he be forever estopped from claiming the same as against the said Michael Hilbert Conrad Rudolph & Andrew Greenbaum or their heirs or assigns & it is further ordered that said Latham in thirty days pay the costs herein expended taxed to $ & said Latham gave Notice of appeal & the Court fixed the appeal Bond at $150

First National Bank of Delaware Ohio }
vs }
John Sidle, J. C. Sidle & James Mulvain }

This day this cause came on & thereupon came the plaintiff & No service having been made upon John Sidle the said Plaintiff dismissed this action as to him without prejudice to any future action - and the said plaintiff also dismissed this action as to J. C. Sidle - and the said plaintiff also dismissed this action as to the said James Mulvain - as per agreement on file — No record to be made of the Mulvain branch of the case — Cost paid —

Thomas C. Hamilton by &c }
vs } ex $1010
John S. Hamilton et al }

This day came the said Plaintiff by his Guardian & Attorney & this cause thereupon came on to be further heard upon the motion to confirm sale of lots numbered three - & - seven - on the plat ~~numbered~~ returned with the report of sale & the Court being satisfied that the sale was made in all respects in due form of law & that said sale ~~has~~ been fairly conducted & made & that the price obtained is the reasonable value of these lots respectfully - it is therefore ordered & adjudged & decreed by the Court that the proceedings & sale of said trustee be in all things approved & affirmed as to said lots numbered three & seven & the said trustee is hereby authorized & directed to make & deliver to the respective purchasers deeds for said lots so sold in fee simple - freed from the conditions & limitations in the will of C. S. Hamilton Dec'd contained upon the payment to said trustee of one third of the purchase money & on the respective purchasers securing the residue by Mortgage on the premises so sold to them according to the terms of sale —
and on further consideration of this case on the motion of the trustee for an order to invest - or reinvest the fund arising from sale - it is ordered & directed by the Court that said trustee invest the funds as they may come into his hands without unnecessary delay at his discretion in the funded debt of this State or of the United States or in other real estate bonds secured by Mortgage on unincumbered real Estate according to the statute in such case made & provided & that said Trustee report to this Court from time to time his proceedings & the condition of the fund for the Approval of this Court & its further order if necessary

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Lewis W. Green }
vs }
William M. Robinson }

This day came on this cause to be heard upon the Motion of the plaintiff to set aside the verdict of the jury herein rendered April 28th 1870 and to grant a new trial whereupon the court being fully advised in the premises do overrule said motion it is therefore considered ordered & adjudged by the Court that the Defendants go hence without day & recover of the plaintiff their costs in this behalf expended taxed to $

over

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whereupon plaintiff excepts to said decision of the Court overruling said motion to set aside said verdict & for a new Trial and asks the Judge to sign & seal the bill of exceptions following, which is accordingly done

~~be it remembered that on the trial of this cause~~

Lewis. W. Green }
vs } in the Court Common Pleas Union Co O
Wm M. Robinson }

Bill of Exceptions

Be it remembered that on the trial of this cause at the April term of the Court of Common Pleas A D 1870 the said Lewis W Green to maintain the issues on his part gave in evidence to the Jury aforesaid his own deposition herein copied marked A & B.

Deposition of Lewis W Green a witness taken in an action pending in the Court of Common Pleas in & for the County of Union, wherein the said Lewis W Green is plaintiff & William M. Robinson & others are defendants & for said plaintiff - by the agreement of the parties - without previous notice having been given before M.B. Lawrence a Notary Public in & for said County at the time & place hereinafter certified - P.B. Cole Attorney for Plaintiff & J. W Robinson Attorney for defendant being present

Deft. A

Lewis W Green the plaintiff a resident of Vermillion County Illinois, of Lawful age - who being first duly sworn, by me as hereinafter certified deposed as follows 1st Question by Plaintiffs Atty - State whether or not you purchased of David Davis 2d, 73. Acres of said part of Survey No 3470 - in York Township Union County Ohio - Answer. I did. 2d Question. State where the conveyance was made - and all the particulars fully. Answer - the deed was made June 17th 1856 I bought the land of James R Smith as agent for David Davis 2d of March I believe - 1856 - 3d Question What if any thing was said about incumbrances on the land at the time of your purchase? Answer. Smith told me there was a small claim going to Irwin as agent for E. H. Drake - I think the claim was some $60 or $70 and I paid it to Wm. B. Irwin that is the only claim that I recollect of against the land according to Smiths Statements Smith told me to go to Marysville & examine the records & I could take out of the purchase money all liens I found upon the land I went to Marysville I had the recorder examine the records & I examined them for myself - & could find no liens upon the land except the Mortgage to Drake above mentioned which was given by Yarrington & payment of it had been assumed by David Davis 2d this examination was made before I purchased - & before the deed to me was made -

Answer

I told the recorder I wanted to know what liens there were on the land & he examined the index - I dont Know that he examined any other way - & said there were none except the one to Drake - I examined the Index also & could find none but the Drake Mortgage -

4th Question - State whether or not you had any conversation with David Davis 2d in regard to liens - if so when & what? - Answer. after the terms of the sale of the land was agreed on between J R Smith & myself I saw Davis - before any money was paid on it - & I asked him if there was any incumbrances on that land - he said there was none but the Mortgage to Drake above mentioned - & that should be paid - I paid it - & took it out of the purchase money I think - it was from $160 to $170 & Davis paid probably $100 on it - & I paid the ballance -

8th

I saw Davis at Summersville Union Co. Ohio. - I think in March 1856

5th Question State the terms of payment to Davis - with dates & amounts Answer I let Davis have 80. acres of land in Henry County Ohio - and Nine acres of Land adjoining Summersville in Union County Ohio

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Three head of Cattle & one horse - the balance of some $300 to $400 I gave Davis my note for on I think two years time - which Note I paid in 1858. or 1859 - probably in 1859 - 6th Question - Where did you first learn of or know of the Mortgage from Davis to Yarrington on this land Answer I think it was in the fall of 1861 7th Question was it before or after you made the last payment upon the land Answer it was after 8th Question How did you learn there was such a Mortgage Answer I Sold the land in March 1861 to Henry Newell (C H Newell) In the fall of 1861 Newell told me he understood there was a Mortgage on that land - this was the first I Knew of it - the first I Knew it positively was when Yarrington Sued me on the Mortgage 9th Question State whether or not you ever had any conversation with Jonah Baldwin concerning this Mortgage if so when & what Answer I did - in the fall of 1861 - after Newell told me there was a Mortgage against the land, I asked Baldwin if it was a fact that there was a Mortgage on that land & he told me there was - & he said had it in his power to settle it that was the first Conversation I ever had with Baldwin on that subject - I might perhaps during the course of the trial had other conversation with him concerning it - but do not Know that I had 10th Question - Baldwin States in his deposition that soon after You came back from Illinois in the fall of 1856 he had a conversation with you in regard to this Mortgage" State whether or not you were in Illinois, that fall or that Year - Answer - I was not - 11 Question State when you first went to Illinois? Answer - In 1859 I left here in April I think - & returned the first of July I have been to Illinois & back every year since that time 12th Question Upon what did you depend for information as to incumbrances upon the land (objected to by defendants Atty) Answer I depended upon the Information I got from the recorder - & the examination of the Index Books examined by defendants Atty, 1st Question at the time James R Smith Sold you the land as agent, did he not tell you that Davis had given a Mortgage to Yarrington on that land Answer I dont think he did - if he did I do not recollect of any such Conversation - 2d Question do you recollect of his advising You to go & examined the records to see if Yarrington had not put his Mortgage on record which he received of Davis on this land - Answer I do not - 3d Question was the conversation You had with David Davis 2d of which You Spoke in your examination in chief - on the same day You returned from Marysville or was it afterwards? - Answer I could not tell - 4th Question was James R Smith present? Answer I think not 5th Question did not Davis at that conversation say that he supposed the Yarrington Mortgage had not been recorded & if it was not it would not be a lien upon the land? Answer He did not - He never mentioned the Yarrington Mortgage 6th Question - did you tell Judge Smith when you came back from Marysville that the Yarrington Mortgage was not recorded? answer I did not - 7th Question You Swear positively, do you that you never heard of the Yarrington Mortgage - either from James R Smith or David Davis 2d or Jonah Baldwin, or any one else, until the fall of 1861 - when Newell told You? Answer, that is the first to my recollection 8th Question was it your opinion when you bought the land - that if the Mortgage was not recorded it would not be a lien on the land? Answer I had no opinion about it - for I Knew nothing about it -

L. W. Green

I M. C. Lawrence a Notary Public of the State of Ohio in & for the County of Union do hereby certify that the above named Lewis W Green was by me first duly Sworn to testify the truth the whole truth & nothing but the truth: that the foregoing deposition by him subscribed, & reduced to writing by me - & written & by said Lewis. W. Green - the witness subscribed

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in my presence & were taken at my office in Marysville, Union, County Ohio on the 26th day of October 1867. as Stated in the caption to this deposition in testimony whereof I have hereunto set my hand & Notarial seal this 26th day of October 1867
M. C. Lawrence Notary Public — Notary fee $2.00 pd by Green

Depst. B. Deposition of Lewis W Green a witness taken in an action pending in the Court of Common Pleas in & for the County of Union, Ohio, wherein the said Lewis W Green is plaintiff & William M. Robinson & others are Defendants & for said plaintiff, by the agreement of the parties — without

Depst. B. State of Illinois
Vermillion County ss

before R W. Horford Judge of the County Court of Vermillion County in the State of Illinois having Probate jurisdiction in said County on Monday April 18th 1870. between the hours of Eight o'clock A. M. & Six o'clock P. M. to be read in evidence on behalf of the Plaintiff in an action pending in the Court of Common Pleas of Union County in the State of Ohio in which Lewis W Green is plaintiff & Wm M. Robinson et. al. are Defendants and taken by virtue of the notice hereto attached.

Deposition of Lewis W Green plaintiff taken as aforesaid.
Lewis W Green of lawful age being by me first duly ~~sworn~~ examined And cautioned & Solemnly Sworn deposeth & saith — as follows
I bought the land in controversy from David Davis, through James R Smith his agent in March 1856. & paid fourteen hundred dollars for it in making up this amount I traded to him Eighty Acres of land in Henry County, Ohio for six hundred & forty dollars ($640.00). also Nine Acres of land adjoining the town of Summersville, for two hundred & seventy dollars ($270) also three head of Cattle & one horse for one hundred & Ninety dollars ($190) & for the balance I gave my Note for three hundred dollars ($300) payable to David Davis or bearer in two years from date, the Note was negotiable & was transfered to Robert McElroy in March 1856 who immediately Notified me that he held the Note; this was before the fall of 1856 I paid the Note to Robert McElroy the deed to the Henry County land was made before the fall of 1856 to James R Smith the deed to the Summersville land was made in July 1856; the Cattle & horse were delivered to James R Smith as the Agent of David Davis in March 1856 the Summersville land was deeded to James R Smith both deeds were delivered to Smith, before the fall of 1856; the erasure in the 18th 20 lines of this page & interlineation on 21st line was made before signing. Lewis W Green
Sworn to & Subscribed before me this 18th day of April A. D. 1870
R. W. Horford County Judge of Vermillion County Ill. Fees $2.00 paid by Plffs
I. R W Horford County Judge of Vermillion County, having exclusive Original Jurisdiction in matters of Probate in said County do hereby certify that Lewis W. Green the above named witness was by me first Sworn to testify the truth the whole truth & nothing but the truth & that the depositions by him Subscribed as above set forth were reduced to writing by myself in the presence of the witness and was Subscribed by said witness in my presence & was taken at the time & place in the annexed notice specified; at my office in Danville in said County, that I am not counsel, Attorney or relative of either party, or otherwise interested in the event of this suit And was commenced at the the time in the notice Specified and completed the same day as above Stated. In witness whereof I have hereunto set my hand & Probate seal at Danville in said County this 18th day of April A. D. 1870. R W Horford (Seal)
County Judge of Vermillion County

Depst C.

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The Defendant, to maintain the issue on his part gave in evidence to the Jury the deposition of one Jonah Baldwin herein copied Marked ("C") as the original Mortgage alluded thereto

Defd't C. Deposition of Jonah Baldwin taken before me Isaac W. Pennock Justice of the Peace for Hale Township Hardin County Ohio on the 18th day of September A.D. 1867 Between the hours of Eight oclock A.M. & Six oClock P.M. at the residence of Jonah Baldwin in said County pursuant to the annexed Notice, to be read in evidence on behalf of the defendant in an action pending in the Court of Common Pleas in Union County in which Lewis W. Green is plaintiff and Wm M. Robinson et. al are defendants Jonah Baldwin of Lawful age being by me first duly examined & cautioned & solemnly affirmed Deposeth & saith as follows. 1st Question by defendant are you acquainted with the plaintiff Lewis W. Green, if so how long have you known him? Answer. Yes. I am acquainted with him I have been acquainted with him about twelve or thirteen years. Question 2d what knowledge have you of the Mortgage of David Davis &c. given to Ephraim Jarrington hereto attached Marked A. Answer second. Mr. Davis & Mr. Jarrington both told me that Davis executed this Mortgage to Mr Jarrington & Mr Jarrington told me at the time that he had taken the Mortgage and got it recorded Question 3d How long have you had this Mortgage in your possession, Answer third, Since October 1862 Question 4th did you ever have any conversation with the plaintiff Green about this Mortgage, if so, when was it & what was said by you & what was said by him in that conversation Answer 4th I had conversation with plaintiff soon after I came back from Illinois in the fall of 1866 He (Green) Came to me & said that he understood that I knew something about this Mortgage & I told him I did that I had seen the Mortgage, & read the endorsement made by the recorder on back of Mortgage, showing the number & page of record that it was recorded in, and Mr. Green said to me that Judge Smith had told him there was a Mortgage, given by Davis to Jarrington but he (Green) had examined the records & could not find it & some short time afterwards he told me that he had went & examined the records and found it on record as I had Stated — Cross examined Question 1st by Plffs Attorney, when did Lewis Green talk with you about the Davis & Jarrington Mortgage Answer 1st not long after October 1866. Question 2d where was this conversation at Answer 2d at Summersville Question 3d who was present at the time Answer 3d I think there was no one present Who did he say told him that there had been such a Mortgage given Answer 4th James R Smith Question 5th did Green come to see you about it or did you Accidentally fall in with him Answer 5th I suppose he came there on purpose Question 6th did not Green say to you at the time that James R Smith had said to him there had been such a mortgage but he did not know but it was said that he (Green) had examined the record & could find no record of it & he believed there was no such Mortgage Answer 6th he did say that Smith told him of the Mortgage, but I have no recollection of him saying that he (Smith) thought it was said & I think that he (Green) did not have any such conversation, but he (Green) told me then that he had examined the records & could find no record of it but I told him there was a record for I had seen it endorsed on the Mortgage & then he (Green) went & examined, and afterwards told me he had found it as I had instructed him, and further this deponent Saith not

Jonah Baldwin

Justice fees, for making out & certifying to deposition $1.50 for Stamps .05 Witness fee 50 = $2.05 Fid by defendant I, Isaac W. Pennock a Justice of the

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Peace for Hale Township in the County of Hardin & State of Ohio do hereby certify that Jonah Baldwin whose name is subscribed above, was by me first affirmed to testify to the truth the whole truth & nothing but the truth & that the depositions by him subscribed as above set forth was reduced to writing by my self in the presence of the witness & was subscribed by said witness in my presence & was taken at the time & place in the annexed Notice specified that I am not Counsel Attorney or relative of either party or otherwise interested in the event of this suit, In testimony whereof I have hereunto set my hand this 18th day of September in the year of our lord one thousand Eight hundred & Sixty seven Isaac W. Pennock Justice of the Peace

Mortgage David Davis to, Ephraim Yarrington

To all people to whome these presents shall come greeting,
Know ye that David Davis for the consideration of ten hundred & fifty six dollars received to be in full satisfaction of Ephraim Yarrington do give grant bargain sell & confirm unto him the said Ephraim Yarrington the following described tract or lot of land situate in the Township of York County of Union & in the State of Ohio and is known by survey No 3470 in the virginia Military District and is bounded as follows being part of said survey on the waters of Bokes creek beginning at a Hickory and Elm in the South line of said survey being the S.W. corner of P Keeners land lot 1015 thence with said survey line N 81 W. one hundred and thirty poles to two beeches and sugar tree S.E. corner of lands donated by D. McArthur to the State of Ohio thence with said line N 8 E. 88½ poles to a beach and ash. S. W. corner to Robert McElroys land lot No 11 thence S 81 E to a Stake ½ rod North of two sugar trees corner of Hydes & Keeners land being one hundred and thirty poles thence South & W. Ninety poles to the beginning Containing Seventy three acres Excepting one acre on Bowsh Run which was sold to John Cook by an article of agreement some time previous be the same more or less but subject to all legal highways, to have & to hold the above granted and bargained premises with the appurtances thereof unto him the said Ephriam Yarrington his heirs and assigns forever to and for his own proper use and behoof and him the said David Davis do for himself heirs executors and administrators covenant with the said Ephraim Yarrington his heirs and assigns, and at and until the ensealing of these presents— well seized of these premises, as a good indefeasable estate in fee simple and have good right to bargain and sell the same in manner and form as above written and that the same be free from all incumbrances whatsoever, and furthermore him the said David Davis do by these presents bind himself heirs forever to warrant and defend the above granted and bargained premises to him the said Ephraim Yarrington his heirs and assigns against all lawful claims and demands whatsoever and him the said David Davis do hereby remise release and forever Quit claim unto the said Ephraim Yarrington, his heirs and assigns all my right and title of Dower in the above described premises, the condition of this deed is such that Whereas the said David Davis Executed and delivered to the said Ephraim Yarrington his five several promissory Notes bearing even date herewith amounting to ten hundred and fifty six dollars due as follows one Note for four hundred dollars due July 1st 1854 one Note due July 1st 1856 for two hundred dollars one Note due July 1st 1858 for two hundred dollars one Note due July 1st 1860 for two hundred dollars and one Note due July 1st 1862 for fifty six dollars with interest from date on the four last named Notes now if the said David Davis

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his heirs afsigns executors or administrators shall well and truly pay the aforesaid sums of money according to the tenor thereof to the said Ephraim Jarrington his heirs or afsigns then the above deed shall be void otherwise to remain in full force and virtue in testimony whereof I have hereunto set my hand and seal the 21st day of April in the year of our Lord one thousand Eight hundred and fifty four. Signed sealed and delivered in the presence of James R Smith & W. G. Davis David Davis 2d (Seal)

The State of Ohio Union County ss

Before me James R Smith an acting Justice of the Peace in and for said County personally appeared the above named David Davis and acknowledged the signing and sealing of the above conveyance to be his voluntary acts and deed Given under my hand officially this 21st day of April A.D. 1854

James R Smith J. P. filed & recorded August 7th A.D. 1854 at 12 oclock M. Wm M. Robinson Recorder Union County. in Book 2 Page 49

Dependant

also for the same purpose called to the Stand one James R. Smith who in substance testified as follows to wit - that in the month of June A.D. 1856 - I am not sure as to time, he the witness as agent for one David Davis did bargain with the plaintiff to deed him some 73 acres of land being the same that is described in the Plffs. Petition, the witness further Stated that after the terms of Sale had been agreed upon between himself as such agent and the said Green, that he the witness, remembered that there had been a Mortgage on said land given by David Davis to one Ephriam Jarrington (a former owner of said land) from whom said Davis bought it & that said Mortgage was for defered payments of purchase money of said land, told Green this because, He did not want to sell land that was incumbered, I advised Green to go to Marysville and examine if there was a Mortgage I told him I knew there were several Notes given I knew they were all paid except the last, I did not know whether it was settled or not, I advised him to go to Marysville and see whether it was settled or not He (Green) said he would go to Marysville and that he would be back before noon, He did come back before noon, and told me there was no such Mortgage recorded, and then Davis sold him the land, I was then familiar with the payments in the Mortgage, but am not so now, I am Satisfied the payments were all due, at least I think so, I cannot recollect that I told him the terms of payment I do not recollect that I mentioned the Amount of the Mortgage, I might have told him, I told him if the Mortgage was not recorded and he would get a deed & get it recorded he would hold the land this was before he went to Marysville his object in going to Marysville was to ascertain if there was such a mortgage, & whether it was ever Cancelled and whether there was anything due on it after he came back we remarked that Yarrington was a careless man and perhaps never had it recorded" "I said if he had a Mortgage & never get it recorded, & Green got a deed & had it recorded he would hold the land, then Green & Davis made the trade, I at that time knew of no other Mortgage, I never heard of the Irwin Mortgage till I heard it testified to by Green here at a former trial, I looked for it then but did not find it" when the trade was made it was settled by some one, that Gerard Irwin had a claim of $100 to $130 one hundred Dollars of it, was settled by Davis in some way, I then agreed to see the Par-
-mee settled that had nothing to do with Green hunting the record
the Henry County land called in the deed (objected to & overruled)

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dont recollect of looking for Drake Mortgage, dont recollect any Mortgage from Davis to Irwin, none from Jarrington to Drake that I have any Knowledge of or heard of, no other mortgage that I have heard of except the one named in Greens former testimony he said he had gone to look for some other Mortgage had never heard of the Jarrington Mortgage. Cross Examined I told Green that there had been a Mortgage, but that part of the Notes had been paid, I did not know but all the Notes were paid I advised him to go & examine the records he told me he did examine but did not find any thing of a Mortgage recorded I could not now State the terms of the Mortgage, but no doubt I knew then at that time for I had taken the acknowledgment of the Mortgage I knew all were paid but the last Note, did not know whether that was paid or not, I examined soon after and did not find Mortgage on record, More than a year after that I found the mortgage it was after I came to Marysville to reside which was in 1860, it was longer than I at first thought, was cited to the Book & page of the record by Greens Father I then looked & found it. Re-examined I dont recollect amount of Notes or either of them, the McElroy Note traded by Jarrington to McElroy was for $250, due on it, I paid that, dont know how much had been paid on it before that was next to the last Note, I suppose it was taken up by Davis

Respondent my memory is not as good as it was ten years ago, would not be likely to remember the amount of the Notes this long, in 1856 my memory was good & my statements made at that time were all correct, I testified before in substance the same as now, that I did not know any thing about last Note, that he had better go & see Wm H. M. Robinson the defendant testified orally had a conversation with the Plff just before he commenced this suit, came to my house to see about it he went on to tell me it would be hard for him to pay, and it would be hard for me, said Smith told him there was the Mortgage in controversy but it was to late he had then bought it of an agent & it was after he had bought it, did not State who agent was he said he was so told about the time he bought it or soon after I examined for Mortgage from Jarrington to to Irwin, also from Drake to Irwin, found neither ~~X~~ Et said he had bought of Agent did not explain how that affected the matter, Said Judge Smith had told him of the Mortgage after he had bought the land.

Judge Smith recalled by Plff, the amount due to Drake of $100 & some odd dollars Seems to me $130 was coming to Irwin. Dont know if he was agent for Drake, he might have been he was the man that was named there. Whereupon the defendant rested.

And the Court charged the Jury when they retired, & returned the following verdict, in substance, we the Jury find for the defendant on the 4th Ground of defence & for the plaintiff on the first & Sixth Grounds of defence, Whereupon the Plff, come & moved the Court to set aside said verdict & grant a new trial for the following named reasons to wit, the verdict is not sustained by sufficient evidence, but is contrary to the clear weight of the evidence 2 the said verdict is contrary to law 3 the said verdict is in favor of the Dft, when by the law of the land it should have been in favor of the Plaintiff but the said Court overruld said motion & Gave Judgment upon said verdict of said Jury against the said Lewis W. Green Whereupon the Counsel for the said Lewis W. Green made his exceptions to the said opinion of said Court in that behalf and in as much as

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the matters aforesaid do not appear upon the record of the said motion the Counsel on the behalf of the said Lewis W. Green, moved the Judge would sign and seal this Bill of exceptions pursuant to the Statute in such cases made and provided which is accordingly done May 7th 1870, J. S. Conklin Judge Seal U. C. C. P.

Thos. O. Timmons Admr. &c } No 602
vs
Rhoda Haines & others }

This day came on this cause to be heard on the pleadings & evidence introduced by the plaintiff & Defendants. Whereupon the Court find for the defendants on the issues joined & that plaintiff hath no right for an order of Sale of said premises in said Petition described it is therefore considered ordered & adjudged by the Court that said Petition be & the same is hereby dismissed & that said defendants recover of said Plaintiff their Costs herein expended taxed to $

Aaron B. Mitchell & } No 858
George Mitchell
vs
David A. Williams George F
Bennett, Truman M. Kimball }

This day came the Parties & submitted this cause to the Court. Whereupon the Court being fully advised in the premises do find for the Plaintiffs and that the Equity of the case is with them & that there is due Plaintiffs from the said Williams & said Bennett as alleged against them in said Petition the sum of Eleven hundred dollars which sum is a vendors lien with land in said Petition described prior & better than the lien of said Truman M. Kimball it is therefore considered ordered & adjudged that the Plaintiffs recover of the said Williams & said Bennett said Sum of Eleven hundred dollars with the costs of Suit taxed to $ & that in default of payment of the same for ten days that an order of Sale issue to the Sheriff of said County who is appointed Special Master for that purpose commanding him to appraise advertise & Sell said lands on the following terms to wit one third in hand one third in one year & the other third in two years from the day of Sale with interest. & as to the other rights of Assignee & Mortgagee this Cause is continued. Notice of appeal given by the defendant T. M. Kimball and the Bond fixed by the Court at $100

Reuben W. Weisz }
vs
James Maghaly }

This cause come on to be heard upon the issues joined between the parties and the Court being fully advised in the premises do find the Equity of the case to be with the plaintiff and that the plaintiff has a lien upon the premises described in his Petition to the amount paid by him for said $3000. Mortgage to wit: to the amount of twenty Nine hundred dollars with Interest from the 8th day of May 1868 prior and preferred to the said Judgment of the said James Magaha and the Court find that the plaintiff Weisz has had the possession and use of said premises Since said 8th day of may 1868 and that the anual rental value of the same amounts to the sum of two hundred dollars and that in making up the fund out of which the liens on said premises are to be discharged said Weisz Should be charged with the rent of the same at the rate of $200. per annum from said last named date and the Court further find that the said Reuben W. Weisz on said 8th day of May 1868 executed and delivered to the

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Said John H Myers a Mortgage deed on said premises to secure a balance of money on the purchase of Said $3000. Mortgage and that there is due and unpaid thereon from Plaintiff to Said John H. Myers the Sum of $1900. with interest from May 8. 1868 and that Said Sum with the interest should be first paid to Said Myers out of and from the Said Sum of $2900. & interest So adjudged and decreed to Plaintiff as aforesaid. it is therefore ordered adjudged and decreed that an order issue to the Sheriff of Said County commanding him to cause the lands & tenements in Said Petition described to be appraised advertised & Sold according to law and apply the proceeds of Said Sale, 1st in Satisfaction of the Mortgage lien of the Said John H. Myers of $1900 & interest from May 8, 1868 2d in Satisfaction of the lien of Plaintiff of $2900. and interest from May 8, 1868 deducting therefrom the amount of the Said lien of Said John H Myers as above stated and charging Said Weisz with the rents of Said premises from May 8. 1868 at the rate of $200. per annum & 3d in Satisfaction of the Judgment of Said James Magaha. the question of costs is reserved by the Court. Notice of Appeal by the defendant James Megaha and Bond fixed at $100.

Ordered that all causes Matters and Motions now pending on the Dockets of this Court not otherwise disposed of do stand continued until the next term

And thereupon the Court adjourned without day

J. C. Conklin Judge

Tuesday August 16th A. D. 1870

Tuesday August 16th A.D. 1870 This day the Court of Common Pleas for the County of Union in the State of Ohio met pursuant to law Present J. S. Conklin Presiding Judge Robert Sharpe. Sheriff. Leonidas Piper Prosecuting Attorney H. I. Arthur Clerk

This day the Jurors of the Grand Jury being called some of them came to wit. H. Harrington. P. L. Coe. Israel Slack. Andrew Keyes. J. M. Danforth. J. P. Edwards J. Holman T. P. Crafts James Fullington Thomas Skidmore Philip Coe. S. W. H. Curborrow. John Gill. H. H. Pringle. Regular Jurors. and because the residue of said Jurors of that Jury do not appear others from among the bystanders are by the Sheriff of said County at the command of the Court elected anew to wit William Robinson Tales Juror good and lawful men whose names are annexed to the panel according to the form of the statute in such case made & provided the Court appoint the said James Fullington. Foreman and the said Jurors being duly empannelled sworn & charged retired to their Room to deliberate under the charge of a sworn Constable

Recognizance of Wm Cody & Michael Cody

You and each of you do acknowledge yourselves to be indebted to. and owe the State of Ohio the penal sum of $200. Dollars to be levied of your Goods & chattles lands & tenements if default be made in this to wit Whereas the said William Cody charged in suit in bastardy wherein the State of Ohio is Plaintiff for the use of Catharine Vanvoris. and said Cody is Aff. the condition of this obligation is such that if the said, Wm Cody shall personally be & appear at the next term of this Court to be holden within & for the County of Union and State of Ohio and abide the order of said Court. then this obligation shall be void otherwise to remain in full force & virtue in law

Beriah W. Miller } Nos
vs } Continued
Orlando Wells }

Fullington Garwood & Co. } No 76
vs } Continued
Michael Davis }

C. M. Robinson } No 209
vs } Continued
J. S. Alexander & }
Bank of Marysville }

J. C. Hanover & S. W. Brown } No 232,
vs } Continued
William Wharry C. H. Cady
& P. Safford

Maskill Lockum } No 488
vs } Continued
Harriet E. Lockum Extrx &c

And thereupon the Court adjourned until tomorrow Morning 8½ o'clock. J. S. Conklin Judge

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adjournment

This Morning the Court met pursuant to ~~Law~~ the same officers present as on Yesterday

H. P. Mills vs Martin Richardson } No 590 Continued

Philip Snider vs Sophia Hemingway } No 591 Continued

John Swan et. al vs Henry Williams et. al } No 608 Continued

David Cook vs James R. Mitchel } No 636 Continued

Maskil Dockum vs Harriet E. Dockum Extrx &c of Andrew Dockum decd. } No 654 Continued

Robert West vs Uriah Zimmerman Philip Rauch & Hart Moser } No 699 Continued

Samuel R. Harbert vs James H. Neal & Henry Neal } No 703 Continued

Reuben W. Weisz vs James Maghha et al } No 708 Continued

Reuben Cook vs James R. Mitchell } No 725 Continued

James H. Roney vs John M. Hall } No 777 Continued

Alexander G. Stevenson vs Allen Lister } No 791 Continued

Miller & Co. vs Hetrick & Rowland et al. } No 816 Continued

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Alvin Bellus vs J. W. Lawrence & J. M. Cassil — No 845 Continued

Lucus. B. Goff vs Aaron Richardson & al. — No 847 Continued

Mary. R. Haynes vs Joshua. S. Gill & al. — No 891 Continued

Joseph Stone & al. vs Mary Hensel — No 898 Continued

A. Mowrey & G. W. Huff vs C. H. Robins et. al. — No 921 Continued

Joseph Russell vs Cyres. Philips & D. F. Dyal — No 917 Continued

Recognizance

This day came in open Court Henry Marshall & Wm. Harris and acknowledged themselves jointly and severally to owe & stand Indebted to the State of Ohio in the penal sum of one hundred Dollars to be levied of their goods and chattels lands & tenements if default be made in the following condition to wit. That the said Henry. Marshall & Wm. Harris be and appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof to answer unto the State of Ohio for Selling Intoxicating Liquors to be drank upon the premises where sold. and then and there abide the order and Sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

This day came in open Court Daniel Mitchell & Wm. Harris and acknowledge themselves jointly and Severally to owe & stand Indebted to the State of Ohio in the penal sum of one hundred Dollars to be levied of their goods and chattles lands & tenements if default be made in the following condition to wit. that the said Daniel Mitchell & Wm. Harris be and appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof to answer unto the State of Ohio for furnishing Intoxicating Liquors to one in the habit of getting Intoxicated. and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be & remain in full force

This day came in open Court Wm. Harris & Daniel Mitchell and acknowledge themselves Jointly & Severally to owe & stand Indebted to the State of Ohio in the penal sum of one hundred Dollars to be levied of their goods & chattles lands & tenements if default be made in the following condition to wit. that the said Wm. Harris & Daniel Mitchell be & appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof to answer unto the State of Ohio for Selling Intoxicating Liquor to ~~one in ha~~ a Minor and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be & remain in full force

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Farmers Bank Marion Ohio
vs
George Hamilton
on Cognovit-

This day came the Plaintiff by J. C. Johnston its Attorney & filed a petition against the defendant, and thereupon came the defendant by M. C. Lawrence one of the Attorneys of this Court and by virtue of a warrant of Attorney Executed by the said defendant for that purpose now produced in open Court and duly proved waived the issuing and service of any process in this case and enters the appearance of the defendant and files his answer herein, and confesses that there is due to the said Plaintiff upon the note mentioned in the Petition the sum of Four Hundred and Forty Nine Dollars and fifty two cents, and requests and consents the Court render a Judgment in favor of Plaintiff and against the said defendant for that amount and costs. It is therefore considered by the court that the plaintiff recover of the said defendant the said sum of Four hundred and ~~Forty~~ Nine Dollars and fifty two cents ($449.52) and costs herein. to be taxed and by virtue of the same warrant of Attorney all errors that may accrue in the rendition of this Judgment the right of appeal and the Stay of Execution are hereby waived

Robert Kerr et. al. partners doing business under the firm name & Style of the Farmers Bank
vs
John J. Williams & John Reed
on Cognovit-

This day came the Plaintiff by its Attorney & filed a petition against the defendants and thereupon came the said defendants by M. C. Lawrence one of the Attorneys of this Court, and by virtue of a warrant of Attorney now produced in open Court and duly proved and waives the issuing and service of any process in this case against the said defendants Enters their appearance and files their answer herein and confesses that there is now due to the Plaintiff upon the note mentioned in the petition from the defendants the sum of Three hundred and Forty five Dollars & Six cents and consents that a Judgment be rendered against the defendants and in favor of Plaintiff for that amount and costs of Suit-
it is therefore considered by the Court that the plaintiff recover of the said defendants the said Sum of Three hundred and forty five Dollars & Six cents and the costs herein taxed at $ and by virtue of the same warrant of Attorney all Error that may accrue in the rendition of this Judgment the right of appeal and the Stay of Execution are hereby waived by the defendant

D. F. Parsons
vs
John Sidle et. al.
No 908
Pet. to settle partnership acct.

This day came W. H. Conkright & J. F. McNeal and by leave of the Court file their answer herein - which is accordingly done-
And this cause coming on to be heard upon the petition of Plaintiff and the answer of the said defendants. The Court by the consent of parties finds that this petition is filed to settle a partnership, and by the like consent of the parties this cause is by order of the Court refered to J. W. Robinson Esq. who is hereby empowered to hear and to determine all Questions in controversy between the parties, to State fully an account between the said partners and said firm of Sidle and Parsons The amount of Indebtedness of said firm, to whom what the same was for & when contracted and that he further report the amount of the assets & of

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it consists. it is further ordered that he have power to compell the attendance of witnesses before him for that purpose. and it is further ordered by the Court and with the like consent of the parties. that the said James. W. Robinson dispose of at Public auction the Real Estate in Petition mentioned and any other assets of said firm that may come to his Knowledge after giving 30 days notice of the time and place of said sale and that said sale be for cash. and that he bring the proceeds of said sale into this Court to abide its further order thereon. and that the said Referee report his proceedings in the premises to the next term of this Court to which time this cause is continued

Saul Bland } No 887
vs
Peter Bland }

This day this cause came on to be heard on the motion of Plaintiff to strike out part of the defendants answer & on the demurer to first defense in defendants answer thereupon the Court being fully advised in the premises do overrule said demurer & sustain said motion to strike out. and thereupon leave is given defendant to file amended answer in thirty days and cause continued

John Finley } No 405
vs } Ret. in Error
Clark Young }

This day this cause was dismissed for want of Prosecution at the Plaintiffs cost — No record it is therefore considered and adjudged that the defendant recover of the plaintiff his costs herein expended taxed to $

J. C. Sidle } No 604 Foreclosure
vs } See P. 337
Henry M. Ramey & others }

This day came on this cause to be heard on the motion to confirm Sale and thereupon the Court being fully advised in the premises do confirm said Sale of said Mill property and order the Sheriff to make a deed to said purchaser. it is further ordered that out of the proceeds of said Sale first the cost herein be all paid. Second the Sum herein before found due the Plaintiff with interest and third the balance be paid to John Ramey to apply on the amount due him as herein before found due him

John C. Leghorn } No 864
vs } Continued
J. C. Marshall }

John C. Leghorn } No 865
vs } Continued
J. C. Finley }

John C. Leghorn } No 866
vs } Continued
John Bonnell }

And thereupon the Court adjourned until tomorrow morning 8½ oclock

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

John C. Leghorn vs William Bailey } No 867 Continued

John C. Leghorn vs S. P. Sanders } No 868 Continued

John C. Leghorn vs Samuel Gamble } No 869 Continued

John C. Leghorn vs J. B. Wilcox } No 870 Continued

John C. Leghorn vs Henry Kezartee } No 871 Continued

Thomas C. McDowell et al vs Esau Reed et al } No 874 Continued

John Parrett vs John A. Philjis & H. S. Wood } No 904 Continued

George Davis vs Thos W. Miller & Mary M. Miller } No 928 Continued

James P. McNeal vs Erastus Lockwood et al } No 927 Continued

L. J. Baldwin & Rebecca A. Baldwin vs James Mulvain et al } No 924 Continued

J. M. McClung Mitchell & Co vs David Watson & Charles Erb } No 929 Continued

Millers Green & Joyce vs Jesse Bird & David Davis } No 930 Continued

Isaac J. Marsh vs George H. Bennett, David A. Williams et al } Continued No 931
With leave to defendants to file pleadings in 30 days

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N. A. Smith
vs
Wm. H. Hart. & Levi Hart
} on Cognovit

The Plaintiff having filed his petition in this Court against the said defendants and thereupon James. W. Robinson one of the Attorneys thereof appeared in open Court and with a power of Attorney first had and obtained from said defendants duly executed and proven entered the appearance of said defendants to this action & proven confessed a judgment in favor of said Plaintiff and against said defendants on the Notes described in the Petition for the sum of $252 Cts & for costs. it is therefore considered by the Court that the Plaintiff N. A. Smith recover of the said defendants. Wm. H. Hart & Levi Hart the said Sum of two Hundred & fifty two dollars & five cents with interest from this date at Eight per cent per annum payable annually and his costs herein to be taxed by the Clerk. that Execution issue therefor. and that all errors are released. the right to second trial or appeal and right to file a petition in respect thereto waived

Levi Longbeak. J. M. Southard et. al.
Partners doing business as Farmers Bank Union Co. O
vs
James Mulvaine. Isaac Grey & W. Abrams
} on cognovit

And now comes the said Plaintiffs by their Attys, and file their Petition against the said defendants & thereupon N. A Gilbert one of the Attorneys of this Court appeared in behalf of the said defendants and by virtue of a warrant of Attorney for that purpose executed, and now produced to the Court & duly proved waived the issuing and service of process & confessed that the said defendants does owe to the said Plaintiffs the said sum of $819. 01 and also $81. Attorney fees for collecting the same as the said Plaintiffs hath in their said Petition set forth it is therefore considered that the said Plaintiffs do recover of the said defendants the said sum of $819. 01 his debt so confessed to be due and also the Attorney fees so confessed to be due Amt. $81.00 and their costs herein expended in this behalf taxed to $ and by virtue of same warrant of Attorney all error is released & all right of appeal waived by said defendants. Porter Sterling
Attys for Plff

Levi Longbeak. J. M. Southard et. al.
Partners doing busings. as Farmers Bank Union Co. O.
vs
W. Abrams. Isaac Grey & R. J. McAlister
} on cognovit

And now comes the said Farmers Bank by their Atty, and file a petition against the said defendant and thereupon N. A. Gilbert one of the Attorneys of record in this Court appeared in open Court in behalf of the said defendants and by virtue of a warrant of Attorney for that purpose executed and now produced to the Court and duly proved waived the issuing and service of process and confessed that the said defendants does owe to the said Plaintiffs the said sum of $1504.50 as the said Plaintiffs hath in their Petition set forth, it is therefore considered that the said Plaintiffs do recover of the said defendants the said sum of $1504.50 so confessed to be due and also their costs in this behalf expended taxed to $. and by virtue of the same warrant of Attorney all error is released and all right of appeal waived by the said defendants. Porter

John. Miller. J. Ewing Miller. Albert. W. Green & John Joyce
doing business under the firm name and style of
Millers. Green. & Joyce vs Abraham Hornbeck & James B. Wolfley

ed No 431

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This day came the Plaintiffs by their attorneys and filed a petition against the defendants and thereupon came the said defendants by M. C. Lawrence one of the Attorneys of this Court and by virtue of a warrant of Attorney now produced in open Court and duly proved and waives the issuing and service of any process in this cause against the said defendants enters their appearance and files their answer herein and confesses that there is now due to the Plaintiffs upon the Note mentioned in the Petition from the defendants Abraham Hombeck as principal and James B. Whelpley as Guarantor the sum of one hundred and ten Dollars and fifty six cents and consents that a Judgment be rendered against the defendents and in favor of the Plaintiffs. Said amount of one hundred and ten dollars and fifty six cents and costs of this suit. it is therefore considered ordered & adjudged by the Court that the Plaintiffs recover of the said defendants the sum of one hundred & ten dollars and fifty six cents and the costs in this suit taxed to $\frac{1}{100}$.
And by virtue of the same warrant of Attorney all errors that may accrue in the rendition of this Judgment the right of appeal and the stay of Execution are hereby waived by the defendants.

B. D. Owen
vs
Bennett Watkins

This day the Grand Jury appeared at the Bar of the Court and presented their two several bills of Indictment against John Kirchner for selling Intoxicating Liquors in violation of law each several Bill endorsed a true bill. James Hullington Foreman of Grand Jury also their other Bill of Indictment against Henry Vis or for selling Intoxicating Liquors in violation of law which said Bill was endorsed a true Bill James Hullington Foreman of Grand Jury also their other bill of Indictment against Patrick Biggins for an assault with Intent to commit Murder Endorsed a true Bill James Hullington Foreman of Grand Jury also their other bill of Indictment against Samuel Jones for an assault with Intent to commit a Rape. Endorsed a true Bill James Hullington Foreman of Grand Jury

This Case is dismissed by the Plaintiff without prejudice to a new action and at the costs of the Plaintiff it is therefore considered that the defendant recover his costs in this behalf expended taxed at $\frac{1}{100}$. And the Grand Jurys having further business before them retired for further deliberation under charge of Sworn Constable

John M. Hall
vs
W. W. Woods et. al

No 664
Continued with leave to Plaintiff John M. Hall to give Security for costs within twenty days

Robert Norville
vs
Elizabeth Norville

This day came the said Robert Norville by his attys & thereupon this cause came on for hearing upon the petition and testimony & was argued by Counsel. on consideration whereof the Court do find that due Notice of the filing and pending of this petition was given to the said defendant according to law and the Court further find that the said defendant has been guilty of the acts of adultery as is alleged in & set forth in said petition it is therefore adjudged and decreed that the Marriage relation heretofore existing between the said parties be and the same is hereby set aside and wholly annuled and the said parties wholly released from the obligation of the same and it is further ordered that the said Robert Norville have the custody of the child as prayed for in said petition and that the Plaintiff pay the costs in this action herein taxed at $\frac{1}{100}$

Justus Purkins
vs
Sabitha Purkins

No 840

This day came this cause on to be heard on the pleadings and evidence and was submitted to the Court whereupon the Court being fully advised in the premises do find the allegations of the Petition are true and therefore it is considered ordered and adjudged by the

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Court that the Marriage contract between Plaintiff and defendant be and the Same is hereby annuled and they are hereby divorced the one from the other and it is further ordered and adjudged that the Plaintiff pay the costs of this proceeding within ten days and in default thereof that execution issue therefor

Peter Bland } No 830
vs
John S. Gill }

This day came this cause on to be heard by the Court upon the Pleadings and the evidence whereupon the Court find the allegations of the Petition to be true its is therefore considered ordered and decreed by the Court that the provisional Injunction heretofore granted be and the same is hereby made perpetual and the defendant is ordered to pay the costs herein expended taxed to $8 within thirty days and in default thereof that Execution issue therefor as upon judgments at law. Notice of appeal by the Defendant and Bond fixed at $100

George Snodgrass } P. 328
vs
Robert Welsh et. al. } $1027 07
W. W. Woods et. al

This day came on this cause to be heard on the motion to confirm the Sale made herein and to distribute the proceeds of the Sale and the Court being fully advised in the premises do confirm said Sale and order the Sheriff to Execute and deliver to said purchaser and his assigns a deed in fee Simple for said premises clear of all claims for dower of either of the defendants and it appearing that P. B. Cole one of the defendants obtained a Judgment for $102. on the 11. of August 1869 before A. F. Wilkins Justice of the Peace of said County and on the 18. of Sept. 1869 filed a transcript thereof in this Court & had the same duly Docketed whereby it became a lien on said Lot Equal with Judgments. At the October term 1869. of this Court and it also appearing that there is a balance of $121 48/100 unpaid on a Judgment rendered in this Court at its October term 1869 in favor of J. W. Robinson against Robert Welsh and it appearing that W. W. Woods & others obtained Judgment in this Court at its January Term 1870 against said Robert Welsh & others which is also a lien on said Lots he is therefore ordered that said proceeds of said Sale be paid as follows to wit first the costs herein expended with the taxes which are a lien second the amount due Plaintiff as found due him third the amounts appeared due to P. B Cole & J. W. Robinson prorata & if any they be left that it be paid to said Woods & others to apply prorata on the two Judgments obtained as aforesaid, against said Welsh & others & if any ballance remain after the payment of all of said liens that the balance be paid to Robert Welsh one of the defendants

Margret Craven } No 911
vs
Benjamin F. Craven }

This day came the said Margret Craven by her Attorneys & this cause came on to be heard upon the Petition & testimony & was argued by Counsel on consideration whereof the Court do find that due Notice of the filing and pendency of this Petition was given to the said defendant according to law & the Court further find that the said defendant has been willfully absent from the said Petitioner for more than three years from the time of filing said Petition and that he was guilty of adultery as therein alleged it is therefore adjudged & decreed that the Marriage relation heretofore existing between the parties be & the Same is hereby set aside and wholly annuled and the said Parties wholly released from the obligations of the Same and it is further

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ordered that the Petitioner have the custody and control of the said child as prayed for in said Petition and that the defendant pay the costs of this action in ten days and in default thereof that Execution issue therefor

Reed. Jones. & Co. }
vs }
D. F. McKitrick }

And now comes the said Reed Jones & Co. and the said D. F. McKitrick having failed to demur or answer to the Petition of the said Reed Jones & Co. it is considered that the said Reed Jones & Co. ought to recover the said sum of $1042.68 so demanded in his Petition together with the sum of $20. which the court finds due as the Interest thereon as prayed for in said Petition it is therefore considered that the said Reed Jones & Co. recover against the said D. F. McKitrick the said sum of $1062.68 being the amount of both debt & interest together with his costs in and about his suit in this behalf expended taxed to $

Lewis Foos } No 663 See Page 311 & 3
vs Foreclosure
John M. Hall. Rees. Miller & others }

This day this cause came on to be heard
P 311 upon the answer and cross Petition of John M. Hall to the Plaintiffs Petition and the Rees Miller still failing to answer or demur thereto and none appearing for any other defendants they are in default therefore this cause came on to be heard upon submission to the court who being fully advised in the premises find the allegations of the answer and cross Petition to be true and that there is due to the said John M. Hall defendant from the said Rees Miller on the Note in said cross Petition described as due the Sum of Eighty Dollars and forty cents. it is therefore considered by the court that the defendant Rees Miller pay to the said John M. Hall the said Sum of Eighty Dollars & forty cents with interest thereon until paid and also the costs of this proceeding within four days from this date and in default thereof that the said Mortgage premises be sold as upon executions at law it is further considered and decreed that as to said Notes of $73.38 and $1500 not yet due and all other Questions not herein or heretofore disposed of. this cause is continued

This day the Grand Jury again appeared at the Bar of the Court and presented their report of the Condition of the Jail of said County. There being no further Business before them the Grand Jury was Discharged and thereupon the Court adjourned until tomorrow Morning 8 oclock

J. Hamilton Judge

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

Robson & Boon }
vs } This cause is dismissed by the Plaintiff without Prejudice to a new
Alvin Bellus Wife Et. al. } action and at the costs of the Plaintiff it is considered
and adjudged that the defendants recover of the Plff. their costs in this behalf expended taxed at $

David A. Ridenour }
vs }
Maria Ridenour }

This day came the said David A. Ridenour by his Atty and this cause came on to be heard upon the petition & testimony. on consideration whereof the Court find that the defendant has been duly served with notice of the filing & pendency of this petition and the Court further find that said defendant Maria Ridenour has been willfully absent from the Petitioner for more than three Years Immediately previous to the filing of this Petition it is therefore adjudged and decreed that the Marriage relation heretofore existing between said parties be and the same is hereby dissolved and annuled and the said Petitioner wholly released from the obligations thereof. and it is further ordered that the Petitioner pay the costs of this action in 30 days from the rising of this Court & in default thereof that execution issue therefor

Cahill Tallmadge Et. al. Partners Bank. Richwood }
vs } Cognovit
W. Abrams. James. Jordan & Wm Hildreth }

And now comes the said Plaintiffs by their Attorneys and files their Petition against the said Defendants & thereupon N. D. Gilbert one of the Attys of this Court appeared in open Court in behalf of said defendants and by virtue of a warrant of Attorney for that purpose executed and now produced to the Court and duly proved waived the issuing & service of process and confessed that the said defendants owe the said Plaintiffs the said Sum of $505.80 and also the Sum of $25.00 Attorney fees for collecting the same with Eight per cent interest after due. Amount due to Plaintiffs $505.80 and $25.00 Atty. fees so confessed to be due and also their costs in this behalf expended taxed to $ and by virtue of the same warrant of Attorney all error is released and all right of appeal waived by the said defendants

Josiah McAdams }
vs }
V. G. Hills Et. al. }

This day this cause come on to be heard on the Petition of Plaintiff and the Motion and demurer of defendants and was argued by Counsel whereupon the Court being fully advised in the premises overrule the motion and sustains the demurer ~~dissolving the Injunction in this case it is therefor considered that the said defendants go hence without day and recover against the said Plaintiff their costs in and about this suit in this behalf Expended taxed at $ and the plaintiff is ordered to pay the costs herein expended taxed at $ within 30 days in default whereof that Execution issue therefor as upon Judgments at law~~

Whereupon Plaintiff asked leave to amend his petition which was granted. to be filed in 30 days

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W. W. Woods
vs
Perry A. Kimkin } No 886 See P. 330 $319.44

This day came the parties by their Attorneys & this cause thereupon came on to be further heard upon the report ~~of Sale~~ of Sheriff of said County who was a Special Master commissioner for that purpose. on consideration whereof the Court do find the proceedings of said Sheriff as such Master to be in all respects in due form of Law it is therefore ordered adjudged & decreed that the proceedings and sale aforesaid be in all things approved and confirmed and that said Sheriff execute and deliver to the purchaser of the lands and tenements aforesaid a deed in fee simple pursuant to the Statute in such Case made and provided and that from the proceeds of such sale the said Sheriff pay, first the costs of this suit 2d that he pay the Plff. the amount of his judgment to wit. three hundred & nineteen dollars & forty four cents with interest to be computed thereon from May 6th 1870 until paid, amounting in principal & Interest to $324.18 that he pay to the plaintiff the amount of a judgment rendered in his favor and against the Deft. for the sum of $310.00 on the 2d. day of Oct. 1869 which now amounts in principal & interest to $326. that said Sheriff pay on the note in said petition described as ~~balance~~ Footing due the first day of January 1871 of principal and Interest $323 if so much of said Money Remaining received, unappropriated making of said ~~three~~ two notes including Principal & interest the aggregate sum of $973.18

Thomas. W. Powell
vs
Henry Fehlings }

And now comes the said Thomas W. Powell by his Attorneys and the said Henry Fehlings defendant appears in his own person and says that he is justly indebted to the said Plaintiff Thomas W. Powell in the sum of $782 13/100 Seven hundred and Eighty two dollars and thirteen cents on a certain promissory note given by him to the Plaintiff for $700.00 together with interest thereon from date that said note was at the time of the execution thereof secured by Mortgage on the real Estate hereinafter described. to wit:. Situate in said County of Union in the State of Ohio and in the village of Marysville and bounded and described as follows viz:. Being all of In Lot (No 196) Number one hundred and Ninety six in the village of Marysville in said County of Union and lying & being in the part of said Village known and called Mathiotts addition to said Village of Marysville & and the said Henry Fehlings. confesses the same and consents, & that whereas a Judgment & order of Sale of the premises described in said Mortgage.
it is therefore considered by the Court here that the said Plaintiff recover of the said Defendant the said Sum of $782.13. the Sum aforesaid confessed to be due and also his costs herein expended taxed to $
And it is further ordered and adjudged that in case the said defendant fails for ten days from the close of this term of the Court to pay to the said Plaintiff the Sum of $782.13 so as aforesaid found due with costs of suit an order issue to the Sheriff of said County commanding him to cause the said lands & tenements in said Petition described. to be appraised advertised and sold according to law and apply the proceeds of said Sale in satisfaction of the said Judgment so as aforesaid rendered

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State of Ohio }
vs } Indictment for Gambling
O. Burges Mather }

This day came the Prosecuting Attorney and upon his Motion the Said defendant was three times Solemnly called to answer unto an Indictment found against him for Gambling and come not, but made default and thereupon Harvey Mather the Security of Said O. Burges Mather being three times Solemnly Called to come into Court and bring with him the body of the Said O. Burges Mather to answer unto Said charge as by his recognizance he was bound to do or that the Same would be forfeited and the Said Harvey Mather Still failing to appear according to the condition of his said recognizance, with the body of the Said O. Burges Mather, it is ordered by the Court that the Same be and is hereby forfeited

State of Ohio } Othniel Jewett
vs } Recognizance from a Justice of the Peace on charge of
Henry Vigor } Retailing Intoxicating Liquors

This day came the Prosecuting Attorney and upon his Motion the Said defendant was three times Solemnly called to answer unto an Indictment found against him for selling intoxicating Liquors and came not but made default it is ordered by the Court that the Same be and is hereby forfeited

Butler Earhart & Co. } No 919
vs
Elias Rice }

This day came the Plaintiffs by their Attorneys and the Said Elias Rice failing to answer or demur to the Petition of Plaintiff it is considered that the Plaintiff Butler Earhart & Co. ought to recover of the Said Elias Rice the Sum of one hundred and twenty one Dollars & sixty cents ($121.60) So demanded in their Petition it is therefore considered and adjudged that the Said Butler Earhart & Co. recover of the Said Elias Rice the Said Sum of one hundred and twenty one & 60/100 dollars ($121.60) together with their costs in this behalf Expended taxed at $

Belsey. E Smyth }
vs }
David Rees }

This day came on this Cause to be heard by the Court on the issues Joined between the Parties they having waived a trial by Jury Whereupon the Court being fully advised in the premises find for Plaintiff on the issues Joined between Said Parties Whereupon the defendant moved the Court to grant him a new trial on the ground that Said finding of the Court was against the Evidence, but the Court overruled Said Motion & thereupon the defendant asked the Court to grant him a Bill of Exceptions which is accordingly done & ordered to be made a part of the record of this Cause it is therefore considered ordered & adjudged by the Court that the Plaintiff recover of the defendant the possession of the premises in the Petition described & her costs herein expended taxed to $ thereupon the defendant moved the Court to grant him the benefits allowed to occupying Claimants who have made bonafide Improvements & paid taxes under a tax title Whereupon the Court being fully advised in the premises do allow said motion and order that a Jury be drawn & sent out

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to make the lawful valuations as provided in such cases
And this cause is continued for reqest of such Jury

Stallington Phelps & Woods
vs
James Mulvaine, Isaac Grey & Isaac Zane
} Cognovit

~~Cole their Attorney~~
Cole their Attorney and files their Petition against the said James Mulvaine Isaac Grey and Isaac Zane and thereupon M. C. Lawrence one of the Attorneys of this Court appeared in open Court in behalf of the said Mulvaine Grey & Zane and by virtue of a warrant of Attorney for that purpose Executed and now produced to the Court and duly proved waived the issuing & service of process and confessed that the said James Mulvaine Isaac Grey & Isaac Zane do owe to the said Plffs. the Sum of Eleven hundred & two dollars as the said Plffs hath in their Petition set forth it is therefore considered that the said Stallington Phelps & Woods do recover of the said Mulvaine, Grey, & Zane the said Sum of Eleven hundred & two dollars, and by the virtue of the Same warrant of Atty. all error is released. And all right of appeal waived by the said James Mulvaine, Isaac Grey & Isaac Zane

Thomas Sparrow
vs
David Watson
} Cognovit

This day came the Plaintiff Thomas Sparrow by N. A. Gilbert his Attorney and filed his Petition against the Defendant David Watson and thereupon A. James Sterling one of the Attorneys of this Court appeared in open Court in behalf of the said David Watson and by virtue of a warrant of Attorney for that purpose duly Executed and now produced to the Court and duly proved waived the issuing and Service of process and confessed that the said David Watson does owe to the said Plaintiff the Sum of one hundred and fifty one Dollars and thirty five cents as the said Plaintiff in his said Petition set forth. it is therefore considered that the said Thomas Sparrow do recover of the said David Watson the said Sum of one hundred fifty one Dollars and thirty five cts so confessed to be due and also his costs in this behalf expended taxed to $8 and by virtue of the Same warrant of Attorney all error is released and all right of appeal waived by the said David Watson

And thereupon the Court adjourned until tomorrow Morning 9 oclock

J. Conklin Judge

Saturday August 20. 1870

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

G. Walter Hezarte
vs
Wm J. Griffis et. al } This day came the Plaintiffs and asked and obtained leave to file amended Petition in thirty days & this cause is continued

Edward Thomas
vs
J. J. Mordock } No 641 Pet. in Error

The Court having reversed rendered the Judgment of the Justice of the Peace in this cause at a former term on the ground that said Justice had not Jurisdiction and that this cause was retained here without the consent of the Parties thereto and thereupon a motion being filed by Plaintiff in error to dismiss this cause for want of Jurisdiction the said Motion is allowed and this cause is ordered to be left off the Docket

Gullington Phillis & Woods
vs
John A. & Mary Stricklin & Catharine Stricklin } No 856 P 333

This day came the Plaintiffs by their Attorney and also the Dft. Catharine Stricklin by her Atty, and the said John A. & Mary Stricklin still failing to appear or answer, and therefore this cause came on further to be heard upon the report of Sale by the Sheriff of said County who is Special Master commissioner made said sale on consideration whereof the Court do find the proceedings of said Master Commissioner to be in all respects in due form of law it is therefore considered ordered adjudged and decreed that the proceedings and sale of said Special Master Commissioner in all things approved and confirmed and that the said Sheriff as such Master Commissioner Execute and deliver to said purchaser of the lands and tenements aforesaid, a deed in fee simple pursuant to the Statute in such case made and provided and that from the proceeds of said Sale said Sheriff as such Master pay first the costs of this suit second that he pay taxes on said land of $21.61 third that he pay the Plaintiffs the amount of their order and decree herein before rendered to wit, the Sum of one thousand and Nine dollars with interest to be computed thereon from May 6th 1870, until paid, amounting at this date to $1025.50 also that he pay to the Plaintiffs the further Sum of Nine hundred and thirty dollars with interest thereon from December 8, 1868 to the commencement of the term of this Court, amounting in principal and Interest to one thousand and twenty five Dollars ($1025) being the Amount of a Note Secured by the Mortgage in this case and described in the Petition and as to which this cause was continued at the time the order of Sale was entered herein the same not being then due. the whole amount of the said decree and Note with interest on both being at the commencement of this term Augst. 16, 1870 the Sum of two thousand and Fifty dollars and fifty cents ($2050.50) by consent of Parties here represented it is ordered that the Sum of $13.32 be paid Plffs. for rent of premises to April 1st 1870 It is further ordered that Said Sheriff pay the residue if any to the Dft. Catharine Stricklin

The State of Ohio
vs
Samuel Jones } Indictment for an assault with intent to commit a Rape

This day came L. Piper Prosecuting Attorney and entered a Nolle Prosequi on the above Indictment as to the intent to commit a rape as charged in said Indictment Whereupon the Prisoner being arraigned in open Court and upon the Indictment

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being read to him was asked as to how he would acquit himself of the Premises his Plea to the Court upon said charge was Guilty of Assault and Battery as charged in said Indictment. Whereupon the Court being fully advised in the premises it is considered ordered and adjudged by this Court that the aforesaid Samuel Jones make his fine unto the State of Ohio in the sum of twenty Dollars and be committed to the Dungeon of the Jail in said County there to remain for the Space of five days and to be fed upon Bread and Water alone, and it is further ordered that Defendant Stand committed so as aforesaid until said fine of $20. and all the costs in and about this Prosecution taxed to be fully paid

David Mulford vs Joseph Kaler et. al } Continued

David Mulford vs Jacob Mapes et. al } Continued

David Mulford vs Harmon Patch et. al } Continued

David Mulford vs Esley Patch et. al } Continued

Albert Galloway } No 219
vs
Harmon Patch }

This cause is settled by agreement - No record each party to pay his own costs except so far as Judgments have been rendered for costs herein. Judgment rendered against each party for his own costs

H. P. Galloway & others } No 774
vs
David Mulford & Jacob Smith }

This day came the Parties & settled this cause - no record each party to pay his own costs it is therefore considered that each party pay his own costs in ten days & in default thereof that Execution issue therefor

David Mulford }
vs
William Stithem }

This day came the Parties & the heirs of James Galloway Dec'd. and Settled this cause as follows, first. Cause is dismissed without record. Second of All costs not already Settled by the Judgments in this cause each party is to pay his own, Galloways agreeing to pay Stithems share, third Stithem to use his present ~~Possessions~~ Possessions till March 1st 1871 & then give Peacable possession

Bancroft. Brothers & Co. }
vs
Isaac N. Wells }

This day came on this cause to be heard on the cross Petition filed herein by leave of the Court by Parker J. Wyeth whereupon the Court being fully advised in the premises do find there is due said Parker J. Wyeth from said I. N. Wells as alleged in his said cross Petition the Sum of three hundred & Eighty two & 50/100 dollars which Sum is a Mortgage lien on the land in said Petition described. It is therefore ordered and decreed that said I. N. Wells pay said Sum & interest and costs to said Wyeth and in default of paying said sum in twenty days

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the Sheriff of this County who is appointed special Master for that purpose is ordered to appraise advertise and sell said premises according to Law to satisfy said claim and report his proceedings to the next Term of this Court to which time this Cause is continued

X Carl. N. Bancroft
vs
Lewis Polee & Wife

This day came on this cause to be heard and was submitted to the Court by the Parties Whereupon the Court being fully advised in the premises do find there has become due upon the second Note named in the Mortgage described in the Petition the sum of Eight hundred and Fiften & 62/100 dollars since the Judgment and order of Sale was entered in this cause it is further found that C. W. Smith & John E. Smith have since the commencement of these proceedings obtained from said Lewis Polee & Wife a Mortgage on the land in said Petition described · Recorded April 26. 1870 in Vol. 7. page 564 of the Record of Mortgages of this County and they are made defendants · it is therefore ordered and decreed that unless said defendants pay to Plaintiff said sum of $815.62 due as aforesaid on said last Note together with the balance due on the former decree rendered in this cause within ten days that the Special master herein before appointed proceed to sell as therein ordered and this cause is continued for report

State of Ohio vs Andrew J. Ferguson

X This day came into Open Court Andrew J. Ferguson and acknowledged himself to owe and stand indebted to the State of Ohio in the penal sum of One hundred Dollars to be levied of his Goods and Chattels lands and tenements if default be made in the following condition to wit: that the said Andrew J. Ferguson be and appear before the Court of Common Pleas of Union on the first day of the next Term thereof to answer unto the State of Ohio for furnishing Intoxicating Liquors to one in habit of getting Intoxicated and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

X The State of Ohio
vs
Daniel Mitchell

This day came into Open Court Daniel Mitchell and acknowledge himself to owe and stand indebted to the State of Ohio in the penal sum of one hundred Dollars to be levied of his goods and chattels lands and tenements if default be made in the following condition to wit that the said Daniel Mitchell be and appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof to answer unto the State of Ohio for buying and furnishing Intoxicating Liquors to one in habit of getting Intoxicated and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

X The State of Ohio
vs
Patrick Diggins

This day came into Open Court Patrick Diggins and acknowledged himself to owe and stand Indebted to the State of Ohio in the penal Sum of one thousand Dollars to be levied of his goods and chattels lands and tenements if default be made in the following condition to wit that the

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said Patrick Higgins be and appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof to answer unto the State of Ohio for Assault with intent to commit murder, and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in in full force

State of Ohio
vs
Alexander Snodgrass

This day came in open Court Alexander Snodgrass and William Harris and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred Dollars to be levied of their goods and Chattels lands and tenements if default be made in the following condition to wit: that the said Alexander Snodgrass and William Harris be and appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof to answer unto the State of Ohio for furnishing Intoxicating Liquor to one in habit of getting Intoxicated and there and then abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

State of Ohio
vs
William Harris

This day came in open Court William Harris and Alexander Snodgrass and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of one hundred Dollars to be levied of their goods and chattels lands and tenements if default be made in the following condition to wit: that the said William Harris and Alexander Snodgrass be and appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof to answer unto the State of Ohio for selling Intoxicating Liquors to a minor and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

William M. Randall vs Daniel Rice, Malinda Rice & others } No 878

This entry should follow the next entry

This day this cause came on to be heard upon the Petition of the Plaintiff Wm M. Randall the answer of Malinda Rice wife of Daniel Rice and the answer and cross Petition of Adam Reever defendant together with the exhibits and testimony on consideration whereof the Court do find for the said Malinda Rice on the issue joined between her and the Plaintiff and that the Mortgage in Plaintiffs Petition mentioned was not given to secure the purchase money of the 47 acres of land in said Petition mentioned and on further consideration the Court do find the Equity of the case with the Plaintiff and that there is due to him from the defendant Daniel Rice on the promissory note first mentioned in his first cause of action at this date the sum of $265.13 which is a lien on the 47 acres of land in the Mortgage and Petition described and that there is due to Plaintiff from the defendant Daniel Rice on his second cause of action at this date the sum of

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$217.16 which is a lien on the 28. acres and 100 poles of land in said 2nd cause of action described and that there is due to Plaintiff from the defendant Daniel Rice on his third cause of action at this date the sum of $69.00 which cause of action bears interest at the rate of 8 per cent per annum and is a lien on both pieces of land described in Plaintiffs Petition. and on further consideration of the case the Court finds that there is due to Adam Reever from Daniel Rice on the Mortgage in his answer and cross Petition described at this date the sum of $189.58 which is a lien on the 28 acres and 100 poles of land in Plaintiffs 2nd cause of action described. It is therefore considered ordered adjudged and decreed by the Court that the defendant Daniel Rice pay to said Plaintiff the several sums of money so found due him to wit- the sum of $265.13 on his first cause of action and the sum of $217.16 on his 2nd cause of action and the sum of $69.00 on his third cause of action and also that he pay to the defendant Adam Reever the sum so found due him with interest on the several sums within ten days from this date and the costs of this suit taxed to $ and in default thereof or in default for payment of either of said sums of money that an order of Sale issue to the Sheriff of this County for the time being who for that purpose is hereby appointed Special master commissioner commanding him to proceed to sell the lands and tenements in the Petition and cross Petition mentioned as upon judgments at law and report his proceedings in the premises to the next term of this Court. and by agreement of the parties the proceedings heretofore had under the home-stead act are hereby set aside- leave is granted to N. A. Gilbert to answer setting up his lien in 60. days and as to priority of liens and all other rights of Parties not herein before determined this Cause is continued

Wm M. Randall } no 878
vs
Daniel Rice et al }

This day this cause came on to be heard on the motion of Malinda Rice to set aside the Sale made in this case and to set aside the Judgment and order of Sale made in this case at the April term of this Court on consideration whereof (the purchaser not objecting thereto) the Court does order that the Sale and the Judgment and order of Sale made in this case be and the same are hereby set aside and held for naught and the said Malinda Rice wife of Daniel Rice is at her own request made a party defendant and has leave to file an answer to the Petition in this case instanter- Answer filed

William M. Randall } no 878
vs
Daniel Rice Malinda Rice & others }

This day this cause came on to be heard upon the Petition of the Plaintiff Wm M. Randall the answer of Malinda Rice Wife of Daniel Rice and the answer and cross Petition of Adam Reever defendants together with the Exhibits and testimony on consideration whereof the Court do find for the said Malinda Rice on the issue joined between her and the Plaintiff and that the Mortgage in Plaintiffs Petition mentioned was not given to secure the purchase money of the 47 acres of land in said Petition mentioned and on further consideration the Court do find the Equity of the case with the Plaintiff and that there is due to him from the defendant Daniel Rice on the promissory Note first mentioned in his first cause of action at this date the sum of $265.13 which is a lien on the 47 acres of land in the Mortgage and Petition described and that there is due to Plaintiff from the defendant Daniel Rice on his second cause of action at this date the sum of $217.16 which is a lien on the 28 acres and 100 poles of land in said 2nd cause of action described and that there is

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due to Plaintiff from the defendant Daniel Rice on his third cause of action at this date the sum of $69[cts] which cause of action bears interest at the rate of Eight per cent per annum and is a lien on both pieces of land described in Plaintiffs Petition and on further consideration of the case the Court finds that there is due to Adam Reever from Daniel Rice on the Mortgage in his answer and cross Petition described at this date the sum of $189[58cts] which is a lien on the 28 acres and 100 poles of land in Plaintiffs 2nd cause of action described it is therefore considered ordered adjudged and decreed by the Court that the defendant Daniel Rice pay to said Plaintiff the several sums of money so found due him to wit, the sum of $265[13cts] on his first cause of action and the sum of $211[16] on his 2nd cause of action and the sum of $69[cts] on his third cause of action and also that he pay to the defendant Adam Reever the sum so found due him with interest on the several sums within ten days from this date and the costs of this suit taxed to $ and in default thereof or in default for payment of Either of said sums of money that an order of sale issue to the Sheriff of this County for the time being who for that purpose is hereby appointed Special Master Commissioner. commanding him to proceed to sell the lands and tenements in the Petition and cross Petition mentioned as upon judgments at law and report his proceedings in the premises to the next Term of this Court. and by agreement of the Parties the proceedings heretofore had under the homestead act are hereby set aside. leave is granted to N. W. Gilbert to answer setting up his lien in 60 days and as to priorities of liens and all other rights of Parties not herein before determined this cause is continued

Kelsey & Smyth } No838
vs
Joel C. Conklin Et al }

This day the defendants having answered setting up the Parts of said premises held and claimed by Reuben Cook, George Mast, Silas Brown, Joseph Hann, Lucy J. Palen, John S. Miller, Joel C. Conklin and Michael Greenbaum respectively and the Court being fully advised in the Premises find for the Plaintiff on the issues joined between the Parties and thereupon the defendants moved the Court for a new trial on the Ground that said finding is against the evidence whereupon the Court overruled said motion and thereupon defendants asked the Court to sign and seal their bill of exceptions which is accordingly done and ordered to be made a part of the record of this cause it is therefore considered and adjudged that Plaintiff recover of each of said defendants the possession of the parcel of said land in possession as set up in said answers together with costs of suit and thereupon the said defendants moved the Court to grant to them each respectively the benefits of the occupying Claimant law whereupon the Court being fully advised in the premises do find they are entitled to the benefits granted to occupants who have made bona fide Improvements under a late sale. it is therefore ordered and adjudged that a jury be sent out according to law to assess the value of the Improvements and make the other reports as provided by Statute. for each of said defendants respectively so that each can be estimated seperately and this cause is continued for report

John Wedeman } No896
vs
Margretta Robinson Et al }

This day came the Parties by their Attorneys and thereupon

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this cause came on to be heard upon the demurer of the said Margretta Robinson to the Petition of the said Plaintiff Weidman and was argued by Counsel and submitted to the Court on consideration whereof the Court do overrule said demurer. Whereupon the said Margretta Robinson had leave to file an amended answer herein in thirty days
and thereupon this cause came on to be further heard upon the motion of Plaintiff Weidman to require the Defendant Robson L. Boorn to make his answer filed herein in this case more specific and certain and the Court after hearing the arguments of Counsel and being fully advised in the premises do sustain said motion whereupon defendant Robson L. Boorn had leave to file an amended answer herein in thirty days

John Weidman }
vs }
Margretta Robinson et al. }

And now comes the said John S. Fleck by Randall & Cameron his Attorneys and the said Margretta Robinson and Charles M. Robinson still failing to demur or answer to the Cross Petition of the said John S. Fleck this cause was by the consent of Parties submitted to the Court upon the said Cross Petition Exhibits and testimony and the Court being fully advised in the premises do find that the said John S. Fleck is entitled to affirmative relief against the said Margretta Robinson as prayed for in his said Cross Petition that the said account therein mentioned is just and reasonable that the same is for lumber and material furnished the the said Margretta Robinson. under and by virtue of a contract with her and was for the benefit and Improvement of her said premises and separate Estate that the Mechanics lien in said Cross Petition mentioned was duly made out sworn to, filed and recorded as therein averred annexed. that the same is a valid and subsisting lien upon the said premises of the said Margretta Robinson to wit. upon the North one third of In Lot No 21 and three feet off the South side of In Lot No 16. in the Village of Marysville in the County of Union and State of Ohio. and the Court do further find that the amount now due to the said John S. Fleck from the said Margretta Robinson upon said account is one hundred and Eighty one and 77/100 Dollars which sum as aforesaid together with the costs of this suit is a lien upon said premises. it is therefore considered ordered adjudged and decreed that unless the said Margretta Robinson shall pay or cause to be paid unto the said John S. Fleck the said sum of $181,77 So as aforesaid found due together with the costs of this suit within ten days from the close of this term of Court, an order issue to the Sheriff of said County commanding him to cause the said land tenements herein described to be duly appraised advertised and sold according to law to pay said debt and costs and that he return his proceeding therein to the next term of this Court to which time all other matters as to the liens and priority of the same are continued

W. W. Morris & Charles Pullington } No 877
vs
David Watson & Wm Howard }

This day came on this cause to be heard on the demurer of said Watson to the Petition whereupon the Court being fully advised in the premises do overrule said demurer. to which ruling of the Court said Watson excepted. thereupon said Watson asked and obtained leave to file his answer to said Petition by the 5th of November 1870 and cause continued

Saturday August 20. 1870

W. W. Morris & Charles Frullington } No 811
vs
David Watson & Asa. Bates

This day came on this cause to be heard on the demurer of said Watson to the Petition. whereupon the Court being fully advised in the Premises do overrule said demurer to which ruling of the Court said Watson excepts. thereupon said Watson asked and obtained leave to file his answer to said Petition by the 5th of November 1870 and cause continued

Dorcas E. Thatcher } In Bastardy
vs } No 914
Nathan. M. Graham

Motion to require new security for defendants appearance - overruled - The child not being born this cause is continued and the parties not objecting thereto the bonds of recognizance taken before the Justice of the Peace is ordered by the Court to be continued

Ordered that all causes matters and motions now pending on the Dockets of this Court not otherwise disposed of do Stand continued until the next term
And thereupon the Court adjourned without day

J. Conklin Judge

Court of Common Pleas
Special Term

To the Clerk of the Court of Common Pleas of the County of Union in the State of Ohio
A Special Term of the Court of Common Pleas in and for the County of Union in the State of Ohio will be held beginning at the hour of ten oclock A. M. on Tuesday November 15th A.D. 1870 at the Court House in the Town of Marysville in said County, for the transacting of all busines civil and Criminal which may then be pending in said Court.
You will issue a Venire for a Petit Jury to serve during said term.
And cause this Notice to be published in the Marysville Tribune a newspaper published and of general circulation in said County at least thirty days prior to said 15th day of November Dated September 13th A.D. 1870

Jacob. S. Conklin
Judge C. C. P.

A true copy of the original order now remaining on file
H. J. Arthur Clerk

Courts for 1871

Times fixed for holding Courts in the third Judicial District of the State of Ohio for the year 1871

Be it remembered that at a meeting of the Judges of the Court of Common Pleas of the third Common Pleas Judicial District of the State of Ohio at the Court House in the Town of Tiffin Seneca County Ohio on the day of the date hereof for the purpose of fixing the times of holding the terms of the Courts of Common Pleas and of the District Courts in said District for the year 1871 we the undersigned Judges of the Court of Common Pleas within and for said District do hereby fix the times of holding said Courts for the year 1871 in each and every County in said District as follows

District Court

The several terms of the District Court in and for the year 1871 shall commence in the several Counties thereof as follows to wit

In	Williams	County	March 21
In	Fulton	County	March 22
In	Wood	County	March 23
In	Henry	County	March 28
In	Defiance	County	March 29
In	Paulding	County	March 30
In	Vanwert	County	August 28
In	Allen	County	August 30
In	Putnam	County	August 25
In	Auglaize	County	August 31
In	Mercer	County	August 23
In	Shelby	County	August 17
In	Logan	County	August 7
In	Marion	County	April 7
In	Union	County	August 10
In	Crawford	County	April 5
In	Wyandot	County	March 31
In	Hardin	County	August 14
In	Hancock	County	April 11
In	Seneca	County	April 14

Common Pleas Court

And that the several terms of the Court of Common Pleas in and for the several Counties of said District in and for said year shall commence in the several Counties thereof as follows

In	Union	County	February 14	May 29	October	24
In	Hardin	County	January 23	May 15	October	2
In	Marion	County	January 3	May 2	September	3
In	Logan	County	March 6	June 12	November	13
In	Shelby	County	January 2	May 1	September	10
In	Auglaize	County	March 6	May 29	October	30
In	Allen	County	February 13	June 5	October	23
In	Mercer	County	February 20	May 1	October	16
In	Vanwert	County	January 16	May 15	September	18
In	Putnam	County	January 30	May 1	October	11

See next Page

Courts Continued from Page 378

In	Paulding	County	January 24	June 6	September	19
In	Defiance	County	January 16	April 24	September	25
In	Henry	County	January 30	May 1	October	2
In	Fulton	County	February 14	May 9	October	17
In	Williams	County	February 28	May 16	October	31
In	Wood	County	January 17	May 23	October	3
In	Seneca	County	February 13	June 19	November	1
In	Hancock	County	February 7	May 11	October	17
In	Wyandot	County	January 16	April 24	September	25
In	Crawford	County	February 27	June 5	November	6

And we do further order and direct that the several terms of said Courts shall commence on the first day of each of said terms at Eight oclock A. M.

In testimony whereof we ifsue this our order for the purpose aforesaid at said Court House on this the 10th day of August A. D. 1870

J. S. Conklin
James Pillars
Chester. K. Trott
E. M. Phelps
A. D. Latty
James MacKenzie
} Judges of said Courts

To the Clerk of the Court of Common Pleas of Union County Ohio who is hereby directed to publish this order for three consecutive weeks in each of the Several newspapers published in said County

A true copy of the original order now remaining on file

H. T. Arthur Clerk

Tuesday November 15th 1870

at Eleven o'clock A. M.

Tuesday November 15th 1870 This day the Court of Common Pleas for the County of Union in the State of Ohio met pursuant to law Present. J. S. Conklin Presiding Judge. Robert Sharp Sheriff. Leonidas Piper Prosecuting Attorney H. H. Arthur Clerk

The State of Ohio } Indictment for Selling Liquor to one in habit of getting Intoxicated
vs
Lysander. P. Holy-crofs }

This day came into open Court Lysander P. Holycrofs and William Harris and severally acknowledged themselves to owe and stand Indebted to the State of Ohio in the sum of one hundred dollars each to be levied of their goods and chattels, lands and tenements if default be made in the condition following to wit. that the said Lysander P. Holycrofs. be and appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof to answer unto the State of Ohio for selling Intoxicating Liquor to one in habit of getting Intoxicated and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be Voided remain in full force

Gideon H. Castle } No 932
vs
Wm. M. O'Harra & L. A. Wilder } Court of Common Pleas Union County Ohio

This day this cause came on to be heard upon the Petition of the Plaintiff and the evidence, the defendants failing to answer or demur thereto but are in default. whereupon the cause being submitted to the Court and the Court being fully advised in the premises it is considered by the Court that the plaintiff recover from the said defendants the sum of one hundred fifty five & 4/100 dollars with Interest from this date and also his costs in that behalf expended Taxed at $

The State of Ohio } On Transcript
vs
Uriah Ingram }

This day came into Open Court Uriah Ingram and James C. McCleary and severally acknowledged themselves to owe and Stand Indebted to the State of Ohio in the penal sum of Five hundred dollars to be levied of their goods and Chattels. lands ands and tenements if default be made in the following condition to wit. that the said Uriah Ingram be and appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof to answer unto the State of Ohio for offenses contained in the Transcript from P. Cranston J.P. of Taylor Township and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

Tuesday November 15th 1870

Briah W. Miller
vs
Orland Wells

Court of Common Pleas Union County Ohio

On motion of Plaintiff this cause is dismissed without Prejudice, it is therefore considered ordered and adjudged that the Plaintiff B. W. Miller pay the costs herein taxed to $ and in default that an execution issue for the same

Hullington Garwood &c.
vs
Michael Davis

Continued

J. C. Hanover & S. W. Boron
vs
William Wharry, C. H. Cady & P. Safford

Continued

Thomas W. Powell
vs
John Stewart & D. H. Dyal

Continued

Peter L. Mayo
vs
John Mayo et al.

Continued

William Parthemore
vs
The American Express Co.

Continued

Joseph Cramer
vs
Samuel Scott et. al.

Continued

Frances Thompson
vs
Hylas Sabine

Continued

Philip Snider
vs
Sophia Hemmway

Continued

John Swan et. al.
vs
Henry Williams et. al.

Continued

And thereupon the Court adjourned until 8½ oclock tomorrow Morning

J. L. Conklin Judge

Wednesday November 16th 1870

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

John Bridman }
vs }
Margretta Robinson Dft }

This day the Plaintiff moved the Court to Strike the Answer of Robson, L. Broom from the files for the reason that the verification to said answer is not signed by said Broom. In consideration whereof the Court order that said verification be signed by said Broom instanter which is accordingly done, by consent

Thomas H. B. Park } No 949
vs } Cognovit
David Watson }

This day came the Plaintiff by Robinson and Piper his Attorneys and filed a Petition against the Defendant and thereupon came the Defendant by M. C Lawrence one of the Attorneys of this Court and by virtue of a warrant of Attorney executed by the said Defendant for that purpose now produced in open Court and duly proved waived the issuing and service of process in this case and entered the appearance of the defendant and files his answer herein and confesses that there is due to the said Plaintiff upon the Note mentioned in the said Petition the sum of six hundred and eight dollars and requests and consents that the Court render a Judgment in favor of the Plaintiff and against the said defendant for that amount and costs it is therefore considered ordered and adjudged by this Court that the Plaintiff recover of the said defendant the said sum of Six hundred and Eight Dollars ($608.00) and costs herein to be taxed &c. And by virtue of the same warrant of Attorney all errors that may accrue in the rendition of this Judgment the right of Appeal and all the Stay of Execution are hereby waived

Maskil Dockum }
vs } Continued at Plffs. cost. Judgt. therefor
Harriet E. Dockum }

Maskil Dockum }
vs } Continued at Plffs. cost. Judgt. therefor
Harriet E. Dockum Extrx. &c }
of Andrew Dockum Decd. }

And thereupon the Court adjourned until 8½ O'clock Tomorrow Morning

L. L. Conklin Judge

Thursday November 17. 1870

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

John Weidman
vs
Margretta Robinson et al

This day came the parties and this cause came on to be heard upon the motion of Plaintiff to strike from the files in this case the separate answer of Margretta Robinson and by agreement of Counsel with the consent of the Court. both the said motion and the said answer are withdrawn from the files— Margretta Robinson has leave to file answer instanter and Plaintiff has leave to reply to the separate answer of J. W. Robinson instanter

W. W. Morris & Charles Fullington
vs
David Watson & Asa. Bates

leave to defendants to file answer by Thursday Noon Nov. 17. 1870

W. W. Morris & Charles Fullington
vs
David Watson & Wm Howard

leave to defendants to file answer by Thursday Noon Nov. 17. 1870

John Parrett
vs
John A. Philips & Harvey Wood

Cause settled and costs paid and leave to withdraw Notes from the files

David Mulford
vs
Joseph Kaler & others

This day the Plaintiff comes and dismiss this cause it is therefore ordered that this cause stand dismissed without Prejudice and without record at Plaintiffs costs. and that Plaintiff pay the costs herein expended taxed to $ in twenty days and in default thereof that execution issue therefor as upon Judgments at law

Reuben Woolf
vs
James R. Mitchell

This cause is settled by agreement on file at defendants costs without record. it is therefore considered ordered and adjudged by the Court that the Plaintiff recover of the defendant the costs herein expended taxed to $

Thursday November 17. 1870

C ✓ P 309 William M. Randall et al. vs Adam Reever

On motion of the said Plaintiffs and on producing the return of the Sheriff of this County of a sale of Real Estate made by him on the 25th day of June A.D. 1870 to John Reever on an order of Sale issued in this case and dated the 21st day of May A.D. 1870 and the Court on examination of said proceedings being satisfied that said Sale has been made in all respects in conformity to law it is ordered that the said Sale and proceedings be and the same is hereby confirmed and the said Sheriff is ordered to make to the purchaser a deed for the land and tenements so sold

X Lewis Foos vs John M. Hall et al. } Continued

X Robert West vs Uriah Zimmerman Philip Raush & Hot Monser } Continued

X Samuel K. Harbert vs James H. Neal & Henry Neal } Continued

X David Mulford vs Jacob Maps } Continued

X David Mulford vs Harmon Patch Jr } Continued

X David Mulford vs Esley Patch } Continued

X James Gump vs Levi Hager } Continued

X R. B. Shower vs Edmond Turner } Continued

X Richard Clark vs Jeremiah S. Ellis } Continued

X Lucus B. Goff vs Aaron Richardson et al. } Continued

Thursday November 17, 1870

David Cook }
vs }
James. R. Mitchel }

And now comes the said parties by their Attorneys thereupon came also a Jury to wit:. H. G. Rittenhouse. Israel Slack. Samuel Grant L. A. Hedges. Newton Cass. E. Z. Taylor. Regular Jurors & Robert Graham George Snodgrass J. B. Whelpley. G. P. Coofs. John Guthrie. J. H. Clement Tales Jurors. who being duly empannelled and sworn the truth to speak upon the issues joined between the Parties do find for the Plaintiff and assess his damages at two hundred and seventy five dollars ($275.00) it is therefore considered ordered and adjudged by the Court that the said Plaintiff recover against the said defendant the said sum of two hundred and seventy five Dollars his damages in form as aforesaid and also his costs in and about his suit in this behalf. expended Taxed at $. — Second trial demanded & Refft and allowed and bond fixed at $550.00

P. J. Marsh }
vs }
D. A. Williams. George Bennett et. al. }

This day by consent of Parties the Court find that the Copartnership of the said Plaintiff and said Williams and Bennett existing as in said Petition alleged hath been dissolved by reason of the insolvency of the said Williams and Bennett and that the allegations of said Petition are true and there are unsettled accounts and other matters to be adjusted and debts to be paid and that it is necessary that a referee should be appointed to determine questions arising in the settlement of said Copartnership busines therefore by the like consent French Garwood Esq. is appointed referee who is hereby empowered to hear and determine all questions in controversy between the Parties to state fully an account between them — the amount of Indebtedness of said firm and to whom. the amount of assetts and of what the same consist and he is further empowered to compel the attendance of witnesses before him for that purpose and that he appraise advertise and sell any real estate or lease hold Estate and Ware House Property and ware house of said firm and all other property of the said firm and bring the proceeds of such sale into Court to abide its further order and that said Referee report his proceedings in the premises to the next term of this Court to which time this cause is continued

And thereupon the Court adjourned until 8 oclock Tommorrow Morning

J. L. Conklin Judge

Friday November 18. 1870

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

/ Lucas B. Goff }
No 847 vs }
see Aaron Richardson Dft } X
p 324

This cause was submitted to the Court and it appearing that the Machine was sold for seventy five dollars. it is ordered that the costs of this proceeding be paid out of said proceeds of said sale and the ballance of said purchase money be paid to Daniel O Ferral & Co. on their said judgment rendered herein before in this cause

/ John Wood }
vs }
H. M. Ramey & J. C. Sidle }

This day came the parties and by consent the Plaintiff released the said J. C. Sidle surety in said Note from further liability thereon in consideration of one hundred and twenty five dollars to him paid by said Sidle and the payment of costs made in this Court but not to release the said H. M. Ramey for the balance of said Note it is therefore considered that Plaintiff recover of said J. C. Sidle the costs made in said cause in this Court. No record

/ The State of Ohio } Indictment for furnishing Liquor to one in habit-
vs } of getting Intoxicated
David Mitchell }

This day came in Open Court Daniel Mitchell and acknowledged himself to owe and stand Indebted to the State of Ohio in the penal sum of one hundred Dollars to be levied of their Goods and chattels lands and tenements if default be made in the following condition to wit. that the said Daniel Mitchell be and appear before the Court of Common Pleas of said County of Union on the 4 day of the next term thereof to answer unto the State of Ohio for furnishing Liquors to one in the habit of getting Intoxicated and then and there abide the order and Sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

/ The State of Ohio } Indictment for selling Liquors to be drank
vs } upon premises where sold
Henry Marshall }

This day came in open Court Henry Marshal and William Harris and acknowledged themselves jointly and severally to owe and stand Indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattels lands and tenements if default be made in the following condition to wit. that the said Henry Marshall be and appear before the Court of Common Pleas of said County of Union on the day of the next term thereof to answer unto the State of

Friday November 18, 1870

Ohio for selling Liquors to ~~Be~~ drank upon the premises where sold and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

X State of Ohio } Indictment for selling Liquors to be drank upon the
vs } premises where sold
David A. Ridenour }

This day came into open Court David A. Ridenour and acknowledged himself to owe and stand Indebted to the State of Ohio in the sum of fifty Dollars to be levied of his goods and chattels lands and tenement if default be made in the condition following to wit,, that the said David A. Ridenour be and appear before the Court of Common Pleas of said County of Union on the day of the next term thereof to give evidence in a cause therein pending wherein the State of Ohio is Plaintiff and Henry Marshall Andrew J. Ferguson defendant and not depart the Court without leave then as to such of said person as perform this condition this recognizance to be void otherwise to be & remain in full force

/ The State of Ohio } Court of Common Pleas Union County Ohio
vs }
Andrew J. Ferguson }

This cause came on to be heard and thereupon came a Jury to wit,, Andrew Gill, John McCullough, H. G. Rittenhouse Israel Slack Peter Sewitt, P. N. Wells, E. Harriott J. P. Edwards L. A. Hedges Henry Morse, E. Z. Taylor, Regular Jurors, A. S. Chapman, tales Juror the Evidence was submitted to the Jury and the Jury find the defendant not guilty of the facts as charged in the Indictment. it is therefore considered ordered and adjudged that the defendant go hence without day

/ The State of Ohio } No 41
vs } Indictment for selling Liquors to be drank upon the premises
John Kirchner } filed January 10. 1870

This day came D. Piper Prosecuting Attorney and Entered a Nollie prosequi on the above Indictment

V The State of Ohio } No 42
vs } Selling intoxicating Liquors to one in habit of getting Drunk
John Kirchner } filed January 10 1870

This day came D. Piper Prosecuting Attorney and Entered a Nollie prosequi on the above Indictment

/ The State of Ohio } No 44
vs } Selling Liquors to be drank upon the premises
John Kirchner } filed January 10. 1870

This day came D. Piper Prosecuting Attorney and Entered a Nollie prosequi on the above Indictment

Friday November 18. 1870

The State of Ohio } No. 55
vs } Selling Liquors to one in habit of getting Intoxicated
John Kirchner } filed April 28. 1870

This day came D. Piper Prosecuting Attorney and entered a Nolle Prosequi on the above Indictment

The State of Ohio } No 56
vs } Indictment for furnishing intoxicating Liquors to a Minor
John D. Siner }

This day came the parties by their Attorneys the said defendant being in person before the Court and thereupon came a Jury to wit,, Andrew Gill. John McCullough H. G. Rittenhouse. Israel Slack. Peter Sewitt. I. K. Wells. C. Harriott. J. P. Edwards. L. A. Hedges. Henry Mosse C. Z. Taylor Regular Jurors A. S. Chapman Tales Juror who being duly empannelled and sworn the truth to speak upon the issues joined between the parties upon their oaths say that the defendant is guilty in manner and form as he stands charged in said Indictment

The State of Ohio } No. 43
vs } Indictment for selling intoxicating Liquors to be
John Kirchner } drank upon the premises

This day came the parties by their Attorney's the said defendant being in person before the Court and thereupon came a Jury to wit,, Andrew Gill. John McCullough. H. G. Rittenhouse. Israel Slack Peter Sewitt. I. K. Wells. C Harriott. J. P. Edwards. L. A. Hedges. Henry Mosse C. Z. Taylor. Regular Jurors J. H. Clement Tales Juror. Who being duly Empannelled and sworn the truth to speak upon the issues joined between the parties upon their oaths say that the defendant is guilty in manner and form as he stands charged in said Indictment

And thereupon the Court adjourned until Monday Morning 10 oclock

J. Sloan Klin Judge

Monday November 21st. 1870

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

William Toby
vs
Jasper. M. Hubbard Et al.

This day came the said William Toby by his Attorney's and the said Jasper M. Hubbard. Louisa Hubbard and James Cricket failing to answer or demur to the petition of said plaintiff. it is considered that the said Plaintiff ought to recover of the said Jasper M. Hubbard the amount due him by reason of the premises, and the Court find that there is due from said Jasper M. Hubbard to said Plaintiff on the Note in said petition set forth the sum of four hundred and forty seven $\frac{55}{100}$ Dollars ($447^{55}) , it is therefore considered and adjudged by the Court that said plaintiff recover of said Jasper M. Hubbard the said sum of four hundred and forty seven $\frac{55}{100}$ dollars so found his due as aforesaid and also his costs in this behalf expended Taxed at $ it is further ordered and adjudged that in case the said defendant Jasper M. Hubbard fails for three days from the close of this term of Court to pay to said Plaintiff said sum of $447^{55} so as aforesaid found due with costs of suit an order issue to the Sheriff of said County of Union commanding him to cause the lands and tenements in said Petition described to be appraised advertised and sold according to law and apply the proceeds of said Sale in satisfaction of the said Judgment so as aforesaid rendered and to bring the balance of the proceeds into Court subject to the further order of the Court

James Gumpf
vs
Levi. E. Hager

On motion to the Court by Robinson and Piper Counsel for defendant it is ordered that the Plaintiff give security for costs within forty days and in default thereof that he be nonsuited

And thereupon the Court adjourned until 8. oclock Tomorrow Morning

J. S. Norklin Judge

Tuesday November 22d 1870

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

McClure Mithoff & Co. }
vs }
David Watson & Charles Erb }

And now comes the said McClure Mithoff & Co. and the said David Watson and Charles Erb having failed to demur or answer to the Petition of the said McClure Mithoff & Co. it is considered that the said McClure Mithoff & Co. ought to recover the said sum of $627.00 so demanded in their Petition together with the sum of $23.00 and 42 cents which the Court finds due as the interest thereon as prayed for in said Petition it is therefore considered that the said McClure Mithoff & Co. recover against the said David Watson as principal and Charles Erb. as Guarantor the said sum of $650.42 together with their costs in and about their suit in this behalf expended taxed to $

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

J. C. Conklin Judge

Wednesday November 23d 1870

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

James Martin Exr &c } No 829
vs
The United Presbyt'n & the Assc'd Ch'n Church }

This cause came on for hearing upon the issues joined between the defendants, and was submitted to Court, on consideration whereof, the Court being fully advised in the premises does find for the defendant the United Presbyterian Church. Thereupon the defendant the Associate Presbyterian Church demanded a second trial, and the Court being of opinion that this case is one in which neither party is entitled to trial by Jury, disallow such second trial, and thereupon said defendant gave notice of its intention to appeal this cause to the District Court, and the Court fix the amount of the undertaking to be given in such behalf at the sum of Two hundred Dollars

W. E. Reeves &c } In Union Com'n Pleas
vs } on Transcript from
Jonah P. Baldwin & William N. Turner } Justice Docket
late partners under the firm name of Baldwin & Turner } Confirmation of Sale

The Court this day on motion of Cole and Lawrence Attorneys for the Plaintiff having examined the proceedings of the sale of Sheriff James B. Whelpley and the sale by him made upon the vendi issued in this cause and being satisfied that said sale has in all respects been made in conformity to the provisions of the Statute in such case made and provided do order the clerk to make an entry on the Journal that the Court is satisfied of the legality of the sale, and that he also enter an order on the present Sheriff Robert Sharp to make to Ebenezer Callahan and Patrick Callahan the assignees of the purchaser a deed for the lands and tenements so sold; all which is entered accordingly and on further motion of the said Cole and Lawrence for an order distributing the proceeds arising from said sale - it is ordered by the Court that the proceeds be applied as follows. 1st to the payment of the costs in this case - 2d to the payment of the Judgment and interest 3d to the payment of a Judgment in favor of Wm C. Whitcher & Co and the interest on the same and costs - 4th that the balance be distributed pro rata - between Stem Lenchard & Co and Dickson and Lebetter - who also hold Judgments against the said Baldwin and Turner

And thereupon the Court adjourned until 8 o'clock tomorrow Morning

J. Stocklin Judge

Thursday Nov. 24. 1870

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

Lewis. M. Basil. Plff } No 843
vs } Court of Common Pleas Union County Ohio
Alexander Bolen Defdt }

This day came the parties and settled this cause by written agreement the defendant Alexander Bolen to pay the witness fees and the Plaintiff the remaining costs. and case to be dismissed without record. it is ordered and adjudged that the parties pay the costs according to said agreement within twenty days in default that Execution issue therefor

Howard S. Shaffer Guardian of } No 940
Lewis M. Basil }
vs } In Partition
Margret E. Basil. Rhoda Wilmoth }
John Basil. Griffin Johnson & Adam Myers }

And now comes the said Howard S. Shaffer Guardian of Lewis M. Basil by Norman A. Gilbert his Attorney and thereupon this case came on to be heard upon the Petition of Plaintiff and the Joint answer of Griffin Johnson & Adam Myers and evidence and was argued by Counsel On consideration whereof the Court do find that said defendants have ben duly notified of the pendency of this Petition. and the Court do further find that the said Lewis M. Basil the Ward of said Howard S. Shaffer as aforesaid has a legal right to and is seized in fee simple of one undivided one third part of the said premises and the Court do further find that the said Margret E. Basil and John Basil are tenants in common in said premises with the said Lewis M. Basil in the following proportions to wit. The said Margret E. Basil to one undivided one third part thereof the said John Basil to one undivided One third part thereof and that the said Rhoda Wilmoth is entitled to Dower therein. it is therefore ordered that a writ of partition issue to the Sheriff of said Union County Commanding him that by the oaths of ~~Andrew S. Mowry~~ Joseph K. Richey. Wm Roberts Samd Hawn One full equal third part of said premises in said Petition described be set off and assigned to the said Rhoda Wilmoth as her dower Estate, and by the like oaths of Joseph K. Richey Wm Roberts & Samuel Hawn partition be made of said lands subject to said dower estate in the following proportions to wit To the said Lewis M. Basil one third part to the said Margret Basil one third part to the said John Basil one third part. and it is further ordered that the Sheriff return his proceedings forthwith

Betsey E. Smyth } Application to asess damages under the occupying law
vs }
Silas Brown }

On motion to the Court by P. B. Cole Attorney for Plff. and upon producing a report of the Jury herein appointed to assess the damages under the Statute for the relief of occupying claimants

Thursday Nov. 24. 1870

whereby it appears that the value of said lands without Improvements is assessed at Five hundred and seven Dollars ($507.) and the said Betsey E. Smyth thereupon in open Court declares her election to receive the value of said lands so as aforesaid assessed, to make a general waranty Deed of the same to the said Silas Brown or his heirs or assigns according to the provisions of the Statute. it is therefore ordered that day be given by consent of Parties as follows. to the said Silas Brown to pay the said appraised value of said land to wit. one third thereof being one hundred and Sixty Nine Dollars ($169) to the first day of January 1871 with Interest from this date and for the residue thereof to wit. Three hundred and thirty Eight Dollars ($338) to the 21st day of November 1871 with Interest thereon at the rate of 8 per cent per annum from this date. and that the said Betsey E. Smyth have to the first day of January 1871 to execute a general waranty Deed for said land and to deliver the same to P. B. Cole to hold until the 21st of November 1871 when the same is to be delivered, if the conditions of this order are then fulfilled by the said Brown or his heirs or assigns for him.
Dated Nov. 21, 1870

Betsey E. Smyth
vs
Michael GreenBaum
} Application to asess damages under occupying claimant Laws

On motion to the Court by P. B. Cole Counsel for Plaintiff Betsey E. Smyth and upon producing a report of the Jury herein appointed to asess damages &c. under the Statute for relief of occupying claimants. whereby it appears that the value of said lands without Improvements &c. is assessed at Eight hundred and forty Eight Dollars. And the said Betsey E. Smyth thereupon in Open Court declaring her election to receive the value of said lands so as aforesaid assessed to make a general waranty Deed of the lands to the said Michael GreenBaum according to the provisions of the Statute, it is therefore ordered by consent and agreement of parties that day be given to said Michael GreenBaum as follows, to pay the said Betsey E. Smyth on the first of February 1871 Three hundred Dollars, thereof to the first day of January 1872 Two hundred and seventy four Dollars and to the first day of January 1873 the residue of two hundred and Seventy four Dollars, the last two payments to draw Interest from this date at the rate of 8 per cent per annum - and that the said Betsey E. Smyth have to the first day of January 1872 to execute and tender to said Michael Greenbaum a general waranty deed of the premises aforesaid. The above amt. has been paid in full and all claim on the land of said M. GreenBaum & Land Released by me
Betsey E. Smyth By P. B. Cole

Betsey E. Smyth
vs
Reuben Cook. George Mast. et al
} Application to asess. damages under occupying claimant Law

On motion to the Court by P. B. Cole Attorney for the Plaintiff and upon producing a report of the Jury appointed to asess the damages &c under the Statute for the relief of occupying Claimants - whereby it appears that the value of said lands without improvements is assessed at forty four 4/100 dollars and that said Betsey E. Smyth the Plaintiff thereupon in open Court declaring her election to receive the value of said lands so as aforesaid

Thursday Nov. 24. 1870

assessed. to make a general warranty deed of the same to the said Reuben Cook and George Mast according to the provisions of the Statute- it is therefore ordered that day be given until the first day of February 1871. as well to the said Reuben Cook and George Mast to pay as to the said Belsey E. Smyth to execute and tender to said Reuben Cook and George Mast a general warranty deed of the premises aforesaid

Belsey E. Smyth vs Lucy Palen } Application to assess damages under occupying claimant law

On motion to the Court by P. B. Cole Attorney for the Plaintiff and upon producing a report of the Jury appointed to assess the damages &c under the Statute for the relief of occupying claimants. whereby it appears that the value of said lands without improvements is assessed at ~~forty four & 7/100~~ Sixty dollars and that said Belsey E. Smyth the Plaintiff. thereupon in open Court declaring her election to receive the value of said lands so as aforesaid assessed to make a general warranty deed of the same to the said Lucy Palen according to the provisions of the Statute it is therefore ordered that day be given until the first day of February 1871. as well to the said Lucy Palen to pay as to the said Belsey E. Smyth to execute and tender to said Lucy Palen a General warranty deed of the premises aforesaid

Benjamin Glascoe vs James D. McNeal & J. W. Robinson }

And now comes the said parties by their Attorneys and submitted this cause to the Court on the issue joined between them. and on consideration whereof the Court do find that the several matters and things contained in the answer of the defendants are not true, as the said defendants hath in their answer alleged. and the Court further find that the defendants are indebted to the Plaintiff in the sum of (four hundred and Sixty Six 87/100 dollars. on the Note described in Plaintiffs Petition it is therefore considered by the Court here that the said Plaintiff recover of the said defendants the said sum of Four hundred and Sixty Six 87/100 dollars the sum so found due as aforesaid. and also his costs taxed to $
Defendants demanded a second trial under the Statute which is allowed and bond fixed at $ 600.

Alexander G. Stevenson vs Allen Lister } No 791

This day came the parties and thereupon came a Jury to wit. Andrew Gill. John McCullough. H. G. Rittenhouse Israel Slack. Peter Jewitt. P. N. Wells. J. P. Edwards. Henry Morse. E. F. Taylor. Regular Jurors S. S. Jewell, Jacob Parthemor and Aquilla Turner tales Jurors who being duly Empannelled and sworn the truth to speak and a true verdict

give according to the Evidence upon the issue Joined between the parties, do upon their oaths say, they find for the Plaintiff and assess his damages at one Dollar — it is therefore considered ordered & adjudged by the Court that the plaintiff recover of the defendant one Dollar his damages aforesaid — whereupon the plaintiff asked the Court to give Judgment against the defendant for costs of suit — which Judgment the Court refuse to give to which the plaintiff excepts — and thereupon the defendant asked the Court to give Judgment against the Plaintiff for defendants costs on the 2d trial which motion the Court overruled to which defendant excepts —

And thereupon the Court adjourned until Monday Morning 10 oclock

J. Conklin Judge

Monday Nov. 28. 1870 This morning the Court met pursuant to adjournment present the same officers as on Thursday

The State of Ohio } No 60
vs } Indictment for selling intoxicating Liquors to one in habit
William Richter } of getting Intoxicated

This day came the parties by their Attorneys and the said defendant being asked how of the premises he would acquit himself for plea. says he is guilty as he stands charged in said Indictment

The State of Ohio } No 61
vs } Indictment for selling Intoxicating Liquors to one in the
William Richter } habit of getting Intoxicated

This day came L. Piper Prosecuting Attorney and entered a Nolle prosequi on the above Indictment

The State of Ohio } No 65
vs } Indictment for selling intoxicating Liquors to one in the
John Kirchner } habit of getting Intoxicated

This day came the parties by their Attorneys and the said defendant being asked how of the premises he would acquit himself for plea says, he is not guilty as he stands charged in said Indictment and the said defendant being in his own proper person before the Court thereupon came a Jury to wit, Andrew Gill, John McCullough, H. G. Rittenhouse, D. N. Wells, L. A. Hedges, C. Z. Taylor, Henry Morse, Peter Dewitt, Regular Jurors J. K. Richey Lewis Sellers, John Dodge, John Gibson Tales Jurors — who being duly impannaled and sworn the truth to speak upon the issue Joined between the parties upon their oaths say that the

Monday November 28. 1870

defendant is guilty in manner and form as he stands charged in said Indictment

The State of Ohio } No 66
vs } Indictment for selling intoxicating Liquors to a Minor
John Kirchner }

This day came the parties by their Attorney's and the said defendant being asked how of the premises he would acquit himself for plea says, he is not guilty as he stands charged in said Indictment and the said defendant being in his own proper person before the Court thereupon came a Jury to wit:, Andrew. Gill. John McCullough H. G. Rittenhouse. I N. Wells. L. A. Hedges. E. Z. Taylor Henry Morse Peter Dewitt Regular Juros. John Gibson. J. K. Richey. A. L. Chapman. Robert Lee. Tales Juros who being duly empannaled and sworn the truth to speak upon the issue joined between the parties upon their oaths say, that the defendant is not guilty in manner and form as he stands charged in said Indictment

The State of Ohio } No 5-9
vs } Indictment for selling intoxicating Liquors
William Harris } to a Minor

This day came the parties by their Attorney's and the said defendant being asked how of the premises he would acquit himself for plea says, he is guilty as he stands charged in said Indictment
Whereupon it is considered and adjudged by the Court that he pay a fine of fifty Dollars and also the costs of this prosecution taxed at $ —

And thereupon the Court adjourned until 8½ oclock tomorrow morning

J. Conklin Judge

Tuesday November 29. 1870

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

L. J. Baldwin & Rebecca A. Baldwin } No 924
vs } Pet. on Note & Mortgage
James Mulvaine et. al. }

And now comes the said L. J. Baldwin and Rebecca A. Baldwin by their Attorney's and the said James Mulvaine, James W. Robinson, John Maskil, Cornelius Mulvain or William Mulvain Still failing to demur or answer to the said Petition, it is considered that the said Plaintiffs ought to recover the amount due him by reason of the premises and the Court with the consent of the said Plaintiffs find there is due from the said defendant James Mulvain to the said Plaintiffs on the Note in said petition set forth the sum of Four hundred and Eleven Dollars and Eleven cts $411[11]
it is therefore considered by said Court here. that the said plaintiffs recover of the said defendant James Mulvain the said sum of $411[11] the sum so found due as aforesaid and also his costs taxed to $ which is a lien on said Lot in said Petition described, first and better than the lien of either of the defendants - and it is further ordered and adjudged that in case the said defendant James Mulvain fails for ten days from the close of this term of the Court to pay the said Plaintiffs the said sum of $411[11] so as aforesaid found due with costs of suit an order issue to the Sheriff of said County, who is appointed special Master Commissioner, commanding him to cause the said lands and tenements in said Petition described to wit:, Situate in the County of Union and State of Ohio and in the Virginia Military District and bounded and described as follows to wit. being part of Survey No 3692 on the waters of Bokes Creek. Beginning at a Stone South east corner to John Walters land and in the original S. line of said survey and N. line of survey No 6630 & 6510 thence with said line S. 82° E 34 6/10 poles to a Stake in said line and the center of a County Road and in the Spur roots of a large White oak on the west side thereof with said County Road N. 10° 30' E 25 4/10 poles to a Stake in the center of the Summerville Road thence with said Road N. 73° 35' W. 38 poles to an angle in said Road thence N. 63° W. 14 6/10 poles to a Stake in said Road thence with the line of Samuel Walters land S. 8° 30' W. 26 3/100 poles to the Beginning containing 70 1/8 acres Except 20 acres formerly purchased by said James Mulvain on the North of above mentioned Lot. to be appraised advertised and sold according to law, and apply the proceeds of said Sale in satisfaction of the said Judgment so as aforesaid rendered. and as to all other liens and the distribution of proceeds this cause is continued

J. E. Cahill } Cognovit
vs }
J. M. Sanders }

And now comes the said J. E. Cahill by his Attorneys and files his Petition against the said J. M. Sanders. and thereupon J. L. Cameron one of the Attorneys of this Court. appeared in open Court in behalf of the said J. M. Sanders. and by virtue of a warrant of Attorney

Tuesday November 29. 1870

for that purpose executed and now produced to the Court and duly proved waived the issuing and service of process and confessed that the said J. M. Sanders does owe to the said Plaintiff the said sum of one hundred and fifty & 60/100 dollars ($150.60) as the the said Plff. hath in said petition described
it is therefore considered that the said J. E. Cahill recover of the said J. M. Sanders the sum of one hundred and fifty & 60/100 dollars ($150.60) confessed to be due and also his costs in this behalf expended taxed to $— and by virtue of the same warrant of Attorney all error is released & all right of appeal waived by the said J. M. Sanders

Jesse Bird } No 920
vs
Joseph N. Hines & Rachael Hines & Erastus Philips }

This day came the Plaintiff by his Attorneys and this cause came on to be heard upon the petition of Plff. and the answer of the said Farmers Bank of Union County the said Joseph N. Hines Rachael A. Hines & Erastus ~~Phillips~~ Phelps still failing to answer or demur to said Petition, and the Court being fully advised in the premises do find that there is due to the Plaintiff from the defendant Joseph N. Hines and Rachael A Hines on the note in said Petition described the sum of one hundred and seventy three & 25/100 dollars ($173.25)
it is therefore considered by the Court that the Plaintiff recover of the said defendant Joseph N. Hines and Rachael A. Hines said sum of one hundred and seventy three & 25/100 dollars so found due as aforesaid and also his costs in this behalf expended taxed at $ and it is further ordered and adjudged that in case the said defendants Joseph N. Hines & Rebecca A. Hines fail for three days after the close of this term of Court to pay to Plaintiff said sum of $173.25 so as aforesaid found due with costs of suit an order issue to the Sheriff of said County commanding him to cause the lands and tenements in said petition described to be appraised advertised and sold according to law and apply the proceed of said sale in satisfaction of said Judgment so as aforesaid rendered and that the Sheriff bring the balance of the proceed of said sale into Court subject to its further order in the premises

P. B. Cole vs E. Callehan et al } Settled and costs paid

John M. Fish }
vs
Thomas Audas }

This day came the parties by their Attorneys and thereupon this cause came on ~~to~~ for trial upon the issues joined between the parties whereupon Counsel for defendant waived a trial by Jury and submitted this cause to the Court. Whereupon the Court being fully advised in the premises it is considered that the said J. M. Fish ought to recover the said sum of $ 210.00 dollars

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so demanded in his petition together with the sum of $13.67 which the Court finds due as interest thereon as prayed for in said Petition it is therefore considered ordered and adjudged that the said J. M. Fish recover against the said Thomas Audas the said sum of $223. dollars and 97 Cts. together with his costs in and about this suit in this behalf expended taxed to $—

John C. Leghorn } No 864
vs } Continued
J. C. Marshall }

John C. Leghorn } No 865
vs } Continued
J. V. Finley }

John C. Leghorn } No 866
vs } Continued
John Bonnett }

John C. Leghorn } No 867
vs } Continued
William Bailey }

John C. Leghorn } No 868
vs } Continued
S. P. Sanders }

John C. Leghorn } No 869
vs } Continued
Samuel Gamble }

John C. Leghorn } No 870
vs } Continued
J. B. Wilcox }

John C. Leghorn } No 871
vs } Continued
Henry Kizartee }

And thereupon the Court adjourned until 8. oclock Tomorrow Morning

J. L. Conklin Judge

Wednesday Nov. 30. 1870

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

Stillwell & Bierce } No. 831
vs
Robinson & Robinson }

This day came the parties and thereupon came a Jury to wit. John McCullough. H. G. Rittenhouse. Israel Slack. Samuel Grant. Peter Wyatt. I. N. Wells. J. P. Edwards Henry Morse. L. A. Hedges E. Z. Taylor Regular Jurors Milton Thompson. S. G. Cross Tales Jurors who being duly empannelled and sworn a true verdict to give upon the issue Joined between the parties do upon their oaths say. they find for the defendants on said issues and assess their damages at one hundred and twenty five dollars. and the Court find from the pleadings that there is due the Plaintiffs from the defendants as alleged in his Petition the sum of two hundred dollars with interest from May 12. 1869 to wit. $18.60 being a total of $218.60 subject to a deduction of said $125. it is therefore considered ordered and adjudged by the Court that Plaintiffs recover of defendants said balance viz. Ninety four dollars. and it appearing that the defendants on the 14th of February 1870 offered in writing to Plaintiffs to confess Judgment in Plaintiffs favor against defendants for more than $94 together with costs then made in this cause which Offer was rejected by Plaintiffs it is therefore considered ordered and adjudged by the Court that defendants recover of the Plaintiffs their costs herein expended taxed to $ Plff demanded a second trial under the statute which is allowed and bond fixed at $ 100

Erastus Parthemor } No 923
vs
Thomas Holycrofs }

And now comes the said Erastus Parthemor Plaintiff by his Attorneys and the said Thomas Holycrofs defendant still failing to answer or demur to the said Petition of the said Plaintiff it is considered by the Court that the said Plaintiff ought to recover of the said defendant the said sum of $100. so demanded in his Petition together with the sum of $70.00 which the Court finds due as interest thereon as prayed for in said Petition it is therefore considered ordered and adjudged that the said Erastus Parthemor recover against the said Thomas Holycrofs the said sum of $170.00 together with the costs in and about his suit in this behalf Expended taxed to $

James P. McNeal } No 927
vs
Erastus Lockwood. Hench Lockwood
George J. Hill & Eliza Taylor

This day this cause was submitted to the Court by Plaintiff. whereupon the Court being fully advised in the premises do find the allegations of the Petition to be true and

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there is due Plaintiff from said Erastus and French Lockwood as principals and from George J. Hill as Guarantor the sum of two hundred and ninety 4 5/100 dollars (there having been $26.00 paid since suit was commenced) which sum is the first lien on the Lot described in said Petition. It is therefore ordered and adjudged by the Court that Plaintiff recover of said Erastus and French Lockwood as principals, and of said George J. Hill as Guarantor the said sum of two hundred and ninety and 5/100 dollars with costs of suit, and it is further ordered that if said parties fail for twenty days to pay said sum and costs then the Sheriff of this County who is appointed Special Master for that purpose, is ordered to appraise advertise and sell said Lot, according to law to pay the said Judgment. and it is further decreed that said Eliza Taylor be estopped from making any claim whatever to said Lot, and this cause is continued for distribution of proceeds of sale

D. F. Parsons } No 902
vs
John Sidle Dft. }

And now comes the plaintiff by his Attorneys and on motion, and on producing the report of J. W. Robinson Master commissioner heretofore made in this action under a former order of this Court- it is hereby ordered that said report, and all matters and things therein contained do stand ratified and confirmed, and the Court further find from said Masters report that there is a deficiency of assets of said Copartnership to pay its said debts to the amount of $478.12/100 for which the said Parsons and said Sidle are each liable and the one half of which said Sidle is liable to refund to said Parsons upon his payment of said debts- and it is further ordered and adjudged by the Court that the said Copartnership of said Sidle and Parsons be and the same is hereby dissolved

D. F. Parsons } No 903
vs
John Sidle Dft. }

On motion of the said Plaintiff by his Attorneys and on producing the report of J. W. Robinson Master commissioner heretofore appointed in this case of a sale of the Real Estate mentioned in Plaintiffs Petition made by him on the 19th day of November A.D. 1870 to D. F. Parsons under an order of sale heretofore made in this case, and the Court on examination of said proceedings being satisfied that said sale has ban made in all respects in conformity to law. it is ordered that said sale and proceedings be and the same are hereby approved and confirmed, and said Master commissioner is ordered to make to the purchaser a deed in fee simple for the lands and tenements so sold

The State of Ohio } No 16.
vs } Indictment for retailing Intoxicating Liquors
William Richter }

The defendant William Richter was this day again

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brought before the Court and having nothing further to say why sentence should not be pronounced against him. It is thereupon considered ordered and adjudged by the Court that he pay a fine of fifty dollars to the State of Ohio. and also the costs of this prosecution taxed at $ and that the said William Richter be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

The State of Ohio } No 17
vs } Indictment for retailing Intoxicating Liquors
William Richter }

The defendant William Richter was this day again brought before the Court and having nothing further to say why sentence should not be pronounced against him. it is thereupon considered ordered and adjudged by the Court that he pay a fine of fifty dollars to the State of Ohio. and also the costs of this prosecution taxed at $. and that the said William Richter be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

The State of Ohio } No 18
vs } Indictment for selling Intoxicating Liquors
William Richter }

The defendant William Richter was this day again brought before the Court and having nothing further to say why sentence should not be pronounced against him. it is thereupon considered ordered and adjudged by the Court. that he pay a fine of fifty dollars. to the State of Ohio and also the costs of this prosecution taxed at $ and that the said William Richter be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

The State of Ohio } No 19
vs } Indictment for Retailing Intoxicating Liquors
William Richter }

The defendant William Richter was this day again brought before the Court and having nothing further to say. why sentence should not be pronounced against him. it is thereupon considered ordered and adjudged by the Court that he pay a fine of fifty dollars. to the State of Ohio. and also the costs of this prosecution taxed at $ and that the said William Richter be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

The State of Ohio } No 10
vs } Indictment for Retailing Intoxicating Liquors
John Kirchner }

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The defendant John Kirchner was this day again brought before the Court, and having nothing further to say, why sentence should not be pronounced against him, it is thereupon considered ordered and adjudged by the Court that he pay a fine of fifty dollars to the State of Ohio and also the costs of this prosecution taxed at $- and that the said John Kirchner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

The State of Ohio } No 11
vs } Indictment for Retailing intoxicating Liquors
John Kirchner }

The defendant John Kirchner was this day again brought before the Court and having nothing further to say why sentence should not be pronounced against him, it is thereupon considered ordered and adjudged by the Court that he pay a fine of fifty dollars to the State of Ohio and also the costs of this prosecution taxed at $-
And that the said John Kirchner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law.

The State of Ohio } No 20
vs } Indictment for retailing intoxicating Liquors
John Kirchner }

The defendant John Kirchner was this day again brought before the Court and having nothing further to say, why sentence should not be pronounced against him, it is thereupon considered ordered and adjudged by the Court that he pay a fine of fifty dollars to the State of Ohio and also the costs of this prosecution taxed at $- and that the said John Kirchner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

The State of Ohio } No 21
vs } Indictment for retailing intoxicating Liquors
John Kirchner }

The defendant John Kirchner was this day again brought before the Court and having nothing further to say, why sentence should not be pronounced against him, it is thereupon considered ordered and adjudged by the Court that he pay a fine of fifty dollars to the State of Ohio and also the costs of this prosecution taxed at $- and that the said John Kirchner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

The State of Ohio } No 22
vs } Indictment for retailing intoxicating Liquors
John Kirchner }

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The defendant John Kirchner was this day again brought before the Court and having nothing further to say, why sentence should not be pronounced against him, it is thereupon considered ordered and adjudged by the Court that he pay a fine of fifty dollars to the State of Ohio and also the costs of this prosecution taxed at $
And that the said John Kirchner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

The State of Ohio } No 23
vs } Indictment for retailing intoxicating Liquors
John Kirchner }

The defendant John Kirchner was this day again brought before the Court and having nothing further to say why sentence should not be pronounced against him, it is thereupon considered ordered and adjudged by the Court that he pay a fine of fifty dollars to the State of Ohio and also the costs of this prosecution taxed at $
And that the said John Kirchner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

The State of Ohio } No 24
vs } Indictment for retailing intoxicating Liquors
John Kirchner }

The defendand John Kirchner was this day again brought before the Court and having nothing further to say, why sentence should not be pronounced against him, it is thereupon considered ordered and adjudged by the Court that he pay a fine of fifty dollars to the State of Ohio, and also the costs of this prosecution taxed at $ - and that the said John Kirchner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

The State of Ohio } No 25
vs } Indictment for retailing intoxicating Liquors
John Kirchner }

The defendant John Kirchner was this day again brought before the Court and having nothing further to say, why sentence should not be pronounced against him, it is thereupon considered ordered and adjudged by the Court that he pay a fine of fifty dollars to the State of Ohio, and also the costs of this prosecution taxed at $ - and that the said John Kirchner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

And thereupon the Court adjourned until 8½ o'clock Tomorrow Morning

J. Monroe Judge

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

Andrew Taylor } No 953
vs } on Note & Mortgage
Job. Dillon. Newman Dillon. Almira Dillon & John L. Dillon }

And now comes the said Andrew Taylor by his Attorneys Robinsons & Piper and the said Job. Dillon. Newman Dillon Almira Dillon & John L. Dillon defendants still failing to demur or answer to the said Petition it is considered that the said Plaintiff ought to recover the amount due him by reason of the premises and the Court with the consent of the said Plaintiff find that there is due from said defendants to the said Plaintiff on the Note in said Petition set forth the sum of two hundred and twenty six dollars ~
it is therefore considered by the said Court here that the said Plaintiff recover of the said defendant the said sum of two hundred and twenty six dollars the sum so found due as aforesaid and also his costs taxed to $~ and it is further ordered and adjudged that in case the said defendants fails for ten days from the close of this term of the Court to pay to the said Plaintiff the said sum of two hundred and twenty six dollars so as aforesaid found due with costs of said an order issue to the Sheriff of said County as Special Master Commissioner of this Court commanding him to cause the said lands and tenements in said Petition described to wit. Lot No 19. in the village of Newton in said County of Lenion and State of Ohio as shown by the plat of said village to be appraised advertised and sold according to law and apply the proceeds of said sale in satisfaction of the said Judgment so as aforesaid rendered

John M. Sanders } No 965
vs
W. W. Carr. L. W. Bozart & D. Carr }

Now comes the said John Sanders and the said W. W. Carr L. W. Bozart. and D. Carr. having failed to demur or answer to the Petition of the said John M. Sanders ~ it is considered that the said John M. Sanders ought to recover the said sum of two hundred and thirty seven dollars and fifty cts $237.50 so demanded in his Petition together with the sum of Nineteen dollars ($19.00) which the Court finds due as the interest thereon as prayed for in said Petition ~ it is therefore considered, that the said John M. Sanders recover against the said W. W. Carr L. W. Bozart and D. Carr the said sum of two hundred and fifty six dollars and fifty cts $256.50 together with his costs in and about his suit in this behalf expended taxed to $

George Davis } No 928
vs } On Note and Mortgage
Thomas W. Miller & Mary M. Miller }

And now comes the said George Davis by his Attorneys. Robinsons & Piper and the said Thomas W. Miller and

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Mary M. Miller still failing to demur or answer to the said Petition it is considered that the said Plaintiff ought to recover the amount due him by reason of the premises. and the Court with the consent of said Plaintiff find that there is due from the said defendants to the said Plaintiff on the Notes in said Petition set forth the sum of $762.22/100 fifteen hundred dollars of said amount claimed in said Petition set forth having been paid since the filing of this Petition and the further sum of $21.72 which the Court finds due as interest on said sum of $762.22/100

It is therefore considered by the said Court here that the Plaintiff recover of the said defendants the said sum of $783.94/100 the sum so found due as aforesaid and also his costs taxed to $—

And it is further ordered and adjudged that in case the said defendants fail for ten days from the close of this term of the Court to pay to the said Plaintiff the said sum of seven hundred and Eighty three Dollars and Ninety four Cts so as aforesaid found due with costs of Suit an order issue to the Sheriff of this County for the time being who is hereby appointed a Special Master commissioner for that purpose Commanding him to cause the said lands and tenements in said Petition described to wit bounded and described as follows. Being part of Survey No. 12.124. Beginning at three Beeches in the Greenville Treaty line N.W. Corner of A. Alexanders survey No 12892 thence with his line S. 13 W. 241 poles to an Elm. Oak Beech and Ironwood corner on Fullons Creek to a corner of land owned formerly by John Barbour thence with his line N. 83° W. 91 poles to a Stake a corner to land formerly owned by A.E. Wait thence with his line N 7° 35' E. 203 poles crossing said Beech and Cherry tree corner to said Wait in the Greenville Treaty line thence N. 80° E. 120 poles to the Beginning containing 150 acres Also another piece of land described as follows— Beginning at a Beech and cherry in the Greenville Treaty line and N.W. Corner to a Lot deeded to George Davis. thence with said Treaty line S 77° W 24 76/100 poles to a stone witnessed with Brick Bats— Thence S. 7° 49' W 195 1/4 poles to a stake witnessed with Brick Bats. corner of David Sterlings land in the N. line of land formerly owned by Joseph Miller thence West with his line S. 82° E 24 42/100 poles to a stake in said line S.W. corner to said Davis land. thence N. with the line of his land N 7° 35' E 203 poles to the Beginning containing 31½ acres part of survey No 12 124. to be appraised advertised and sold according to law and apply the proceeds of said Sale in satisfaction of said Judgement so as aforesaid rendered

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Zelotes M. Pooler } No 948
vs } On Note & Mortgage
Sanford Philbrook & Rosilla Philbrook Def'ts }

And now comes the said Zelotes O. Pooler by Robinson and Piper his Attorneys and the said Sanford Philbrook Rosilla Philbrook John Sturdy Matilda Sturdy and Abraham Dever. Still failing to answer or demur to the said Petition. it is considered that the said Plaintiff ought to recover the Amount due him by reason of the premises. and

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the Court with the consent of the said Plaintiff find there is due from the said defendants Sanford Philbrook, Rosilla Philbrook to the said Plaintiff on the Note in the said Petition set forth the sum of six hundred and seventy Dollars, it is therefore considered by the said Court here, that the said Plaintiff recover of the said defendants Sanford Philbrook and Rosilla Philbrook the said sum of six hundred & seventy dollars, the sum so found due as aforesaid and also his costs taxed to $\frac{}{100}$ and it is further ordered and adjudged that in case the said defendants Sanford Philbrook and Rosilla Philbrook fail for ten days from the close of this term of the Court to pay to the said Plaintiff the said sum of six hundred and seventy Dollars the sum so found due with costs of suit an order issue to the Sheriff of this County, for the time being, who is hereby appointed Special Master for that purpose commanding him to cause the said lands & tenements in said Petition described to wit:- Situate in said County of Union and State of Ohio and in Survey's No. 5629 & 6493 Beginning at a Red Oak N. E. corner of Philbrooks Lot thence with his line S. 80° W. 177 10/100 Poles to a stone in the center of the Kenton Road thence with said Road N. 16° 50' W. 80 poles to a stake in the center of said Road thence N. 81 1/4 E. 54 32/100 poles to a stake in the corner of Z. O. Fowler's and Baldwins land thence N. 9° 7' W. 32 38/100 poles to a stake or stone, thence N. 81 1/4 E. 98 4/10 Poles to a stake, thence S. 8 1/2 E. 32 38/100 poles to a stake thence N. 80. 30' E. 34 1/5 poles to a Beech, thence S. 9° 15' E. 77 poles to the Beginning containing 110 acres more or less to be appraised advertised and sold according to law and apply the proceeds of said sale in satisfaction of said Judgment & so as aforesaid rendered as to all other matters ~~& things~~ this cause is continued

Howard. S. Shaffer, Guardian of Lewis M. Basil
vs
Margaret E. Basil & others
} No 940 In Partition

On motion of Howard S. Shaffer Guardian of Lewis M. Basil by N. A. Gilbert his Attorney and upon producing the return of the Sheriff and the report of said commissioners heretofore appointed, and the same having been examined by the Court here and found in all respects correct and in conformity to law, it is hereby ordered that the said proceedings and report be and the same is hereby approved and confirmed. And thereupon neither of said parties electing to take said premises at said valuation and whereas the said Rhoda Wilmoth widow of the said Nicodas Basil deceased filed her answer to said Petition and therein waived the assignment of Dower by metes and bounds in the said real Estate of her late husband And consenting that the sum of fifty Dollars out of the moneys which the Court should hereafter find due said Rhoda Wilmoth in Lieu of her Dower in said lands shall be paid to the defendant Griffin Johnson it is therefore ordered that the said premises be sold free of dower at public auction by the Sheriff of Union County according to law and that he return

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his proceedings in the premises to the next term of this Court to which time this cause is continued

Saul Bland } No 889
vs
Peter Bland }

This day came the parties by their Attorney's and thereupon came a Jury to wit.. H. G. Kittenhouse. P. N. Wells. L. A. Hedges E. Z. Taylor. Henry Morse. Peter Dewitt. J. P. Edwards Israel Slack. Samuel Grant. Newton Case. Regular Jurors Milton Thompson J. H. Clement tales Jurors, who being duly Empannelled and sworn to speak the truth upon the issues Joined do upon their oaths say they find for the defendant upon the first issue Joined between the parties and that they find for the Plaintiff upon the second issue Joined between the parties in the sum of one hundred & Sixteen dollars. it is therefore considered ordered and adjudged by the Court that the said Plaintiff recover of the said defendant the said sum of $116.00 together with his costs herein expended taxed at $ defendant demanded a second trial under the Statute which is allowed by the Court & undertaking fixed at $232.

Alvin Bellus } No 845
vs } in Replevin
J. W. Lawrence & J. M. Cassil }

This day this cause came on to be heard upon the issues Joined between the parties and the said Plaintiff Alvin Bellus declining to prosecute said cause on consideration whereof the Court do find that the said Plaintiff has failed to prosecute his action in this case to final Judgment. Thereupon the defendant, Joseph W. Lawrence and J. M. Cassil by their Attorneys moved the Court to empanneld a Jury to enquire as well into their right to the property goods and chattels taken by virtue of the writ of replevin in this action and the right of the possession of the same as to assess his damages in the premises. And the Court being advised in the premises by the consent of the Plaintiff do find that the said property has been delivered to the Plaintiff, by virtue of this said writ and proceedings in replevin. And the said Alvin Bellus having declined as aforesaid to prosecute his action as aforesaid the Court orders that a Jury be impanneled to try the issue aforesaid. and to assess the said defendants damages in pursuance of law. Thereupon the said plaintiff in open Court offered and agreed to waive a trial by Jury upon the said issues and consented and agreed that the same be submitted to the Court to which offer and agreement the defendants also consented Whereupon a Jury being waived. this cause came on further to be heard upon the issues aforesaid. Exhibits and testimony and

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was argued by Counsel, whereupon the Court do find that the right of property and the right of possesion to said property and goods and chattels aforesaid delivered to plaintiff by virtue of his writ and proceedings aforesaid was in the Defendants at the commencement of this action and at agreement. the Court assess their damages by reason of the premises at Five hundred and fifty seven Dollars and sixty cts. it is therfore considered ordered and adjudged by the Court here that the said Joseph W. Lawrence and J. M. Cassil recover of the said Plaintiff Alvin Bellus the sum of Five hundred and fifty seven Dollars and sixty cts. their damages so as aforesaid sustained and also their costs herein expended taxed at $ and the Court do further find that the said defendants Joseph W. Lawrence, and J. M. Cassil held said property in their official capacity as constables by virtue of certain writs of attachment duly issued and on which judgments have been duly rendered and liens perfected in favor of the following named persons, and for the following amounts viz- First R. B. Shower. Forty Dollars and sixty four cents. Second The Farmers Bank of Union County Seventy seven Dollars and eighty Four cents Third Ausman and Turner Nineteen Dollars and fifty four cents Fourth Leonard Geer Eighteen Dollars and seventy five cents Fifth Speakman and Baldwin Ten Dollars and one cent. Sixth L. Skinner one hundred and thirty four Dollars and twenty two cents. Seventh. Thomas Yates one hundred and Fourteen Dollars and forty nine cents Eighth Justice and Bellus one hundred and Eight Dollars and thirty nine cents Nineth Thomas Wilcox Fifteen Dollars and fifty two cents Tenth Thomas Brown Eighteen Dollars and Nineteen cents and in the priority of lien as in the order above written- it is therefore ordered that said Defendants Joseph W. Lawrence and J. M. Cassil apply the proceeds of said Judgment when collected to the payment of the above several Judgments according to their respective priorities as aforesaid

Henry C. Culbertson } No 657
vs } Continued
Robert Sharp }

Millers Green & Joyce
vs } Settled & costs paid
Jesse Bird & David Davis

And thereupon the Court adjourned until 8 oclock tomorrow morning

J. L. Conklin Judge

Friday Dec. 9th 1870

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

E. D. Thrasher } No 931
vs
Samuel H. Brake Et. al. }

This day came the Plaintiff by his Attorney and thereupon this cause came on to be heard upon the Petition of the Plaintiff, the testimony and exhibits the defendants being in default, and neither party demanding a Jury this cause was submitted to the Court by the Plaintiff: on consideration whereof the Court do find the Equity of the case with the Plaintiff and that there is due from the defendant Samuel H. Brake to the plaintiff, E. D. Thrasher on the note in the Petition mentioned the sum of two hundred and six 40/100 dollars ($206 40) which sum is a lien on the premises in the Plaintiffs Petition described, as therein set forth: it is therefore considered ordered and adjudged by the Court that the Plaintiff recover of the defendant Samuel H. Brake the said sum of $206 40 the sum so found due - and also the costs herein expended taxed at $ on further consideration it is ordered adjudged and decreed by the Court that if the said defendant pay for ten days from this date to pay said sum of money, with interest and costs - that an order issue to the Sheriff of this County for the time being, commanding him to proceed to sell the lands and tenements in the Petition mentioned as upon Judgments at law and report his proceedings in the premises to the next term of this Court

Isaac Zane } No 956
vs
George W. May, James R. May & J. A. Southwick }

This day came the Plaintiff and this cause came on to be heard, the defendants being in default: and neither party demanding a Jury this cause was submitted to the Court by the Plaintiff, and the Court being fully advised in the premises find for the Plaintiff and assess his damages by reason of the premises at the sum of one hundred and fifty one & 65/100 dollars ($151 65) it is therefore considered ordered and adjudged by the Court that the Plaintiff recover of the defendants said sum of $151 65 so found due, and also his costs herein expended taxed at $

The State of Ohio } No 56
vs } Furnishing Liquor to Minor
John D. Steiner }

The defendant John D. Steiner was this day again brought before the Court and having nothing further to say

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Why sentence should not be pronounced against him, it is thereupon considered ordered and adjudged by the Court that he pay a fine of fifty Dollars to the State of Ohio and also the costs of this prosecution taxed at $ and that the said John D. Steiner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

Joseph Russell } No 917
vs
Cyrus Phillips & D. F. Dyal }

This case is settled by agreement of Parties Defendant Cyrus Phillips is to pay all costs. Except the witness fees for the Defendants. said D. F. Dyal is to pay the fees of the witnesses for the Defense. it is therefore considered ordered and adjudged that Cyrus Phillips pay all the costs of this action. Except the fees of the Defendants witnesses taxed to $ and that said D. F. Dyal pay all the fees of his witnesses taxed to $

Eli Ward } No 906
vs
Vitalis Rummels et al }

This day came the parties and settled this cause at Plaintiffs costs. without record. it is therefore ordered that plaintiff pay the costs herein expended taxed at $ within twenty days and in default thereof that Execution issue therefor as upon Judgments at law

Joseph Rofs } No 938
vs
J. W. Jones et al } In action for false Imprisonment

And now comes the said Defendants by their Attorney P. B. Cole and the said Joseph Rofs failing to appear it is ordered. that this action be and the same is hereby dismissed without prejudice it is therefore considered that the defendants recover of the said Plaintiff their costs in this behalf expended taxed at $

Catharine Vanvoorhis } 933
vs
William Cody }

This day came the parties and thereupon came a Jury to wit: H. G. Rittenhouse. J. N. Wells. L. A. Hedges. E. F. Taylor. Henry Morse. Peter Dewitt. J. P. Edwards. Israel Slack. Samuel Grant. Newton Case. John McCullough. Regular Jurors. Milton Thompson Tales Juror. who being duly empannelled and sworn a true verdict to give on the issues joined between the Parties do find the defendant guilty of being the Father of the Bastard Child of the Plaintiff as charged in her Complaint

Friday. Dec. 2d 1870

Charles Burge } No 839
vs
James McClary } Cause continued for service with leave to make new publication

Mary Haynes } No 860
vs
Wm. H. Conkright Admrs. of the estate of J. B. W. Haynes }

This day came on this cause to be heard on the demurer to the Plaintiffs Petition whereupon the Court being fully advised in the premises do overrule said demurer and the defendant not desiring to answer said Petition, this cause came on to be heard by the Court on the Petition and evidence whereupon the Court find the allegations of the Petition to be true and it is ordered and adjudged by the Court that said defendant allow the claim set up and described in Plaintiffs Petition as a just and valid claim against the said estate of James B. W. Haynes, Decd. amounting to $200. to be paid out of the assetts of said Estate and that the costs of this proceeding be also paid by said administrator out of said assetts. Defendant excepts to the ruling & decision of the Court upon his demurer

Appointment of N. A. Gilbert Commissioner of Insolvents }

On motion to the Court it is ordered that Norman A. Gilbert of Marysville Union County Ohio be appointed Commissioner of Insolvents in and for the County of Union and State of Ohio upon giving bond in the sum of One thousand dollars and otherwise Qualifying therefore according to law thereupon the said Norman A. Gilbert appeared in open Court and accepted said appointment and gave bond under the Statute in the sum of one thousand dollars with P. B. Cole as surety thereon which bond and surety is approved by the Court

Thomas C. McDowell } No 874
vs
Isaac Reed et al. }

This day this cause was continued with leave to file amended Petition in thirty days

Thomas W. Powell } No 935
vs
Henry Fehlings } Continued under former order

And thereupon the Court adjourned until 8 oclock Tomorrow morning

J. L. Conklin Judge

Saturday Dec 3d 1870

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

Robinson & Robinson } No 939
vs
H. T. Knox & J. H. Wall }

This day came the plaintiffs but defendants came not but made default, whereupon this cause was submitted by Plaintiffs to the Court whereupon the Court do find for the Plaintiff and that there is due to the Plaintiffs from H. T. Knox as principal and J. H. Wall as Guarantor the sum of one hundred and twenty seven 57/100 dollars it is therefore considered and adjudged by the Court that Plaintiffs recover of the said Knox as principal and Wall as Guarantor said sum of one hundred and twenty seven 57/100 dollars & their costs herein expended Taxed to $—

Belsey E. Smyth } No 844 P 287 & 365
vs } Application to asses damages under occupying claimant law
David Rees }

On motion to the Court by P. B. Cole Counsel for the Plaintiff, and upon producing a report of the Jury herein appointed to asses the damages &c. under the statute for the relief of occupying claimants, whereby it appears that the value of said lands without Improvements &c is assessed at thirteen hundred and thirty Eight Dollars $1338.— and the said Belsey E. Smyth Plaintiff, thereupon in open Court declaring her election to receive the value of said lands so as aforesaid assessed, to make a general warranty Deed of the lands to the said David Rees according to the provisions of the Statute. It is therefore ordered that day be given until the first day of February 1871. to the said David Rees to pay one half of said appraised value of said land, $669. with interest from the rising of this Court and for the residue to wit: $669. that said David Rees have until the first day of December 1871 to pay the same with interest thereon at 8 per cent per annum as per agreement of the said David Rees and the said Plaintiff: and the said Belsey E. Smyth is to have day to execute a General warranty Deed for said land until the first day of Dec: A. D. 1871

Carl. N. Bancroft } No 805 P. 283
vs } Confirmation
Lewis Potter & Susan A. Potter }

On motion of the said Plaintiff by Robinson & Piper his Attorneys and on producing the return of the Sheriff of the County of Union of a sale of Real estate made by him on the 29th day of October A. D. 1870 to Carl. N. Bancroft on an ~~Execution~~ Order of Sale issued in this case and dated the 22. day of September A. D. 1870 and the Court on Examination of said proceedings being satisfied that said Sale has been made in all respects in conformity to law: it is ordered that the said sale and proceeding be and the same is hereby confirmed and the said Sheriff is ordered to make to the purchaser a deed for the lands and tenements so sold— 1st costs & taxes to be paid 2d Plffs claim & balance to Dft. Charles Smith on mortgage

Saturday Dec. 3d 1870

James W. Robinson } Cognovit
vs
David Watson }

This day came the plaintiff. J. W. Robinson. Attorney and filed a Petition against the defendant and thereupon came the defendant by M.C Lawrence one of the Attorneys of this Court and by virtue of a warrant of Attorney executed by the said defendant for that purpose now produced in open Court and duly proved waived the issuing and service of any process in this case and entered the appearance of the defendant and files his answer herein and confesses that there is due to the said Plaintiff upon the note mentioned in the said Petition the sum of two hundred and forty four Dollars and Sixty one cents and requests and consents that the Court render a Judgment in favor of the Plaintiff and against the said defendant for that amount and costs. it is therefore considered ordered and adjudged by this Court that the Plaintiff recover of the said defendant the said sum of $244 61 and costs herein to be taxed to $— and by virtue of the same warrant of Attorney all errors that may accrue in the rendition of this Judgment the right of appeal and the stay of Execution are hereby waived

Wm H. Selover }
vs
Daniel Selover }

On motion to enter Judgment on Transcript of Judgment before A. F. Wilkins Justice of the peace is continued by consent of the parties

On this day it was ordered by the Court that A. W. Torrence be and the same is hereby appointed Auctioneer for the County of Union for the term of one year upon him paying to the treasurer of Union County the sum of $5.00 and giving Bond according to law

Mary R. Haynes } No 891
vs
Joshua S. Gill et al }

This day came on this cause to be heard by the Court whereupon the Court find the Plaintiff is entitled to Dower in said Lot No 61. but that She is not entitled to Dower in said Lots No 75 & 76 — it is therefore considered by the Court that she be endowed of one full equal third part of the said In Lot No 61 in said Petition described and that a writ issue to the Sheriff of this County of Union commanding him that by the oaths of three judicious disinterested men of the vicinity who are not of Kin to either of said Parties he cause dower as aforesaid to be set off and assigned to said Petitioner in said Lot No 61 and this cause is continued for report
Notice of Appeal by Plaintiff and bond fixed at $50.00

Saturday Dec. 3rd 1870

Emaline A. Temple } No 925.
vs
Louis B. Temple }

And now comes the said Emaline A Temple by Randall Hamerson his Attorneys and thereupon this cause came on for hearing upon the Petition and testimony and was argued by Counsel and submitted to the Court on consideration whereof the Court do find that due notice of the filing and pendency of this petition was given to the said defendant according to law, and the Court do further find that the facts stated and allegations made in said Petition are true, that said defendant has committed adultery as charged in the said Petition and has absconded from said Petitioner as charged therein. it is therefore adjudged and decreed that the Marriage relation heretofore existing between the said parties be and the same is hereby set aside and wholly annulled and the said Parties wholly released from the obligations of the same - and it is further ordered that the custody, nurture, education and care of said Mary A. Temple aged 7 years and Hiram H. Temple aged 5 years be and the same is hereby given to the said Petitioner, and the said defendant is hereby forever enjoined from interfering with or disturbing the said Petitioner in the custody, nurture, education and care of the said above named children, until the further order of this Court - And it is further ordered adjudged and decreed by the Court that the said defendant do pay to the said Plaintiff for her reasonable alimony the sum of twelve hundred Dollars $1200 cr which sum of money the Court orders to be a charge upon the Real Estate in the Petition described. and it is further ordered adjudged and decreed by the Court that if the defendant fail for ten days from the rising of this Court to pay said sum of money so decreed to the Plaintiff, and also to pay the costs of this proceeding - that an order of Sale issue to the Sheriff for the time being commanding him to proceed to sell the lands in the Petition described as upon Judgments at Law -

Harrison McFadden } continued
vs
Henry Vigor }

George W. South }
vs
Gilbert J. Hill et al. }

This cause is continued with leave to Plaintiff to amend his Petition ~~in thirty days from the~~ close of this term of Court

Darey B. Paul }
vs
George Rickard et al }

Continued with leave to defendant
George Rickard in thirty days

Saturday Dec 3rd 1870

Carey B. Paul
vs
Thomas J. Henderson } Continued with leave to Dft. Thomas J Henderson to file answer in 30 days

Carey B. Paul
vs
John Hawley } Continued with leave to defendant John Hawley to file answer in 30 days

W. L. Miller
vs
Robert Belt } Continued

Thomas Martin
vs
Joseph R. Hatcher } This cause is continued under an agreement that second trial will not be demanded by defendant under the Statute — leave granted to defendant to file amended answer in 30 days

Thomas Martin
vs
Newton Case } This cause is continued under an agreement that second trial will not be demanded by defendant under the Statute leave granted to defendant to file amended answer in 30 days

Thomas Martin Vs. R. F. Higgins } settled

Jedidah Triplet
vs
Joseph Triplet } Now comes the said Jedidah Triplet by her Attorney and thereupon this cause came on to be heard upon the Petition and testimony and consideration whereof the Court do find, that due notice of the filing and pendency of this Petition was given to the said defendant according to law and the Court do further find that the defendant is confined in the Penetentiary of the State of Ohio, as alleged in Plaintiffs Petition — it is therefore ~~considered~~ adjudged and decreed that the Marriage relation heretofore existing between the said Parties be and the same is hereby set aside and wholly annulled and the said parties wholly released from the obligations of the same ~~and that she pay the costs of this suit in ten days — that execution issue therefor~~ —

Saturday Dec. 3d. 1870

Betsey E. Smyth
vs
Joel E. Conklin
} Application to assess damages under occupying claimant law

On motion to the Court by P. B. Cole Attorney for the Plaintiff, and upon producing a report of the Jury herein appointed to assess the damages &c under the Statute for the relief of occupying claimants whereby it appears that the value of said lands without Improvements &c is assessed at Five hundred and seven Dollars $507 and the said Betsey E. Smyth Plaintiff thereupon in Open Court declaring her election to receive the value of said lands so as aforesaid assessed to make a general warranty Deed of the same to said Joel E. Conklin his heirs or assigns according to the provisions of the Statute, it is therefore ordered that day be given to the said Joel E. Conklin to pay said value of said land as follows, for one half thereof being two hundred and fifty three & 50 dollars until the first day of ~~November~~ March 1871 with interest from November 28. 1870 and for the other half to wit $253 50 cts until the first day of March 1872 with interest at 8 per cent per annum commencing Nov 28. 1870 — and that the said Betsey E. Smyth have day to make a general warranty deed for said premises until the first day of March 1872 — the terms of this order were agreed upon by the parties to this cause

Betsey E. Smyth
vs
Hickman
} Application to assess damages under occupying claimant law

On motion to the Court by P. B. Cole Attorney for the Plaintiff, and upon producing a report of the Jury herein appointed to assess the damages &c under the Statute for the relief of occupying claimants — whereby it appears that the value of said lands without improvements &c is assessed at twenty Dollars $20 00 and the said Betsey E. Smyth Plaintiff thereupon in open Court declaring her election to receive the value of said lands so as aforesaid assessed to make a general warranty deed of the same to said — Hickman his heirs or assigns according to the provisions of the Statute, it is therefore ordered that day be given to the said Hickman to pay said value of said land as follows — the amount of which is $20 00 payable on the 1st day of February 1871 with interest from this date — and that the said Betsey E. Smyth have day to make a General warranty deed for said premises until the first day of February 1871

J. Walter Kezartee & Wm Leeper
vs
Wm J. Griffis et al
} No 907

This day came on this cause to be heard on the Petition and the demurer of the Farmers Bank of Marysville to the Plaintiffs Petition whereupon the Court do overrule said demurer and none of the defendants desiring to answer said Petition this cause came on to be heard on the Petition

Saturday Dec. 3d 1870

and the proofs whereupon the Court find for the plaintiffs and that the Mortgage mentioned in said Petition hath been delivered to plaintiff since the filing of said Petition it is considered ordered and adjudged by the Court that said Mortgage be and the same is declared to be prior to and better than the lien of the Judgment mentioned in Plaintiffs Petition which Judgment is adjudged and decreed to be null and void so far as it affects the rights of said Plaintiff and it is further ordered that Plaintiff recover of said Wm H. Griffis the costs of this suit taxed to $— The defendant the Farmers Bank of Marysville except to said ruling of the Court and give notice of Appeal and Bond fixed at $100.

A. H. Cook
vs
Ros Townsend } Pet in error

The petition in error filed in this case is dismissed at the costs of the Plaintiff in error.
it is therefore considered that the defendant in error recover of Plaintiff in error his costs in this behalf expended taxed at $

Ros Townsend
vs
A. H. Cook }

This day came this cause on to be heard upon the motion of — to dismiss the appeal in this case and was argued by Counsel and submitted to the Court on consideration whereof the Court do overrule said motion
thereupon Plaintiff asked and obtained leave of the Court to file a Petition instanter which is accordingly done

Margret Wilson
vs
Wm H. Wilson }

This cause having ban duly submitted to the Court it is ordered that the petition of Plaintiff for Alimony was dismiped without Prejudice

William H. Wilson
vs
Joshua B. Haines & Margret Wilson } Court of Common Pleas Union Co Ohio

On motion of the Plaintiff this cause was continued with leave to Plaintiff to amend his Petition in 30 days so as to make new Parties defendants

Josiah McAdams } No 912
vs
V. J. Hills et. al }

This day came the parties and this cause came

Saturday Dec. 3d 1870

on to be heard by the Court upon the Petition of Josiah McAdams and the cross Petition of Wm Westlake and the answer of Wm M. Randall and the proofs, whereupon the Court being fully advised in the premises find for the said McAdams and said Westlake on the claim of payment of the Judgment in said Petition described, whereupon it is considered ordered and adjudged by the Court that the said Injunction heretofore allowed be and the same is hereby made perpetual - and it is further ordered that the costs of this proceeding be paid in twenty days by defendants N. J. Hills and Wm M. Randall and in default thereof that Execution issue as upon Judgments at law - Notice of appeal by Wm M. Randall defendant and Bond fixed at $ 65.00

Reuben W. Weisz }
vs } Motion to set aside Sale
James Magaha et al }

This day came the parties by their Attorneys and thereupon the motion of the said Reuben Weisz to set aside the Sale made in this case on the 27th day of August 1870 came on to be heard and was argued by Counsel on consideration whereof the Court do order and adjudge that said Sale be and the same is hereby set aside and vacated and cause continued under former order of Sale

Albert Scrimager } No 958
vs
W. H. H. Titus et al }

This day came the parties and submitted this cause to the Court, the defendants being in default and failing to answer, and the Court being fully advised in the premises do find the allegations of the Petition to be true and that there is due the plaintiff on the Mortgage set up in Plaintiffs Petition the Sum of $ 3192.32 which Sum is a Mortgage lien on the Real Estate described in Plaintiffs Petition, it is therefore considered ordered and adjudged by the Court that the said defendants ~~by the 6th of April~~ within twenty days pay said Sum of money so found with interest from ~~this date~~ April 1st 1871 and in default thereof that an order of Sale issue to the Sheriff of this County who is appointed Special Master for that purpose, commanding him to appraise advertise and sell said Real Estate to satisfy said claim - and it is further ordered that defendants pay the costs of this Suit - ~~and this cause is continued for report of the Sheriff~~ - no order of sale to issue until after April 1st 1871

W. W. Morris & Charles Fullington } No 877
vs
David Watson & Wm Howard }

This day came the parties and waived the right of trial by jury and submitted this cause to the Court upon the issues joined between the parties whereupon the Court find for

Saturday Dec. 3d 1870

the said Plaintiffs on said issues and the Court assess the plaintiffs damages at Nine hundred and fifty dollars – it is therefore considered ordered and adjudged by the Court that Plaintiffs recover of the defendant David Watson said sum of Nine hundred and fifty dollars the Plaintiffs damages so assessed and their costs herein expended taxed at $ – Defendant David Watson demanded a second trial under the Statute which is allowed and bond fixed at $1900.

W. W. Morris & Charles Fullington } No 876
vs
David Watson & Asa Bales }

This day came the parties and waived the right of trial by Jury and submitted this cause to the Court upon the issues joined between the parties whereupon the Court find for the said Plaintiffs on said issues and the Court assess the Plaintiffs damages at Nine hundred and fifty Dollars it is therefore considered ordered and adjudged by the Court that plaintiffs recover of the defendant David Watson said sum of Nine hundred and fifty Dollars the Plaintiffs damages so assessed and their costs herein expended taxed at $ No 933

Defendant David Watson demanded a second trial under the Statute which is allowed & Bond fixed at $1900.

And thereupon the Court adjourned till Monday next December 5th 1870 at Eight O Clock P M.

J S Conklin
Judge

Monday December 5th 1870

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

The State of Ohio }
vs } Recognizance
John Kirchner }

This day came in open Court John Kirchner and acknowledged himself to owe and stand indebted to the State of Ohio in the penal sum of $300, Dollars to be levied of his goods and chattels lands and tenements if default be made in the following condition to wit; that the said John Kirchner be and appear before the Court of Common Pleas of said County of Union on the fourth day of the next term thereof to answer unto the State of Ohio for Selling Intoxicating Liquors in violation of law and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be & remain in full force

No 933

Catharine Vanvoorhis }
vs } Bastardy
William Cody }

The defendant William Cody was this day brought before the Court and having nothing further to say why sentence should not be pronounced against him - it is therefore considered ordered and adjudged by the Court here, that he stand charged for the support of the child in the sum of four hundred and ninety Dollars (490^{00}) seventy Dollars to be paid in ten days and 35^{00} every six Months thereafter for six years and also pay the costs of this suit taxed at $ and that the said William Cody be imprisoned in the Jail of this County until said judgment and costs be paid or secured to be paid or he be otherwise discharged according to law

Thomas Hamilton by his Guardian } No 770 Eq'y No 1010
vs } On motion to confirm purchase of Real Estate
John S Hamilton et. al. }

M C Lawrence the Trustee heretofore appointed in this case having reported to the Court, that he with the advice and Counsel of the said Thomas B. Hamilton has made a purchase of real Estate of one William A. McCampbell with a portion of the fund arising from the sale of the real Estate sold under the order of the Court in this case; this day the said M C Lawrence as such Trustee made motion to the Court for an order approving and confirming said sale &c. - and the Court being fully advised as to the terms of the purchase &c - and being of the opinion that they are reasonable and that it is for the interest of the said Thomas B. Hamilton that the purchase should be confirmed, and approved and that the interest of other parties to this case would not thereby be prejudiced or injured - It is therefore considered ordered and adjudged by the Court that the said purchase so made by M C. Lawrence as Trustee in this case be in all things approved and confirmed and it is further ordered by the Court that the said

Monday December 5th A.D. 1870

William A. McCampbell execute and deliver to the said McLawrence as such Trustee - and to his successor - a deed in fee simple with covenants of General warranty for said land and that the said McLawrence as such Trustee execute and deliver to the said McCampbell a Mortgage on the premises to secure the defered payments, in accordance with the contract of purchase - and when the conveyance is so made the said Real Estate shall for purposes of descent, succession, reversion or remainder have the same character and be governed by the same principles as the estate hereinbefore sold by the said M.C. Lawrence as Trustee in the case of Thomas C. Hamilton by &c vs John S. Hamilton et al, and shall pass according to the terms of the will of C. S. Hamilton Decd, under which the said Thomas C. Hamilton derived the real estate so sold - according to the Statute in such case made and provided And the said McLawrence as such Trustee is ordered to pay the Expenses of purchase and confirmation necessary and proper to be by him paid - out of the income arising from the fund remaining in his hands

Mary Riddle } No 783. P 348
vs
James Riddle & others } Partition G. No 1045

This day came the Parties hereto and submitted this cause to the Court on the motion to confirm sale and distribute the proceeds of the sale and invest the sums due defendants Whereupon the Court being fully advised in the premises do find that said sale was in all respects regular and order deeds to be executed to the purchasers of said premises and finding that in order to save the dwelling house of the defendants occupied by Plaintiff from waste a new roof is absolutely necessary for the same and being satisfied that the several heirs of James Riddle Decd consent thereto the Court order that $60 16/100 of said purchase money be applied in newly roofing said house. also the Court order and decree that out of said proceeds the costs including an Attorney fee of $43 30 to Robinson & Piper be paid and the tax on said 27 acres of land for the year before the sale and also ordered to be paid out of said proceeds and the ballance of the proceeds of said sale the Court order the said F. W. Robinson to invest in United States bonds the interest to be paid semiannually to the Plaintiff and the principal at her death to be paid to said defendants according to the terms of the will of James Riddle Decd

Albert B. Weller }
vs
Pittsburg Cincinnati & St Louis Rail Road Co. }

This day came the parties by their Attorneys and submitted this cause to the Court upon the demurer of the Plaintiff to the 2d and 4th grounds of defense in the defendants answer and the Court being fully advised in the premises is of opinion that facts sufficient to constitute a defense to the Plaintiffs Petition are not contained in said 2d ground of defense and the Court therefore sustain the plaintiffs demurer to same to which ruling defendant excepts - and as to the demurer to the said 4th ground of defense the Court is of opinion that said 4th Ground does contain facts sufficient to

Monday December 5th A.D. 1870

constitute a defense and therefore overrule the said demurrer to same to which ruling the Plaintiff excepts and asks leave to reply in sixty days which is allowed and defendants is granted leave to amend answer in sixty days

This day on motion it was ordered by the court that Joseph W. Lawrence be appointed Auctioneer for the County upon his paying to the Treasurer of said County the sum of $5.00 and giving Bond as required by law

Nancy Welsh
vs
Robert Sharp & others
} No 971

This day this cause came on to be heard upon the Petition of the Plaintiff and the testimony introduced in the case, in consideration whereof the Court finds the allegations of the Plaintiffs Petition to be true, and that the law of the case is with her. it is therefore ordered adjudged and decreed that so much of said order mentioned in Plaintiffs Petition made at the August term of this Court 1870 as orders the payment out of the proceeds of said sale mentioned in said order, the said Judgment liens of said P. B. Cole, J. W. Robinson and W. W. Woods & Co., be vacated and set aside and that the residue of the money - not exceeding five hundred dollars, yet remaining in the hands of said Sheriff after paying according to said order the costs, taxes and Judgment of said George Snodgrass be annuled and paid to the Plaintiff by said Sheriff in lieu of her homestead in said Property, and it is further ordered that the costs of this action be retained out of said money ~~remaining~~ now in the Sheriffs hands

Ordered that all causes motions and matters now pending in this Court not otherwise disposed of do stand continued until the next term

And thereupon the Court adjourned without day

Tuesday Ftbruary 14. A.D. 1871

Tuesday February 14th A.D. 1871 This day the Court of Commmon Pleas for the County of Union and State of Ohio met in pursuance of law at 11 oclock A. M. Present J. D. Conklin Presiding Judge L. Piper Prosecuting Attorney Robert Sharp Sheriff & F. D. Arthur Clerk

This day the Jurors of the Grand Jury being called, some of them came to wit, Thomas Herd Jr. Alonzo Skidmore J. Y. Severn & H. Earl. George P. Cross H. C. Dickinson. Ingham Wood. J. W. Andrews. J. B. Wheelsley. John Gibson Regular. Juror and because the residue of said Jurors of that Jury do not appear others from among the bystanders are, by the Sheriff of said County, at the command of the Court, Elected anew, to wit, C. W. K. Ingman Joseph Powers. Daniel Longbrake. Henry Kezartee, & Samuel Woodburn Tales Jurors, good and lawful men whose names are annexed to the panel according to the form of the Statute in such case made and provided. The Court appoint the said J. B. Wheelsley Foreman, and the said Jurors being duly empanelled, sworn and charged, retired to their room, to deliberate; attended by a sworn Constable

Jane O. N. Jones & George W. Jones
vs
Ketura M. Hodge. George B. Hodge
Susan Timberlake. Henry Timberlake
Josephine A. Golding, Walter Golding & W. W. Woods

No 978

Pr. Partition

And now comes the said Jane O. N. Jones by Porter & Sterling her Attorneys, and thereupon this cause came on to be heard upon the petition and evidence and was argued by counsel, on consideration whereof the Court do find that due notice of the pendency of this action has been given for more than ~~thirty~~ forty days prior to the first day of the present term of this Court, and the Court do further find that said Jane O. N. Jones has a legal right to and is seized in fee simple of the undivided one fourth part of the said premises and the Court do further find that the said Ketura M. Hodge, Susan Timberlake and Josephine A. Golding are tenants in common in said premises with the said Jane O. N. Jones in the following proportions to wit, the said Ketura M. Hodge is seized of the one fourth part thereof and the said Susan Timberlake of the one fourth part thereof and the said Josephine A. Golding of the one fourth part thereof - it is therefore ordered that a writ of Partition issue to the Sheriff of said County of Union and State of Ohio, Commanding him, that on the oaths of Andrew S. Mowrey Levi Longbreak and Joseph K. Richey Partition be made of said lands in the following proportions to wit, to the said Jane O. N. Jones one fourth part, to the said Ketura M. Hodge one fourth part, to the said Josephine A. Golding one fourth part and to the said Susan Timberlake one fourth part - and it is further ordered that the Sheriff return his proceedings in the premises forthwith -

Thursday February 14. 1871

X	Hullington Garwood & Co. vs Michael Davis	Continued by consent
X	C. M Robinson vs J. S. Alexander & Bank of Marysville	Continued under former order
X	J. C. Hanover & S. W. Brown vs William Wharry & G. A. Cady & P. Safford	Continued
X	Thomas W. Powell vs John Stewart & D. H. Tyal	continued
X	Peter L. Mayo vs John Mayo et al.	Continued under former order
✓	Brooks & Houston vs Davis & Green	This cause is settled and costs paid
X	William J. Bosh vs Priscilla Bosh	Continued for service
X	Jane A. N. Jones & others vs Kilura M. Hodge & others	This cause is continued with leave to amend Petition in days. to make further parties defendants &c
X	William Parthemor vs The American Express Co	Continued
X	Frances Thompson vs Hylas Sabine	Continued by consent
X	Robert West vs Uriah Zimmerman. Philip Rauch & Hart Mouser	Continued by consent
X	Samuel R. Harbert vs James H. Neal & Henry Neal	Continued

And thereupon the Court adjourned until tomorrow Morning at 8½ oclock

J. S. Conklin Judge

Wednesday February 15. A.D. 1871

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

	John Swan Dft. vs Henry Williams Dft.	Continued at defendants costs judgment therefor
X	David Mulford vs Harmon Patch Jr	Continued at defendants cost Judgt. for costs of this term
X	Andrew Keyes vs Samuel McCampbell Dft.	Continued
X	Alonzo Luters vs Ralph Moffitt & Elizabeth Moffitt	Continued under former order
✓	David Cook vs James R. Mitchell	

This day came the parties and thereupon came a Jury to wit, D. W. Spain. Joel D. Graham. Harrison Shaw. George Hawley John R. Dixon. James Cunningham. James Kennedy Regular Jurors Adam Wolford. Henry Notts. P. C. Bodkin. William Smith & David Wright tales Jurors, who being duly impannaled and sworn the truth to speak upon the issues joined between the parties upon their oaths do say that they find for the plaintiff and assess his damages at $67⁵³ dollars it is therefore considered ordered and adjudged by the Court that the plaintiff recover of the defendant the said sum of $67⁵³ his damages aforesaid and also the costs herein to be taxed at $

X	George L. Converse vs David Rees Dft.	Continued under former order
†	Richard Clark vs Jeremiah D. Ellis	Continued by consent
†	Thomas W. Powell vs Henry Fehlings	Continued under former order

And thereupon the Court adjourned until tomorrow Morning 9 o'clock

L. L. Conkling Judge

Thursday February 16th 1871

This Morning the Court met at 9 oclock pursuant to adjournment the same officers present as on yesterday

Carper H. Duhring Etal } No 955
vs
Thomas Brown }

And now comes the said Carper H. Duhring and Oscar Knipe by their Attorneys and the said Thomas Brown having failed to demur or answer to the said Petition of the said Carper. H. Duhring and Oscar Knipe it is considered that the said Carper. H. Duhring and Oscar Knipe ought to recover the said sum of $206 92/100 so demanded in their Petition together with the sum of $9 32 which the Court finds due as interest thereon as prayed for in said Petition. it is therefore considered that the said Carper H. Duhring and Oscar Knipe recover against the said Thomas Brown the said sum of $216 24 together with his costs in and about this their suit in this behalf expended
Taxed to $

This day the Grand Jury appeared at the Bar of the Court and in open court presented their Bill of Indictment against John Adams for Keeping a public Room or Building for the sale of Liquors Contrary to law. Indorsed a true Bill. J. B. Whelpley Foreman. also their other bill of indictment against George W. Courts for selling intoxicating Liquors to one in the habit of getting Intoxicated. indorsed. a true bill. J. B. Whelpley. Foreman also their other Bill of Indictment against Jacob Guy and Joseph H. Bound for Gambling. Indorsed. a true Bill J. B. Whelpley. Foreman also their other Bill of Indictment against Nathan S Pratt. George Stuart. Jacob Guy. H. Maxwill Mealey Henry Fields and Lycurgus Rose. for Gambling Indorsed. A true bill. J. B. Whelpley - Foreman of Grand Jury and not having finished the business before them. they retired again to deliberate

Recognizance

This day came in open court Hettie McPherson & Maggie Messer and acknowledged themselves to owe and stand Indebted to the State of Ohio in the penal sum of fifty dollars to be levied of their goods and chattels lands and tenements if default be made in the following condition to wit. that the said Hettie McPherson & Maggie Messer be and appear before the court of Common Pleas of said County of Union on the sixth day of the present term that being the 20th day of February A.D. 1871 to give Evidence in a case pending in said Court wherein the State of Ohio is Plaintiff and John Adams defendant. and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

John C. Leghorn }
vs
James C. Marshall }

This day came the parties and thereupon came a Jury to wit. W. L. Porter. D. W. Spain James Kennedy. James Cunningham Ped D. Graham Jacob Gibson Regular Jurors Henry Potts Wm H Smith John Weidman J. H. Clement Thomas Horton Orlando Tebart

Thursday February 16 1871

Tales Jurors who being duly impanneled and sworn the truth to speak upon the issues joined between the parties, find for the defendants and thereupon it is considered ordered and adjudged by the Court that the defendant go hence without day and recover of the plaintiff his costs herein expended taxed to $\frac{}{}$
and thereupon Plaintiff demanded a second trial under the statute which is allowed and bond fixed at $100.

John C. Leghorn
vs
J. V. Finley

The Plaintiff being a nonresident of this County on defendants motion is ordered by the Court to give security for costs in twenty days & this cause is continued with leave to defendant to file answer in twenty days

John C. Leghorn
vs
John Bennett

The Plaintiff being a nonresident of this County on defendants motion is ordered by the Court to give security for costs in 70 days & this cause is continued with leave to defendant to file answer in twenty days

John C. Leghorn
vs
Henry Kezarter

The Plaintiff being a nonresident of this County on defendants motion is ordered by the Court to give security for costs in 70 days and this cause is continued with leave to defendant to file answer in twenty days

John C. Leghorn
vs
Samuel Gamble

The Plaintiff being a nonresident of this County on defendants motion is ordered by the Court to give security for costs in 70 days & this cause is continued with leave to defendant to file answer in twenty days

John C. Leghorn
vs
William Bailey

The Plaintiff being a nonresident of this County on defendants motion is ordered by the Court to give security for costs in 70 days and this cause is continued with leave to defendant to file answer in twenty days

And thereupon the Court adjourned until 8 o'clock tomorrow Morning

J. S. Conklin Judge

Friday February 17. 1871

This Morning the Court met at 8½ oclock pursuant to adjournment the seme officers present as on yesterday.

John C. Leghorn }
vs }
J.B. Wilcox }

The Plaintiff being a nonresident of this County on defendants motion is ordered by the Court to give security for costs in seventy days and this cause is continued with leave to defendant to file answer in twenty days

John C. Leghorn }
vs }
S.P. Sanders }

The Plaintiff being a nonresident of this County on defendants motion is ordered by the Court to give security for costs in seventy days and this cause is continued with leave to defendant to file answer in twenty days

James Gump }
vs }
Levi Hager }

On motion of Plaintiff, the Court extends the time for Plaintiff to put in security for costs in this action for 40 days

George W. South }
vs }
Gilbert J. Hill et al }

This cause is settled at the costs of Isaac N. Wells it is therefore considered that the Plaintiff recover of said Isaac N. Wells his costs in this behalf expended taxed at $

W.W. Morris & Charles Fullington } No 877 Civil action Ex H. No 1204
vs
David Watson & Wm Howard }

W.W. Morris & Charles Fullington } No 876 Civil action Ex H. No 1206
vs
David Watson & Asa Bates }

This day came the parties in the above named actions No's 876 & No 877 and by agreement Wm Howard and Asa Bates are dismissed from said actions and thereupon by like agreement said two causes are consolidated into one and thereupon by like agreement this cause is submitted to the Court which by the like agreement of said Parties find for the plaintiffs and assess their damages by like agreement at twelve hundred and fifty dollars - it is therefore considered ordered and adjudged by the Court that Plaintiffs recover of said defendant David Watson on the two causes of action in said consolidated causes set forth the sum of twelve hundred and fifty dollars together with costs of said actions taxed to $ no record. over

and it is agreed by the parties and made part of the consideration of said Judgment that if said David Watson shall within ten days tender to Plaintiffs his promissory note with two good securities for said sum of twelve hundred and fifty dollars due one year from this date with 6% per cent interest from this date they the Plaintiffs will receipt this Judgment in full. Except for costs

Maskill Dockum
vs
James Guy Admr. of the estate of Andrew Dockum Decd

The two cases of Maskill Dockum against James Guy Administrator of the Estate of Andrew Dockum Decd No 654 & No 488 in this Court are by agreement of the parties ordered to be consolidated into one case on the terms of a written agreement on file and thereupon defendant asked and obtained leave to file his amended answer and thereupon ~~and thereupon~~ the plaintiff not being prepared to go on with the trial of this cause by reason of the amendment proposed, this cause is continued at the costs of the defendant & thirty days given to file his amended answer—

D. Mulford
vs
Harmon Patch Jr

This day came the parties and thereupon the defendant filed his affidavit for continuance which was held sufficient, and thereupon this cause is continued at defendants costs, the Injunction heretofore allowed to remain in full force it is therefore considered ordered and adjudged that the plaintiff recover of defendant the costs of this term taxed to $

D. Mulford
vs
Esley Patch et al

This day came Daniel Patch and by consent of Parties was made a defendant in this cause and entered his appearance and by like consent the Injunction heretofore allowed against Esley Patch and Lester Ketch is affied to said Daniel Patch until further order of Court and on application of defendant this cause is continued at their costs, it is therefore adjudged by the Court that Plaintiff recover of defendants the cost of this term taxed to $

John Swan et al. } No 608
vs
Henry Williams et al.

This day the defendant made affidavit for continuance for reasons on file, and thereupon this cause is continued at defendants costs it is therefore adjudged that Plaintiff recover of defendants the costs of this term taxed to $

Friday February 17. 1871

Philip Snider
vs
Sophia Hemingway

it appearing to the Court that this cause must wait for hearing until the Supreme Court of the State of Ohio shall decide a case pending therein wherein Sophia Hemingway is plaintiff and Edward Messenger and others are defendants it is therefore ordered that this cause be left off the docket until further order of this Court

Benjamin Glascod vs James. P. McNeal. & J. W. Robinson } No 922

This day this cause is passed on Plaintiffs application and at his costs until it may be taken up during this term

W. H. Wilson vs Joshua. B. Haines dec'd } No 905

This day the Court appoint J. W. Robinson Guardian ad litem of the infant defendants named in said amended petition who thereupon appeared and filed their answer and this cause is assigned for hearing on the 21st Inst

R. B. Shower vs Edmond Turner } No 903

This day on the motion of the defendant this cause is dismissed for want of prosecution. It is therefore ordered and adjudged by the Court that defendant go hence without day and recover of plaintiff his costs taxed to $

Ozid Lapham vs Hayden. Hutchinson & Co. et al } No 966 Continued

Ozid Lapham vs Wellington Phillis & Woods } No 967 Continued

Thomas. N. Paulk vs Joseph Price et. al } No 892 Continued by consent

And thereupon the Court adjourned until 8½ o'clock tomorrow Morning

J. L. Conklin Judge

Saturday February 18. 1871

This Morning the Court met at 8½ oclock pursuant to adjournment the same Officers present as on yesterday

Carey B. Paul
vs
John Hawley & A. Wilder
& Wm H. Dunnick

This cause came on to be heard upon the Demurrer by the defendant William H. Dunnick filed herein to the Petition of the Plaintiff, and was argued by Counsel, whereupon the Court being fully advised in the premises doth overrule said demurrer

Carey B. Paul
vs
George Rickard & A. Wilder
& William H. Dunnick

This day This day cause came on to be heard upon the Plaintiffs Petition and the demurrer of the defendant William H. Dunnick thereto, on consideration whereof the Court doth find that said Dunnick was not properly Joined as a defendant in said action and that his name should be stricken from said petition as defendant and as to said Dunnick said demurrer is sustained on the first ground thereof "that there is a defect of parties defendant and said action to him only is dismissed without prejudice to another suit against him on the said Note and on his endorsement and guaranty thereon and without prejudice to the plaintiffs claim against said Dunnick to which ruling of the Court on sustaining said first ground of demurrer Plaintiff excepts and the Court doth overrule said demurrer as to the second ground thereof as stated and numbered in said demurrer namely that the petition does not state facts sufficient to constitute a cause of action in favor of said plaintiff against this defendant" the said Dunnick

Howard N. Shaffer
vs
Margret E. Basil & others

Eq H No 1193

And now comes the said Howard N Shaffer by N. A. Gilbert his Attorney and on his motion and on producing the report of the Sheriff of his sale made under a former order of this Court and the Court being satisfied on examination that said sale has been made according to law. it is ordered that the said proceedings and sale be and the same is hereby approved and confirmed and the said Sheriff is ordered by deed duly executed to convey said premises to the said purchaser in fee simple and it is further ordered that the said Sheriff out of the moneys in his hands pay first the costs of this case including a counsel fee of thirty eight dollars and five cents to N. A Gilbert and that of the residue he pay to Rhoda Wilmoth the sum of Sixty one dollars and Seventy seven cents. To Griffin Johnson as Guardian of the defendant John Basil the sum of Seventy four Dollars and thirty

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To Howard Shaffer Guardian of Lewis M. Basil the sum of seventy four dollars and thirty cents to Margret Basil the sum of seventy four dollars & thirty cents, that out of the second payment due on said lands he pay to Rhoda Wilmoth sixty one dollars and seventy seven cents. to Griffin Johnson sixteen dollars and sixty six cents. to Griffin Johnson as the Guardian of defendant John Basil the sum of one hundred and one dollars and ninety one cents to Howard D. Shaffer as Guardian of Lewis M. Basil the sum of one hundred and one dollars & ninety one cents. to Margret Basil the sum of one hundred and one dollars and ninety one cents. that out of the third payment due on said lands he pay to said Rhoda Wilmoth. Griffin Johnson. Griffin Johnson. as Guardian of John Basil. Howard D. Shaffer Guardian of Lewis M. Basil and Margret Basil like sums as last. hereinbefore mentioned and provided for. and it is further ordered by the Court. that the Sheriff take a Mortgage on the lands sold herein to secure the defered payments on said lands according to the Statute in such cases. and that he distribute the Note among the said parties to this suit as hereinbefore provided for

William Brown
vs
William Longacre &c.

This day came the Plaintiff by his Attorneys and the said defendants having failed to answer or demur to Plaintiffs Petition it is considered that the Plaintiff ought to recover of the defendant William Longacre the sum of fourteen hundred and seventy six dollars as the Plaintiff hath in his Petition demanded it is therefore considered and adjudged that the said William Brown recover of the said William Longacre the said sum of fourteen hundred & seventy six dollars and also his costs herein expended taxed to $ and it is further ordered and adjudged that in case said defendant William Longacre fails for three days from the close of this term of Court. to pay to said Plaintiff said sum of $1476.– so as aforesaid found due with costs of suit an order issue to the Sheriff of said County. who for such purpose is hereby appointed Special Master commissioner of this Court– commanding him to cause the said lands and tenements in said Petition described to be appraised advertised and sold according to law– and apply the proceeds of said sale in satisfaction of the judgment so as aforesaid rendered

And thereupon the Court adjourned until Monday Morning 10 oclock

J. L. Conklin Judge

Monday February 20th 1871

This Morning the Court met at 10 oclock pursuant to adjournment the same officers present as on yesterday

Butler Earhart & Co.
vs
William B. Dunfee } Cognovit

And now comes the said Butler Earhart & Co. by their Attorneys and file their Petition against the said William B. Dunfee and thereupon P. B. Hold one of the Attorneys of this Court, appeared in Open Court in behalf of the said William B. Dunfee, and by virtue of a warrant of Attorney for that purpose executed, and now produced to the Court and duly proved, waived the issuing and service of process and confessed that the said William B. Dunfee does owe to the said Plaintiffs, the said sum of two hundred and twenty one & 70/100 dollars as the said Plaintiffs hath in their said Petition set forth and confesses judgment therefor—
it is therefore considered, that the said Butler Earhart & Co. recover of the said William B. Dunfee the sum of $221.70 so confessed to be due and also their costs in this behalf expended taxed to $ and by virtue of the said warrant of Attorney all error is released and all right of appeal waived by the said William B. Dunfee

Mary B. Paul
vs
John Hawley, L. A. Wilder
& William H. Dunnick }

This cause came on to be heard upon the demurrer by the defendant, William H. Dunnick, filed herein to the petition of the Plaintiff and was argued by Counsel, whereupon the Court being fully advised in the premises, doth sustain said demurrer, and the plaintiff not desiring to amend—and doth dismiss said action as to the said William H. Dunnick without prejudice to another suit by plaintiff, against said Dunnick on the promissory Notes set forth in the petition in this case and on the indorsement & Guaranty by said Dunnick thereon, & without prejudice to the rights or claim of the plaintiff, arising upon said Note & guaranty & indorsement by said Dunnick thereon, to which ruling & judgment & decission of the Court in sustaining said demurrer & in dismissing said action as to said Dunnick said plaintiff excepts & his exception is allowed and made part of the record of this case

Mary B. Paul
vs
Thomas J. Henderson, L. A. Wilder
& William H. Dunnick }

This day this ~~day~~ cause came on to be heard upon the demurrer filed herein by defendant William H Dunnick to the petition of the plaintiff and was argued by Counsel on consideration whereof the Court doth sustain said demurrer, and the plaintiff not desiring to amend his petition this action was

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dismissed as to said Dunnick without prejudice to another suit & action by the plaintiff against said Dunnick on said promissory Note in the petition mentioned and on the endosement and guaranty by the said Dunnick thereon & without Prejudice to the claim or right of action of said plaintiff against said Dunnick, in said Note & endorsements, to which decission and Judgment of the court in sustaining said demurer, and in dismiping said action as to said Dunnick said plaintiff excepts & his exception is allowed and ordered to be made a part of the record in this case

Carey B. Paul
vs
George Rickard & L. A. Wilder
& William H. Dunnick

This day this cause came on to be heard upon the demurer filed herein by William H. Dunnick to the Plaintiffs Petition, and was argued by Counsel on consideration whereof the Court doth sustain said demurer & the plaintiff not desiring to amend, the Court doth order and adjudge that said action be dismissed as to said Dunnick without prejudice to another action by the plaintiff against said Dunnick on the Note and the indorsement and guaranty thereon by said Dunnick and without prejudice to the right of action or claim against said Dunnick on said Note & said Dunnicks indorsements & guaranty thereon, to which Judgement and decission of the Court in sustaining said demurer, and in dismiping said action as to said Dunnick, the plaintiff doth except & his exception is ordered to be made a part of the record in this case

Carey. B. Paul } No 942
vs
George Rickard &
L. A. Wilder

This day came the parties Carey. B. Paul. Plaintiff & George Rickard one of the defendants but said L. A. Wilder defendant came not but made default, and thereupon came a jury to wit. W. L. Portes. James Kennedy. James Cunningham. Joel H. Graham. Jacob Gibson. Harrison Shaw. George Hawley. Regular Jurors. Orlando Stuart. P. C. Bobbin. Thomas Horton. Adam. Wolford & Henry Knotts. tales Jurors who being duly empannaled and sworn according to law. the truth to speak, and a true verdict give, on the issues Joined between said parties. Carey. B. Paul. Plaintiff and said George Rickard defendant according to law, and the evidence do find on said issues for the said defendant George Rickard. it is therefore considered ordered & adjudged by the Court that said defendant George Rickard go hence without day & recover of the plaintiff his costs herein expended taxed to $ and thereupon this cause was submitted to the Court as to to the default of the defendant L. A. Wilder neither party demanding a Jury and thereupon the Court being fully advised in the premises find the allegations in said petition as to said L. A. Wilder to be true & do find there is due to the plaintiff from the said defendant L. A. Wilder on his endorsement on said Note in the Petition described and as endorser thereof the sum of three hundred & fourteen

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& 100 dollars as claimed in said petition - it is therefore considered ordered and adjudged by the Court that Plaintiff recover of said L. A. Wilder defendant the said sum of three hundred & fourteen & 100 dollars & the costs of plaintiff expended against said Wilder taxed to &

Carey. B. Paul
vs
John Hawley &
L. A. Wilder

This day came the parties Carey. B. Paul plaintiff and John Hawley one of the defendants. but L. A. Wilder defendant came not but made default. and thereupon came a jury to wit.. Jacob Leonard. James Williams Samuel McCampbell. A. D. Doolittle Horatio Hamilton. D. M. Scott. John Guthrie Michael Woods. Robert Graham. George. Snodgrass. Daniel Miller. & David Clement. tales jurors who being duly empannaled and sworn according to law. the truth to speak and a true verdict give on the issues joined between the parties. Carey. B. Paul plaintiff and John Hawley defendant according to law & the evidence. do find on said issues for the defendant John Hawley — it is therefore considered by the Court and ordered and adjudged that said John Hawley go hence without day & that he recover of the plaintiff his costs herein expended taxed to & —
And thereupon this cause was submitted to the court on & as to the default of the said defendant L. A. Wilder. neither party requiring a jury; and thereupon the Court being fully advised in the premises doth find the allegations in said petition of the plaintiff as to said L. A. Wilder to be true. and doth find that there is due to the plaintiff from the said L. A. Wilder defendant to the plaintiff on said Note and on his endorsement thereon in the petition described and as endorser of said Note. the sum of one hundred and fifty six dollars and forty two cents. as claimed in said petition. it is therefore considered ordered and adjudged by the Court that said Carey B. Paul plaintiff do recover of the defendant L. A. Wilder the said sum of one hundred and fifty six dollars and forty two cents; and that plaintiff do recover of said L. A. Wilder. plaintiffs costs herein taxed to &

Carey. B. Paul
vs
Thomas. P. Henderson
& L. A. Wilder

This day came the parties. Carey. B. Paul Plaintiff and Thomas. P. Henderson one of said defendants but said L. A. Wilder defendant came not but made default; & thereupon came a jury to wit.. W. R. Potts. Joel D. Graham. Harrison. Shaw. James Kennedy. Jacob. Gibson. James. C. Marshall. James Cunningham George Hanley. Regular Jurors. Milton Thompson. Thomas Horton John. T. Lenox. Henry Knotts tales Jurors. who being duly empannaled and sworn according to law; the truth to speak. and a true verdict

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give on the issues joined between the said parties, Carey B. Paul Plaintiff and said Thomas P. Henderson defendant according to law and to the evidence, do find on said issues for the said defendant Thomas P. Henderson - it is thereupon considered ordered and adjudged by the Court that said defendant Thomas P. Henderson go hence without day and that he recover of the plaintiff his costs herein expended taxed to $ - and thereupon this cause was submitted to the Court on and as to the default of the said defendant L. A. Wilder neither party requiring a Jury, and thereupon the Court being fully advised in the premises, doth find the allegations in Plaintiffs said Petition as to said L. A. Wilder, to be true and doth find that there is due to the plaintiff from the said defendant L. A. Wilder on his endorsement on said Note in the petition described and as endorser thereof the sum of one hundred and fifty six dollars and forty two cents, as claimed in said Petition -
it is therefore considered by the Court that the said Carey B. Paul Plaintiff do recover of the said L. A. Wilder defendant the said sum of one hundred and fifty six dollars and forty two cents the amount so as aforesaid found due together with his costs herein expended taxed to $

X

The State of Ohio }
vs } Recognizance
George W. Courts }

This day came in Open Court George W. Courts and John L. Lendy and acknowledged themselves Jointly and severally to owe and stand Indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of their goods and chattels lands and tenements, if default be made in the following condition to wit, that the said George W. Courts be and appear before the Court of Common Pleas of said County of Union on the 5th day of the next term thereof to answer unto the State of Ohio for selling Intoxicating Liquors contrary to law and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

Charles Birge } No 839
vs
James McClarey }

This day came the Parties and settled this cause -

And thereupon the Court adjourned until 9 o'clock tomorrow Morning

J. Conklin Jr. P

Tuesday February 21- 1871

This Morning the Court met at 9 oclock pursuant to adjournment the same officers present as on Yesterday

The State of Ohio } Keeping Room of Public resort for Sale of intoxicating Liquors
vs
John Adams }

This day the defendant John Adams was arraigned in Open Court and the Indictment being read to him, was asked how of the premises he would acquit himself for plea says, he is not guilty in manner & form as he stands charged in said Indictment-

The State of Ohio } Indictment for Gambling
vs
Lycurgus Rofs }

This day came L. Piper Prosecuting Attorney and Entered a nolle prosequi on the above Indictment

This day the Grand Jury appeared at the bar of the Court and presented their Bill of indictment against William Moffitt for selling intoxicating Liquors to one in habit of getting intoxicated- Indorsed a true Bill- J. B. Whelpley Foreman of Grand Jury- Also their other Bill of indictment against Susan Adams for selling Liquors to one in habit of getting intoxicated- Indorsed- a true Bill. J. B. Whelpley. Foreman of Grand Jury- also ~~their~~ their Nine other Bills of indictment against John Adams- for selling intoxicating Liquors contrary to law- each severally endorsed- a true Bill- J. B. Whelpley Foreman of Grand Jury- and not having finished the business before them they retired again to deliberate

The State of Ohio } Indictment for Gambling
vs
Nathan Spratt }

The defendant Nathan Spratt this day was arraigned in open court and the indictment being read to him was asked how of the premises he would acquit himself for plea says he is guilty in manner and form as he stands charged in said indictment- whereupon it is considered by the Court that he pay a fine of twenty dollars and also the costs of this prosecution taxed to $ and that the said Nathan Spratt be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law-

The State of Ohio } Indictment for Gambling
vs
George Stuart }

The defendant George Stewart this day was arraigned in Open Court and the indictment being read to him was asked how of the premises he would acquit himself for plea says

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he is guilty in manner and form as he stands charged in said indictment whereupon it is considered and adjudged by the Court that he pay a fine of twenty dollars and also the costs of this prosecution taxed to $ and that the said George Stuart be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

The State of Ohio
vs
H. M. Mealey
} Indictment for Gambling

The defendant H. M. Mealey this day was arraigned in Open Court and the indictment being read to him was asked how of the premises he would acquit himself for plea says he is guilty in manner and form as he stands charged in said indictment - whereupon it is considered and adjudged by the Court that he pay a fine of twenty dollars and also the costs of this prosecution taxed to $ and that the said H. M. Mealey be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law -

The State of Ohio
vs
Henry Fields
} Indictment for Gambling

The defendant Henry Fields this day was arraigned in Open Court and the indictment being read to him was asked how of the premises he would acquit himself for plea says he is guilty in manner and form as he stands charged in said Indictment - whereupon it is considered and adjudged by the Court that he pay a fine of twenty dollars and also the costs of this prosecution taxed to $ and that the said Henry Fields be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

And thereupon the Court adjourned until 9 oclock tomorrow Morning

L. L. Conklin Judge

Wednesday February 22. 1871

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

P. 398
Foreclosure
Ex H. No 1201

No 920 Jesse Bird vs Joseph N. Hines Dick

On motion of the said plaintiff by his Attorneys and on producing the return of the Sheriff of this County of the sale of the Real estate made by him on the 21st day of January A.D. 1871 to Joseph Newlove ~~Bank~~ of Union County on an order of sale issued in this case and dated on the 17th day of December 1870. and the Court on examination of said proceedings being satisfied that said sale has been made in all respects in conformity to law. It is ordered that said sale and proceedings be and the same are hereby confirmed. and that the said Sheriff is ordered to make to the purchaser a deed in fee simple for the lands and tenements so sold. and it is further ordered that the proceeds of said sale if any remain after paying the costs of this action and the claim of the said Farmers Bank of Union County be brought into Court subject to its further order in the premises

Joshua Cole vs Henry B. Helkner. J. L. Helkner & Michael Carr

And now comes the said Joshua Cole (whose proper name is Joseph Cole but by mistake written Joshua Cole in Petition) and the said Henry B. Helkner J. L. Helkner and Michael Carr. having failed to demur or answer to the petition of the said Joseph Cole. It is considered that the said Joseph Cole ought to recover the said sum of $253.00 so demanded in his petition together with the sum $4.00 which the Court finds due as the interest thereon as prayed for in said Petition. It is therefore considered that the said Joseph Cole recover against the said Henry B. Helkner J. L. Helkner and Michael Carr. the said sum of $257.14/100 together with his costs in and about his suit in this behalf expended taxed to $

This day the Grand Jury appeared at the Bar of the Court and presented their Bill of Indictment against Francis M. Hinton and Elijah Bowen for Robbery. Indorsed. A true bill. J. B. Whelpley. Foreman of Grand Jury. also their other four bills of Indictment against John Kirchner for selling Intoxicating Liquors to be drank upon or about the premises where sold. Each Severally. Indorsed A true Bill. J. B. Whelpley Foreman of Grand Jury. Also their other four Bills of Indictment against Harvey Price. for selling intoxicating Liquors to be drank upon the premises Each severally endorsed. A true Bill. J. B. Whelpley. Foreman of Grand Jury. also their other two Bills of Indictment against Elliott B. Perkins and Menzo D. Halsey for each severally. Indorsed. A true Bill. J. B. Whelpley. Foreman of Grand Jury. Also their other Bill of Indictment against Elliott B. Perkins. Menzo D. Halsey & L. A. Wilder for forgery

H. Jury

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Indossed- a true Bill- J. B. Whelpley Foreman of Grand Jury- also their other three Bills of Indictment against George Wood for selling intoxicating Liquors to one in the habit of getting intoxicated- Each severally- Indossed- J. B. Whelpley- Foreman of Grand Jury- also their other Bill of Indictment against John Adams and F. M. Mealey for Gambling- Indossed- A true Bill- J. B. Whelpley Foreman of Grand Jury- Also their other Bill of Indictment against John Adams, Joseph H. Wythe, Early F. Poffleton and F. M. Mealey for Gambling Indossed- A true Bill- J. B. Whelpley Foreman of Grand Jury- also their other Bill of Indictment against John Adams for Keeping a Room of Public resort Indossed, A true Bill, J. B. Whelpley Foreman of Grand Jury- also their other Bill of Indictment against John Adams for selling intoxicating Liquors to a person intoxicated- Indossed- A true Bill- J. B. Whelpley- Foreman of Grand Jury- also their other Bill of Indictment against- Joshua Cole for Assault and Battery with intent to Kill- Indossed- A true Bill- J. B. Whelpley Foreman of Grand Jury- also their other Bill of Indictment against William Richter for selling intoxicating Liquors to be drank where sold- Indossed- A true Bill- J. B. Whelpley Foreman of Grand Jury- also their other Bill of Indictment against Gustavus J. Skidmore for furnishing intoxicating Liquors to one in the habit of getting intoxicated- Indossed- A true Bill- J. B. Whelpley Foreman of Grand Jury- also their other Bill of Indictment against John A. Wood for Keeping a Gaming device called Wheel of Fortune- Indossed- A true Bill J. B. Whelpley Foreman of Grand Jury- and having finished the business before them they were discharged from further attendance as Grand Jurors at the present term of this Court

Stephen Winget
vs
Griffin Johnson

And now comes Stephen Winget and the said Griffin Johnson having failed to demur or answer to the said Petition of the said Stephen Winget it is considered that the said Stephen Winget ought to recover the said sum of $112.50 so demanded in his Petition together with the sum of $1.97 which the Court finds due as the interest thereon as prayed for in said Petition- it is therfore considered- that the said Stephen Winget recover against the said Griffin Johnson the said sum of $114.47 together with his costs in and about his suit taxed to $

And thereupon the Court adjourned until 8 oclock tomorrow Morning

J. L. Conklin
Judge

Thursday February 23d 1871

This Morning the Court met at 8 oclock pursuant to adjournment the same officers present as on yesterday

Benjamin F. Bell Admr.
vs
E. Hammond Dft

And now comes the said Benjamin F. Bell by his Attorneys and the said E Hammond Terressa Hammond, J. S. Dillon Almira Dillon, Simeon J. Sturlin, Mary E. Sturlin, A. L. Scoville J. M McElroy, Maddox Brothers & Company, Kellon Bancroft & company and John Stickney still failing to demur or answer to the said Petition it is considered that the said Plaintiff ought to recover the amount due him by reason of the premises, and the Court with the consent of the said plaintiff find there is due from the said defendant E Hammond to the said plaintiff on the Notes in the said Petition set forth the sum of three hundred and Eighty three Dollars and Eight Cts ($383[08]) it is therefore considered by said Court here that the said plaintiff recover of the said defendant E Hammond the said sum of three hundred and Eighty-three dollars & Eight Cts, ($383[08]) the sum so found due as aforesaid and also his costs taxed to $— and it is further ordered and adjudged, that in case the said defendants fail for ten days from the close of this term of Court to pay to the said Plaintiff the said sum of three hundred & Eighty three Dollars & Eight Cts. So as aforesaid found due with costs of suit an order issue to the Sheriff of this County for the time being as Special Master Commissioner of this County Commanding him to cause the said lands and tenements in said Petition described to be appraised advertised and sold according to law and apply the proceeds of the sale in satisfaction of the said Judgment so as aforesaid rendered

John R. Brownell
vs
H. T. Knox & Elon Brake

And now comes the said John R. Brownell and Elon Brake having failed to demur or answer to the petition of the said John R. Brownell It is considered that the said John R. Brownell ought to recover the said sum of $221[00] so demanded in his petition together with eight Dollars and eighty four cents, which the Court finds due as the interest thereon as prayed for in said petition, it is therefore considered that the said John R. Brownell recover against the said H. T. Knox and Elon Brake the said sum of $229[84] together with his costs in and about his suit in this behalf expended taxed to $

Ross Townsend
vs
A. H. Cook.

This day came the parties by their Attorneys and the parties being at issue upon the petition and answer thereupon came a Jury to wit. W. D. Porter, Harrison Shaw, Joel D. Graham James C. Marshall, Jacob Gibson, James Kennedy, Thomas F. Henderson George Hanley James Cunningham, Regular Jurors, Milton Thompson

Thursday. February 23d 1871

Thomas Wharton, Arlando Stuart tales Jurors. who being duly empannelled and sworn the truth to speak and a true verdict give upon the issues joined do upon their oaths say. they find for the defendant. It is therefore considered ordered and adjudged by the Court that the defendant recover of the said Plaintiff his costs herein expended taxed to #

O. C. McCune }
vs
James Robinson }

And now comes the said O.C. McCune by P.B. Cole his Attorney, and the said James Robinson having failed to answer demur or otherwise defend to the petition of the said O.C. McCune. It is therefore considered and adjudged that the said O.C. McCune ought to recover of the said James Robinson the sum of one hundred and eleven dollars & 19 cents so demanded in his Petition, together with the sum of $1.35 which the Court finds due as interest thereon as prayed for in said petition. It is therefore considered ordered and adjudged that the Plaintiff O.C. McCune recover against the said James Robinson the sum of $112.35 together with his costs in this behalf expended taxed to #

Joseph Stone Dec'd }
vs
Mary Hensel }

This cause is settled by lease recorded. Plaintiff pays all costs except. Defendants witnesses. Judgt. vs Plff. for costs except Deft. wit's.

H. C. Culbertson }
vs } In Replevin
Robert Sharp }

This day came the parties by their Attorneys, and thereupon came a Jury to wit.. W.D. Porter. Harrison Shaw. James L. Marshall. James Kennedy Joel D. Graham. Thomas P. Henderson. George Hawley. Jacob. Gibson James Cunningham Regular Jurors. Adam Wolford Thomas Wharton Jonathan Wilcox Tales Jurors. who being duly empannelled and sworn the truth to speak upon the issues joined between the parties, upon their oaths do say. that at the commencement of this suit the right of property in. and the right of possession of said goods and chattels in the defendants answer mentioned was in the said Robert Sharp. and they assess the damages of the said Robert Sharp by reason of the premises. to three hundred sixty two & 98 Dollars ($362.98). It is therefore considered ordered and adjudged by the Court that the said Robert Sharp recover of the said H.C. Culbertson the said sum of three hundred sixty two & 98/100 dollars, his damages. aforesaid in form aforesaid assessed & also his costs herein expended taxed to #
Demand for second trial by Plff. second trial allowed. Bond fixed at #

And thereupon the Court adjourned until 8 oclock tomorrow Morning

J. Monklin Judge

Friday February 24. 1871

This Morning the Court met at 8 oclock pursuant to adjournment the same Officers present as on yesterday

Albert B. Witter
vs
Rail Road Co

This day the defendants came and moved the court for leave to amend their ~~Answer~~ herein, and the plaintiff not being able to go on with the trial by reason of the amendment proposed, this cause is continued at the costs of the defendant. 30 days given to file his amended Answer

George W. McAlpin, James E. Polk
Jedidah Hebert, John H. Hibbin
and Henry L. Bowman Partners in
business under the firm name of McAlpin, Polk & Hebert
vs
Thomas Brown

This day came the plaintiffs by their Attorneys, and the said Thomas Brown came not but made default and neither party demanding a Jury, this cause was submitted to the Court by the Plaintiff, and the Court being fully advised in the premises find for the Plaintiffs and assess their damages in the premises at three hundred and seventeen dollars (317^{cr}) it is therefore considered and adjudged by the Court that the plaintiffs recover of the defendant Thomas Brown the said sum of three hundred & seventeen dollars (317^{cr}) so found due, and also their costs herein expended taxed to $

C. H. Gordon
vs
J. C. Warner, Elijah Warner, & John H. Norton

This day came the said plaintiff C H. Gordon by his Attorney: & the said J. C. Warner, Elijah Warner, & John H. Norton defendants, came not but made default and neither of the parties requiring a Jury this cause was submitted to the Court, and the Court being fully advised in the premises do find that the said Elijah Warner, paid to the Clerk of this Court 150^{cr} on the 7th day of December 1870 which was paid to the plaintiff: and the Court further find that the said defendants do owe to the plaintiff a balance in the sum of two hundred forty four & $\frac{16}{100}$ dollars (244^{16}) on the note in the petition mentioned. the Court further find, that said Elijah Warner & J C. Warner, are principals on said note and that the defendant John H. Norton is surety for them. this therefore considered, ordered and adjudged by the Court that the said C. H. Gordon, recover of the said J. C. Warner and Elijah Warner as principals and the said John H. Norton as their surety, the sum of two hundred forty four & $\frac{16}{100}$ dollars (244^{16}) and also his costs herein expended taxed to $

And thereupon the Court adjourned until 8 oclock Tomorrow Morning

J. Hanklin Judge

Saturday February 25. 1871

This morning the Court met at 8 oclock pursuant to adjournment the same officers present as on yesterday

X The State of Ohio vs William Moffitt } Recognizance

This day came in open Court, William Moffitt and acknowledged himself to owe and stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of his goods and chattels lands and tenements if default be made in the following condition to wit.. that the said William Moffitt be & appear before the Court of Common Pleas of said County of Union on the fifth day of the next term thereof to answer unto the State of Ohio for selling intoxicating Liquors contrary to law and then and there abide the order and sentence of the Court and not depart the Court without leave. then this recognizance to be void otherwise to be & remain in full force

✓ Joseph Rupsel vs Thomas Brown & Levi Longbrake } No 998

And now comes the said Joseph Rupsel by N.A Gilbert his Attorney and thereupon the said Thomas Brown and Levi Longbrake still failing to answer or demur to the said Petition it is considered that the said Plaintiff ought to recover the amount due him by reason of the premises. and the Court with the consent of the plaintiff find that there is due from the said defendants Thomas Brown and Levi Longbrake on the Note in the petition set forth the sum of three hundred and ~~forty~~ 32 Two Dollars and fifty cts. it is therefore considered ordered and adjudged by the Court here that the said plaintiff recover of the said Thomas Brown and Levi Longbrake the said sum of three hundred and thirty- two Dollars & fifty cts- the sum found due as aforesaid together with his costs taxed at $ and it further appearing that the said Thomas Brown is principal on said Note and Levi Longbrake is surety on said Note it is therefore ordered that said Levi Longbrake be entitled to the rights of sureties as provided for by the statute in such cases

✓ [illegible] } Nahum Rupsell, Clement Rupsell
[illegible] } J. R. Rupsell. George S. Rupsell
[illegible] } Thomas H. Rupsell & Wm R Miller
Partners &c as Rupsell & Co. }
vs
George Loder }

This day came the said plaintiffs by their Attorney and the said George Loder defendant came not but made default and neither party requiring a Jury this cause was submitted to the Court by the Plaintiffs. upon consideration whereof the Court do find that the defendant George Loder owes the plaintiffs. on the two Notes in the Petition mentioned the sum of one hundred seventy seven & 28/100 dollars ($177.28) it is therefore considered ordered and adjudged by the Court that the said plaintiffs recover of the defendant George Loder said sum of one hundred seventy seven & 28/100 dollars said debt, and also their costs herein expended taxed to $

Saturday February 25th 1871

James Fullington Dft
vs
Absolom Rudolph Dft } Continued

William L. Miller } No 961
vs
Robert Belt }

This day came William L. Miller the Plaintiff by his Attorney and the defendant Robert Belt by his Attorneys, and thereupon came a Jury to wit: ~~Talen Jurors~~ Levi Longbrake, Robert Graham, G.W. Huff, Stephen Cranston, Levis Potee James Mahaffa, James McNeal, George Hill Harvey Haines, A. P. Hemminger, Benjamin Glascock & J. H. Clement, tales Jurors, who being duly empannneled and sworn the truth to speak and a true verdict give, upon the issues joined between the parties, according to the law, and evidence do upon their oaths say, that ~~they find for~~ the plaintiff William L. Miller upon the issues joined and assess his damages at one one hundred and ten dollars- it is therefore considered ordered and adjudged by the Court that the said plaintiff William L. Miller recover against the said defendant Robert Belt the sum of one hundred and ten dollars his damages so as aforesaid found due from the said defendant to the said plaintiff and also his costs in and about his suit in this behalf expended taxed to $\frac{}{}$
thereupon said defendant Robert Belt demanded a second trial which was allowed by the Court, upon a bond being given by said defendant according to law in the sum of two hundred and twenty dollars

Andrew Smelser }
vs
Thomas M. Paulk }

This day came the parties by their Attorneys and thereupon came a Jury to wit: W. D. Porter, James Kennedy, James C. Marshall, Jacob Gibson Harrison Shaw, James Cunningham, George Hanley Thomas P. Henderson Regular Jurors Thomas Wharton, Geo Hamilton W. E. Burrows, tales Jurors both parties agreeing and consenting that said Jury of Eleven, should try said cause and said Jury, being duly empannneled and sworn the truth to speak upon the issue joined between the parties upon their oaths do say that they find for the Plaintiff and assess his damages by reason of the premises at Fifty dollars-

And thereupon the Court adjourned until Tuesday Morning 11 Oclock

J. A. Corklin Judge

Tuesday February 28. 1871

Tuesday February 28. This Morning the Court met at 11 oclock pursuant to adjournment the same officers present as on Saturday

The State of Ohio } No 91
vs } Retailing
Harvey Price }

The defendant Harvey Price this day was arraigned in open Court and the Indictment being read to him was asked how of the premises he would acquit himself for plea says he is guilty in manner and form as he stands charged in said indictment. Whereupon it is considered by the Court that he pay a fine of fifty dollars. and also the costs of this prosecution taxed to $ — and that the said Harvey Price be imprisoned in the Jail of this County, until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

J. C. Edwards }
vs }
Henry Wheeler }

This cause came on to be heard upon the motion of defendant to dismiss this action of Plaintiff, and the Court being fully advised in the premises, finds that the plaintiff has failed to file his Petition herein and to prosecute his action to final Judgment according to law. It is, therefore ordered and adjudged that said action be dismissed without prejudice to a new action, at the costs of the plaintiff. It is therefore considered that the defendant recover of the plaintiff his costs herein taxed

Thomas Martin }
vs }
Newton Case }

This day came on this cause to be heard on the motion of the Plaintiff to strike out a portion of the defendants amended answer. Whereupon the Court being fully advised in the premises do sustain said motion except the allegation that plaintiff did not purchase said alleged promissory note "in the usual course of business for a fair price" and to which ruling of the Court defendant Excepts and thereupon Plaintiff by leave of the Court filed his amended petition and the defendant by like leave filed his answer to the said amended Petition - and thereupon came a Jury ~~to wit~~ who being duly empannelled and sworn were unable to agree on a verdict was discharged by the Court and this cause continued with leave to defendant to file an amended answer in thirty days

The State of Ohio } Indictment for Robbery
vs }
Elijah Brown }

The defendant Elijah Brown came into Court in his own proper person and a copy of the said Indictment having heretofore been served upon him, and the said defendant being without Counsel and it appearing to the satisfaction of the Court that he is unable to employ the same the Court assign to him N. A. Gilbert as his Counsel

Tuesday February 28. 1871

The State of Ohio
vs
Elijah Bowen } Indictment for Robbery

The defendant Elijah Bowen this day was arraigned and the indictment being read to him was asked how of the premises he would acquit himself for plea says he is not guilty in manner and form as he stands charged. thereupon came the parties by their attorneys the said defendant being in his own proper person before the Court and thereupon came a Jury to wit. W. D. Porter Thomas P. Henderson Joel D. Graham George Hanley. Jacob Gibson. James Cunningham James Kennedy. Regular Jurors. W. H. H. Titus. Stephen Branston William Lovelss. A. D. Woodworth. R. W. Ball tales Jurors. Who being duly impannelled and sworn the truth to speak upon the issue joined between the parties upon their oaths say, that the defendant is not guilty in manner and form as he stands charged in said indictment whereupon it is considered by the Court here that the defendant go hence without day.

The State of Ohio
vs
Francis M. Hinton } Indictment for Robbery

This day came L. Piper Prosecuting Attorney and entered a Nollie Prosequi on the above indictment

D. J. Marsh
vs
Bennett & Williams } Jas

P. B. Cole Esq. Asignee in Bankruptcy of the defendants Williams & Bennett having entered his appearance in this case thereupon on motion of the Plaintiff by his Attorneys and on producing the report of French Garwood Special Master Commissioner heretofore appointed in this case of a sale of the Leasehold Estate mentioned in plaintiffs petition made by him on the 18th day of February A. D. 1871. to Samuel K. Harbert under an order of Sale heretofore made in this case, and the Court on examination of said proceedings being satisfied that the said Sale has been made in all respects in conformity to law it is ordered that the said Sale and proceedings be and the same are hereby approved and confirmed and said Special Master Commissioner is ordered to make to the said purchaser a deed of Conveyance of said Leasehold Estate so sold. and as to all other matters this cause is continued under former order of reference

And thereupon the Court adjourned until 9 oclock tomorrow Morning

J. L. Conklin Judge

Wednesday March 1st 1871

This Morning the Court met at 9 oclock pursuant to adjournment the same officers present as on yesterday

John McFarland }
vs
Martin Pyers & }
Elias Rice }

And now comes the said John McFarland and the said Martin Pyers (also Known as Emmett Pyers) and Elias Rice having failed to demur or answer to the petition of the said John McFarland. It is considered that the said John McFarland ought to recover the said sum of $132.00 so demanded in his petition together with the sum of $8.27 which the Court finds due as the interest thereon as prayed for in said petition It is therefore considered that the the said John McFarland recover against the said Martin Pyers (Known by the name of Emmed Pyers) as principal and Elias Rice as surety the said sum of $141.00 together with his costs in and about his suit in this behalf expended taxed to $

Emaline A. Temple } No 925
vs
Louis B. Temple }

On motion of the said Plaintiff Emaline A. Temple by Randall & Cameron her Attorneys and on producing the return of the Sheriff of this County of a sale of Real Estate made by him on the 21st day of January 1871. to said Emaline A. Temple on and pursuant to an order of Sale issued in this case and dated the 17th day of December 1870 and the Court on Examination of said proceeding being satisfied that said sale has been made in all respects in conformity to law— it is ordered that the said sale and proceedings be and the same is hereby confirmed and the said Sheriff is ordered to make to the said purchasers a deed for the lands and tenements so sold

Reuben W. Weisz } P 351
vs
James Megahey et al }

On motion of the plaintiff by his Attorneys and on producing the return of the Sheriff of this County of a sale of the Real Estate made by him on the 21st day of January 1871 to Reuben W. Weisz. on an order of Sale issued in this case and dated the 17th day of December 1870. and the Court on Examination of said proceedings being satisfied that said sale has been made in all respects in conformity to law it is ordered that said sale and proceedings be and the same are hereby approved and confirmed. and the Sheriff is ordered to make to said purchaser a deed in fee simple for the lands and tenements so sold. and it is further ordered that as to the issues made by the supplemental answer of said Megahey. and the reply thereto by plaintiff. this cause is continued

And thereupon the Court adjourned until 9 oclock tomorrow Morning

Thursday March 2d 1871

This Morning the Court met at 9 o'clock pursuant to adjournment the same officers present as on yesterday

William H. Dunnick
vs
Andrew J. Patterson Dak } This cause is continued

Jane O. N. Jones Dak
vs
Kelura M. Hodge Dak } Partition

On motion to the Court by Porter and Sterling Counsel for said Petitioners and upon producing the return of the Sheriff and the report of said commissioners heretofore appointed and the same having been examined by the Court here and found in all respects correct and in conformity to law it is hereby ordered that the said proceedings and report be and the same is hereby approved and confirmed and that said parties hold in severalty the shares and premises so set off and assigned to each respectively by the said commissioners and it is further ordered that the costs of this action including a counsel fee to Porter & Sterling of $— be paid to the said parties in the following proportions to wit, the said Jane O. N. Jones and her husband George W. Jones one fourth part the said Kelura M. Hodge and her husband George B. Hodge one fourth part the said Susan Timberlake and her husband Henry C. Timberlake one fourth part and the said Josephine A. Golding and her husband William S. Golding one fourth part and in default thereof that Execution issue therefor

George H. Foster
vs
Saml. J. Marshall Dak } Settled & costs paid

Mathew Lingel Dak
vs
John Adams } This cause is continued upon the motion of defendants and at his costs it is therefore considered that the plaintiffs recover of the defendants his costs of this term taxed to $—

John M. Hall } No 699
vs
W. W. Woods Dak }

On the application of the plaintiff this cause is continued at plaintiffs costs. It is therefore considered ordered and adjudged by the Court that plaintiff pay the costs of this term taxed to $— & in default thereof that Execution issue therefor

James H. Roney } No 777
vs
John M. Hall }

Thursday March 2d. 1871

On the application of the defendant this cause is continued at defendants costs it is therefore considered ordered and adjudged that plaintiff recover of defendant the costs of this term taxed to ff

Mathew Lingel Administrator of Joseph E. Rogers Dec'd. }
vs
Rachel M. Rogers Fothers }

This day this cause came on to be heard upon the Petition of Plaintiff and the answer of Rachel C. Moore (late Rachel C. Rogers) and her husband John S. Moore Mary J. Kemper (late Mary J. Rogers) and her husband John H. Kemper, all the other defendants being in default for answer, and the Court being fully advised in the premises do find that the said children and Heirs of Joseph E. Rogers deceased, hold the title to the lands described in said petition in trust for said Estate and that it is necessary to sell said lands and tenements to pay the indebtedness of said Estate. It is therefore ordered that the petitioner proceed to appraise advertise and sell according to law the said lands and tenements or so much thereof as may be necessary to pay said indebtedness and apply the proceeds to the payment of the same it is further ordered that said sale be by public vendue at the door of the Court House in Marysville in said County of Union and that said sale shall be for one third cash in hand on day of sale one third in one and one third in two years from day of sale the defered payments to be on interest, and to be secured by Mortgage on said premises, and that the petitioner make return of his proceedings herein at the next term of this Court to which time this cause is continued

B. Hinkson, J. L. Crothers &c. al. }
vs
David Watson &c. al. }

Leave is granted to the Plaintiffs to amend their petition in ten days from this date, and to the defendants to file answer in forty days from this date and this cause is continued

State of Ohio }
vs } Recognizance
John Adams }

This day appeared in Open Court John Adams and Isaac Ipey and severally acknowledged themselves to owe and stand indebted to the State of Ohio in the penal sum of one thousand dollars to be levied of their goods and chattels lands and tenements if default be made upon the condition following to wit, That the said John Adams be and appear before the Court of Common Pleas within & for the County of Union & State of Ohio on the Fifth day of the next term thereof to answer unto the State of Ohio for selling Liquors contrary to law and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

Thursday March 2d 1871

X

The State of Ohio
vs
George Wood
} Recognizance

This day came in Open Court George Woods and acknowledged himself to owe and stand indebted to the State of Ohio in the penal sum of two hundred and fifty dollars to be levied of their Goods & Chattels lands & tenements if default be made in the following condition to wit. that the said George Wood be & appear before the Court of common Pleas of said County of Union on the fifth day of the next term thereof to answer unto the State of Ohio for selling intoxicating Liquor contrary to law, and then & there abide the order & sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

X

State of Ohio
vs
T. M. Mealey
}

This day came in Open Court T. M. Mealey and John S. Lenox and severally acknowledged themselves to owe and stand indebted to the State of Ohio in the penal sum of One hundred dollars. to be levied of their goods & Chattels lands and tenements if default be made upon the condition following to wit. — that the said T. M. Mealey be & appear before the Court of Common Pleas of said County of Union on the fifth day of the next term thereof to give evidence in a cause therein pending wherein the said State of Ohio is plaintiff and the said John Adams is defendant & not depart the Court without leave then as to such of said persons as perform this condition this recognizance to be void otherwise to be and remain in full force

The State of Ohio } No 77 Indictment for selling intoxicating liquors to one
vs } in the habit of getting intoxicated
John Adams }

This day came the Prosecuting Attorney and upon his Motion the said defendant was three times solemnly called to answer unto an indictment found against him for selling liquors contrary to law. and came not but made default and thereupon Isaac Ysey the security of the said John Adams being three times solemnly called to come into Court & bring with him the body of the said John Adams to answer unto the charge as by his recognizance he was bound to do or that the same would be forfeited and the said Isaac Ysey still failing to appear according to the condition of his said recognizance with the body of the said John Adams it is ordered by the Court that the same be and is hereby forfeited

The State of Ohio } No 78
vs } Retailing
John Adams }

This day came the Prosecuting Attorney and upon his motion the said defendant was three times solemnly called to answer unto an indictment found against him for selling intoxicating liquors contrary to law and came not but made default & thereupon

Thursday March 2d 1871

Isaac Ysey the security of the said John Adams being three times solemnly called to come into Court and bring with him the body of the said John Adams to answer unto a charge as by his recognizance he was bound to do or that the same would be forfeited and the said Isaac Ysey still failing to appear according to the condition of his said recognizance with the body of the said John Adams - it is ordered by the Court that the same be and is hereby forfeited

The State of Ohio } No 81
vs } Retailing
John Adams }

This day came the Prosecuting Attorney and upon his motion the said defendant was three times solemnly called to answer unto an indictment found against him for selling intoxicating liquors contrary to law and came not but made default and thereupon Isaac Ysey the security of the said John Adams being three times solemnly called to come into Court and bring with him the body of the said John Adams to answer unto a charge as by his recognizance he was bound to do or that the same would be forfeited and the said Isaac Ysey still failing to appear according to the condition of his said recognizance with the body of the said John Adams it is ordered by the Court that the same be and is hereby forfeited

The State of Ohio } No 89
vs } Gambling
John Adams }

This day came the Prosecuting Attorney and upon his Motion the said defendant was three times solemnly called to answer unto an Indictment found against him for Gambling and came not but made default and thereupon Isaac Ysey the security of the said John Adams being three times solemnly called to come into Court and bring with him the body of the said John Adams to answer unto a charge as by his recognizance he was bound to do or that the same would be forfeited and the said Isaac Ysey still failing to appear according to the condition of his said recognizance with the body of the said John Adams it is ordered by the Court that the same be & is hereby forfeited

The State of Ohio } Recognizance
vs }
Wm H. Robertson }

This day came in open Court Wm H. Robertson and acknowledged himself to owe & stand indebted to the State of Ohio in the penal sum of one hundred dollars to be levied of his goods and chattels lands & tenements if default be made in the condition following to wit, that the said Wm H. Robertson be and appear before the Court of Common Pleas of said County of Lenawee the fifth day of the next term thereof to give evidence in a cause therein pending wherein the State of Ohio is plaintiff and John Adams is defendant & not depart the Court without leave then as to such of said persons as perform this condition this recognizance to be void otherwise to be and remain in full free

Thursday March 2G. 1871

The State of Ohio
vs
Joseph H. Wythe } Recognizance

This day came in Open Court Joseph H. Wythe and acknowledged himself to owe and stand indebted to the State of Ohio in the penal sum of one hundred Dollars to be levied of their goods & Chattels lands and tenements if default be made in the following condition to wit, that the said Joseph H Wythe be and appear before the Court of Common Pleas of said County of Union on the fifth day of the next term thereof to give evidence in a cause therein pending wherein the State of Ohio is plaintiff and John Adams is defendant and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

John F. Oglivee } No 760
vs
Miller Timmons & Co. et. al. }

This day this cause came on to be heard upon the answer and cross petition of O. & J. Cooper & Co. vs Wm L. Miller Lucinda M. Miller his wife George Snodgrass M. Thompson et. al. the said Wm L. Miller. Lucinda M. Miller George Snodgrass and M. Thompson being in default and the cause was submitted to the Court by the said O. & J. Cooper & Co. on their cross Petition exhibits and testimony upon consideration whereof the Court do find that there is due at this date to the said O. & J. Cooper & Co. from the said William L. Miller George Snodgrass & M. Thompson on the Note and Mortgage in the cross Petition of the said O. & J. Cooper & Co. mentioned the sum of Seven hundred Eighty & 57/100 dollars ($780.57) and the Court also finds that said sum is a lien on the Machinery mentioned in the Schedule attached to the cross petition of O. & J. Cooper & Co. prior to the liens of the other parties to this suit by virtue of the Mechanics lien as set forth in said Cross Petition and the Court do further find that said sum is also a lien on the real estate in said cross petition mentioned by virtue of the Mortgage therein mentioned Executed by Wm L Miller & Lucinda M. Miller his wife George Snodgrass and Moses Thompson it is therefore considered ordered adjudged & decreed by the Court that the said Wm L. Miller. George Snodgrass & M. Thompson pay to the said O. & J. Cooper & Co. within ten days from this date said sum of $780.57 with interest from this date and costs and in default thereof that an order issue to the Sheriff of this County for the time being commanding him to proceed to appraise advertise & sell the real estate in the Cross petition & Mortgage of said O & J. Cooper & Co. mentioned & described as upon Judgments at Law. On motion leave is granted to either of the defendants to file amended answer in thirty days from this date and as to all other matters and priorities of liens this cause is continued

O. & J. Cooper & Co. firm doing business under that name } No. 981
vs } Judgt by default
Moses Thompson. Wm L. Miller & George Snodgrass

This day this cause came on to be heard

Thursday March 2d 1871

the defendants being in default and neither party requiring a jury this cause was submitted to the Court by the Plaintiffs - upon consideration whereof the Court do find that there is due from the defendants to the plaintiffs on the note in the petition mentioned the sum of five hundred & thirty Dollars (530^{00}) it is therefore considered ordered & adjudged by the Court that the plaintiffs recover of the defendants said sum of five hundred and thirty Dollars so found due and also their costs herein expended taxed to $.

The State of Ohio }
vs } Indictment for selling intoxicating liquors to one in habit of getting
George Wood } intoxicated

The defendant George Wood this day was arraigned and the indictment being read to him was asked how of the premises he would acquit himself for plea says he is not guilty in manner and form as he stands charged — thereupon came the parties by their Attorneys the said defendant being in his own proper person before the Court and thereupon came a Jury to wit, W. D. Porter, Thomas J. Henderson, James G. Marshall, Jacob Gibson, George Hanley Regular Juros. J. H. Clement, Adam Wolford, Wm M. Robinson, Phillip Snider, Milton Thompson, Harry Rice, George A. Baldwin, tales Juros. who being duly empanneled and sworn the truth to speak upon the issue joined between the parties upon their oaths say that the defendant is guilty in manner and form as he stands charged in said Indictment —

The defendant George Wood was this day again brought before the Court and having nothing further to say why sentence should not be pronounced against him it is thereupon considered and adjudged by the Court that he pay a fine of Fifty dollars and also the costs of this prosecution taxed to $ and thereupon the defendant gave notice of his intention to apply for a writ of Error, and the Court here having signed sealed and allowed a Bill of Exceptions for that purpose the execution of the above sentence and judgment are suspended until the next regular term of this Court

Andrew Smelser }
vs }
Thomas N. Paulk }

This day this cause came on to be heard upon the motion of defendant for a new trial, and an arrest of Judgment and was argued by Counsel and the Court being fully advised in the premises do overrule said motion to which ruling & decision the defendant excepts —
it is therefore considered and adjudged that the plaintiff recover of the defendant said sum of fifty dollars (50^{00}). so found his due by the verdict of the Jury heretofore rendered in this case and also his costs in this behalf expended taxed to $

And thereupon the Court adjourned until 7 Oclock tomorrow Morning

J. L. Conklin Judge

Friday March 3Cd 1871

This morning the Court met at 7½ oclock pursuant to adjournment the Same Officers present as on yesterday

Susie E. Patch
vs
Lemuel Patch

And now comes the said Susie E. Patch by Randall and Cameron her Attorneys and thereupon this cause came on for hearing upon the Petition and testimony and was argued by Counsel and Submitted— On consideration whereof the Court do find that due notice of the filing and pendency of this Petition was given to the said defendant according to law: and the Court do further find that the said defendant has been wilfully absent from the said Petitioner more than three years prior to the filing of said Petition— it is therefore adjudged and decreed by the Court that the Marriage relation heretofore existing between the said parties be and the same is hereby set aside and wholly annulled and the said parties wholly released from the obligations of the same— and it is further ordered that the care, culture, custody, nurture and education of the said, John H. Patch aged five years and Ida, M. Patch aged four years be and the same is hereby given to the said Petitioner and the said defendant is hereby forever enjoined from interfering with or disturbing the said Petitioner in the custody, nurture, Education or care of the said above named children until the further order of this Court—

Benjamin Glascoe
vs
James P. McNeal & J. W. Robinson

Exh. No 1196

This day came the parties by their Attorneys and thereupon the defendants on leave of the Court withdrew their answer and the defendants failing to demur answer or otherwise defend— it is considered and adjudged that the Plaintiff Benjamin Glascoe ought to recover of the said James P McNeal and James W. Robinson the sum of Four hundred and fifty dollars ($450) so demanded in his Petition together with $23.62 which the Court finds due as interest thereon as prayed for in said Petition— it is therefore considered ordered and adjudged that the Plaintiff Benjamin Glascoe recover of the said defendants James P. McNeal as principal debtor and James W. Robinson as surety the sum of $473.62 together with his costs in this behalf expended— Except the cost of the present term which were made previous to the first day of March 1871. taxed to $— and the Excepted costs are hereby adjudged & assessed against the said Plaintiff Benjamin Glascoe

William H. Wilson
vs
Joshua B. Haines dcd

This day this cause came on to be heard upon the Petition of Plaintiff and the answer of the said John G. Wilson and Thomas H. Wilson— the said Joshua B. Haines and the said Margret Wilson being in default for answer or demur— and was

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argued by Counsel in consideration whereof the Court do find the Equity of the Case to be with the plaintiff and that the deed & conveyance in the Petition mentioned executed by the said Joshua B. Haines to the said Margret Wilson John G. Wilson and Thomas H. Wilson bearing date November 15th 1869 is fraudlent and void. It is therefore ordered adjudged and decreed that the said deed and the record thereof, be cancelled, annulled and held for naught. and that the said Joshua B. Haines in ten days from this date do execute and deliver to the said William H. Wilson a deed of re-conveyance of said premises in fee simple with covenants of general waranty. and in default thereof, then that this decree shall operate as such deed of re-conveyance according to law. And it is further ordered and adjudged that within three days from this date the said Joshua B. Haines pay the costs of this action, and in default thereof that execution issue therefor. Notice of Appeal entered by the said John G. Wilson and Thomas H. Wilson & bond fixed at $80.00

S. E. Bellus } No 977.
vs
Smith Bailey et al }

This day came the parties and thereupon leave was given to the Plaintiff to file amended petition in ten days and leave given to all the defendants to answer or file amended answer or demur in twenty days and by agreement of all parties. any demurer which may be filed is to be forwarded to His Honor Judge Conklin before the next term so that no delay may occur in the hearing of this cause on the facts at the next term of Court.

Allowance to Sheriff Sharp }

It is ordered that an allowance be made to Robert Sharp Sheriff in the sum of Ninety Six Dollars for services as follows— For services two Deputies 15 days each at $2.00 per day $60.00 For services of one Constable 15 days at $2.00 per day $30.00 For services of one Special Constable three days at $2.00 per day $6.00 = $96.00 and that said amounts be certified to the County Auditor & paid out of the County Treasury—

Mary A. Hammond
vs
Erastus Parthemor et al } In Partition

This day came the said Plaintiffs by Randall and Cameron their Attorneys and produced to the Court here the report of the Surveyor of said County of Union of an amicable partition of the lands and tenements described in the petition in this case, by him made pursuant to the request and agreement of all the parties to this action as well as the assignment of Dower in said premises to the said widow Permilla Parthemor, thereupon and there being no writ of Partition yet issued in this case, come the said defendants, Erastus Parthemor Rebecca J. Converse, A. B. Converse, Philinda J. Poling, Silon H. Poling Delilah M. Adams, Edwin G. Adams, George W. Parthemor, William Parthemor, Harriet R. Parthemor, Nancy Alzina Parthemor Oretta Parthemor and her Guardian B. F. Harris, and Permilla Parthemor who appeared in Court by Henry J. King their Attorney and consented to and fully—

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ratified and confirmed the amicable partition and assignment of Dower so made by the said Surveyor as aforesaid and the same being agreeable to the prayer and facts set forth in said Petition and the Court being fully advised in the premises do approve and confirm said amicable partition and order the same to be recorded and that said parties stand seized in fee simple in severally of the parts and parcels set off to each respectively and it is further ordered and adjudged that the costs of this proceeding including an Attorney fee of one hundred and twenty six dollars (126^{00}) to Randall Hammeron be paid by said parties in Equal proportions to their respective interests and in default of such payment for ten days that Execution issue as upon judgments at law

George H. Foster } No 1004
vs
Isaac Staley Dec'd)

This day came the parties by their Attorneys and thereupon this cause came on to be heard upon the demurrer of Isaac Staley. William Staley. Osburn E. Staley. Frank Staley and Arthur Staley to the Plaintiffs petition for that there is a defect of parties defendant as appears in said Petition and was argued by Counsel and submitted to the Court. whereupon the Court do overrule said demurrer and thereupon said defendants not desiring to further plead or answer to said petition and Cyrus E. Felton defendant being in default for want of answer or demurrer the said cause came on further to be heard upon the petition answer of Henry Haines. Exhibits and testimony on consideration whereof the Court do find the defendants owe to the plaintiff George H. Foster the sum of one hundred and twenty eight dollars and seventy five cents. as the plaintiff in his petition in that behalf hath alleged. thereupon it is considered ordered adjudged and decreed that in default of payment for ten days an order issue to Robert Sharp Sheriff of Union County who is hereby appointed Special Master commissioner of this Court for that purpose commanding him to proceed to sell as upon Execution the lands and tenements in the petition described. viz. part of Survey No 5728. Beginning at a stone in the east line of a lot containing 100 acres purchased by Cyrus E. Felton of O. D. Hamilton 107 poles S. $8\frac{1}{4}^{o}$ East from a small Hickory the North east corner to said Lot and $3\frac{1}{2}$ poles S. $8\frac{1}{4}^{o}$ E. from a stone the north corner to said lot. Frazed Taylor. thence S 80° $50'$ W $49.\frac{6}{100}$ poles to a stone in the East line of a lot sold by Cyrus E. Felton to John Felton thence with said line N. $8\frac{1}{4}^{o}$ W. 76. $\frac{6}{100}$ poles to a stake thence N. 80° $50'$ E. 49 $\frac{6}{100}$ poles to a stake in the east line of said 100 acres lot thence with said line S. $8\frac{1}{4}^{o}$ E $74\frac{6}{100}$ poles to the beginning containing 23 Acres and that said Sheriff and Special Master report to the Court here his proceedings in that behalf. together with the date amount and respective priorities of all liens and incumbrances by Judgment or otherwise upon said Mortgaged premises
Notice of Appeal by Isaac Staley Wm Staley. Osborn E. Staley. Frank Staley and Arthur Staley

William M. Randall } P 371
vs
Daniel Rice Malinda Rice. Adam Reeves. Others)

This day this cause came on to be heard

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upon the motion of plaintiff to set aside and vacate the decree in this case entered at the August term of this Court A.D. 1870 for reasons set forth in the motion on file said motion was argued by Counsel and submitted to the Court; and the Court being fully advised in the premises do overrule said Motion and thereupon this cause came on further to be heard and upon the motion of the defendant Adam Reuver by N.D. Gilbert his Attorney and on producing the return of the Sheriff of this County of a sale of Real Estate by him made on the 19th day of November 1870 to Robert Graham on an order of sale issued in this case and dated the 18th day of October A.D. 1870 and the Court on examination of said proceeding being satisfied that said Sale has been made in all respects in conformity to law; it is ordered that the said sale and proceedings be and the same are hereby confirmed and the Sheriff is ordered to make a deed to the said purchaser for the lands and tenements so sold to all of which ruling and orders the Plaintiff excepts (and as to all questions of priorities of liens & all questions yet undetimed this cause is continued)

No 896 — John Weidman vs Margretta Robinson & others } Confirmation — P. 372 & 373

Gill Robinson John S. Lee & R. L. Broom

On motion of the said Plaintiff and on producing the return of the sheriff of this County of a sale of the Real estate made by him on the 21st day of January A.D. 1871 to Robson L. Broom on an order of sale issued in this case and dated the 17th day of December 1870 and the Court on examination of said proceedings being satisfied that said sale has been made in all respects in conformity to law it is ordered that said sale and proceedings be and the same are hereby confirmed; and the said Sheriff is ordered to make to said purchaser a deed for the lands and tenements so sold, and as to the question of priority of liens and all questions yet undecided in this case, this cause is continued

This day it was ordered on motion, by the Court that Releg Granston be appointed Auctioneer for the County upon his paying to the Treasurer of said County the sum of $5.00 and giving bond as required by law

Ordered that all causes motions and matters now pending in this Court not otherwise disposed of do stand continued until the next term

And thereupon the Court adjourned without day

J. J. Conklin Judge

Monday May 29. A. D. 1871

This being the day for the Court of Common Pleas of Union County in the State of Ohio to meet in pursuance of law- Present Leonidas Piper Prosecuting Attorney Robert Sharp Sheriff & H. F. Arthur Clerk the Judge failing to attend the Sheriff thereupon adjourned Court until tomorrow morning at 9 oclock

D. T. P. 263

Tuesday May 30th A. D. 1871

This morning the Court met at 9 oclock pursuant to adjournment- Present J. L. Conklin Presiding Judge. Leonidas Piper Prosecuting Attorney. Robert Sharp Sheriff & H. F. Arthur Clerk

This day the Juros of the Grand Jury being called some of them came to wit. Elton Ryan. William Elliott. Joshua M. Keller. Daniel Longbrake Cyrus Phillips Thomas Yearsley. R. Minter. Daniel Bellz. Julius B. Evans. John C. McAdow Samuel Robinson. Christopher Houston. Regular Juros. and because the residue of said Juros of that Jury do not appear, others from among the bystanders are by the Sheriff of said County, at the command of the Court, elected anew to wit. Joseph Powers. Adam Coldford. & Daniel G. Cros tales Juros- good and lawful men, whose names are annexed to the panel, according to the form of the statute in such case made and provided. the Court appoint the said Christopher Houston- Foreman, and the said Juros being duly empanelled, sworn and charged, retired to their Room, to deliberate; attended by a sworn Constable

James Gump
vs
Levi Hager

This cause is continued by agreement and the defendants consents to the security for costs and waive the same being filed out of rule—

Hullington Garwood [illegible] et al
vs
Michael Davis
} Continued by consent

C. M. Robinson
vs
J. D. Alexander & Bank of Marysville
} Continued by consent

And thereupon the Court adjourned until 8 oclock tomorrow morning

J. L. Conklin Judge

Wednesday May 31. A.D. 1871

This morning the Court met at 8 oclock pursuant to adjournment the same Officers present as on yesterday

X	J. C. Hanover & J. W. Brown vs William Wharry, C. W. Cady & P. Safford	Continued
X	William Parthemore vs The American Express Co.	Continued
X	Francis. Thompson vs Hylas Sabine	Continued
X	Maskil Dockum vs Harriet E. Dockum Extx &c	Continued
X	John Swan D. J. vs Henry Williams J. J.	Continued
X	Maskil Dockum vs Harriet E. Dockum Extx &c. of Andrew. Dockum decd	Continued
X	Lewis Goos vs John. M. Hall J. J.	Continued
X	Robert West vs Uriah Zimmerman. Philip. Kaush & Hart Monser	Continued
X	Samuel. R. Harbert vs James H. Neal & Henry Neal	Continued
X	Alonzo Teeters vs Ralph Moffitt & Elizabeth Moffitt	Continued under former order

And thereupon the Court adjourned until tomorrow Morning at 8 oclock

J. L. Conklin Jr Judge

Thursday June 1st A.D. 1871

This Morning the Court met at 8 oclock pursuant to adjournment the same officers present as on yesterday

Thomas W. Powell
vs
John A. Stewart & D. H. Dyal } On motion & it appearing to the Court that the supplemental Petition of plaintiff herein - without consent of defendants and without leave of Court was filed in this case, the same is ordered to be stricken from the files - and leave was granted to defendants to withdraw from the files a supplemental answer heretofore filed herein - And thereupon leave was granted to defendants to file an amended and supplemental answer instanter which is accordingly done - and plaintiff excepts to the order striking said supplemental Petition from the files and thereupon plaintiff filed his reply to the amended supplemental answer -

Richard Clark
vs
Jeremiah Ellis } Continued

Thomas W. Powell
vs
Henry Fehlings } Continued under former order

Albert B. Witter
vs
Pittsburg Cincinnatti & St. Louis R. R. Co. } Continued leave to amend Petition

Thomas Martin
vs
Joseph R. Hatcher } Continued with leave to Dfendant to file amended answer in 40 days

Andrew A. Spicer Admr. &c
vs
William Sprague et al } Continued for service

Maria Stout
vs
Samuel Stout } Continued for service

P. R. Hamilton
vs
William H. Drumick } Continued

And thereupon the Court adjourned until 8 oclock tomorrow Morning

J. S. Conkling Judge

Friday June 2d A.D. 1871

This Morning the Court met at 8 oclock pursuant to adjournment the same officers present as on yesterday

John Guthrie
vs
Thomas Mapes Def't

This day this cause came on to be heard upon the motion of the defendant Malinda Ann Fletcher to require the Petition to be made more specific and certain as appears by the motion on file, which was argued by Counsel and submitted to the Court and the Court being advised in the premises do overrule said motion, to which ruling said Malinda Ann Fletcher excepts- whereupon and on the same day this cause came on further to be heard upon the Demurrer, by the defendant T. A. Mapes to the said Petition as appears by said Demurrer on file which was argued by Counsel and submitted to the Court and the Court being fully advised in the premises do overrule said Demurr to which ruling said Thomas Mapes by his Counsel excepts- and the defendants, Malinda Ann Fletcher and Thomas Mapes, have leave to answer- and answer to be filed immediately -

This day the Grand Jury appeared at the bar of the Court and presented their Bill of Indictment against John H. Coleman for Grand Larceny. Indorsed, a true Bill Christopher Houston Foreman- also their other bill of Indictment against Harvey Price for selling intoxicating Liquors contrary to law- Indorsed- a true Bill- Christopher Houston- Foreman- also their other Bill of Indictment against George Scheideler- for selling Intoxicating Liquors to a minor- Indorsed- a true Bill- Christopher Houston Foreman- also their other Bill of Indictment against William Gray for Assault & Battery- Indorsed- a true Bill- Christopher Houston- Foreman- also their other Bill of Indictment against Frederick Dasher- for selling Intoxicating Liquors to a Minor- Indorsed- a true Bill- Christopher Houston Foreman- also their other Bill of Indictment against Wallace Linder & Samuel Stout for Rape. Indorsed- a true Bill- Christopher Houston- Foreman- also their other two Bills of Indictment against James H. Wall for selling Intoxicating Liquors contrary to law- each severally Indorsed- a true Bill- Christopher Houston Foreman- also their other Bill of Indictment against Henry Ammie for Perjury- Indorsed- a true Bill- Christopher Houston- Foreman- also their other five Bills of Indictment against John Kirchner- for selling Intoxicating Liquors contrary to law- each severally- Indorsed- a true Bill- Christopher Houston Foreman- and having finished the business before them, they were discharged from further attendance as Grand Jurors at the present term of this Court-

John G. Oglevee
vs
Miller, Timmons, & others
No 760.

On Motion leave is granted to the defendants Gabriel Potee & & Isaac C. Potee to answer To the Petition- Answer to be filed instanter- Answer filed,
And thereupon the Court adjourned until 9 oclock tomorrow Morning

J. Hocklin Judge

Saturday June 3rd A. D. 1871

This morning the Court met at 9 oclock pursuant to adjournment the same officers present as on yesterday

X State of Ohio vs Olive R. Green } Recognizance

This day came in Open Court Alice R. Green Thomas Yearsley & Dan'l. Green and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of five hundred dollars to be levied of their goods and chattels lands and tenements if default be made in the following condition to wit:- That the said Olive R. Green be and appear before the Court of Common Pleas of said County of Union on the first day of the next term thereof, to answer unto the State of Ohio for Assault & Battery and then and there abide the order and sentence of the Court and not depart the Court without leave then this recognizance to be void otherwise to be and remain in full force

Jail Report G. J. June

We the Grand Juros find upon actual view that the Jail for the County of Union and State of Ohio has been destroyed by fire and we the said Juros most earnestly recommend that steps be taken at once to rebuild said Jail. Structure as in our opinion the necessities in the case demand that such steps be taken as will insure the erection of such building at an early day

And we as said Grand Juros further recommend that a reward of one hundred Dollars be offered for the capture and detention for trial of Each of the following persons to wit:- Wallace Linder and Samuel Stout- mentioned in an Indictment herewith presented

Christopher Houston Foreman

† Joshua Turner vs Aquilla W. Turner Et al. } In Partition

It is ordered by the Court that John L. Porter Esq. be and he is hereby appointed Guardian ad litem to the defendant Mary J. Turner an Infant named in the Petition and the said John L. Porter appeared in Open Court and accepted said appointment and filed his answer as such Guardian ad litem

† Joshua Turner vs Aquilla W. Turner Et al. } Entry In Partition

This Cause came on to be heard upon the Petition of Joshua Turner the answer of Ann M. Turner Widow and the answer of the Guardian ad litem of Mary J. Turner an Infant defendant and the Exhibits on consideration whereof- and it appearing to the satisfaction of the Court that all the parties have had due notice of the pendency and demand of the said Petition as required by law and that the Petitioner has a legal right and Estate in the premises described in the petition and as therein

Saturday June 3d A.D. 1871

set forth and no sufficient reason offearing why Partition should not be made it is ordered that by the oaths of B. A. Fay, John Gutheridge and Levi Longbrake three Judicious disinterested free holders of the vicinity one full and equal third part of the lands in said petition described be assigned and set off to the said Ann A. Turner as her Dower estate; and that by the like oaths of the same persons Partition be made of said lands subject to said Dower Estate in the following proportions to wit, to Joshua Turner one Equal Ninth part to George W. Turner, Eleanor Powers wife of Joseph Powers, Addison Powers, Martha Staley wife of Peter Staley, Amanda Burns wife of Alexander Burns, Demima Wilber wife of George Wilber Aquilla W. Turner and Mary J. Turner one Equal Ninth part each if the same can be done without manifest injury to the premises. And if in their Opinion the Dower cannot be assigned and a division so made without manifest injury to the premises, then and in that case that they return the true value in money of said premises to this Court - without assignment of Dower - And it is further ordered that a Survey be made of the premises - in the Petition - mentioned - and the exact quantity of land ascertained - and that a writ of partition issue to the Sheriffe of this County commanding him to cause said Dower to be assigned - and said Partition and Survey to be made in accordance with this order

David Mulford }
vs
Esley Patch et al. }

This cause settled by the parties as follows - the Defendants to retain possession of the land now held by them respectively till April 1st 1872. but to commit no waste - except Mulford is to have privilege of ridding up brush on the same if Mulford does not sell the land. Lester Ketch & Daniel Heistand to have the land another year at their option on Equitable rents - Mulford to pay the costs except such as have been made by Defendants at this term - Mulford to pay Daniel Patch forty dollars by the first of October - Defendants to be released from their present leases, but to have no pay for improvements heretofore made & not to be liable for any damage done heretofore but Mulford is to have any things due on Tan Bark delivered to Alexander Snodgrass - No record

Thomas C. McDowell et al. }
vs
Isaac Reed et al. }

This cause settled by the agreement of parties - Cause is dismissed - Defendants to pay one half the costs & Plaintiff to pay one half the costs in ten days & in default by either that Execution issue therefor as upon Judgments at law - No record

And thereupon the Court adjourned until 10½ oclock Monday Morning

J. S. Conklin Judge

Monday June 5th A.D. 1871

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

John Stickney vs E. Hammond } Confirmation of sale

On motion of the said Plaintiff by Randall & Cameron his Attorneys and on producing the return of the Sheriff of this County of a sale of real Estate made by him on the 13th day of May 1871 to said John Stickney on an Execution issued in this case and dated the first day of April 1871. and the Court on Examination of said proceedings being satisfied that said sale has been in all respects in conformity to law it is ordered that the said sale and proceedings be and the same is hereby confirmed, and the said Sheriff is ordered to make to the purchaser a deed for the lands and tenements so sold

State of Ohio vs John Kirchner } No 114 Indictment for selling Liquors Intoxicating to be drank upon the premises—

The defendant John Kirchner this day was arraigned and the Indictment being read to him was asked how of the premises he would acquit himself for plea says he is guilty in manner and form as he stands charged. whereupon it is considered and adjudged by the Court that he be imprisoned in the Jail of this County ten days. and that he pay a fine of fifty dollars and also the costs of this prosecution taxed to $— and that the said John Kirchner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law—

State of Ohio vs John Kirchner } No 26 Retailing

The defendant John Kirchner was this day brought before the Court and having nothing further to say why sentence should not be pronounced against him—it is thereupon considered and adjudged by the Court that he pay a fine of fifty dollars and also the costs of this prosecution taxed to $— and that the said John Kirchner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

State of Ohio vs John Kirchner } No 27 Retailing

The defendant John Kirchner was this day brought before the Court and having nothing further to say why sentence should not be pronounced against him—it is thereupon considered and adjudged by the Court that he pay a fine of Fifty dollars— and also the costs of this prosecution taxed to $— and that the said John Kirchner be

Monday June 5th A. D. 1871

imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

State of Ohio } No 28.
vs } Retailing
John Kirchner }

The defendant John Kirchner was this day brought before the Court and having nothing further to say why sentence should not be pronounced against him it is thereupon considered and adjudged by the Court that he pay a fine of fifty dollars and also the costs of this prosecution taxed to $— and that the said John Kirchner be imprisoned in the Jail of this County, until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

State of Ohio } No 29
vs } Retailing
John Kirchner }

The defendant John Kirchner was this day brought before the Court and having nothing further to say why sentence should not be pronounced against him - it is thereupon considered and adjudged by the Court that he pay a fine of fifty dollars and also the costs of this prosecution taxed to $— and that the said John Kirchner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law—

State of Ohio } No 30
vs } Retailing
John Kirchner }

The defendant John Kirchner was this day brought before the Court and having nothing further to say why sentence should not be pronounced against him - it is thereupon considered and adjudged by the Court that he pay a fine of fifty dollars and also the costs of this prosecution taxed to $— and that the said John Kirchner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

State of Ohio } No 31
vs } Retailing
John Kirchner }

The defendant John Kirchner was this day brought before the Court and having nothing further to say why sentence should not be pronounced against him - it is thereupon considered and adjudged by the Court that he pay a fine of fifty dollars and also the costs of this prosecution taxed to $— and that the said John Kirchner be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law -

State of Ohio } Assault & Battery
vs }
William Gray }

The defendant William Gray this day was arraigned in open

Monday June 5th A.D. 1871

Court and the indictment being read to him was asked how of the premises he would acquit himself for plea says he is guilty in manner and form as he stands charged in said indictment - whereupon it is considered and adjudged by the Court here that he make his fine unto the State of Ohio in the sum of five Dollars and also the costs of this prosecution taxed at $- and that the said William Gray be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

State of Ohio } No 112
vs } Retailing
George Schneiderer }

The defendant George Schneiderer this day was arraigned in Open Court and the indictment being read to him was asked how of the premises he would acquit himself for pleas says he is Guilty in manner and form as he stands charged in said Indictment

State of Ohio } No 113
vs } Retailing
Frederick Dasher }

The defendant Frederick Dasher this day was arraigned in Open Court and the indictment being read to him was asked how of the premises he would acquit himself for plea says he is guilty in manner and form as he stands charged in said Indictment - whereupon it is considered and adjudged by the Court that he pay a fine to the State of Ohio in the sum of fifty Dollars and also the costs of this prosecution taxed to $- and that the said Frederick Dasher be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law -

State of Ohio } No 108
vs } Retailing
Harvey Price }

This day came the parties by their Attorneys and the said defendant being asked how of the premises he would acquit himself for plea says he is not guilty in manner and form as he stands charged in said indictment - whereupon by agreement of parties this cause is continued and the defendants bond for his appearance at the next term of this Court - fixed at one hundred dollars

And thereupon the Court adjourned - until tomorrow Morning 8½ oclock

J. L. Conklin Judge

Tuesday June 6. A. D. 1871

This morning the Court met at 8½ oclock pursuant to adjournment the same officers present as on yesterday

Maddux. Bro & Co. }
vs }
J. D. Dillon }

And now comes the said Maddux Bro & Co. and the said J. D. Dillon having failed to demur or answer to the Petition of the said Maddux Bro & Co. - it is considered that the said Maddux Bro ought to recover the said sum of $132.81 so demanded in their Petition together with the sum of $10.46 which the Court finds due as the interest thereon, as prayed for in said petition it is therfore considered that the said Maddux, Bro, recover of the said J. D Dillon the said sum of $143.27 together with his costs in and about his suit in this behalf expended taxed to $

Philander. B. Cole. Afsignee of Williams & Bennett }
vs }
Geo. Davis & C. C. Walk }

And now comes the said Philander B. Cole Afsignee of Williams & Bennett and the said George Davis & C. C. Walk having failed to demur or answer to the Petition of the said Philander, B. Cole afsignee - it is considered that the said Philander, B. Cole Afsignee &c ought to recover the said sum of $144.00 so demanded in his Petition together with the sum of $5.25 which the Court finds due as the interest thereon, as prayed for in said Petition it is therfore considered that the said Philander, B. Cole Afsignee of Williams & Bennett recover against the said George Davis and C. C. Walk the said sum of $149.25 together with his costs in and about his suit in this behalf expended taxed to $-

State of Ohio }
vs } Indictment for Grand Larceny
John. H. Coleman }

The defendant John H. Coleman came into Court in his own proper person and a copy of the said indictment having heretofore been served upon him and the said defendant being without Counsel and it appearing to the satisfaction of the Court that he is unable to employ the same the Court afsign to him William A. Reid as his Counsel-

State of Ohio }
vs } Grand Larceny
John H. Coleman }

This day came the parties by their Attorneys and the said defendant being asked how of the premises he would acquit himself for plea says he is not guilty in manner and form as he stands charged in said indictment

State of Ohio }
vs } Indictment for Grand Larceny
John H. Coleman }

And now comes the said John H. Coleman being in his own proper person before the Court by his Attorney and moves

Tuesday June 6th

the Court for a continuance of this cause and assigns as a reason therefor that there are witness not within the jurisdiction of this Court, without whose testimony he cannot safely go to trial - and having made his affidavit to that effect - whereupon the Court being satisfied in the premises on consideration allow the cause to be continued - and fix the bond for the appearance of the defendant at the next term of this Court at $600 ea

State of Ohio vs James H. Wall } No 110 Continued

State of Ohio vs James H. Wall } No 109 Continued

State of Ohio vs Harvey Price } 108 Continued

State of Ohio vs John Kirchner } No 106 Continued

State of Ohio vs John Kirchner } No 105 Continued

State of Ohio vs John Kirchner } No 104 Continued

State of Ohio vs John Adams & F. M. Mealey } No 89 left off docket by order

State of Ohio vs John Adams, Joseph D. Wyde, E. F. Bosselen & F. M. Mealey } No 96 by order left off Docket

And thereupon the Court adjourned until 7½ oclock tomorrow Morning

J. L. Conklin Judge

Wednesday June 7th 1871

This morning the Court met at 7½ oclock pursuant to adjournment the same Officers present as on yesterday

No878 Wm. M. Randall vs Daniel Rice & others } Confirmation Sec Pages 333-371-445-8 Ex G. No 1105

This day this cause came on to be heard upon the Petition answer and cross Petition of all of the defendants, hereinbefore filed. as to all matters hereinbefore not disposed of- and first upon the motion of plaintiff to confirm the sale of the land first described in the Petition, and the Assignment of homestead therein- and on producing the return of the Sheriff of this County of a sale of Real estate by him made on the 29th day of May 1871. to John Reever on an order of Sale issued in this cause and dated the 14th day of April 1871- and the Court on examination of said proceedings being satisfied that said Sale has been made and said homestead assigned. in all respects in conformity to law. It is ordered that the said sale and proceedings be and the same is hereby confirmed and the Sheriff is ordered to make a deed for the land in said order of sale described. excepting the ten acres off the south west side thereof as described in the return of said Sheriff on said order of sale- Sett. off to said defendant Malinda Rice as wife of Daniel Rice for a homestead- leaving 37. acres to be conveyed- thereupon this Cause came on further to be heard upon the Priorities of the respective liens on said land. and the Court after examining the evidence exhibits and testimony do find that the said liens have priority- and order that the same shall be paid in the order following- 1st that out of the proceeds of said 37 acres after paying the costs as hereinafter taxed- to Wm. M. Randall- on the Mortgage first set forth in the petition the sum of $858.64. 2d That out of the proceeds of the sale of the 28 acres in said Petition last described- there shall be paid first the costs as hereinafter taxed. and then to said Wm. M. Randall on his second Mortgage set forth the sum of $220.00. 3d that as a second lien on said 28 acres. there shall be paid to Adam Reever the sum of $196.21 4th out of the proceeds of the sale of both pieces of land. there be paid to said Wm. M. Randall as the 3d lien on the 28 acres on the 2d lien on the 47 acres the sum of $73.00 5th out of the proceeds of the sale of both said pieces there shall be paid as the 4th lien on said 28 acres and the 3d lien on the 47 acres to Coats & Gilbert the sum of $32.32 6th out of the proceeds of the sale of both pieces of land there be paid to Geage Hodgraf as the 5th lien on said 28 acres and the 4th lien on the 47 acres the sum of $433.00 7th That out of the proceeds of the sale of both of said pieces of land there shall be paid to the defendant N. A. Gilbert the sum of two hundred and thirty seven dollars- the said land being conveyed to the purchasers thereof free of incumbrance on account of any unpaid balance of said amounts- and the Court further order that the costs made in this case be paid as follows- out of the proceeds of the 47 acres there shall be paid the sum of $12.03 and out of the proceeds of the 28 acres there shall be paid as costs the sum of $36.83

And thereupon the Court adjourned until 7½ oclock tomorrow Morning

J. Conklin Judge

Thursday June 8th A.D. 1871

This morning the Court met at 1½ oclock pursuant adjournment the same officers present as on yesterday

Joseph Cramer
vs
Samuel Scott Jr. } No 6367

This cause is dismissed without prejudice for want of prosecution at Plaintiffs cost. it is therefore ordered that plaintiff pay the costs herein expended taxed to $— No record

James H. Roney
vs
John M. Hall } No 7777

This cause is dismissed by the plaintiff without prejudice at plaintiffs costs— it is therefore considered and adjudged that defendant recover of plaintiff his costs herein expended taxed to $—. No record

Thomas Martin
vs
Newton Case

This day came on this cause and was submitted to a Jury and thereupon the Jury being unable to agree on a verdict was discharged, and this cause was continued with leave to the defendant to file amended answer in 40 days

Argus Clark } No 1013
vs
Silas Pgon

This day this cause was dismissed at defendants costs by agreement of parties— No record— and thereupon it is ordered and adjudged by the Court that defendant pay the costs herein expended taxed to $

Charles W. Rosette Jr.
vs
George Clark

By leave of the Court the plaintiffs filed their Petition and this cause is continued by consent— with leave to Deft. to file answer in 40 days

Thomas Brown
vs
Moses Amrine

This day came the parties and the Court being advised in the premises do appoint John L. Porter Esq. Guardian of the Infants defendants and thereupon said Guardian ad litem filed answer for said defendants and thereupon the Court upon being very fully advised in the premises do find the allegations of the Petition to be true and there is due plaintiff as claimed in said petition from said Moses Amrine the sum of $73 35/100 and that the same was a debt prior to the date of the deed made to said Infant defendants and that said deed was without consideration and said sum is a valid lien on said lands in said Petition described— It is therefore

Thursday June 8th A.D. 1871

ordered and decreed that said plaintiff recover of said Moses Smrine the said sum of $73.35 and in default of payment thereof with costs of suit in twenty days that an order of sale issue to the Sheriff of this County commanding him to sell according to law the said Real estate and bring into Court the proceeds thereof and as to the claim of Theodore Fink this cause is continued

Union Building & Loan Association of Marysville Ohio
vs
Simon Shark

And now comes the said Union Building and Loan Association by their Attorney and the said Simon Shark still failing to demur or answer to the said Petition it is considered that the said Plaintiff ought to recover the amount due him by reason of the premises and the Court with the consent of the said Plaintiff find that there is due from the said defendant to the said plaintiff on the Note in the said petition set forth the sum of four hundred and six dollars and thirty four cents
it is therefore considered by the said Court here that the said plaintiff recover of the said defendant the said sum of $406.34 the sum so found due as aforesaid and also his costs taxed to $— And it is further ordered and adjudged that in the case the said defendant fails for ten days prior the close of this term of Court to pay to the said plaintiff the said sum of $406.34 so as aforesaid found due with costs of suit an order issue to the Sheriff of said County as a special master commissioner of this Court commanding him to cause the said lands and tenements in said Petition described to be appraised advertised and sold according to law and apply the proceeds of said sale in satisfaction of the said Judgment so as aforesaid rendered

J. & A. Simpkinson & Co.
vs
G. L. & O. B. Martin

And now comes the said J. & A. Simpkinson & Co. and the said G. L. & O. B. Martin having failed to demur or answer to the petition of the said J. & A. Simpkinson & Co. it is considered that the said J. & A. Simpkinson & Co. ought to recover the said sum of $156.85 so demanded in their Petition together with the sum of $7.85 which the Court finds due as the interest thereon as prayed for in said petition. it is therefore considered that the said J. & A. Simpkinson & Co. recover against the said G. L. & O. B. Martin the said sum of $164.80 together with their costs in and about their suit in this behalf expended taxed to $—

Hiram Reed
vs
Matthew Reed et al
} In Partition

And now comes the said Hiram Reed by Robinson & Piper his Attorneys and thereupon this cause came on to be heard upon the Petition and Evidence, on consideration whereof the Court do find that due notice of the pendency of this action has been given for more than forty days prior to the first day of the present term of this Court and the Court do further find that the said Hiram Reed has a legal

Thursday June 8th A. D. 1871

right to and is seized in fee simple of one tenth part of the said premises and the Court do further find that the said Matthew Reed, David Reed Stephen Reed, Hester Reed, Rebecca Reed, Adaline Arahood Maria Deaver, John Reed and Martha Reed are tenants in Common in said premises with the said Hiram Reed in the following proportions to wit, The said Mathew Reed, David Reed, Stephen Reed, Hester Reed, Rebecca Reed, Adaline Arahood, Maria Deaver, John Reed and Martha Reed are seized of one equal tenth part each of said premises in fee simple it is therefore ordered that a writ of Partition issue to the Sheriff of said County of Union commanding him that by the oaths of B. A. Hay, John Bland and Samuel Woods, partition be made of said lands in the following proportions to wit, to the said Hiram Reed one tenth part, to the said Mathew Reed one tenth part, to the said David Reed one tenth part to the said Stephen Reed one tenth part to the said Hester Reed one tenth part, to the said Rebecca Reed one tenth part, to the said Adaline Arahood one tenth part, to the said Maria Deaver one tenth part to the said John Reed one tenth part and to the said Martha Reed one Equal tenth part each if the same can be done without manifest injury otherwise to return the true value in money to this Court, and it is further ordered that a survey be made of the premises in said petition described & the exact quantity of land be ascertained, and it is further ordered that the Sheriff return his proceedings in the premises forthwith

Valorus Turner }
vs
William Selover }

And now comes the said Valorus Turner and the said William Selover having failed to demur or answer to the Petition of the said Valorus Turner, it is considered that the said Valorus Turner ought to recover the said sum of $250cc so demanded in his Petition together with the sum of $17ss which the Court finds due as the interest thereon as prayed for in said Petition it is therefore considered that the said Valorus Turner recover against the said William Selover the said sum of $267ss together with his costs in and about his suit in this behalf expended taxed to $
And it is further ordered and adjudged that in case the said defendant fails for ten days from the close of this term of Court to pay to the said Plaintiff the said sum of $267ss so as aforesaid found due with costs of suit an order issue to the Sheriff of said County as Special Masters Commissioner of this Court commanding him to cause the said lands and tenements in said Petition described to be appraised advertised and sold according to law, and apply the proceeds of said Sale in satisfaction of said judgment so as aforesaid rendered. As to the Note not yet due this cause is continued
And thereupon the Court adjourned until 8 o'clock tomorrow Morning

J. L. Conklin Judge

Friday June 9th A.D. 1871

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

John A. Fleck
vs
Samuel Turner

And now comes the said John Fleck and the said Samuel Turner having failed to demur or answer to the petition of the said John Fleck it is considered that the said John Fleck ought to recover the said sum of $145.00 so demanded in his petition together with the sum of $21.24 which the Court finds due as the interest thereon as prayed for in said petition it is therefore considered that the said John Fleck recover against the said Samuel Turner the said sum of $166.24 together with his costs in and about his said in this behalf expended taxed to $—

Lawrence Barlow
vs
Henry Wheeler

This day came this cause on to be heard upon the motion of defendant to dismiss the appeal in this case which motion was argued by Counsel and submitted and the Court being fully advised in the premises do overrule said motion to which ruling defendant excepts—

Wm Leeper & J. W. Rezarter
vs
Wm J. Griffis & others

No 1032

This day came on this cause to be heard and the parties submitted the cause to the Court and thereupon the Court being fully advised in the premises do find the allegations of the petition to be true and that there is due plaintiffs from the said defendants Wm J. Griffis as claimed in their petition the sum of three hundred and fifty five & 25 dollars it is therefore considered and ordered by the Court that the plaintiff recover of the said Wm J. Griffis the said sum of three hundred and fifty five & 25 dollars and costs of suit and it is further ordered that if the said defendants fail for ten days to pay to said plaintiffs the said judgment and interest and pay said costs that an order of sale issue to the Sheriff of this County commanding him to sell according to law the land in said Petition described to pay said judgment and costs. And any surplus if any there be bring into Court and for that purpose this cause is continued

Austin Millington
vs
John Burgantine

This day came the parties and thereupon came a Jury to wit, Robert Robinson Regular Juror, John C. Price, Wm M. Robinson Joseph Powers, Beverly Keyes, D. C. Bodkin, John Reever, A. C. Pierson, Wm D. Smith, D. A. Cherry, Ellen Ryan, James W. Brown tales Jurors who to speak the truth upon the issues joined, being duly empanelled and sworn do upon their oaths say they find for the plaintiff and assess his damages at one dollar it is therefore considered ordered and adjudged by the Court that the said plaintiff recover of the said defendant the said sum of one dollar his damages so as aforesaid

Friday June 9th A.D. 1871

assessed. together with his costs herein expended taxed to $

The State of Ohio }
vs }
George Scheiderer }

The defendant George Scheiderer was this day again brought before the Court and having nothing further to say why sentence should not be pronounced against him. it is thereupon considered and adjudged by the Court that he pay a fine to the State of Ohio in the sum of fifty dollars and also the costs of this prosecution taxed to $ and that the said George Scheiderer be imprisoned in the Jail of this County until the said fine and costs be paid or secured to be paid or he be otherwise discharged according to law

The State of Ohio } Recognizance
vs } Indictment for Grand Larceny
John H. Coleman }

This day came in open Court John H. Coleman, W. N. Coleman. Mary A. Coleman. and Harrison McFadden and acknowledged themselves jointly and severally to owe and stand indebted to the State of Ohio in the penal sum of Six hundred dollars, to be levied of their goods and chattels lands and tenements if default be made in the following condition to wit: that the said John H. Coleman be and appear before the Court of Common Pleas of said County of Union on the fifth day of the next term thereof, to answer unto the State of Ohio for Grand Larceny. and then and there abide the order and sentence of the Court and not depart the Court without leave, then this recognizance to be void otherwise to be and remain in full force

Jane A. N. Jones & others } No 986
vs
Kelura A. M. Hodge & others }

This cause is continued with leave to Plaintiffs to amend their petition in days

Samuel Quincy }
vs }
Adam Sherwood & Frederick Melching, Partners &c }

And now comes the said Samuel Quincy and the said Sherwood & Melching having failed to demur or answer to the Petition of the said Samuel Quincy it is considered that the said Samuel Quincy ought to recover of the said Sherwood & Melching the sum of one hundred and fifty seven 45/100 dollars which the Court finds due as prayed for in said petition. it is therefore considered that the said Samuel Quincy recover against the said Sherwood and Melching the said sum of one hundred fifty seven 45/100 dollars $157 45/100 together with his costs in this behalf expended taxed to $

Elizabeth Hopkins }
vs }
Warren C. Robinson & Wife }

And now comes the said Elizabeth Hopkins and the said Warren C. Robinson & Harriet M. Robinson still failing to demur

May Term Friday June 9th 1871

or answer to Plaintiffs Petition it is considered that the said plaintiff ought to recover the amount due her by reason of the premises, and the Court find that there is due from the said defendants to the said plaintiff on the Mortgage in the said Petition set forth the sum of one hundred and Ninety three dollars. it is therefore considered by the Court that the said plaintiff recover of the said defendants the sum of one hundred and Ninety three dollars. the sum so found due as aforesaid and also his costs taxed to $—

And it is further ordered and adjudged that in case the said defendants fail for ten days from the Close of this term of the Court to pay to the said plaintiff the said sum of one hundred and Ninety three dollars. so as aforesaid found due with costs of suit. an order issue to the Sheriff of said County who is hereby appointed special Master Commissioner for that purpose commanding him to cause the said lands and tenements in said Petition described to be appraised advertised. and sold according to law and apply the proceeds of said sale in satisfaction of the said Judgment so as aforesaid rendered. and that execution be awarded for the balance

Mary M. Emerson }
vs }
Franklin Emerson }

This day came said parties by their Attorneys and thereupon this cause came on to be heard upon the petition of the said plaintiff and testimony Offered by her on consideration whereof. the Court find that said parties were married as in said petition is avered and that said defendant is guilty of extreme cruelty to the plaintiff as in said petition set forth And avered. it is therefore adjudged and decreed that the Marriage relation heretofore existing between the said parties be and the same is hereby set aside and wholly annulled. and the said parties wholly released from the obligation ~~for~~ the same. and it is further ordered and decreed that the said defendant do pay to the said plaintiff for her reasonable Alimony the sum of three hundred dollars—

And it is further ordered that the Custody. nurture. Education and care of the said. Flora D. Emerson aged two years November 13. 1870. be and the same is hereby given to said petitioner. and the defendant is hereby forever enjoined from interfering with or disturbing the said petitioner in the Custody. nurture. education and care of said above named child until the further order of this Court and it is further ordered that the said defendant Franklin Emerson within four days from the close of this term of Court pay as well the three hundred Dollars Alimony. as the Costs of this suit and that Execution issue therefor

And thereupon the Court adjourned until 8. oclock tomorrow Morning

J. S. Conklin Judge

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May Term Saturday June 10th A. D. 1871

Saturday June 10th This Morning the Court met pursuant to adjournment the same Officers present as on yesterday

Mathew Lingel Administrator of Joseph E. Rogers Deceased }
vs
Rachel M. Rogers & others }

On motion of the said plaintiff by his Attorneys and on producing the return of said plaintiff as such Administrator of a sale of real Estate made by him on the 13th day of May 1871. to James N. Headington on an order of sale issued in this case and dated on the 5th day of April 1871. and the Court after hearing carefully examined said proceedings and return and being satisfied that said sale has in all respects been made in conformity to law it is ordered that said sale and proceedings be and the same are hereby approved and confirmed and the said Mathew Lingel as such Administrator is ordered to make to said purchaser a deed in fee simple for the lands and tenements so sold

John Chapman }
vs
William Cheney & others }

This day came this cause on to be heard upon the Petition Exhibits and testimony and was argued by Counsel and submitted to the Court and the Court on consideration thereof do find that said Levin Price William Cheney and Rebecca Cheney have been duly and legally notified of the filing & pendency of this petition and the Court do further find that the facts stated in said petition are true that the twenty five acres of land described in said petition was duly and lawfully ~~made~~ conveyed by said Levin Price to said William Cheney as declared in said petition and that all the premises described in said petition were duly conveyed by said William Cheney and wife to said plaintiff by deed as declared in said petition and that said deed was afterward fraudlently obtained by said Cheney as declared therein before the same was presented for record and that said Cheney has ever since refused to return the same to plaintiff or present it for record and refused to present the deed from said Levin Price to him for record it is therefore Considered ordered and adjudged by the Court that the said William Cheney be and he is hereby required to comply with the prayer of said petition to present his said deed from Levin Price for record and to return to plaintiff the said deed so wrongfully withheld by him and in default thereof for ten days then that this decree have the same force and effect as if its requirements had been complied with and that said defendants be and they are hereby forever enjoined from interfering with or disturbing plaintiff or those claiming under him in the free enjoyment and possession of said premises and that said defendant pay the costs in this case in ten days and in default thereof that execution issue therefor

W. H. Gaard }
vs
Robert Figley }

This day came on this cause to be heard on the demurer to the defendants answer whereupon the Court being fully advised in the premises do overrule said demurer to which Plaintiff excepts & thereupon this cause is continued with leave to Plaintiff to file reply in 70 days

See Journal No 6. P. 1st

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