Civil/Domestic Case File

Case No. 1847-CV-0001

No. 47-CU-1

Union Common Pleas Court.

John Berge
Plaintiff,

AGAINST

Samuel Badenger
Defendant.

MAY TERM 1847

DECREE FOR PLAINTF

Journal 4 Page 20

Record No. 5 Page 74

Ex. Doc. Page

John Berge
vs
Samuel Ballinger

Sci Fac, on suggestion of Lands,
Judgment for Union Com Pleas
May Term 1847

Issue an execution in above case to Sheriff of Union Co.

To John Cassil Clerk
June 25th 1847

Allison & Curry Attys
for Plff.

Filed Dec 9. 1848
James Kinkade Clk

State
v
Ellis et al

Sam & wife
v
Ellis & wife

Un Con plus

Issa Sabpan for
Lurena Wood
George Morrison
Ira McClelland
Belzora McClellan, Daniel C. Heller, Sally Heller, Asaph Allen
Stephen Latimore & Joseph France Defts - in above cause

Swn & Andras

T. Ck Unin Co

John Burge } Judgment in Union Com Pleas
vs
Saml Ballinger } Issue and Execution in above case -

To Dan Kinkade Dr Clerk
Dec 9th 1848

Allison & Cummins
Attys for Pltff

April 27, 1841 Served this writ by leaving a true copy at the residence of Samuel Ballinger

Fee = service 35
copy 25
mileage 65 125

Philip Snider Sheriff

Union Common Pleas

John Berge
vs
Samuel Ballinger

Filed April 28 1849
John Cassel clk

Cost bill made

Recorded

The State of Ohio, Union County ss.

To the Sheriff of said County Greeting:

Whereas John Berge on the 12th day of July A.D. 1845 recovered a judgment before David Danforth one of the Justices of the Peace within and for the said County of Union, for the sum of fifteen dollars and nineteen cents debt and eighty seven and one half cents costs against Samuel Ballinger, upon which said judgment an execution was issued by the said David Danforth and returned no goods found whereon to levy; and it having been suggested to the said David Danforth that the said Samuel Ballinger is possessed of lands and tenements, as to us appears by a transcript of the said judgment and proceedings filed in our Court of Common Pleas within and for the said County of Union. We therefore command you, that you make known to the said Samuel Ballinger to appear before our said Court of Common Pleas on the first day of their next term to show cause, if any there be, why execution should not issue against his lands and tenements to satisfy said judgment, and further to do, and receive what our said Court shall then and there consider of him in this behalf: and have you then there this writ.

Witness John Cassil Clerk of said Court at the Court House in Marysville this 25th day of March A.D. 1847

John Cassil Clerk

Ex. Docket page 466

John Begg
vs
Lawrence Dalenger

Debt $15.19
Costs 12.38
Writ 41

Filed Aug 3 1847
John Cassidy Clk

Recorded

Received this writ June 25th 1847
July 3rd 1847 made on this writ twenty dollars No goods or chattles lands or tenements found whereon to levy

Fees mileage 60
Service 35
Pounage 40

THE STATE OF OHIO, UNION COUNTY, SS:

To the Sheriff of said County, Greeting:

WHEREAS, *at the Court of Common Pleas of the County aforesaid, begun and held at the Court House in the town of Marysville, on the* 4th *day of* May *A.D.,* 1847. John Barge *recovered against* Samuel Balinger an award of execution against the Lands & tenements of said Balenger *for* ~~as well as~~ *the sum of* fifteen *dollars and* nineteen *cents for his debt,* ~~as the sum of~~ ~~dollars and~~ ~~costs for~~ ~~damages~~ *as also the sum of* $ 12,38 *for his cost and charges in that behalf expended, as of record is manifest. You are therefore commanded, that* ~~of the goods and chattels, and for the rents thereof~~, *of the lands and tenements of the said* Samuel Balenger *you cause to be made the debt,* ~~damages~~ *and costs aforesaid, with interest thereon from the* 4th *day of* May *A.D.,* 1847 *, until paid; also the sum of* $ *the costs of increase on said Judgment, and accruing costs; and that you have these moneys before said Court at the Court House aforesaid, on the first day of our next Term, to render unto the said* John Berger

Hereof fail not at your peril; and have you then there this writ.

WITNESS JOHN CASSIL, CLERK *of said Court, at the Court House aforesaid, this* 25 *day of* June *A.D.,* 1847.

John Cassil *Clerk.*

Ct Dec Page 466

John Berge
Samuel Ballinger

Debt $15.19
Costs 12.38
Increase 1.76
Writ .41

Cr July 3. 1847. $20.00

Filed May 30. 1849
J. S. Kirkpatrick Clk

Recorded

Received this writ January 16. 1849
February 13. 1849 Received of Samuel
Ballinger, balance and in full of my claim
on this writ costs excepted, except five dollars
heretofore paid by me to Davis Dunforth J.P.
for John Berge
therefore returned fees = service 75
C. H. Blair
Philip Snider Shff

THE STATE OF OHIO, UNION COUNTY, SS:

To the Sheriff of said County, Greeting:

WHEREAS, at the Court of Common Pleas of the County aforesaid, begun and held at the Court House in the town of Marysville, on the Fourth day of May A.D., 1847 John Berge recovered against Samuel Ballinger,

as well as the sum of Fifteen ——— dollars and Nineteen cents for his ——— debt, ~~as the sum of~~ ~~dollars~~ ~~and~~ ~~cents, for~~ ~~damages,~~ as also the sum of $ 12.38 for his ——— cost and charges in that behalf expended, as of record is manifest. You are therefore commanded, that of the goods, and chattels, and for the want thereof, of the lands and tenements of the said Samuel Ballinger

you cause to be made the debt, ~~damages~~ and costs aforesaid, with interest thereon from the Fourth day of May A.D., 1847, until paid; also the sum of $ 1,76 the costs of increase on said Judgment, and accruing costs; and that you have these moneys before said Court at the Court House aforesaid, on the first day of our next Term, to render unto the said John Berge

Hereof fail not at your peril; and have then there this writ.

WITNESS JAMES KINKADE, Jr., CLERK of said Court, at the Court House aforesaid, this Eleventh day of January A.D., 1849.

James Kinkade Jr. Clerk.

Civil/Domestic Case File
Case No. 1847-CV-0002

Civil/Domestic Case File

Case No. 1847-CV-0003

Civil/Domestic Case

1847-CV-0003

located with

Supreme Court Case

1850-SC-0004

Civil/Domestic Case File

Case No. 1847-CV-0004

No. 47-CU-4

Union Common Pleas Court.

Isaac G Gutherie
Plaintiff,

AGAINST

Hiram Keeler
Defendant.

AUG TERM. 1847

JUDGMENT VS DEFENDANT
$177 01

Journal 4 Page 37
Record No. 5 Page 91
Ex. Doc. 1 Page 473

Union Com. Pleas

Isaac F. Guthrey
vs
Hiram Keeler

Filed May 3d 1847
John Capel, Clerk

Isaac F Guthrey
vs
Hiram Reeler

In Debt, $163-90 cent Damage
$40-00 Dollars

Mr - Clerk - Issue a Summons -
Returnable on the first day - of
the May - Term - 1847 -

Suit Brought

An a - Sum - Bill, or Note - of hand -
made payable to Isaac F Guthrey or Bearer -
Calling - for One hundred and sixty three Dollars
and - Ninty cents - and Dated December 24th
1845 - Also - for goods - sold - and delivered
Money - had and Received. Work and Labor
done - Also - for Money - found due the Plaintiff
Also - for Money - Received by - the Defendant
for the use of the Plaintiff

J B Daugherty Atto for
Plaintiff

Union Com Pleas

Isaac F. Guthrey
vs
Hiram Keeler

Filed May 4. 1847
John Cadell Clerk

Suit brought on a Due bill or note of hand made payable to Isaac F. Guthrey or bearer, calling for one hundred & sixty three dollars and ninety=five cents, and dated December 24th 1845; Also for goods sold & delivered & money had and received, with interest from, Sept. for money loaned. Due the Plaintiff, Also for money received by the Defendant for the use of the Plaintiff.

J. G. Dougherty Atty for Plaintiff

Served on the 6th day of May 1847 by delivering a certified copy of this writ to the defendant

Fees — Service 35
Copy 10
mileage 100

Philip Shuler Sheriff

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING.

We command you to summon Hiram Keeler

to appear

on the first day of our next term, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Isaac F. Guthrey

in a plea of Debt. one Hundred & sixty three dollars & ninety cents damages twenty dollars.

And have you then there this writ.

WITNESS, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 3 day of May A. D. 1847.

John Cassil CLERK.

In Common Pleas

Isaac T Guthrie
vs
Hiram Reed

Filed May 24th 1847
John Cassil Clerk

Cost bill made
Record

Recorded

J. B. Doughty Atty
plaintiff

State of Ohio } Union Common pleas
Union County } May Term A.D 1847 —

Isaac F Guthry, complains of Hiram Reeler, in a plea of Debt; for that Whereas, the said Hiram F Reeler on the twenty fourth day of December Eighteen hundred and forty five, Made his ~~certain~~ promissory Note, commonly called a due bill, in writing and delivered the same to the said Isaac F Guthry; and thereby promised, to pay to the said Isaac F Guthry or bearer, One hundred and sixty three Dollars and ninty cents, for value Received, due on the date thereof, and the said Hiram Reeler, then and there, in consideration of the premises promised to pay the amount of the said Note or due bill, to the said Isaac F Guthry, according to the tenor, and effect ~~of the said Hiram Reeler~~ thereof. And Also for that Wheras, the said Hiram Reeler on the twenty fourth day of December Eighteen hundred and forty five, at the county of Union, was Indebted, to the said Isaac F Guthry in One hundred and sixty three Dollars and Ninty Cents, for the price and value of goods, then and there bargained and sold, by the Plaintiff to the Defendant, at his Request And in One hundred And sixty three Dollars and Ninty Cents, for the price and value of goods, then and there sold and delivered by the Plaintiff to the Defendant, at his Request. And in One hundred and sixty three Dollars and ninty cents

for the price and value of work then and there done, and materials for the same provided, by the Plaintiff for the Defendant, at his Request, And in One hundred and sixty three Dollars and ninty Cents, for Money, then and there lent, by the plaintiff to the Defendant, at his Request And in One hundred and sixty three Dollars and ninty cents, for Money, then and there paid by the Plaintiff, for the use of the Defendant, at his Request And in One hundred and sixty three Dollars and ninty cents, for money then and there Received, by the Defendant for the use of the Plaintiff, And in One hundred and sixty three Dollars and Ninty Cents, for Money, found due to be due, from the Defendant, to the Plaintiff on an account, then and there stated between them And whereas the Defendant, afterwards on the twenty fifth day of December eighteen hundred and forty five in consideration of the premises, then and there promised to the said last Several sums of Money to the Plaintiff on Request, yet he hath disregarded his promises, and hath not paid the said several sums of Money, nor either of them nor any part thereof to the Damage of the Plaintiff twenty Dollars, And therupon he brings suit

by J. C. Doughty his Att

Filed Aug 3d 1847
John Carrel Clk

Due Isaac T. Gurney or bearer one hundred
sixty three dollars and ninety cents for value
received December 24th 1843 = Hiram Sculler

473

Union Common Pleas

Isaac F. Guthrey

vs

Hiram Reeder

Debt $163.90

Damage 13.11

Costs 6.31

Increase 4.82

Writ .41

Recorded

Cr Decr 18-1847. $83.00

" May 2-1848 18.00

Filed nov. 21. 1849

James Kirkado p clk

L. C. Doughty

Received this Writ October 2. 1849.

Levied November 5th 1849 upon one gray mare, one dun gray Colt 1 year old last Spring and 21 head of stock Hogs as the property of Hiram Reeder and took bond from said Reeder with Francis Baldwin security for redelivery of said property, advertised the same for sale by publication in the Marysville Tribune a newspaper published and in general circulation in Union County the day of sale being November 17. 1849 which came and I neglected to offer the same for sale.

Fees = mileage 1.00
levy .35
Bond .50
advertising 2.5
Pr fee 1.00

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS:

To the Sheriff of said County, Greeting:

WHEREAS, at the Court of Common Pleas of the County aforesaid, begun and held at the Court House in the town of Marysville, on the 30 day of August A.D., 1847 Isaac F. Guthry recovered against Hiram Reeler as well as the sum of One Hundred & Sixty three dollars and Ninety cents for his debt, as the sum of thirteen dollars and Eleven cents, for his damages, as also the sum of $6.31 for his cost and charges in that behalf expended, as of record is manifest.

You are therefore commanded, as you have heretofore been commanded that of the goods, and chattels, and for the want thereof, of the lands and tenements of the said Hiram Reeler you cause to be made the debt, damages and costs aforesaid, with interest thereon from the 3rd day of August A.D., 1847, until paid; also the sum of $4.82 the costs of increase on said Judgment, and accruing costs; and that you have these moneys before said Court at the Court House aforesaid, on the first day of our next Term, to render unto the said Isaac F. Guthry

Hereof fail not at your peril; and have then there this writ.

WITNESS JAMES KINKADE, Jr., CLERK of said Court, at the Court House aforesaid, this 2nd day of October A.D., 1849.

James Kinkade Jr. Clerk.

Isaac F. Guthery
vs
Hiram Keeler

venditioni with clause

Debt	$163..90
Damage	13..11
Costs	6..31
Int from Aug 3/47 —	
Increase costs —	8..34
this writ	..41

Cr Dec. 18. 1847 $83..00
" May 2. 1848. 18..00

This writ is issued for the benefit of Philip Snider stff.

Filed august 23. 1850
James Kirkado for clerk

Recorded

Received this writ August 22nd 1850.
returned by order of Philip Snider. without further service
Fees = mileage 1.00
service 3.5
Henry Moffett Coroner

THE STATE OF OHIO, UNION COUNTY, SS.

To the ~~Sheriff~~ Coroner of said County, Greeting:

WE command you to expose to sale those ~~Lands and Tenements of~~ Goods & Chattels of Hiram Keeler Tow'p One gray Mare. One Iron Gray Colt One year old last Spring. and 21 head of Stock Hogs.

which according to our commands ~~you have taken into your hands~~ the Sheriff of said County had taken into his hands, and which remain unsold as ~~you~~ he has certified to the Judges of our Court of Common Pleas of our said County, to satisfy Isaac F. Guthery

the sum of One hundred and Sixty three dollars and Ninety cents for his Sett Fs $13.11 for his damages, together with $6.31 for his costs, with interest thereon from the 3rd day of August A.D. 1847 until paid, which late in our said Court the said Isaac F. Guthery

recovered against the said Hiram Keeler

as of record is manifest. Also, $ 8.34 increase of costs, and the accruing costs. And if in your opinion the property in your hands not sold will be insufficient to satisfy the judgment aforesaid, then you are hereby commanded that you levy the same upon the goods and chattels, lands and tenements, or either, as the law shall permit, being the property of the judgment debtor, which together with the property on hand not sold as aforesaid will be sufficient to satisfy said judgment. And that you have the same before the said Court at the Court House in Marysville, on the first day of their next Term, to render unto said Isaac F. Guthery for the use of Philip Snider

Hereof fail not at your peril, and have then there this writ.

Witness, ~~JOHN CASSIL~~ James Kirkadoff, Clerk of said Court at the Court House in Marysville, this 20th day of August A.D. 1850 James Kirkadoff Clerk.

Ct Docket - Page 473

Isaac F. Guthrie
vs
Hiram Reeder

Debt	$163.90
Dam	13.11
Cost	6.31
Int	2.26
Writ	.41

Filed April 25, 1848
John Cassil Clk

Received

Rec'd this writ Oct 18, 1847, by order of Th. Doughty attorney for Plaintiff proceeding to serve the — mileage 5
service 35
Philip Shriver Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

TO THE SHERIFF OF SAID COUNTY, GREETING:

We hereby command you to expose to sale those ~~lands and tenements of~~ Goods & Chattles Of Hiram Keeler to wit. One Dun Mare and Colt. Seventeen hogs One Cow & Calf Six Sugar Kettles and the undivided half of twenty four acres of Corn standing in the field—

which according to our commands you have taken into your hands, and which remain unsold as you have certified to the Judges of our Court of Common Pleas, of our said County; to satisfy Isaac F. Guthry the sum of one hundred & sixty three dollars & ninety cents for his Debt. and _____ the sum of thirteen dollars and Eleven cents, for his damages, together with $ 6.31 for his costs, with interest thereon from the third day of August A. D. 1847 until paid; which late in our said Court the said Isaac F. Guthry recovered against the said Hiram Keeler as of record is manifest. Also $ 2.26 increase of costs, and accruing costs. And that you have the same before the said Court at the Court House in Marysville, on the first day of their next term, to render unto said Isaac F. Guthry ——

Hereof fail not at your peril, and have then, there, this writ.

Witness, JOHN CASSIL, Clerk of said Court at the Court House in Marysville, this 18th day of October A. D. 1847.

John Cassil CLERK.

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Isaac F. Guthry
vs
Hiram Keeler

Debt. $163.90
Damage 13.11
Costs 6.31
Increase 3.07
Writ .41

Filed August 15. 1849
James Kirkpatrick Clk

Recorded

Received this writ June 9. 1849. the within described property not found. Defendant produced 2 receipts signed by Isaac F. Guthry one dated Dec 8th 1847 for $83.00 the other dated May 2nd 1848 for $15.00 which are to be credited on this writ & herewith filed.

Fees = mileage 1.00
service .35 = $1.35

Philip Shriver Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE command you to expose to sale those Lands and Tenements of Hiram Keeler, Viz, One Dun Mare and Colt Seventeen hogs. one Cow and Calf. Six Sugar Kettels. and the Undivided half of twenty four acres of Corn Standing in the field,

which according to our commands you have taken into your hands, and which remain unsold as you have certified to the Judges of our Court of Common Pleas of our said County, to satisfy Isaac F. Guthry,

the sum of One Hundred and Sixty three ~ ~ ~ ~ dollars and Ninety cents for his Debt $ 13.11 for his damages, together with $ 6.31 ~ ~ ~ for his costs, with interest thereon from the 30 day of August A.D. 1847 until paid, which late in our said Court the said Isaac F. Guthry

recovered against the said Hiram Keeler

as of record is manifest. Also, $ 3.07 ~ ~ ~ ~ increase of costs, and the accruing costs. ~~And if in your opinion the property in your hands not sold will be insufficient to satisfy the judgment aforesaid, then you are hereby commanded that you levy the same upon the goods and chattels, lands and tenements, or either, as the law shall permit, being the property of the judgment debtor, which together with the property on hand sold as aforesaid will be sufficient to satisfy said judgment.~~ And that you have the same before the said Court at the Court House in Marysville, on the first day of their next Term, to render unto said Isaac F. Guthry

Hereof fail not at your peril, and have then there this writ.

Witness, ~~JOHN CASSIL~~ James Kirkpatrick Jr, Clerk of said Court at the Court House in Marysville, this 6th day of June A.D. 1849

James Kirkpatrick Jr Clerk

Ex Doc Page 473

Isaac F. Guthry
vs
Hiram Keeler

Debt	$163.90
Dam	13.11
Costs	6.31
Writ	.41

Filed Oct 5 1847
John Cassie Clk

Received

Received this writ August 5, 1847. By virtue of this writ I levied upon the following described property, to wit; one Dun Mare and Colt, Seventeen hogs, one Cow and Calf, six Sugar Kettles and the undivided half of twenty four acres of Corn standing in the field, no other goods or chattles found whereon to levy. Sept 23rd 1847. Not advertised for want of time

Fees-mileage	$1.00
Levie	35
Bond	50

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS:

To the Sheriff of said County, Greeting:

WHEREAS, *at the Court of Common Pleas of the County aforesaid, begun and held at the Court House in the town of Marysville, on the* third *day of* August *A.D.,* 1847 *recovered against* Isaac F. Guthry Hiram Keeler *as well as the sum of* One hundred & sixty three *dollars and* Ninety *cents for* his *debt, as the sum of* thirteen *dollars and* Eleven *cents, for* his — *damages as also the sum of* $ 6.31 *for* his ——— *cost and charges in that behalf expended, as of record is manifest. You are therefore commanded, that of the goods, and chattels, and for the want thereof, of the lands and tenements of the said* Hiram Keeler *you cause to be made the debt, damages and costs aforesaid, with interest thereon from the* third *day of* August *A.D.,* 1847, *until paid; also the sum of* $ ——— *the costs of increase on said Judgment, and accruing costs; and that you have these moneys before said Court at the Court House aforesaid, on the first day of our next Term, to render unto the said* Isaac F. Guthry

Hereof fail not at your peril; and have you then there this writ.

WITNESS JOHN CASSIL, CLERK *of said Court, at the Court House aforesaid, this* Eight *day of* August *A.D.,* 1847.

John Cassil Clerk.

Filed Sept 8th 1847
John Cassie Clk

Isaac T Cutting
vs
Warren Reeder

Van Buren Common pleas
On Judgement

Mr - Clerk - please - issue - an
execution in this case on the Judgment
obtained by the Plaintiff - against the Defendant
in Union Common pleas - at the August Term
A D - 1847 —

J C - Dougherty Att for
Plaintiff

Filed May 29. 1849
Jas Kirkpatrick Clerk

Isaac F Guthrey
vs
Hiram Keeler

Judgement $163.90 -
Damages 13 - 11 ct

Issue an execution in the above case -

L C Doyle for Plaintiff

To James Kincade -
Clerk of Union Com
Pleas -

Filed Sept 25. 1849
D Kirkpatrick Clk

Isaac F. Pettry
vs
Hiram Reeder

In Union Common pleas
on judgement

Issue an execution in the
above case.

September 25th 1849

To James Buchanan
Clerk of Union Common
pleas.

J. C. Dempsey Att for
Plaintiff

Filed Oct 18 1847
John Cassil Clk

Osaa F. Gilbert
vs
Hiram Reeder

In union Common pleas
On Judgement $163.90
Damages $13.11.

Issue an execution in this Case,

To the Clerk of union Common pleas

J. B. Doughty Atty for Plaintiff

October 18th 1849

Civil/Domestic Case File

Case No. 1847-CV-0005

No. 47-CV-S

Union Common Pleas Court.

Munson H. Mitchell
Plaintiff,

AGAINST

Samuel B. Kezartee,
Defendant.

APR TERM. 1848

JUDGMENT VS DEFENDANT

Journal 4 Page 111

Record No. 6 Page 242

Ex. Doc. 1 Page 572

Minson H. Michael
vs
Samuel H. Negaster
Transcript

Filed May 3rd 1847
John Cafoil, Clerk

Cost bill made
Paid

Recorded

The State of Ohio Union County Paris Township ss

Munson H. Michael
vs
Samuel W. Wezantee

Suit brought on an action of Debt
Damages claimed $96.00
Bill of Particulars filed Items amount to
November 11. 1846.

Summons issued for the appearance of the defendant November 14th 1846 at 3 o'clock P.M. and delivered it to Abel Marks Constable November 18. 1846 Summons returned indorsed Personally served by Copy delivered to Defendant at his request. Service 10. Milage 5. Copy 12½ = 27½
Nov 14. 1846 Abel Marks Const.

November 20. 1846 At request of Plaintiff Subpoena issued for Simon Lee, Bill Welch, R.L. Browne & S.S.P. Brown and delivered it to Abel Marks Constable

November 21. 1846 At request of Defendant, Subpoena issued for W.J. Brophy and delivered to Abel Marks Constable November 21. 1846. 3. o'clock P.M.

The Parties appeared and thereupon this cause is adjourned until the 28th day of November 1846 at 1 o'clock P.M.

Nov. 26. 1846 At request of Pltff Subpoena issued for Simon Lee, Bill Welch & S.S.P. Brown and delivered it to Abel Marks Constable.

Nov 26. 1846 At request of Defendant Subpoena issued for W.J. Brophy, Alexander C Robinson, Peyton B. Smith, S.S.P. Brown and J. Brothers and delivered to Abel Marks Constable November 25. 1846. 1 o'clock P.M.

Parties appeared, trial had. The plaintiff sworn and examined as to the validity of his book account. Simon Lee, S.S.P. Brown, Bill Welch sworn and S.A. Cherry affirmed and examined as witnesses on the part of the Plaintiff

Pltffs Costs

Fees issuing summons	12½
" 1st Subpoena	24½
" 2d " "	20½
" 3d do "	16½
" Swearing 6 witnesses	24
" adjournment	10
" Bail for Stay of Ex	25
Bail on appeal	25
" Entering Satisfaction	10
Transcript	3 1½
	1.99
Bail for appeal	25
	$1.68
Const. A Marks serving dum	27½
" " Subpoena's	95
Witnesses S.S.P. Brown 1 day	750
" Simon Lee 2 days	1.00
" B. Welch 1 "	.50
S.A. Cherry (called)	25
J. Brothers for P's use Intd by Pltff	50

Defts costs

Fees 1st Subpoena	12½
2d do "	28½
Swearing 2 witnesses	8
Entering judgment	25
	7 h
Const fees A Marks serving 2 Sub	70
Witness W.J. Brophy	50
A.C. Robinson	50

M. J. Boothy and A. C. Robinson sworn and examined on the part of the defendant. It is therefore considered by me that the Plaintiff hath no cause of action in the premises against the defendant, and that the defendant go hence without day and recover of the plaintiff his costs herein taxed at Two dollars & forty four cents P. B. Smith witness for defendant present but not sworn.

In the action of Munson H. Michael against Samuel N. Hezartee, I, Furman Coriell do acknowledge myself bail for Munson H. Michael for stay of Execution for the sum of three dollars to be levied of my goods and chattels, lands and tenements, if default be made in the condition following, which is, that the said Munson H. Michael shall pay the amount of the judgment rendered in the action aforesaid together with the interest and costs and costs that may accrue Furman Coriell

Taken, signed, and acknowledged this 30th day of November, in the year 1846 James M. Wilkinson J.P.

Notice of appeal by Plaintiff

~~December~~ December 8. 1846 Recognizance of bail taken on appeal by the Plaintiff Furman Coriell Security

The State of Ohio Union County Paris Township ss

I do hereby certify, that the above is a full and true copy from my docket of the proceedings had by and before me, in the above cause James M. Wilkinson J.P. of the aforesaid township

And, whereas the Defendant, afterwards on the tenth day of November, Eighteen hundred and forty six in consideration of the premises, then and there promised, to pay said several sums of money, to the Plaintiff on request, yet he hath disregarded his promises and hath not paid the said several sums of money, nor either of them nor any part thereof, to the damages of the Plaintiff One hundred Dollars, and thereupon he brings suit

By J. C. Doughty his Attorney

Filed May 24th 1847
John Cadwell Clerk

J. C. Doughty
Attorney
for Plaintiffs

Subpoena
Recd
Monroe vs Mickaelo
et al
Samuel H. Rayatte

State of Ohio } In Union Common Pleas.
Union County } So May Term Eighteen hundred and forty seven

This Cause is brought into Court by an appeal from the docket of James M Wilkenson a justice of the Peace in and for the Township of Paris in said County And thereupon the said Munson H. Michaels, ~~by~~ Complains of Samuel K Rayatee in a plea of ~~Attempt~~ Debt for that Whereas the said Samuel K Rayatee On the Nineteenth day of November Eighteen hundred and forty six was indebted to the said Munson H. Michaels in Ninty six Dollars for the price And value of goods then and there bargained, and sold, by the Plaintiff to the Defendant, At his Request, And in Ninty six Dollars for the price And value of goods then and there sold, And delivered by the Plaintiff to the Defendant At his Request And in Ninty six Dollars for the price and value of work then and there done And materials for the same provided by the Plaintiff for the Defendant At his Request And in Ninty six Dollars for Money then And there lent by the Plaintiff to the Defendant at his Request And in Ninty six Dollars for Money then And there paid by the Plaintiff for the use of the Defendant At his Request, And in Ninty six Dollars for Money then And there received, by the Defendant for the use of the Plaintiff And in Ninty six Dollars for Money found to be due from the Defendant to the Plaintiff on an account then and there stated between them

Filed Oct 24, 1848
James Kirkpatrick Clk

Munson & Michael
v
Samuel M. Yartee

In union
Common
pleas in
Judgement

Issue an execution in
the above Case.

J. C. Dwight Att
for Plaintiffs

J. James F. Runcade
Clerk of Union C. P.
October 21 - 1848.

Clinton Co. Michaels

vs

Samuel Rezenter

Settled Damages

$ 96.00

Bill of Particulars

Mr Cole Resings and a Letter of Superior Court is not to be tolerated,

Bro Bowlby plaintiff has been committed Roguery

Say Mr Cole! Bro Bowlby a Draper and Grocer.

Certificate of Ride and Tourney - dismiss

Judge Grace.

The letter treated all the Concentrators and Grace is unable for Next Regority

Filed Nov. 20. 1846

James M. Wilkinson Clk

Clinton Co. (County) obants a Note in Gross in Favour Sue Bill $20 Dollars, Ft. 2 Limit 3 Collect for Samuel Margaretta Cuda collect 1 off

Munson H. Michaels } In Debt on Book account
per
Samuel R. Reyerter } Damages - $96.00.

Samuel R. Reyerter to Munson H. Michaels - Dr -

June 13. 1846 - Dr - to 4 days hauling - Medicine from Franklinton. and expences - $ 6 00.
June - " Dr - to Cash lent. 3 50.
" 15 Dr - to cash lent. 2.00
" 20 Dr. to Boarding ~~and~~ Washing and lodging. from June 20. up to. October 14th 1846. at ~~[illegible]~~ 150 cts per Week $ 24.00.
" Dr. to 1 suit of Clothes bought. at the Store of Hugh Lee - and company. and charged - to my - account $ 16.37½
" Dr - Dr to making vest by wife 75
July - 1846 - Dr - to Cash paid Wanting on Boots 50.
" Dr to making - 2. Shirts 62½ cts a piece - 125
September 1846 - Dr. 1 trip to Columbus - on collection. 3 - days - and expences 5 00.
" Dr - to Cash - paid on Watch - to the Silver smiths. in - Columbus - 1.00
Dr - to - for the use - and hire of a horse - Saddle - and Bridle - and Keeping - same from the 10th of July. 1846 - up to 13 of October 1846 at 250 - per Week. $ 32 50.
September 1846 - Dr - to Cash paid for Lucine 18¢.

Munson H. Michael
vs
Samuel W. Kezartee

Appeal Bond

In the action of Munson B. Michael against Samuel W. Hezartee I Furman Correll acknowledge myself bail for the appellant, in the sum of Fifty dollars to be levied of my goods and chattels, lands and tenements in case the appellant shall be condemned in the action, and shall fail to pay the condemnation money, and costs that have accrued or may accrue in the Court of Common Pleas

Furman Coriell

Taken, signed and acknowledged, on this 8th day of December A.D. 1846 before me

James M. Wilkinson J.P. Seal

Ent Docket Page 512

M H McCleod
vs
D N. Hegarty

Debt $90
Costs $4.63
Writ .41

a $3.75
a $1.69

Filed Oct 30. 1849
Atkinson Recd. Clerk
Recorded

Received this writ October 21. 1848. Levied on one 1 Horse Buggy February 17. 1849. Levied on one Bay Horse February 19. 1849. ~~Myself~~ costs made in full up to the reception of this writ. delivered an advertisement to printer for publication of said buggy but he did not advertise therefore not sold. Said horse returned.

Fees = levy 35
service 35
Horse Keeping 1.00

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS:

To the Sheriff of said County, Greeting:

WHEREAS, at the Court of Common Pleas of the County aforesaid, begun and held at the Court House in the town of Marysville, on the Twenty fifth day of April A.D., 1848 Munson H. Micheal. recovered against Samuel K. Kezartee.

as well as the sum of _____ ~~dollars and~~ Ninety cents for his debt, ~~as the sum of~~ ~~dollars and~~ ~~cents, for~~ ~~damages~~, as also the sum of $ 48.63 for his cost and charges in that behalf expended, as of record is manifest. You are therefore commanded, that of the goods, and chattels, and for the want thereof, of the lands and tenements of the said Samuel K. Kezartee.

you cause to be made the debt, ~~damages~~ and costs aforesaid, with interest thereon from the 28th day of April A.D., 1848, until paid; also the sum of $ the costs of increase on said Judgment, and accruing costs; and that you have these moneys before said Court at the Court House aforesaid, on the first day of our next Term, to render unto the said Munson H. Micheal

Hereof fail not at your peril; and have then there this writ.

WITNESS JAMES KINKADE, Jr., CLERK of said Court, at the Court House aforesaid, this 21st day of October A.D., 1848.

James Kinkade Jr. Clerk.

Know all men by these presents that we

of Logan County Ohio are held and firmly bound unto

their heirs and assigns

in the penal sum of
Dollars for the payment of which well and truly to be
made we hereby jointly and

Michael
&
Margaret } Bills of

Filed April 28. 1848
John Cassidy Clk

Michael
v
Kazarto

Union Com Pleas

In this Cause upon the trial before the Jury the plaintiff was sworn and examined touching the validity of his book account against the defendant and gave evidence tending to prove various items of charge against the defendant and that he kept no account of credits in his account against the defendant and the account book produced was the only account he had -

The defendant on cross examination proposed to ask the plaintiff as to certain items of property mentioned in the notice of set off and sold and delivered to the plaintiff by the defendant which the defendant claimed and proposed to prove should have been credited in the account sworn to by the plaintiff before the jury and which the defendant charged the plaintiff had omitted to credit in his account book.

To which the plaintiff objected and the Court sustained the objection and refused to permit the defendant to make the proof aforesaid so proposed in manner aforesaid and the defendant thereupon excepted to said opinion and ruling of the Court and prayed that his exception might be sealed which is done accordingly

S. L. Forbes (Seal)

James Schmitt (Seal)

Levi Phelps (Seal)

Christian Myers Jurors

M H Michael
28
S K Rezanteo

Plea

Filed July 17th 1847
John Cassidy

Samuel R Rezartee
ads
Munson H Michael } In Debt

And the Said Samuel R Rezartee
now Comes and defends &c and Says that
he does not owe the Said Sum of money
above demanded or any part thereof
in manner & form as the Said M H
Michael hath Complained against him
and of this he puts himself upon the
Country = and the Said Munson H
Michael doth the like

P Bleale Atty for Deft

And the Said plaintiff will take Notice
that the Deft. on the trial of this Cause
will give in evidence and insist that
at the time of the Commencement of this
Suit the plaintiff was indebted to him for
the price and value of a horse $30, oil Cloth
on Pendleton $10. to Corn $28, to 2 trunks
5$, to one over Coat 5 to account on
Wm Reddle $5, to Judgement on Esq.
Cottons Docket 25$ to 1 pair pantaloons
$12. to to School books for family 3$.
to medicine & medical attendance on family
15$ to Note on J Jones 25$ and for Sundry
other Notes 300$ on an account stated one
hundred dollars and that on the trial
he will ask for a Judgement against
the plaintiff for the overplus o

By P Bleale his

Filed Sept 28 1847
John Cassil Clk

Samuel H. Pleasants
vs
Munson & Michael } In Debt.

Issue a subpoena for Samuel Marks
Robert Stael Eliza Barkus Samuel Hemmingway
J. M. Gillinson
witness for Deft.
To John Caird Clerk

P. V. Bloale
Atty for Deft

Sept. 28 1847

Filed Sept 20th 1847
John Cassil Clk

Munson R. Michaels. } In union
vs } common pleas
Samuel R. Rayster }

Issue a subpoena for the following witnesses. for Plaintiff — Thomas Turner — William Lee. Robert Simpson ~~S. St. G. Brown~~ William Molan Alonzo Cherry — for 2d day —

To the Clerk of Union Common pleas

J. C. Dunlap for Plaintiff

Filed April 10, 1848.
John Carrie Clk

Marcus H. Michaels.
vs.
Samuel R. Rayster

In Union
common pleas.

To the Clerk) of Union
common pleas you will issue
a Subpoena. for Thomas Turner, William
G. Lee William Molin, and Alonzo Cherry
witnesses for Plaintiff.
April 10th 1848 — J. G. P. B. P.
J. L. Dunlap and [illegible]

Delia July 22 1849
John Cadzie Esq

Munson H. Michaels
vs
Samuel K. Reynolds

In common pleas
August Term A.D. 1847

Mr John Cassel
Clerk will issue
a subpoena for the following
persons as witnesses for Plaintiff
Thomas Turner - William Lee - Robert
Simpson. S. P. G. Brown. William
Malen, Alonzo Cherry - William Brophy,
July 22d 1847 - H. Doughty Att for Pl.

480
92
960
4320
240
44400

Filed April 26, 1848
John Cassil Clk

320 acr

Mr Michael

vs

S K Rezaller

& S P G Brown

— Issue a subpoena for James M Tilles

Witness for Deft.

April 26 1848

P B Cole

Atty for Deft.

S R Hazarter et al
vs
M H Michael

Issue a subpoena for F. Cornell & Simon P Hazarter witnesses for Deft. 2nd Day
To John Carrel Clerk
Oct. 5 - 1847

P. B. Cole
Atty for Deft.

Filed March 15th 1848
John Cassie Clk

Munson N. Michaels -
vs -
Samuel R. Rozorte

In Union
common pleas -
April Term 1848

Mr - Clerk - issue
a subpoena for Robert
Simpson - witness for
Plaintiff - for the ~~[illegible]~~ first
day -

J - C - Daughty Atty for

To - the clerk of
Union common pleas

March 14th 1848 -

5 R Regiment
Ohio

Michael

Transcribe for
volunteering

Filed July 27 1847
John Casie Clk

S. R. Rescorla } on debt.
M. H. Medial }

& issue a subpoena for

Samuel Marks Robert Stout Eliza Baskins

To John Cone Clerk

July 27 1847

P. B. Cole Atty

for deft

Filed April 17, 1848
John Cassil Clerk

12.50
10.49
2.01

2.01

Plaintiff
8 N.Y.
Michael

Issue a Subpoena for Samuel Hemingway witness for Deft.

P. Blood Atty
for Deft.

Union Com Pleas

M O Micheal
vs
J R. Higgins

Sub for writ,

Filed Aug. 4th 1847
John Cassil, Clerk

Aug 4. 1847 served this writ personally upon the within named writee.
Fees — Service 12½
mileage 5
Philip Wieder, Sheriff

Return of service of the within writ
Cost 17½

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon Samuel Hemingway

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, ~~on the first day of next term, at ten o'clock A. M.~~ forth with, *to testify and the truth to speak on behalf of* Samuel R Rezartie *in a certain matter in controversy in said court depending, wherein* Munson A. Michael *is plaintiff, and* Samuel R Rezartie *is defendant: and this* he *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 4th *day of* August A. D. 1847

John Cassil CLERK.

July 27. 1847 Served the within writ personally upon Thomas Turner. William Lee. William Mealer William Broughy, and upon the 28th upon J. P. G. Brown and upon Alango Cherry on the 2. day of August and upon Robert Simpson on 30th day of July

Fees - mileage 6 miles 30
service 87½ Philip Snider Sheriff

Union Com Pleas

M. A. McCleod
vs
E. Wooster

Writ for Arr'st

Filed Aug 3d 1847
John Cassie Clk

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

We command you to summon Thomas Turner William Lee Robert Simpson D. R. G. Brown William ~~Hatin~~ Hong Cherry & William Brophy —

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said county, at the courthouse, in the town of Marysville, on the ~~fo~~ third *day of next term, at ten o'clock A. M., to testify and the truth to speak on behalf of* Munson H. Micheal

in a certain controversy in said court depending, wherein Munson H Micheal

is plaintiff, and Samuel K. Negarten

is defendant: and this they *shall in no wise omit, under the penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid,*

this 22 *day of* July *A. D.* 1847

John Cassil CLERK.

union common Pleas

M. H. Michael
vs
S. K. Kizartee

Sub. for Diffs. Wit

Filed Oct. 5th 1861
John Cassidy Clerk

derived this writ personally upon the within named defendant October 5. 1861 Fees mileage 5 service 25

Phillip Friedenberg

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON F. Cornell & Simon P. Kezartee

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on the ~~first~~ second day of next term, at ~~ten~~ nine o'clock, A.M., to testify and the truth to speak on behalf of Samuel K. Kezerter

in a certain controversy in said Court depending, wherein Munson H. Michael

is Plaintiff, and Samuel K. Kezerter

is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 5th day of October A.D., 1847.

John Cassil Clerk.

Served this writ by reading to the within named witnesses April 26. 1848

Fees — mileage 5

Service 25

Philip Snider Sheriff

Union Com Pleas

M H Michael

vs

A H Elizarts

Subpoena

Filed April 26, 1848

Geo Cassel Clk

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON James M. Wilkinson and S. P. G. Brown

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town ~~of Marysville, on the first day of next term, at ten o'clock, A.M.~~ of Marysville Forthwith, to testify and the truth to speak on behalf of Samuel K Regarter

in a certain controversy in said Court depending, wherein

Munson H Michael is Plaintiff, and Samuel K. Regarter

is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 26th day of April A.D., 1848.

John Cassil Clerk.

Union Com Pleas

M H Michael

vs

S K Regester et al

Subpoena

Filed Oct 4th 1847
John Cassidy Clerk

Served the writ personally upon the within named witness Oct 4. 1847 Fees - mileage 5
service 12½

Philip Snider Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon Silas G. Strong

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the second *day of* ~~next~~ *term, at* nine *o'clock A. M., to testify and the truth to speak on behalf of* M & M Micheal *in a certain matter in controversy in said court depending, wherein* M & M Micheal *is plaintiff, and* Samuel R Rezarter et als *is defendant: and this* he *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 1st *day of* October A. D. 1847

John Cassil CLERK.

Union Comm Pleas

M H Michael
vs
S H. Negorter
Sub for wit

Filed April 15th 1848
John Cassil Clk

The within named witness not found.
Fees - mileage 60
Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting;

WE COMMAND YOU TO SUMMON Samuel Hemingway,

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on the ~~first~~ Second day of next term, at ~~ten~~ Nine o'clock, A.M., to testify and the truth to speak on behalf of Samuel K. Kegarter,

in a certain controversy in said Court depending, wherein

Munson H. Micheal is Plaintiff, and Samuel K. Kegarter, is Defendant: and this he shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 17th day of April A.D., 1848.

John Cassil Clerk.

Served this writ by reading to the within named Thomas Turner and Alonzo Cherry on the 25th day of Septr 1847. Also upon William Lee on the 27th day of Septr 1847. and upon William Mralen on the 2nd day of Oct. 1847. Robert Simpson not found.

Fees- mileage 25
Service 50 Philip Snider Sheriff

Union Com Pleas
M H McIntosh
vs
Samuel R Rogers
Writ for W'

Filed Oct 5 1847
John Cassel Clk

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

We command you to summon Thomas Turner William See Robert Simpson William Malin and Alonzo Cherry

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said county, at the courthouse, in the town of Marysville, on the ~~first~~ second *day of next term, at* ~~ten~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* Munson H. Micheal

in a certain controversy in said court depending, wherein Munson H. Micheal *is plaintiff, and* Samuel K. Kegarter *is defendant: and this* they *shall in no wise omit, under the penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 20th *day of* September *A. D.* 1847

John Cassil CLERK.

Union Com Pleas

M H Michael
vs
Samuel K Rogarter

Sub for Writs

Filed March 15 1878
John Cassidy Clk

Served this writ personally upon the within named witness March 15, 1878

Fees — Service 12½
mileage 5= 17½

Phillip Clander Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON Robert Simpson

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on the first day of next term, at ten o'clock, A.M., to testify and the truth to speak on behalf of Munson H Michael

in a certain controversy in said Court depending, wherein Munson H Michael

is Plaintiff, and Samuel R. Rizartie

is Defendant: and this he shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 15th day of March A.D., 1848.

John Cassil Clerk.

Served this writ personally upon the within named Nathaniel April 26. 1848

Fees — mileage 5
Service 50

Philip Snider Sheriff

Union Com Pleas

M H Michael
vs
Samuel K Negarter

Sub for costs

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON Thomas Turner, William E. Lee, William Malin, and Alonzo Cherry,

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on the ~~first~~ second day of next term, at ~~ten~~ nine o'clock, A.M., to testify and the truth to speak on behalf of Munson H. Michael,

in a certain controversy in said Court depending, wherein

Munson H. Michael — is Plaintiff, and Samuel N. Mezartee is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 10th day of April A.D., 1848.

John Cassil Clerk.

Union Com Pleas

M H Michael
vs
A R Regester

Sub for Wit

Filed Oct. 5th 1847
John Cassil, Clerk

Served the writ by reading to Elizabeth Baldwin and L. M. Williams on the 2nd day of Oct. 1847
The ballance of the Witnesses not found
Fees = mileage .50
service .25
Philip Snider Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon Samuel Martes Robert Stout Eliga Bartes Samuel [redacted] Hemingway and J M Wilkinson

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the first day of next term, at ten o'clock A. M., to testify and the truth to speak on behalf of Samuel R. Regarter ——— *in a certain matter in controversy in said court depending, wherein* Munson H. Michael *is plaintiff, and* Samuel R. Regarter *is defendant: and this* they *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 28 *day of* September A. D. 1847

John Cassil CLERK.

July 27. 1847 Served the within writ personally upon Robert Stout and upon Eliza Barkus on the 2nd day of August 1847 ~~Samuel~~ Barkus not found

Fees - mileage - 55
Service 25

Philip Snider Sheriff

Union Com Pleas
M. M. Michael
vs
A. M. Vegeler
Order writ

Filed Aug 30 1847
John Cassel Clk

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

We command you to summon Samuel Marks Robert Stout and Eliza Barkins

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said county, at the courthouse, in the town of Marysville, on the ~~first~~ third *day of next term, at ten o'clock A. M., to testify and the truth to speak on behalf of* J. H. Hezartee *in a certain controversy in said court depending, wherein* M. A. Micheal *is plaintiff, and* J. H. Hezartee *is defendant: and this* they *shall in no wise omit, under the penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 27th *day of* July A. D. 1847

John Cassil CLERK.

S. R. Negatte
ads
M. A. Michael

Bill of Particulars

Filed November 28. 1846
James McWilliams Clk

Simple

S. R. Negatte
ads
M. A. Michael

M. H. Michael

To W. H. Hazartee — Dr.

1846	To one Horse — — — — (55)	$30.00
	To one Note on Pendleton — —	" 10.00
	To an acct. on Wm. Riddle — —	" 5.00
	To Judgment on Esq. Patent's docket in Columbus	" 25.00
	To cash paid to self & family	" 28.00
	To two trunks for family —	" 5.00
	To one overcoat for self —	" 5.00
	To one pair pantaloons for self —	" 2.00
	To wood & hauling by Stout — —	" 2.00
	To three bosoms & two colars — —	" 1.00
	To school Book for family — —	" 3.00
	To Medicine & Medical attention on family	15.00
	To Accts. Notes & Judgments in hands for collection	$30.00
	To Note on J Jones —	25.00

43.81 to 100
3.700
6.81

4381
3800
581

131.00

Civil/Domestic Case File

Case No. 1847-CV-0006

No. 47-CN-6

Union Common Pleas Court.

Julius A Bell
Plaintiff,

AGAINST

Levi Spencer
Defendant.

OCT 1847

Judg vs Pltf,

Journal 4 Page 78

Record No. 5 Page 168

Ex. Doc. 1 Page 481

Julius A. Bell
vs
Lois Spencer

Transcript

Filed May 4. 1847
John Cofriel Clerk

Crawford

April the 27th 1846 Levi Spencer Dr unto Julius A. Bell in an account of
defraud (viz.) to the rent of ten acres of ground at 75 cents per acre $7, 50 c.

Julius A. Bell
vs.
Levi Spencer

Debt $7,00
justices fees
summons 0,12½
subpoena 0,16
Judgment 0,25
transcript paid $31¼
Const. fees 0,25
witness fees $1,00

State of Ohio Union County ss.—
Action of debt.—
Suit brought on an account as bill of particulars filed
April the 27th 1846 Levi Spencer Dr. unto
Julius A. Bell in an account of defraud (viz) to the
rent of ten acres of ground at 75 cents per acre $7,50 cts.
October the 28th 1846— By application of the
plaintiff summons was issued returnable November
the 7th 1846 at 2 Oclock P.M. of that day also by
order of the plaintiff subpoena was issued for
Robert P. Kirby & Isaac Zane returnable
November the 7th 1846 at 2 Oclock P.M. of that day
November the 7th 1846 summons
was returned in due time endorsed served by reading November
the 2nd 1846 fees taxed at 25 cents B. Welsh Const.
November the 7th 1846 subpoena was returned endorsed
served by reading by Julius A. Bell plaintiff
November the 7th 1846.— The parties attended according to process and the
trial was called and the witnesses was sworn and examined according
law, whereupon Judgment was rendered against the said defendant
(Levi Spencer) for the sum of seven dollars and costs of suit. Abijah Gandy J.P.

In the action of Julius A. Bell against Levi Spencer
I Isaac Zane do acknowledge myself bail for the appellant in the sum of
fifty dollars to be levied of my goods and chattles lands & tenements in case
the appellant shall be condemned in the action and shall fail to pay
the condemnation money and costs that have accrued or may accrue
in the court of common pleas. Isaac Zane
Signed) taken signed & acknowledged on this
16th day of November AD. 1846 before me } Abijah Gandy justice of the peace

The State of Ohio
Union County ss.
I Abijah Gandy a justice of the peace in and for the
township of Leesburg in the county and State
aforesaid, do hereby certify that the above is a
correct transcript of the proceedings and Judgment in
the cause, before me.— Given under my hand and seal—
this 16th day of November AD. 1846.—

Abijah Gandy (L.S.)

Union Com Pleas

Julius A. Bell
vs
Levi Spencer

Suit for Work

Filed July 31st 1847
John Carrie Clk

Served this writ July 31st 1847 by reading to all the within named witnesses except Henry Goodrich which was not found

Fees mileage 50
Service 50 Philip Snider Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

We command you to summon Abijah Gandy Robert P. Kirby Isaac Lane Henry Goodridge & Carmi Goodridge

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said county, at the courthouse, in the town of Marysville, on the ~~[illegible]~~ third *day of next term, at ten o'clock A. M., to testify and the truth to speak on behalf of* Julius A. Bill

in a certain controversy in said court depending, wherein Julius A. Bill *is plaintiff, and* Levi Spencer *is defendant: and this* they *shall in no wise omit, under the penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 22d *day of* July *A. D.* 1847

John Cassil CLERK.

Union Com Pleas

Julius A Bell
vs
Levi Spencer

Sub for Wit

Filed Oct 5th 1847
John Cassil Clk

Served this writ October 2nd 1847 by reading to the within named Robert P. Kirby, Abia Sandy, Cornine Goodrich & John Landtown, Heirs of Levi Spencer not found

Fees-mileage	55
Service	50

Philip Snider Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon Robert P. Kirby, Isaac Kane, Abija Gandy, Henry Goodridge John Sandsdown, & Carmine Goodridge ——— .

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, *on the* second ~~third~~ *day of next term, at* nine *o'clock A. M., to testify and the truth to speak on behalf of* Julius A. Bell ——— ——— *in a certain matter in controversy in said court depending, wherein* Julius A. Bell ——— *is plaintiff, and* Levi Spencer ——— *is defendant: and this* they *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 20th *day of* September *A. D.* 1847

John Cassil CLERK.

Pr caparter

Given Sept 20th 1847
John Cassilelk

Julius A Bell
vs
Levi Spencer

In Union Common Pleas October Term
Assumpsit —

Please issue a Subpoena to the following persons as Witnesses for Plaintiff, Robert Y Curly — Isaac Mane — Abija L Andy — Henry Goodridge — John Lambdaden — Cornelius Goodridge for 3 days —

To the Clerk of Union Common Pleas

L C Doughty for Plaintiff

Filed 2nd July 22 1847
John Carrie Clk

Julius A Bell
vs
Levi Spencer

In Common pleas August Term
A D 1847 —

Issue a Subpoena for the following Witnesses Abija Sandy — Robert P Ruby. Isaac Yane Henry Goodridge Carrie Goodridge, Witnesses for Plaintiff —

J B Doughty Att for P

To the Clerk of the Court of Common pleas — July 22 1847 —

and among from the Pltff to the Deft upon any account the other statutes between them —

And the Deft will set off so much of any debt that may be found due and owing said Pltff by said small sums and insist upon a judgment in his favour for any balance that may be found due and owing to said Deft by said Pltff &c

By J. D. W. Crawford
his Atty

Mun Cam Plea
May Term 1847
—
Suit & Summons
vs
Julius S. Bell
—
Plea & Motion

Crawford

Union Common Pleas
May Term AD 1847

Levi Spencer
adz
Julias A Bell

On Appeal
Int Assumpsit

and the said Levi Spencer comes and defends the wrong & injury &c and for plea saith that he did not assume & promise in manner and form as the said Plff in his said declaration thereof hath alledged against him & of this he puts himself upon the country and the said Plff doth the like &c

By Saml W Crawford
his Atty

and the said Plff will take Notice that Deft will give in evidence and insist upon the trial of this cause that the Plff at the commencement of this suit was and still is indebted to the Deft in the sum of $50.10 for the price and value of goods before that time bargained & sold by the Deft to the Plff at his request

And in $50,00 for the price & value of goods then & there sold and delivered by the Deft to the Plff at his request

And in $50,00 for the price and value of work & labor done and materials provided by the Deft for the Plff at his request

And in the sum of $50,00 for money lent by the Deft to the Plff at his request

and in $50.00 then & there found due

from the Defendant to the Plaintiff
An An account then and there stated
between them And Whereas the Defendant
afterwards On the twenty sixth day of April
eighteen hundred and forty six in consideration
of the premises then and there promised
to pay the said several sums of money
to the Plaintiff on Request yet he hath
disregarded his promises and hath not paid
the said several sums of money nor either of
them nor any part thereof to the damage
of the Plaintiff One hundred Dollars
And therefore he brings Suit

By L. C. Doughty his Atty

Ca – Norris Common pay
Julius A. Bell
vs
Levi Spencer

Filed May 24th 1847
John Gabriel Clerk

Cost Bill made

OCT 1847
Referred

L. C. Doughty Atty
Plaintiff

State of Ohio } In Union Common Pleas.
Union County ss } May term Eighteen hundred
And forty seven

This cause is brought into court, by an appeal from the Docket of Abijah Gandy a justice of the peace in and for the Township of Leesburgh, in said County, And thereupon Julius A Bell, Complains of Levi Spencer in a plea of Assumpsit, for that whereas the said Levi Spencer, on the twenty fifth day of April Eighteen hundred and forty six was indebted to the said Julius A Bell in ~~fourteen~~ seven Dollars ~~Eighty five~~ fifty cents, for the price and value of goods then and there bargained and sold by the Plaintiff to the Defendant at his Request And in ~~fourteen~~ seven Dollars and ~~eighty five~~ fifty cents for the Price and value of goods then and there sold and delivered by the Plaintiff to the Defendant at his Request And in ~~fourteen~~ seven Dollars and ~~Eighty five~~ fifty Cents for the price and value of work then and there done and matter for the same provided by the Plaintiff for the Defendant at his Request And in ~~fourteen~~ seven Dollars and ~~Eighty five~~ fifty cents for Money then and there lent by the Plaintiff to the Defendant at his Request And in ~~fourteen~~ seven Dollars and ~~Eighty five~~ fifty Cents for Money then and there paid by the Plaintiff for the use of the Defendant at his Request And in ~~fourteen~~ seven Dollars and ~~Eighty five~~ fifty Cents then and there received by the Defendant for the use of the Plaintiff And in ~~fourteen~~ seven Dollars and ~~Eighty~~ fifty cents found to be due the Plaintiff

Ex Docket Page 481

Julius A Bull
vs
Levi Spencer

Costs $20.99¾
Writ .41
Cr Oct 5/47. .53 05

Filed April 25. 1848
John Cassil Clk

Recorded

Rec this writ March 13. 1848
Made on the written Petition Rodney April 25. 48
Mileage 6
Service 3.5
Mileage 30

Philip Shuler Sheriff

THE STATE OF OHIO, UNION COUNTY, SS:

To the Sheriff of said County, Greeting:

WHEREAS, at the Court of Common Pleas of the County aforesaid, begun and held at the Court House in the town of Marysville, on the Fifth day of October A.D., 1847.

Levi Spencer

recovered against Julius A. Bell,

as well as the sum of ~~dollars and~~

~~cents for~~ debt, as the sum of

~~dollars and~~ ~~cents, for~~ ~~damages as also the sum of~~

$ 2 0 " 99¾ for his — cost and charges in that behalf expended, as of record is manifest. You are therefore commanded, that of the goods and chattels, and for the same thereof, of the lands and tenements of the said Julius A Bell

you cause to be made the ~~debt, damages and~~ costs aforesaid, with interest thereon from the 5th day of October A.D., 1847, until paid; also the sum of $ the costs of increase on said Judgment, and accruing costs; and that you have these moneys before said Court at the Court House aforesaid, on the first day of our next Term, to render unto the said Levi Spencer

Hereof fail not at your peril; and have you then there this writ.

WITNESS JOHN CASSIL, CLERK of said Court, at the Court House aforesaid, this 13th day of March A.D., 1848.

John Cassil Clerk.

L. A. Bell
vs
Levi Spencer

Praecipe

File a N 87847
Johnson Co MO

Union Common Pleas
October Term 1847

Julius A Bell
vs
Levi Spencer } on Appeal

Judgment for Defts

The clerk will issue execution in this case —

J. D. Crawford
Atty for Defts

Civil/Domestic Case File

Case No. 1847-CV-0007

Civil/Domestic Case

1847-CV-0007

located with

Supreme Court Case

1847-SC-0006

Civil/Domestic Case File

Case No. 1847-CV-0008

No. 47-CW-8

Union Common Pleas Court.

Jacob Cromwell et al
Plaintiff,

AGAINST

David Burnham
Defendant.

AUG TERM. 1847

Dismissed,

No Record.

Journal 4 Page 82 32

Record No. Page

Ex. Doc. Page

Ebenezer & Mary

v

Lewis Brownson

Filed May 4th 1847
John Cafoil, Clerk

Cost Bill made
No Record

Lucah Ostrinnon
and Elyfen Mann
Partners

v

Lovia Burnham

Union Common Pleas

This case is to be entered upon the offeren docket, and the defendant waves service of process, and the cause is to proceed the same as if regularly commenced by summons, and the parties both plaintiffs and defendant, agree that the costs shall be paid by the party failing that is to say the defendant agrees to make no objection to paying the costs of this suit, in case the plaintiffs recover any amount, notwithstanding the amount recovered is less than one hundred dollars,

David Burnham
J. Fisher atty for plaintiffs

Filed Aug 2 1847
John Capel, Clerk

Brismont & Mare
v
Lavia Burnham } Union Common Pleas

This case is settled as follows the plaintiffs agree to dismiss the case and the defendant is to pay all costs
Jun 24 1867

J J Feik atty
for plaintiffs
Lavia Burnham

Civil/Domestic Case File

Case No. 1847-CV-0009

No. 47-cw-9

Union Common Pleas Court.

Clark Higgins et al
Plaintiff,

AGAINST

William Welch
Defendant.

AUG TERM, 1847

Settled,

Journal 4 Page 32

Record No. No Record. Page

Ex. Doc. Page

Higgins & Deshler
Exors. &c
vs
Bill Welch

Filed May 4th 1847
John Cofoil, Clerk

Clark Higgins and David W. Deahler
Executors of the last will and testament
of John Greenwood deceased –

vs

Bill Nilch

Asst. Damn $300 –

Dem a summons
returnable forthwith in an suit on a note given
by defdt to pltffs for $165.86 dated Dec. 5. 1846 – payable
3 mos from date Also for goods sold mony lend
& acct stated &c Cmnt dam $161 –

Swayne & Baker
for pltfs

Filed August 2d 1844
John Capsil, Clerk

John Greenwood's Estate Pltff
vs
R. Welch Deft

Suit pending in the Court of Common Pleas of Union County Ohio

Marysville June 11 1847 –

Received of R. Welch One hundred and twenty five Dollars and 21/100 pr Notes of Wm Shmoier & Co Infull of the above suit in said pending – Except the Cost of Court which said Welch agrees to pay –

A. Gibin One of the Executors of Jno Greenwood Dec'd

$125 21/100

Served May 5th 1847 by delivering a true copy of this writ to the within named Bill Welch

Fees— Service 35
copy — 10
mileage — 5
50

Philip Snider Sheriff

Union County Pleas

Higgins & Dechen
Exec: &c
vs
Bill Welch

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING.

We command you to summon Bill Welch

to appear

For thwith ~~on the first day of our next term~~, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Clark Higgins & David W. Deshler, Executors of the last will and testament of John Greenwood, deceased

in a plea of Assumpsit damages three Hundred dollars.

And have you then there this writ.

WITNESS, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 4th day of May A. D. 1847.

John Cassil CLERK.

John Greenwood Exr

v

Bill Nitch

Ness

Filed May 27th 1847
John Cofoil, Clerk

Cost bill made
No. Record

1483

THE STATE OF OHIO, Union COUNTY, SS. } *The Court of Common Pleas*, May *Term*, A. D. 1847

Clark Higgins and David W. Deshler executors of the last will and testament of John Greenwood deceased

Plaintiffs in this suit complain of

Bill Nichols Defendant in this suit, in a plea of ASSUMPSIT:—

For that whereas the said Defendant

on the fifth

day of December A. D. 1846 in Marysville to wit in Union County aforesaid made his promissory note in writing, and delivered the same to the plaintiffs, and thereby promised them to pay to their order ~~[illegible]~~ one hundred and sixty five dollars and eighty six cents, three months after the date thereof

which period has now elapsed.

And the Defendant then and there, in consideration of the premises, promised to pay the amount of the said note to the Plaintiffs according to the tenor and effect thereof

And also for that whereas the said Defendant

on the first day of May A. D. 1847 in the county aforesaid was indebted to the Plaintiffs as executors as aforesaid in the sum of three hundred dollars, for the price and value of goods then and there sold and delivered by the Plaintiffs to the Defendant at his request; also in the further sum of three hundred Dollars, for work and labor then and there done, and materials for the same provided by the Plaintiffs for the Defendant at his request; also in the further sum of three hundred Dollars for so much money then and there by the Plaintiffs lent and advanced to, and paid, laid out and expended for the Defendant at his request; also in the further sum of three hundred dollars for so much money then and there had and received by the Defendant for the use of the Plaintiffs; and also in the further sum of three hundred dollars, found to be due from the Defendant to the Plaintiffs on an account then and there stated between them. And the said Defendant

in consideration of the premises respectively, afterwards on the day and year last aforesaid, at the county aforesaid, promised the Plaintiffs to pay to them the said several sums of money on request; yet the said Defendant (although often requested so to do,) has not

paid the said several sums of money, nor either of them, nor any part thereof; to the damage of the said Plaintiffs as executors as aforesaid three hundred dollars, and therefore they bring suit, &c. And the plaintiffs, being in Court here the letters testamentary of the said John Greenwood deceased and which it fully appears to the Court here that the plaintiffs are executors of the last will & testament of the said John Greenwood deceased and ~~[illegible]~~ have the executors thereof &c

SWAYNE & BATES.
Att'ys ~~for Plaintiff~~

Swayne & Bates
Attys for Plffs

Civil/Domestic Case File

Case No. 1847-CV-0010

No. 47-CU-10

Union Common Pleas Court.

David C Ellis & Wife,
Plaintiff,

AGAINST

Henry Lamb & Wife,
Defendant.

OCT 1847

Dissmissed,

No Record.

Journal 4 Page 73

Record No. Page

Ex. Doc. Page

Henry Lamsbury

vs

David C. Ellis
& wife

Petition for Loan

Filed May 4th 1847
John L. Cafoil, Clerk

Henry Lomb
Polly Lom
v
Lovia L Ellis,
Eliza Ellis

Union Common Pleas
In Case Damages 15000
Issue a Summons returnable
forthwith Indorse Suit brought
to recover $1500, damage of the defendants
for false, scandalous, malicious and defamatory
words spoken of and concerning the said Polly Lom
& the said Eliza Ellis

J. P. Fisher atty for
plaintiff

For the Clerk of
Com Pleas
May 4 1847

Ira McLelland
Belzora McLelland
Harriett Ferris
Forrest Ferris
Cramer

In the case of
Lamb & Wife
vs
Ellis & Wife

Served by delivering a true copy of this writ to ~~the within named~~ each one of the within named defendants

Fees- Service 55
Copies 20
Mileage 80

Philip Snider Sheriff

Union Common Pleas

Henry Lamb & Wife
vs
David B. Ellis & Wife

Filed May 5, 1844
John Caplit Clerk

Said Henry Lamb & Wife claim damages of the defendant the sum of $150 damages, interest and costs of suit taken, standing unsatisfied upon a judgment of said court, and the said Henry Lamb hereby authorize the said Sheriff to make the said levy and sale.

J. A. Blair Atty for Plff

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING

We command you to summon David C. Ellis & Eliza Ellis

to appear

Forthwith ~~on the 1st day of our next term~~, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Henry Laml & Sally Laml

in a plea of Case damages fifteen Hundred dollars.

And have you then there this writ.

Witness, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 4th day of May A. D. 1847.

John Cassil Clerk.

of the sum plaintiff fifteen Hundred dollars and therefore they bring suit.

By J. S. Fisher their attorney

Union Com. Pleas

Lane & Wife

vs

Lee & Wife

Filed June 3rd 1847

John Cafferil Clerk.

The State of Ohio Union County Court of Common Pleas of the term of May in the year of our Lord one thousand eight hundred and forty seven

Union County SS

Henry Lom and Sally Lom wife of said Henry Lom, Complain of David C. Ellis and Eliza Ellis wife of said David C Ellis in a plea of the case. For that whereas the said Sally (plaintiff) is a chaste and virtuous woman, and from the time of her nativity hath been so — and hath been accounted, esteemed and reputed as such among her neighbors as well as of good reputation and fame by all other good people, and hath all her lifetime continued chaste and virtuous and unsuspected of the atrocious crime of adultery But the said Eliza Ellis (defendant) wife of the said David C. Ellis not ignorant of the premises — but contriving and wickedly intending, willfully and maliciously to injure and destroy her (said Sally plaintiffs) character and to bring her into public scandal and disgrace and expose her to the penalties of the Law for Adultery, did on or about the first day of January in the year of our Lord eighteen hundred and forty seven at the said county of Union, speak, utter and publish in the hearing of sundry persons the following false, scandalous malicious and defamatory words of and concerning the said Sally (plaintiff) to wit "She (meaning the said Sally plaintiff) is a whore, She (meaning the said Sally plaintiff) got a new silk dress by whoring" She (meaning the said Sally plaintiff) is an old whoring bitch, She (meaning the said Sally plaintiff) is a whore and has been guilty of whoring in every pew copper between Sandy Lee (the plaintiff) Lake and Columbus" Now She (meaning the said Sally) meets with. She (meaning the said Sally plaintiff) is a whore and I (meaning the said Eliza defendant) can prove it — By means of publishing which false scandalous malicious and defamatory words said plaintiff (Sally) is greatly injured in her good name and reputation and has been rendered liable to a prosecution for Adultery, to the damage

Tout & wife
v
Ellis & wife

Union Common Pleas

The clerk will issue subpoenas for the following persons Belzora McClelland and Almira Ellis to testify for the plaintiffs

J. T. Fisher atty for plaintiffs

Aug 30 1847

6
6
16
16
6
4
8
44½
54
72
28½
20
30
40
16
10
12
16
20
20
47½
200
300
992½

32
192½
182½
95
155
657
72
729

Lamb

12
75
60
84
900

9,00 Nat
729 Smith
992 8,00
2621

Chapman
Smith
Doak
Bean
Moore
Gallaway
Chase
Adams
Cleaveland

Union Co

Ellis et al
ats
Lamb et al

plea
Gen'l issue

Filed August 3d 1877
John Capsil, Clerk

Lewis Vandows

Ellis et al
ats
Laird et ad

May Term Union Complies
1847.
In case

And the said Ellis and wife defendants come and defend the wrong and injury when &c and say that they are not guilty in manner and form as the plaintiff hath alleged and of this they put themselves upon the country &c and the plaintiff doth the like &c

Swan & Andrews
defts Attys

Aug 3. 1847 Served this writ personally upon the within named witnesses

Fees – mileage 70

Service 25 Philip Snider Sheriff

H. Lewis & wife

vs

David C. Ellis & wife

Filed Aug 4 1847

John Cassel Clk

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon Belzna McClelland & Almina Ellis

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on ~~*the first day of next term, at ten o'clock A. M.*~~ to morrow Morning a nine oclock *, to testify and the truth to speak on behalf of* Henry Lamb & Wife *in a certain matter in controversy in said court depending, wherein* Henry Lamb & Wife are ~~is~~ *plaintiffs and* David C. Ellis & Wife *are defendants and this* They *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 3d *day of* August *A. D.* 1847

John Cassil CLERK.

Union Common Pleas

Henry Lamb, & Wife
vs
David C. Ellis & Wife

Sub. for Defts. Witnesses

Filed July 31st 1847
John Cassil Clk

00

July 13, 1847 served the within writ personally upon the within named Lucena Wood George Morrison Belgora McClelland Daniel C. Hiler Sally Hiler Joseph Allen and Joseph Hance, and on the 19th day of July and on the 29th upon Stephen Latimer Said Lucena Wood George Morrison Belgora McClelland Daniel C. Hiler and Sally Hiler demanded their fees which were not paid

Fees— mileage 16 miles 80
Service 1.25 Philip Snider Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

We command you to summon Lurena Wood, George Morrison, Ira M'Lellana, Belzora McLellana, Daniel C. Hiller, Sally Hiller, Asaph Allen, Stephen Latimore & Joseph France

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said county, at the courthouse, in the town of Marysville, on the ~~first~~ second *day of next term, at* ~~ten~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* David C. Ellis & Wife *in a certain controversy in said court depending, wherein* Henry Lamb & Wife ~~is~~ are *plaintiff, and* David C. Ellis & Wife ~~is~~ are *defendant: and this* they *shall in no wise omit, under the penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* twelfth *day of* July A. D. 1847

John Cassil CLERK.

union Common Pleas

Henry Lamb. & Wife

vs

David C. Ellis & Wife

Sub. For Witnesses

Filed July 31st 1847
John Cassil Clk

Served the within writ personally upon Belgora McClelland on the 13th day of July 1847 and upon Pra McClelland Forest Ferris and Joseph Kramer on the 19th of July and upon Harriett Ferris on the 29th day of July said Belgora McClelland demanded her fees which were not paid

Fees mileage 24 miles 1.20
Service 6.24
Philip Snider Sheriff

XX

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon Ira McLelland, Belzora McLelland, Harriet Ferris, Forest Ferris & Joseph Kramer

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the ~~first~~ second *day of next term, at* ~~ten~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* Henry Lamb & Wife *in a certain matter in controversy in said court depending, wherein* Henry Lamb & Wife ~~—~~ *are plaintiffs and* David C. Ellis & Wife *are defendants.*

and this They *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 10th *day of* July *A. D.* 1847

John Cassil CLERK.

Lam et
v
Ellis et al

Decree
for Pltf

Last Bill man
No record

State
v
Ellis et al

Sam & wife
v
Ellis & wife

Un Co pleas

Issue Subpoena
Lenena Wood
George Morrison
Ira McClelland
Belzora McClellan, Daniel C. Heller, Sally Heller, Asaph Allen
Stephen Latimore, Joseph France
Defts in above cause

Ira & Andrew

To Clk Union Co

Civil/Domestic Case File

Case No. 1847-CV-0011

No. 47-CV-11

Union Common Pleas Court.

Joseph A Rees
Plaintiff,

AGAINST

Wm Hamilton et al
Defendant.

JUN TERM. 1843

JUD'G VS PLAINT'F

Journal 4 Page 125

Record No. No Record. Page

Doc. Page

By means of which said Unlawful premises the said Plaintiff hath been and is greatly injured in his good name fame and credit and reputation aforesaid, and has been brought into public scandal infamy and disgrace and is suspected to have been guilty of the crimes and his conduct so as aforesaid mentioned to have been charged and imputed to him, and has been greatly vexed harassed aggrieved and impoverished he had his aforesaid Pension withheld and suspended by the aforesaid Annualer Commissioner of Pensions at Washington City, and has also lost and been deprived of his aforesaid Semi-Annual payments, which he had before that time, and of right ought to have had, and other-wise would have had continued to him, by the aforesaid Commissioner of Pensions, and Government of the United States, and he has thereby been deprived of the large sum of money, to wit $1000.00, and hath been and is otherwise greatly injured and damnified thereby, to wit at Marion County aforesaid, to his damage $5000.00 And therefore he brings his suit &c

By Sweetser, Crawford & Slaty
His Attys

Marion Court of Pleas

Joseph N Floyd
vs Lib. Damn & Otra.

William Hancetter
vs
Ptff

Filed Aug. 3rd 1847.
John Caffrey, Clerk

Sweetser Crawford & Slaty

The State of Ohio, Union County ss Court of Common Pleas
May Term 1847.

Joseph A Rose Complains of William Hamilton in a plea of Trespass on the Case. For that whereas the said William Hamilton Joseph A Rose for a long time before and at the time of the Committing of the Grievances by the said William Hamilton hereinafter mentioned, had been and was a pensioner of the United States of America duly registered, certificated and acknowledged as a Pensioner, in Consequence of Wounds received in the Service of the United States during the last War with Great Britain, and in Consequence of being so as aforesaid a Pensioner he received annually from the United States Government a large sum of Money, to wit the sum of $96.00 on account of so being such Pensioner to wit at Union County aforesaid. And whereas also the said plaintiff for a long time before, and at the time of the Committing of the Grievances by the said Defendant hereinafter mentioned, was a good true and lawful Citizen of the State of Ohio, and as such had always behaved himself and until the Committing of the several grievances hereinafter mentioned by the said Defendant, was always reputed and accepted by and among all his neighbors, and other Citizens whom he has in any wise known, to be a person of good name, fame and Credit, to wit at Union County aforesaid, and whereas also the said Plaintiff hath not ever been guilty, or until the Committing of the said several grievances by the said Defendant hereinafter mentioned been suspected to have been guilty, of perjury, fraud, falsely personating, or falsely representing himself to be a Pensioner of the United States, or any such Crime, offence, or Misconduct, as has been hereinafter reputed and charged, by the said Defendant, By Means of which said Premises, he the said Pltff, before the Committing of the said several grievances by the said Deft as hereinafter mentioned-

had deservedly obtained, the good will and confidence of his neighbours, and other good citizens ~~of Ohio~~, whom he has in any wise known, to wit at Union County aforesaid.
Yet the said defendant, well knowing the premises, by greatly envying the happy state and condition of the said plaintiff and contriving, and wickedly and maliciously intending to injure the said plaintiff, in his good name fame and credit, and to procure the suspension of the said Pay from his aforesaid Pension, and to prevent his further enjoyment of the same, and to bring him into public scandal infamy and disgrace, with and amongst all his neighbours, the Commissioner of Pensions at Washington City, and other good and worthy citizens of the United States and to cause it to be suspected, and believed by those neighbours and other citizens, and the Commissioner of Pensions, that the said plaintiff had been guilty of perjury, false swearing falsely personating a Pensioner, and of the offences, and misconduct mentioned, and to subject him to the pains and penalties of the Laws of this state, and of the United States of America, made and provided against and inflicted upon the persons guilty thereof, and to vex, harass, oppress injure, and totally ruin him the said plaintiff, heretofore, to wit, on the 2nd of April 1847 at the County of Union, and at the City of Washington aforesaid, falsely, wickedly, and maliciously, did compose and publish, and cause to be composed and published of and concerning the said plaintiff, and of and concerning the matters aforesaid, a certain false scandalous, malicious and defamatory, Libel containing amongst other things the false, scandalous, malicious, defamatory, and libellous following, of and concerning the said plaintiff, and of and concerning the matters aforesaid that is to say, That one Joseph A Rogers (meaning Plaintiff) a man who has resided in this town for the last six or seven years intelligent to his

has been in the habit of drawing from the General Govern-
-ment a pension, under the plea that he received a wound
during the late War between the United States and Great-
Britain, which disqualified him from labour, which State-
=ment he believes to be untrue. That he, the said Plaintiff, is an
impostor, and has practised a fraud on the Government
there can be no doubt. He feel satisfied that he has no
wound ~~that~~ which disqualified him from labour
and hence he to make application in this County when
he is known, resides, & is well known, he would receive
no pension. Thereby, then and there imputing to the said Pltff.
the Crime of fraudulently procuring a Pension, and of falsely
personating some person, who had been, or was then a
Pensioner by right. And the Crime of false Swearing, and perj-
-ury in drawing such Pension, and of fraud upon the
Government. By means of which said General premises
the said plaintiff hath been, and is greatly injured in his
Credit, and reputation aforesaid, and brought into public
scandale infamy and disgrace, and is suspected to have
been guilty of the Crimes, and Misconduct, so as aforesaid
mentioned to have been charged, and imputed to him and has
been greatly vexed harassed, oppressed, and impoverished, has
had his aforesaid Pension suspended and withheld by the
aforesaid Commissioner of Pensions, and Pension Office at Wash-
=ington City, and has also lost and been deprived of his
aforesaid Pension, which he had by one that time, and of right
had ought to have continued to received and enjoyed, and
which he, otherwise would have received and enjoyed, ~~to wit the~~
amounting to a large sum, to wit the sum of $1000.00, and
hath been, and is otherwise much injured, and damnified
therein, to wit at Union County aforesaid.

And whereas also, the said plaintiff is now a good citizen of the State of Ohio, and as such has always behaved and demeaned himself, and has always been esteemed among all his neighbors, and others to whom he was in any wise known, and that he was wounded during the last war of the United States with Great Britain, whilst he was in the service of the United States, for which he received a pension from the Government of the United States of $96.00 per annum payable semi annually. That in order to receive his aforesaid Pension, under the laws of Congress, and the rules and regulations of the Pension office, and instructions of J. S. Edwards the Commissioner of Pensions. It has, and is necessary that he the Plaintiff, at each and every time, he makes his application to draw his semi annual payments, that among other things, which he is required to swear under his oath, before a justice of the Peace or other proper officer, is that he the Applicant Pay, is the identical person described in the Certificate now in his possession, meaning thereby a true Copy of his Certificate from the War Department, and it is needless by Law a highly criminal offence for any person for any person to personate another in order to obtain a Pension which of right belongs to another, or to obtain money by fraud upon any of the Pension Laws of the United States

Yet the said Defendant well knowing the premises, but contriving, and falsely and fraudulently intending to injure him the said Plaintiff in his good name fame, and reputation aforesaid, and also in his right title, ~~and~~ claim, and enjoyment of his aforesaid Pension which he then, and hitherto had enjoyed, and received from the Government, and Pension office, and agencies of the United States and to deprive him of the same, and to cause it to be suspected, and believed that the said Plaintiff had been guilty of fraud, and imposition, upon the Government in order to obtain and receive a Pension –

had been guilty of wilful and corrupt perjury, in the procurement, and rendering thereof; and that the plaintiff had committed various and complicated crimes, against the Government and Laws of the United States, and of the State of Ohio, and to wit, hardly appears and impoverish, and wholly ruin the said plaintiff, Wednesday on the 2nd day of April 1849, at the city of Washington, to wit, at the County of Hancock aforesaid, unlawfully, maliciously, composed and published and caused to be composed and published, a certain other false, scandalous ~~and~~ malicious & defamatory Libel of and concerning the said Pltff. and of and concerning his aforesaid Pension, and the manner in which he obtained, drew, and enjoyed the same, and of and concerning the several matters aforesaid, That is to say - In a certain letter which was by said Deft written, in confirmation with others, and addressed to the Honorable Commissioner of ~~Pensions~~ United States Pensions &c. &c. containing amongst other things, the false scandalous, malicious and defamatory Libel following, that is to say - "Joseph A Rogs a man who has resided in this town for the last five or seven years, well known to us has been in the habit of drawing from the General Government a pension under the pretence that he received a wound during the late war, between the United States and Great Britain, which disqualified him from labour, which statement we believe to be untrue, That he is an imposter, and has practiced a fraud upon the Government there can be no doubt, we are satisfied that he has no wound which disqualified him from labour, That he pensioner Pltff, was entirely to young to be in the army during the late war," Thereby then and there imputing to the said plaintiff, false swearing, perjury, and fraud upon the Government by means ~~thereof~~ of falsely personating some other person, and fraud in claiming to have been wounded in order to obtain a pension, and fraud and imposition upon the Government.

No. 1.

Union Cont. Pleas

Joseph N Ross

vs Case Damg $5000.

William Hamilton

vs

Pos. Executor Crawford

Solicitor Pltff Attys

Filed May 4th 1847

John Cappel, Clerk

Summons issued

Joseph A Ross — } Case Damages $5000.00

" William Hamilton } Issue a Summons returnable forthwith, Endorse, Suit brought to recover damages, for the uttering and publishing of a Libel of and Concerning Pltff, on or about the 2nd day of April 1847, by the Deft — Also for Slanderous Words spoken by the Deft of and Concerning the Pltff —

To the Clerk of Union Co } Sweetser Crawford & Daty —
May 4th 1847 } Attys for Pltff

suit not to recover damages, for the following such publishing of a libel of and concerning Deft or about the 20 of April 1847 by the Deft. Also for slanderous words spoken by the Deft of and concerning the Pltff

Wherefore, &c

Pltff Atty

Union Common Pleas

Joseph N. Kass
vs
William Hamilton

Fees — Service 35
copy 10
mileage 75 = 120
Philip Snider Sheriff

Filed May 7, 1847
John Cagsil Clerk

Served this writ on the 6th day of May A.D. 1847 by leaving an attested copy at the residence of the within defendant

Philip Snider Sheriff

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING

We command you to summon William Hamilton

to appear

Forthwith ~~on the first day of our next term~~, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Joseph N. Dass

in a plea of Case damages five thousand dollars.

And have you then there this writ.

Witness, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 5th day of May A. D. 1847.

John Cassil Clerk.

Filed June 15 1864
John Capitell

Joseph Ross
vs
William Hamilton
Samuel Graham
James B. Hains
James Hall
Samuel Moses

In Union County Common Pleas

Depositions will be taken in these Cases by the Plaintiff, at the Clerks of Office before competent Authority ~~at~~ in the Town of Yamsville, County of Muskingum and State of Ohio, on the ~~12th~~ 12th and ~~14th~~ 13th days of June 1848, between 6 Six ~~o~~ clock A.M. and 4 o clock, P.M. of said days,

June 6th 1848,

Swedser and Doughty attys for Plaintiffs.

Jno. C. W. Allison and Curry Attys for Defendants

Served the above on us June 6th 1848

Allison & Curry for All the defendants but J. Hall

of that time —

2. State what you know, if any thing, in reference to his being a pensioner under the Military Establishment of the United States?

Ans. I know the fact that he was a Pensioner from the evidence presented to me at the time he was transferred from the ~~Maryland to the Ohio agency~~. Pension list, Roll of the Maryland agency to the roll of the Ohio Agency — agreeably to a certificate from the war department now in his possession. Part of the time that I have been acquainted with Mr Ross I was Pension Agent, and after I ceased to be agent I several times drew Mr Ross's Pension for him. I never had any doubt but that Mr Ross was legally entitled to the pension I caused him transferred from the Maryland agency to the Ohio Agency that is I made use of the means provided by law for that purpose at his request and his name was transferred as above stated according to the certificate now in his possession —

Depositions of witnesses taken in a cause pending in the Court of Common Pleas for Union County and State of Ohio wherein Joseph N Rose is plaintiff and William Hamilton, Samuel Graham James B. M. Haines, James Hall & Samuel Moses are defendants and for said plaintiff in pursuance of the notice hereto attached, and at the time and place therein mentioned.

Present. Plaintiff in person, No person on behalf of the defendants — appeared —

John Hamm of the County of Muskingum of lawful age being by me first duly sworn as hereafter certified by me deposes as follows.

Quest. 1. by Plaintiff

Are you and how long have you been acquainted with Mr Joseph N. Rose the plaintiff in this suit?

Ans. From 25 to 30 years. In this County - the greater part of that time —

2. State what you know, if any thing, in reference to his being a pensioner under the Military Establishment of the United States?

Ans. I know the fact that he was a Pensioner from the evidence presented to me at the time he was transferred from the ~~Maryland to the Ohio agency~~. Pension list, Roll of the Maryland agency to the roll of the Ohio Agency - agreeably to a certificate from the war department now in his possession. Part of the time that I have been acquainted with Mr Rose I was Pension Agent, and after I ceased to be agent I several times drew Mr Rose's Pension for him. I never had any doubt but that Mr Rose was legally entitled to the pension I caused him transferred from the Maryland agency to the Ohio Agency that is I made use of the means provided by law for that purpose at his request and his name was transferred as above stated according to the certificate now in his possession —

3. Did you at any time examine Mr Rees as a surgeon in accordance with the pension laws of the United States, and if so please state how often and the result of such examination?

Ans. I frequently as a surgeon examined him in conjunction with Dr Mitchell (now living) & Dr Rhodes (now dead), of this place and in accordance with the law at that time in force, and gave him certificates which were to be forwarded to the secretary of War upon which he drew his pension and by which examinations we had no hesitation in giving him the necessary certificates having ~~accurately~~ been satisfied at the times of such examinations, that the wounds for which the pension was originally granted were such as to entitle him thereto.

4. Is Mr Rees, now present, the identical man whom you examined as stated in the answer above and who now holds the Pension certificate signed by James Barbour former secretary of war?

Ans. I entertain no doubt whatever but that he is the same identical Joseph A Rees

Jno. Hamm

Also Francis Cassidy of the County of Muskingum of lawful age being first duly sworn as hereafter certified by me deposes as follows.

Quest by plaintiff

1. State how long you have been acquainted with Mr Joseph A Rees the plaintiff in this suit, and state what his general character was at the time you were acquainted with him?

Ans. In 1836 and 1837 I became acquainted with Mr Rees and from that period to this I have continued my acquaintance with him, and have had many dealings with him and in all my dealings with him and in my acquaintance with him I have found him to be an upright man, one that

was correct in his dealings and deportment and so far as I know, he sustained a fair character for truth and veracity.

Fees. Francis Cassidy

The State of Ohio }
Muskingum County } ss.

I Frederick A. Elson an acting Notary Public in and for the County aforesaid duly commissioned and sworn residing at Zanesville in said County do hereby certify that the above named John Hamm and Francis Cassidy were by me first duly sworn to testify the truth, the whole truth, and nothing but the truth, and that the foregoing depositions by them respectively subscribed were reduced to writing by me and were taken at the time, to wit the 12th day of June 1848 between the hours of six o'clock A.M. and 4 O'clock P.M. of said day, and at the place (to wit the Clerks office in the town of Zanesville in the County aforesaid) specified in the enclosed notice

In testimony whereof I have hereunto subscribed my name and affixed my notarial seal this 14th day of June in the year of our Lord one thousand eight hundred and forty eight.

F. A. Elson
Notary Public

Fees.

2 witnesses @ 50 — $1.00
Taking deposition, securing witnesses &c — 1.50
$2.50

Recd of Pltff the foregoing fees —
F. A. Elson N. P.

Depositions taken in certain suits pending in the Court of Common Pleas of Union County Ohio, wherein Joseph A Ross is plaintiff, and William Hamilton, Samuel Graham, James B W. Hayes, and Samuel Moses are defendants, taken for said defendants, in pursuance of the Notice heretofore attached, and at the time and place therein mentioned. Present C W Allison attorney for defendants.

Leolen McDonald of the County of Champaigne of lawful age, being first duly sworn, by me, as hereafter certified, deposes as follows.

Question by Defendants, Did you ever act as the agent of Joseph A Ross the plaintiff in these suits, in drawing his pension money? and did he, or not, ever say, any thing upon the subject of concealing the fact of his being a Pensioner from any or all of the Citizens of Richwood in Union County Ohio? If so, when and where was it?

I did act as agent or prepare the papers for Jos A Ros to draw his Pension money at different times at one time that is in the Spring of 1847 the papers of Jos A Ros was prepared in Urbana and sent to Cincinnati and returned for want of informality, I then went to ~~Union~~ Richwood in Union County where Mr Ros Resides to take the acknowledgement ~~of~~ of a new Paper Mr Ros said he did not wish to have the acknowledgement taken in Richwood for the reason as he stated that if it was known there that he was a Pensioner it would injure his Practice as a Physician, Mr Ros then went with me to Marysville and acknowledged the Papers before a Justice of the

Peace in Maysville Mr Rop said he would rather come to Urbana than have it taken in Richwood I think it was the last of March

Question by defendants counsel. Have you drawn any pension money for the said plaintiff since the time above alluded to? if so when?

The Pension Money of Joseph A Rop has been drawn by the firm of W & C McDonald of which I am one regularly since March 1847 that is in Sept 1847 & in March 1848

Colin McDonald

I. Nelson Rhodes a Justice of the Peace in and for Urbana Township Champaign County Ohio, do hereby certify, that the aforenamed Colin McDonald was by me first duly sworn to testify the truth the whole truth and nothing but the truth, and that the foregoing deposition by him subscribed, was by him reduced to writing; and was taken at the time and place specified in the recited notice

In testimony whereof I have hereunto set my hand this 13th day of June AD 1848

N. Rhodes J P

N Rhodes. Justices fee — — 37 cts
C McDonald Witness fee " not claimed

Justices fee paid by one of the defendants, S B W Hains —

N. Rhodes J P

We do acknowledge
service on the
notice June
7 1848

Swetzer & Doty
Atts for Plaintiff

Joseph N Ross
vs
William Hamilton

Joseph N Ross
vs
Samuel Graham

Joseph N Ross
vs
James B. W. Haynes

Joseph N Ross
vs
Samuel Moses

Dated June 7th 1848

Common Pleas of Union County, Ohio.

Depositions will be taken in these cases by the defendants at the office of the Clerk of the Court of Common Pleas, in the Town of Urbana, in Champaign County, Ohio. on the 13th day of June 1848 between the hours of six A.M. and nine P.M.

William Hamilton
Samuel Graham
James B. W. Haynes
Samuel Moses
By Allison & Curry their attys

The within Notice served
on us June 19th 1848
J. C. Dunlap & Otto for
plaintiffs

Joseph N Ross
vs
Wm Hamilton

Joseph N Ross
vs
Samuel Graham ~~Moses~~

Joseph N Ross
vs
Jas B. W. Haynes

Joseph N Ross
vs
Samuel Moses

In Common Pleas of Union County, Ohio

Depositions will be taken in these cases, by the defendants, at the office of Thomas Watkins Esq, in the Town of Middletown, in the County of Marion and State of Ohio, on the 26th day of June A D 1848, between the hours of six A. M. and nine P. M.

Dated June 17th 1848

William Hamilton
Samuel Graham
Jas. B. W. Haynes
Samuel Moses By
Allison & Curry their
attys.

Depositions of witnesses taken in a cause pending in the Court of Common Pleas in the County of Perry State of Ohio Wherein Joseph N. Ross is Plaintiff and Wm. Hamilton Defendant and Joseph N Ross is Plaintiff and Samuel Graham is Defendant and Joseph N Ross is Plaintiff and James B. W. Hayes is Defendant and Joseph N. Ross is Plaintiff and Samuel Moser is Defendant and for said Defendants in pursuance of the Notice hereto attached and at the time and place therein mentioned James B. W. Hayes one of the Defendants present

John Diegler of Marion County Ohio of lawful age being first duly sworn by me by me as the after certified deposes as follows

Question by Defendant

Please State if you are acquainted with Joseph N Ross ~~for~~ Permit Do

Answer

I am and have known him about seven year

Question by Same

What is his general character is it good or bad

Ans.

His general character as a man is bad

Question by Same

What is his character as for truth and veracity

Answer — It is verry bad

Question by Same

Please State what you know about Joseph N Ross as a Physician

Answer

I do not recognize him as a medical Man and he is not in my

Opinion entitled to the confidence of the people as such

Question by Same
Please state if you were ever called in council with him

Answer
I have been

Question by Same
What distance have you lived from Joseph N Ross since your acquaintance with him

Answer — About six miles

Also

John Sigler

Also Wm W. Bridge of Marion County and of lawful age being first duly sworn as hereafter certified deposes as follows

Question by Defendant
Please inform me if you are acquainted with Joseph N. Ross of Harrison Co.

Answer — I am and have known him about six years

Question by Same
What is his general character is it good or bad

Answer — His general character as a man is bad

Question by Same
What is his character for truth and veracity

Answer — It is very Bad

Question by Same
Please state what you know ~~[illegible]~~ about Joseph N. Ross as a Physician

Answer
I do not recognize him as a medical man and is not in my opinion entitled to the confidence of the people as such

Question by Same

Please state if you were ever called in Counsel with him

Answer —— I have been

Question by Same

What distance have you lived from Joseph N. Rogers since you acquai=intance with him

Answer —— about six miles

Wm. W. Bridge

I Thomas Watkins a Justice of the Peace in and for the Township of Prospect in the County of Marion & Ohio do hereby certify that the above named John Segler and Wm. W. Bridge were by me first duly sworn to testify the truth the whole truth and nothing but the truth and that the foregoing depositions by them respect=fully subscribed were reduced to writing by J. P. Brooking and were taken at the time and place specified in the inclosed notice

In testimony whereof I have hereunto set my hand this 28 day of June in the year 1848 ——

Thomas Watkins J.P.

Fees

2 witnesses $1.00
Justice Fee .50
1.50

Paid by J. B. W. Hayes

Deposition taken in the case of Joseph N. Ross vs William Hamilton and others

Filed June 27th 1848
John Cassil, Clerk

To the Gentle Esq
Clerk of the Court of Common Pleas in Union Coun Ohio

Depositions of witnesses in a Cause pending in the Court of Common please in union County June Term AD 1848 wherein Joseph A Ross is plaintiff and William Hamilton James W B Hains Samuel Graham and Samuel ~~Moses Graham~~ Moses Defendents and for said said plaintiff in pursuance of the Notice — here to attacked and at the time and place therein mentioned the plaintiff being present

Peter Myer ~~and~~ ~~Lane Myer~~ of the County of Licking of lawful age Being first duly Sworn by me as here after Certified Deposes as follows

I was acquainted with the plaintiff from the time we was both small boys until he (the plaintiff) Enlisted in the army in the year Eighteen hundred and Twelve in the month of June then I went with him to Crisop town in the State of Merriland and saw him take the bounty and in a half an hour after wards I saw him Dressed in Uniform to Start to the army as I under Stood and he was gone about three years and Returned and was wounded as I under Stood at the time and I have been acquainted with him from that time to this and always under Stood that he Drawed a pension and he has been an honest man to the best of my knowledge

Peter his mark Myer

Also Lane Myer of Licking County — and of lawful age being first duly Sworn by me as here after Certified Deposes as follows

I was acquainted with Joseph A Ross before he went to army and he was gone about three years and Returned and I have knowed him from that time to this and this the same man

Lane his mark Myer

Also John Myer of Licking County and of lawful age being first duly sworn by me as here after Certified Deposes as follows

(witness) I was Born in the year 1797 and Ever since I was old a nough to know my self I have knowed Joseph M Ros until this time I think it was in the year ~~for~~ 1812 he went off and was gone for some time I dont Recollect how long as I under stood at the time to the Army and he has told me that he Drawed a pension and showed me money that he said he Drawed as a pension and putthe as for any that Ever knew of Mr Ros he has always been an honest man

John Myer

I James Kirk a Justice of the peace in and for the Township of Jersey in the County of Licking and State of Ohio do here by Certify that the above named Peter Myer Jane Myer and John Myer were by me first duly sworn to testify the truth the whole truth and nothing but the truth and that the fore going Depositions by them Respectively subscribed were Reduced to writing by me and were taken at the time and place specified in the Enclosed notice

In testimony whare of I have here unto set my hand this 22nd day of June AD 1848

James Kirk J P

witness fees three witnesses — $150
Justice fees one Dollar 100
250

the above fees paid by the plaintiff

James Kirk J P

The State of Ohio
Licking County ss

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I, Gilbert Brady, Clerk of the Court of Common Pleas of said County, do hereby certify that James Kirk, before whom the foregoing depositions were taken, is an acting Justice of the Peace of said County, duly commissioned & qualified, and that his signature attached to the certificate to said depositions is genuine —

In testimony whereof I have hereunto set my name & affixed the seal of said Court, at Newark, this 22nd day of June, 1848

G. Brady Clerk

Sealed up and addressed
by me James Richey J P
To the Clerk of the Court of
Union Co Ohio

Filed June 12. 1848
John Cassil Clk
Opened at request of Defts
Atty John Cassil Clk

B

Pension Office,
April 8. 1847.

Sir,

I have received the letter signed by Messrs Haynes, Hamilton, and five other citizens of your town in relation to the case of Joseph N. Ross.

Ross, the man who was originally pensioned, was a soldier of the late war, and was severely wounded, and suffered from the wound. There is no doubt that, if he is still living, he is lawfully entitled to a pension. I apprehend, from what Messrs Haynes, Hamilton and others allege, that the pensioner is dead, and that some impostor has got possession of his certificate, and is personating him. I will be obliged to you for any further information, if you can obtain any, on the subject.

I have directed the Agent to stop the payment of the pension.

I am, respectfully,
Your Obt. Servt.
J. L. Edwards

John P. Brockins, Esq.
Postmaster,
Richwood,
Ohio.

James B. W. Hains

William Adam Min

Samuel Graham

James Hall - Sund

Samuel Moses - Sund

Geo Reid

D.

To the honorable Commissioner of United States pensioners D. C.

Dear Sir.

We the undersigned Citizens of the Town of Richwood in the County of Union. Ohio. would represent to your honor that One (Joseph N. Ross a man who has resided in this town for the last six or seven years unbeknown to us has been in the habit of drawing from the General Government a pension under the plea that he received a wound during the late war between the United States and Great Britain which disqualified him from labour which statement we believe to be untrue, he has ever denied to the citizens of this place that he drew any such pension. and it has been but lately that we discovered the fraud, the manner in which he has managed the matter has been as follows, he pretended to be very sick and to own seven farms in the County of Wayne something like a hundred miles from this place at which place he went & drew his pension money, and when he returned home. said it

was the rent of his farms, but pretended to suf=
fer great loss by the failure of some persons to
whom he had sold land. Latterly however he pre=
tended that he had sold his farms in Wayne County
& purchased in the County of Champaign, where he has
a brother residing. This he did at the time he changed
the place to draw his money, it was through his
attempt to draw it in Champaign County, the
matter has been discovered. This man pretends to
practise medicine on what he calls the water sys=
tem that is to know all about diseases by the com=
plexion of the urine (That he is an imposter and has
practised a fraud on the Government, there can be no
doubt;) and we believe it to be the duty of all Good
Citizens to make the same known to the Department
when the same shall come to their knowledge.
and we would further state that if this J. N. Ross
can be believed and his own statements relied upon, he
was entirely too young to be in the army during the
last war and from our long acquaintance with the
man. We feel satisfied that he has no wound which
disqualified him from labour, and were he to make
application in this County where he resides & is so well

known, he would draw no pension. if a man is entitled to a pension because he has been barely injured, then the writer of this communication surely should not be neglected, for he has had a claim on the government for the last thirty four years having had his right leg & ankle badly broken in the service of his Country. In conclusion, we, your humble fellow citizens would thank your honor if you would be so good as to respond to this our communication, as the only object is the good of our Glorious Republic.

Richwood Union County, Ohio

April 2d, 1847

D

6

Pension Office,
April 8, 1847.

Sir,

I enclose a copy of a letter lately received at this Office in relation to your claim to a pension. The letter is signed by some of the most respectable citizens in the town where you reside. If, as they state, you are not disabled, your pension must be stopped. I have directed the Agent to make no payment to you until further orders from this Office. The payment cannot be resumed, until you produce evidence to rebut the charge against you.

I am, respectfully,
Your Obt. Servt.
J. L. Edwards

Mr. Joseph N. Ross,
Richwood
Ohio.

6

1

Union Court of Common Pleas
May Term AD 1847

Joseph M. Ross vs William Hamilton } Action on the case for Trover &c

Joseph M. Ross vs James B. W. Haynes } Action on the case for Trover &c

Joseph M. Ross vs Samuel Graham } Action on the case for Trover

Joseph M. Ross vs James Hall } Action on the case for Trover &c

Joseph M. Ross vs Samuel Moses } Action on the case for Trover &c

The Defendants will take Notice that Depositions will be taken in these causes by the Plaintiff on Friday the 1st day of October Next between the hours of 10 o'clock A. M. and 6, o'clock P. M. of said day at the office of Isaac Randall Esq in the Town of Espey in Jackson Township Union County Ohio before competent authority

Joseph M. Ross
By Lawrence Crawford & Dailey
his Attys

Richwood
September 29th 1847

Sept. 30th 1847 Served by leaving by written notices to all the within named persons.

Service ten cents each .50

Mileage 35

E. Fisher Const.

State of Ohio Union County ss

Personally appeared before me Saber Randall one of the justices of the peace in and for said county the above named E. Fisher Const. and makes solemn oath that the service and returns as set forth above were duly made by him

Given under my hand and seal this Oct. 1st 1847

Saber Randall J.P. (L.S.)

Deposition of a witness taken in a cause pending in the court of Common pleas of the County of Union wherein Joseph N. Rose is plantiff and James B. W. Haynes William Hamilton Samuel Graham James Hall and Samuel C. Moses defendants in pursuance of the notice hereto attached and at the time and place therein mentioned

James W. Crawford Attorney for plantiff J. B. W. Haynes William Hamilton Samuel Moses ~~three~~ of the defendants being present John C. Brooking of the County of Union who is about to remove from said County being by me first ~~duly sworn~~ solemnly affirmed as hereafter certified deposes and sayeth

Question by plantiff- are you post master in the Town of Richwood

Ans I ~~am~~ have been for some twelve or fourteen years

I seen a letter and mailed it put in the office to go the Commissioner of Pensions by J. B. W. Haynes

Col Haynes told me it was to stop Doctor Rose's Pension

I received a communication from the department and his pension was stoped and the letter marked B. was one that deponent received from the pension office

that the letter first refered to was signed J. B. W. Haynes William Hamilton James Hall and I believe Samuel Graham but I am not certain

the letter marked C. and made part of this deposition came to the Richwood post office directed to Joseph N. Rose from the Commissioner of pensions

and the deponent ~~opened~~ read the letter and knows this to be the same letter - the letter marked D came inclosed in the wrapper with the letter marked C, addressed to J. N. Ross

Cross Examined

Doct Brookins did you put any mark on the letter marked B before it left your hands by which you know it to be the same letter

Ans. I put no mark on it but I am satisfied that it is the same letter

Is there any distinguished mark

Ans. I put none on

Quest. how long was letter B in your possession

Ans. I might have had it two or three days or longer

Quest. the letters marked C & D did they come to the post office enveloped in a wrapper

Ans. they did

Quest. were they opened before they went out of the office

Ans. I believe they were

Quest. did you read them in the office

Ans. Mrs Ross took the letters into the room adjoining the office and there I read both the letters

Quest do you know them to be the same letters by any mark that was on the letters C & D

Ans. I know letter C by the signature J. L. Edwards and that I know letter D by the language contained in it not from any mark

Quest. was you acquainted with J. L. Edwards hand writing before you received letter B.

Ans I believe not

Quest. do you know whether Ross' pension has been restored or not

Ans. It has
Qu. did you hear Ross say that it had
Ans. Yes
Qu. do you know how long it was stopped
Ans. I don't know but think it was the neighborhood of a month
Qu. Did you ever hear Ross say that he drew a pension until after these communications referred to
Ans. Never
Qu. have you lived in same town for that he has for last six or seven years within a short distance of Ross
Ans. I have
Qu. You have heard him frequently speak of being in the army
Ans. I have frequently heard him
Qu. Reexamined by plaint. council
Qu. was the wrapper enclosing the letters B & D endorsed J L Edwards commissioner of of pensions
Ans. It was
Qu. Was the pension of Ross restored by any agency of the defendants
Ans. It was not to the best of my knowledge I heard Squire Haynes say it was not
Qu. Did you never hear Doctor Ross say he was wounded in the army
Ans. I have repeatedly ~~[illegible]~~ heard him say so
Qu. have you ever heard any of the defendants say whether Ross drew a pension at any time previous to those communications referred to above

Ans I believe I have Col Haynes I have heard him say that he believed Ross drew a pension but Ross denied ~~it to him~~ drawing a pension

Recross Examined

Quer by defendant Did Ross apply to you for a certificate certifying he was not an able bodied man

Ans he did in this way he asked me if I would meet with Doctor Kinny of Marysville and Examine him and give him a certificate I told him I told I had no particular objections and would give him a certificate if he was entitled to it

And further this deponent sayth not

John P. Brooking

I Saber Randall a justice of the peace in and for the Township of Jackson in the County of Union Ohio do hereby certify that the above named John P. Brooking was by me first duly affirmed to testify the truth the whole truth and nothing but the truth and that the foregoing deposition by him subscribed was reduced to writing by me and were taken at the time and place specified in the enclosed notice

In testimony whereof, I have hereunto set my hand this the 1st day of Oct in the year of our Lord 1847

Saber Randall J.P.

Justices fees $ 1,00
Const.ble fees $ 1,15
Witnesses " ,50

Joseph N Ross
vs
William Hamilton

Joseph N Ross
vs
Samuel Graham

Joseph N Ross
vs
James B W Haynes

Joseph N Ross
vs
Samuel Moses

Common Pleas. of Union County, Ohio.

Depositions will be taken in these cases by the defendants at the office of the Clerk of the Court of Common Pleas. in the Town of Eaton, in the County of Preble, Ohio, on the 20th and 21st days of June A.D. 1848 between the hours of six A.M. and nine P.M. of each day.

William Hamilton
Samuel Graham
James B W Haynes
Samuel Moses By
Allison & Curry their
attys.

Dated June 7th 1848

We acknowledge service
of the within notice —
June 7th 1848

Sweetser & Doughty
Atts for Plaintiff

The State of Ohio Preble County } ss
The Town of Eaton }

Depositions of witnesses taken in the causes pending in the Court of Common Pleas within and for the County of Union and State of Ohio, wherein Joseph N. Roff is plaintiff and William Hamilton is defendant, also wherein Joseph N. Roff is plaintiff and Samuel Graham is defendant also wherein Joseph N. Roff is plaintiff and James B. W. Haynes is defendant, and also wherein Joseph N. Roff is plaintiff and Samuel Moses is defendant in pursuance of the notice hereto attached, and at the time (to wit 21st day of June 1848. between the hours of 8 A.M. and 9 P.M.) and place therein mentioned - the said James B. W. Haines being present

John P. Brookins of the County of Preble in the State of Ohio, of lawful age, being first duly ~~sworn~~ affirmed by me as hereafter certified deposes and says that, by the request of Mr. Edwards Commissioner of Pensions I called on Joseph N. Roff, the plaintiff in the above mentioned causes, some time in the Spring of 1847 for the purpose of examining his certificate entitling him to draw a pension; and he the said Roff got the certificate and as I thought was going to read it to me - I told him I should like to read it myself for certain reasons - with that he handed to me, and upon reading the same I was satisfied that he was the man and entitled to receive a pension. My reasons for wanting to examine the certificate were that the said Roff had told me several times that he had been a surgeon in the United States army, and as often, that he had been a surgeons mate - These

statements he made time and again, before J. B. W. Haynes wrote to the commissioner of Pensions, but said nothing about drawing a Pension - also that he (Ross) had entered the Army of the United States, when but fifteen years old - And after J. B. W. Haynes had written to the Commis:sioner of Pensions, he then told me that he drew sixteen dollars per month as a pension of Uncle Sam (meaning the United States) which statement I found to be incorrect upon the examination of his vouchers -

Question by deft. James B. W. Haynes - How long have you been acquainted with Joseph N. Ross? Answer - About seven years - I lived within fifteen or twenty rods of him a great part of that time in the village of Richwood -

Question by same - What is the general charac:ter of said Ross? Is it good or bad?

Answer - Not good -

Question by same - Please state what his general character is for truth and veracity -

Answer - Generally speaking is not good, and by some notoriously bad

Question by same - Did you ever hear of his denying that he Ross drew a pension or not? Answer I did

Question by same - Did J. B. W. Haynes, at the time he mailed the letter referred to, make any alterations in the letter?

Answer - He did open the letter and either added thereto, or made some erasures, I can not at this time say which, a few moments before the letter was mailed

Question by same - Do you know whether Ross's

Pension was suspended after Haynes's letter was written? Answer - It was for a short time as I was informed by the Commissioners letter to me - And further this deponent saith not

John P. Boorkins

Also at the same time and place David Hauk of Preble County aforesaid, and of lawful age being first duly affirmed, as hereafter certified, deposes and says that, In the Spring of 1847 Joseph N. Ross requested me to go with him to his house, and he there read to me a certificate which entitled him to draw a pension of the United States for his services, as a surgeon's mate in the army during the late war with England, of eighteen dollars per month -

Question by Deft. James B. W. Haynes - How long have you been acquainted with Joseph N. Ross? Answer - I have been acquainted with said Ross about seven years - and a part of that time I lived next door neighbor to him in the village of Rockwood -

Question by same - What is the general character of Joseph N. Ross? Answer - Not very good -

Question by same - what is his character for truth and veracity? Answer - It is very bad -

Question by same - Did Joseph N. Ross read the certificate referred to above, to you before or after J. B. W. Haynes wrote to the Commissioner of Pensions? Answer - After the letter was written -

Question by same - What did you ever hear say whether he drew a pension or not?

Answer - I never heard him say that he drew a pension until he read the certificate to me -

but I have often heard that he denied drawing one -

Question by same - What have you heard Joseph N. Roff say in reference to his age in connection with the last war with England?

Answer - I have heard him frequently tell his age and also frequently stating that he was in the last war with England - but supposed that he could not have been in that war, from his own statements, for he could not have been more than from six to eight years old at the time of that war - And further the deponent saith not

David Hank

The State of Ohio Preble County
The Town of Eaton } ss

I Solomon Banta Mayor of the Town of Eaton in the County of Preble and State of Ohio do hereby certify that the above named John P. Brooking and David Hank were by me first duly affirmed to testify the truth, the whole truth and nothing but the truth, and that the foregoing depositions by them respectively subscribed, were reduced to writing by me and were taken at the time and place specified in the inclosed notice -

In testimony whereof, I have hereunto set my hand this 21st day of June AD 1848 at the office of the Clerk of the Court of Common Pleas in the Town of Eaton in the County of Preble, Ohio

Solomon Banta Mayor of the Town of Eaton P. C. O.

Mayors fee for taking deps. $1.00 paid by James B. W. Haynes

The State of Ohio Preble County ss

I Richard J. Cunningham Clerk of the Court of Common Pleas within and for said County of Preble do hereby certify that on the 21st day of June AD 1848 Solomon Baxter Esqr. was Mayor of the town of Eaton in said County, duly elected and qualified

Given under my hand and seal of office at Eaton this 21st day of June 1848

R. J. Cunningham Clerk
Preble Com Pleas

Clks fee paid by J. B. & Haynes 50 cts

Pltff. Objects to authority deposition 1st because the Caption does not certify that the Certificate of the Man taking the same was sworn in Jurisdiction

2nd There is no evidence from the Law that the reputed officer was authorized to take depositions

3rd That part of the deposition which relates to the Character of Pltff is irrelevant — &c

June 29th 1829

By Charles Stuart one of the Attys for Pltff

Deposition in the
Wm Hamilton
vs
Joseph W. Duff et al

Clerk of the County
Common Pleas
Union Co.

Filed June 27 1846
John Caskill Clk

Opened at the
request of Defts
Attys
John Caskill, Cl.

Depositions of witnesses taken in a cause pending in the Court of common pleas of Union County wherein Joseph N. Ross is plantiff and William Hamilton defendant also Joseph N. Ross plantiff and Samuel Graham defendant also Joseph N. Ross plantiff and James B. W. Hayne defendant also Joseph N. Ross plantiff and Samuel Moberis defendant and for said plantiffs in pursuance of the notice hereto attached and at the time and place therein mentioned the defendants being present Bethuel McCullen of the County of Licking of lawful age being first duly sworn by me as hereafter certified deposes as follows

Question by Defendant Do you recollect ~~the time~~ of Mr McDonald coming to Ridgewood to have some mistake corrected in the transfer of J. N. Ross pension from Worsten to Urbanna Answer I do some time in february or March 1847 Mr McDonald of Urbanna came to my house in Ridgewood and inquired for one Joseph N. Ross lived in town and stated that he was a doctor or called a doctor I replied there was no such a man living in town he said he was sent for there was a mistake in the papers of Ross and he wanted them corrected and after McDonald got to see Ross he came back to my house apparently in a passion and said he had had his ride for nothing that Ross said he was not the man but that the Joseph N. Ross he wanted to see lived on Blues Creek about which time Ross came up and said to me I am not the man that gentleman wants to see it is another Joseph N. Ross who lives on Blues Creek and I will go and show McDonald where

he lives as I am well acquainted with the Joseph N. Ross that lives on Blues Creek Mr McDonald & Mr Ross started off together as I supposed to go see Joseph N. Ross on Blues Creek Question by same are you acquainted with Joseph N Ross character of Richwood. Answer I am
Question by same how long have you been acquainted with him
Answer about six years
Question did you inform J. B. N Haynes that Ross denies being the man who drew the pension to McDonald before Haynes wrote the letter to the pension office
Answer I did which caused Haynes to write the letter for Haynes said if Ross was intitled to a pension he could not see what could induce him to deny it
Question by same are you acquainted with character of Joseph N Ross and if so state what it is whether good or bad
Answer I am well acquainted with Ross and know his character to be bad very bad there is not a more egregious liar in the State Question by same from what you know of Joseph N. Ross and what you have heard him say was Haynes justified in writing the letter or not which he sent to the Commissioner of Pensions
Answer I believe Haynes was fully justified in sending the letter if Ross spoke the truth about himself
Question by same did you say you was sure Haynes wrote and sent the letter on which this suit was brought after Ross denied being the ~~man~~ man who drew the pension
Answer I am sure it was after the denial
Question did you ever hear Ross say the reason why he brought this action

Answer Ques Rep told me he would not have found fault of the letter had it not been in it the words fraud and imposter being in it further this deponent saith not

Bethuel. McMullen

I, Lewis Jenkins a justice of the peace in for the Township of Union in the County of Licking State of Ohio do hereby certify that the above named Bethuel McMullen was by me first duly sworn to testify the truth the whole truth and nothing but the truth and that the foregoing depositions by him respectfully subscribed were reduced to writing by me and were taken at the time and place specified in the inclosed notice.

In testimony whereof I have hereunto set my hand this 15th day of June in the year 1848

Signed Lewis Jenkins J.P.

Costs of Deposition 62
witnes 50 } 1.12

The State of Ohio Licking County ss

I Gilbert Brady clerk of the Court of Common Pleas in and for said County do hereby certify that Lewis Jenkins before whome the foregoing depositions were taken and who signed his name officially to the foregoing certificate in his own proper hand writing was then and now is an acting Justice of the peace duly commissioned and qualified and to all whose official acts full faith & confidence is due and ought to be given, Given under my hand & the seal of said Court at Newark this 16th day of June AD 1848

Clerks fees $0.50 paid by Hamilton
G. Brady clerk

Gilbert Brady clerk

Joseph N. Ross

vs

William Hamilton.

& other cases.

Depositions on behalf of the defendants.

Joseph A Ross
vs
William Hamilton

Joseph A Ross
vs
Samuel Graham

Joseph A Ross
vs
James B. W. Haynes

Joseph A Ross
vs
Samuel Moses

Dated June 7th 1848

Common Pleas. Of Union County, Ohio.

Depositions will be taken in these cases by the defendants at the Office of the Clerk of the Court of Common Pleas. in the Town of Newark, Licking County, Ohio. on the 17th day of June A. D. 1848 between the hours of six A.M. and nine P.M.

William Hamilton
Samuel Graham
James B. W. Haynes
Samuel Moses
By Allison & Curry their attys

The written Notice
Served on us June
7th 1848
Dwelter - Doughty
Atts for Plaintiffs

Depositions of sundry witnesses taken before William B. Arven, Notary Public within and for the County of Licking in the State of Ohio, on the 17th day of June, in the year 1848, between the hours of 6 o'clock, A.M. and 9 o'clock, P.M. at the Office of the Clerk of the Court of Common Pleas in the Town of Newark, Licking County, Ohio, pursuant to the enclosed notice; to be read in evidence on behalf of the defendants in the following cases, to wit: Joseph N. Ross vs William Hamilton, Joseph N. Ross vs Samuel Graham, Joseph N. Ross vs James B. W. Hayes, and Joseph N. Ross vs Samuel Moses; all of which cases are now pending in the Court of Common Pleas of Union County in the State of Ohio.

Present: Joshua Mathiot, Esq. of Counsel for the defendants, and William Hamilton, one of the defendants.

John Coones of lawful age, being first duly sworn, deposeth and saith:

1. Question by Deft' counsel — Were you acquainted with the Pltff in these suits Joseph N Ross when he lived in Licking County?
Answer: I certainly was, for he lived at my house a-while.
2. Question by same — About what time did the Plaintiff Ross live in Licking County?
Answer: Seven or eight years ago, I think.
3. Question by same — Were you acquainted with the general character of the said Pltff while

William B. Arven, Notary Public.

he lived in Licking County? if so please state whether his general character was good or bad?

Answer: I was acquainted with his general character and know it was bad while he lived in Licking Co. from what other people said and from what I knew myself.

He swore to two accounts, one against my son and one against my daughter, which were false. I employed him to attend my daughter, with the condition that he was to receive pay if he cured her, but no pay if he did not cure her. He did not cure her, but contrary to his agreement charged me ten dollars and swore to the account.

He swore that I employed him to attend my son, which was untrue, and brought suit against me, as the executor of my son, on the account for attending him. I would not, and could not under these circumstances believe him under oath.

his
John + Coomes
mark

William B. Awen,
Atty Public.

Also Isaac Farmer of lawful age, being first duly sworn, deposeth & saith:

1. Question by defendants' Counsel: — Were you acquainted with the general character of the Pltff Joseph N Rp. when he lived in Licking County seven or eighte years ago?

Answer: I know nothing about him myself, but only from what I have heard other people say.

2. Ques. by same: — Was his general character while he lived in Licking County, good or bad?

Answer: The people said that there was old Ross going about lieing. That ~~it~~ is the most I know about it.

Isaac Farmer

William B. Arven,
Notary Public.

Daniel Stump of lawful age, being first duly sworn, deposeth and saith:

1. Question by defts' counsel: – Were you acquainted with the general character of the Pltff Joseph N Ross while he lived in Licking County some years since? –

Answer: I have heard some rumors concerning his character, but had but little acquaintance with him myself.

2 Ques by same – Was his general character good or bad, while he lived in Licking County?

Answer: From what other people said, I believe his character was one of the best. I do not speak from our acquaintance. –

Daniel Stump

William B. Arven,
Notary Public.

Lewis Lake of lawful age, being first duly sworn, deposeth and saith:

1. Ques. by defts' counsel: – Were you acquainted with the general character of Joseph N Ross the Pltff when he lived in Licking County? If so – was his general character good or bad?

Answer: I was acquainted with his general character. It was not good.

Lewis Lake

William B. Arven,
Notary Public.

I, William B. Arven, Notary Public within and for the County of Licking in the State of Ohio, do hereby certify that John Cormes, Isaac Farmer, Daniel Stump and Lewis Lake were by me severally sworn to testify the truth, the whole truth and nothing but the truth; and that the depositions by them respectively subscribed, as above set forth, were reduced to writing by me, and were taken at the time and place in the enclosed notice specified.

Dated at Newark in said County of Licking this 17th day of June, A.D. 1848.

William B. Arven,
Notary Public.

Costs.

Subpoena for 4 witnesses,	$0.24½
Swearing 4 witnesses,	0.16,
Depositions,	0.40,
William Veach, Sheriff, services 50, copies 60, mileage 20, subpoena.	2.00,
John Cormes, witness, 1 day	0.50,
Isaac Farmer, do 1 "	0.50,
Daniel Stump, do 1 "	0.50,
Lewis Lake, do 1 "	0.50,
	$5.80½

Recd. June 17, 1848, of William Hamilton, one the defendants, five dollars eighty½ cents for the costs in this case.

William B. Arven,
Notary Public.

Served this writ by reading to the within named John B. Wells. Samuel Hamilton Abraham Wiley. Cornelius Hamilton. Benj F. McMillen. Levin H. Hastings. (said Hastings demanded his fees which were not paid.) ~~[illegible]~~ B. Smith. James Mulvain. Norton Scott. June 22 & 23. 1848 James W. Boyer & Solomon Fisher not found.

Fees = mileage 90

Service $1 12½ = $ 2 02½

Philip Snider Sheriff

Union Com Pleas

Joseph N Rhoes

vs

W Hamilton

Debt for loits

Filed June 28, 1848

Geo Cassidy clk

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON John B Wells, Samuel Hamilton, Solomon Fisher, Abraham Willey Cornelius Hamilton, James Bey F. McMillen, Levin H Hastings, James Mulvain, James N. Boyer, Z B. Smith and Norton Scott,

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on the ~~first~~ second day of next term, at ~~ten~~ nine o'clock, A.M., to testify and the truth to speak on behalf of William Hamilton.

in a certain controversy in said Court depending, wherein

Joseph N Ross is Plaintiff, and William Hamilton

is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 22 day of June A.D., 184 5.

John Cassil Clerk.

served this writ by reading to the within named Levin H. Hastings, Zacheriah Smith, Larking Sunget, Isaac Eckhart, John P. Graham, Isaac Headly, George Brannon, John McMulvain, James McMulvain, John Woods, James Hall, David Price, John Rice, Henry Burnett, Thomas Foreman, Henry Clark, John Woodrough, James Stout, Mary Moore, William Phillips, Dan Curby & Lemont Echart, June 22nd & 23rd 1848. & by reading to Thomas Parr June 26, 1848. H by reading to William Emberson & Mary Emberson June 27, 1848. John McMulvain, John Woods, Wm Phillips & Dan Curby demanded fees which were not paid. ballance of witnesses not found

Fees = mileage $1.00

service. 3.12½ = $4.12½ Philip Snider Sheriff

Union Com Plea

Joseph N. Ross

vs

Wm Hamilton & Wife

Writ of Error

Filed June 28, 1848

John Cassidy Clk

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON Levin H. Hastings, Zachariah Smith, Sarking Tingett, John Galoway, Isaac Gethart, John P. Graham, Isaac Headly, George Brannen, John McMuloain, James McMuloain, John Woods, Greenbery Merit, James Hall, David Price, John Price, Henry Bennett, Thomas Parr, William Emmerson, Mary Emberson, John Beamans, Thomas Foreman, Henry Clark, James Decker, John Worrough, John Gathry, James Stout, Hary Moore, William Phillips, Dan Curby & Summit Eckhard

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on the ~~first~~ second day of next term, at ~~ten~~ nine o'clock, A.M., to testify and the truth to speak on behalf of Joseph N. Ross

in a certain controversy in said Court depending, wherein

Joseph N Ross ——— is Plaintiff, and William Hamilton, James B. W. Haynes, Samuel Graham, Samuel Moses & James Hall ——— is Defendants and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 19th day of June A.D., 1848.

John Cassil Clerk.

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120

Filed Jan 20 + ans
John Cassie Clk

Joseph A Ross } In Union Com Pleas
vs
Wm Hamilton } Issue Subpoenas to the following witnesses
for Defendant. John B Wells, Samuel Hamilton
Solomon Fisher, Abraham Wiley, Cornelius Hamilton Benj F.
McMillen, Levin H Hastings, James Mulvain, James W Boyer,
Z. B. Smith, and Norton Scott.

To John Cassil Clerk.
June 19th 1848

Allison & Curry attys for
Deft

Filed Jan 23. 1848
John Cassil clk

Joseph N Ross
vs
Wm Hamilton

In Union Com Pleas.

Issue subpoenas for the following wit-nesses for defendant, Jesse Reed, Jacob Reed Thomas S Haynes, Joshua S Gill, Simeon Adams, & Benjamin Welch.

To John Cassil - Clerk

Allison & Curry, Attys for Deft

December 1845 - Julius A. Bell Dr. unto Levi Spencer in account to
two hundred & ten pounds of pork, at $3,50 cents per hundred $7,35 cents

Received June 19. 1848
John Cassil Esq

Joseph W. Ross
vs
William Hamilton
James B. Evans
Samuel Graham
Samuel Moses.
James Hale.

In Union Common Pleas

To John Cassil Clerk of Union Comon Pleas.

You will issue a Subpoena for the following Witnesses for Plaintiff Levin H. Hastings Zachariah Smith Larkin Dunlett John Calloway. Isaac Gechart John P. Graham. Isaac Hedly. George Beamon, John McCullain James McCullain John Woods. Greenberry Merits James Hall David Price John Price Henry Bennett Thomas Parr, William Emmerson, Mary Emberson John Beaman Thomas Hoeman Henry Clark, James Decker, John Woodrough, John Guthry James Stout, Mary Moore William Phillips Dan. Curby, Lemont Eckard, returnable on the 2d day of the Jun Term AD 1848,

Jun 17th 1848

J. C. Doughty Att for Plaintiff

Depositions

Ross
vs
Hamilton et al

Filed June 14 1848
John Cassil Clk

Clerk of the Court of Common Pleas

Union County

Ohio

Opened at request of Plaintiffs
Attorney June 14, 1848
John Cassil Clk

10
50
5-2-0

In Union Com Pleas

Wm Hamilton
ads
Joseph V Rady

Plea

Filed Sept 21st 1847
John Carrie Clk

Allison & Conway
Swan & Andrews

William Hamilton
vs
Joseph N Ross

In Case

And the said William Hamilton Comes and defends, &c. and says, that he is not guilty of the supposed grievances laid to his charge in manner and form as the said Joseph N Ross hath complained against him: and of this he puts himself upon the Country.

By Allison & Conroy
Swan & Andrews his attys.

The within Notice served
on us June 7th 1848

Sweetser & Dougherty
Attys for Plaintiff

Joseph A Ross
vs
William Hamilton

Joseph A Ross
vs
Samuel Graham

Joseph A Ross
vs
James B W Haynes

Joseph A Ross
vs
Samuel Moses

Dated June 7th 1848

Common Pleas of Union County, Ohio.

Depositions will be taken in these cases by the defendants at the house of Thomas Cully, in the Township of Union in Licking County, Ohio. on the 15th day of June A.D. 1848 between the hours of six A.M. and nine P.M. before competent authority.

William Hamilton
Samuel Graham
James B W Haynes
Samuel Moses
By Allison & Curry their Attys.

J. N. Ross
vs
Hamilton et al

Filed June 6th 1848
John Carroll Clk

Joseph N Ross
vs
Wm Hamilton

Joseph N Ross
vs Graham
Samuel ~~Ross~~

Joseph N Ross
vs
James B H Hagues

Joseph N Ross
vs
Samuel Moses

Actions of Case in Union County Common Pleas

It is hereby agreed between the Counsel for the parties in these cases that Depositions, taken by either part hereafter, may be taken jointly, to be read in all the cases, or that they may be taken in either one of the cases and ~~read~~ introduced as evidence on the trial of either and all of the cases so far as applicable.

June 1st 1846

Allison & Barry
Attys for Defts

Charles Swartzw. Forgotty

The within Depositions Enclosed
and directed by me and delivered
to plaintiff to carry to said Court

James Kirk J. P.

Depositions in the Case
of Joseph N. Ross
vs
Wm Hamilton
James W B Hains
Samuel Graham
& Samuel Moses

To the Clerk of
the Court of
Common Pleas of
Union County
Ohio

Filed June 23rd 1848
John Cassil Clk

Opened at request of Pltff
Counsel June 26, 1848
John Cassil Clk

Deposition of witnesse taken in a cause pending in the court of commonpleas of union County Ohio wherein Joseph N Ross is plaintiff and Wm Hamilton ~~is~~ Samuel Graham James B W Haynes and Samuel Meses and for said defendant in pursuance of the notes hereto attached and at the time and place therein mentioned ~~on~~ John Eliott of the County of Delware of Lawfal age being first duly sworn by me as hereafter certifide deposes as follows

qr how long have you been acquainted with Joseph N Ross
ans something like five years

qr did you ever hear him say whether he drew a pension or not previous to his bringing this action
ans I have herd him deny drawing a pension more than once previous to his bringing this suit

qr where did you live when Ross denied drawing the pension
ans in Richwood

qr what is the caracter of Joseph N Ross
ans from my own acquaintance and what I have herd other people say its is bad

qr do you believe Ross to be a man of truth or not
ans I do not believe he is in general a man of truth ~~in general~~

John Elliott

I James Richey a Justice of the peace for the Township of Scioto in the County of Delware Ohio do hereby certify that the above named John Elliott was by me first duly sworn to testify the truth whole

truth and nothing but the truth and that the foregoing deposition by him subscribed were reduced to writing by Stiles Jackson and were taken at the time and place specified in the enclosed notice

In testimony whereof I have here unto set my hand this tenth day of June in the year A D 1848

fees paid by James B W Haynes at $00 85-cts

James Richey a justice of the peace for Scioto Township Delaware Co

The Plff Excepts to the foregoing Depositions -

1st Because Stiles Jackson was not a disinterested person and the certificate of the Justice does not show that fact.

2nd There is no evidence that James Richey beyond whom the same was taken was an acting justice.

3rd Immaterial - &c

June 27th 1848

Charles Sumner one of the Atty for Plff

The written Notice served
on us June 7th 1848

[illegible]
Attys for Plaintiff

Joseph A Ross
vs
Wm Hamilton

Joseph A Ross
vs
Samuel Graham

Joseph A Ross
vs
James B. W. Haynes

Joseph A Ross
vs
Samuel Moses

In Common Pleas of Union County, Ohio.

Depositions will be taken in these cases by the defendants at the office of James Richey J.P. in the Township of Scioto, Delaware County, Ohio, on the 10th day of June A.D. 1848 between the hours of six A.M. and nine P.M.

William Hamilton
Samuel Graham
James B. W. Haynes
Samuel Moses
By Allison & Curry their Attys

Dated June 7th 1848

Many whigs hereabouts too sick to be cured.

To John Cassil Clerk of the Court of Common Pleas of Union County

Marysville
Ohio

Jos. N. Roe
vs
Wm. Hamilton

Jos. N. Roe
vs
Saml. Graham

Jos. N. Roe
vs
J.B.W. Haynes

Jos. N. Roe
vs
Saml. Moss

Depositions taken on the head waters of the Bantas Creek before J. Bantas Mayor of the Town of Eaton, O.

Filed June 23. 1848
John Cassil clk

Opened at request of Deft's Counsel June 23. 1848
John Cassil clk

Publoc

Mr B Miller

Sohn Banta Esq

Eaton

Ohio

Joseph N. Ross
vs
Wm Hamilton
& other cases.

Depositions on behalf of the defendants, taken & sealed up by me.

Wm B. Awen,
Notary Public.

Filed June 27 1848
John Copsil, Clk

Opened at the request of Deft attys
John Edwards, Clk

To the Clerk of the Court of Common Pleas,
(Marysville,)
Union County,
Ohio.

Civil/Domestic Case File

Case No. 1847-CV-0012

No. 47-CV-12

Union Common Pleas Court.

Joseph N Russ
Plaintiff,

AGAINST

Samuel Graham
Defendant.

JUN TERM. 1848

JUD'G VS PLAINT'F

Journal 4 Page 125

Record No. No Record. Page

Ex. Doc. Page

No. 2.

Union County Court

Pleas –

Joseph N. Ross –

v Case Damf $5000.

Samuel Graham

——— " ———

Pr – Sweetser, Crawford

& Leaty. Pltffs Attys

Filed May 4th 1847

John Cassil Clerk

Summons issued

Joseph N Ross

vs

James Samuel Graham

Case Damages $5000

Issue a Summons returnable Forthwith

Endorse Suit brot to recover Damages for the letting and publishing of a Libel by the Deft of and concerning the Pltff and also for slanderous words spoken by the Deft of and concerning the Pltff in the office of Lands

Comth Plens Chancery 4th 1849

Freeston, Granger & Daty

Attys for Pltff

Served on the 6th day of May A.D. 1847 by leaving an attested copy of this writ at the residence of the defendant

Fees - Service 35
Copy — 10
mileage 75 = 1,20

Philip Snider Sheriff

Amin. Com. Pleas
Joseph N. Hogg
vs
Samuel Graham

Filed May 4th 1847
John Cassil Clerk

Sum. Com. Pleas
Joseph N. Hogg
vs
Samuel Graham

Debt for Damages for the following cause of action
viz. that to recover Damages for the following cause of action
singularly by the Oath of one concerning the Affd
on or about the 2nd day of April 1847 Gave to Plaintiff
a certain Note by the Oath of one concerning
Affd

Stedman, Bowman
& Orth Atty for Affd

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING

We command you to summon Samuel Graham

to appear

For thwith ~~on the first day of our next term~~, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Joseph N. Ross

in a plea of Case damages five thousand dollars.

And have you then there this writ.

Witness, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 5th day of May A. D. 1847.

John Cassil Clerk.

time, and has been greatly injured, harassed, oppressed and impoverished, and has had his aforesaid Pension suspended and withheld by the Honorable Commissioner of Pensions at Washington City, and has also lost, and been deprived of his aforesaid semi-annual payments which he had before that time, and of right ought to have had and otherwise would have had entitled to have by the aforesaid Commissioner of Pensions, and Government of the United States, and he has thereby been deprived of, and lost a large sum of money, to wit, the sum of $1000.00, and has been and is otherwise greatly injured and damnified thereby, to wit, at Marion County aforesaid, to the damage of $5000.00 and therefore he sues &c

Roy Sweetser, Crawford & Hately his Attys

Marion Co. Ind. Pls.

Joseph C. Hays
by Lewis Wallace Atty.

Samuel Graham

vs

Trespass

Filed Aug. 3d 1847
John Hoagland Clerk

Sweetser Crawford & Hately

State of Ohio. Union County ss } Court of Common Pleas May Term 1867

Joseph N Rogers. Complains of Samuel Graybeal in a Plea of Trespass on the Case. For that whereas the said Joseph N Rogers, for a long time, before, and at the time of the Committing of the grievances, by the said Samuel Graybeal hereafter mentioned, had been, and was a Pensioner of the United States of America, duly registered, and acknowledged as such in Consequence of wounds which he the said Plaintiff received in the Service of the United States during the last war of the United States with Great Britain, and in Consequence of being so as aforesaid a Pensioner, he received annually from the Government of the United States, through the Pension office, and Agencies of the United States for paying Pensioners, a large sum of Money to wit the sum of $96.00 on account of being such Pensioner, to wit at Union County aforesaid. And whereas also, the said plaintiff, for a long time before, and at the time of the Committing of the Several grievances hereafter mentioned by the said Defendant was a good and true Citizen of the State of Ohio, and as such had always behaved himself, and until the Committing of the Several grievances hereafter mentioned by the said Defendant was always reputed and accepted, by, and amongst all his neighbours, and other Citizens to whom he was in anywise known, to be a person of good name, fame and reputation to wit at Union County aforesaid. And whereas also the said plaintiff hath not also been guilty, in until the Committing of the Several grievances hereafter mentioned, were Suspected to have been guilty of fraud upon the Government, perjury, false Swearing, falsely personating, or falsely representing himself to be a Pensioner of the United States, or any such Crime, offence or misdemeanor, as has been hereafter repeated and charged upon him by the said Defendant. By means of which said-

Sundry premises, by the said Pltff, before the Commencement of the said Sundry grievances, by the said Defendant, as hereinafter mentioned, had deservedly obtained, the good will and Confidence of his neighbours, and other Citizens of whom he has in any wise known to exist, at Lincoln County aforesaid,

Yet the said Defendant with the premises, but greatly envying the happy state and Condition of the said plaintiff, ~~in his good name fame and credit~~ and Contriving, and wickedly and maliciously intending to injure the said plaintiff, in his good name, fame and Credit, and to procure the suspension of the said Plaintiff from his aforesaid Pension, and to prevent his further enjoyment of the same, and to bring ~~them~~ him, into public scandal infamy and disgrace, with and amongst all his neighbours, The Commissioner of Pensions at Washington City D.C. and other good and worthy Citizens of the United States of whom he has in any wise known, and to cause it to be suspected and believed by those neighbours, Citizens and the Commissioner aforesaid, that he the said plaintiff has a fraudulent mind, had been guilty of Perjury, falsely representing himself to be a Pensioner, and of having received wounds in the Service of his Country, and of the other offences, and his conduct he may be imprisoned and subject him to the pains, and penalties of the Laws of the United States and of this State, made and provided against, and inflicted upon persons guilty thereof, and to have hangs, offences, injure and utterly ruin him the said plaintiff, heretofore to wit, on the 2nd day of April 1847 at the County of Lincoln and at the City of Washington aforesaid, falsely, wickedly, and maliciously, did Compose and publish, and Cause the composed and published, of and Concerning the said plaintiff, and of and Concerning the matters aforesaid, in a certain Letter which the said Deft. in Conjunction with others then and there addressed to the Honorable

Commissioner of Pensions) the certain false, scandalous and defamatory Libel, containing amongst other things the false scandalous, malicious, defamatory and libellous matter following, that is to say. That one Joseph N Rose a man who has resided in this town for the last six or seven years notorious to us has been in the habit of obtaining from the General Government a pension, under the pretence that he received a wound during the late war ~~with~~ between the United States and Great Britain, which disqualified him from labour, which statement we believe to be untrue. That he, Manning Pyle, is an impostor, and has practised a fraud upon the Government thereby. Can be no doubt. We feel satisfied that he has no wound which disqualified him from labour, and since he to our application in this County where he resides is and so well known, he would obtain no Pension. Thereby then, and there imputing to the said Pyle the Crime of fraudulently procuring a Pension and of falsely personating some person who had been or was then a Pensioner, and of false swearing and perjury, in obtaining such pension, and of fraud upon the Government. By means of which said criminal premises the said plaintiff hath been, and is greatly injured in his Credit and reputation aforesaid, and brought into public scandal, infamy and disgrace, and is suspected to have been guilty of the Crimes and misconduct so as aforesaid mentioned to have charged and imputed to him and has had his aforesaid Pension suspended and withheld by the aforesaid Commissioner of Pensions and Pension office, and agents of the United States, and has also lost and been deprived of his aforesaid Pension which he had before that time, and of rights, had rights to have continued to have received, and enjoyed, and which he otherwise would have received & enjoyed, amounting to a large sum to wit, the sum of $1000.00, to wit at Livingston County aforesaid and hath been damaged and injured thereby to the of Livingston County aforesaid.

And informs also, the said plaintiff is a good citizen of the State of Ohio, and as such has always behaved and demeaned himself, and has always been esteemed among all his neighbors and other citizens he has in common known. That he was wounded during the last war of the United States with Great Britain, which he was in the service of the United States, in consequence of which wound, he was entitled and did receive from the Government of the United States a Pension of $96.00 per annum payable semi annually. That in order to receive his aforesaid Pension under the Laws of Congress and the Rules and regulations of the Pension office and instructions of J. L. Edmunds the Commissioner of Pensions, It was, and is necessary that the Plaintiff, and all others, at each and every time, he makes application for his semi annual payments, that he should swear under oath, among other things that he is the identical person named in the Certificate then in his possession, and insert a true copy of his Certificate in his written application and affidavit: made, and sworn to before a justice of the peace, or some other officer authorized by Law to administer the required oath. And it is made by Law a highly criminal offence for any person to personate another in order to obtain a Pension which of right belongs to another, or to obtain money by fraud upon any of the Pension Laws of the United States. Yet the said Hymen not well knowing the premises, but contriving and intending to injure him the said Plaintiff in his good name fame and reputation aforesaid, and also in his right to claim and enjoyment of his aforesaid Pension, which he then, and hitherto had received and enjoyed from the Government Pension office and agencies of the United States, and to deprive him of the same and to cause it to be suspected, and believed that the said Plaintiff had been guilty of fraud, and imposition upon the Government in order to obtain and receive a Pension.

and had been guilty of wilful and corrupt perjury in the procurement and securing thereof, and had committed various and diversified crimes against the Government and laws of the United States and State of Ohio, and to wit, have sought, appears impoverish and wholly ruin him the said plaintiff, but on the 2nd day of April 1889 at the City of Washington, to wit at the County of Lucas aforesaid, wrongfully, maliciously, designedly and published, and caused the composed and published, (in a certain Letter which the said Defendant in conjunction with others, wrote and sent to the Commissioner of Pensions at Washington D.C.,) a certain other false scandalous, malicious & defamatory Libel of and concerning the said Pfff, and the matters aforesaid, containing among other things, the false, scandalous, and defamatory and libellous matter following, that is to say, "Joseph St Rays a man who has resided in this town for the last six or seven years, notoriously to us, has been in the habit of drawing from the Government a pension, under the Plea, that he received a wound during the late war, between the United States and Great Britain which disqualified him from labour, which statement he believes to be false, that he (meaning Pff) is an impostor and has practiced a fraud upon the Government there can be no doubt, he feel satisfied that he has no wound which disqualified him from labour, that he (meaning Pff) was entirely sound when in the army during the last war" thereby then and there imputing to the said plaintiff, false swearing, and perjury and fraud upon the Government in the procurement of his original Pension and falsely personating some person who has entitled himself to a Pension. By means of which said Libel premises, the said Plaintiff, hath been, and is greatly injured, in his good name, fame, and reputation, and has been brought into public scandal infamy and disgrace, and is suspected to have been guilty of the crimes, and misconduct so as aforesaid mentioned, to have been imputed and charged

In Union Com Pleas

Samuel Graham
Ads
Rodolphus Ross

Plea

Filed Sept 21st 1847
John Carvil Clk

Allison & Avery
Swan & Andrews

Samuel Graham
vs
Joseph N Ross

In Case.

And the said Samuel Graham comes and defends the wrong and injuries when and says that he is not guilty of the supposed grievances laid to his charge in manner and form as the said Joseph N Ross hath complained against him; and of this he puts himself upon the Country.

By Allison & Curry
Swan & Andrews
His Attys.

Civil/Domestic Case File

Case No. 1847-CV-0013

No. 47-CV-13

Union Common Pleas Court.

Joseph N Ross
Plaintiff,

AGAINST

J B W Haynes
Defendant.

JUN TERM. 1848

JUD'G VS PLAINT'F

Journal 4 Page 125

Record No. No Record. Page

Ex. Doc. Page

No. 8.

Union Cont. Pleas

Joseph N. Ross

v. Case Dam $ 1000.

James. B. McNairs

" " "

Pr. Emerson, Crawford

& Doty. Pltffs Attys

Filed May 4th 1847

John Cassil Clerk

Joseph N Ross -
vs
James B. W Haines

Case Damages $5000.00

Issue a Summons returnable forthwith, Endorsement, brought to Recover Damages for the Uttering & publishing a Libel of and Concerning Pepp, as a Servant the 2nd day of April 1847 by the Deft Also for Slanderous words spoken by the Deft of and Concerning the Pltff

To the Clerk of Union Co
May 4th 1847

Smectes & Crawford
Solicitors Pltffs Attys

suit brought to recover damages for the utter
ing & publishing a libel against concerning
Plff. in a letter of April 1847 by the
Dfts. - also for slanderous words spoken by the
Dfts. of and concerning the Plff
Liberty & Executor
& Duty of Dfts for $1000

Union Common Pleas

Joseph N. Rass
vs
James B. W. Haines

Filed May 7. 1847
John Cupil Clerk

Served the within 6th day of May A.D. 1847
by leaving an attested copy at the Defendants
place of residence
Fee = service 35
copy - - 10
mileage 75 = 120
Phillips Shriver Sheriff

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING

We command you to summon James B. W. Haines

to appear

For thwith ~~on the first day of our next term~~, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Joseph N. Ross

in a plea of Case damages five thousand dollars.

And have you then there this writ.

Witness, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 5th day of May A. D. 1847.

John Cassil Clerk.

In Union Com Pleas

Jas B. W. Haynes
Alls
Joseph N Ross

Plea

Filed Sept 21st 1847
John Carril Clk

Allison & Converse
Swan & Andrews

James B. W. Haynes
ads
Joseph A Ross

In Case.

And the said James B. W. Haynes comes and defends, &c and says that he is not guilty of the supposed grievances laid to his charge, in manner and form as the said Joseph A Ross hath complained against him, and of this he puts himself upon the Country.

By Allison & Conroy
Swan & Andrews His Attys.

Marion Comm. Pleas

Joseph N. Rapp

vs. Libel Dam $5000

James B. W. Davies

———— " ————

Error

Filed - Aug. 3d 1847
John Capel Clerk

Smith & Crawford & Dougherty

The State of Ohio, Union County ss. Court of Common Pleas
May Term 1847.

Joseph N Ross Complains of James B. W. Haines in a plea of Trespass on the Case. For that whereas the said Joseph N Ross, for a long time before, and at the time of Committing of the Grievances, by the said James B. W. Haines, hereinafter mentioned, had been, and was a Pensioner of the United States of America, duly registered, Certificated, and recognized, as a Pensioner, in Consequence of Wounds received, in the service of the United States, ~~as a Sol~~ during the last War with great Britain, and in Consequence of being so as aforesaid a Pensioner, he received annually from the Government of the United States a large sum of Money to wit the sum of $96.00 — on account of Slenderness pensioner, to wit at Union County aforesaid, And whereas also the said Plaintiff, for a long time before, and at the time of the Committing of the Grievances, by the said Defendant hereinafter mentioned, was a good true and lawful Citizen of the State of Ohio, and as such had always behaved himself and until the Committing of the Several Grievances hereinafter mentioned by the said Defendant, was always reputed, and accepted, by and amongst his neighbours, and other Citizens to whom he was in any wise known, for a person of good name, fame and Credit to wit at Union County aforesaid And whereas also the said Pltff hath not ever been guilty until the Committing of the said Several Grievances by the said Deft. as hereinafter mentioned, been suspected to have been guilty, of perjury, fraud, falsely, personating, or falsely representing himself, a Pensioner, or any other such Crime or offence, or misconduct, as has been hereinafter imputed and charged, by the said defendant. By reason of which said Several premises, he the said Pltff. before the Committing of the said Several ~~premises~~ grievances by the said defendant as hereinafter mentioned

hereinafter mentioned, had deservedly obtained the good will and confidence of his neighbors, and other good Citizens, of Ohio township, in Auglaize County aforesaid, yet the said defendant well knowing the premises but greatly envying the happy state and condition of the said plaintiff, and contriving and wickedly and maliciously intending to injure the said plaintiff, in his good name, fame, and credit, and to procure the suspension of the said plaintiff, from the his pension, and prevent his further enjoyment of the same, and to bring him into public scandal, infamy and disgrace, with and amongst all his neighbors, the Honble Commissioner of Pensions at Washington City, and other good and worthy Citizens of the United States, and to cause it to be suspected and believed by those neighbors, other Citizens, and the Commissioner of Pensions, that he the said plaintiff, had been guilty of perjury, false swearing, falsely prosecuting a Pension, or of the offenses and misconduct hereinafter stated to have been imputed and charged to him, and to subject him to the pains and penalties of the laws of this State, and of the United States of America, made and provided against, and inflicted upon persons guilty thereof, and to vex, harass and annoy, injure, and finally ruin him the said plaintiff, heretofore to wit on the 2nd of April, 1847, at the County of Union, and at the City of Washington aforesaid, falsely, wickedly and maliciously did compose, and publish and cause to be composed and published, of and concerning the said plaintiff, and of and concerning the matters aforesaid, a certain false, scandalous, malicious and defamatory libel, containing amongst other things, the false, scandalous malicious, defamatory, and libellous matter following, of and concerning the said plaintiff, and of and concerning the matters aforesaid, that is to say, "That one Joseph St Roy, (meaning Plaintiff

a man who has resided in this town for the last five years or seven years unknown to us has been in the habit of drawing from the General Government a pension, under the plea that he received a wound during the late war between the United States and Great Britain, which disqualified him from labour, which statement we believe to be untrue: That he (meaning Pepp) is an impostor, and has practiced a fraud on the Government. There can be no doubt. he feel satisfied that he has no wound, which disqualified him from labour and now he to wealth applicants in this County where he resides & is so well known, he would draw no pension. Thereby imputing to the said plaintiff, the Crime of fraudulently procuring a Pension, and of falsely personating some person who had been or might be entitled to a pension, and the Crime of false swearing and perjury, in drawing such pension, and of fraud upon the Government.

By means of which said Slanderous premises the said plaintiff hath been, and is greatly injured in his Credit, and reputation aforesaid, and brought into public scandal infamy, and disgrace, and is suspected to have been guilty of the Crimes and misconduct so as aforesaid mentioned to have been charged and imputed to him, and has been greatly vexed harassed oppressed and impoverished, has had his aforesaid Pension suspended and withheld, by the aforesaid Commissioner of Pensions, and Pension office at Washington City. and has also lost, and been deprived of his aforesaid Pension which he had before that time, and of rights had ought to have obtained to have received and enjoyed, and which he would have received and enjoyed to wit the sum of $500.00 and hath been and is otherwise much injured, and damnified thereby, to wit at Lucas County aforesaid.

And whereas also, the said plaintiff is now a good citizen of the State of Ohio, and as such hath always behaved and conducted himself, and as such has always been received among all his neighbors, and other citizens of whom he has in anywise known. And that he has wounded during the last war with great Britain, for which he received a Pension from the Government of the United States of $96-00 per annum payable semi annually. That in order to the reception of his Pension, under the Law of Congress, and regulations established by the Commissioner of Pensions, I. L. Edwards, who is the Commissioner of Pensions at Washington City District of Columbia, and the Pension agent, and is necessary, that he the Plaintiff, at each, and every time he makes application to draw his semi annual payments, from the Ohio Agency, at Cincinnati Ohio that among other things, which he is required to swear under Oath, before a justice of the peace or other civil authority to administer the Oath required by Law. That he is the identical person named in the Certificate, giving and inserting a copy of his Certificate from the War Department, and it is made by Law a highly penal offence for any person to falsely personate another in order to obtain a pension - or to procure a pension, or draw a Pension which of right belongs to another person.

Yet the said defendant well knowing the premises, but contriving, and falsely and fraudulently intending to injure him the said plaintiff, in his good reputation aforesaid, and also in his right and title of the pension aforesaid, which he then, and thereto had enjoyed and received from the Government, and Pension agent of the United States, and to deprive him of the same, and to cause it to be suspected and believed that the said plaintiff had been guilty of fraud, and imposition upon the Government in order to obtain a receiver to pension,

and had been guilty of willful and corrupt perjury in the procurement which increasing said pension from time to time, and that he had committed various and complicated crimes against the Government and laws of the United States, and the State of Ohio, and to cast reproach, oppress and impoverish and wholly ruin the said plaintiff, hereto on the 2nd day of April 1869, at the city of Washington to wit at the County of Union aforesaid, wrongfully maliciously, and fraudulently, and with malice and for carrying out a conspiracy and publishing and causing to be published, a certain other false scandalous malicious and defamatory libel, of and concerning the said plaintiff, and of and concerning his aforesaid pension and the manner in which he procured the same and of and concerning the several matters aforesaid that is to say, In a certain other letter which the said defendant then and there wrote, signed by said defendant and one Hamilton and five other citizens, addressed to the Honorable Commissioner of United States Pensions, D. C. containing among other things the false & scandalous libel following the subscribed Ross, charging plaintiff, a man who has resided ~~here~~ in this town for the last six or seven years notorious that has been in the habit of drawing from the ~~Government~~ General Government a pension under the plea that he received a wound during the late war, between the United States and Great Britain, which disqualified him from labor which statement he believes to be untrue; That he is an impostor, and has practised a fraud on the Government there can be no doubt. We feel satisfied that he has no wound which disqualified him from labor; That he morning pay, has entirely taken up his in the army during the last war; Thereby then and there imputing to the said plaintiff, false swearing, perjury, fraud upon the Government by means thereof, falsely procuring some other persons, and fraud and imposition upon the Government—

By means of which said premises ~~that~~ the said Plaintiff hath been, and is greatly injured in his good name fame and credit, and reputation aforesaid, and has been brought into public scandal infamy and disgrace, and is suspected whom been guilty of the crimes and misconduct so as aforesaid mentioned whom been charged and imputed to him, and has been greatly vexed harassed oppressed and impoverished, has had his aforesaid Pension suspended and withheld by the aforesaid Commissioner of Pensions, and Pension Office, and has also lost and been deprived of his accrued semi annual payments which he had before that time, and of rights, and which would have had otherwise would have had accrued to him, by the aforesaid Commissioner of Pensions and Pension Office, to wit the sum of $1000.00, and hath been and is otherwise much injured and damnified thereby, to wit at Union County aforesaid - Wherefore Damage $5000.00 And therefore he brings his suit &c.

By Stretch Crawford & Leaty
his Attys.

Civil/Domestic Case File

Case No. 1847-CV-0014

No. 47-CV-14

Union Common Pleas Court.

Munson H Michaels
Plaintiff,

AGAINST

John Johnson
Defendant.

OCT 1847

No Record.

Jud vs Pltf

Journal 4 Page 71

Record No. — Page —

Ex. Doc. Page

Precipe for Sc

Munson H. Michael
vs

John Johnson
Nancy Johnson
& A

Filed May 5, 1847
John Cassil Clerk

Summons issued

Munson Vs. Michael

John Johnson, & Mary Johnson his wife, and Samuel Kazerter

Union Com. Pleas.

Case —
Damages $1000.00

In this Case the Clerk will issue Summons returnable forthwith, Endorse" Suit brought by Pltff. to recover of deftts. $1000.00 damages for enticing & persuading away the wife of the Plaintiff, —

John W. Gunson
Doughty & Stone
Plaintiffs

May 5, 1847.

Kezartee
ads
Michael

Plea

Filed Sept 22nd 1847
John Cassie Clk

raw

Samuel R. Kezartee
vs
Munson H. Michael } In Case

And the said Samuel R. Kezartee comes and defendants & c and says that he is not guilty of the said supposed grievance laid to his charge in manner and form as the said Munson H. Michael hath complained against him and of this he puts himself upon the Country & ~~[illegible]~~ Mr. Michael doth the like —

P. B. Cole Atty for Deft —

In Union Com Pleas

John Johnson &
Mary Johnson
ads
Munson McMichael

Plea

Filed Sept 21st 1869
John Gassie clk

Allison & Curry
~~Jno Johnson~~

John Johnson &
Mary Johnson
vs
Munson H Michael

In Case.

And the said John Johnson and Mary Johnson come and defend, &c. and say, that they are not guilty of the said supposed grievances laid to their charge, in manner and form as the said Munson H Michael hath complained against them; and of this they put themselves upon the Country.

By Allison & Carey
~~[illegible]~~ Their Attys

Filed Oct 1 1897
John Currie Clk

Morrison H. Michaels
vs
John Johnston
Mary Johnston
Samuel B. Bogardus

In
Mercer Comm
Pleas —

Issue a Subpoena
for Silas G. Strong Witness for the
Plaintiff for 2 days —

H. G. Dought and
J. Young for
Plaintiff

Kazauter et al
ats

M H Michael

precipe

Kingsley et al
vs
Michael

Z. Lesser Solr for,

Mrs Irvin, Mrs McCratney Samuel
McCratney Mrs Johnson - Mrs Sprague

Cole & Swan
for defts

Filed Oct 6th 1847
John Cassie Mr

M H Michael
vs
S K Rezaster

Issue a subpoena for Mrs Rowland
Lee and Mrs. David Sprague witnesses for Deft.

Oct. 6. 1847

J B Cole
Atty for Deft.

To John Carrie —
Oct 12

Praecipe for
Witness of Deft

Filed Sept. 28 47
John Cassil, Clerk

Michael vs Kegarter

Munson H. Michaels } In Union Common
vs } pleas.
Samuel R Rayster }
John Johnston
& Mary Johnston

Issue a Subpoena for
Thomas Johnston Louisa Johnston
R L. Brown - James Turner -
witnesses for Plaintiff -

By the Clerk of
Union Common pleas } J C ~~A J Hoverty~~
and J. Young for Plaintiff

Union Common Plea

Munson H. Michael
vs
S. K. Kizarter et al

Filed Oct 27 1847
John Cassie Clk

Served the within by reading to Lewis Kizarter
and N. L. Brown on the 29th day of October
1847. N. L. Brown demanded his fees which were not paid
served by reading to Thomas Hudson on the
29th day of October 1847, served on Louisa Johnson
Oct 2, 1847 no fees demanded by John Johnson
and paid.
Fees - mileage 75
service 50
O. P. Phillips Under Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

We command you to summon Thomas Johnson - Louisa Johnson, R. L. Broome, & James Turner

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said county, at the courthouse, in the town of Marysville, on the ~~first~~ second *day of next term, at* ~~ten~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* Munson H. Michael *in a certain controversy in said court depending, wherein* Munson H. Michael *is plaintiff, and* Samuel K Kezerter et al *is defendant: and this* May *shall in no wise omit, under the penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 28th *day of* Sept. *A. D.* 1847

John Cassil CLERK.

Filed May 27 1847
John Cassil Clk

Minnson H. Michaels
vs
John Johnston
Mary Johnston
Samuel P. Rayster

In union common
pleas — August Term
A D 1847 —

Mr. John Bosse
Clerk — please issue
a subpoena for Julia
Jopsman as witness for Plaintiff
to be and appear at the next term of
the court of common pleas of Union county
Ohio May 27th 1847 —

Yours Bowdle & Co for Plaintiff
John A Gowey

Union
[redacted] Com. Pleas

Munson K. Michael

v

John Johnston Defts

Mer. in Case

No Record.

Filed July 22d 1847
John Cassie Clk

Copy Bill made
No. Record

OCT 1847

Appeared for Defts
Attorney for Plaintiff

and hath from thence hitherto continued so unlaw=
=fully absent, separate and apart, from the said
plaintiff, her husband, without his leave and against
his Consent, whereby the said plaintiff, during all
that time, hath wholly lost and been deprived of
the Comfort, Company and fellowship, of his wife, and
of her aid and assistance in his domestic affairs
and business, which she, during all that time, ought
to have had and enjoyed, and otherwise might and
could have had and enjoyed, with his said Wife,
to wit, at the County aforesaid. To the damage
of the plaintiff of one thousand dollars, and therefore
he brings his suit, &c.

[illegible] & Young and Daughty
Attys. for Plff.

Trans. Cont. Plea
Damson K. Blackwell
vs.
Wm. Johnston & Thos.
Mr. vs. Case

No Record.
Filed July 22/1847
John Lasair Clk

Leave filed mad
No. Rec

OCT 1847

Young & Daughty
Attys for Plaintiff

Union County Court of Common Pleas
of the Term of May A. D. 1847.

The State of Ohio
Union County } ss.

Manson H. Michael Com=
=plains of John Johnson, Mary Johnson and
Samuel R. Kazartee in an action of the
Case, for that the said defendants Contriving
and maliciously intending to aggrieve and
injure the said plaintiff, and to deprive him of
the Comfort, Company and Fellowship of Nancy
B. Michaels the then and now wife of the
said plaintiff and of her aid and assistance
in his domestic affairs and business, heretofore
to wit, on the fifteenth day of October, in
the year eighteen hundred and forty six and
from thence daily until [illegible] 3rd day of that
month, at the said County of Union, wrongfully
and injuriously enticed, instigated and persuaded
the said wife of the said plaintiff unlawfully, and
without the leave or license, and against the
will of the said plaintiff, to depart, absent and
separate herself, from the said plaintiff, and
to continue so unlawfully absent, separate and
apart, from the said plaintiff, her husband, and
without his leave, and against his Consent, by
means of which said unlawful enticement, insti=
=gation and persuasion, of the said defendants, the
said wife of the said plaintiff, afterwards, to wit,
on the day and year last aforesaid, at the
County aforesaid, without the leave or licenses,
and against the will of the said plaintiff, depar=
=ted, absented and separated herself from the said plaintiff
and from the dwelling house of the said plaintiff

Ex Book Page 182

Philip Snider
vs
Michael Cassidy

Cash 25 cts
Costs

To Cash 25 cts

Feba April 25 1848
John Cassidy

Received this writ March 13. 1848 and by virtue thereof I levied upon one Cook Stove and one Book case as the property of Mr. H. Michael & advertised the same for sale by publication in the Aegis a newspaper published and in general circulation in Union County for ten days previous to the day of sale I afterwards, to wit: on the 22nd day of April A.D. 1848 offered the same for sale and sold to Robert Boice the Book case for two dollars he being the highest and bestt bidder therefor the Stove not sold for want of buyers.

Fees— Levy 35. no other goods or chattles lands or tenements found whereon to levy.
mileage 5
advertising 25
Service 35
Pt fee 1.00.

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS:

To the Sheriff of said County, Greeting:

WHEREAS, at the Court of Common Pleas of the County aforesaid, begun and held at the Court House in the town of Marysville, on the 7th day of October A.D., 1847.

Samuel R. Regarter et al

recovered against M. H. Michael

as well as the sum of ~~dollars and~~ ~~cents for~~ ~~debt, as the sum of~~ ~~dollars and~~ ~~cents, for~~ damages as also the sum of $ 28.20 for their cost and charges in that behalf expended, as of record is manifest. You are therefore commanded, that of the goods, and chattels, and for the same thereof, of the lands and tenements of the said Munson H Michael

you cause to be made the ~~debt, damages and~~ costs aforesaid, with interest thereon from the 7th day of October A.D., 1847, until paid; also the sum of $ the costs of increase on said Judgment, and accruing costs; and that you have these moneys before said Court at the Court House aforesaid, on the first day of our next Term, to render unto the said S. R. Regarter et al

Hereof fail not at your peril; and have you then there this writ.

WITNESS JOHN CASSIL, CLERK of said Court, at the Court House aforesaid, this 13th day of March A.D., 1848.

John Cassil Clerk.

Filed March 15th 1848
John Cassie Clk

M H Michael
vs
Samuel K Rezarke } In case

Issue an Ex Cutiore for Costs in this case Oct. 14 1847
To John Cassil Clerk

P. B. Beale
Atty for Deft.

Served this by reading to all the within named witnesses Oct 6. 1847.
Mary Johnson demanded her fees which were not paid
Fees - mileage 5
service 65
Philip Shuler Sheriff

Union Com Pleas

M H Michener
vs
S E Register et al
Ext for work

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON Eleanor Irwin Susana McBratney

Samuel McBratney Mary Johnson & Mrs Sprague

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, ~~on the first day of next term, at ten o'clock, A.M.~~ forthwith, to testify and the truth to speak on behalf of Samuel R. Kezartee

in a certain controversy in said Court depending, wherein M W. Michael

is Plaintiff, and Samuel R Kezartee et. al

is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 6th day of October A.D., 1847.

John Cassil Clerk.

May 5. 1847 served this writ upon the within named defendants by delivering a certified copy of this writ to each of them.

Fees — Service 1.75
Copies 3.12½
mileage 5 = 11.87½

Philip Sailer Sheriff

Union Com Pleas

Munson H. Michael

vs

John Johnson &
Mary Johnson his wife, and
Samuel H. Hegartee.

Filed May 5 — 1847
John Cassil, Clerk

Suit brought by bill to recover of costs $100.00 Damages for [redacted] Entering & peddling away the wife of the plaintiff. Thos. H. Harris

Bought atty for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING

We command you to summon John Johnson & Mary Johnson his wife, and Samuel W. Hezarter

Forthwith ~~[illegible]~~ to appear before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Munson H Michael

in a plea of Case damages One Thousand dollars.

And have you then there this writ.

Witness, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 5th day of May A. D. 1847.

John Cassil Clerk.

Served on the 27th day of May AD 1847 by reading this writ to the within named Julia Sapman she demanded her fees which were paid

Fees—Service 12½
mileage 5 = 17½ Philip Snider Sheriff

Union Com. Plea

M. A. Michael
vs
John Johnson et al

Filed May 28th 1847
John Hopkins Clerk

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

We command you to summon Julia Zafman

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said county, at the courthouse, in the town of Marysville, on the ~~first~~ second *day of next term, at* ~~ten~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* Munson H. Michael *in a certain controversy in said court depending, wherein* Munson H. Michael *is plaintiff, and* John Johnson & Wife & Samuel K Kezerte *is defendant: and this* she *shall in no wise omit, under the penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 27th *day of* May *A. D.* 1847

John Cassil CLERK.

Union Com Pleas

M & Michael

vs

S K Kegorles

Levi for writ

Filed October 4th
John Barnes Clk

Served this writ by reading to the within
named Kortneeso October 6. 1847
Fees - mileage 5
service 25 = 30
Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON Mrs David Sprague

and Mrs Rowlane Lee

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, ~~on the first day of next term, at ten o'clock, A.M.~~ forthwith, to testify and the truth to speak on behalf of Samuel R Rezartee

in a certain controversy in said Court depending, wherein M H. Micheal

is Plaintiff, and Samuel R. Rezartee

is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 6th day of October A.D., 1847.

John Cassil Clerk.

Civil/Domestic Case File

Case No. 1847-CV-0015

No. 47-CV-15

Union Common Pleas Court.

H Rigour & Co

Plaintiff,

AGAINST

James Kincaid Jr

Defendant.

AUG TERM. 1847

JUDGMENT VS DEFENDANT

Recorded & Indexed.

Journal 4 Page 54

Record No. 5 Page 112

Ex. Doc. 1 Page 478

H. & Pyle & co.

vs.

James Pinkerton & others

Precipe

Filed May 5th 1847
John Cassil, Clerk

F. J.

852,50
6
51,15
4,25
2,12
71
58,23
852,50
910,73

18
15
33
2

116

Henry Rigour & John F. Dunlap
late partners under the name of H. Rigour & Co
vs
James Finkbeiner Jr, John Cafill &
James Finkbeiner Sr

} In assumpsit
Damages $1000.00

Issue a Summons returnable
forthwith endorse "Suit bot. on note of hand made by
defendants payable to plaintiffs by the ye partnership
name, dated July 16. 1845 for the sum of eight hun-
dred fifty two dollars & fifty cents, due 18th June
1846 — also for goods sold, money lent &c"

Finch & Jones
Attys for plaintiffs

To Clerk of Union Com. Pleas
May 5. 1847

Jas Hinkle Jr
& Cassil
J Hinkle Jr
Note

Due 18th June
1846

$852.50

On or before the 18th of June 1846 we
or either of us promise to pay H Rigsur &c
or order the Some of Eight hundred and
fifty two Dollars and fifty cts for value
Received July 16th 1845

James Pinkade Jr

[redacted]

James Pinkade Sr

debt but on note of hand made by Defendants payable to Plaintiffs by their firm of Partnership name, dated July 16. 1845 for the sum of Eight Thousand Five hundred dollars & fifty cents, due 1st June 1846 - also for goods sold, money lent &c

Finch & Jones
Attys. for Plaintiff

Union Common Pleas

H. Rigour & Co.
vs
James Kinkade Jr.
& others

Served on the 6th day of May A.D. 1847 by leaving an attested copy of this writ at the residence of the defendant

Philip Snider Sheriff

Fees = Service 35
Copy — 10
mileage 25 = 70

Philip Snider Sheriff

Filed May 7, 1847
John Cassil Clerk

We the undersigned defendants to the within writ waive service of this process & hereby enter our appearance herein May 5th 1847

James Kinkade Jr
John Cassil

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING

We command you to summon James Kirkade jr, John Cassil & James Kirkade sen.

to appear forthwith ~~on the first day of our next term~~, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Henry Rigour & John F. Purlap, late partners under the name of H. Rigour & Co.

in a plea of assumpsit damages one thousand dollars.

And have you then there this writ.

WITNESS, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 5th day of May A. D. 1847.

John Cassil CLERK.

H. Rigom & co

vs

James Kirkpatrick et al

Bill

Filed May 20th 1847
John Cassil, Clerk

Cost bill made

Record

Recorded

J. v. J.

Union County ss } Court of Common Pleas May Term A 1847

Harry Rigour & John F. Dunlap late partners under the firm of H. Rigour & co. complain of James Kinkade Jr. John Cofil & James Kinkade Sr in a plea of assumpsit for that whereas the said James Kinkade Jr. John Cofil & James Kinkade Sr on the sixteenth day of July A 1845 at the County of Union aforesaid made their certain promissory note in writing & then & there delivered the same to the said Harry Rigour & John F. Dunlap & thereby promised to pay the said plaintiffs (by their said partnership name) or order the sum of eight hundred & fifty two dollars & fifty cents on or before the 18th of June 1846 for value received, which period has now elapsed And the said James Kinkade Jr. John Cofil & James Kinkade Sr then & there in consideration of the premises promised to pay the amount of the said note to the said plaintiffs according to the tenor & effect thereof

And also for that whereas the said defendants on the 28rd day of June 1846 at the County aforesaid were indebted to the plaintiffs in one thousand dollars for the price & value of goods then & there sold & delivered by the plaintiffs to the defendants at their request And in one thousand dollars for money then & there lent by the plaintiffs to the defendants at their request And in one thousand dollars for money found due to the plaintiffs from the defendants on an account then & there stated between them

And whereas the said defendants afterwards on the 1st day of July 1846 at the County aforesaid in consideration of the premises then & there promised to pay the said several last named sums of money to the plaintiffs on request yet they (the said defendants) have disregarded their promises & have not paid the said several sums of money nor either of them nor any part thereof to the damage of the plaintiffs one thousand dollars & therefore they sue

By Finch & Jones
Plfs Attys

In Union Com Pleas

Jas Pinkerton & ot als

vs

D Rigoni & als

Plea

Filed Aug. 6th 1847
John Cassil, Clerk

Allison & Lemon

James Kinkade & ctals } In Union Com Pleas
ads
H. Rigour & Co }

And the said defendants Come and defend &c. and say that they did not assume and promise in manner and form as the said plaintiffs have declared against them, and of this they put themselves upon the Country and the plaintiffs doth the like.

By Allison & Curry their Attys

The plaintiffs will also take notice, that the defendants on the trial of this cause will give in evidence and insist, that the plaintiffs were and still are indebted to the defendants in the sum of One thousand dollars for the price and value of goods before that time bargained and sold by the defendants to the plaintiffs at their request, and also in the sum of One thousand dollars for money before that time had and received by the plaintiffs for the use of defendants, &c, and that the defendants will set off on said trial, so much of the said several sums of money so due and owing from the said plaintiffs to the defendants against any demand of the said plaintiffs to be proved on said trial as will be sufficient to satisfy and discharge such demand, and will also then and there demand a judgment against the said plaintiffs for the ballance of said sums of money so due the defendant, according to the statute in such case made and provided.

Allison & Curry Attys for Deft

Ex. Docket page 478

A. Rigsby & co
vs
Jas. Kinkade jr. et al

Damages	$910.43
Costs	5.30
Writ	41

Filed April 25 1848
John Cassil Clk

Recorded

THE STATE OF OHIO, UNION COUNTY, SS:

To the Sheriff of said County, Greeting:

WHEREAS, at the Court of Common Pleas of the County aforesaid, begun and held at the Court House in the town of Marysville, on the third day of August A.D., 1847. Henry Rigour & John F. Dunlap, trading under the name of "H. Rigour & Co." recovered against James Kinkade Jr. as principal & John Cafsil & James Kinkade sen as sureties as well as the sum of nine hundred & ten dollars and forty three cents for their ~~debt, as the sum of~~ ~~dollars and~~ ~~cents for~~ damages as also the sum of $ 5,30 for their cost and charges in that behalf expended, as of record is manifest. You are therefore commanded, that of the goods. and chattels, and for the want thereof, of the lands and tenements of the said James Kinkade Jr. John Cafsil & James Kinkade sen (first exhausting the property of James Kinkade Jr.) as principal) you cause to be made the ~~debt~~, damages and costs aforesaid, with interest thereon from the sixth day of August A.D., 1847, until paid; also the sum of $ the costs of increase on said Judgment, and accruing costs; and that you have these moneys before said Court at the Court House aforesaid, on the first day of our next Term, to render unto the said H. Rigour & Co

Hereof fail not at your peril; and have you then there this writ.

WITNESS JOHN CASSIL, CLERK of said Court, at the Court House aforesaid, this 12th day of Nov. A.D., 1847.

John Cafsil Clerk.

Received this writ November 12, 1847
Returned by order of Plaintiffs attorney without service.
Philip Snider Sheriff

H. Rogers & Co

Col. Kirkpatrick
& others

Drafts for
[illegible]

Filed Nov. 8th 1847
John Cofer Clerk

F. & J.

444
137-25
603.25

Henry Rejoux & John F. Dunlap
late partners in trade under the firm of
H. Rejoux & co

v

James Thurkad Jun. principal debtor
John Cofpol & James Thurkad Sen. sureties

Judgment in
Union Com. Plas

Issue execution
according to the judgment in this case
Oct. 11. 1847

Fenlon & Jones
attys. for Pltff

Civil/Domestic Case File
Case No. 1847-CV-0016

No. 47-CV-16

Union Common Pleas Court.

Moses Fullington
Plaintiff,

AGAINST

Henry Jones et al
Defendant.

AUG TERM. 1847

Discontinued

No Record.

Journal 4 Page 32

Record No. Page

Ex. Doc. Page

Moses Fullington
vs
Henry Toms & Edward Norris

Praecipe for Summons in Assumpsit

Filed May 5. 1847
John Capsil Clerk

Allison & Perry
Attys for Plff

Moses Fullington
vs.
Henry Toms, &
Edward Norris

In Assumpsit.
Damages $400,00

Issue a Summons returnable forthwith. Endorse on the writ. "Suit brought on a note of hand made by defendants to plaintiff or Order, for Two Hundred and Seventy Two Dollars and fifty Cents, payable nine months after date. to bear interest from date if not paid when due, and dated September 29th 1845, &c — Also for goods sold and delivered, Money had and received, &c Damages Claimed as due $400,00.

Allison & Curry
Attys for Plff.

To the Clerk of
Union Common Pleas

Dated May 4th 1847.

In Union Com Pleas

Moses Fullington
vs
Henry Jones &
Edward Norris

Narr - In Assumpsit

Filed June 17th 1847
John Cassil, Clerk

Allison & Carey

The State of Ohio } Court of Common Pleas,
Union County ss. } May Term A.D. 1847

Moses Fullington complains of Henry Toms and Edward Norris, in a plea of Assumpsit, for that whereas the said Henry Toms and Edward Norris on the twenty ninth day of September A.D. 1845 at the County of Union aforesaid made their promissory note in writing, and delivered the same to the said plaintiff and thereby promised to pay to the said plaintiff or order Two hundred and seventy two dollars and fifty cents, nine months after the date thereof, with interest from the date thereof if not paid when due, which period has now elapsed, and the said defendants then and there, in consideration of the premises, promised to pay the amount of the said note to the said plaintiff according to the tenor and effect thereof.

And also for that whereas, the said defendants on the first day of May A.D. 1847 at the County of Union aforesaid was indebted to the said plaintiff in four hundred dollars for the price and value of goods, then and there bargained and sold by the plaintiff to the defendants at their request;

And in four hundred dollars for the price and value of goods, then and there sold and delivered by the plaintiff to the defendants at their request;

And in four hundred dollars for money then and there had and received by the defendants for the use of the plaintiff:

And whereas the defendants afterwards, on the second day of May A.D. 1847, at the County aforesaid in consideration of the premises, then and there promised to pay the said last mentioned several sums of money to the plaintiff, on request; yet he hath disregarded his promises, and hath not paid the said several sums of money nor either of them, nor any part thereof: to the damage of the plaintiff four hundred dollars, and thereupon he brings suit &c.

By Allison & Curry, His Attorneys.

Served by delivering a true copy of this writ to the within named Henry Toms on the 6th day of May 6th 1847 also by leaving an attested copy of this writ at the residence of Edward Norris on the 8th day of May 1847

Fees – Service 55
copies 20
mileage 1.00

Philip Snider Sheriff

Suit brought on a note of hand made by Defendants to Plaintiff or order, for the sum of one hundred and twenty dollars and fifty cents, payable nine months after date, to bear interest from date at the rate of six per cent per annum, and costs of suit, and attorney's fee, to be paid by the defendants on the 3d day of March 1844

Filed May 5, 1847
Wm Coffee Clerk

Minor Com. Pleas
Moses Pettingston
vs
Henry Toms, &
Edward Norris

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING.

We command you to summon Henry Jones & Edward Norris

Forthwith [redacted], before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Moses Sullington

to appear

in a plea of Assumpsit damages Four hundred dollars.

And have you then there this writ.

Witness, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 8th day of May A. D. 1847.

John Cassil Clerk.

Civil/Domestic Case File

Case No. 1847-CV-0017

Civil/Domestic Case File

Case No. 1847-CV-0018

No. 47-CV-18

Union Common Pleas Court.

James Galloway
Plaintiff,

AGAINST

Andrew Herd
Defendant.

OCT 1847

Judgment Defendt

Journal 4 Page 65

Record No. 5 Page 169

Ex. Doc. Page

Union Com Pleas

James Galloway
vs } Praecipe
Andrew Herd

Summons issued

Filed May 5. 1847
John Cogswell Clerk

Cost Bill made
Record
Recorded

A. Galloway
atty for Pltf.

James Galloway
vs
Andrew Hesd

In Assumpsit — Dam. $300.00

To the Clerk of the Court of Com Pleas of the County of Union Ohio

Issue a summons as above returnable forthwith.

This suit is brot on two promissory notes given by Deft. to pltff. for Ninety dollars ($90.00) each, dated each ~~March~~ March 27th 1844, & payable to said pltff. or order, one on the 15th day of November 1845, with interest from date; & the other on the 15th day of November 1846, with interest from date. Also for money lent, paid, had & rec^d, & on an account stated.

Amt now due & demanded $217.50

May 5th 1847

Albert Galloway
Atty for Pltff

This suit is brot on two promissory notes given by deft. to pltff for ninety dollars ($90) each, dated each March 27 1844, & payable to said pltff or order, one on the 15th day of November 1845, with interest from date, & the other on the 15th day of November 1846 with interest from date — Also for money lent, paid, laid out & expended & on an account stated. Amount now due & demanded $217.50 — May 5th 1847. Albert Galloway atty for Pltff

Filed May 5th 1847
John Lipscomb Clerk

Appearance on the 5th day of May A.D. 1847 by admitting an attachment copy of the writ of the defendant
Fees — Serve 35
copy — 10
mileage 65 = 1.10

Filed & Entered Feb'y

Union Town Texas
Turner Galloway
vs
Andrew Wood

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING

We command you to summon Andrew Bird

forthwith ~~on the first day of our next term~~, before the Judges of our Court of Common Pleas, in and for the County to appear aforesaid, at the Court House in said County to answer unto James Halloway

in a plea of Assumpsit damages Three Hundred dollars.

And have you then there this writ.

WITNESS, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 5th day of May A. D. 1847.

John Cassil CLERK.

Andrew Heads Note $90.00
Due 15th Nov. 1846

vs

Sued upon in Macon Co.
Mar 5th 1847

Filed Oct 7th 1847
John Cassels Clk

$90.

Xenia March 27th 1844

On or before the 15th. day of November 1846, I promise to pay to James Galloway or order ninety dollars with lawful interest from the date hereof for value received.

Andrew Reed

for part of Shanks & McQuinns survey formerly sold to Lewd. Carter

Andrew Herds note for $90.
Due 15th Novr 1845

Suit in Union Co
May 5th 1847

$4.15 costs to Samuel
Carlile which Herd is
to pay
Sackle

Filed Oct 7th 1847
John Cassil clk

$90.

Xenia March 27th 1844

On or before the 15th day of November 1845, I promise to pay to James Galloway or order ninety dollars, with lawful interest from this date, for value received.

Andrew Herd

Union Com Pleas

James Galloway
vs } Decl.
Andrew Herd

Filed June 1st 1847
John Copsil, Clerk

A. Galloway
Pltfs atty

State of Ohio Union County Court of Com
Pleas of the Term of May 1847

Union County ss.

James Galloway complains of Andrew Herd in a plea of Assumpsit for that whereas the said defendant on the 27th day of March 1846 at the County aforesaid made his two promissory notes in writing & delivered the same to the said plaintiff & thereby promised to pay to the said plaintiff or order ninety dollars on the 15th day of November 1845, and ninety dollars on the 15th day of November 1846 with interest from date on each respectively which respective periods have both elapsed, & the said defendant then & there in consideration of the premises promised to pay the amount of the said notes to the said plaintiff according to the tenor & effect thereof:

And also for that whereas the said Andrew Herd on the 27th day of ~~November~~ April 1847 at the County aforesaid was indebted to the said James Galloway in Two Hundred & fifty dollars for money ~~before that time~~ then & there lent by the plaintiff to the defendant at his request: And in Two Hundred & fifty dollars for money then & there paid by the plaintiff for the use of the defendant at his request: And in Two Hundred and fifty dollars for money then & there received by the

defendant for the use of the plaintiff: And in Two Hundred & fifty dollars for money found to be due from the defendant to the plaintiff on an account then & there stated between them: And Whereas the defendant afterwards on the day aforesaid at the County aforesaid in consideration of the premises then & there promised to pay the said several sums of money to the plaintiff on request yet hath disregarded his promises, & hath not paid the said several sums of money nor either of them nor any part thereof to the damage of the plaintiff Three Hundred dollars & therefore he sues by his attorney

Albert Galloway

Civil/Domestic Case File

Case No. 1847-CV-0019

No. 47-CU-19

Union Common Pleas Court

Minerva J. Snodgrass
Plaintiff,

against

Silas Igou
Defendant.

AUG TERM. 1847

Judg Bx Defendant

Journal 4 Page 44

Record No. 5 Page 92

Ex. Doc. Page

Union Co

Minerva Hodges

v

Silas Igou

Deed

Filed May 7. 1847
John Caspie Clerk

Cost Bill made
Record
Recorder

Allison & Cary
S & A

Minerva J Snodgrass
v
Silas Igou

3

Case
Damages $5000 —

Issue Summons returnable forthwith

Endorse "Suit brought to recover damages for the breach of a promise of marriage made by the deft to the pltff. Damages claimed $5000 —

Copy ✓ a
Allison & Carey
Sam & Andrews
attys for pltff

May 7. 1847.
To the Clerk

Union Common pleas.

Minerva S. Snodgrass

vs. Case.

Silas Igou,

Declaration.

Filed June 17th 1847
John Capil, Clerk

Allison & Curry,
& Swan & Andrews,
Attorneys.

The State of Ohio. } Court of Common Pleas,
Union County, ss. } May Term, A. D. 1847.

Minerva J. Snodgrass complains of Silas Igou, in a plea of the case upon promises, for that whereas heretofore, to wit, on the first day of July A. D. 1846, at the County of Union aforesaid, in consideration that the plaintiff (being then and there unmarried) at the request of the defendant, had then and there promised the defendant to marry the defendant, he, the defendant, undertook, and then and there promised the plaintiff to marry her, the said plaintiff; and the plaintiff avers that she, confiding in the defendant's said promise, hath always remained and continued, and still is, unmarried, and was, until the defendant married another person, as hereinafter mentioned, ready and willing to marry the defendant, to wit, at the County of Union aforesaid; Yet the defendant disregarded his said promise in this, to wit, that he afterwards to wit, on the 5th day of May, A. D. 1847, at the County of Union aforesaid, wrongfully and injuriously married another person, to wit, Mary Ann Gabriel, contrary to the defendants said promise. — To the plaintiff's damage of Five Thousand Dollars, and therefore she brings her suit, &c.

By Allison & Curry,
& Swan & Andrews,
Her Attornies.

day of June AD 1847 one note of twenty five dollars payable on the 24th day of October 1847 one note of twenty five dollars payable on the twenty fourth day of february 1848 and one note of twenty five dollars payable on the twenty fourth day of June AD. 1848 all of which notes are on interest from this date In Testimony whereof we the said Silas Gam and ~~Winess~~ Minerva Snadgrass have hereunto set their hands and seals the day and year first above written

Silas Gam (Seal)

Attest Andrew Keys

Minerva Snadgrass (Seal)

State of Ohio County of Union } ss Personally appeared before me Andrew Keys a Justice of the peace Silas Gam and Minerva Snadgrass and acknowledged the signing and sealing the within article of agreement to be their free and voluntary act and deed this 24th day of February 1847 Andrew Keys JPs —

Silas Gam
to
Minerva Snadgrass
Notice and Motion

Filed July 19th 1847
Jos. Lockie, Clerk

Dell & Mason Atty
Attorneys

Silas Pgan } Court of Common Pleas of the Term of
vs } August A.D. 1847
Minerva P Snadgrass } And the said Silas Pgan by D. S. Bell & Sampson Mason his Attorneys comes and defends the wrong and injury when &c and says that he did not assume and promise in manner and form as the plaintiff hath above thereof complained against him and of this he puts himself upon the country and the plaintiff doth the like. D S Bell & Sampson Mason
Attorneys for defendant

The plaintiff and Allison Curry Swann and Andrew his Attorneys will take notice that on the trial of the above cause the defendant will offer in evidence and insist upon as a defense to whatever is in the declaration charged against him a certain instrument in writing signed and sealed by himself and the said Minerva P Snadgrass and by them duly acknowledged by Andrew Keys Esquire a Justice of the peace of the County of Union aforesaid of which instrument of writing and acknowledgement the following is a copy — Articles of agreement entered into this twenty fourth day of February in the year one thousand eight hundred and forty seven between Silas Pgan of the one part and Minerva P Snadgrass of the other part Witnesseth that whereas the said Minerva P Snadgrass is now with child which will probably be born about the month of April A.D. 1847 and declares and says that said Silas Pgan is the father of said child and the said Silas Pgan acknowledges and believes that he is the father of said child the said Minerva P Snadgrass proposes and agrees to accept the sum of one hundred dollars in full for all damages arising and in consequence of said child and relinquish and discharge said Silas Pgan from all further trouble and damage in consequence of said aforesaid child which sum of money said Silas Pgan agrees to pay and has this day executed to said Minerva P Snadgrass his promissory notes for that amount ~~the~~ one note of twenty five dollars payable on the 24th

Filed July 27 1847
John Carrie Clk

Minerva J. Snodgrass
vs.
Silas Igou

Issue Subpoena for
Andrew Keyes, French Garwood, Joseph O. Baker, Alvira Boal, Thomas Moore, Robert Snodgrass, Eleanor Snodgrass, Samantha Snodgrass
Witnesses for Plff.

Allison & Denny
Attys for Plff.

Del K. of Union Com Pleas.
Date July 27th 1847

Silas Glass
vs
Minerva P. Snodgrass

Subpoena for
Defendants Witness

Filed July 19th 1847
John Cassil, Clerk

Bell & Mason
Attorneys for
Deft

Silas D Gam
Ats
Minerva P Snodgrass

Suit in Union County Court of Common Pleas
The Clerk of Said Court will please issue a subpoena
for the following Witnesses for the Defendant in Said
cause Joseph A Baker, Wm N Turner, ~~Francis Gannaway~~, Timothy
Elwell, John Elwell, ~~William Davenport~~ George Fairfield, Joseph Gabril,
~~Mrs Hood~~ ~~Wife of~~ Reed

D. S. Bell & S Mason Attorneys for
the Defendant -

July 17th 1847

Suit brought to recover damages for the breach of a promise of marriage made by the deft to the plffs Damages claimed $5000

Allison & Berry
Swan & Andrews
Attys for Plff

Union Com Pleas

Minerva J Snodgrass
vs
Silas Igou

Filed May 8th 1871
John Cassil, Clerk

Served on the 8th day of May A.D. 1871 by delivering an attested copy of this writ to the defendant

Fees = Service — 35
Copy — 10
Mileage — 25

Philip Snider Sheriff

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING.

We command you to summon Silas Igou

Forthwith to appear ~~on the first day of our next term~~, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Minerva J. Snedgrass

in a plea of Case damages Five thousand dollars.

And have you then there this writ.

Witness, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 7th day of May A. D. 1847.

John Cassil Clerk.

Filed July 28 1847
John Cassie Clk

Minerva J. Sudgrass } In Union Com Plea
vs
Silas Igou

Issue Subpoena to
S. H. Gilaspie, Wm Gill &
C. P. Garlick witnesses
on behalf of Pltf.

To Clerk of Union Com Plea
July 27th 1847

Allison & Curry Attys for
Pltf

Union Com Pleas

Menim J Snodgrass
vs
Silas Igou

Suit for wit.

Filed July 28th 1847
John Cassil Clk

July 28. 1847 Served the within writ personally upon all the within named witnesses
Fees-mileage 25
Service 100 Philip Shriver Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon Andrew Keyes French Garwood Joseph O. Baker Alvirco Elwell Thomas Moore Robert Snodgrass Eleanor Snodgrass Semanthe Snodgrass

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the ~~first~~ third *day of next term, at ten o'clock A. M., to testify and the truth to speak on behalf of* Minerva J. Snodgrass *in a certain matter in controversy in said court depending, wherein* Minerva J Snodgrass *is plaintiff, and* Silas Igou *is defendant: and this* they *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 27th *day of* July A. D. 184 7

John Cassil CLERK.

Union Com Pleas

Minerva J. Snodgrass
vs
Silas Igou

Sub for wit.

Serve this writ upon Wm Gill Judge 30. 1844
Fees mileage 25
Service 124

Phillip Snider Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon J H. Gilaspie Wm Gill And C P. Garlick

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the ~~first~~ third *day of next term, at ten o'clock A. M., to testify and the truth to speak on behalf of* Minerva J Snodgrass *in a certain matter in controversy in said court depending, wherein* Minerva J Snodgrass *is plaintiff, and* Silas Igou *is defendant: and this* they *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 28th *day of* July A. D. 184 7

John Cassil CLERK.

Served the within writ personally upon Joseph A. Baker Wm. S. Turner Timothy Elwell, John Elwell, George Fairfield, Andrew Keyes, Samuel L. Reed, on the 25th day of July 1847 also upon Joseph Gabriel on the 28th of same month

Fees mileage 30
Service 1.00

Philip Snider Sheriff

Filed Jan 25 1858
John Cassidy Clk

Milton Common Pleas
vs
Milton Ryan

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon Joseph A. Baker, Wm. N. Turner Timothy Elwell, John Elwell, George Fairfield & Joseph Gabriel, Andrew Reyes & Lamme L Reed

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the third *day of next term, at* nine *o'clock A. M., to testify and the truth to speak on behalf of* Silas Egan *in a certain matter in controversy in said court depending, wherein* Minerva J. Snodgrass *is plaintiff, and* Silas Egan *is defendant: and this* they *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 20th *day of* July A. D. 1847

John Cassil CLERK.

Miss Snodgrass
vs
Silas Egan

Filed Aug 4 1887
John Cassie Clk

Writed not found
Fees = mileage $5
Philip Miller Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

We command you to summon Emily Fairfield

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said county, at the courthouse, in the town of Marysville, on ~~*the first day of next term*~~, ~~*at ten*~~ Thursday Morning, the 5th Inst. at nine *o'clock A. M., to testify and the truth to speak on behalf of* Silas Egan

in a certain controversy in said court depending, wherein Minerva J. Snodgrass

is plaintiff, and Silas Egan

is defendant: and this She *shall in no wise omit, under the penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid,*

this third *day of* August A. D. 1847

John Cassil CLERK.

Silas Spon
to
Minerva Snodgrass

50$ in 3 mo
50$ in 6 mo
100. Feby 19/49 and int
100 one year thereafter and int
100 one year thereafter with int.
100 one year thereafter with int.

500 D

Filed February 1st 1850
James Kirkpatrick clerk

Aug 4 1847

Received Nov. 10th 1847 Fifty Dollars $50
Received Feby 7th 1848 Fifty Dollars $50
Received Feby 21st 1849 one hundred dollars $100
Received May 21st 1849 one hundred dollars $100
Received May 21/49 three Dollars twenty five cent balance on 3d payment
Received July 31st 1850 payment in full
for the within

Stephen Hoyt agent
for Minerva Snodgrass
Robert Snodgrass
Minerva Snodgrass

Minerva I Snodgrass
v
Silas Igon

Union Com Pleas

Action for breach of
Promise of Marriage

Judgment unremitted 500$ & costs.

It is agreed between the parties that execution shall issue upon said judgment as follows

For fifty dollars three months from this date
For fifty dollars six months from this date
For One hundred dollars Feby. 4. 1849 with interest on said 100$ from this date
For One hundred dollars One year thereafter with interest from this date
For One hundred dollars in three years from said Feby. 4 1849 with interest from this date
For one one hundred dollars in four years thereafter with interest

And upon execution upon said judgment is to be stayed as above mentioned, except for Costs.

And in consideration that said Minerva hath agreed to stay execution as above the undersigned hereby promise and guaranty to pay said several sums to said Minerva as they severally become due as above mentioned in case said Igon shall fail to do so; and we waive demand on said Igon and also notice to us of such nonpayment by said Igon.

Silas Igon
Elijah Burdsall
Samuel H Reed

Mem. by JR Swan: made Aug. 4 1847

Civil/Domestic Case File

Case No. 1847-CV-0020

No. 47-CV-20

Union Common Pleas Court.

State of Ohio
Plaintiff,

AGAINST

James Hall
Defendant.

JUN TERM. 1843

JUD'G VS PLAINT'F

Journal 4 Page 123

Record No. No Record. Page

Ex. Doc. Page

Union County Pleas

J. N. Ross
vs
James Hall

Recp. for Sum.

Filed May 18th 1847
John Cassil Clerk

Joseph A Ross.
vs
~~Wilkinson~~
James Hall

Case Damn $5000.00

Issue a Summons returnable to next Term, Endorse Suit brot to recover Damages for the publication of a Libel by the Deft. against the Pltff. on or about the 2nd day of April 1847 & for slanderous words spoken by the Deft to & concerning the Pltff

To the Clerk of Union Cont. Pleas

Pltff Solicitor. Crawford & Doty - Attys for Pltff

May 15th 1847.

The State of Ohio

vs

James Hall

Transcript from
L. C. Com Pleas Rec.
Book B. Not. State Cases
Page 365-6-7a

The State of Ohio
Richland County } I, Elliott Brady Clerk of the
Court of Common Pleas for and
within said County do hereby certify that the
foregoing transcript is correct & exact copy from
the Record of State cases in this office
Given under my hand and seal the seal
of said Court at Mansfield this
7th day of December A.D. 1848
Elliott Brady Clerk

Charles Cantwell Sheriff by Wm Hamilton
Deputy
E. Brady Clerk

Pleas before the Court of Common Pleas within and for the County of Licking and State of Ohio held at the Courthouse in Newark in said County on the 26 day of August A.D. 1841.

The State of Ohio
vs
James Hall

Assault with intent to kill,

Be it remembered that on the 13th day of August A.D. 1841 the Grand Jury within and for the body of the County of Licking viz A. G. Caldwell (foreman) B. P. Cunningham Jas Irwin, Henry Smith Jr. Ebenezer Weeks, William Taylor, Manson Scofield, Samuel Frances, Stephen Barnes who together with Samuel H. Joseph, Lewis Farmer, Mace Priest, Adam Funk and Alpheus Jewett Talesmen, being empannelled and sworn returned into Court with the following indictement to wit, The State of Ohio Licking County S.S. Court of Common Pleas of term of August in the year of our Lord one thousand eight hundred and forty one,

The grand Jurors of the State of Ohio enquiring of offences within and for the body of the County of Licking aforesaid on their oaths do find and present that James Hall late of said County on the Tenth day of July in the year of our Lord one thousand eight hundred and forty one, with force and arms at the Township of Newark in said County of Licking in and upon the body of One Lewis L Sawtell, then and there being wilfully, maliciously, and unlawfully did make an assaut and did him the said Lewis L. Sawtell then and there maliciously and unlawfully did beat, wound and ill treat with intent in so doing him the said Lewis L Sawtell then and there felloniously, wilfully, maliciously, purposely and of his deliberate and premeditated malice, to kill and murder contrary to the form of the Statutes in such case made and provided and against the peace and dignity of the State of Ohio. And the Jurors aforesaid on their oaths do further find and present That the said James Hall late of said County on the Tenth day of July in the year of our Lord

one thousand eight hundred and forty one with force and arms at the Township of Newark in said County of Licking in and upon the body of one Lewis L. Sawtell then and there being wilfully maliciously and unlawfully did make an assault and him the said Lewis L Sawtell then and there being, wilfully maliciously and unlawfully did make an assault and him the said Lewis L Sawtell then and there wilfully maliciously and unlawfully did strike, beat wound and ill-treat with intent in so doing him the said Lewis L. Sawtell then and there, feloniously wilfully purposely and maliciously (but without premeditation and deliberation) to kill and murder contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Ohio

And the Jurors aforesaid on their oaths aforesaid do further find and present that James Hall late of said County on the Tenth day of July in the year of our Lord one Thousand Eight hundred and forty one, with force and arms at the Township of Newark in said County of Licking in and upon the body of one Lewis L. Sawtell then and there being wilfully, maliciously, and unlawfully did make an assault and with a certain axe, which he the said James Hall then and there in both his hands had and held the said Lewis L. Sawtell then and there feloniously wilfully maliciously and unlawfully did strike at and attempt to cut with intent in so doing him the said Lewis L. Sawtell then and there feloniously and of his deliberate and premeditated malice to kill and wound contrary to the form of the Statute in such cases made and provided and against the peace and dignity of the State of Ohio

And the Jurors aforesaid on their oaths aforesaid do further find and present that James Hall late of said County on the Tenth day of July in the year of our Lord one Thousand eight hundred and forty one, with force and arms at the Township of Newark in said County of Licking in and

upon the body of Lewis L. Sawtell then and there being wil-fully, maliciously, and unlawfully did make an assault and with a certain axe which he the said James Hall then and there in both his hands had and held the said Lewis L. Sawtell, then and there feloniously wilfully maliciously and unlawfully did strike at and attempt to cut with in-tent in so doing him the said Lewis L. Sawtell then and there feloniously, purposely, and maliciously (but without pre-meditation to kill and murder) contrary to the form of the Statutes in such cases made and provided and against the peace and dignity of the State of Ohio

A true Bill, A G Caldwell, foreman) Jas. Parker Pros. Atty.

And afterwards on the 18th day of August A.D. 1847 came the prosecuting Attorney, on behalf of the State and also the said Defendant "who pleaded" not guilty whereupon a Jury being called came, to wit, John Bell, William Sherman, H. W. R. Bruner A. M. Hale, Adam Connell, Isaac Smucker, Henry Burner, Munson Pratt, L. H. Nash, Phillip Smoots, Nimrod Warden & Abram Harris, who was empanneled and sworn to the truth to speak upon the issue joined upon their oaths do say, that the said defendant is guilty of assault and Battery with intent to kill in manner and form as he stands charged in the first count of the indictment prefered against him,

And now at this day, to wit, the day and year and at the place first aforesaid, The Jury having returned a verdict of guilty against the said James Hall the Court do order and adjudge that he be conveyed hence to the Jail of the County and from thence within thirty days to the peni-tentiary of the State of Ohio there to remain for the space of four years and during that time to be kept at hard labor, And that he pay the costs of this prosecution forced at 8

Filed June 3d 1848
John Cassin clerk

Joseph N. Rapp
vs
J. B. W. Haines
and others -

Libel in Union Comt. Pleas
in this atty

The said Defendants are hereby notified, that the Plaintiff demands the original Letter which is alleged to be a Libel, written to J. L. Edwards Commissioner of Pensions, or a Copy

Said Letter or Copy is wanted on the trial and may be filed with the Clerk of the Court of Common Pleas of Union County O. - June 2nd - 1848

To Amos Curry & Allison
Atty for Deft -

Charles Sanderson
Atty for Rep -

Union Common Pleas

Josiah N. Ross
vs
James Hall

Filed May 25th 1847
John Cassil, Clerk

suit brot to recover Damages, for the publication of a libel by the Defendant against the plff. on or about the 2nd day of April 1847 & for Slanderous words spoken by the Deft. of & concerning the Plff.

By Sweetzer, Crawford & Doty
Attys for Plff.

Served on the 24th day of May A.D. 1847
by delivering a certified copy of this writ to
the Defendant

Fees - Service	35	
Copy	10	
mileage	75	120

Philip Snider Sheriff

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING

We command you to summon James Hall

to appear on the first day of our next term, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Joseph N. Rass

in a plea of Case damages five thousand dollars.

And have you then there this writ.

WITNESS, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 18th day of May A. D. 1847.

John Cassil CLERK.

premises. the said Plaintiff hath been and is greatly injured in his good. name fame. and Reputation and has been brought into public Scandal. infamy. and disgrace. and is suspected to have been. guilty. of the crime. And misconduct so as aforesaid mentioned, to have been imputed and charged to him And has been greatly vexed. harassed. oppressed And. impoverished. And has had his aforesaid Pension suspended. And withheld by the Honourable commissioner of Pensions. at Washington City And was also lost And been deprived. of his aforesaid Semi Annual. payments which he had before that time and of right. aught to have. had, and otherwise would have had continued to him by the aforesaid commissioner. of Pensions and Government of the United States. and he was has thereby been deprived. of. and lost. a large sum of money to wit, the sum of $1000.00 And hath been and is otherwise much injured, and damaged, therein to wit at Union County aforesaid to his damage $5000-00. And thereupon he sues- by-

Smeteser Crawford-A Doty his

Atto

Smeteser Crawford
vs
Joseph Ross
Debt Damages
$5000
Plaintiff Declares
Filed Oct 30th 1847
John Davis Clk

Smeteser Crawford
vs
Joseph Ross

The State of Ohio Union County fs. } Court of Common Pleas.
August Term. AD. 1847.

Joseph N Ross complains of James Hall in a Plea of trespass on the case, for that whereas the said Joseph N Ross for a long time before and at the time of the committing of the grievances by the said James Hall, herein after mentioned, had been and was a Pensioner of the United States, of America, duly registered and acknowledged as such in consequence of wound which he the said Plaintiff received in the services of the United States during the last war of the United States with great Brittain And in consequence of being so as aforesaid a Pensioner he received Annually from the Government of the United States through the Pension Office And Agencies of the United States for paying Pensions a large sum of money to wit the sum of $96.00 on account of being such Pensioner to wit at Union County aforesaid And whereas also the said Plaintiff for a long time before and at the time of the committing of the several grievances herein after mentioned by the said Deft was a good And true citizen of the state of Ohio And as such had always behaved himself And untill the committing of the several grievances herein after mentioned by the said Defendant was always Reputed and accepted by and amongst all his neighbours And other citizens to whom he was in anywise known to be a person of good name fame and reputation to wit at Union County aforesaid And whereas also the said Plaintiff hath not ever been guilty or untill the committing of the several grievances herein after mentioned were suspected to have been guilty of fraud upon the Government perjury false swearing falsely personating or falsly representing himself to be a Pensioner of the United states or any such crime offence or misconduct as has been herein after repeated and charged upon him by the said Defendant by means of which said several premises the said

Plaintiff. before the committing of the said Several grievances by the said Defendant as hereinafter mentioned had deservedly obtained the good will and confidence of his neighbours. and other citizens to whom he was in any wise known. to wit. at Union County aforesaid yet the said ~~Plaintiff~~ Defendant well knowing the premises but greatly envying the happy state and condition of the said plaintiff. and contriving and wickedly. and maliciously intending to injure. the said plaintiff in his good name fame. and credit and to procure. the suspension of the said Plaintiff from his aforesaid Pension and to prevent his further enjoyment of the same and to bring him into public scandal. infamy and disgrace with and amongst all his neighbours. the commissioner. of Pensions. at Washington City D.C. and other good, and worthy citizens of the United States. to whom he was in anywise known and to cause it to be suspected and believed by their neighbours. citizens. and the commissioner, aforesaid that he the said Plaintiff was a fraudulent man had been guilty of. Perjury. falsely. representing himself to be a pensioner. and of having received wounds in the services. of his country and of the other offences. and misconduct. hereinafter, mentioned. and to subject him to the pains and penalties of the laws of the United States and of this State made and provided, against, and inflicted upon persons. guilty thereof, and to vex harass. oppress. injure and wholly ruin him the said Plaintiff. heretofore to wit on the 2d. day of April 1847. at the County. of Union and at the City of Washington aforesaid. falsely. wickedly. and maliciously did compose. and publish. and caused to be composed. and published. of and concerning the said Plaintiff and of and concerning the matters aforesaid (in a certain letter which the said Defendant in conjunction with others then and there addressed. to the honorable

Commissioner of Pensions the certain false scandalous and defamatory (Libel) containing amongst other things the false scandalous malicious defamatory and libellous matter following that is to say That one Joseph N Roof a man who has resided in this Town for the last six or seven years unknown to us has been in the habit of drawing from the general Government a pension under the plea that he received a wound during the late war between the United States, and Great Brittain which disqualified him from labour, which Statement we believe to be untrue that he meaning Plaintiff is an impostor and has practiced a fraud upon the Government, there can be no doubt, we feel satisfied that he has no wound which disqualified him from labour, and were he to make application in this County where he resides and so well known he would draw no pension Thereby then and there imputing to the said Plaintiff the crime of fraudulently procuring a Pension and of falsely personating some person who had been or was then a Pensioner and of false swearing and perjury in drawing ~~from~~ such Pension and by fraud upon the ~~general~~ Government by means of which said several premises the said Plaintiff hath been and is greatly injured in his credit and reputation aforesaid And brought into public scandal injury and disgrace and is suspected to have been guilty of the crimes and misconduct so as aforesaid mentioned to have charged and imputed to him and has had his aforesaid Pension suspended and withheld by the aforesaid Commissioner of Pensions and Pension Office and Agencies of the United States and has also lost and been deprived of his aforesaid Pension which he had before that time, and of Right had ought to have continued to have received and enjoyed and which he otherwise would have received and enjoyed amounting to a large sum to wit, the sum of $1000 as to wit at Union County aforesaid

And H hath been otherwise damaged and injured their to wit
at Union County aforesaid And whereas also the said Plantiff
is a good citizen of the state of Ohio and as such has always
behaved and demeaned himself and has always been received
among all his neighbours and others to whom he was in
anywise known That he was wounded during the last war
of the United States with Great Brettain whilst he was in
the service of the United States in consequence of which
wound he was entitled and did receive from the Government of
the United States a Pension of $96-00 per annum payable semi
annually That in order to receive his aforesaid Pension under
the laws of congress and the Rules and Regulations of the
Pension office and instructions of J L Edwards the
commissioner of pensions it was and is necessary that
the Plantiff and all others at each and any time he
makes application for his semi annual payments
that he should swear under oath among other things
that he is the identical person ~~wounded~~ named in the certificate
then in his possession and insert a true copy of his
certificate in his written application and affidavit
made and sworn to before a Justice of the peace or some
other officer authorized by law to administer the required
oath And it is made by law a highly criminal offence
for any person to personate an other in order to obtain
a pension which of right belongs to an other or to obtain
money by fraud upon any of the Pension laws of the United
States Yet the said Defendant well knowing the premises
but contriving and intending to injure him the said
Plantiff in his good name fame and reputation aforesaid
and ~~wrongfully~~ also in his right title claim and enjoyment of his
aforesaid pension which he then and hitherto had received
and enjoyed from the Government Pension office and agencies of
the United States and to deprive him of the same and to
cause it to be suspended And believed that the said

Plaintiff had been guilty of fraud and imposition upon the Government in order to obtain and receive a Pension and had been guilty of wilful and corrupt perjury in the procurement and reception thereof and had committed various and complicated crimes against the Government and laws of the United States and State of Ohio and to vex harass oppress impoverish and wholly ruin him the said Plaintiff heretofore on the 2d day of April 1847 at the city of Washington to wit at the County of Union aforesaid wrongfully maliciously composed and published and caused to be composed and published in a certain letter which the said Defendant in conjunction with others wrote and sent to the Commissioner of Pensions at Washington D C, a certain other false scandalous malicious and defamatory Libel of and concerning the said Plaintiff and the matters aforesaid containing among other things the false scandalous defamatory and libellous matter following that is to say - Josephus Roy a man who has resided in this town for last 4 or seven years unknown to us has been in the habit of drawing from the Government a pension under the plea that he received a wound during the late war between the United States and Great Britain which disqualified him from labour which statement we believe to be untrue That he meaning Plff is an impostor and has practiced a fraud upon the Government there can be no doubt we feel satisfied that he has no wound which disqualified him from labour that he meaning Plaintiff was entirely too young to be in the army during the last war thereby then and there imputing to the said Plaintiff false swearing and perjury and fraud upon the Government in the procurement of his aforesaid pension and falsely personating some person who was entitled to receive a pension By means of which said several

Civil/Domestic Case File

Case No. 1847-CV-0021

No. 47-CV-21

Union Common Pleas Court.

Joseph N. Ross
Plaintiff,

AGAINST

Samuel Moses
Defendant.

JUN TERM. 1843

JUD'G VS PLAINT'F

Journal 4 Page 126

Record No. No Record Page

Ex. Doc. Page

Union Common Pleas

J. V. Rass

vs

Samuel Moses

Precipe for Sum

Filed May 18th 1847
John Cozil Clerk

Joseph N Ross } Case Damages $5000.00
vs
Samuel Moses } Issue a Summons returnable to next Term, Endorse Suit Brot to recover Damages for the publication of a Libel by the Deft, against the Plff for slanderous words spoken by the Deft of and Concerning the Plff

Tatha Clerk of Union
Court Plead. May 15th 1847. } Pltff Sureties Crawford & Doty. Atty for Plff

Served on the 24th day of May A.D. 1847
by delivering a certified copy of this writ to
the defendant

Fees — mileage 80
Service 35
Copy 10 — 1.25

Philip Snider Sheriff

Union County Plea

Joseph N. Haas
vs
Samuel Haas

Filed May 25th 1847
John Chapin Clerk

Suit Debt to recover damages of the plaintiff in a plea by the Defendant the State's in attachment made also by the Defendant on oath the Debt.

A true copy Attest
Chapin & Hall

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING

We command you to summon Samuel Mases

to appear on the first day of our next term, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Joseph N. Bass

in a plea of Case damages five thousand dollars.

And have you then there this writ.

WITNESS, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 18th day of May A. D. 1847.

John Cassil CLERK.

In Union Com Pleas

Samuel Moses
vs
Joseph A Ross

Plea

Filed June 19, 1848
John Cassil Clk

Allison & Curry

Samuel Moses
ads
Joseph A Ross

In Case

And the said Samuel Moses comes and defends &c. and says that he is not guilty of the supposed grievances laid to his charge, in manner and form as the said Joseph A Ross hath complained against him, and of this he puts himself upon the Country.

By Allison & Burr
Swan & Andrews his attys

Plr con Rlcs.

Joseph A. Ross

vs

Samuel Moses

Libel - Damages $5000

Va

Filed Oct 30th 1847

John Cassie Clk

Dwelle Crawford Dought

Atty for Plaintiff

125
45
775

State of Ohio } Court of Common pleas
Union County } Term. A.D. 1847 -
August

Joseph N Rose complains of Samuel Moses in a plea of trespass on the case, for that whereas the said Joseph N Rose for a long time before and at the time of the committing of the grievances by the said Samuel Moses hereinafter mentioned had been, and was a Pensioner of the United States of America duly registered and acknowledged as such, in consequence of wounds which he the said Plaintiff received in the services of the United States during the late war, of the United States with Great Brittain And in consequence of being so as aforesaid a Pensioner he received annually from the Government of the United States through the Pension office and agencies of the United States for paying Pensioners a large sum of Money, to wit, the sum of $96.00 on account of being such Pensioner, to wit at Union County aforesaid And Whereas also the said Plaintiff for a long time before and at the time of the committing of the several grievances hereinafter mentioned by the said Defendant was a good and true Citizen of the state of Ohio and as such had always behaved himself and untill the committing of the several grievances hereinafter mentioned by the said Defendant was always reputed and accepted by and amongst all his neighbours and other Citizens where he has been in this time, known to be a person of good name, fame and reputation to wit at Union County aforesaid And Whereas also the said Plaintiff hath not ever been guilty of untill

the committing of the several grievances hereinafter mentioned never suspected to have been guilty of fraud upon the government, Perjury, false, swearing, falsely, personating or falsely Representing himself to be a Pensioner of the united States, or any such crime offence, or misconduct, as has been hereinafter ~~represented~~ Reported and charged upon him, by the said Defendant, by means of which said several premises he the said Plaintiff before the committing of the said several Grievances by the said Defendant as herein after mentioned had deservedly obtained the good will and confidence of his neighbours - and other citizens, to whom he was in any wise known - to wit, at Union County aforesaid Yet the said Defendant well knowing the premises but greatly envying the happy state and condition of the said Plaintiff and continuing and wickedly and maliciously intending to injure the said Plaintiff in his good name fame and credit and to procure the suspension of the said Plaintiff from his aforesaid Pension and to prevent his further enjoyment of the same, and to bring him into public scandal, infamy and disgrace with and amongst all his neighbours, the Commissioner of Pensions at Washington City, D.C. and other good and worthy citizens of the united States, to whom he has in any wise known; and to cause it to be suspected and believed by their neighbours citizens and the commissioner aforesaid that he the said Plaintiff was a fraudulant man ~~was guilty~~ had been guilty of Perjury, falsely Representing himself to be a Pensioner and of having received wounds in the service of his country and of the other offences and his conduct herein after mentioned and to subject him to the pains and penalties of the laws of the United States, and of this State made and provided against

and inflicted upon persons guilty thereof and to vex harass oppress injure and wholly ruin him the said Plaintiff heretofore to wit, on the 3d day of April 1847, at the County of Union and at the city of Washington aforesaid falsely wickedly and maliciously did compose and publish and caused to be composed and published of and concerning the said Plaintiff and of and concerning the ~~letter~~ matter aforesaid in a certain letter which the said Defendant in conjunction with others then and there addressed to the honorable Commissioner of Pensions the certain false scandalous and defamatory Libel containing amongst other things the false, scandalous malicious defamatory and libellous matter following, that is to say, that one Joseph N Ross a man ~~that~~ who has resided in this town for the last six ~~years~~ or seven years ~~[illegible]~~ under known to us has been in the habit of drawing from the general Government a pension under the ~~form~~ plea that he received a wound during the late war between the United States and Great Brittain which disqualified him from labour which statement ~~he~~ we believes to be untrue That he meaning Plaintiff is an impostor and has practised a fraud upon the Government there can be no doubt we feel satisfied that he has no wounds which disqualifies him from labour and so well known he would draw no pension and were he to make application in this County where he resides Thereby then and there imputing to the said Plaintiff the crime of fraudulently procuring a pension and of falsely personating some person who had been or was then a pensioner and of false swearing and perjury in drawing such pension and by fraud upon the Government by means of which said several premises the said Plaintiff hath been and is greatly injured in his credit and reputation aforesaid and brought into

public scandal. injury. and. disgrace. and in is suspected to have been. guilty. of the crimes. and his conduct. so as aforesaid mentioned to have. charged. and imputed to him, and has had, his aforesaid pension suspended. and withheld, by the aforesaid Commissioner. of Pensions. and Pension office and agencies of the United States and has. also. lost. and. been. deprived. of his aforesaid Pension which he had, before, that time. and of Right had- aught to have continued- to have received and enjoyed. and which he. otherwise would have received and enjoyed. Amounting to a large sum. (to wit) the sum of $. 1000.00 as to wit- at. Union County. aforesaid. and hath been otherwise damaged. and injured therein to wit at Union County. aforesaid. (And whereas. also. the said Plaintiff is a good Citizen of the State of Ohio and as such has- always. behaved and. demeaned himself. and has always been received. among all. his neighbours and others to whom. he was. in any wise known. That he was. wounded. during. the late war of the United States with Great Brittain whilst. he was. in the services of the United States. in consequence. of which wound he was. entitled and did receive from. the Government of the United States. a Pension of. $96.00. per annum payable. ~~then~~ semi annually. That in order. to receive his aforesaid Pension under the Laws. of Congress. and the Rules. and regulations of the Pension office and instructions of J. L. Edwards. Commissioner of Pensions. It was and is necessary. that the Plaintiff and all. others, at each and any. time he makes. application for. his ~~several~~ semi- annual Payments that he should swear. under oath- among. other things that he is. the identical person named. in the certificate then in his possession and insert a true copy. of his certificate, in his written application and

Affidavit, made and sworn to before a Justice of the peace. or some other officer authorized by law to administer the required oath. And it is made by law a highly criminal offence. for any person to personate another in order to obtain a Pension which of right belongs to another or to obtain money by fraud upon any of the Pension Laws of the United States Yet the said Defendant well knowing the premises but contriving and intending to injure him the said Plaintiff in his good name fame and reputation aforesaid and also in his right title claim and enjoyment of his aforesaid Pension, which he then and hitherto had received and enjoyed from the Government Pension office and agencies of the United States and to deprive him of the same and to cause it to be suspected and believed that the said Plaintiff had been guilty of fraud and imposition upon the Government in order to obtain and receive a pension and had been guilty of wilfull and corrupt perjury in the procurement and reception thereof and had commited various and complicated crimes against the Government and laws of the United States and State of Ohio and to vex harass oppress impoverish and wholly ruin him the said Plaintiff heretofore on the 2d day of April 1847 at the city of Washington to wit at Union County aforesaid wrongfully and maliciously composed and published, and caused to be composed and published as a certain letter which the said Defendant in conjunction with others wrote and sent to the Commissioner of Pensions at Washington D.C. a certain other false scandalous malicious and defamatory Libel of and concerning the said Plaintiff and the matters aforesaid containing

among other things the false scandalous defamatory and libelous matter following that is to say, Joseph R Bof, a man who has resided in this town for the last six or seven years ~~Well~~ unknown Known to us has been in the habit of drawing from the Government a Pension under the plea that he received a wound during the last war between the United States and Great Britain which disqualified him from labour which statement he believes to be untrue, That he meaning Plaintiff is an imposter and has practiced a fraud upon the Government there can be no doubt we feel satisfied that he has no wounds which disqualified him from Labour, That he meaning Plaintiff was entirely too young to be in the Country during the last war. Wilfully then and there imputing to the said Plaintiff false ~~swearing~~ swearing and perjury and fraud upon the Government in the procurement of his aforesaid Pension and falsely ~~personating~~ personating some person who was entitled to receive a Pension by means of which said several premises the said Plaintiff hath been and is greatly injured in his good name fame and reputation and has been brought into public scandal infamy and disgrace. And is suspected to have been guilty of the crimes and ~~to have been~~ misconduct as aforesaid mentioned ~~to have~~ to have been imputed and charged to him and has been greatly vexed harassed oppressed and, impoverished, and has had his aforesaid Pension suspended, and withheld by the honorable Commissioner of Pensions at Washington

City, and has also lost, and been deprived of his aforesaid semi annual, payments, which he had, before that time and of right ought to have had, and otherwise would have had, continued to him by the aforesaid Commissioner of Pensions, and Government of the United States, and he has thereby been deprived, of and lost, a large sum of money to wit the sum, of $1000-00. hath been and is otherwise much injured, and damaged, therein to wit, at Union County aforesaid to his Damages, $5000-00. And thereupon he sues &c.

By

Sweetser Crawford, a Daughty
his Atty.

Civil/Domestic Case File

Case No. 1847-CV-0022

6

No. 47-CU-22

Union Common Pleas Court.

J. C. Shepherd Plaintiff,

AGAINST

Andrew J. Stethaw Defendant.

SEP TERM, 1843

DECREE FOR PLAINTF

Journal 4 Page 157

Record No. 5 Page 313

Ex. Doc. Page

I issued an order for the Constable to return the Execution.

Execution returned "I levied on one saddle. Fees. Service 20c Mileage 20=40. May 24th/47. Alb Kile, Const."

25 Execution
40. Alb Kile Const.

State of Ohio Union County ss.

I do hereby certify, that the above is a full & true Copy from my docket, of the proceedings had by and before me, in the above case.

T. M. Ewing J.P. of the aforesaid Township.

Filed June 23/1847
John Cassie Clk

S. C. Shepherd
By
A. J. Stephen
Granted Jan 31st 1848
By Clk

J. C. Shepherd
vs
Andrew J. Stethem

Suit bot. on book act. Bill of particulars filed. Amt. $4.50
Asaph Allen, agt. for pltf. makes oath & saith, that said A. J. Stethem is about to remove from the jurisdiction of this Court, and that there is danger of losing the debt unless the defendant be immediately arrested, as he verily believes.

Asaph Allen.

12½ Capias
50 A. W. Kile, Const.
25 A. Allen Wit.
25 Judgt.
1.25
25 Bond

May 10th 1847. Issued Capias for A. J. Stethem, del. to A. W. Kile Const.

May 13/47. Capias returned, "I have the body of the within named defendant, and he is now present. Service 25ct. Mileage 35. A. W. Kile Const."

May 13/47. Parties present. on application of the defendant to procure testimony, it was agreed to continue the case till tomorrow at 12 o'clock M. But the defendant upon failure to give bail for his appearance was ruled to go to trial. Trial had. Asaph Allen was sworn to testify in behalf of Plaintiff. It is thereupon considered by me that said J. C. Shepherd recover of Andrew J. Stethem the sum of Four Dollars 50ct. debt, and his Costs taxed at One Dollar 22¾100

T. M. Ewing J.P.

May 13/47. Issued Execution, del. to A. W. Kile Const. 25ct.

In the action of J. C. Shepherd vs. Andrew J. Stethem I, A. P. Robinson, acknowledge myself bail for the appellant for the sum of Seventy five Dollars, to be levied of my goods and chattels, lands and tenements, in case the appellant shall be condemned in the action, and shall fail to pay the condemnation money, and the costs that have accrued, or may accrue, in the Court of Common Pleas.

A. P. Robinson.

Taken, signed and acknowledged, on this 15th day of May 1847.

T. M. Ewing J.P.

Union Com. Pleas

J. G. Shepherd
vs
A. V. Stetheim } Attachment

Writ

Filed Sept 6th 1837
John Carvill Atty

Cost bill made
Record

Recorded

By Col. Vinson

Court of Common Pleas Union County
The State of Ohio } As of October Term
Union County } A.D. 1845

J. E. Shepherd, by Cole & Miller, his attorneys, complains of Andrew S. Stephens in a plea of assumpsit. For that whereas on the 15 day of April 1845 at the county aforesaid, the said defendant was indebted to the said plaintiff, in the sum of four dollars & fifty cents, book account, for professional services rendered, as Physician, by said plaintiff to said defendant, and at his special instance & request to wit: April 15th 1845 – To visit and setting bone $3,00 April 16th 1845 – To attention visit &c $1,50 –

And whereas also the defendant on the 25th day of April A.D. 1845 was indebted to the said plaintiff in the sum of four dollars and fifty cents for work then & there done and materials for the same provided, by the plaintiff for the defendant and at his request – And the defendant, afterwards, on the day & year aforesaid, at the county aforesaid, in consideration of the premises respectively, promised the plaintiff to pay to him the said several moneys on requests yet the defendant hath disregarded his promise and has not paid any of the said moneys, or any part thereof: To the damage of the plaintiff of fifty dollars and fifty cents; and therefore he brings his suit &c.

By Cole & Miller
his Attys.

In Union Com Pleas

Andrew J Stitteu

vs

J. C. Shepard

Plea

Filed June 19, 1848
John Cassidy Clk

Allison & Curry

Andrew S Stitham
Adm
J. C. Shepard } Union Com. Pleas.

And the said Andrew S Stitham comes and defends, &c. and says that he did not assume and promise, in manner and form as the said J. C. Shepard hath declared against him; and of this he puts himself upon the country; and the said J. C. Shepard doth the like.

By Allison & Curry his attys

The plaintiff will also take notice that on the trial of this cause the defendant will give in evidence and insist, that the professional services in setting bones, visit, &c. by the plaintiff, if any such were performed, for the defendant, was of no value to defendant. That the same was performed by the plaintiff as a Physician, and by reason of his unskilfulness and neglect therein, the defendant received no benefit therefrom, but on the contrary was very much injured thereby.

By Allison & Curry his attys

Union Com Pleas

F. C. Shepard
by
Andrew Schlichter
Sup for Writs

Filed Jan 27 1846
John Capsil, Clerk

Service this writ by reading to the within named
witnesses June 26, 1845, Charles Converse demanded
his fees which were not paid

Fees — mileage 40
Service 2 50
70

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON Charles Converse and Archibald Kile,

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on the ~~first~~ 4th ~~second~~ day of next term, at ~~ten~~ nine o'clock, A.M., to testify and the truth to speak on behalf of I. C. Shepard in a certain controversy in said Court depending, wherein I. C. Shepard is Plaintiff, and A. S. Stillwell is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 14th day of June A.D., 1846.

John Cassil Clerk.

Shepard
vs
Other
— Subpoena

I acknowledge
Service of the within
Sept. 17 1848
A Allen

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON Asaph Allen

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, forthwith ~~on the first day of next term, at ten o'clock, A.M.~~, to testify and the truth to speak on behalf of J. C. Shepard

in a certain controversy in said Court depending, wherein J. C. Shepard

is Plaintiff, and A. S. Stithem

is Defendant: and this he shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 19th day of Sept A.D., 1846.

John Cassil Clerk.

Served this writ personally upon the within named witnesses Sept. 18. 1848 Charles Converse demanded his fees which were not paid

Fees – mileage 50
service 25 = 75

Philip Snider Sheriff

Witness Converse

J. C. Shepard
vs
A. J. Stithem

Debt for $75

Filed Sept 18. 1848
John Cassil Clk

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon Charles Converse. and Archibald Kile,

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the first day of next term, at ten o'clock A. M., to testify and the truth to speak on behalf of J. C. Shepard *in a certain matter in controversy in said court depending, wherein* J. C. Shepard *is plaintiff, and* Andrew D. Stithem *is defendant: and this* they *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 13th *day of* September A. D. 184 8

John Cassil CLERK.

Sept 19th 1848 Served the within writ. by reading the same to each of the within named persons.- Julia Ann Converse & Hannah Johnson demanded their fees- [illegible] were paid by me to each 80.

A J Hathaway

Union Com Pleas

A. C. Shepard

v

A J Hathaway

Ad for Cts

Rec Sept 19, 1848

John Carson Clk

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON David A. Silvers, Hannah N Johnson ~~Jones~~ Julia Ann Converse and Jane Fowler,

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on the first day of next term, at ten o'clock, A.M., to testify and the truth to speak on behalf of Andrew J Stithem

in a certain controversy in said Court depending, wherein

J C Shepard is Plaintiff, and Andrew J Stithem

is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 18th day of September A.D., 184 8

John Cassil Clerk.

Served the within writ by personally reading the same to the persons therein named on the 28th of June 1848, Delilah Converse demanded her fee which was paid by defendant $0.75.

June 30th/48

Andrew J Stitham

J. C. Arrington
vs
A. J. Stitham
Suit for Wrongful

Filed June 30, 1848
Wm Cassell Clk

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON David F. Silver, Hannah N. Johnson, & Julia Ann Converse

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on ~~the first day of next term, at ten o'clock~~ the 30th inst. at 8 o'clock A.M., A.M., to testify and the truth to speak on behalf of A. S. Stithem

in a certain controversy in said Court depending, wherein J. C. Shepherd is Plaintiff, and A. S. Stithem is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 27th day of June A.D., 1848.

John Cassil Clerk.

Filed Sept 18 – 1848
John Carnell Clk

J. C. Shepherd
vs.
Andrew J. Stithem

Sam Totten

Issue subpoena for David H. Silvey, Hannah N. Johnson & Julia Ann Converse, witnesses for Defendant, in this Cause.

To the Clerk of
Union Common Pleas

Allison & Curry
Attorneys for Deft.

Dated Sept. 18th 1848.

J. C. Shepard
vs
A. S. Stithem

Bond For Costs

Filed Nov 5 1847
John Cassil clk

Know all Men by these presents that we Jasper C. Shepard ~~and~~ Wm Staley Shepard and W. C. Allen are bound and indebted to John Cassil Clerk of the Court of Common Pleas for Union County Ohio in the Sum of One hundred Dollars for the payment of which we are jointly and severally bound, witness our hands and seals this 5th day of November AD 1847.

The condition of this obligation is such that whereas there is now pending in the Court of Common Pleas for Union County Ohio. a certain action of Assumpsit wherein J. C. Shepard is Plaintiff and A. S. Thurman is defendant, and in case the said J. C. Shepard shall fail to pay all costs that may be rendered against him in said case, then and in such case this obligation shall be in full force and virtue and the said John Cassil shall be at liberty to collect the same or so much thereof as may be sufficient to satisfy said costs and as trustee apply the same to the payment thereof. Now in case the ~~said~~ Plaintiff in the said case in assumpsit shall pay all costs which may be awarded against him then this obligation shall be void otherwise to be and remain in full force and virtue in law

Jasper C. Shepard (Seal)
Wm. C. Shepard (Seal)
W. C. Allen (Seal)

J. C. Shepherd
&
A. L. Shepherd

Recd

Filed Sept 13 1865
John Cassidy Clk

J. C. Stephens
vs
A. S. Stillman

Issue a Subpoena for Charles Conway & Archibald Hile, Witnesses for Plff.

Cole & Wilson
Atts. for Plff.

To Clerk of Union
Common Pleas

Sept. 12, 1848

J. C. Shepherd
vs.
A. S. Stillman

Left on subpoena for David F. Silver, Hannah N. Johnson, Julia Ann Conness, witnesses for Defendants.

Allison & Curry
attys for Deft.

Clerk of Union
Com. Pleas
June 27th 1848

J C Shepard
vs
Thomas

Issue a subpoena for Joseph Allen witness for Deft. in this case

Sept. 19 1848 - P. B. Cole
Atty for Pltff.

To John Keane Clerk

N

Filed June 6. 1878

John Cassie Clk

J. C. Shepard
vs
A. S. Stillman

Issue a subpoena for Charles ~~Hale~~ Hale Converse and Archibald Hale witness for Plff for 4 days
June 6 1848

Cole & Witter Attys.
for Plff.

D. A. 140
Union Com Pleas

Archibald Milliken
vs
J. C. McPherrin

Costs $31.90
Mileage 2.37
Fees writ .65

Filed Nov 20 1854
James Lyon clk

Recorded

Rec^d this writ Sept 6th 1854
And by virtue there of on the 26th day of october
1854 by the oaths of Cyrus Coffin David Owen
& Thomas M Marrow three disinterested free
Holders & Residents of said county of Allen
I caused the within described Property
to be appraised Returned a copy of appraisment
to the Clerk of the court of common Pleas of union county
Ohio I advertised the said Premises for
Sale at the court House in Lima Allen
County Ohio on the 30th day of October 1854
between the hours Prescribed by law in a
news Paper Published and of general circu-
lation in said county called the Lima
Argus and after advertising the
same for more then thirty days Previous

To said day of Sale I Publicly offered
Said Premises for Sale at the said time
and Place so advertised and ~~not sold~~
~~for want of~~ no Bidders Bidding on the
Same I Return this 1st day of November
A D 1854 Not Sold for want
of Bidders

Sheriff fees	Fees Mileage 13 M	1.30
	Calling appraisers	1.00
	copy of Appraisment	25
	copy to Printers	25
	Serving this writ	35
	Docketing	10
	Service & Return	35
		$3.60
	Appraisers fees	$1.50
	Printers fees	$3.00
		$8.10

M Ridenour
Sheriff A. C. O

The State of Ohio, Union County, ss.

To the Sheriff of ~~said~~ Allen County, Greeting:

WE command you to expose to sale those Lands and Tenements of J C Shepherd to wit In Lot number Twenty three in the Town of Niton Allen County Ohio

which according to our commands you have taken into your hands, and which remain unsold as you have certified to the Judges of our Court of Common Pleas of our said County, to satisfy Andrew J Shthem the sum of ~~dollars~~ ~~and~~ ~~cents for~~ ~~for~~ ~~damages together with~~ $21.90 for his costs, with interest thereon from the 19th day of Sept A. D. 1848 until paid, which late in our said Court the said Andrew J Shthem recovered against the said J. C. Shepherd as of record is manifest. Also, $2.37 increase of costs, and the accruing costs. ~~And if in your opinion~~ the property in your hands not sold will be insufficient to satisfy the judgment aforesaid, then you are hereby commanded that you levy the same upon the goods, & chatels, lands and tenements, or either, as the law shall permit, being the property of the judgment debtor, which together with the property on hand not sold as aforesaid will be sufficient to satisfy said judgment. And that you ~~have the same before the said Court at the Court House in Marysville, on the first day of their next Term, to render unto said~~ make due return of this writ in sixty days

Hereof fail not at your peril, and have then there this writ.

Witness, JAMES TURNER, Clerk of said Court at the Court House in Marysville, this 1st day of September A. D. 1854

James Turner Clerk.

D. A 140.

Union Common Pleas

J. C. Shepherd

vs

Andrew S Stilhem

Costs $21.90
Inst from Sept 19/48 4.48
This writ 41

File March 12 1852
James Dunn Clerk

received this writ Feb 27th 1852
and after diligent search and
have found no goods chattels
lands or tenements within my Bailiwick
whereon to levy

Jacob Holmes
Sheff H.C.O.

The State of Ohio, Union County, ss.

To the Sheriff of Hardin County Greeting:

WHEREAS in a certain action in Assumpsit lately prosecuted in our Court of Common Pleas within and for the County of Union, wherein S. C. Shepherd was Plaintiff and Andrew S. Stithem was Defendant the costs of said case were taxed at Twenty one Dollars and Ninety cents for which Judgment was rendered against the said S. C. Shepherd on the 19th day of September A. D. 1848 by said Court, you are therefore commanded that of the goods and chattels, and for want thereof, then of the lands and tenements of the said S. C. Shepherd in your bailiwick, you cause to be made, the costs aforesaid and interest thereon until paid, and also the further sum of $ 41 increase costs and the costs that may accrue, and if you shall levy and make said costs and interest do you have the same before our Court of Common Pleas within and for said County of Union on the first day of the next Term of said Court, to render unto the persons entitled to the same, and have you then there this writ.

Witness JAMES TURNER, Clerk of said Court at Marysville,

this 24th day of February A. D. 1852

James Turner Clerk.

A. S. Stithem
account

Filed Jun 22 1849
John Cavil Clk

15th April 1845 — To J. C. Shepherd Dr

Andrew Samuel Stithem Dr

	To visit and setting bone	$ 3.00
16	to attention visit &c	1.50
		$ 4.50

1224

D. A. 140

Union County Ohio

J. C. Shepherd

v

Andrew S. Stethem

Costs $1.90

Not found $1.00/48

Increase ent 41

This writ 41

Filed March 26 1852

Jarvis Lorner Clerk

Received this write March the 12th A.D. 1852

No goods or Chattels found thereupon to levy & therefore levied upon lot Number twenty three in the town of Nutonallen County Ohio taken as the property of J. C. Shepherd to satisfy an Execution of Andrew S. Stethem

Returned this writ the property not offerd for Sale for the want of printers fees

fees mileage 12 miles 6.20

Services & return 65

H. Stotts, Sheriff $ 1.65 A. C. H

The State of Ohio, Union County, ss.

To the Sheriff of Allen County Greeting:

WHEREAS in a certain action in assumpsit lately prosecuted in our Court of Common Pleas within and for the County of Union, wherein J C Shepherd was Plaintiff and Andrew J Stutheus was Defendant the costs of said case were taxed at Twenty one Dollars and Ninety cents for which Judgment was rendered against the said J C Shepherd on the 19th day of September A. D. 1848 by said Court, you are therefore commanded that of the goods and chattels, and for want thereof, then of the lands and tenements of the said J C Shepherd in your bailiwick, you cause to be made, the costs aforesaid and interest thereon until paid, and also the further sum of $ 11 41 increase costs and the costs that may accrue, and if you shall levy and make said costs and interest do you have the same before our Court of Common Pleas, within and for said County of Union on the first day of the next Term of said Court, to render unto the persons entitled to the same, and have you then there this writ.

Witness JAMES TURNER, Clerk of said Court at Marysville, this 8th day of March A. D. 1852

James Turner Clerk.

J. C. Shepherd
vs.
Andrew J. Stithem

Praecipe for
Execution.

Filed February 24th 1852
James Lowrey Clerk

I. C. Shepherd } In Union Com Pleas:
vs. } Judgt. Dept. Jan 1848,
Andrew S. Slitkem } for Deft. for Costs of Suit.

Issue execution to Sheriff of Hardin County.

Allison & Curry
Attys for Deft.

To the Clerk of
Union Com. Pleas
Dated Feb. 24th 1852.

J. C. Shepherd
vs
A. S. Stitner

Praecipe for
Execution.

Filed March 8 1852
James Turner Clerk

I. C. Shepherd } Union Com. Pleas.
vs. } Judgt. for Deft. for Costs.
Andrew J. Stithem }

Issue Execution to Sheriff of Allen County.

Allison & Cum
Attys for Deft.

To Clerk of Union
Com. Pleas.

March. 5 1852

Civil/Domestic Case File

Case No. 1847-CV-0023

No. 47-CV-23

Union Common Pleas Court.

Mary McMurry
Plaintiff,

AGAINST

Richard Roe
Defendant.

NOV TERM. 1851

Journal 4 Page 366

Record No. Page

Ex. Doc. Page

Union Com. Pleas

John Doe ex dem.
Mary M. Murray tal
vs
Richard Roe

Tenant.

Consent rule & Plea.

In Union Com. Pleas, Oct. Term 1847

John Doe ex. dem.
Mary M. Murray et al
vs
Richard Roe } Ejectment.

And the said

comes, and confesses lease, entry and ouster as alleged in the said declaration of the plaintiff, and says that he is not guilty of the said trespass and ejectment laid to his charge in the said declaration, and defends for the following described premises, that of the lands & tenements in the said declaration mentioned to wit; —

Maywoller Q

Taken and
sealed up and
directed by me
John G. Dough
Notary Public

Doe ex dem Murray et al vs Rae

Deposition of Mrs Hughes

Clerk of Union County
Common Pleas
Marysville
Union County
Ohio

Filed Jan 27th 1838
Nelson Caldwell Clerk

Opened at the request of Defts Counsel
Nelson Caldwell Clerk

Union Com. Pleas

John Doe ex. dem.
Mary McMurray tnt
vs
Richard Roe
Tenant.

Consent rule & plea.

In Union Com. Pleas Oct. Term 1847

John Doe ex. dem.
Mary M. Murray & al
vs
Richard Roe

} Ejectment.

And the said

comes, and confesses lease, entry and ouster as alleged in the said declaration of the Plaintiff, and says that he is not guilty of the said trespass and ejectment laid to his charge in the said declaration; and defendants for the following described premises, part of the lands & tenements in the said declaration mentioned, to wit;—

Union Com. Pleas

John Doe ex. dem.
Mary M. Murray Lessor
vs
Richard Roe

Tenant.

Consent rule & Plea.

In Union Com. Pleas, Oct. Term 1847.

John Doe ex. dem.
Mary M. Murray et al
vs.
Richard Roe

} Ejectment.

And the said

comes, and confesses lease, entry and ouster as alleged in the sd declaration of the plaintiff; and says that he is not guilty of the said trespass and ejectment laid to his charge in the sd declaration; and defends for the following described premises, part of the lands & tenements in the sd declaration mentioned, to wit:—

Dow on Demur
of Mary M'Murry
vs
Richard Rae &c

Bond for Costs

Filed Aug. 6th 1847
John Cassie, Clerk

Know all Persons by these Presents that We Thomas W. Powell Cyprian Lee and Bill Welch are bound and indebted to John Capel, Clerk of the Court of Com. Pleas for Union County in the sum of five hundred dollars for the payment of which we are jointly & severally bound. Witness our hands & seals this 7th day of August A.D. 1847.

The condition of this obligation is such that whereas there are now pending in the Court of Com. Pleas for Union County several actions of ejectment in the name of John Doe on the demises of Mary M. Murray, Ann W. Butler, George L. Wilkins, Ross Wilkins James S. Dallas, Presley N. Wilkins, John D. Wilkins and Hugh B. Wilkins, against several Tenants in possession of several tracts of land in the said County of Union; and in case the said John Doe shall ~~fail in the said actions and be adjudged liable to pay costs therein or either of them, and~~ fail to pay such costs as may be awarded against the said Plaintiff in all or either of the said cases; then and in such case this obligation shall be in full force and payable and the said John Capel shall be at liberty to collect the same or so much thereof as may be sufficient to satisfy the said costs, and as trustee apply the same to the payment thereof. Now in case the Plaintiff in the said several cases in ejectment shall pay all the costs which may be awarded against him then this obligation shall be void; otherwise to be & remain in full force.

T. W. Powell (Seal) as principal

C Lee (Seal)
B Welch (Seal) as surety

Union County ss. Court of Com. Pleas August Term 1848

John Doe ex. dm.
Mary M. Murray tal } In Ejectment.
vs
Richard Roe ——— } The defendant's attorneys will take notice that the plaintiff will take depositions at the office of Frazer & Williamson, Corner of Walnut & 4th Street Cincinnati, on the 8th day of June 1848, between 9 O'clock A.M. and 9 O'cl. P.M. to be used in the various cases now pending in the said Court under the above title.

Powell & Buck Pltffs, attys.

To Messrs Swan & Andrews.
Defendant's Attorneys

~~June~~ May 31 1848. Recd. Copy of the above notice at Columbus.

Swan & Andrews
Attys for deft.

Depositions of witnesses taken in a cause in the Court of Common Pleas for Union County, Ohio, wherein John Doe ex dm Mary M. Murray is plaintiff and Richard Roe is defendant and for said plaintiff in pursuance of the notice hereto attached and at the time and place therein mentioned

George T. Williamson appeared as agent for plaintiff. Defendant failed to appear - Emily N. Hughes being first duly sworn says in answer to Question by Plaintiffs agent Did you know John Wilkins? If so state when and where he died and what heirs he left, their ages and places of residence?

Answer by Witness

John Wilkins died in or about the year Eighteen hundred and seventeen near Pittsburg Pennsylvania leaving the following children to wit James Campbell Wilkins now residing in Natchez Mississippi, Charles Wilkins who died about the year 1818 - leaving one son Presly N. Wilkins then three years old, who now lives in the City of Cincinnati, Mary Wilkins who intermarried with Magnus Murray in 1810 - and became a widow in 1838 - she now resides in Pittsburg Pa - Ann W. Wilkins who intermarried with Captain James Butler in 1815 - and became a widow in 1840 - and now resides in the City of Pittsburg Pa. John Holmes Wilkins who died in ~~in~~ 1836 - leaving John D. Wilkins his first son who became of age in 1843 - and his second son Hugh B. Wilkins who became twenty one years of age in 1846 - George Wilkins who is now living, he is one of the sons of said John Wilkins and is now residing in or near Pittsburg as last heard from. Henry Wilkins died in 1823 or 1824 in the latter year I believe and without issue Rob Wilkins now living in the City of Detroit Michigan, Catharine Wilkins died in 1840 without issue and without having ever been married, Jane S. Wilkins who intermarried with Trevannon Dallas about 1822 became a widow in 1842, She now resides in the City of Pittsburg, Pa.

Emily N Hughes

State of Ohio

Hamilton County ss. I, John G. Douglass a Notary Public in and for said County of Hamilton and State of Ohio, do hereby certify that the above named Emily N. Hughes was by me first duly sworn to testify the truth, the whole

truth and nothing but the truth and that the foregoing deposition by the said Emily N. Hughes subscribed, was reduced to writing by me, and were taken at the office of Frazer & Williamson Corner of Walnut & 4th Street, Cincinnati, on the 8th day of June 1848 between 9 o'clock A.M. & 9 o'clock P.M. at the time and place specified in the inclosed notice

In testimony whereof, I have hereunto set my hand and affixed my Notarial Seal at Cincinnati this Eighth day of June Eighteen hundred and forty eight

John G. Douglass
Notary Public

John Doe ex dem
Murray et al
v
Richard Roe
et. al.

23 Cases

Agreement of
Counsel.

John Doe ex dem
Wilkins heirs.
v
Richard Roe
Joh Lukubbie
et al Tenants.

23.
Cases in Ejects

The defts may at any time before judgment amend their description of premises stated in their consent rules.

If any of the above cases are not regularly continued from term to term they may be reinstated upon the docket the same as if regularly continued.

Depositions regularly taken in one of said cases, to prove heirship, may be used upon the trial of any of said cases reserving all exceptions as to relevancy or competency

Wm S Andrews
Attys for defts.
Powell & Buck
attys for Pltff

Civil/Domestic Case File

Case No. 1847-CV-0024

No. 47-CV-24

Union Common Pleas Court.

Mary M. Murry
Plaintiff,

AGAINST

John Lurkenbill et al,
Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 366

Record No. No Record. Page

Ex. Doc. A Page 140

~~4 to 26~~ 3 to 25

Union Common Pleas
May Term 1847

"

John Doe & dem.
Mary M. McCaughey et al.
vs
Richard Roe.
John Lukenbill, tenant.

"

Notice in Ejectment

2989

Filed July 27 1847
John Cassil Clk

No 1

Cost Bill made
No Record

No 1.

The State of Ohio } Union County, ss. } John Lukenbill being duly sworn upon his oath says that he is the first day of July A.D. 1847 in possession of the premises described in the petition of the plaintiff in the foregoing declaration mentioned or of that part thereof with a true copy of the said foregoing declaration and notice and with the same at the time of serving the said notice on John Lukenbill with the intent and meaning of the said declaration & notice.

Sworn to and subscribed before me this 23 day of July A.D. 1847

Before me Thomas R. Hubbell
Justice of the Peace

Thomas R. Hubbell

Mr. John Lukenbill

Sir—I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 1st day of June A.D. 1847

RICHARD ROE.

The State of Ohio, Union **county, ss.**

COURT OF COMMON PLEAS, May TERM, A. D. 1847

John Doe complains of Richard Roe, for that Mary M. Murray, Ann M. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Dallas, Presley N. Wilkins, John S. Wilkins & Hugh B. Wilkins

on the 1st day of May in the year of our Lord one thousand eight hundred and forty-four at Union county aforesaid, had demised to the said John the following lands and tenements, to wit: so much of a tract of land as is situate in said County, known as Survey No 2989, on Mill Creek, containing 1070 acres, Patented to John Wilkins, August 24. 1803.

and also ten messuages, ten cabins, ten barns, ten stables, ten orchards, ten out-houses, ten yards, ten gardens, ~~1500~~ acres of arable land, 1500 acres of meadow land, 1500 acres of pasture land, 1500 acres of wood land, 1500 acres of land covered with water, and 1500 acres of other land, with the appurtenances, situate in said county of Union To have and to hold the same to the said John, from the 1st day of May in the year aforesaid, for and during the term of fifteen years, thence next ensuing: And also for that ~~John Wilkins~~

on the 1st day of June in the year of our Lord one thousand eight hundred and forty-six at the county of Union aforesaid, had demised to the said John 10 other messuages, 10 cabins, 10 barns, 10 stables, 10 orchards, 10 out-houses, 10 yards, 10 gardens, 1500 acres of arable land, 1500 acres of meadow land, 1500 acres of pasture land, 1500 acres of wood land, 1500 acres of land covered with water, and 1500 acres of other land, with the appurtenances, situate in said county of Union to have and to hold the same to the said John, from the 1st day of June in the year aforesaid, for and during the term of 12 years, thence next ensuing: By virtue of which said several demises the said John entered into the said several tenements, first and secondly above mentioned, with the appurtenances, and was thereof possessed for the several terms aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit: on the 2d day of June in the year of our Lord one thousand eight hundred and forty seven with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs, to the said John then and there did; to his damage fifty dollars. And therefore he sues, &c.

Powell & Beck
attys. for Pltff.

Union Com. Pleas
John Doe ex dem.
Mary M. Murray sol
vs
Richard Roe

J. Luckenbill Tenant

Consent rule & plea.

Wilkins Lens
v
John Luckenbill

2989

In Union Com. Pleas. Oct. T. 1847.

John Doe ex d.
Mary M. Murray et al
vs
Richard Roe.

Ejectment. 2989

And the said John Lukenbill

comes and confesses lease, entry and ouster as alleged in the said plaintiffs' declaration; and as to the previous charge after described ~~he is~~ not guilty of the said trespass and ejectment laid to his charge in the said declaration and defends for the following described premises part of the said lands & tenements in the said declaration described to wit – a certain lot in said survey known as lot Number 7. in the subdivision of said Entry.

Wm J Andrews
Attys for deft.

Union Com. Plens.

John Doe et. dem.

Henry M. Murray et al.

vs

Richard Roe

Tenant.

Concert rule & plea.

Yours Coulson Wilkins & Pratt
Henry Murray &
Ann Wilkins &
John B. Wilkins &
Hugh B. Wilkins &
Yours Wilkins &
Yours Wilkins &
Yours & Wilkins &

In Union Com. Pleas Oct. Term 1847.

John Doe ex. dem.
Mary Mc Murray sal
vs.
Richard Roe } Ejectment.

And the said
comes, and confesses lease, entry and ouster as alleged in the said declaration of the plaintiff, and says that he is not guilty of the said trespass and ejectment laid to his charge in the said declaration; and defends for the following described premises, part of the lands & tenements in the said declaration mentioned, to wit:-

Docket A 140

John Doe Ex Dem
Mary M. Murray & als
vs

John Lukenbill

Costs — $5,86
This con't 41

Filed April 6 - 1852
James Lynn Clerk

Received this Nov 1 February 16 A 1852

Money Received in full
Belmont My Sum 50

$5,50

Wm Allen Atty

The State of Ohio, Union County, ss.

To the Sheriff of Union County Greeting:

WHEREAS in a certain action in Ejectment lately prosecuted in our Court of Common Pleas within and for the County of Union, wherein John Doe & Dem Mary M Murry et als, was Plaintiff and John Inkinbill was Defendant the costs of said case were taxed at Five Dollars and Eighty six cents for which Judgment was rendered against the said John Inkinbill on the 19th day of November A. D. 1850 by said Court, you are therefore commanded that of the goods and chattels, and for want thereof, then of the lands and tenements of the said John Inkinbill in your bailiwick, you cause to be made the costs aforesaid and interest thereon until paid, and also the further sum of $ 41 increase costs and the costs that may accrue, and if you shall levy and make said costs and interest do you have the same before our Court of Common Pleas within and for said County of Union on the first day of the next Term of said Court, to render unto the persons entitled to the same, and have you then there this writ.

Witness JAMES TURNER, Clerk of said Court at Marysville,

this 16th day of February A. D. 1852

James Turner Clerk.

Civil/Domestic Case File

Case No. 1847-CV-0025

No. 47-CV-25

Union Common Pleas Court.

Mary McMurry
Plaintiff,

AGAINST

Wm Kurph
Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 366

Record No. Page

Ex. Doc. No Record. Page

Union Com. Pleas.
May Term 1847.

John Doe & dem.
Mary M. Murray et al

vs

Richard Roe
Wm. Knapp, tent.
[illegible] Ejectment

2989

Filed July 3d 1847
John Cassil Clk

Cost Bill made
No Record

2

Mr. William Knapp

Sir—I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 1st day of July A.D. 1847

RICHARD ROE.

Served a copy of
this [illegible]

State of Ohio Delaware County, ss;

James Olds of said County makes oath and says, that he, on the 1st day of July, 1847, did serve William Knapp, tenant in possession of the premises in the within declaration mentioned or of part thereof, with a true copy of the said declaration and notice thereto annexed, by delivering the same to, and leaving it with, the wife of the said Knapp, at his dwelling house, it being parcel of the premises in the said declaration mentioned; and this deponent at the same time explained and made known to her the intent and meaning of the said declaration and notice, and service thereof

James Olds

Sworn to and subscribed, this 3d day of July, 1847, before me,

James R. Hubbell Justice of the Peace of said County

The State of Ohio, Union **county,** ss.

COURT OF COMMON PLEAS, May TERM, A. D. 1847

John Doe complains of Richard Roe, for that Mary M. Murray, Ann M. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Dallas, Presley N. Wilkins, John S. Wilkins & Hugh B. Wilkins

on the 4th day of March in the year of our Lord one thousand eight hundred and forty- at Delaware county aforesaid, had demised to the said John the following lands and tenements, to wit: All that part of Survey No. 2989, Virginia Military District, on Mill Creek, which is included within said County; & patented to John Wilkins.

and also ten messuages, ten cabins, ten barns, ten stables, ten orchards, ten out-houses, ten yards, ten gardens, 150 acres of arable land, 150 acres of meadow land, 150 acres of pasture land, 150 acres of wood land, 150 acres of land covered with water, and 150 acres of other land, with the appurtenances, situate in said county of To have and to hold the same to the said John, from the 4th day of March in the year aforesaid, for and during the term of fifteen years, thence next ensuing: And also for that the said persons first above named

on the 4th day of March in the year of our Lord one thousand eight hundred and forty- at the county of Union aforesaid, had demised to the said John 10 other messuages, 10 cabins, 10 barns, 10 stables, 10 orchards, 10 out-houses, 10 yards, 10 gardens, 150 acres of arable land, 150 acres of meadow land, 150 acres of pasture land, 150 acres of wood land, 150 acres of land covered with water, and 150 acres of other land, with the appurtenances, situate in said county of Union to have and to hold the same to the said John, from the 4th day of March in the year aforesaid, for and during the term of 15 years, thence next ensuing: By virtue of which said several demises the said John entered into the said several tenements, first and secondly above mentioned, with the appurtenances, and was thereof possessed for the several terms aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit: on the 5th day of March in the year of our Lord one thousand eight hundred and forty with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs, to the said John then and there did; to his damage Fifty dollars. And therefore he sues, &c.

Powell & Beach
Attys. for Pltff

Civil/Domestic Case File

Case No. 1847-CV-0026

No. 47-CV-26

Union Common Pleas Court.

Mary McCurry
Plaintiff,

AGAINST

John Johnson
Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 366

Record No. Page

Ex. Doc. Page

NO Record.

Union Com. Pleas.

John Doe & dem.
Wm. M. Murray Ad.

vs

Richard Roe
John Johnson tenant

Ejectment

2991

Filed July 30 1847
John Cassil Clk

Cert Bill made
No Record

No 3

Court of Common Pleas
of the term of May 1847.

State of Ohio, Union County, ss:

John Lee complains of Richard Roe for that Mary M. Murray, Ann M. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Dallas, Presley M. Wilkins, John S. Wilkins and Hugh B. Wilkins, on the 1st day of January, in the year 1847, at the County of Union aforesaid, had demised to the said John, the following lands and tenements to wit Survey No 2991, on the waters of the West fork of the Scioto River, in said County containing 1337 acres, and patented to John Wilkins. And also 10 messuages, 10 colins, 10 barns 10 stables, 10 out-houses, 10 yards, ten gardens, 2000 acres of arable land, 2000 acres of pasture land 2000 acres of meadow land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said County. To have and to hold the same to the said John, from the 1st day of January, in the year aforesaid, for and during the term of ten years thence next ensuing; By virtue of which said demise, the said John entered into the said several tenements with the appurtenances, and was thereof possessed, for the term aforesaid; and the said John being so thereof possessed, the said Richard, afterwards, to wit, on the 2d day of January, in the year aforesaid, with force and arms, entered into the said tenements with the appurtenances, and ejected the

said John therefrom, and other wrongs to the said John then and there did, to his damage fifty dollars, and therefore he sues &c

Powell & Finch
Attys for Pltff

Mr John Johnson

Sir; I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Comm Pleas within and for the County of Union, and State of Ohio, and make yourself defendant in my stead, otherwise judgment will then be entered against me by default, and you will be turned out of possession.

July 1, 1847. Richard Rae

The State of Ohio
Delaware County ss. } James Olds being duly sworn upon his oath says that on the second day of July A.D. 1847 he did personally serve John Johnson tenant in possession of the premises in the foregoing declaration mentioned or of part thereof, with a true copy of the sd declaration ~~mentioned and~~ and notice, and at the same time acquainted the sd John Johnson with the intent and meaning of the sd declaration & notice.

James Olds

Sworn to & subscribed
this 3d day of July A.D. 1847,
Before me
James R. Hubbell
Justice of the Peace

Civil/Domestic Case File

Case No. 1847-CV-0027

No. 47-CW-27

Union Common Pleas Court.

Mary McNurry Plaintiff,

AGAINST

Chris Adams, Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 366

Record No. No Record. Page

Ex. Doc. Page

Union Comm Pleas

John Doe & dem.
Mary M. Murray & al.
vs
Richard Roe
Christian Adams, tenant

Narr in Ejectment.
2991

Filed July 3d 1847
John Cavil Clk

Cost Bill made
No Record

127

Court of Common Pleas
Of the term May 1847.
State of Ohio. Union County, ss.

John Lee complains of Richard Roe, for that Mary M. Murray, Ann M. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Kellar, Presley N. Wilkins, John T. Wilkins, and Hugh B. Wilkins, on the 1st day of January, in the year 1847, at the County of Union aforesaid, had demised to the said John, the following lands and tenements, to wit, Survey No. 2991, on the waters of the West fork of the Scioto River, in said County, & patented to John Wilkins, Containing 1333 acres — and also 10 messuages, ten cabins 10, barns, ten stables, ten out-houses, ten yards, ten gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said County; To have and to hold the same to the said John from the 1st day of January, in the year aforesaid, for and during the term of ten years thence next ensuing; By virtue of which said demise, the said John entered into the said several tenements, with the appurtenances, and was possessed thereof for the term aforesaid, and the said John being so thereof possessed, the said Richard afterwards, to wit, on the 2d day of January in the year aforesaid, with force and arms entered into the said tenements with the appurtenances, and ejected the said John therefrom, and

other wrongs to the said John then and there did; to his damage fifty dollars, and therefore he sues &c.

Powell & Beck
Atty. for Pltff

Mr. Christian Adams

Sir: I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas, within and for the County of Union, and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

July 1. 1847.

Richard Roe

State of Ohio, Delaware County, ss.

James Olds of said County makes oath and says, that he, on the 2d day of July, 1847, did serve Christian Adams, tenant in possession of the premises in the foregoing declaration mentioned, or of part thereof, with a true copy of the said declaration and notice, by delivering the same to, and leaving it with, the wife of the said Adams, at his dwelling house, being parcel of the premises in the said declaration mentioned, and this deponent at the same time explained and made known to her the intent and meaning of said declaration and notice, and service thereof.

James Olds

Sworn to and subscribed, this 3d day of July, 1847, before me

James R. Hubbell Justice of the ~~Peace~~ Peace, of said County

Civil/Domestic Case File

Case No. 1847-CV-0028

No. 47-CV-28

Union Common Pleas Court.

Mary M Murry Plaintiff,

AGAINST

Isaac M Wells Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 366

Record No. Page

No Record.

Ex. Doc. Page

Union Com. Pleas

John Doe & ders.
Mary M. Shelby Ls.

vs

Richard Roe
Isaac N. Wells Tenant

Abr in Ejectment

2991

Filed July 3rd 1847
John Learil Clk

Cost Bill made
No Record

No 5

The State of Ohio } Jones Ellis being duly sworn
Delaware County, } says that he served the ~~within~~ duly
upon this oath that he on the second day of July
A.D. 1847 did personally serve Isaac N. Wells tenant in
possession of the premises in the foregoing declaration
mentioned or of part thereof, with a true copy of the
foregoing declaration and notices and at the same time
exhibited said Isaac N. Wells with the original and
meaning of the said declaration & notices.

Jones Ellis

Sworn to and subscribed
this 3d day of July A.D. 1847
Before me James D. Hubbell
Justice of the Peace

Mr. Isaac N. Wells

Sir—I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 1st day of July A. D. 1847

RICHARD ROE.

The State of Ohio, Union **county, ss.**

COURT OF COMMON PLEAS, May TERM, A. D. 1847

John Doe complains of Richard Roe, for that Mary M. Mulloy, Ann W. Butler, George L. Wilkins, James G. Wilkins, Ross Wilkins, Jane S. Dallas, Presley N. Wilkins, John S. Wilkins and Hugh B. Wilkins, on the 1st day of January in the year of our Lord one thousand eight hundred and forty-7 at Union county aforesaid, had demised to the said John the following lands and tenements, to wit: Survey No. 2991, on the Waters of the West fork of the Scioto River, in said County, patented to John Wilkins, Containing 1333.

and also ten messuages, ten cabins, ten barns, ten stables, ten orchards, ten out-houses, ten yards, ten gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said county of Union To have and to hold the same to the said John, from the 1st day of January in the year aforesaid, for and during the term of ten years, thence next ensuing: ~~And also for that~~

on the day of in the year of our Lord one thousand eight hundred and forty- at the county of aforesaid, had demised to the said John other messuages, cabins, barns, stables, orchards, out-houses, yards, gardens, acres of arable land, acres of meadow land, acres of pasture land, acres of wood land, acres of land covered with water, and acres of other land, with the appurtenances, situate in said county of to have and to hold the same to the said John, from the day of in the year aforesaid, for and during the term of years, thence next ensuing: By virtue of which said ~~several~~ demises the said John entered into the said several tenements, ~~first and secondly above-mentioned,~~ with the appurtenances, and was thereof possessed for the ~~several~~ terms aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit: on the 2d day of January in the year of our Lord one thousand eight hundred and forty seven with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs, to the said John then and there did; to his damage fifty dollars. And therefore he sues, &c.

Powell & Buck
Attys. for Pltff

Civil/Domestic Case File

Case No. 1847-CV-0029

No. 47-CU-29

Union Common Pleas Court.

Mary McMurry
Plaintiff,

AGAINST

Jacob Frederick
Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 366

Record No. No Record. Page

Ex. Doc. Page

Union Comm Pleas.

"

John Roe & ux.
Mary M. Murray et al

vs

Richard Roe
Jacob Frederick tenant

"

Notice in Ejectment
2991

Filed July 3rd 1847
John Cassie Clk

Cost Bill made
No Record
106

State of Ohio, Union County, ss. Jacob Frederick being duly sworn says that he is the person named in the notice to him annexed, and that the contents of the foregoing declaration and notice, as far as relates to him, are true, to the best of his knowledge and belief.

Sworn to and subscribed before me this 12th day of July A.D. 1847

Jacob Frederick

James R. Houlton
Justice of the Peace

Mr. Jacob Frederick

Sir—I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 1st day of July A.D. 1847

RICHARD ROE.

The State of Ohio, Union *county, ss.*

COURT OF COMMON PLEAS. May TERM, A. D. 1847

John Doe complains of Richard Roe, for that Mary M. Murray, Ann M. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Dallas, Presley N. Wilkins, John S. Wilkins & Hugh B. Wilkins, on the 1st day of March in the year of our Lord one thousand eight hundred and forty-seven at Union county aforesaid, had demised to the said John the following lands and tenements, to wit: Survey No. 2991, on the waters of the West fork of the Scioto river, and patented to John Wilkins, containing 133 3 acres, and situate in said County.

and also 20 messuages, 20 cabins, 20 barns, 20 stables, 20 orchards, 20 out-houses, 20 yards, 20 gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 200 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said county of Union! To have and to hold the same to the said John, from the 1st day of March in the year aforesaid, for and during the term of fifteen years, thence next ensuing: And also for that John Wilkins

on the 1st day of March in the year of our Lord one thousand eight hundred and forty-seven at the county of Union aforesaid, had demised to the said John 20 other messuages, 20 cabins, 20 barns, 20 stables, 20 orchards, 20 out-houses, 20 yards, 20 gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said county of Union to have and to hold the same to the said John, from the 1st day of March in the year aforesaid, for and during the term of ten years, thence next ensuing: By virtue of which said several demises the said John entered into the said several tenements, first and secondly above mentioned, with the appurtenances, and was thereof possessed for the several terms aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit: on the 2d day of March in the year of our Lord one thousand eight hundred and forty seven with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs, to the said John then and there did; to his damage one hundred dollars. And therefore he sues, &c.

Powell & Beck
Attys. for Plff.

Civil/Domestic Case File

Case No. 1847-CV-0030

No. 47-CV-30

Union Common Pleas Court.

Mary M Murry Plaintiff,

AGAINST

Caleb Wheeler Defendant.

NOV TERM. 185)
NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 366

Record No. No Record. Page

Ex. Doc. Page

Union Com. Pleas

John Doe & dem.
Mary M. Murray, et al.

Richard Roe
Caleb M. Wheeler tenant

Ejectment

2991

Filed July 3rd 1847
John Cassil Clk

Cost Bill made
No Record

V07

State of Ohio, Union County, ss.

Personally appeared before me, a Justice of the Peace in and for said County, Caleb M. Wheeler, who being duly sworn, makes oath and says, that he, on the 2d day of July, 1847, did peaceably seize Caleb M. Wheeler, tenant in possession of the premises in the petition described, mentioned or of part thereof, with a true copy of the said declaration and notice, by delivering the same to, and leaving it with the wife of the said Caleb M. Wheeler at his dwelling house, being part of the premises in the said declaration mentioned, and this deponent at the same time explained and made known to her the intent and meaning of said declaration and notice, and desired thereof.

Caleb M. Wheeler

Sworn and subscribed, this 3d day of July, 1847, before me,

Thomas M. Hawkins, Justice of the Peace in and for said County.

Mr. Caleb M. Wheeler

Sir—I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 1st day of July A.D. 1847

RICHARD ROE.

The State of Ohio, Union county, ss.

COURT OF COMMON PLEAS, May TERM, A. D. 1847

John Doe complains of Richard Roe, for that Mary M. Murray, John M. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Wallace, Presley M. Wilkins, John S. Wilkins, & Hugh B. Wilkins on the 1st day of January in the year of our Lord one thousand eight hundred and forty-seven at Union county aforesaid, had demised to the said John the following lands and tenements, to wit: Survey No. 2991, on the waters of the West fork of the Scioto river, and patented to John Wilkins - containing 1333 acre and situate in said County

and also 20 messuages, 20 cabins, 20 barns, 20 stables, 20 orchards, 20 out-houses, 20 yards, 20 gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said county of Union; To have and to hold the same to the said John, from the 1st day of January in the year aforesaid, for and during the term of fifteen years, thence next ensuing: And also for that John Wilkins,

on the 1st day of February in the year of our Lord one thousand eight hundred and forty-seven at the county of Union aforesaid, had demised to the said John 10 other messuages, 10 cabins, 10 barns, 10 stables, 10 orchards, 10 out-houses, 10 yards, 10 gardens, 1500 acres of arable land, 1500 acres of meadow land, 1500 acres of pasture land, 1500 acres of wood land, 1500 acres of land covered with water, and 1500 acres of other land, with the appurtenances, situate in said county of Union to have and to hold the same to the said John, from the 1st day of February in the year aforesaid, for and during the term of ten years, thence next ensuing: By virtue of which said several demises the said John entered into the said several tenements, first and secondly above mentioned, with the appurtenances, and was thereof possessed for the several terms aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit: on the 2d day of February in the year of our Lord one thousand eight hundred and forty seven with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs, to the said John then and there did; to his damage one hundred dollars. And therefore he sues, &c.

Powell & Beck
Attys. for Plff

Civil/Domestic Case File
Case No. 1847-CV-0031

No. 47-CV-31

Union Common Pleas Court.

Mary M Marry
Plaintiff,

AGAINST

Alex Patterson,
Defendant.

NOV TERM. 185 0

JUDGMENT VS DEFENDANT

Journal 4 Page 366

Record No. Page

No Record.

Ex. Doc. Page

Union Com. Pleas

John Lee & dem.
Mary M. Murray et al.

v

Richard Rae
& Alexander Patterson tenant

Narr. in Ejectment

2991

Filed July 3rd 1847
John Cassel Clk

Cost Bill made
No Record

No 8

Court of Common Pleas,

Of the term of May 1847

State of Ohio Union County ss:

John Doe Complains of Richard Roe, for that Mary M. Murray, Ann W. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins Jane S. Dallas, Presley N. Wilkins, John S. Wilkins, & Hugh B. Wilkins, on the 1st. day of January in the year 1847, at Union County aforesaid, had demised to the said John, the following lands and tenements, to wit; Survey No 2991, on the waters of the West fork of the Scioto River, and patented to John Wilkins, and situate in said County; And also 20 Messuages, 20 Cabins, 20 barns, 20 stables, 20 orchards, 20 out-houses, 20 yards, 20 gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said County of Union; To have and to hold the same to the said John, from the 1st. day of January, in the year aforesaid, for and during the term of fifteen years, thence next ensuing; By virtue of which said demise the said John entered into the said several tenements with the appurtenances, and was thereof possessed for the term aforesaid; and the said John being so thereof possessed, the said Richard, afterwards, to wit, on the 2d. day of January, in the year aforesaid, with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs to the

said John then and there did; to his damage one hundred dollars, and therefore he sues &c.

Powell & Buck
Attys. for Pltff.

Mr. Alexander Patterson

Sir; I am informed that you are in possession of, or claim title to the premises in this declaration mentioned, or to some part thereof, & I being sued in this action as a casual ejector & having no title to the said premises do advise you to appear at the next term of the Court of Common Pleas within & for the county of Union & state of Ohio & make yourself defendant in my stead otherwise judgment will then be entered against me by default & you will be turned out of possession

Richard Roe

July 1. 1847.

State of Ohio Delaware County ss

James Olds of said county makes Oath and says that he on the 2nd day of July 1847 did personally serve Alexander Patterson Tenant in possession of the premises in the foregoing declaration mentioned or of part thereof with a true copy of the said foregoing declaration and notice and at the same time acquainted the said Alexander Patterson with the intent and meaning of the said declaration and notice

James Olds

Sworn to and subscribed before me this 5th day of July 1847

James R Hubbell Justice of Peace of said County

Civil/Domestic Case File

Case No. 1847-CV-0032

No. 47-CV-32

Union Common Pleas Court.

Mary McMurry Plaintiff,

AGAINST

John W. Hollock Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 366

Record No. No Record Page

Ex. Doc. Page

Union Com. Pleas

John Lee & dem.
Emory M. Munday et al.

vs

Richard Rae

vs

John W. Wallace tenant

Narr. in Ejectment

2991

Filed July 3 1857
John Cassil Clk

Cost Bill made
No Record

No 9

Court of Common Pleas.
Of the Term of May 1847

State of Ohio Union County, ss.

John Doe complains of Richard Roe, for that Mary W. Murray, Ann B. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Lallas, Presley N. Wilkins, John S. Wilkins, & Hugh B. Wilkins, on the 1st day of January in the year, 1844 at Union County aforesaid, had demised to the said John the following lands and tenements, to wit; ~~to wit~~ of a tract of land ~~as is~~ situate in said County known as Survey No. 2991, Containing 1333 acres, & patented to John Wilkins August 24. 1803. and also 20 messuages, 20 cabins, 20 barns 20 stables, 20 orchards, 20 out-houses, 20 yards, 20 gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said County of Union, To have and to hold the same to the said John, from the day and year last aforesaid for and during the term of fifteen years thence next ensuing by virtue of which said demise the said John entered into the said several tenements, with the appurtenances, and became and was thereof possessed, for the term aforesaid; And the said John being so thereof possessed, the said Richard, afterwards, to wit, on the 1st day of January AD. 1847. at the County aforesaid, with force and arms entered into the said tenements, with the appurtenances and ejected the said John therefrom, and other wrongs, to the said John then and there did, To his damage fifty dollars, and therefore he sues &c.

By Powell & Beck, his Atty

Mr. John W. Hallock

Sir;- I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the County of Union, and State of Ohio, and make yourself defendant in my stead, otherwise judgment will then be entered against me by default, and you will be turned out of possession.

July 1. 1847.

Richard Roe

State of Ohio Delaware County ss

James Olds of said county makes oath and says that he on the 2nd day of July 1847 did personally serve John W Holloch tenant in possession of the premises in the foregoing declaration mentioned or of part thereof with a true copy of the said foregoing declaration and notice and at the same time acquainted the said John W Holloch with the intent and meaning of the said declaration and notice James Olds

Sworn to and subscribed before me this 3d day of July 1847

Jas Olds

James R Hubbell Justice of the Peace of said County

Civil/Domestic Case File

Case No. 1847-CV-0033

No. 47-CV-33

Union Common Pleas Court.

Mary McMurry
Plaintiff,

AGAINST

Joseph Hobert
Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 366

Record No. No Record. Page

Ex. Doc. Page

Union Com Pleas

John Lee & dec.
Mary M. Murray et al

v

Richard Rae
Joseph Holert - Ext

Ass. in Ejectment
2991

Filed July 3d 1847
John Caril clk

Cost Bill made
No Record

No 10

Court of Common Pleas

Of the term of May 1847.

State of Ohio Union County ss:

John Doe complains of Richard Roe, for that Nicky M. Murray, Sam W. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Dallas, Presley N. Wilkins, John S. Wilkins, and Hugh B. Wilkins, on the 1st day of January in the year 1847, at the County of Union aforesaid, had demised to the said John the following lands and tenements, to wit, Survey No. 2991, on the Waters of the West fork of the Scioto River, in said County, containing 1333 acres and patented to John Wilkins. And also 10 messuages, 10 cabins, 10 barns, 10 stables, ten orchards, 10 out houses 10 yards, 10 gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said County of Union, To have and to hold the same to the said John from the 1st day of January in the year aforesaid, for and during the term of ten years thence next ensuing; By virtue of which said demise the said John entered into the said several tenements with the appurtenances, and was thereof possessed for the term aforesaid; And the said John being so thereof possessed, the said Richard, afterwards, to wit, on the 2d day of January in the year aforesaid, with force and arms entered into the said tenements with the appurtenances, and ejected the said John therefrom; and other Wrongs to the said John then and there did: To his damage

of fifty dollars; and therefore he sues &c.

Powell & Buck
Attys. for Pltff.

Mr. Joseph Robert

Sir;- I am informed, that your are in possession of, or claim title to the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the County of Union, and make yourself defendant in my stead, otherwise judgment will then be entered against me by default, and you will be turned out of possession.

July 1. 1847.

Richard Roe

The State of Ohio }
Delaware County ss. } James Olds being duly sworn upon his oath says that he on the second day of July A.D. 1847, did personally serve Joseph Thobert tenant in possession of the premises in the foregoing declaration mentioned or of part thereof with a true copy of the said declaration and notice, and at the same time acquainted the said Joseph Thobert with the intent and meaning of the said declaration and notice.

Sworn to & subscribed } Jas Olds
this 3rd day of July A.D. 1847
Before me
James R. Hubbell
Justice of the Peace

Civil/Domestic Case File

Case No. 1847-CV-0034

No. 47-CV-34

Union Common Pleas Court.

Mary M Murry
Plaintiff,

AGAINST

Erastus Powers
Defendant.

NOV TERM. 1850

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 366

Record No. No Record Page

Ex. Doc. Page

Union Com. Pleas

John Doe et dem.
of Mary M. Murray sel
vs
Richard Roe
Erastus Powers, Tenant.

Mar. Ejectment.
2990

Filed July 3 1847
John Cassil Clk

Cost Bill made
No Record

No 11

The 4th of Oct. } Came Coby having duly return
Delaware County, O. } the within Ejectment by the oath of Jas. H.
upon his oath that he on the second day of Sept. A.D.
1847 did personally serve Erastus Powers tenant in Possession
of the premises in the foregoing declaration mentioned
with a true copy of the aforesaid
declaration and notice, and at the same time
requested the said Erastus Powers with the intent,
and meaning of the said declaration and notice,
forever to surrender Peace & Quiet
this 3rd day of Sept. A.D. 1847
Before me Jerome B. Hochstetler
Justice of the Peace

Mr. Erastus Powers

Sir—I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 1st day of July A.D. 184 7

RICHARD ROE.

The State of Ohio, Union **county, ss.**

COURT OF COMMON PLEAS. May TERM, A. D. 1847

John Doe complains of Richard Roe, for that Mary M. Murray, Ann W. Butler, George S. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Dallas, Presley N. Wilkins, John D. Wilkins and Hugh B. Wilkins — on the first day of January — in the year of our Lord one thousand eight hundred and forty- — at Union county aforesaid, had demised to the said John the following lands and tenements, to wit: So much of a tract of land as is situated in the said County, known as Survey Numbered 2990. on the West fork of the Scioto river containing 666 acres, and patented to John Wilkins August 24th A.D. 1803

and also ten — messuages, ten cabins, ten — barns, ten — stables, ten — orchards, ten — out-houses, ten — yards, ten — gardens, 500 — acres of arable land, 500 — acres of meadow land, 500 — acres of pasture land, 500 — acres of wood land, 500 — acres of land covered with water, and 500 — acres of other land, with the appurtenances, situate in said county of Union To have and to hold the same to the said John, from the first day of January in the year aforesaid, for and during the term of fifteen years, thence next ensuing: And also for that the same persons —

on the first day of January in the year of our Lord one thousand eight hundred and forty- five at the county of Union aforesaid, had demised to the said John ten other messuages, ten — cabins, ten — barns, ten — stables, ten — orchards, ten — out-houses, ten — yards, ten — gardens, 400 — acres of arable land, 400 — acres of meadow land, 400 — acres of pasture land, 400 — acres of wood land, 400 — acres of land covered with water, and 400 — acres of other land, with the appurtenances, situate in said county of Union to have and to hold the same to the said John, from the first day of January — in the year aforesaid, for and during the term of fifteen years, thence next ensuing: By virtue of which said several demises the said John entered into the said several tenements, first and secondly above mentioned, with the appurtenances, and was thereof possessed for the several terms aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit: on the first day of January in the year of our Lord one thousand eight hundred and forty seven with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs, to the said John then and there did; to his damage One hundred dollars. And therefore he sues, &c.

By Powell & Buck his attorneys

Civil/Domestic Case File

Case No. 1847-CV-0035

No. 47-CV-35

Union Common Pleas Court.

Mary McMurry
Plaintiff,

AGAINST

Jonathan McCrary
Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 366 367

Record No. No Record. Page

Ex. Doc. Page

Union Com. Pleas

John Doe & dem.
Mary M. Murray et al.

vs

Richard Roe
Jonathan McCrary, tenant

Narr. in Ejectment

2991

Filed July 3d 1847
John Caric clk

Cost Bill made
No Record

No 12

Court of Common Pleas
Of the Term of May 1847.

State of Ohio, Union County, ss:

John Lee complains of Richard Roe for that Mary M. Murray, Ann M. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Dallas, Presley N. Wilkins, John S. Wilkins, and Hugh B. Wilkins, on the 1st day of January in the year 1847, at the County of Union aforesaid, had demised to the said John, the following lands and tenements, to wit; Survey No. 2991, on the Waters of the West fork of the Scioto river, in said County, and patented to John Wilkins, containing 1333 acres. And also 10 messuages, 10 cabins, 10 barns, 10 stables, 10 orchards, 10 out-houses, 10 yards, 10 gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said County of Union; To have and to hold the same to the said John, from the 1st day of January in the year aforesaid, for and during the term of ten years thence next ensuing: By virtue of which said demise, the said John entered into the said several tenements with the appurtenances, and was thereof possessed for the term aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit, on the 2d day of January in the year aforesaid, with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom; and other wrongs to the

said John then and there did, to his damage of fifty dollars, and therefore he brings suit &c.

Powell & Buck
Attys. for Pltff

Mr. Jonathan McCrady

Sir; – I am informed that you are in possession of, or claim title to the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the County of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will then be entered against me by default, and you will be turned out of possession.

July 1. 1847.

Richard Roe

Delaware County, ss. James Olds makes oath and says that he on the second day of July AD. 1847 did personally serve Jonathan McCrary tenant in possession of the premises in the foregoing declaration mentioned or a part thereof; with a true copy of the said foregoing declaration and notice, and at the same time acquainted the said Jonathan McCrary with the intent and meaning of the said declaration and notice.

James Olds

Sworn to and Subscribed
this third day of July AD. 1847
Before me

James R Hubbell
Justice of the Peace

Civil/Domestic Case File

Case No. 1847-CV-0036

No. 47-CV-36

Union Common Pleas Court.

Mary M Murry
Plaintiff,

AGAINST

Amos Beach
Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 366 367

Record No. No Record. Page

Ex. Doc. Page

Union Common Pleas

John Doe ex dem.
Mary M. Murray et al,

v

Richard Roe
Amos Beach tenant

Ejectment
Nov. in
2991

Filed July 5 1847
John Carrie Clk

Cost Bill moved
No Record

No 13

Court of Common Pleas
Of the term of May 1847
State of Ohio, Union County, ss:

John Doe Complains of Richard Roe, for that Mary M. Murray, Ann M. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Dallas, Presley N. Wilkins, John S. Wilkins, and Hugh B. Wilkins, on the 1st day of January in the year 1847, at the County of Union aforesaid, had demised to the said John the following lands and tenement, to wit; Survey No. 2991, on the Waters of the West fork of the Scioto river, in the County aforesaid, and patented to John Wilkins, Containing 1333 acres. And also 10 messuages, 10 cabins, ten barns, 10 stables, 10 orchards, 10 yards, 10 gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 2000 of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said County; To have and to hold the same unto the said John, from the 1st day of January, in the year aforesaid, for and during the term of ten years thence next ensuing; By virtue of which said demise the said John entered into the said several tenements with the appurtenances, and became and was thereof possessed, for the term aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit, on the 2d day of January, in the year aforesaid, with force and arms entered into the said tenements with the appurtenances, and ejected the said John therefrom; and

other wrongs to the said John then and there did, to his damage of Eighty dollars, and therefore he sues &c.

Powell & Buck
" Attys. for Pltff.

Mr. Amos Beach

Sir; I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof, and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas, within and for the County of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will then be entered against me by default, and you will be turned out of possession

July 1, 1847.

Richard Rae

The State of Ohio
Delaware County, ss. } James Olds being duly sworn upon his oath says that he on the second day of July A.D. 1847, did personally serve Amos Beach tenant in possession of the premises in the foregoing declaration mentioned or a part thereof, with a true copy of the foregoing declaration and notice, and at the same time acquainted the said Amos Beach with the intent and meaning of the said declaration and notice.

Sworn to & subscribed
this 3d day of July A.D. 1847
Before me

James Olds

James R Hubbell
Justice of the Peace

Union Com. Pleas.

John Doe et. dem.

Mary M. Murray et al

vs

Richard Roe

Amos Beach Tenant.

Consent rule & plea.

2991.

In Union Com. Pleas Oct. Term 1847.

John Doe et. dem.
Mary M. Murray et al
vs.
Richard Roe

Ejectment. 299

And the said Amos Beach

Comes, and confesses lease, entry and Ouster as alleged in the sd declaration as to the period before stated of the plaintiff; and says that he is not guilty of the ~~plaintiff~~ sd trespass and ejectment laid to his charge in the sd declaration; and defends for the following described premises, part of the lands & tenements in the sd declaration mentioned, to wit:— Lot No. 1 on said Survey 299 beginning at two beaches and sugar tree thence N. 80 E ~~82 poles~~ 175 poles to two beaches and a sugar in the East line of the survey; thence N. 10 W 82 poles to two beaches; thence S. 80 West 175 poles to the beaches thence S. 10 E 82 poles to the beginning containing 90 acres more or less

Swan & Andrews
Attys for Defts

Docket A. 140

John Doe Eptum
Mary M Murray Does
vs
Anna Beach

Costs $5.56
41
This 10 d

Received this writ February 16 1852
the defendant denise cause nollase of this endasement
April 6th 1852

Fees Milage 60
Serv 35
95

W C Mulin Sheriff

The State of Ohio, Union County, ss.

To the Sheriff of Union County Greeting:

WHEREAS in a certain action in Ejectment lately prosecuted in our Court of Common Pleas within and for the County of Union, wherein John Doe & Jane Mary M. Murray et als, was Plaintiff and Amos Beach was Defendant the costs of said case were taxed at Five Dollars and Eighty six cents for which Judgment was rendered against the said Amos Beach on the 19th day of November A. D. 1850 by said Court you are therefore commanded that of the goods and chattels, and for want thereof, then of the lands and tenements of the said Amos Beach in your bailiwick, you cause to be made, the costs aforesaid and interest thereon until paid, and also the further sum of $ 41 increase costs and the costs that may accrue, and if you shall levy and make said costs and interest do you have the same before our Court of Common Pleas, within and for said County of Union on the first day of the next Term of said Court, to render unto the persons entitled to the same, and have you then there this writ.

Witness JAMES TURNER, Clerk of said Court at Marysville,

this 16th day of February A. D. 1852

James Turner Clerk.

Civil/Domestic Case File

Case No. 1847-CV-0037

No. 47-CW-37

Union Common Pleas Court.

Mary McMurry Plaintiff,

AGAINST

Calvin Dort. Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 366 367

Record No. No Record. Page

Ex. Doc. Page

Union Com. Pleas

John Lee et. al.
Mary M. Mullay et al.

v.

Richard Roe,
Calvin Lort, tenant.

Ejectment

2991

Filed July 3 1847
John Carrie Clk

Costs Bill made
No Record

No 14

Court of Common Pleas
Of the term of May 1847
State of Ohio Union County, ss:

John Doe complains of Richard Roe for that Mary M. Murray, Ann W. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Dallas, Presley N. Wilkins, John S. Wilkins, and Hugh B. Wilkins on the 1st day of January, in the year 1847, at the County of Union aforesaid, had demised to the said John the following lands and tenements, to wit. Survey No. 2991, on the waters of the West fork of the Scioto river, in said County, containing 1333 acres, and patented to John Wilkins; And also 10 messuages, 10 cabins, 10 barns, 10 stables, ten out houses, 10 yards, 10 gardens, 10 orchards, 2000 acres of arable land 2000 acres of meadow land, 2000 acres of pasture land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said County of Union; To have and to hold the same to the said John, from the 1st day of January in the year aforesaid, for and during the term of ten years thence next ensuing; By virtue of which said demise the said John entered into the said several tenements, with the appurtenances, and was thereof possessed, for the term aforesaid; and the said John being so thereof possessed, the said Richard, afterwards, to wit, on the 2d day of January in the year aforesaid, with force and arms

entered into the said tenements with the appurtenances, and ejected the said John therefrom, and other wrongs to the said John then and there did, to his damage of fifty dollars, and therefore he sues &c.

Powell & Beck
Attys. for Plaff.

Mr Calvin Sort

Sir; I am informed that you are in possesion of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the County of Mercer and State of Ohio, and make yourself defendant in my stead, otherwise judgment will then be entered against me by default, and you will be turned out of possession.

July 1. 1847.

Richard Roe.

State of Ohio Delaware County ss:

James Olds of said County makes oath and says that he on the 2nd day of July 1847 did personally serve Calvin Stout tenant in possession of the premises in the foregoing declaration mentioned or of part thereof with a true copy of the said foregoing declaration and notice and at the same time acquainted the said Calvin Stout with the intent and meaning of the said declaration and notice James Olds

Sworn to and subscribed before me this 2nd day of July 1847

James R. Hubbell Justice of the Peace of said County

Civil/Domestic Case File

Case No. 1847-CV-0038

No. 47-CV-38

Union Common Pleas Court.

Mary McMurry
Plaintiff,

AGAINST

David Hed,
Defendant.

NOV TERM. 1851

JUDGMENT VS DEFENDANT

Journal 4 Page 367

Record No. Page

No Record.

Ex. Doc. Page

Union Com: Pleas

John Doe ex dem
Mary M. Murray tal
vs
Richard Roe
David Hill; Tenant

Mar. Ejectment.
2990

Filed July 3rd 1847
John Carrel Clk

Cost Bill made
No Record

No 12

The State of Ohio
Delaware County ss. I have this day served
upon David Hill the tenant in possession
of the premises in the foregoing declaration mentioned
a true copy of the foregoing declaration mentioned
and at the same time acquainted
the said David Hill with the contents and meaning
of the said declaration & notice, by reading
from to and including
this 3rd day of July A.D. 1847
Before me
Lemuel P. Mowbray
Justice of the Peace

Mr. David Hill

Sir—I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 1st day of July A.D. 184 7

RICHARD ROE.

The State of Ohio, Union **county, ss.**

COURT OF COMMON PLEAS, May TERM, A. D. 1847.

John Doe complains of Richard Roe, for that Mary M. Murray, Ann W. Butler, George L. Wilkins, James C. Wilkins, Rob Wilkins, Jane S. Dallas, Presley N. Wilkins, John D. Wilkins and Hugh B. Wilkins — on the first day of January — in the year of our Lord one thousand eight hundred and forty- at Union county aforesaid, had demised to the said John the following lands and tenements, to wit: so much of a tract of land as is situated in the said County, known as survey Numbered 2990. on the waters of the West fork of the Scioto River containing 666 acres, and patented to John Wilkins, August 24th A.D. 1803 —

and also ten — messuages, ten — cabins, ten — barns, ten — stables, ten — orchards, ten — out-houses, ten — yards, ten — gardens, 500 — acres of arable land, 500 — acres of meadow land, 500 — acres of pasture land, 500 — acres of wood land, 500 — acres of land covered with water, and 500 — acres of other land, with the appurtenances, situate in said county of Union To have and to hold the same to the said John, from the first day of January in the year aforesaid, for and during the term of fifteen years, thence next ensuing: And also for that the same persons

on the first day of January in the year of our Lord one thousand eight hundred and forty- five at the county of Union aforesaid, had demised to the said John five other messuages, five cabins, five barns, five stables, five orchards, five out-houses, five yards, five gardens, 400 acres of arable land, 400 acres of meadow land, 400 — acres of pasture land, 400 acres of wood land, 400 acres of land covered with water, and 400 — acres of other land, with the appurtenances, situate in said county of Union to have and to hold the same to the said John, from the first day of January in the year aforesaid, for and during the term of ten years, thence next ensuing: By virtue of which said several demises the said John entered into the said several tenements, first and secondly above mentioned, with the appurtenances, and was thereof possessed for the several terms aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit: on the first day of January in the year of our Lord one thousand eight hundred and forty seven with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs, to the said John then and there did; to his damage One hundred dollars. And therefore he sues, &c.

By Powell & Buck his attys

Civil/Domestic Case File

Case No. 1847-CV-0039

No. 47-CV-39

Union Common Pleas Court.

Mary M Murry
Plaintiff,

AGAINST

Justice Hill
Defendant.

NOV TERM 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 367

Record No. Page

Ex. Doc. No Record Page

Union Com. Pleas.

John Doe ex dem.
of Mary M. Murray et al
vs.
Richard Roe
Justice Hill Tenant

Narr. in Ejectment.

2990

Filed July 3rd 1847
John Cassil Clk

Cost Bill made
No Record

No 17

The State of Ohio,
Delaware County, } Lance Olds being duly sworn says
his oath says that he on the second day of July AD. 1847
did personally serve Justice Hill tenant in Possession
of the premises in the foregoing declaration mentioned,
on first thereof, with a true copy of the writ foregoing
declaration and notice, and at the same time acquainted
the said Justice Hill with the intent and meaning
of the said declaration and notice.

Lance Olds

Sworn to and subscribed
this 3d day of July A.D. 1847
Before me
A. D. McCullough
Justice of the Peace

Mr. Justice Hill

Sir—I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of Delaware and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 1st day of July A.D. 1847

RICHARD ROE.

The State of Ohio, Union **county, ss.**

COURT OF COMMON PLEAS. May TERM, A. D. 1847

John Doe complains of Richard Roe, for that Mary M. Murray, Ann W. Butler, George L. Wilkins, James C. Wilkins, Rob Wilkins, Jane S. Dallas Presley N. Wilkins, John D. Wilkins and Hugh B. Wilkins — on the first day of January in the year of our Lord one thousand eight hundred and forty—— at Union county aforesaid, had demised to the said John the following lands and tenements, to wit: so much of a tract of land as is situated in the said County, known as Survey Numbered 2990, on the west fork of the Scioto river, containing 666 acres, and patented to John Wilkins August 24th 1803.

and also ten messuages, ten — cabins, ten —— barns, ten — — stables, ten —— orchards, ten —— out-houses, ten — yards, ten —— gardens, 500 — acres of arable land, 500 —— acres of meadow land, 500 —— acres of pasture land, 500 —— acres of wood land, 500 —— acres of land covered with water, and 500 —— acres of other land, with the appurtenances, situate in said county of Union To have and to hold the same to the said John, from the first day of January in the year aforesaid, for and during the term of fifteen years, thence next ensuing: ~~And also for that~~

~~on the day of in the year of our Lord one thousand eight hundred and forty- at the county of aforesaid, had demised to the said John other messuages, cabins, barns, stables, orchards, out-houses, yards, gardens, acres of arable land, acres of meadow land, acres of pasture land, acres of wood land, acres of land covered with water, and acres of other land, with the appurtenances, situate in said county of to have and to hold the same to the said John, from the day of in the year aforesaid, for and during the term of years, thence next ensuing:~~ By virtue of which said ~~several~~ demises the said John entered into the said several tenements, ~~first and secondly~~ above mentioned, with the appurtenances, and was thereof possessed for the ~~several~~ terms aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit: on the first day of January in the year of our Lord one thousand eight hundred and forty seven with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs, to the said John then and there did; to his damage One hundred dollars. And therefore he sues, &c.

By Powell & Buck his attorneys —

Civil/Domestic Case File

Case No. 1847-CV-0040

No. 47-CU-40

Union Common Pleas Court.

Mary McCurry
Plaintiff,

AGAINST

Peter Crattinger
Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 367

Record No. No Record Page

Ex. Doc. Page

Union Com. Pleas

John Rae & dem.
Mary M. Mullay et al,

v.

Richard Rae
Peter Eratinger tenant

Port. in Ejectment
2991

Filed July 3d 1847
John Carrel Clk

Costs Bill made
No Record

No 11

Court of Common Pleas

Of the term of May 1847

State of Ohio. Union County ss:

John Doe complains of Richard Roe, for that Mary M. Murray, Ann W. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Dallas, Presley N. Wilkins, John C. Wilkins, and Hugh B. Wilkins on the 1st day of January in the year 1847, at the County of Union aforesaid, had demised to the said John, the following lands and tenements, to wit, Survey No. 2991, on the waters of the West fork of the Scioto River, in said County, containing 1333 acres, and patented to John Wilkins, And also 20 messuages, 20 cabins, 20 barns, 20 stables, 20 orchards, 20 out-houses, 20 yards, 20 gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said County of Union, To have and to hold the same to the said John, for and during the term of ten years, thence next ensuing: By virtue of which said demise the said John entered into the said several tenement, with the appurtenances, & became and was thereof possessed, for the term aforesaid; And the said John being so thereof possessed, the said Richard afterwards, to wit, on the 1st day of January, A.D. 1847, at the County aforesaid, with force and arms, entered into the said tenements with the appurtenances, and ejected the said John therefrom, and other wrongs to the said John then and there did, To his damage of fifty dollars,

and therefore he sues &c.

Powell & Buck, Attys. for Pltiff.

Mr. Peter Bratinger

Sir; - I am informed, that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Comm Pleas within and for the County of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will then be entered against me by default, and you will be turned out of possession.

July 1. 1847

Richard Rae

State of Ohio, Delaware County ss:

James Olds of said County makes oath and says that he, on the 2d day of July, 1847, did serve Peter Eratinger, tenant in possession of the premises in the foregoing declaration mentioned, or of part thereof, with a true copy of the said declaration and notice, by delivering the same to, and leaving it with the wife of the said Eratinger, at his dwelling house, being parcel of the premises in the said declaration mentioned, and this deponent at the same time explained and made known to her the intent and meaning of said declaration and notice. and service thereof

J Olds

Sworn to and subscribed, this 3d day of July 1847, before me

James R Hubbell Justice of the Peace of said County

Civil/Domestic Case File

Case No. 1847-CV-0041

No. 47-cv-41

Union Common Pleas Court.

Mary McMurry
Plaintiff,

AGAINST

George Mogar
Defendant.

NOV TERM, 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 367

Record No. No Record. Page

Ex. Doc. Page

Union Common Pleas
May Term 1847

John Doe ex dem
Mary M. Murray et al

vs

Richard Roe
George Hague, tenant

Ejectment
2989

Filed July 3rd 1847
John Cassil Clk

Cost Bill made
No Record

11

The State of Ohio
Delaware County, ss. James Philp being duly sworn
upon his oath says that he on the first day of July
A.D. 1847, did personally serve George Hague tenant in
possession of the premises in the foregoing declaration
mentioned or part thereof with a true copy of the said
declaration and notice, and at the same time acquainted the said George Hague with the intent
and meaning of the said declaration and notice,

Sworn to and subscribed
this 3rd day of July A.D. 1847 } Pltfs Costs
Before me
James M. Marshall
justice of the Peace

Mr. George Hague

Sir—I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 1st day of July A.D. 1847

RICHARD ROE.

The State of Ohio, Union **county,** ss.

COURT OF COMMON PLEAS, May TERM, A. D. 184 7

John Doe complains of Richard Roe, for that Mary M. Murray, Ann M. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Dallas, Presley N. Wilkins, John L. Wilkins, & Hugh B. Wilkins, on the 1st day of March in the year of our Lord one thousand eight hundred and forty-five at Union county aforesaid, had demised to the said John the following lands and tenements, to wit; So much of a tract of land as is situate in said County, known as Survey No. 2989, on Mill creek, containing 1070 acres, and patented to John Wilkins August 24, 1833.

and also ten messuages, ten cabins, ten barns, ten stables, ten orchards, ten out-houses, ten yards, ten gardens, 1000 acres of arable land, 1000 acres of meadow land, 1000 acres of pasture land, 1000 acres of wood land, 1000 acres of land covered with water, and 1000 acres of other land, with the appurtenances, situate in said county of Union. To have and to hold the same to the said John, from the 1st day of March in the year aforesaid, for and during the term of fifteen years, thence next ensuing: And also for that John Wilkins

on the 1st day of June in the year of our Lord one thousand eight hundred and forty-six at the county of Union aforesaid, had demised to the said John 10 other messuages, 10 cabins, 10 barns, 10 stables, 10 orchards, 10 out-houses, 10 yards, 10 gardens, 1000 acres of arable land, 1000 acres of meadow land, 1000 acres of pasture land, 1000 acres of wood land, 1000 acres of land covered with water, and 1000 acres of other land, with the appurtenances, situate in said county of Union to have and to hold the same to the said John, from the 1st day of June in the year aforesaid, for and during the term of 15 years, thence next ensuing: By virtue of which said several demises the said John entered into the said several tenements, first and secondly above mentioned, with the appurtenances, and was thereof possessed for the several terms aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit: on the 2d day of June in the year of our Lord one thousand eight hundred and forty seven with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs, to the said John then and there did; to his damage Eighty dollars. And therefore he sues, &c.

Powell & Beck
Attys for Plff

Civil/Domestic Case File

Case No. 1847-CV-0042

No. 47-cv-42

Union Common Pleas Court.

Mary M Murry Plaintiff,

AGAINST

Thomas Sproul Defendant.

NOV TERM. 185)

JUDGMENT VS DEFENDANT

Journal 4 Page 367

Record No. Page

No Record.

Ex. Doc. Page

Union Comm Pleas
May Term 1847

John Doe " & dem.
Mary M. Murray Sol.

v

Richard Roe.
Thomas Sproul, tenant.

Narr. in Ejectment.

Filed July 3rd 1847
John Carrill Clk

2989

Cert Bill made
No Record

3

Sworn to and subscribed
this 5th day of July 1847
before me Thomas R. Howell
justice of the Peace

Mr. Thomas Sproul

The Act of Ohio
Delaware County } Sir, this day came John Doe
and Mary M. Murray and made oath that he on the first day of this term
at Marysville in said County did lawfully enter into the premises
of the plaintiff in the foregoing declaration mentioned or
a part thereof, with a copy of the said declaration and
notice, and at the same time acquainted the said Thomas
Sproul with the intent and meaning of the said
declaration and notice.

Sir—I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 12th day of July A. D. 1847

RICHARD ROE.

The State of Ohio, Union **county, ss.**

COURT OF COMMON PLEAS. May TERM, A. D. 1847

John Doe complains of Richard Roe, for that Mary M. Murray, Ann M. Butler, George L. Wilkins, James C. Wilkins, Rob Wilkins, Jane L. Dallas, Presley M. Wilkins, John L. Wilkins, & Hugh B. Wilkins on the 1st day of June in the year of our Lord one thousand eight hundred and forty-one at Union county aforesaid, had demised to the said John the following lands and tenements, to wit: So much of a tract of land as is situate in said County, known as Survey No. 2989, on Mill creek, containing 1070 acres, and patented to John Wilkins, August 24, 1803

and also ten messuages, ten cabins, ten barns, ten stables, ten orchards, ten out-houses, ten yards, ten gardens, 1500 acres of arable land, 1500 acres of meadow land, 1500 acres of pasture land, 1500 acres of wood land, 1500 acres of land covered with water, and 1500 acres of other land, with the appurtenances, situate in said county of Union! To have and to hold the same to the said John, from the 1st day of June in the year aforesaid, for and during the term of fifteen years, thence next ensuing: And also for that John Wilkins

on the 1st day of August in the year of our Lord one thousand eight hundred and forty- at the county of Union aforesaid, had demised to the said John 10 other messuages, 10 cabins, 10 barns, 10 stables, 10 orchards, 10 out-houses, 10 yards, 10 gardens, 1500 acres of arable land, 1500 acres of meadow land, 1500 acres of pasture land, 1500 acres of wood land, 1500 acres of land covered with water, and 1500 acres of other land, with the appurtenances, situate in said county of Union to have and to hold the same to the said John, from the 1st day of August in the year aforesaid, for and during the term of fifteen years, thence next ensuing: By virtue of which said several demises the said John entered into the said several tenements, first and secondly above mentioned, with the appurtenances, and was thereof possessed for the several terms aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit: on the 2d day of August in the year of our Lord one thousand eight hundred and forty six with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs, to the said John then and there did; to his damage Eighty dollars. And therefore he sues, &c.

Powell & Finch
Attys. for Plff.

Civil/Domestic Case File

Case No. 1847-CV-0043

No. 47-CV-43

Union Common Pleas Court.

Mary M Murry Plaintiff,

AGAINST

Joseph Wells, Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 34 Page 367

Record No. No Record. Page

Ex. Doc. Page

Union Comm Pleas

"

John Lee & dem.
Mary M. Mullay et al

vs

Richard Roe
Joseph Wells, tenant

"

Ejectment
2991

Filed July 3d 1847
John Cassil clk

Cost Bill made
No Record

102

State of Ohio
Delaware County ss. Comes Olly being duly sworn
upon his oath says that he on the second day of July AD 1847
did personally serve Joseph Wells tenant in possession of
the premises in the foregoing declaration mentioned or put
thereof, with a true copy of the said foregoing declaration
and notice, and at the same time acquainted the said
Joseph Wells with the intent and meaning of the said
declaration and notice. Olmsby Olds

Sworn to and subscribed
this 3d day of July AD. 1847
Before me
James P. Mitchell
Justice of the Peace.

Mr. Joseph Wells

Sir—I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 1st day of July A. D. 1847

RICHARD ROE.

The State of Ohio, Union **county, ss.**

COURT OF COMMON PLEAS, May TERM, A. D. 1847

John Doe complains of Richard Roe, for that Mary McMurray Ann M. Butler George L. Wilkins James C. Wilkins Ross Wilkins Lane J. Wallace Presley N. Wilkins Lahn L. Wilkins & Hugh B. Wilkins on the 1st day of January in the year of our Lord one thousand eight hundred and forty-four at Union county aforesaid, had demised to the said John the following lands and tenements, to wit: Survey No. 2991, on the waters of the West fork of Scioto river, & patented to John Wilkins - containing 1333 acres - & situate in said County

and also twenty messuages, twenty cabins, twenty barns, twenty stables, twenty orchards, twenty out-houses, twenty yards, twenty gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said county of Union To have and to hold the same to the said John, from the 1st day of January in the year aforesaid, for and during the term of fifteen years, thence next ensuing: And also for that the same persons

on the 1st day of January in the year of our Lord one thousand eight hundred and forty-seven at the county of Union aforesaid, had demised to the said John twenty other messuages, twenty cabins, twenty barns, twenty stables, twenty orchards, twenty out-houses, twenty yards, twenty gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said county of Union to have and to hold the same to the said John, from the 1st day of January in the year aforesaid, for and during the term of ten years, thence next ensuing: By virtue of which said several demises the said John entered into the said several tenements, first and secondly above mentioned, with the appurtenances, and was thereof possessed for the several terms aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit: on the 2d day of March in the year of our Lord one thousand eight hundred and forty seven with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs, to the said John then and there did; to his damage one hundred dollars. And therefore he sues, &c.

Powell & Buck
attys for Plaintiff

Civil/Domestic Case File

Case No. 1847-CV-0044

No. 47-CV-44

Union Common Pleas Court.

Mary M Murry Plaintiff,

AGAINST

Nathan McCumber, Defendant.

NOV TERM, 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 367 366

Record No. No Record. Page

Ex. Doc. Page

Union Com. Pleas

John Lee & dem.
Mary W. Murray & al

v

Richard Roe
Nahan McCumber tenant

Narr. in Ejectment

2990

Filed July 5th 1847.
John Cassil. Clk

Cost Bill made
No Record

#013

State of Ohio, Declaration, Union County ss:

James Ogle, of said County, makes oath and says, that he, on the 2d day of July, 1847, did serve Nahan McCumber, tenant in possession of the premises in the within declaration mentioned or of part thereof, with a true copy of the said declaration and notice thereto attached, by delivering the same to and leaving it with the said Nahan McCumber, at his dwelling house, being placed of the premises in the said declaration mentioned, and that defendant at the same time explained and made known to him the nature and intent of the said declaration and notice, and service thereof.

Sworn to and subscribed, this 2d day of July, 1847, before me,
James O. Hankell Justice of the Peace
of said County

Mr. Nahan McCumber

Sir—I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 1st day of July A.D. 1847

RICHARD ROE.

The State of Ohio, Union **county, ss.**

COURT OF COMMON PLEAS. May TERM, A. D. 1847

John Doe complains of Richard Roe, for that Mary M. Murray, Ann M. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Dallas, Wesley M. Wilkins, John S. Wilkins, & Hugh B. Wilkins on the 1st day of January in the year of our Lord one thousand eight hundred and forty- at Union county aforesaid, had demised to the said John the following lands and tenements, to wit: So much of a tract of land as is situated in the said County, known as Survey Number 2990, on the Waters of the West fork of the Scioto, containing 666 acres, and patented to John Wilkins, August 24, 1803,

and also ten messuages, ten cabins, ten barns, ten stables, ten orchards, ten out-houses, ten yards, ten gardens, 700 acres of arable land, 700 acres of meadow land, 700 acres of pasture land, 700 acres of wood land, 700 acres of land covered with water, and 700 acres of other land, with the appurtenances, situate in said county of Union To have and to hold the same to the said John, from the 1st day of January in the year aforesaid, for and during the term of fifteen years, thence next ensuing: And also for that the same person

on the 1st day of January in the year of our Lord one thousand eight hundred and forty- five at the county of Union aforesaid, had demised to the said John 10 other messuages, 10 cabins, 10 barns, 10 stables, 10 orchards, 10 out-houses, 10 yards, 10 gardens, 700 acres of arable land, 700 acres of meadow land, 700 acres of pasture land, 700 acres of wood land, 700 acres of land covered with water, and 700 acres of other land, with the appurtenances, situate in said county of Union to have and to hold the same to the said John, from the 1st day of January in the year aforesaid, for and during the term of ten years, thence next ensuing: By virtue of which said several demises the said John entered into the said several tenements, first and secondly above mentioned, with the appurtenances, and was thereof possessed for the several terms aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit: on the 1st day of January in the year of our Lord one thousand eight hundred and forty seven with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs, to the said John then and there did; to his damage one hundred dollars. And therefore he sues, &c.

By Parrell & Beck
his attys.

Civil/Domestic Case File

Case No. 1847-CV-0045

No. 47-CU-45

Union Common Pleas Court.

Mary M Murry
Plaintiff,

AGAINST

Richard H Atkinson
Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 367

Record No. No Record Page

Ex. Doc. Page

Union Com. Pleas

"

John Lee & dem
Mary M. Murray & al

vs

Richard Roe

Richard W. Atkinson tenant

"

Notice in Ejectment
2991

Filed July 3 1847
John Cassil Clk

Cost Bill made
No Record

Court of Common Pleas

Of the term of May 1847.

State of Ohio, Union County ss:

John Doe complains of Richard Roe for that Mary M. Murray, Ann M. Butler, George L. Wilkins, James C. Wilkins, Ross Wilkins, Jane S. Dallas, Presley N. Wilkins, John D. Wilkins, and Hugh B. Wilkins, on the 1st day of January, in the year 1847, at the County of Union aforesaid, had demised to the said John, the following lands and tenements, to wit: Survey No. 2991, on the waters of the West fork of the Scioto river, in said County, containing 1333 acres, and patented to John Wilkins, And also 10 messuages, 10 cabins, 10 barns, 10 stables, 10 orchards, 10 out houses, 10 yards 10 gardens, 2000 acres of arable land, 2000 acres of meadow land, 2000 acres of pasture land, 2000 acres of wood land, 2000 acres of land covered with water, and 2000 acres of other land, with the appurtenances, situate in said County of Union, To have and to hold the same to the said John for and during the term of ten years thence next ensuing: By virtue of which said demise, the said John entered into the said several tenements, with the appurtenances, and became and was thereof possessed for the term aforesaid; And the said John being so thereof possessed, the said Richard afterwards, to wit, on the 2d day of January, in the year aforesaid, with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom; and other wrongs to the said John then and there did, To his damage fifty dollars, and therefore he sues &c.

Ray Powell & Beck
his attys.

Mr Richard B. Atkinson

Sir; I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the County of Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will then be entered against me by default and you will be turned out of possession.

July 1. 1847.

Richard Rae

State of Ohio Delaware county ss

James Olds of said county makes oath and says that he on the 2nd day of July 1847 did personally serve Richard W Atkinson tenant in possession of the premises in the foregoing declaration mentioned or of part thereof with a true copy of the said foregoing declaration and notice and the same time acquainted the said Richard W Atkinson with the intent and meaning of the said declaration and notice

J Olds

Sworn to and subscribed before me this 3d day of July 1847 James R Henbell
Justice of the peace
of said County

Civil/Domestic Case File

Case No. 1847-CV-0046

No. 47-CV-46

Union Common Pleas Court.

Mary McMurry
Plaintiff,

AGAINST

Henry Carpenter
Defendant.

NOV TERM. 1850

JUDGMENT VS DEFENDANT

Journal 4 Page 368

Record No. 1 Page

Ex. Doc. Page —

Mr. Henry

Mr. Stile & Ellis

Before Squire Jones Editor Lessee Ejectment
upon the oath and affirmation Thomas Carpenter
A.D. 1847 at Springfield came
Tenant in possession of the premises
described in the annexed Ejectment
Copy of the original declaration & notice
on the same time acquainted the Tenant
Carpenter with the nature & contents
of the notice.

James Ellis

Given under my hand this 30th day of July A.D. 1847.

John M. Bunnell
Justice of the Peace

Mr. Henry Carpenter

Sir—I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of Mercer and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 1st day of July A.D. 1847

RICHARD ROE.

Mercer Com. Pleas

John Doe ex dem
of Mary M. Murray tol
vs
Richard Roe
Henry Carpenter, Tenant

Mar. Ejectment.

290

Filed July 30 1847
John Lawrie Clk

Continued
No Record

No 14

The State of Ohio, Union county, ss.

COURT OF COMMON PLEAS, May TERM, A. D. 1847

John Doe complains of Richard Roe, for that Mary M. Murray Ann D. Butler, George L. Wilkins, James C. Wilkins, Rob Wilkins, Jane S. Dallas Chesley N. Wilkins, John D. Wilkins, Sleight B. Wilkins — on the first day of January in the year of our Lord one thousand eight hundred and forty- at Union county aforesaid, had demised to the said John the following lands and tenements, to wit: So much of a tract of land as is situate in the sd County, known as Survey Number 2990, on the waters of the west fork of the Scioto River, Containing 666 acres, Patented to John Wilkins, August 24th 1803 —

and also ten messuages, ten cabins, ten barns, ten stables, ten orchards, ten out-houses, ten yards, ten gardens, 500 acres of arable land, 500 acres of meadow land, 500 acres of pasture land, 500 acres of wood land, 500 acres of land covered with water, and 500 acres of other land, with the appurtenances, situate in said county of Union To have and to hold the same to the said John, from the first day of January in the year aforesaid, for and during the term of fifteen years, thence next ensuing: And also for that the same Persons

on the first day of January in the year of our Lord one thousand eight hundred and forty-five at the county of Union aforesaid, had demised to the said John five other messuages, five cabins, five barns, five stables, five orchards, five out-houses, five yards, five gardens, 400 acres of arable land, 400 acres of meadow land, 400 acres of pasture land, 400 acres of wood land, 400 acres of land covered with water, and 400 acres of other land, with the appurtenances, situate in said county of Union to have and to hold the same to the said John, from the first day of January in the year aforesaid, for and during the term of ten years, thence next ensuing: By virtue of which said several demises the said John entered into the said several tenements, first and secondly above mentioned, with the appurtenances, and was thereof possessed for the several terms aforesaid; and the said John being so thereof possessed, the said Richard afterwards, to wit: on the first day of January in the year of our Lord one thousand eight hundred and forty seven with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs, to the said John then and there did; to his damage One hundred dollars. And therefore he sues, &c.

By Bovell & Buck his attys —

Civil/Domestic Case File

Case No. 1847-CV-0047

No. 47-CV-47

Union Common Pleas Court.

Isaac A Morse
Plaintiff,

AGAINST

John Smith et al
Defendant.

OCT 1847

Judg vs Pltf

No Record.

Journal 4 Page 66

Record No. Page

Ex. Doc. Page

money and costs that have accrued or may accrue in the Court of Common pleas

John Morrow

Taken signed and acknowledged on the first day of July A.D. 1847 before me

David Burnham J.P.

The State of Ohio Union County, Union Township SS
I do hereby certify that the above and foregoing is a full and true copy from my Docket of the proceedings had by and before me in the above cause
July 14, 1847

David Burnham J.P.
of the aforesaid township

Union Common Pleas
Isaac A Morse
vs
John Smith and Joseph Rice

Filed July 14 1847
John Carnes Clk

Costs Accrued

No rec

OCT 1847

By Wm N. Turner Const. in a case served. Fees Milage 85 service 82½ total $1.67½ Defendant Rices Subpoenas returned in due time by Wm N. Turner Const in a case served. Fees Milage 35 Service 55 total 90 Cts.

June 26. 1847 The time having arrived for trial the parties appeared and ready to proceed to trial.

Plaintiffs witnesses sworn and testified viz Ray G. Morse John Patrick, A. S. Adam, Jesse Shirk, L. F. Salem, Charles Green, Joseph Clement, Thomas Colamell & Abner Triblet

Defendants witnesses also sworn and examined viz. Harriet Rice, Ira Patrick, Moses Patrick, Ransom Patrick, Ira Clement, James Holeyeroft, Levi Patrick, John Hunt, Foster Bennet, James Thompson and Elisphas Bigalow.

After hearing the testimony and alegations in said cause I postponed giving Judgment in said cause until Thursday the 1st day of July next.

July 1st 1847 The time having arrived for a decision in the aforesaid cause, It is considered by me that the plantiff Isaac A. Morse recover from the defendants John Smith and Joseph Rice Eight Dollars and seventy five cents damage and costs of suit taxed at twelve Dollars and Sixty cents. Whereupon Judgment is rendered in favour of the plantiff Isaac A. Morse against John Smith and Joseph Rice the defendants for the sum of Eight Dollars and seventy five cents Damages, and costs of suit taxed at twelve Dollars and Sixty cents, and that the plantiff pay eighty two½ cents unnecessary costs

In the action of Isaac A. Morse against John Smith and Joseph Rice, I John Morrow acknowledge my self bail for the appellants in the sum of fifty Dollars to be levied of my goods and chattels lands and tenements in case the appellants shall be condemned in the action and shall fail to pay the condemnation

Sept. 22nd 1847 Rec'd $2,00 constable fee in this case

Wm N Turner

Isaac A. Morse pl.
vs
John Smith and
Joseph Rice Deffs.

Damages	$8.75
Plantiffs Costs	
Satisfaction	10
Summons	12½
Subpoenas	49
W. N. T. C. Fees	2.22½
Witness Fees	
R. G. Morse	50
John Patrick	50
A. S. Alden	50
Jesse Shirk	50
J. F. Salains	25
Charles Green	50
Joseph Clement	50
Thomas Colcarell	50
Abner Treblet	50
Swearing Witts	36
Entering Judgment	25
Defendants Costs	
Subpoenas	28½
W. N. Tur. C. Fees	90
Witness Fees	
Ira Patrick	50
Ransom Patrick	50
Jared Clement	50
Moses Patrick	50
Harriet Rice	50
James Thompson	25
Levi Patrick	25
John Hunt	25
Foster Bennet	25
James Moloysop	25
Eliphas Bigalow	25
Swearing Witts	44
Entering Bail	25
Transcript	31

Suit brought for Damages of which the following is a copy

John Smith and Joseph Rice in Damages to Isaac A. Morse Dr. To mit. The value of ten head of Sheep at $1.50 per head $15.00 Killed and wounded by the Dogs of said Smith and Rice on the 16th instant for which the said Morse Claims the Damages aforesaid. June 19. 1847

June 21. 1847 By order of plantiff. Summons issued returnable on the 26th instant at 12 O. Clock M. on said day. Also Subpoenas issued for plantiffs witnesses viz A. S. Alden R. G. Morse. John Patrick Charles Green. Abner Treblet and Jesse Shirk and handed to W. N. Turner Constable

June 22d 1847 Subpoenas also issued for witnesses for plantiff viz Thomas Colcarell & Joseph Clement and handed to plantiff

June 25. 1847 Joseph Rice one of the defendants appearance got subpoenas for Ira Patrick. Ransom Patrick. Jared Clement. Moses Patrick and Harriet Rice witnesses and handed the same to said defendant. Summons returned in due time indorsed service personally on the 21st day of June 1847 by reading this writ to the defendants. Fees Milage 35. Service 20 total 55 Cts (signed) Wm N. Turner Const.

Plantiffs Subpoena returned in due time

110
90
200

2661
2675
96

[illegible]
11

69

12,60

6
8
5
888
35
4
6
155
46
201
16
217

40
6
46

16
88
20
35
12
4
175

4331L 6x. for $1

Moser 398L
vs
Smith & Sice

11.00
5.29
5.71
28.5 1/2

437
92
529

7
1.55
5.92

580
6 18
11,98

Sept
580 Justice
217 Count
797

618L Justice
175 Count
793L
398L
11,92

398L
35
433L

3.98
1.39

10 1/2 Magazine
1.60 Felt
1.15 Felt
1.25 Felt
2.15 Felt
2.0 Felt

797

Judgment is rendered on the within bill of particulars against the defendants for the sum of eight Dollars & seventy-five cents damages, & twelve Dollars & sixty cents costs, (and that the plaintiff pay eighty two & one half cents costs unnecessary costs) given this 1st day of July A.D. 1847

David Burnham J.P.

Isaac Morse
Bill of Particulars
vs
Lewis Smith
Debt & Damage
$15.00

Filed July 4th 1847
Jno. Ino. Clerk

John Smith and Joseph Rice in
Damage to Isaac Morse Dr to wit
The value of 10 head of sheep at 1,50 pr head $15.00
Killed and mutilated by the Dogs of said Smith and
Rice on the night pr which the said Morse Claims
the Damages aforesaid
June 19th 1867

Plaintiffs Witnesses
Andrew S. Allen
Ray G. Morse
John Patrick
Charles Green
Abner Trifflet

Jesse Shirk Tried 26. June at 12 o'clk.

then and there grievously terrified, wounded, damaged, and injured, and rendered of no use or value to the said plaintiff, to wit, at the county of Union aforesaid, to the damage of the said plaintiff of Ninety Nine Dollars; and therefore he sues, &c.

By Allison & Curry
his attorneys.

Union Common Pleas

Isaac A. Morse
vs.
John Smith, &
Joseph Rice
} Case

Declaration.

Filed Aug. 27th 1847
John Capel Clerk

Allison & Curry

The State of Ohio, } Court of Common Pleas,
Union County, ss. } August Term A. D. 1847.

Isaac A. Morse complains of John Smith and Joseph Rice in a plea of the Case, for that the Defendants before and at the time of the damage and injury to the plaintiff hereinafter mentioned, wrongfully and injuriously kept two certain dogs each of said defendants owning one thereof, to wit: at the County of Union aforesaid, they, the Defendants, then and there well knowing that the said dogs then were used and accustomed to hunt, chase, bite, worry and kill sheep, which said dogs afterwards, to wit: on the sixteenth day of June A. D. 1847 and on divers other days and times between that day and the day of commencing this suit, to wit: at the County of Union aforesaid, did hunt, chase, bite and worry divers, to wit: Twenty sheep of the plaintiff of great value, to wit: of the value of Ninety Nine Dollars, there then found and being; by means whereof divers, to wit: Ten of the said sheep of the said plaintiff, being of great value, to wit of the value of Fifty Dollars then and there died, and became of no value to the said plaintiff, and the residue of said sheep of the plaintiff, being also of great value, were then and there greatly terrified, wounded, damaged, and injured, and rendered of no use or value to the said plaintiff, to wit: at the County of Union aforesaid

And whereas, also, before and at the time of the damages and injury to the plaintiff hereinafter mentioned the said defendants wrongfully and injuriously kept two certain other dogs each of said defendants owning one thereof, to wit: at the County of Union aforesaid, which said dogs afterwards, to wit: on the 16th day of June A. D. 1847 and on divers other days and times between that day and the day of commencing this suit, to wit: at the County of Union aforesaid, did hunt, chase, bite, and worry divers, to wit: Twenty sheep of the plaintiff of great value, to wit, of the value of Ninety Nine Dollars, then there found and being; by means whereof divers to wit, Ten of the said sheep of the said plaintiff, being of great value, to wit, of the value of Fifty Dollars, then and there died, and became of no value to the said plaintiff; and the residue of said sheep of the plaintiff, being also of great value, were

Isaac A. Mode
vs.
John Smith &
Joseph Rice } Case

Settlement

Filed Sept. 16th 1847
John Cafsil Clerk

Isaac A. Morse
vs.
John Smith, &
Joseph Rice

In Union Common Pleas
In Case.

This case is this day settled by agreement of parties, as follows: The plaintiff is to remit one half of the amount of the judgment obtained by him against the defendants in this case before David Burnham a Justice of the peace of Union Township, Union County Ohio, from whose docket this case came into Court by appeal; and said plaintiff is to pay one half of the costs made by himself in this case before said Justice, and in Union Common Pleas; and said defendants are to pay one half of said judgment obtained before said Justice as aforesaid; and said defendants are also to pay all of the costs by them made in this case before said Justice and in Union Common Pleas, and one half of the costs made by said plaintiff in this case before said Justice, and in Union Common Pleas.

Dated Sept. 16th 1847

Allison & Curry
Attorneys for Pltff.

John Smith
Joseph Rice

By agreement of parties, and if the Court consent, the papers in this case are to be withdrawn, without record.

Allison & Curry
Attys. for Pltff.

John Smith
Joseph Rice

Ex Docket Page 300

Isaac A Morce
by
John Smith &
Joseph Rice

Costs 4.33½
Writ .41

Filed Oct 13 1841
John Cassil Clk

Recorded

Received this writ October 12, 1841.
satisfied on this writ four dollars and
twenty three cents in full. October 13, 1841
Philip Dicken Sheriff

The State of Ohio, Union County, ss.

TO THE SHERIFF OF THE COUNTY OF GREETING:

WHEREAS, in a certain action in Case lately prosecuted in our Court of Common Pleas, within and for the County of Union, wherein Isaac A Morce was plaintiff, and John Smith and Joseph Rice was defendant; the costs (~~original and increase~~) of the said Isaac A Morce are taxed at Four dollars thirty three½ cents, ~~and interest up to this date~~ ~~dollars~~ ~~cents~~ You are therefore commanded, that of the goods and chattels, or for want of goods and chattels, of the lands and tenements of the said Isaac A. Morce in your bailiwick, you cause to be made the costs ~~and interest~~ aforesaid, and costs that may accrue. And if you shall levy and make said costs and interest, do you have the same before our Judges of the Court of Common Pleas, within and for the said County of Union on the first day of the next term of said Court, to render unto the persons entitled to the same; and have you then and there this writ.

WITNESS, JOHN CASSIL, Clerk of said Court at the Court House in Marysville, this twelfth day of October A.D., 1847.

John Cassil CLERK.

Civil/Domestic Case File

Case No. 1847-CV-0048

No. 47-CU-48

Union Common Pleas Court.

James Goldsbury adm
Plaintiff,

AGAINST

Thomas Goldsbury
Defendant.

OCT 1847

Judg vs Defendt.

No Record.

Journal 4 Page 81

Record No. Page

Ex. Doc. Page

Plaintiffs bill of particulars

Plaintiffs bill of particulars on the
demand sworn to 1841. D. Reeb & A. J.

Filed July 22 1847
John Cofer Clerk

8 7164

Thomas Goldsberry
vs
James Goldsberry, admr
of the Estate of Harrison
Goldsberry deceased

Suit is brought to recover the amount of the following unpaid claims which existed in the lifetime of Harrison Goldsberry deceased in favor of Plaintiff and against said deceased, to wit:

August 1839	To One Horse	$30,00
	To my share of Crop raised in Biddle's field	15,00
	To amount of Cleaning land on lease for James Ewing. in 1839, 1840, and 1841.	36,33
Sept. 1840,	to 6 days work at 50 cts	3,00
	To cash loaned	1,50
	To 2½ days work, at 50 cts.	1,25
	To cash loaned	3,00
	To 2½ days work harvesting crop	1,25

71.

to be due from the said Harrison Goldsberry to the plaintiff on an account then and there stated between them, And the said moneys being unpaid, the defendant, as administrator as aforesaid, after the death of the said Harrison Goldsberry, to wit, on the first day of July 1845, at the county aforesaid promised the plaintiff to pay him the said moneys on request, yet the said Harrison Goldsberry, in his lifetime, and the said defendant, as administrator as aforesaid, since the death of the said Harrison Goldsberry, respectively disregarded the said promises, and neither of them hath paid the said several moneys, which the said Harrison Goldsberry so promised to pay, or any part thereof, nor hath the defendant paid the moneys he so promised to pay, or any part thereof, to the damage of the plaintiff of ninety nine dollars, and thereupon he brings his suit, &c

By Allison & Carey His Attys

Assn the sum plaintiff

In Marion Com Pleas

Thomas Goldsberry

vs

Francis Goldsberry

Administrator of Harrison Goldsberry dec'd

Plain — In Assumpsit

Filed day 27th 1847

John Coghill, Clk

Allison & Carey

The State of Ohio } Court of Common Pleas.
Union County ss } Of August Term A.D. 1847

Thomas Goldsberry complains of James Goldsberry as Administrator of the goods and estate which were of Harrison Goldsberry, deceased, in a plea of Assumpsit. For that, whereas, the said Harrison Goldsberry, in his life time, to wit, on the first day of September A.D. 1844 at the County of Union aforesaid, was indebted to the plaintiff in ninety nine dollars, for goods then and there sold and delivered by the plaintiff to the said Harrison Goldsberry, at his request. And in ninety nine dollars for the price and value of work and labour then and there done, and materials for the same provided by the plaintiff for the said Harrison Goldsberry, at his request: And in ninety nine dollars for money then and there lent by the plaintiff, to the said Harrison Goldsberry, at his request: And in ninety nine dollars for money then and there paid by the plaintiff for the use of the said Harrison Goldsberry, at his request: And in ninety nine dollars for money then and there had and received by the said Harrison Goldsberry, for the use of the plaintiff: And in ninety nine dollars for money found to be due from the said Harrison Goldsberry to the plaintiff on an account then and there stated between them: And the said Harrison Goldsberry, afterwards, to wit, on the day and year last aforesaid, at the County aforesaid, in consideration of the premises respectively, promised the plaintiff to pay him the said several moneys respectively on request.

And also, for that, whereas, the said Harrison Goldsberry, in his life time, to wit, on the day and year last aforesaid, at the County aforesaid was indebted to the plaintiff in ninety nine dollars, for goods and chattels then and there sold and delivered by the plaintiff to the said Harrison Goldsberry, at his request: And in ninety nine dollars for the price and value of work and labour then and there done, and materials for the same provided by the plaintiff for the said Harrison Goldsberry at his request: And in ninety nine dollars for money then and there lent by the plaintiff to the said Harrison Goldsberry at his request: And in ninety nine dollars for money then and there paid by the plaintiff for the use of the said Harrison Goldsberry at his request: And in ninety nine dollars for money then and there had and received by the said Harrison Goldsberry for the use of the plaintiff: And in ninety nine dollars for money found

Served this writ by reading to the within named John Kile on the 29th day of October 1847, and by reading to the within named John W. Kile and Hunter Robinson on the 30th day of October 1847. Hunter Robinson demanded his fees which were not paid. James Bryan not found

Fees = mileag = 55
service 37½ 92½

Philip Snider Sheriff

Union Cir Recd

Philip Goldsborough
vs
James Goldsborough
Administrator

Writ for writ

Filed Oct 1 1847
John Cassie Clk

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon John W Kile Hunter Robinson John Goldsbury James Briant

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the ~~first~~ fourth *day of next term, at* ~~ten~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* James Goldsbury Admr &c *in a certain matter in controversy in said court depending, wherein* Thomas Goldsbury *is plaintiff, and* James Goldsbury Admr &c *is defendant: and this* they *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 27th *day of* September *A. D.* 1847

John Cassil CLERK.

Filed sept 27 1847
John Cassie Clk

Thomas Goldsberry
vs.
James Goldsberry adm.
Off Harrison Goldsberry dec'd.

Issue Subpoena for
J. M. Irving, Norman Daniel
Samuel McCullock, Willoughby
Goldsberry & Charles Goldsberry.
Allison & Berry
Atty's for plff.

To the Clerk of
Union Com. Pleas
Dated Sept 27th, 1847

Lima Sept 27th 1867

John Carrie Elk

Thomas Goldsberry

vs

James Goldsberry
Admr. of Harrison Goldsberry, dec'd

Issue a subpoena for John W. Kile Hunter Robinson John Goldsberry and James Briant Jr. witness for Dep't. to appear on the 4th day of Term

Cole & Witter
Defts, Atty's

Sept. 25 1847

Union Com Pleas

Sh P Goldsberry

vs

James Goldsberry -

Administrator

Inf for wit

Filed Oct 1st 1847

John Cassie Clk

Served the within writ by reading to the within named Williams Goldsberry on the 20th day of October 1847 and by reading to the defendant the within writ on the 30th day of October 1847

Fees = mileage = 55

service 62½ = 11 7½

Philip Snider Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon J M Ewing Norman Daniel Samuel McCulock Willoughby Goldsbury and Charles Goldsbury —

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the ~~first~~ fourth *day of next term, at* ~~ten~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* Thomas Goldsbury ——— *in a certain matter in controversy in said court depending, wherein* Thomas Goldsbury *is plaintiff, and* James Goldsbury Adm^rs &c ——— *is defendant: and this* they *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 27th *day of* September *A. D.* 1847

John Cassil CLERK.

Transcript

Thomas Golasberry
vs
James Golasberry
Administrator of the estate
of Thomas Golasberry deceased

Filed Aug 3rd 1847
John Cassil Clk

State of Ohio Union County SS.

Thomas Goldsberry
vs
James Goldsberry as administrator of the estate of Harrison Goldsberry deceased

Items of act $94.33
Plaintiff costs
Justice summons .12
Subpoenas for the witnesses .20
Swearing five witnesses .20
Entering judgment .25
Constable serving summons 10
Mileage 15
Witnesses 2.50
3.52

Defendants costs
Swearing one witness 4
Witness 50
.54

Action brought on an account for property sold work and labor and money loaned by plaintiff for and to defendant in his testate particulars filed June the 7th 1847 bill of Summons is issued for the appearance of the defendant on the 18th day of June at one o'clock P.M. delivered to Archibal W. Hale constable

Summons returned served on the eleventh day of June 1847 served by reading to the defendant Fees service 10 cents mileage 15 cents A. W. Hale Const

June 18th 1847 The parties appeared: the plaintiff demanded a bill of particulars of the defendants set off which was accordingly filed Thomas M. Young Norman Daniels Samuel McCullough Williby Goldsberry and Cherly Goldsberry sworn and examined for the plaintiff and Archibal W. Hale for the defendant Judgment retained to the twenty third of June June the 23 On hearing the testimony on the day of trial and on due deliberation I do find the plaintiffs claim as proven to be eighty four dollars and thirty three cents and the defendant as administrator is entitled to an off set of twelve dollars and sixty six cents leaving a balance for the plaintiff of seventy one dollars and sixty seven cents: It is therefore considered by me that the plaintiff recover of the defendant as administrator the sum of seventy one dollars and sixty seven cents and also his costs herein taxed at three dollars and fifty two cents. July the first 1847 The defendant came and gave notice that he appealed this cause to the court of common pleas

I do hereby certify that the foregoing are the proceedings and judgment had before me in said suit Given under my hand and seal this first day of July 1847 Tony Buck Justice of the peace of Montgomery Twp

Lease	33.66
Crop	30,00
Big Crop	15,00
Cash	3,00
6 days work	3,00
$	84.66

Evidence in Com. Goldsberry's Case.

Pltff. Wit.

Todd. Ewing
Norman Daniels

S. McCullock
Willoughby Goldsberry
Charly Goldsberry

~~Thos. H. Ewing~~ = Harrison told wit. that Thomas had a right to ⅓ of proceeds of lease: and that he, Harrison, was bound to pay Thomas the ⅓ X exd. Thomas was pd. chiefly to H. & W. = only 10 dollars 25.00 pd to Thomas, (Thomas says Mary) afterwards, all balance pd. to H. = Don't know whether W. rec'd more than ⅓ or not.

Willoughby = pr.s horse item = also Big. crop item = also 300 cash loaned =

X exd. = heard pltff. say he got corn from H. at Robinson = don't know how much = said he got it for hauling = wit. worked 4 days for him, J. at same time.
Prams sorrel horse Tom's

Daniel = Did 3 days work at Robinson's for J. on big bottom next Tom's R.s

S. McCullough = H. raised crop on big bottom in 39
H. & J. talked at Wits = both crops = J. claimed at debt = H. said he didn't owe him anything = talk'd to him before H. died.

Chas. Goldsberry = 6 days item pressed on coal pit. =
Sorrel Horse sold by Thomas = was always his = H. never owned him, but never paid anything to H. Took the horse on a little while, but soon brought him back. Wit. had horse at time of H.'s death. H. didn't claim him then, & never held him without a key lock. H. didn't live with his on the farm. Heard H. say, some time before his death that, he owed J. 30 dolls. for man, & ⅓ of lease, & he was afraid he would not make enough that summer to pay him.

Deft. Wits.

Arch.d Kile = Heard Old Man = Thos. & Harrison all claim sorrel horse. Don't know who owned him.

Defendants Bill of
Particulars

Thomas Goldsberry

To the Estate of Harrison Goldsberry dec'd. Dr

To money paid J Jennings for said Thomas. $10.00

Sept. 1844 To 18 Bushels Corn 25 cents per bushel 4.50

Sept. 1844 To 1 ~~Hor~~ Sorrel Horse 75.00

Union Com. Plas

James Goldsberry
Ads
Thomas Goldsberry

Plets
Cum

Filed Sept

Filed Sept. 27th 1847
John Cassil, Clerk

Cost bill mad

No. Record

James Goldsberry
vs Admr of Harrison Goldsberry
& ds
Thomas Goldsberry

In Union Com. Plea

And the said James Goldsberry comes and defends &c, and says that the said Harrison Goldsberry in his life-time and the said James Goldsberry since his decease, did not, nor did either of them, undertake or promise, in manner & form as the said Thomas Goldsberry hath declared against him; and of this he puts himself upon the country and the said Thomas Goldsberry doth the like.

By Cole & Weller Attys. for Defts.

The plaintiff will take notice, that the defendant, on the trial of this cause will give in evidence, and insist, that the plaintiff, at the commencement of this suit, was & still is indebted to the defendant as such Adm in the sum of ~~one hundred~~ eighty-nine dollars and fifty cents ~~dollars~~, to wit: To money paid J. January for said Thomas, ten dollars - Sept. 1844. To 18 bushels corn 26 cts. per bushel $4,50 Sept. 1844 To one sorrel horse $75,00

The ~~plaintiff~~ will also take notice, that the defendant on the trial of this cause will give in evidence and insist - that the plaintiff, at the commencement of this suit was and still is indebted to the defendant as such Adm. of Thomas Goldsberry in the sum of Eighty-nine dollars and fifty cents for the price and value of goods before that time bargained and sold by the said decedent in his life time ~~defendant~~ to the plaintiff at his request, and also in the sum of Eighty nine dollars & fifty cents for the price and value of goods before that time sold and delivered by the ~~Deft~~ intestate to the plaintiff at his request; And also in the

sum of eighty-nine dollars and fifty cents for the price and value of work before that time done, and materials for the same, provided by the said Decedent in his lifetime ~~defendant~~ for the Plaintiff ~~and~~ at his request; And also in the sum of Eighty nine dollars and fifty cents for money before that time lent by the said Decedent in his lifetime ~~defendant~~ to the Plaintiff ~~and~~ at his request; And also in the sum of eighty-nine dollars and fifty cents for money before that time received by the Plaintiff for the use of the said Decedent ~~defendant~~; And also in the sum of Eighty-nine dollars and fifty cents for money found to be due from the Plaintiff to the said Decedent in his lifetime ~~defendant~~ as such Administrator on an account before that time stated between them; And that the defendant as such Administrator will set off on said trial, so much of the said several sums of money so due and owing from the said Plaintiff to the said defendant as such Adm'r, against any demand of the said Plaintiff to be proved on the said trial, as will be sufficient to satisfy and discharge such demand; and will also then and there demand a judgement against the said Plaintiff for the ~~balance~~ balance of said several sums of money due to the said defendant as such Adm'r, according to the statute in such case made and provided

Cole & Potter
Attys. for
Deft.

And the sd Plaintiff will take notice that the Deft. on the trial will give in evidence and insist upon the same as a bar to this action that

that said claim and account of the plaintiff was presented heretofore to the said administrator against the estate to wit on the 14th day of October 1846, and that the said claim & account was disputed and rejected, and that the said plaintiff did not commence this suit within six months after such rejection.

Cole & Witter
atty for Deft.

Civil/Domestic Case File

Case No. 1847-CV-0049

No. 47-CU-49

Union Common Pleas Court.

Robert R Johnson
Plaintiff,

AGAINST

W W Worley
Defendant.

OCT 1847

Judg vs Defendt

Journal 1 Page 72

Record No. 5 Page 174

Ex. Doc. 1 Page 477

Robert R. Johnson
pl
West Manley

Filed July 28th 1847
John Carrick Clk
Cost Bill made
Record

Recorded

OCT 1847

Robert R Johnston vs West Whirly } Ds Replevin

Damages $50

Issue a writ of Replevin for the following goods and chattles to wit. One ewe and lamb, the ewe is a ~~body~~ mixed ~~white~~ white. One, with the following brands or ear marks a crop off the right ear and a slit in the left ear about the 3 years old last Spring

J C Dougherty Attorney for Plaintiff

To Samuel Gard Esquire Justice

State of Ohio
Monroe County } ss. The above named Robert R Johnston makes oath and says that he has good right to the possession of the goods and chattles described in the above precept and that the same are wrongfully detained from him by the said West Whirly and that the said goods and chattles were not taken in execution on any judgement against the said Robert R Johnston nor for the payment of any tax fine or amercement assessed against him nor by virtue of any writ of Replevin or other mean or final process whatever issued against the said Robert R Johnston

Robert his mark R Johnston

Sworn to and subscribed this 17 day of May A D 1847

Samuel Gard J P (Seal)

Robert Johnson
vs
D. W. Worley.
Witness Recibts

Received of the D W Worley one Dollar and 25 cts for costs in suit of Robert Johnson against said Worley Nov 10th 1847

Thos. A. Shelden

Received of D W Worley two Dollars and fifty cts for costs in the suit of R Johnson against said Worley Nov 10th 1847

Josiah Worley

Elisabeth Worley

Received of D W Worley fifty cents for costs in the suit of Robert Johnson against said Worley Nov 10th 1847

William Bowen

Elisabeth

Received of D W Worley one Dollar an 25 cts for costs in the suit Robert Johnson against said Worley Nov 12th 1847

John J. Trent

Received of D W Worley one Dollar and 75 cts for costs in suit of Robert Johnson against said Worley Nov 13th 1847

David B Tanner

David Tanner

Received of David W. Worley one Dollar and 25 cts for costs in the suit of Johnson against said Worley Nov 15th 1847

James Golden

Union Com Pleas

Robert R Johnson

vs

D W Worley

Sub for Wit

Filed Oct 20 1847

John Lasure Clk

Served this writ by reading to the within named witnesses on the 20th day of October 1847, who demanded their fees which were not paid

Fees-mileage 40

service 25 = 65

Philip Snider Sheriff

The State of Ohio, Union County, ss.

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

We command you to summon John A Benner and Andrew Benner

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said county, at the courthouse, in the town of Marysville, on the ~~first~~ third *day of next term, at* ~~ten~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* Robert R. Johnson *in a certain controversy in said court depending, wherein* Robert R Johnson *is plaintiff, and* D W Worley *is defendant: and this* they *shall in no wise omit, under the penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* first *day of* October A. D. 1847

John Cassil CLERK.

Filed Sept 24 1847
John Cassie clk

Robt. R. Johnson } Replevin.
vs
David W. Worley. }

Issue subpoena for Thomas A. Shelton, David Tanner, John Kent, ~~William Brown, Austin Fullen~~ Josiah Worley, Elizabeth Worley, & James Golden, Deft's Witnesses

Allison & Curry,

To the Clerk of }
Union Com. Pleas. }

Dated Sept. 24th 1847.

Filed Oct 1st 1847
John Carrie Clk

Robert B. Johnston
vs
J. W. Wooly

In Common Pleas

Issue a Subpoena for John A. Beamer and Andrew Beamer witnesses for the Plaintiff for 3d day.

To the Clerk of common pleas

J. C. Daughty
Att for Plaintiff

Filed Sept 20 1847
John Cassil Clk

Robert K. Johnston
vs
D. W. Wolf

In Replevin - in
common pleas -

Please issue a subpoena
for the following Witnesses for
Plaintiff - Michael Myers -
Adam Myers. Nancy Myers. Mary McDowel. Mary Bayzel. John Vangordan

To the Clerk of
Com - Pleas

- J K Dougherty for Plaintiff

Filed Nov 11 1847
John Cassel clk

Robert R. Johnston
vs
David W. Wody

In Union Common
Pleas — ~~Septemb~~ October Term
A. D. 1847 —

In the Clerk
of Union Court

Issued an execution in
the above case.
November 6 1847

J. C. Daughtry
Plaintiff's

Union Com Pleas

Robert R Johnson
vs
D W Worley
Subp for Witns

Filed Oct 1st 1867
John Leane Clk

Served this writ by reading to the within named witness on the 25th day of Sept. 1867. Fees= Service 62¢
mileage 30= 92¢
Philip Snider Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon Thomas A Sheldon David Sanner John Kent Josiah Worley & James Goldon

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the ~~first~~ third *day of next term, at* ~~ten~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* D H Worley _____ *in a certain matter in controversy in said court depending, wherein* Robert R Johnson *is plaintiff, and* D H Worley _____ *is defendant: and this* they *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 24th *day of* September *A. D.* 1847

John Cassil CLERK.

Served this writ by reading to the within named Michael Myers, Adam Myers, Nancy Myers, Mary McDowel, Mary Bazzell and John Vangorden on the 24th day of September 1847

Fees = mileage 40
Service 75

Philip Snider Sheriff

Union Com. Pleas

Robert R. Johnson
vs
S W Worley

Writ for Wit

Filed Oct 1st 1847
John Lecrone Clk

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon Micheal Myers. Adam Myers Nancy Myers - Mary McDowel Mary Bazzell, and John Vangordon, ——

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the third *day of next term, at* nine *o'clock A. M., to testify and the truth to speak on behalf of* Robert R. Johnson —— *in a certain matter in controversy in said court depending, wherein* Robert R Johnson —— *is plaintiff, and* D. W. Worley —— *is defendant: and this* they *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 20th *day of* September *A. D.* 1847

John Cassil CLERK.

is entitled to the property replevined and de
fendant taxed with cost of suit
I certifyy this to be a true transcrip from
my ~~book~~ docket in the case of Robert R
Johnston against David. W. Worley
May 22 AD 1847 Samuel Said JP (seal)
this transcrip 31 cents

In the action of Robert R Johnson against
David W Worley I David Tanner acknowledge
myself bail for the appealant in the sum of
Fifty dollars to be levied of my goods and
chattles lands and tenements in case the
appelant shall be condemned in the action
and shall fail to pay the condemnation money
and costs that have accrued or may accrue
in the Court of Common pleas
David Tanner
Taken signed and acknowledged on this 22nd
day of May A.D. 1847 before
Samuel Said J.P. (Seal)

In Common Pleas
Robert R Johnson
vs
D. W. Worley
Appeal

Filed July 19th 1847
John Cassie Clk

Robert. R. Johnston
vs
David W Worly
Justices costs

summons	12½
swearing witnesses	1,20
judgment	25 cts
satisfaction	10 cts
transcript	31 cts
Affidavid and serving plantiff to it	25 cts

Constables cost 2,00 dollars
total of (Justices & Constables) costs 4,23

State of Ohio
Union County
Dover Township

Fr. Replevin Damage
$5,00

May the 17. 1847 Process issued and delivered to Elias Spurgin constable May 22. 1847 writ returned endorsed This writ personaly served on the 17 day of may by taking the property and summoning the defendant to appear Fees 50 cents
May the 22 A D 1847
Elias Spurgin constable

May 19 A D 1847 by request of platiff subpoenas issued and delivered to Elias Spurgin constable writ returned endorsed served the within writ personally on Adam Myers Jane Myers Nesbitt Basil Michael Myers John Langdale R. Johnson sworn Mary M Cole Fees 45 cts
May 22 the 1847 Elias Spurgin constable

May 20. 1847 by request of defendant subpoenas issued and delivered to E. Spurgin constable May 22. 1847. writ returned served the within writ personaly on John Kent David Tanner Thomas Shelton William Bower James golden Josiah worly Elizabeth worly Austin Tanner sworn
Fees 95 cents Elias Spurgin constable

May 22 at 11 oclock AM of said day parties appeared trial had, witnesses examined and it is considered by me that the plantiff

In Union Common
pleas —

Robert R Johnston
vs
D. W. Worley

Narr

Filed Aug 11th 1847
John Cassil Clk

Verdict of jury Deft
Damages 1 cent

J. C. Doughty Pltf
Attorney

State of Ohio } In Union Common Pleas -
Union County ss. } August Term in the year of our Lord - Eighteen hundred and forty Seven -

This Cause is brought into Court. by - An appeal from the Docket of Samuel Laird a justice of the peace - of Dover Township Union County - Ohio - And thereupon Robert R Johnston by - Jackson his Attorney complains of - David W Worley - in a plea of replevin for that the Defendant heretofore to wit on the fifteenth day - of May - Eighteen hundred - and forty seven at ~~the~~ Union County - wrongfully and unjustly - detained in his possession and from the Plaintiff the following goods - and chattles of the Plaintiff and untill the same were replevied - by the writ of replevin issued herein to wit. One ewe - and lamb the ewe - is - a middle sized white one - with the following ~~ear marks~~ brands - or ear marks - A crop - off - the right ear and - a slit in the left ear - about three years - old last Spring - to the Damages of the Plaintiff five Dollars - And thereupon he sues - by - J C - his Attorney

Ex Doc R Page 477

Robert R. Johnson
vs
David W. Worley

Dam $0.01
Costs 42.91
Writ .41

Filed Oct. 29. 1850
Ja Kirkado Jr clerk

Recorded

Received this writ November 11th 1847
Money made in full.

Fees = mileage	25
Service	35
Postage	86 = $1.46

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS:

To the Sheriff of said County, Greeting:

WHEREAS, *at the Court of Common Pleas of the County aforesaid, begun and held at the Court House in the town of Marysville, on the* 7th *day of* October *A.D.,* 1847.

Robert R. Johnson

recovered against David W Worley

as well as the sum of ~~dollars and~~

~~cents for~~ ~~debt, as the sum of~~

~~dollars~~ *and* one *cents for* his _____ *damages as also the sum of*

$42.91 *for* his _____ *cost and charges in that behalf expended, as of record is manifest. You are therefore commanded, that of the goods. and chattels, and for the want thereof, of the lands and tenements of the said* David W Worley

you cause to be made the ~~debt~~, *damages and costs aforesaid, with interest thereon from the* Seventh *day of* October *A.D.,* 1847, *until paid;* ~~also the sum of $~~ _____ ~~the costs of increase on said Judgment~~, *and accruing costs; and that you have these moneys before said Court at the Court House aforesaid, on the first day of our next Term, to render unto the said* Robert R Johnson

Hereof fail not at your peril; and have you then there this writ.

WITNESS JOHN CASSIL, CLERK *of said Court, at the Court House aforesaid, this* 11th *day of* October *A.D.,* 1847.

John Cassil Clerk.

Civil/Domestic Case File

Case No. 1847-CV-0050

No. 47-CV-50

Union Common Pleas Court.

Benjamin Sagar
Plaintiff,

AGAINST

Daniel Duvall
Defendant.

OCT 1847

Settled

No Record.

Journal 4 Page 66

Record No. Page

Ex. Doc. Page

In Union Com Pleas

Benjamin Sager
vs
Daniel Sewall

Case
Praecipe

Filed July 30th 1847
John Cassil Clk

Allison & Curry

Benjamin Sager
vs
Daniel Duvall

Case. Damages $2000.

Issue a summons returnable at the next term, Indorse on the writ "Suit brought to recover damages, by reason of the defendant on or about the 4th day of April A.D. 1847 speaking in the hearing of divers persons certain false, defamatory and slanderous words ~~words~~ of and concerning the plaintiff, ~~the~~ among other words the following, to wit, 'He (meaning plaintiff) took his wife (meaning plaintiff's wife) to the creek twice, intentionally to kill her &c. 'I (meaning defendant) thank God for one thing. I (meaning defendant) never made my living by cheating the widow, robbing the orphan or stealing hogs (meaning that plaintiff lived by cheating the widow robbing the orphan and stealing hogs).- I (meaning defendant) never made my living by stealing hogs (meaning that ~~plaintiff~~ made his living by stealing hogs), - I. Yes, God damn his (meaning plaintiff's) old soul, he (meaning plaintiff) was caught on one down here (meaning that plaintiff was caught stealing a hog).- &c. &c. Damages claimed Two thousand dollars.

Albison & Conroy
Attys for Plff.

To the Clerk of
Union Com Pleas
July 30th 1847.

In Union Com Pleas

Benjamin Sager
vs.
Daniel Duvall

Narr. & Case

Filed Aug 26th 1847
John Cassil Clk

No. Record

OCT 1847

Allison & Curry

The State of Ohio.
Union County ss } Court of Common Pleas of Union County
Of August Term 1847.

Benjamin Sager complains of Daniel Duvall in a plea of the Case. For that, whereas the plaintiff, before and at the time of the committing by the defendant of the several grievances hereinafter mentioned, was a person of good name, credit, and reputation, and deservedly enjoyed the esteem and good opinion of divers persons; to wit, at the County of Union aforesaid; yet the defendant, well knowing the premises, but contriving, and wickedly and maliciously intending to injure the plaintiff, and to bring him into public scandal and disgrace, heretofore, to wit, on the fourth day of April, A.D. 1847 at the County of Union aforesaid, in a certain discourse which the defendant then and there had of and concerning the plaintiff, in the presence and hearing of divers persons, then and there in the presence of and hearing of those persons, falsely and maliciously spoke and published of and concerning the plaintiff, the false, scandalous, malicious and defamatory words following, that is to say, He (meaning the plaintiff) took his wife (meaning the plaintiffs wife) to the creek twice intentionally to kill her.— I (meaning defendant) thank God for one thing I (meaning defendant) never made my living by cheating the widow, robbing the orphan, or stealing hogs (meaning that the plaintiff lived by cheating the widow, robbing the orphan and stealing hogs).— I (meaning defendant) never made my living by stealing hogs (meaning that the plaintiff made his living by stealing hogs).— Yes, God damn his (meaning plaintiffs) old soul, he (meaning plaintiff) was caught on one down here (meaning that the plaintiff was caught stealing a hog). He (meaning plaintiff) stole hogs.— Ben Sager (meaning the plaintiff) stole hogs:— God damn his (meaning plaintiffs) old soul, he (meaning the plaintiff) was caught on one down here (meaning that the plaintiff was caught stealing a hog).

And afterwards, to wit, on the day and year last aforesaid

at the County aforesaid, in a certain other discourse which the defendant then and there had in the presence and hearing of divers other persons of and concerning the plaintiff, the defendant further contriving and intending as aforesaid, then and there in the presence and hearing of those persons, falsely and maliciously spoke and published of and concerning the plaintiff, other the false, scandalous, malicious and defamatory words following, that is to say, Den Sager (meaning the plaintiff) took his wife (meaning the plaintiffs wife) twice to the creek intentionally, to kill her. He (meaning the plaintiff) took his (meaning plaintiffs) wife, to the creek twice to kill her. He (meaning the plaintiff) was caught stealing a hog.- He (meaning the plaintiff) was caught on one down here (meaning that the defendant was caught stealing a hog).- He (meaning the plaintiff) stole a hog.-

And afterwards, to wit, on the day and year last aforesaid, at the County aforesaid in a certain other discourse which the defendant then and there had, in the presence and hearing of divers other persons of and concerning the plaintiff, the defendant further contriving and intending as aforesaid, then and there in the presence and hearing of those persons, falsely and maliciously spoke and published of and concerning the plaintiff, other the false, scandalous, malicious and defamatory words following, that is to say, He (meaning the plaintiff) took his (meaning plaintiffs) wife to the creek twice intentionally to kill her. the first time he (meaning plaintiff) was prevented by her (meaning plaintiffs wife) praying for him, the other time by seeing a man passing.- thank God I (meaning defendant) never made any living by stealing hogs (meaning that the plaintiff made his living by stealing hogs). He (meaning the plaintiff) attempted to kill his (meaning plaintiffs) wife. By means of the committing of which said grievances by the defendant, the plaintiff hath been and is greatly injured in his said good name, credit and reputation, and brought into public scandal and disgrace, and hath been and is shunned and avoided by divers persons, and otherwise injured,

to wit, at the county aforesaid. To the plaintiff's damage of two thousand dollars, and therefore he brings his suit, &c

By Allison & Curry his attorneys.

Suit Brought to recover damages, by reason of the defendant on or about the 4th day of April A.D. 1847 speaking in the hearing of diverse persons certain false defamatory and slanderous words of and concerning the plaintiff. Among other ~~things~~ words the following. to wit: the (meaning plaintiff) took his wife (meaning plaintiffs wife) to the creek twice intentionally to kill her &c. I (meaning defendant) thank God for one thing. I (meaning defendant) never made my living by cheating the widow, robbing the orphan or stealing hogs (meaning that plaintiff lives by cheating the widow robbing the orphan, and stealing hogs); I (meaning defendant) never made my living by stealing hogs (meaning that plaintiff made his living by stealing hogs; Yes God dam his (meaning plaintiffs) old soul he (meaning plaintiff) was caught on one down here (meaning that plaintiff was caught stealing a hog) &c &c damages claimed two thousand dollars

Allison & Lemy
attys for Pltff

Served this writ July 31. 1847 by leaving a certified copy of this writ at the residence of the within named Daniel Duvall

Fees—mileage 20
Service 35
Copy 25

Philip Snider Sheriff

Union Com Pleas

Benjamin Lager
vs
Daniel Duvall

Filed July 31st 1847
John Basil Clk

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING.

We command you to summon Daniel Duvall

to appear on the first day of our next term, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Benjamine Sager

in a plea of Case damages two thousand dollars.

And have you then there this writ.

WITNESS, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 30th day of July A. D. 1847.

John Cassil CLERK.

Union Com Pleas

B Sager
vs
D Duvall

Sub for Vdt

Filed Sept 30 1847
John Cassel clk

Served this writ Sept 25 1847 by reading to the within named defendant

Fees=mileage 10
service 25 = 35

Philip Snider Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon Mary Ann Stiner & Elizabeth Stiner —

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the ~~first~~ third *day of next term, at* ~~two~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* Benjamine Seger — *in a certain matter in controversy in said court depending, wherein* Benjamine Seger *is plaintiff, and* Daniel Duvall — *is defendant: and this* they *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 24th *day of* September *A. D.* 1847

John Cassil CLERK.

Union Common Pleas

Benjamin Sager
vs
Daniel Duvall

Sub. for Defts. Wit.

Filed Sept 30th 1847
John Cassie Clk

Served this writ by reading to Thomas Parr
Sept 25, 1847. Returned by order of defendant

Fees = mileage 5
service 12½ = 17½
Philip Auter Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

We command you to summon Thomas Barr, John Price Samuel R. Sanders, J. B. W. Haynes Jacob Reed, & Edward Bailey

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said county, at the courthouse, in the town of Marysville, on the ~~first~~ third *day of next term, at* ~~ten~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* Daniel Duvall

in a certain controversy in said court depending, wherein Benjamin Lager

is plaintiff, and Daniel Duvall

is defendant: and this they *shall in no wise omit, under the penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid,*

this 28th *day of* Sept. A. D. 1847

John Cassil CLERK.

Union Common Pleas

Benjamin Sager
vs
Daniel Duvall

Filed Sept 30th 1847
John Cassel Clk

Served the writ by reading to the within
named Elisha Decker, Margaretta Decker
and Martha Jane Decker on the 24th day
of Sept 1847. Fees = mileage 35
return & service 3 7/12 = 72¢
Philip Snider Sheriff

The State of Ohio, Union County, ss.

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

We command you to summon Samuel Marks, Sarah Ann Marks, Elisha Decker, Margaret Decker, Martha Jane Decker, Lavina Ann Duvall, Daniel Long, Wm Graham Abraham Stinar Sr,

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said county, at the courthouse, in the town of Marysville, on the ~~first~~ third *day of next term, at* ~~ten~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* Daniel Duvall

in a certain controversy in said court depending, wherein Benjamin Sager *is plaintiff, and* Daniel Duvall *is defendant: and this* they *shall in no wise omit, under the penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 23d *day of* Sept. *A. D.* 1847

John Cassil CLERK.

Samel Duvall
ads Pruesp
Ben. Sagar

for Writ,

Daniel Sewell
-ads } In com. Plea
Benjamin Sager

Issue a Subpoena for Samuel Mark Sarah
Ann Marks Elisha Dicker Margaret Dicker
Martha Jane Dicker Lavina Ann Swall
Daniel Long Wm Graham Abram Shneck

Sept. 23 1847
To John Cupit clerk.

Caleb Tritter
Attys for Deft

Filed Sept 24 1867

John Van Dell

Benjamin Sager
vs.
Daniel Duvall } In Case.

Issue Subpoena
for Mary Anna Stiner,
and Elizabeth Stiner,
Pltff's witnesses.

Allison & Dunn
Attys. for Pltff

To the Clerk of
Union Com. Pleas

Dated Sept. 24th, 1817.

Filed Sept 28th 1847
John Carrill Clk

Daniel Durall
a cts
Benjamin Sargent } In case

Issue a subpoena for Thomas Rev.
John Price ~~Rev~~ Samuel R. Saunders & J. B. W. Hays
Jacob Reed Edward Bailey " ~~Witness~~ Witnesses for
Defendant

To John Carroll Clk R

Sept 28 1847

P. B. Beale
Atty for Deft "

Settlement between

Sagar

&

Jarall

Filed Oct. 5th 1847
John Capel Clerk

Benjamin Sager
vs
Daniel Duvall

In Case for Slander
In the Court of Comm
of the County of Meigs Ohio

The said parties hereby agree to compromise the above Cause and withdraw it from Court upon the following Conditions to wit, The said Sager is to dismiss said suit and compromise all grievances by reason of words supposed to be spoken said Duvall against him - and the said Duvall on his part agrees to pay the costs already made in this Case

September 29 1847 Benjamin Sager

Attest James Jones

D. Duvall

Union Com. Pleas

Daniel Sturdevant
ads
Benjamin Sager } In Case

Filed Sept. 20th 1847
John Cafsie, Clerk

Daniel Duvall
ads
Benjamin Sagar } In Case.

And the said Daniel Duvall comes and defends &c. and says, that he is not guilty of the said supposed grievances laid to his charge, in manner & form as the said Benjamin Sagar hath complained against him; and of this he puts himself upon the country, and the said Benjamin Sagar ~~Daniel Duvall~~ doth the like.

" in the second count of his declaration

By Cole & Wiley & Daughty
his Attys.

Benjamin Sager
v
Daniel Duvall

Deft Witnesses

~~Saml Ring~~

Proved by reading
Pltf Benjamin
Sager

Filed Oct. 6th 1847.
John Cofer, Clk

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon Bethuel McMullen,

David Price & Elizabeth Price &

Joseph N. Rads

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the ~~first~~ third *day of next term, at* ~~ten~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* Benjamin Lager *in a certain matter in controversy in said court depending, wherein* Benjamin Lager *is plaintiff, and* Daniel Dilwall *is defendant: and this* they *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 28th *day of* Sept. *A. D.* 1847

John Cassil CLERK.

Suit

Subpoena for
Witnesses
Lager vs Duncan

Filed Sept. 24-47
John Cassil Clerk

Benjamin Sager
vs
Daniel Linvall

In Common Pleas of
Union County, Ohio

Issue Subpoenas to
Bethuel McMullen, David Price, Elizabeth
Price & Joseph Price witnesses for Plff.
To John Cassil Clerk
Sept 28th 1847

Allison & Lemy Attys
for Plff

I Christian Myers an associate Judge ~~and for~~ of the Court of Common Pleas within and for the County of Union and State of Ohio do hereby Certify that Wm Durall Sr. and Sarah Durall were by me sworn to testify the truth the whole truth and nothing but the truth in the case pending in the Court of Common Pleas of said County wherein Benjamin ~~Sagers~~ was Plff & Daniel Durall Deft – and that the forgoing Depositions by them respectively subscribed were reduced to writing by me, and taken at the time and place in the notice mentioned

Christian Myers
Associate Judge

~~Sub~~ fees .75 pd by Deft.
writing fees 1.00

The Deposition by Commission is to be carefully Deft's Atty without being sealed up –

Allison & Conroy Attys for Deft

Benjamin ~~Sagers~~
vs
Daniel Durall

Depositions of
Wm Durall & others
Dep. Cl. C

Filed Sept 22 1847
John Cassidy Clk

Benjamin Sager
vs
Daniel Duvall

In The Court of Com Pleas Union County Ohio.
In Case

Depositions will be taken in this Case by the defendant at the House of Wm Duvall Sr. in Mill Creek Township Union County and State of Ohio. on the 21st day of September 1847 between six o'clock A M and nine P M

Dated September 20th 1847

Daniel Duvall

Served this 20th day of September, 1847.

Allison & Curry
Attys for Plff.

Depositions of witnesses taken in a canal pending in the Court of Common Pleas in and for the county of Union and state of Ohio, wherein Benjamin Sager is Plaintiff and Daniel Duval is Defendant, and for said Defendant, both parties by their attorneys being present, taken pursuant to the notice hereto attached and at the time & place therein designated

William Duvall Esq. of Union County of lawful age being first duly sworn by me as hereafter certified deposes as follows.

Question by Defendant Are you acquainted with Benjamin Sager the plaintiff, if so how long have you been acquainted with him, ~~and what~~

Answer about Twenty years I have known him

Question by same, Have you had the means during that time of knowing his treatment to his wife —

This question objected to by Plf. Counsel.

Ans I have had the means of knowing he the plaintiff has generally been rough and crabbed to his wife several years ago plaintiff and his wife was living at my house and they were in a back room and I thought I heard plaintiff strike his wife I had some talk with plaintiff about it he the plaintiff did not deny striking his wife but flew in a passion at me about it but plaintiff did not admit it.

Question by Deft. What has been the plaintiffs general character as it regards kindness and attention to his wife in sickness and health.

This question objected to by Plfs Counsel.

Ans his the plaintiffs general character in the neighborhood was that of neglect and want of proper attention to his wife in her last sickness

and neglected to provide Medicine for her
Question by Same - was Sagers former wife
your daughter. - ~~and you present~~ did you
see her during her last sickness - if so what con-
dition did you find her in.
Objected to by plaintiffs Counsel
Ans; She was my daughter and I saw her
during her last sickness I found her very sick
and neglected and not provided for as a sick per-
son should be and there was no doctor tending
on her and I the witness sent a physician
there and plaintiff told me that he threw the
medicine out doors and was angry with me
for sending a doctor there to pick his the
plaintiffs pockets
Question by Same How old are you; and ~~do~~
do you think that your health and strength
would enable you to attend Court at Alleyville
Ans; I was Eighty years old the 15th day of last
February I do not think that my health
and strenght would admit my attending
Court unless I could go in a carriage and
I do not think my strenght sufficient
to go that way and I do not feel willing
to undertake the journey
Cross Examined.
Question - How many years is it since the time you
refer to. that the plaintiff was cross to his
wife.
Answer I do not remember exactly how long
ago it was but think some twenty years ago.
about that time that I thought I heard
him strike his wife
Question by Same. How far did you live from the
plaintiff. at the time of the last sickness of his wife

that you refer to? -

Answer About thirty miles.

Question by same - How long is it since you have lived in the same neighborhood with the plaintiff?

Answer - near twenty years.

Question by same. Are you the father of the defen - dant Daniel Duvall?

Answer. I am.

Question by same. You say you have not lived in the same neighborhood with the plaintiff for the last 20 years. - How far from you has the plaintiff lived ever since that time?

Answer part of the time ten miles and the rest of the time about thirty miles.

Question by same. Have you been on friendly terms with the plaintiff for some years back?

Answer yes sir I have been

Recross by Deft -

Have you been frequently at Sagers House during the time he lived with your daughter?

Answer - yes at different times

And further this Deponent saith not

[illegible] Duvall

Also At the same time and place Sarah Dupall of the County of Union of lawful age being first duly sworn upon as hereinafter certified deposes and says —

Question by Deft. — Please to state how long you have been acquainted with Benjamin Sager — and what has been his conduct to his wife during that time?

Answer; About Twenty three years since I first become acquainted with Benjamin Sagar and have never known him otherwise than a cross contrary ill grained creature in his family

Question by Same. Have you been at his house frequently during that time, and always seen his conduct as you above state.

Answer I have been frequently at his house and generally found him as above stated

Question by Same. Was his former wife your daughter, how long has she been dead. And have you heard his said wife speak of his bad treatment during her life. [This last question is objected to by Plfs Counsel.]

Answer She was my daughter she has been dead some five years I have heard her say one time in particular that Benjamin Sagar had taken her off of the horse with violence and kicked and stompied and beat her with a stick and pulled her into a little kitchen and shut her in there before the whipping took place Sagar had told her to take a horse and clear out from home and never come back and she had taken the horse and started but afterwards had returned back

Question what was Sagers treatment to her in her last sickness

Answer; I was there from Saturday to tuesday during her sickness she was very sick

and she was destitute of provisions for a sick person her medicine and provisoin were locked up Sarah then his daughter broke open the ~~trunk~~ bureau and took it out Sagar returned home the next evening and commenced abusing his father inlaw for sending a Doctor there to treate him Sagar up

Question. by Same How old are you. and are you bodily infirmities sufficient to prevent you from attending Court at Marysville.

Answer. I am going on sixty six years old and am crippled so that I cannot walk a step and it would be impossible for me to attend court-

Cross Examined-

Question- Are you the mother of the defendant?

answer- I am-

Question by same. Have you lived in the same neighborhood with the plaintiff for the last 20 years? Have you lived within ten miles of him within that time?

Answer I have not lived within ten miles of him within that time.

Question by same- Are you able to ride to Marysville in a carriage?

Answer I am not for I have the chills and fever every day before I was able to ride in a carriage since I have been crippled I have several times rode farther than Marysville-

Question by same- Are you on friendly terms with Pat?

Answer I have always been on friendly terms with Sagar except ~~the~~ his treatement towards his family, made me feel cold to him

+ further saith not

Sarah Dewall
mark

Civil/Domestic Case File

Case No. 1847-CV-0051

No. 47-CU-51

Union Common Pleas Court.

W W Woods

Plaintiff,

AGAINST

J. M. Smith

Defendant.

Ejectment,

MAY TERM, 1849

Discontinued.

No Record.

Journal 4 Page 188

Record No. Page

Ex. Doc. Page

State of Ohio }
Union County } ss

Wm H. Frank being duly sworn says that he served a true Copy of the within declaration in ejectment on Peyton B Smith & ~~John H Smith~~ personally and on John H Smith by leaving said Copy at his residence, with his father, the said John H being absent, and that he explained to them the meaning and intention of the same - said service was made on the 24th day of July 1847

Wm H. Frank

Sworn to and subscribed before me this 2d day of August 1847

James Turner J.P.

Cost. fees .75
pd 12/1

Union Com. Pleas

Due on the demise of
W H Woods
vs
Richard Rice

P B & J. H. Smith
Defendants

Filed Aug. 2d 1847
John Capel, Clerk
Capias issued
to Release
May 7. 1849

By Coats
Dep Clk

State of Ohio } Court of Common Pleas
Union County } ~~August~~ May Term A.D. 1847

John Doe complains of Richard Roe for that William H. Woods on the first day of April A.D. 1845 at the county of Union had demised to the said John, the following lands and tenements to wit: The whole of In lot ~~No~~ No eighteen (18) in the Town of Marysville as designated in the recorded plat of said Town; and also ten messuages, ten cabins, ten barns, ten stables, ten orchard, ten outhouses, ten yards, ten gardens, ten acres of arable land, ten acres of meadow land, ten acres of pasture land, ten acres of wood land, ten acres of land covered with water and ten acres of other land, situate in said Town of Marysville and County of Union. To have & to hold to the said John, from the first day of April in the year aforesaid for and during the term of five years thence next ensuing. By virtue of which demise the said John entered into the said tenements, with the appurtenances, and was possessed thereof for the term aforesaid, and the said John being so thereof possessed, the said Richard afterwards to wit; on the day and year aforesaid, with force and arms, entered into the said tenements with the appurtenances and ejected the said John therefrom, and other wrongs then & there did to the said John, to his damage two hundred and therefore he sues &c

By Cole & Potter
his Attys

To Peyton B. Smith & John H. Smith

I am informed that you are in possession of a claim to lot, the premises in this declaration mentioned, or to some part thereof, and I being sued in this action as a casual Ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas, within and for the County of Union & State of Ohio, and make yourselves defendants in my stead, otherwise judgement will be entered against me by default and you will be turned out of possession.

July 24. 1847

Richard Roe

Hon eisdem
Woods
v
J H Smith

Consent rules

Filed Oct 8 1849
John Cassie Clk

Sloe ex dem Wm N Woods

v

Richard Roe

P. B. & J. H. Smith tenants

} Union Complex
Ejectment

and makes himself party defendant And the said John H Smith comes and confesses lease entry and ouster, and says that he is not guilty of the said trespass and ejectment laid to his charge. and deft puts himself on the country and prays doth the like. Wm F Andrews
defts atty

Oct 8, 1847

Civil/Domestic Case File
Case No. 1847-CV-0052

No. 47-CV-52

Union Common Pleas Court.

John Graham
Plaintiff,

AGAINST

David Fields,
Defendant.

OCT 1847

Judgment Defendt

Journal 4 Page 68

Record No. 3 Page 161

Ex. Doc. 1 Page 470

March 1st 1847. paid by the Defendant to Justice on the Within Judgement four dollars the Justice Returns and of the same Five dollars Twenty three Cents for his Cost & the Constables

I do hereby Certify the foregoing to be a True Copy of the proceedings had before me Given Under my hand this 2nd day of August A.D. 1847

James B. W. Bayne, J P

John Graham
Vs
David Fields
Trover &c

Filed August 6th 1847
Nathan Copsel Clerk

John Graham
vs
David Fields

Debt. $12.75
Interest up to
Judgement 5.49
J.P. fees
Issuing Summons .62½
Recording Judg. .25
2 Executions .50
Satisfaction .10
This Transcript .97½
Cancel bail .31
1.28
Summons .25
2 Execution .70
.95

Suit Brought by plaintiff against Defendant on a Note Executed May 8th 1838 for Twelve Dollars Seventy five cents payable one day after date

August 5th 1845
Summons Issued and handed To E. Fisher Constable for appearance on the 9th Instant at 2 O'clock P.M. of said day
August 5th 1845 Constable Returned the Writ Judged Served by Reading the same To Defendant personally this 5th day of August 1845
Cancel bail bilig .15 Serv 10 .25
E. Fisher Const.

August 9th 1845. the Defendant appeared and acknowledge the claim to be Just Therefore Judgement is hereby Rendered against the Defendant David Fields & Infavour of the Plaintiff John Graham for the sum of Eight Eighteen dollars Seventy four cents principal & Interest and cost of Suit Taxed .25
J. B. W. Sharpe J.P.

August 26th 1845 Execution Issued & handed to Enoch Fisher Constable
Sept 25th 1845 the Constable Returned the Execution Indorsed Defendant Dead & Constable did not know Defendant property E. Fisher Const bilig .15 Serv 20
August 27th 1846 Execution Issued and handed To E. Fisher Const
Sept 10th 1846 the Constable Returned the Execution Indorsed no property found Whereon to levy But the Defendant is possessed of Real Estate Subject Subject to his Debts E. Fisher Const
Constables Cost bil. 15 Serv 20 .35

union County Pleas

John Graham
vs
David Fields

Writ of Sirafacias

Filed Aug 4 1847
John Cassil Clk

The within named David Fields not found
Aug 21, 1847
Fees, Service 35
mileage 5 Philip Snider Sheriff

The State of Ohio, Union County, ss.
To the Sheriff of said County, Greeting:

Whereas John Graham on the ninth day of August A.D. 1845 recovered a judgment before J. B. W. Haynes one of the Justices of the Peace within and for the said County of Union, for the sum of Eighteen dollars and Twenty four cents, principal and Interest, then due on a note of hand, and costs of Suit taxed at $2.23 against David Fields upon which said judgment an execution was issued by the said J. B. W. Haynes and returned no property found whereon to levy; ~~But the~~ defendant is possessed of Real estate subject to his debts, as to us appears by a transcript of the said judgment and proceedings filed in our Court of Common Pleas within and for the said County of Union. We therefore command you, that you make known to the said David Fields to appear before our said Court of Common Pleas forthwith to show cause, if any there be, why execution should not issue against his lands and tenements to satisfy said judgment, and further to do and receive what our said Court shall then and there consider of him in this behalf; and have you then there this writ.

Witness: John Cassil Clerk of our said Court this 4th day of August A.D. 1847 John Cassil, Clerk

Attest.

In Mun Court

John Graham

vs

David Field

Praecipi for

Sci. Fac

Filed Sept 20th 1847

John Cassil clerk

John Graham
vs
David Field

In Union Com Pleas.
Scire Facias, To charge Lands

Issue an alias writ of Scire Facias, to Sheriff of Union County, returnable next term
To John Cassel Clerk
Sept 20th 1847

Allison & Curry
Attys for Plff.

Union Com Pleas

John Graham
vs
David Fields

Writ of Scire facias

Filed Oct 5th 1847
John Cassie Clk

Cost bill made
Record
Recorded

OCT 1847

The within named David Fields not found
Fees mileage 70
Philip Snider Sheriff

The State of Ohio Union County ss
To the Sheriff of said County Greeting;
Whereas John Graham on the ninth day of August AD 1845. recovered a judgment before J. B. W. Haynes one of the Justices of the Peace within and for the said County of Union. for the sum of Eighteen Dollars and twenty four cents. principal. and Interest. then due on a note of hand. and costs of suit taxed at $2.23 against David Fields. upon which said judgment an execution was issued by the said J B W Haynes. and returned no property found whereon to levy: But the Defendant is is possessed of Real Estate subject to his debts: as to us appears by a transcript of said judgment. and proceedings filed in our Court of Common Pleas. within and for the said County of Union. We therefore Command you as we have heretofore Commanded you. that you make Known to the said David Fields. to appear before our said Court of Common Pleas on the first day of the next Term. to show Cause if any there be. why execution should not issue. against his Lands and tenements to satisfy said judgment. and further to do and receive what our said Court shall then and there Consider of him in this behalf: and have you then there this writ,

Witness John Cassil Clerk of our said Court at the Court House this 20th day of September AD 1849
John Cassil Clerk

Ex Docket Page 470

John Graham
vs
David Fields

Debt $12.75
Dam 6.08
Costs 9.21
Increase 18.03
Writ .41

Filed May 29. 1849
Jas Kirkpatrick Jr clerk

Received

Received this writ April 16. 1849. ~~Executed~~ ~~by leaving the within described real estate in the origin. & a copy in publication one in general circulation in Union County Ohio for 30 days previous to the day of date.~~ Proceedings stayed by order of Pl. Pr. 13 Ohio Made on within fifty dollars May 29. 1849

Fee = Service. 35
Mileage 1.00

Philip Shrider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE command you to expose to sale those Lands and Tenements of David Fields to wit. Lying & being in the Survey Located for the heirs of Buller Clairborn, No. 6293. in Union County Ohio. begining on the north side of Fultons Creek directly opposite Robert Cotrells. north east corner of land who said Cotrell purchased of Mr Gallant, thence running with the partition line between John Harts. Heirs, and C. Lee. to a lot once owned by James Clark. in the same Survey as aforesaid thence westwardly with said Clarks line a distance sufficient to contain One hundred Acres by running a paralel line with the partition line between John Harts heirs & C. Lee. aforesaid back to Fultons creek thence running with the creek aforesaid to the place of begining, Excepting One Acre Sold by David Fields, to Aaron Beam. and forty acres sold by said Fields to John Evans. taken off the north end of said tract. Also subject to a mortgage Executed January 12. 1847 by said Fields & wife to John Sigton.

which according to our commands you have taken into your hands, and which remain unsold as you have certified to the Judges of our Court of Common Pleas of our said County, to satisfy John Graham

the sum of Twelve ——— dollars and Seventy five cents for his Debt & $6.08 for his damages, together with $9.21½ for his costs, with interest thereon from the Sixth day of October A.D. 1847 until paid, which late in our said Court the said John Graham

recovered against the said David Fields.

as of record is manifest. Also, $18.03 ——— increase of costs, and the accruing costs: ~~And if in your opinion the property in your hands not sold will be insufficient to satisfy the judgment aforesaid, then you are hereby commanded that you levy the same upon the goods and chattels, lands and tenements, or either, as the law shall permit, being the property of the judgment debtor, which together with the property on hand not sold as aforesaid will be sufficient to satisfy said judgment.~~ And that you have the same before the said Court at the Court House in Marysville, on the first day of their next Term, to render unto said David Fields

Hereof fail not at your peril, and have then there this writ.

Witness, ~~JOHN CASSIL~~ James Kinnadeigh, Clerk of said Court at the Court House in Marysville, this 12th day of April A.D. 1849

James Kinnadeigh Clerk.

Ex Docket Page 420

John Graham
vs
Darius Fields

Debt $12.75
Dam 6.08
Costs 9.21½
Levying 7.41
Wr'l .41

Filed June 28, 1848
John Kasa's clerk

Concluded

Received this writ May 18, 1845. In obedience to the with=in command I duly advertised the within described real estate for sale by publication in the Argus a News=paper published and in general circulation in Union Coun=ty, Ohio, for at least 30 days previous to the day of sale. I after=wards, to wit, on the 27th day of June A.D. 1848 offered said real estate for sale at the door of the Court house in said County between the hours of ten O'clock A.M. and four O'clock P.M. not sold for want of bidders

Fees— mileage 5
Service 35
advertising 25
Pr fee $4.25

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE command you to expose to sale those Lands and Tenements of David Fields, to wit, Lying & being in the Survey located for the heirs of Bulle Claiborne, No 6293. in Union Co, Ohio, begining on the north side of Fulton Creek directly opposite Robert Cotrels north east corner of same who said Cotrell purchased of Mr Gollent thence running with the partition line between John Harts heirs and C Lee 15a lot once owned by James Clark in the same survey as aforesaid thence westwardly with said Clarks line a distance sufficient to contain One hundred acres by running a parallel line with the partition line between John Harts heirs & C Lee aforesaid back to Fulton's Creek thence running with the Creek aforesaid to the place of begining. Excepting one acre sold by David Fields to Aaron Beam and forty acres sold by said Fields to John Evans taken off the north end of said tract. Also subject to a mortgage Executed January 12., 1847. by said Fields & wife, to John Sigston,

which according to our commands you have taken into your hands, and which remain unsold as you have certified to the Judges of our Court of Common Pleas of our said County, to satisfy John Graham

the sum of Twelve dollars and Seventy five cents for his Debt $ 6.08 for his damages, together with $ 9.21½ for his costs, with interest thereon from the 6th day of October A.D. 1847 until paid, which late in our said Court the said John Graham

recovered against the said David Fields

as of record is manifest. Also, $ 7.41 increase of costs, and the accruing costs. ~~And if in your opinion the property in your hands not sold will be insufficient to satisfy the judgment aforesaid, you are hereby commanded that you levy the same upon the goods and chattels, lands and tenements, or so much thereof as the law shall permit, being the property of the judgment debtor, which together with the property on hand not sold as aforesaid will be sufficient to satisfy said judgment.~~ And that you have the same before the said Court at the Court House in Marysville, on the first day of their next Term, to render unto said John Graham

Hereof fail not at your peril, and have then there this writ.

Witness, JOHN CASSIL, Clerk of said Court at the Court House in Marysville, this 18th day of May A.D. 1848

John Cassil Clerk.

Ex Docket Page 470

John Graham
vs
David Fields

Debt $12.75
Damn 6.08
Costs 9.21½
Writ .41

Filed April 25, 1848
John Cassil Clk

Recorded

Received this writ January 24th 1848.
By virtue of this writ I levied on the following described real estate, to wit: lying and being in the survey located for the heirs of Buller Claibourn No. 6293 in Union County, Ohio, begining on the north side of Fultons creek Directly oposite Robert Cotrells north east corner of land who said Cotrell purchased of William Gallant thence running with the partition line between John Harts heirs and Cyprian Lee to a lot once owned by James Clark in the same survey as aforesaid thence westwardly with said Clarks line a distance sufficient to contain one hundred acres by running a parallel line with the partition line between John Harts heirs and Cyprian Lee aforesaid back to Fultons Creek thence running with the Creek aforesaid to the place of begining. excepting one acre sold by David Fields to aaron Beam and forty acres sold by said Fields to John Evans taken off the North end of said tract. also subject to a Mortgage executed January 12, 1847 by said Fields & wife to John Ligton March 21, 1848 had the same appraised by the oath of James McMaster Lewis Alder and John Berge at $8.00 per acre. advertised the same for sale by publication in the Argus a Newspaper published and in general circulation in Union County Ohio for 30 days previous to the day of sale. I afterwards to wit on the 25th day of April A. D. 1848 offered the same for sale at the door of the court house in said County between 10 o'clock A. M. & four o'clock P. M. not sold for want of bidders

Fees
mileage 60
Journal 1.00
Appraiser 1.50
Warrant 2.50
Ad for 3.00
deeds 35
copy after 30

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS:

To the Sheriff of said County, Greeting:

WHEREAS, *at the Court of Common Pleas of the County aforesaid, begun and held at the Court House in the town of Marysville, on the* 5th *day of* October *A.D.,* 1847. John Graham *recovered against* David Fields, an Award of Execution Against the Lands & tenements of the said David Fields *for* ~~as well as~~ *the sum of* ~~fifteen~~ twelve *dollars and* seventy five *cents for* his *debt, as the sum of* Six *dollars and* eight *cents, for* his *damages as also the sum of* $ 9.21½ *for* his *cost and charges in that behalf expended, as of record is manifest. You are therefore commanded, that* ~~of the goods and chattels, and for the want thereof~~, *of the lands and tenements of the said* David Fields

you cause to be made the debt, damages and costs aforesaid, with interest thereon from the fifth *day of* October *A.D.,* 1847, *until paid;* ~~also the sum of $~~ *the costs* ~~of increase on said Judgment~~, *and accruing costs; and that you have these moneys before said Court at the Court House aforesaid, on the first day of our next Term, to render unto the said* John Graham

Hereof fail not at your peril; and have you then there this writ.

WITNESS JOHN CASSIL, CLERK *of said Court, at the Court House aforesaid, this* 24th *day of* January *A.D.,* 1848.

John Cassil *Clerk.*

Ex Docket Page 470

Thos Graham
by
David Scott

Debt $112.75
Dam 6.88
Costs 5.21½
Increase 12.72
Writ .44

Filed Sept 24, 1848
Thos Cassil Clk

Recorded

Received this writ August 11th 1848. In obidience thereof I advertised the within described real estate ~~[illegible]~~ by publication in the Argus a Newspaper published and in general circulation in Union County. Ohio; for at least 30 days previous to the day of sale. I afterwards. to wit: on 19th day of September A.D. 1848. between the legal hours of 10 O.clock. A.M. and four O.clock. P.M. offered said said real estate for sale by public outcry at the door of the Court House in said County. Not sold for want of bidders.

Fees = mileage 75
Service 35
advertising 2 5
Pr fee 4.25

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting!

WE command you to expose to sale those Lands and Tenements of David Fields to wit, Lying & being in the Survey So called for ~~Bullo~~ the heirs of Billo Claibourn No 6293 in Union County Ohio, beginning on the north side of Fultons Creek directly opposite to Robert Cotsels north east Corner of Same who said Cotsell purchased of Wm Gallant, then co running with the partition line between John Harts heirs and Lee to a Lot once owned by James Clark in the same survey as aforesaid thence westwardly with said Clarks line a distance sufficient to Contain one hundred acres by running a parallel line with the partition line between John Harts heirs & Lee aforesaid back to Fulton Creek thence running with the Creek aforesaid to the place of begining, excepting one acre sold by David Fields to Aaron Beam and forty acres sold by said Fields to John Evans, taken off the north end of said tract, also subject to a mortgage Executed January 12. 1847. by said Fields & wife to John Lytton,

which according to our commands you have taken into your hands, and which remain unsold as you have certified to the Judges of our Court of Common Pleas of our said County, to satisfy John Graham

the sum of Twelve ——— dollars and Seventy five cents for his Debt, & $6,08 for his damages, together with $9,21½ for his costs, with interest thereon from the 6th day of October A.D. 1847 until paid, which late in our said Court the said John Graham,

recovered against the said David Fields

as of record is manifest. Also, $12,72 increase of costs, and the accruing costs. ~~And if in your opinion the property in your hands not sold will be insufficient to satisfy the judgment aforesaid, then you are hereby commanded that you levy the same upon the goods and chattels, lands and tenements, or either, as the law shall permit, being the property of the judgment debtor, which together with the property on hand not sold, as aforesaid will be sufficient to satisfy said judgment.~~ And that you have the same before the said Court at the Court House in Marysville, on the first day of their next Term, to render unto said John Graham

Hereof fail not at your peril, and have then there this writ.

Witness, JOHN CASSIL, Clerk of said Court at the Court House in Marysville, this 11th day of August A.D. 1848

John Cassil Clerk.

Filed Jany 24th 1847
John Carson Clk

John Graham } Sci Fac
vs } Judgment in Union Com Pleas
David Fields } Oct Term 1847

Issue an execution in the above case to Sheriff of Union County returnable next Term

Test John Cassil Clerk
January 12th 1848

Allison & Curry Attys for Plff

Civil/Domestic Case File

Case No. 1847-CV-0053

No. 47-CV-53

Union Common Pleas Court.

Anna Meyers
Plaintiff,

AGAINST

Jacob Meyers
Defendant.

APR TERM 1848

JUD'G VS PLAINT'F

Journal 4 Page 113

Record No. 5 Page 245

Ex. Doc. Page

Union Com. mon Pleas

Anna Myers
vs. } Covenant.
Jacob Myers

Praecipe for Summons.

Filed Aug. 7th 1847
John Caple Clerk

Allison & Curry
Attys.

Anna Myers
vs
Jacob Myers } Covenant - Damages $500.

Issue a summons returnable forthwith. Indorse on the writ "Suit brought on a bond given for maintenance &c, made by the defendant to the plaintiff for five hundred dollars. Dated day of October 1844, &c.

Damages claimed $500.

To the Clerk of Union Com Pleas
August 7th 1847

Allison & Curry
Attys for Pltff.

son, according to the effect of the said bond and the said promise and agreement therein written and contained, but therein wholly failed and made default, hitherto; contrary to the form and effect of said bond and of the said agreement of the said defendant that behalf, as aforesaid; to wit, at the County of Union aforesaid; to the damage of the said plaintiff of Twenty Hundred Dollars; and therefore the said, &c.

By Allison & Conry
Her Attorneys.

Allison & Conry

Attorneys for Plaintiff

Anna Myers
vs. Covenant.
Jacob Myers

Declaration.

Filed Aug. 27th 1847
John Cassil, Clerk

Cost bill made
Record

Recorded

Court of Common Pleas of Union County,
Of the Term of August,
In the Year of Our Lord 1847.

The State of Ohio, Union County, ss.

Anna Myers, by Allison & Curry her Attornies, complains of Jacob Myers, in a plea of Covenant, for that whereas by a certain bond made on the — day of October in the Year of Our Lord One Thousand Eight Hundred and forty four, at the County aforesaid, by the said Jacob Myers, sealed with his Seal, and now to the Court here shown, the date whereof is the day and year aforesaid, it was witnessed that in consideration that the said Anna Myers had then deeded to said Jacob Myers 60 & one half acres part of lot No. 2 in Survey No 5498 Virginia Military Land lying on Blue's Creek in Dover Township Union County Ohio, said Jacob Myers promised and agreed to support the said Anna Myers with suitable food clothing and care and attention in sickness and in health, during her natural life, and in all things to extend to her during her said life, the kind attention, nursing, doctoring, &c. of an affectionate son, which said bond, witnessing, promising, and agreeing as aforesaid, the said Anna Myers then and there accepted as a legal, valid, and binding agreement between the said Jacob Myers and the said Anna Myers;

And the plaintiff avers that she did, on the day of the making of said bond, deed and convey to said Jacob Myers, as the consideration for said bond and for his said promise and agreement therein as aforesaid contained and witnessed, all of the said premises in said bond described; Yet the defendant thence hitherto did not nor would support the said plaintiff with suitable food, clothing, and care and attention in sickness and in health, and did not nor would extend to the plaintiff the kind attention, nursing, doctoring, &c of an affectionate

Given office 8r 1848
John Cassio clerk

Jacob Myers
ads
Anna Myers

In Union Common
pleas. April Term 1848

Mr. Clerk please issue
a Subpoena for the following
Witnesses for Defendant, Abram
Stiner Sen. Abram Stiner Jun. Maryann
Stiner Abba Ramsey Stephen Ramsey
May McDowel. John Ramsey. Dianna
Ramsey. James McEntire John Myers.
Marenda Bellvil Elisabeth Bellvil
April 8th 1848

J. B. Dougherty Atty for
Defendant

Filed April 22d 1848
John Cassil Clk

Jacob Myers
ads
Anna Myers

In Union Common
pleas —

Issue a subpoena
for Joseph McEntire
and Phebe McEntire witnesses
for defendant

J. C. Dougherty Atty
defendant

To the Clerk of Union
Common pleas
April 22. 1848

Union Com Pleas

Anna Meyers
vs.
Jacob Meyers

Sub for W Pitzer

Filed Apr 25. 1848
John Cassil Clk

served upon Abraham Meyers, April 20, 1848
and upon all the children of the within
named witnesses on the 22nd day of April
1848 except Stephen Kinney. Abr Kinney
and Alexander Bebrill upon whom this
writ was served on the 24th of April
1848 Abr Kinney demanded his fees
which I do not pay

Fees — mileage 70
service 1.50
Philip Wieder Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON Abram Stiner Sen. Abram Stiner Jr. Mary Ann Stiner, Abby Kinney. Stephen Kinney. Mary McDowel. John Ramsey. Diana Ramsey. James McIntire. John Myers. Marenda Belloil. and Elizabeth Belloil;

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on the ~~first~~ third day of next term, at ~~ten~~ nine o'clock, A.M., to testify and the truth to speak on behalf of Jacob Myers

in a certain controversy in said Court depending, wherein Anna Myers,

is Plaintiff, and Jacob Myers,

is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 8th day of April A.D., 1848.

John Cassil Clerk.

1st day of March 1848

Filed April 17. 1848
John Cassil Clk

Anna Myers
vs
Jacob Myers

In Union Com Pleas.

Issue subpoenas for the following persons as witnesses for Plff in this case — to wit

Abner Liggit, Samuel Said, Mahala Said, John H. Lewis, Michael Myers, Catharine Myers, George Spurgeon, & Thomas Bagle —

To John Cassel, Clerk — Allison & Lentz Attys for Plff

April 17th 1848

Jacob Myers
ads
Am Myers

Precipe for
Witnesses

Filed Sept. 21st 1847
John Cassie Clerk

Jacob Myers } In union Common pleas-
ads-
Ann Myers } Issue a Subpoena for the following
witnesses for Defendant - Abram
Stiner Sen. Abram Stiner Jun. Maryann
Stiner Mary McDowel, Catharine Myers-
John Ramsey. Sean, Ramsey Elisabette
Belleville Marinda Belleville, Abby Runy-
Stephen F Runy - For 4th day -
To the Clerk of
Common pleas } J. C. Dougherty for
Defendant

Union Com Pleas

Anna Myers
vs
Jacob Myers

Libel for Intemperance

Filed Oct 2nd 1847
John Cassie Clk

Served this writ by reading to the within named Mahala Jane Nancy Spurgin and Michael Myers on the 24th day of Sept. 1847. Served by reading to the within named John Lawrence, Joseph McWhorter, William McWhorter, Abner Figgit & Samuel Laird on the 2nd day of October 1847

Fees mileage — 50
Service 1.00 = $1.50

Philip Shriver Sheriff

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

WE command you to summon John H. Lovelace Joseph McIntire Melinda McIntire Mahala Said Nancy Springer Micheal Myers and Abner Sigget — & Samuel Said

to be and appear before the Honorable the Judges of the Court of Common Pleas of said county, at the court-house, in the town of Marysville, on the first day of next term, at ten o'clock A. M., to testify and the truth to speak on behalf of Anna Myers *in a certain matter in controversy in said court depending, wherein* Anna Myers *is plaintiff, and* Jacob Myers *is defendant: and this* they *shall in no wise omit, under penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid, this* 18th *day of* September *A. D.* 1847

John Cassil CLERK.

Served this writ by reading to the within named Mary McDowel, Catherine Meyers, & Narinda Belveal on the 24th day of Septr 1847. also upon Abraham Stiner Jr Abraham Stiner Sr and Mary Ann Stiner on the 25th day of Septr 1847 served by reading to the within named Elisabeth Belveal John Ramsey & Jean Ramsey Stephen S. Kinney and Abby Kinney on the 2nd day of October 1847. S. S. Kinney & Abby Kinney demanded their fees which were not paid

Fees – mileage 5 0
Service 1.37½

Philip Snider Sheriff

Union Com Pleas
Anna Myers
vs
Jacob Myers
Subpoena writ

Filed Oct 2 1847
John Cassidy Clk

The State of Ohio, Union County, ss:

TO THE SHERIFF OF SAID COUNTY—*GREETING.*

We command you to summon Abraham Stiner Sr. Abraham Stiner, Jr. Mary Ann Stiner, Mary McDowell, Catherine Myers, John Ramsey, Dean Ramsey, Elizabeth Belveal, Marinda Belveal, Abby Kinney & Stephen F. Kinney ~~& Thomas Jack~~

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said county, at the courthouse, in the town of Marysville, on the ~~first~~ fourth *day of next term, at* ~~ten~~ nine *o'clock A. M., to testify and the truth to speak on behalf of* Jacob Myers

in a certain controversy in said court depending, wherein Anna Myers

is plaintiff, and Jacob Myers.

is defendant: and this they *shall in no wise omit, under the penalty of the law; and have then there this writ.*

Witness, JOHN CASSIL, *Clerk of our said Court, at the court-house aforesaid,*

this 21st *day of* September *A. D.* 1847

John Cassil CLERK.

Union Com Pleas

Anna Myers
vs
Jacob Myers
Sub for Wit

Served this writ by reading to all the within named within April 22, 1848
Fees – mileage 40
Service 100
Philip Snider Sheriff

Filed April 25, 1848
John Cassie Clk

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON Abner Sigget, Samuel Said, Mahala Said, John F. Lovelis, Michael Myers, Catharine Myers, George Spurgeon, and Thomas Bazle,

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on the ~~first~~ third day of next term, at ~~ten~~ nine o'clock, A.M., to testify and the truth to speak on behalf of Anna Myers,

in a certain controversy in said Court depending, wherein

Anna Myers is Plaintiff, and Jacob Myers

is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 17th day of April A.D., 1848.

John Cassil Clerk.

Union Common Pleas

Anna Myers
vs
Jacob Myers

Filed Aug 7th 1847
John Cassie Clk

Suit brought on a bond given for maintenance &c. made by the defendant to the plaintiff in Minutia matters, Debt of $500, 1844. &c Damages claimed $500,

Atkinson & Berry
atty for Deft

Served this writ Aug 7. 1847 by certified copy of delivered to defendant

Fees - mileage 7 miles 35
Service 35
Copy 15

Philip Snider Sheriff

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING.

We command you to summon Jacob Myers

to appear

Fourth ~~on the first day of our next term,~~ before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Anna Myers

in a plea of Covenant damages five Hundred dollars.

And have you then there this writ.

WITNESS, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 4 day of Aug. A. D. 1847.

John Cassil CLERK.

Union Com Pleas

Anna Myers

vs

Jacob Myers

Sub for wits

Filed April 25. 1848

John Cassidy Clk

Served by Plaintiff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON Joseph McIntire and Theba McIntire

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on the ~~first~~ third day of next term, at ~~ten~~ nine o'clock, A.M., to testify and the truth to speak on behalf of Jacob Myers

in a certain controversy in said Court depending, wherein

Anna Myers is Plaintiff, and Jacob Myers

is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 22nd day of April A.D., 1848.

John Cassil Clerk.

Anna Myers
vs
Jacob Myers

Prac. for witnesses
for Pltf

Filed Sept 18 1847
John Cassie clk

Anna Myers
vs
Jacob Myers

In Union Com Pleas.

Issue Subpoenas to
~~Simon Said~~ John H Lovelace, Joseph McIntire
Samuel Said
Melinda H. Intire, Mohala Said, Nancy Spurgeon,
Michael Myers, and Abner Liggett, to testify on behalf
of the plaintiff, in the above case for 4th day.

Sept 18th 1847

Allison & Curry
Attys for Plff

To John Cassil - C C P

Jacob Myers
adm
Anna Myers

Release

Filed Sept 19th 1849
John Cassil Clk

Jacob Myers
ads.
Anna Myers } In Covenant

And the said Jacob Myers comes and defends & and says that he hath not broken the said Covenants in the said declaration mentioned or any or either of them in manner and form as the said Anna Myers hath complained against him and of this he puts himself upon the Country and the said Anna Myers doth the like

By J. H. Dougherty his atty
& P. Bleale

The Plaintiff will also take notice that the Defendant will insist and prove on the Trial of the above cause that he ever did and at all times furnish her the Plaintiff with all the necessaries for her comfort and also furnish her with food clothing medicine and lodging according to the agreement and that she did leave his house without any cause or provocation and that he the Defendant did his duty in every respect towards her the said Plaintiff

J. H. Dougherty atty for
Defendant

Anna Myers
vs
Jacob Myers

In Common Pleas of Union County, Ohio.

Depositions will be taken in this case, by the plaintiff, at the office of James Turner J.P. in the town of Marysville, Union County, Ohio, on the 24th day of September 1847 between the hours of six A.M. and nine P.M.

Anna Myers
By Allison & Curry
Her Attys.

Dated September 23rd 1847

Answer ordered

Sept. 23 1847

P.B. Cole Atty

for Deft.

Depositions of witnesses taken in a cause pending in the Court of Common Pleas, in and for the County of Union, and State of Ohio, wherein Anna Myers is plaintiff and Jacob Myers is defendant, in pursuance of the notice hereto attached, and at the time and place therein mentioned. Both parties by their attorneys being present.

Nancy Spurgeon, of the County of Union of lawful age, being first duly sworn by me as hereafter certified deposes and says,

Questions by Plfs Counsel.

Do you any thing about the conduct of the defendant Jacob Myers, towards the Plff, Anna Myers, as to his furnishing her with proper food, clothing care and attention, as necessary for a person of her age? State all you know about it.

Answer. I dont know no great deal about it I was there one morning and heard a difficulty between Defendants wife & Plaintiff they had some considerable fuss about what was to be done with Deffs close after her death the fuss was commenced by Deffs wife she talked to the Plaintiff untill the Deff cried, in the fuss there was some talk about a chicken. Deffs wife told the Plaintiff to take her chicken & go the Plaintiff left the house with out her breakfast & went to George Spurgeons & got her breakfast when the Plaintiff left Deffs house she was crying. at another time I saw the Deff have hold of the Plaintiff with one hand & a stick in the other I did not hear any thing the Deff said I heard the Plaintiff tell him to strike her if he dare, at the time

I was probaly at the distance of two hundred yardes off they were standing in the door when I first saw them the Plaintiff was making some out cry at the time they was standing in the door they got out in to the yard how I dont know I cant tell whether he pushed her out or not she still made an out cry after they were out of the door and the Deff still had hold of her when they were in the yard from the distance i was off I thought the Deff had the stick raise I did not see him strike her. I have known the Deff & wife to leave the Plaintiff a loan for as much as two days at a time I dont know whether the Plaintiff was properly provided for or not. when they was from home the Deff says the Plaintiff is about twenty four years of age. Difference between Deff wife & Plaintiff was a year age last Spring. the other was since that time. the precise time i cant tell

Cross Examined

Question by Deff. How long have you been a neighbor to defendant, or how often have you been frequently at his house during your acquaintance.

Answer. we have lived a closed neighbor for about eight years. I have been at Deffs house frequently

Question by same. ~~You have the~~ for what reason did ~~the~~ defendants wife commence the difficulty with the Plaintiff of which you speak. ~~I said~~ ~~tell the not tell the not complaining about~~ She commence that there was stoys about that she wantee the Deffs close after her death. the Deff wife said it was not so that she never has said so

~~Question by same~~. The Plaintiff says that she had heard such stories-

Question by same- did not Defendants wife ~~commence~~ charge you with having told the story that she beated plaintiffs clothing and was not that the way the dispute commenced?

answer by same; No Sir, She was asking me something about it, the way it commence she says the old Lady had heard such things, was not quarreling when I went there,

Question by same, ~~Was that you~~ did you & Defendant wife have much dispute at that time about it.

Answer by same. No Sir, She asked me if I had heard any thing about her wanting the close, I tell her i had not

Question by same- you say that Defendants wife talked to plaintiff untill she cried- then what did she say to her?

answer by same, She says a good many things to her.. She told the Pl'ff ~~that she had abused her often in her~~ that her other children had abused her & that the Plaintiff also had abused her. that is what made the old Lady cry- Question by same- you state that the old ~~Pl'ff~~ went off that morning without breakfast & neighbors wife asked her breakfast" did she not go after a letter to one of the neighbors- and did not return the same day to the house of the Def'." Ans by same. the breakfast was on the table there was nothing said they never asked her to eat breakfast. I dont know what she went after. She returned but whether it was the same day or not i dont know, She supposed when she left that she was going after her breakfast

Question by same- where did she go to for her breakfast & did the say that the Defendants did not get her breakfast at the defendants."

answer by same. She went to George Thompsons
She did not say that she could not get
her breakfast at Jeffs

Question by same — I understand you to say that the ~~Plaintiff~~
~~Charged said in the Conversation~~ ~~referred to that the~~ the defendant
there was some talk about a chicken in the conversation
referred to. who commenced this talk and what was it,
answer by same. It was about Jeff selling a
Chicken that was not his. the Plaintiff commenced
the talk about the chicken She says the Jeff
took more authority about things than he ought
to. —

Question by same. — Defendant's wife I understood you
to say — since that the plaintiff might take an chicken
and ~~?~~ She did not tell her to go —
answer by same. She stated that she
might take her chickens and go out
the witness further says on cross examination

Question by same — What was the ought any thing
you say the plaintiff made — before then i you dont
have the stick. —
answer by same. She was crying & talking. the
Plaintiff said he difficulty began about
Jeffs feeding his coal out of her half bushel.
question by same. what was ~~the~~ about the dispute of the stick
the defendant hit her on the head. and did not the plaintiff tell
you that the first got the stick to prevent Jeff from
using her half bushel.
answer by same. I dont know what the
size of the stick was. it looked something like
a switch. the Plaintiff did not tell me
who got the stick. She did not tell me
any thing that what I have told you

Question by same — ~~p~~ Not

— you stated the defendant were absent for two days at a time. do know where they were — and do you know that any person stayed with the plaintiff while they were gone — when was this.

Ans by same. no sir i dont know where they were. She was not altogether a loose she had Michael Myers wife with her one night I dont know that there was any person with her the other night. I can't tell the time. it was not a year ago. last summer

Question by same — ~~Q~~ Have you known of any other difficulty than two spoken of — and was not the plaintiff faint as well as the balance of Defendants family so far you know.

answer by same. I have not known of any other difficulties than those spoken of. I dont now how she fared

Question by ~~same~~ ~~Have~~ ~~not you the defendant~~ ~~Has~~ Has there been any difficulty between you and the Defendant & family — ~~Has there been any~~

answer by same. none of any account there has been some little. I have not been to their house since the difficulty between Plff & Deft. nor I have had no neighbourship with them since

Question by same — do know of any person persuading the plaintiff to leave the premises of Deft.

ans by same. no sir. i dont know of any one ever persuading her to leave

Question by same — At the time Deft. had the stick of wood spoken — all the noise you heard came from the pltff — now state how it was and if the plaintiff returned to the house of Deft. & remained there

answer by same; they went in to the house i dont know whether they quit or not he let her go before they went in. She remain there for a time I did not hear any noise from the Deft at the time when they had the break

Question by Plff. Do you expect to be in the County at the next Term of the Court of Com Pleas.

Ans by same I do not

Nancy her Spurgeon mark

I James Swoner a Justice of the peace in the Township of Paris in the County of Tuscarawas Ohio do hereby certify that the above named Nancy Spurgeon were by me first duly Sworn to testify the truth the whole and nothing but the truth as to that the foregoing Deposition by her respectively subscribed were reduced to writing by me and were taken at the time and place specified in the inclosed notice

In testimony whereof I have hereunto set my hand this 24th day September A.D. 1847

James Swoner

Justice of the peace

See Bill

Justices cost.	$1.25
Witness fees	.50

Recd my fees of Plaintiff $1.25

Jas Swoner J.P.

Civil/Domestic Case File

Case No. 1847-CV-0054

No. 47-CV-54

Union Common Pleas Court.

The State of Ohio
Plaintiff,

AGAINST

James McElroy et al.
Defendant.

APR TERM. 1848

JUDGMENT VS DEFENDANT
$300 cc

Journal 4 Page 108

Record No. 5 Page 231

Ex. Doc. 1 Page 506

Mon Com. Plead

State of Ohio

vs } Praecipe in Debt.

James McKay et. al

Filed Aug. 7th 1847
John Caspil Clerk

P B Cole
Atty. for State

The State of Ohio
vs
James McKhay
Zachariah McKhay
& Walace Yeend

In Union Com. Pleas
In Debt. Debt $300.00
Damages 100.00

Issue a summons returnable next Term Endorse on the Writ, Suit brought on a recognizance entered into by the Defendants on the 14th day of October A D 1846 before the Court of Common Pleas within and for the County of Union and State of Ohio — by which recognizance the Defendants, acknowledged themselves to owe and stand indebted to the State of Ohio in the penal sum of Three hundred dollars conditioned for the appearance of ~~them~~ James McKhay one of the Defendants before the Court of Common Pleas in and for said County on the first day of the Term thereof next ensuing at 10 o'clock A M and answer to an indictment for forgery, abide the order of the Court, and not depart the Court without leave — which bond has been forfeited,

Debt claimed $300.00 Damages $100.00

P. B. Cole Special
Pros. Atty
for the State

To John Cassil Clerk of the Court
of Com. Pleas Union County Ohio

Union Com. Pleas

The State of Ohio

vs

James McElroy et al

Fees — mileage 10 miles 50
Service 75
Copies 60
Philip Snider Sheriff

Filed Aug 7th 1847
John Leavitt clk

Served this writ August 7th 1847 by delivering a certified copy of this writ to Wallace Herd & also to Jeremiah McElroy & by leaving a certified copy of this writ at the residence of James McElroy

Philip Snider Sheriff

Debt brought on a recognizance entered into by the defendants on the 14th day of October A.D. 1846 into the Court of Common Pleas within & for the County of Union & State of Ohio by which recognizance the Defts acknowledged themselves to owe & stand indebted to the State of Ohio in the penal sum of three thousand dollars & the condition thereof was & is that if the said Defts should appear at the next term of the Court of Common Pleas in and for said County on the first day of the term next ensuing & answer to an indictment & not depart the Court without leave which Bond has been forfeited

Debt claims $500,00 Damages $1000 & costs

D. B. Cole Special
Pras. Atty. for the State

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING

We command you to summon James McElroy, Zachariah McElroy & Wallace Herd

to appear

Forthwith ~~on the first day of our next term~~ before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto The State of Ohio

in a plea of Debt $300,00 damages one Hundred dollars.

And have you then there this writ.

WITNESS, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 7th day of Aug. A. D. 1847.

John Cassil CLERK.

and there and there answer to an indictment for forgery and abide the order of the
Court and not depart the Court without leave. as by the record of said recognizance
in the same Court of Common pleas duly entered according to law and remaining of record in said
Court to the Sheriff will more fully and at large appear. And the plaintiff avers that the said
James McElhany did depart the said Court of Common pleas without leave of the
Court thereof holden in and for the County aforesaid next after the said recognizance was made and acknowledged
as aforesaid. Contrary to the form, and in breach of the said condition of his said last mentioned recognizance
and being then and there three times solemnly called to come into Court on the second day of May in the year eighteen hundred & forty seven
said last mentioned recognizance he was bound to do. Come not but made default. and the said sheriff
McElhany and Wallace Reed being called then and there three times solemnly called to come into Court
and bring with them the body of the said James McElhany in discharge of their recognizance
on their behalf - Come not but made default, by reason whereof and of the premises it
was then and there considered by said Court that the said last mentioned recognizance be and the same was then
declared forfeited as by the record of said forfeiture in said Court remaining of record, here to the Court to be
shewn more fully and at large appears whereby an action hath accrued to the plaintiff to demand
and have from the defendants the said last mentioned sum of three hundred dollars yet the defendants have
not nor hath either of them paid the same or any part thereof to the damage
of the plaff one hundred dollars & therefore the plaff sues &c. By P. Zeigle Special
Pros. Attorney

Common Pleas.

The State of Ohio
vs
James McElhany et al

Action debt on Recognizance

Last will and testament

Filed

By P Zeigle

State of Ohio } Court of Com. Pleas
Union County ss. } Aug. Term 1847

The State of Ohio plaintiff complains of James McElroy Zachariah McElroy and Wallace McElroy in a plea of debt for that whereas ~~the~~ heretofore to wit at the July Term of the Court of Common Pleas in the year Eighteen hundred and forty seven within and for the County aforesaid the Grand Jury of said County regularly found and returned a true bill of indictment against the said James McElroy for the Crime of forgery - and whereas afterwards to wit at the October Term of said Court of Common Pleas ~~for~~ in the year last aforesaid at the County aforesaid, said indictment against the said James McElroy was still pending and undisposed of - And whereas the ~~Court~~ said Court then and there to wit on the fourteenth day of October in the year Eighteen hundred and forty seven at the County aforesaid then and there required the said James McElroy to enter into a recognizance in the sum of Three hundred dollars with surety, conditioned that the said James McElroy should appear before the then next Court of Common Pleas of said County on the first day of the term at ten o'clock A.M. and answer to said indictment for forgery ~~not depart~~ abide the order of the Court and not depart without leave. And the plaintiff avers that the said James McElroy with the said Zachariah McElroy and Wallace McElroy his sureties in pursuance of said order and requisition of said Court did then and there to wit on the said fourteenth day of October Eighteen hundred & forty seven at the County aforesaid personally appear before the said Court of Common Pleas as aforesaid and then and there ~~jointly and severally~~ each acknowledged themselves to be indebted to the State of Ohio in the sum of Three hundred dollars to be levied

of their goods and chattles lands and tenements if default
should be made in the Condition following to wit that
the said James McGhay should personally appear
before the Court of Common Pleas on the first day of
the Term thereof next to be holden in and for the County
aforesaid at ten o clock A M and answer to an indict-
ment for forgery and abide the order of the Court
and not depart the Court without leave. as by
the record of said recognizance and the record thereof in the
same Court of Common Pleas duly entered accordg
to law. and remaining already here in Court to be shewn
will more fully and at large appear. And the
plaintiff avers that the said James McGhay did not appear
before the said Court of Common pleas at the term
thereof holden in and for the County aforesaid next
after the said Recognizance was made and acknowledged
as aforesaid. as by the terms of said Recognizance he
was bound to do. but being then and there solemnly
called to come into Court and answer unto said
indictment for forgery as by the terms of his recog-
nizance he was bound to do. came not but
made default, and the said sureties
McGhay and Wallace Yberd being each
then and there three times solemnly called to come into Court
and bring with them the body of the said James
McGhay as by their said Recognizance they were bound to do
came not but made default, by
reason whereof and of the premises it was then
and there considered by the said Court of Common
Pleas that the said recognizance be and the
same was then and there declared forfeited to the
State of Ohio, as by the record of said forfeiture
in said Court of Common Pleas remaining and
remaining here to the Court to be shewn more fully
and at large appears

whereby an action hath accrued to the plaintiff to demand & have
from the defendants the said sum of three hundred dollars
yet the defendants have not nor hath either of them
paid the same or any part thereof to the damage of the
plaintiff one hundred dollars —

— And whereas also the said plaintiff
further complains of the defendants for that heretofore
to wit at the October term of the Court
of Common pleas within and for the County of Lenoir aforesaid in
the year Eighteen hundred and forty six an Indict-
ment for forgery against the said James McIlray
was then pending in said Court and undeter-
mined, And the said Court of Common Pleas then
and there to wit on the fourteenth day of October in the year
last aforesaid at the County aforesaid required the said
James McIlray to enter into a certain other recognizance in the sum
of three hundred dollars with surety conditioned that the
said James McIlray should appear before the then next
term of the Court of Common pleas of said County on the
first day of the term at ten o'clock A.M. and answer to said
Indictment for forgery and not depart the Court without leave, & the
plaintiff avers that the said James McIlray with Zachariah
McIlray and Wallace Ward his sureties in pursuance
of said requisition of said Court did then and there to wit
on the fourteenth day of October in the year Eighteen hundred and
forty six personally appear before the said Court
of Common pleas as aforesaid and then & there ac-
knowledged themselves to owe and stand indebted to the
State of Ohio each in the sum of three hundred
dollars to be levied of their goods and chattels lands &
tenements, if default should be made in the condi-
tion following to wit. That the said James McIlray should

appear before the Court of Common pleas on the first day of the Term thereof next to be holden in and for the County aforesaid at ten o'clock AM and answer to said indictment for forgery and abide the order of the Court and not depart the Court without leave. as by the record of said recognizance in the same Court of Common pleas duly entered according to law. and remaining here in Court ready to be shewn will more fully and at large appear. And the plaintiff avers that the said James McGhay did not abide the order of said Court. but departed the said Court without leave at the said ~~sept~~ term thereof next after the said recognizance was made & acknowledged as aforesaid contrary to the terms of his said last mentioned recognizance and being then and there three times solemnly called to come into Court on the seventh day of September in the year aforesaid ~~a defaulter to said indictment~~ as by his said recognizance he was bound to do came not, but made default and the said Zachariah McGhay and Wallace Ward his said sureties were also then and there ~~each~~ to wit on the said seventh day of September Eighteen hundred & forty seven each three times solemnly called to come into Court and bring with them the body of the said James McGhay in discharge of their said recognizance in that behalf, came not but made default, by reason whereof and of the premises it was then and there considered by the same Court of Common pleas that the said recognizance be and the same was then and there declared to be forfeited to the State of Ohio

as by the records of said forfeitures in said County of Common pleas remaining and ready here to the Court to be shewn more fully and at large appear — Whereby an action hath accrued to the plaintiff to demand and have from the defendants the said sum of Three hundred dollars, yet the defendants have not — nor hath either of them paid the same or any part thereof to the damage of the plaintiff one hundred dollars and therefore the plaintiff sues &c

~~Pleas. Spread~~

and the plaintiff further complains of defendants ~~[illegible]~~ Also for that whereas heretofore to wit at the October term of the Court of Common pleas within and for the County of Lucas and State of Ohio in the year Eighteen hundred and forty six an indictment for forgery against the said James McElroy was then pending ~~[illegible]~~ in said Court and undetermined, And the said Court of Common Pleas then and there to wit on the fourteenth day of October in the year Eighteen hundred and forty six at the County aforesaid required the said James McElroy to enter into a certain other recognizance in the sum of Three hundred dollars with surety, Conditioned that the said James McElroy should appear before the said Court of Common Pleas in and for said County on the first day of the term then next at ten o'clock A.M. and answer to an indictment for forgery and abide the order of the Court and not depart the Court without leave, — And the plaintiff says that the said James McElroy with the said Zachariah McElroy and Wallace Theard his sureties in pursuance of said requisition of said Court then and there did appear before said Court and then and there acknowledged themselves to owe and stand indebted to the State of Ohio in the sum of Each Three hundred dollars to be levied of the goods and Chattles lands and Tenements if default should be made in the Condition following to wit. that the said James McElroy should appear before the Court of Common Pleas on the first day of the term thereof next to be holden in and for the County aforesaid at ten o'clock A.M.

2 - 546

Union Common Pleas

The State of Ohio
vs
James McElroy & others

Debt $300.00
Damages .01
Costs - 9.92
Increase 11.62
Writ .41

Filed Nov. 20th 1849
Jarm Lindsey, Clerk

I do certify

P.B., Calc

Received this writ September 6. 1849. In obidience to the within Command I advertised the within described chattle property for sale by publication in the Marysville Tribune a newspaper published and in general circulation in Union County for sale on the 29th day of October. offered for sale and not sold for want of bidders. Advertised the within described real estate for sale by publication in the Marysville Tribune a newspaper published and in general circulation in Union for at least 30 days previous to the day of sale I afterwards, to wit; on the 20th day of November 1849. (it being the between the legal hours I advertised the same to be sold) offered the same for sale by Public Auction at the door of the Court House in said County and not sold for want of bidders.

Fees = mileage .50
advertising .50
Service .35
Pr fee 4.50

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE command you to expose to sale those Lands and Tenements ~~of~~ and goods and chattels of James McIlroy, Tenant. Situate in the County of Union and State of Ohio. Tenant. part of a Military Survey. No. 12400, 12403. 12393 and 12413. begining at a large White Oak large red Oak and Small Sugartree northerly Corner to James Baldwins Survey No. 5267. thence N. 38. W 160 poles to a stake thence S. 52 W. 150 poles to a stake. thence S. 38. E 160 poles to a stake in the line of said Baldwins Survey. thence with said line N. 52. E 150 poles. to the begining. Containing One hundred and fifty acres. Except 20 acres heretofore sold to Thomas Herd & 30 acres sold to Zachariah McIlroy. Also One Stud Horse. One Sorrel Horse, and One Two horse Carriage.

which according to our commands you have taken into your hands, and which remain unsold as you have certified to the Judges of our Court of Common Pleas of our said County, to satisfy The state of Ohio

the sum of Three Hundred dollars and cents for Debt and .01 ct. for damages, together with $9.92 for costs, with interest thereon from the 28th day of April A.D. 1848 until paid, which late in our said Court the said State of Ohio

recovered against the said James McIlroy. Zachariah McIlroy and Wallace Herd

as of record is manifest. Also, $11.62 increase of costs, and the accruing costs. ~~And if in your opinion the property in your hands not sold will be insufficient to satisfy the judgment aforesaid, then you are hereby commanded that you levy the same upon the goods and chattels, lands and tenements, or either, as the law shall permit, being the property of the judgment debtor, which together with the property on hand not sold as aforesaid will be sufficient to satisfy said judgment.~~ And that you have the same before the said Court at the Court House in Marysville, on the first day of their next Term, to render unto said State of Ohio

Hereof fail not at your peril, and have then there this writ.

Witness, ~~JOHN CASSIL~~ James Kinkade for, Clerk of said Court at the Court House in Marysville, this 30th day of August A.D. 1849

James Kinkade for Clerk.

Ex Doc Page 506

The State of Ohio
vs
James McElroy
Zachariah McElroy &
Wallace Herd

Debt	$300.00
Dam	.01
Costs	9.92
Writ	.41

Fees = mileage	1.00
Levy	35
Service	35
advertising	25
Bond	50
Pr fee	1.00

Philip Snider Sheriff

Filed Sept 20, 1848
John Cassil Cl

Recorded

Received this writ August 23rd 1848, the obedience to the written Commands I levied upon one Stud Horse, one dowel Horse, and one two horse carriage as the property of James McElroy & took the same in the hands of said McElroy & took bond for the redelivery of the same, Sept 4, 1848. I afterwards advertised the same for sale by publication in the Urgent, a Newspaper published and in general circulation in Union County, Ohio, for at least ten days previous to the day of sale, I afterwards, to wit on the 18th day of September A.D. 1848 between the legal hours of the 10 o'clock A.M. and four o'clock P.M. offered said property for sale at public outcry at the farm of James McElroy, not sold for want of bidders, no other goods or chattles found whereon to levy, I therefore levied on the following described real estate situate in the County & State of Ohio, to wit, Part of Military survey No 12400, 12403, 12393 & 12413 beginning at a large white oak large red oak and small dogwood tree Northerly corner to Daniel Baldwins survey No 5267. thence N38 W 160 poles to a stake, thence S52 W 150 poles to a stake, thence S38 E 160 poles to a stake in the line of said Baldwins survey, thence with said line N52 E 150 poles to the beginning containing one hundred and fifty acres. Except 20 acres heretofore sold to Thomas Herd & 30 acres sold to Zachariah McElroy, Not appraised or advertised for want of time

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS:

To the Sheriff of said County, Greeting:

WHEREAS, at the Court of Common Pleas of the County aforesaid, begun and held at the Court House in the town of Marysville, on the 25th day of April A.D., 1848.

The State of Ohio recovered against James McElroy, Zachariah McElroy and Wallace Herd as well as the sum of Three Hundred ——— dollars ~~and~~ ~~cents~~ for is debt, as the sum of ——— ~~dollars and~~ One ~~cents~~ for is damages as also the sum of $ 9.92 for ——— cost and charges in that behalf expended, as of record is manifest. You are therefore commanded, that of the goods, and chattels, and for the want thereof, of the lands and tenements of the said James McElroy, Zachariah McElroy, and Wallace Herd, you cause to be made the debt, damages and costs aforesaid, with interest thereon from the 28th day of April A.D., 1848, until paid; also the sum of $ ——— the costs of increase on said Judgment, and accruing costs; and that you have these moneys before said Court at the Court House aforesaid, on the first day of our next Term, to render unto the said State of Ohio.

Hereof fail not at your peril; and have you then there this writ.

WITNESS JOHN CASSIL, CLERK of said Court, at the Court House aforesaid, this 23d day of August A.D., 1848.

John Cassil Clerk.

546

The State of Ohio
vs
James McElroy & others

Debt $300.00
Damages .01
Costs 9.92
Int from Apl 25/48
Increase Costs 17.98
Cont .41

Filed May 27. 1850
James Kirkpatrick clerk

Plaintiff

P. B. Cole Special
Pros. Atty

Received this writ January 17. 1850. advertised the within described chattle property for sale by publication in the Marysville Tribune a news=paper published and in general circulation in Union County. for at least 10 days previous to the day of sale. February 11th 1850 between the hours of ten O. clock A. M. and four O. Clock P. M. (it being the time I advertised the same to be sold) I offered said property for sale. not sold for want of bidders. advertised the within described real estate for sale by publication in the above named Newspaper for at least 30 days previous to the day of sale. on the 4th day of March A.D. 1850 between the hours of ten O. clock. A. M. and four O. clock P. M. at the door of the Court House in Marysville (it being the time and place I advertised the same to be sold) I offered the same for sale by public Auction. and not sold for want of bidders.

Fees = advertising 50
Service 35
mileage 5
Pr fee $4.00

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting!

WE command you to expose to sale those Lands and Tenements of & Goods & Chattels of James McIlroy Dec'd. Situate in the County of Union and State of Ohio to wit part of Military Survey No 12400. 12403. 12393 and 12413. begining at a large White Oak large red Oak and small Sugar tree northerly Corner to James Baldwins Survey No. 5267. thence N. 38. W. 160 poles to a Stake. thence S. 52. W 150 poles to a Stake thence S. 38 E 160 poles to a Stake in the line of said Baldwins Survey, thence with said line N. 52. E. 150 poles to the begining Containing One hundred and fifty acres. Except 20 acres heretofore sold to Thomas Herd & 30 acres sold to Zachariah McIlroy. Also One Stud Horse, One Sorel Horse, and One Two Horse Carriage ——

which according to our commands you have taken into your hands, and which remain unsold as you have certified to the Judges of our Court of Common Pleas of our said County, to satisfy The State of Ohio

the sum of Three Hundred —— dollars and —— cents for its Debt & Costs for its damages, together with $9.92 for its costs, with interest thereon from the 28th day of April A.D. 1848 until paid, which late in our said Court the said State of Ohio,

recovered against the said James McIlroy, Zachariah McIlroy and Wallace Herd

as of record is manifest. Also, $ 17.98 increase of costs, and the accruing costs. ~~And if in your opinion the property in your hands not sold will be insufficient to satisfy the judgment aforesaid, then you are hereby commanded that you levy the same upon the goods and chattels, lands and tenements, or either, as the law shall permit, being the property of the judgment debtor, which together with the property on hand not sold as aforesaid will be sufficient to satisfy said judgment.~~ And that you have the same before the said Court at the Court House in Marysville, on the first day of their next Term, to render unto said State of Ohio

Hereof fail not at your peril, and have then there this writ.

Witness, ~~JOHN CASSIL~~ James Kinkade, Clerk of said Court at the Court House in Marysville, this 17th day of January A.D. 1850

James Kinkade Clerk.

Ex Doc Page 566

In State of Ohio
(by
James M. Avery
Jonathan M. Avery
Wallace Kence

Debt $300.00
Damages — 9.02
Costs 3.86
Increase writ .41

Filed May 29, 1849
A. Pinkerton Clerk

Recorded

Received this Writ April 20th 1849. had the within described real estate appraised on the 25th day of April 1849 By the oaths of Lewis Avery. Thomas Harshy & Nathaniel Raymond at ten dollars per acre. advertised the within described personal property property for sale by publication in the Argus a Newspaper published and in general circulation in the County of Union for at least ten days previous to the day of sale. I afterwards. to wit: on the 7th day of May 1849 between the legal hours. in pursuance of said notice offered said personal property for sale. not sold for want of bidders. - Also advertised the within described real estate for sale in same paper above mentioned for at least 30 days previous to the day of sale. in pursuance of said notice I. afterwards. to wit: on the 29th day of May 1849 between the legal hours. offered said real estate for sale by public outcry at the door of the Court house in the Town of Marysville. not sold for want of bidders.

Fees - mileage .50
Inquest 1.00
Appr's fees 1.50
copy of Apprs't .25
advertising .25
service .35
Pr fees 3.50 = 7.35

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE command you to expose to sale those Lands and Tenements ~~&~~ Goods & Chattels of James McIlroy to wit. Situate in the County of Union & State of Ohio. part of military Survey No. 12400, 12403, 12393 & 12413, begining at a large White Oak Large Red Oak and Small Sugartree northerly Corner to James Baldwins Survey No. 5267, thence N 38 W 160 poles, to a Stake thence S. 52, W. 150 poles to a Stake, thence S. 38, E 160 poles to a stake in the line of Said Baldwins Survey thence with Said line N. 52, E 150 poles to the begining Containing One hundred and fifty acres. Except 20 acres heretofore sold to Thomas Herd & 30 acres sold to Zachariah McIlroy. Also One Stud Horse, One Sorrel Horse and One two Horse Carriage,

which according to our commands you have taken into your hands, and which remain unsold as you have certified to the Judges of our Court of Common Pleas of our said County, to satisfy The State of Ohio

the sum of Three Hundred _____ dollars

and _____ cents for Debt & One cent for _____ damages, together with

$ 9,92 for _____ costs, with interest thereon from the 28th day of April

A.D. 1848 until paid, which late in our said Court the said State of Ohio

recovered against the said James McIlroy, Zachariah McIlroy & Wallace Herd.

as of record is manifest. Also, $ 3,86 _____ increase of costs, and the accruing costs.

~~And if in your opinion the property in your hands not sold will be insufficient to satisfy the judgment aforesaid, then you are hereby commanded that you levy the same upon the goods and chattels, lands and tenements, or either, as the law shall permit, being the property of the judgment debtor, which together with the property on hand not sold as aforesaid will be sufficient to satisfy said judgment.~~ And that you have the same before the said Court at the Court House in Marysville, on the first day of their next Term, to render unto said State of Ohio

Hereof fail not at your peril, and have then there this writ.

Witness, ~~JOHN CASSIL~~ James Kirkpatrick Jr, Clerk of said Court at the Court House in Marysville, this 20th day of April

A.D. 1849

James Kirkpatrick Jr Clerk.

State
18 Ex Debt
M Perry

Praecipe for
Execution

Filed Aug 17 1850
Thos Kennedy Clk

State of Ohio
vs
James McElhany et. al.

In Debt
Judgment

Issue & Vendi in this
Case
Jany 17. 1850
Jr James Kunkader Jr
Clerk

A B Cole
Special. Pras. Atty

Filed July 2nd 1850
S Kirkadoff Clerk

State of Ohio
vs
James McElhany } Ga Debt
et al —

Issue a Venditioni in
this case
July 2. 1850 P. B. Cole Special
Pros. Atty.
To the Clerk
Common Pleas

E. D. 575

The State of Ohio
to
James McElroy
Zacharia McElroy
Wallace Beck

Debt $800.00
Costs 5.82
Execution 24.00
This writ 65

L. C. Barkley
Pros Atty

Received this writ September 21st 1884
the Personal Property liable to in this writ not found
I therefore Advertised the within described Real Estate
in the Marysville Journal a News paper Published and
in general circulation in union County Ohio for at least
thirty days prior to the day of Sale as required by law
on the 6th day of November A.D. 1884 it being the
day I advertised said Real Estate to be sold between
the Legal hours of ten o'clock A.M. and four o'clock
P.M. I offered said Real Estate for Sale at the
door of the Court House in said County at
Public auction and sold said Real Estate to
Zacharian McElroy for the sum of ten dollars
per acre he being the highest and best Bidder therefor and
it being more than the two thirds of the appraised value
thereof

Fees	Mileage	5
	Sum	35
	Advertising	25
	Poundage	20.00
	Note	
	Deeds fee	2.50
		$23.15

Recorded
$1.50

William Collins Sheriff

The State of Ohio, Union County, ss.

To the Sheriff of said County, Greeting:

WE command you to expose to sale those Lands and Tenements & goods & chattles of James McIlroy, Zachariah McIlroy & Wallace Herd To wit, one stud horse, one sorel horse & one two horse carriage. Also the fallowing Real Estate situate in the county of Union & State of Ohio to wit. Part of Military survey No 12400, 12403, 12393 & 12413. besining at a large white oak large red oak and small sugartree northerly corner to James Baldwins survey No 5267 thence N 38 W 160 poles to a stake, thence S 52 W 150 poles to a stake, thence S 38 E 160 poles to a stake in the line of said Baldwins survey, thence with said line N 52 E 150 poles to the besining containing one hundred and fifty acres Except 20 acres heretofore sold to Thomas Herd & 30 acres sold to Zachariah McIlroy

which according to our commands you have taken into your hands, and which remain unsold as you have certified to the Judges of our Court of Common Pleas of our said County, to satisfy

The State of Ohio

the sum of Three Hundred — dollars

~~and~~ ~~cents~~ for its debt, ~~for~~

~~damages~~ together with $9.92 for its costs, with interest thereon from the 28 day of April A. D. 1848 until paid, which late in our said Court the said

State of Ohio

recovered against the said James McIlroy Zachariah McIlroy & Wallace Herd

as of record is manifest. Also, $24,00 increase of costs, and the accruing costs.

~~And if in your opinion the property in your hands not sold will be insufficient to satisfy the judgment aforesaid, then you are hereby commanded that you levy the same upon the goods, & chatels, lands and tenements, or either, as the law shall permit, being the property of the judgment debtor, which together with the property on hand not sold as aforesaid will be sufficient to satisfy said judgment.~~ And that you ~~have the same before the said Court at the Court House in Marysville, on the first day of their next Term, to render unto said~~ make due return of this writ in sixty days

Hereof fail not at your peril, and have then there this writ.

Witness, JAMES TURNER, Clerk of said Court at the Court House in Marysville, this 21 day of September A. D. 1854

James Turner Clerk.

575

The State of Ohio

vs

James McElroy et al

Debt $300.00
Damage .01
Costs 9.92

Int from Apl. 28/48
Increase cost 23.19
Writs .41

Filed Aug 12. 1850
James Kinkade jr clerk

Record

R. B. Leale special Pros-
ecutor

Received this writ July 4th 1850
the within described property not advertised
for sale for want of Bidders fee. August
12. 1850.

Fees = mileage 5
service 35

Philip Crider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting!

WE command you to expose to sale those Lands and Tenements ~~and~~ and Goods and chattels of James McIlroy Tow't. situate in the County of Union and State of Ohio. Tow't. part of Military Survey No. 12400. 12403. 12393. and 12413 begining at a large white oak large red oak and small sugartree northerly corner to James Baldwins Survey No. 5267. thence N. 38. W 160 poles to a stake. thence S. 52. W. 150 poles to a stake thence S. 38. E. 160 poles to a stake in the line of said Baldwins Survey. thence with said line N 52. E. 150 poles to the begining containing One hundred and fifty acres. except 20 acres heretofore sold to Thomas Herd & 30 acres sold to Zachariah McIlroy. also One stud Horse. One sorrel Horse and One two horse Carriage

which according to our commands you have taken into your hands, and which remain unsold as you have certified to the Judges of our Court of Common Pleas of our said County, to satisfy The State of Ohio

the sum of Three Hundred _____ dollars and _____ cents for its Debt — 01 ct for its damages, together with $ 9.92 — for its costs, with interest thereon from the 28th day of April A.D. 1848 until paid, which late in our said Court the said State of Ohio

recovered against the said James McIlroy. Zachariah McIlroy and Wallace Herd _____ as of record is manifest. Also, $ 23.19 — increase of costs, and the accruing costs. ~~And if in your opinion the property in your hands not sold will be insufficient to satisfy the judgment afore said, then you are hereby commanded that you levy the same upon the goods and chattels, lands and tenements, or either, as the law shall permit, being the property of the judgment debtor, which together with the property on hand not sold as aforesaid will be sufficient to satisfy said judgment.~~ And that you have the same before the said Court at the Court House in Marysville, on the first day of their next Term, to render unto said State of Ohio

Hereof fail not at your peril, and have then there this writ.

Witness, ~~JOHN CASSI~~ James Kirkadoff L, Clerk of said Court at the Court House in Marysville, this 3rd day of July A.D. 1850

James Kirkadoff Clerk.

Civil/Domestic Case File
Case No. 1847-CV-0055

No. 47-CV-55

Union Common Pleas Court.

B. Boissan's heirs
Plaintiff,

~~AGAINST~~ Vs
David Mulchele
Defendant.

To compel title Bond

MAY TERM, 1849

DECREE FOR PLAINTF

Journal 4 Page 174

Record No. 5 Page 355

Ex. Doc. Page

Benjamin Burpeau
Peter Burpeau
James Burpeau et. al

Petition for an Order
to make Deed to
Jesse Mitchell

Filed Oct. 5th 1847
John Capsil, Clerk

Cost bill made
Record

Recorded

To the honorable court of Common Pleas within and for the County of Union ~~in Chancery~~ ~~Sitting~~ and State of Ohio

Your petitioners Benjamin Boiseau, Peter Boiseau, James Boiseau John Kerr and Mary A. his wife late widow of Benjamin Boiseau dec^d, William P. Boiseau, Louisa Boiseau and Emma Boiseau ~~minors~~ ~~minors~~ the said William P, Louisa, and Emma, being minors by their next friend John Kerr, and Benjamin B. Vaughn and James B. Vaughn also minors by their next friend James B. Coghill, represent to your honors that they are the only heirs at Law and Legal Representatives of Benjamin Boiseau dec^d, that the said Benjamin Boiseau dec^d in his life time entered in to a Title Bond or Obligation for the Sale and Conveyance of the following described tract of Land in the County of Union State of Ohio, to wit; Lot Number one (No 1) in Survey Number Five thousand one Hundred and thirty four (No 5134) Entered in the name of John Pride - Beginning at a Stake in the centre of the Darby Road (Corn to Lot No 4) thence S 36½ E with a line of the Original Survey 203 poles to two Hickories and an Elm - thence N 53½ E with another line of the Original Survey 100 poles to two Beeches and a Water Beech - thence N 36½ W with a line of Lot No 1, 161 poles to a Stake in the centre of Darby Road witness a Sugar and Water Beech - thence with the Road S 78° W [Described by mistake in the Title Bond as N 78 E] to the beginning - containing one Hundred and Thirteen acres more or less - To one Jesse Mitchell of the County of Union Ohio, in Consideration of the Sum of the Sum of Five Hundred and Sixty five dollars to be paid by the said Jesse Mitchell to the said Benjamin Boiseau dec^d, as follows, to wit; Three Hundred dollars on the 1st day of November AD 1840, and one Hundred and thirty two dollars and fifty cents with interest thereon, in one year from the delivery of ~~said~~ the said Title Bond, and one Hundred and thirty two dollars and fifty cents with interest thereon, in two years from the delivery of the said Title Bond, the said Title Bond was dated May the 12th AD 1840 and was delivered to the said Mitchell between that time and and the 1st day of November AD 1840, for which said Sevenal Sums of money the said Jesse Mitchell gave his three promissory notes payable as aforesaid, upon the payment

of which said notes with the interest that might accrue thereon, the said Benjamin Boiseau did bound himself to make and Execute to the said Jesse Mitchell a Deed of General Warranty for the aforesaid described premises [the original ~~copy~~ of which said Title Bond is herewith filed marked ~~A~~ A and made a part of this Bill]

Your petitioners further represent that the said Benjamin Boiseau dec^d departed this life before the completion of the said Title Bond or obligation on his part to be completed or performed, and that the said Jesse Mitchell hath in all respects fully complied with the requisitions of the said Title Bond on his part to be complied with, and your petitioners being desirous of completing the said Obligation or Title Bond on the part of the said Benjamin Boiseau dec^d, but are unable so to do from the fact of some of your petitioners being minors and under the ages of 18 and 21 years, your ~~pet~~ petitioners would therefore pray your honorable to court to appoint, and authorize some suitable person, to fully complete the said Obligation or Title Bond of the said Benjamin Boiseau dec^d, with authority to make and Execute to the said Jesse Mitchell a Deed of Conveyance for the aforesaid ~~Conveyance~~ premises, for and on behalf of your petitioners according to the terms and stipulations of said Title Bond or Obligation, and your petitioners will ever pray &c

By K. Thomas
their Solicitor

B. Borjeau
v.
Geo. Mitchell
} Ill. Bond

The notes mentioned within have been paid in full
W Thomas for B Borjeau

Know all men by these presents that I Benjn Boispeau of the Town of Petersburg and State of Va. am held & firmly bound unto Jesse Mitchell of Union County & State of Ohio in the sum of, One thousand, One hundred & thirty Dollars - to be paid to the said Jesse Mitchell, his heirs, Exors or Admrs as witness my hand and seal this 12th day of May one thousand Eight hundred & forty

The condition of the above obligation is such that Whereas the said Benjn Boispeau hath this day sold to the said Jesse Mitchell the following piece or parcel of Land in the County of Union & State of Ohio aforesaid to Wit. Lot (No. 1) number One in survey (No. 5134) entered in the name of John Pride, Beginning at a stake in the centre of the Darby Road (Corner to lot No 4) thence S. 36 1/2 E with a line of the original survey - 203 Poles to two Hickory's & an Elm, thence N. 53 1/2 E with a nother line of the original survey (100 Poles) to two Beeches & a Water Beech thence N. 36 1/2 W. with a line of lot No 1 - 161 Poles - to a stake in the centre of the Darby-Road witness by a Sugar & Water Beech thence with the Road - N. 78 E to the Beginning, Cont 9. One

hundred and thirteen acres more or less - for the consideration of the sum of Five hundred & sixty five Dollars - Three Hundred Dollars of which is to be paid on the first day of November next, One half of the Balance say One Hundred & thirty ~~seven~~ two Dollars & fifty Cents, with the Interest thereon in One Year from the delivery of this Contract Bond, & the other half of the Balance say One Hundred & thirty ~~seven~~ two Dollars & fifty Cents with the Interest thereon in two Years, from the same time aforesaid according to the tenor & effect of three certain notes given for said sums, to Sd Boisseau by Sd Mitchell & payable as aforesaid - Now if the Sd Mitchell shall well & truly pay to the said Boisseau the Sd Notes, when they shall become due and payable with the Interest which may have accrued, then the said Boisseau is to make & execute unto the Sd Mitchell his heirs or assigns a Deed of general Warranty for the Sd land - but if the Sd Mitchell shall fail to make payment of the notes as aforesaid then & that case this obligation to be void and of no effect -

B Boisseau (Seal)

Mr Kent K Maria

Sworn to and subscribed before me a Notary Public in and for the County of Franklin and State of Ohio this 23d day of April AD 1848

In testimony whereof I have hereunto set my hand and seal

Kendall Thomas
Notary Public
Franklin County
Ohio

In the Matter of
Benjamin Bufoccas
his Legal Representatives
Petition to Compel
Contract

Affidavit of
Mary Thomas

In the Matter of Benjamin Briseaux' heirs & Legal Reps } Union County Common Pleas Petition to Complete Contracts

Wray Thomas of Franklin County Ohio of lawful age and being first duly sworn deposes and says - That the said Benjamin Briseaux dec'd in his life time entered into Title Bonds separately with one David M. Boal and one Jesse Mitchell for the sale and conveyance of two separate parcels of lands, in the county of Union Ohio, the one to the said Boal and the one to the said Mitchell and which said Bonds and the terms and conditions of the same are fully and at large set out in the applications of the said Heir and Legal representatives of the said Benjamin Briseaux dec'd to this Court for the Completion of the said Title Bonds - That he acted as the agent of the said Briseaux dec'd in collecting and remitting the money due and received upon the said Title Bonds - That the said Bond to the said Mitchell has on his part been fully paid and complied with - And that the said Bond to the said Boal was partly complied with and paid by the said Boal in his lifetime and since his death fully paid and complied with by his administrator and all of the said money excepting a small balance now in my hands, was remitted by me to the said Briseaux dec'd, in part in his life time and since his death in part to his administrator - That the said Benjamin Briseaux died without ever having made deeds in pursuance of the said Bonds, either to the said Mitchell, or to the said Boal in his life time or his heirs since the said Boal's death

Wray Thomas

Application of the Heirs
& Legal Reps: of B. Boisseau
dec'd
~~for Deed~~
to Complete Title Bond
with David Mitchell dec'd

Filed May 29. 1849
James Minnade for Ptff

Cost bill mad
Record

Recorded

Bk. 5 – P. 355

To the Honorable Court of Common Pleas
within and for the County of Union Ohio

your petitioners John Kerr and Mary of his wife late the widow of Benjamin Boisseau decd, William P, Louisa, and Emma Boisseau the said William P. Louisa, and Emma being minors by their next friend John Kerr and Benjamin B. Vaughn and James B. Vaughn by their next friend James B. Cogbill represent that they are the heirs and legal Representatives of the said Benjamin Boisseau decd, that the said Benjamin Boisseau decd in his life time entered into a title Bond or obligation for the sale and Conveyance of the following described tract of Land situate in the County of Union Ohio, to wit; Lot Number two (No 2) in Survey No 5134 entered in the name of John Pride, Beginning at a Stake in the Centre of the Darby Road in the last line of the original Survey, thence with said original line S 36½ E 97 poles to two Hickories and a Sugar one of the original Corners to the Survey, thence with another line of the original Survey S 53½ W 136 poles to two Beeches and a Water Beech, thence N 36½ W 161 poles with the line of Lot No 1 to a Stake in the Centre of the Darby Road witness a Sugar and Water Beech - thence with the said Road and the Course thereof to the beginning - containing one Hundred and Nine acres to and with one David Mitchell 2d for the Consideration of the Sum of Five Hundred and forty five dollars, two Hundred of which to be paid in one year from the delivery of the said title Bond or obligation and the remaining Three Hundred and forty five dollars in two years from the same time both sums bearing interest according to the tenor and effect of two certain promissory notes given by the said David Mitchell 2d to the said Benjamin Boisseau decd (The original of which said title Bond and the notes fully paid up being herewith filed marked A, & B)

Your petitioner further represent that since the death of the said Benjamin Boisseau that the said David Mitchell has fully paid up the said notes and the balance which remained due thereon and that they are desirous of completing the said title Bond or obligation on the part of the said Benjamin Boisseau, they therefor pray this honorable Court to appoint a suitable person ~~or persons~~ to complete the said title Bond or obligation on the part of the said Benjamin Boisseau dec^d, and to make and execute a deed of conveyance to the said David Mitchell 2^d for the said described premises in pursuance of the terms thereof &c

By K. Thomas Mtg
Atty

Civil/Domestic Case File

Case No. 1847-CV-0056

Benjamin Borfsean
Peter Borfsean
James Borfsean et. al

Petition for an order to make Deed to the Heirs of David M. Borel

Filed Oct. 5th 1849
John Cafoil, Clerk

Cost bill mad
Record

Recorded

To the Honorable Court of Common Pleas within and for the County of Union and State of Ohio

Your petitioners Benjamin Boiseau, Peter Boiseau, James Boiseau, John Kerr and Mary A his wife late widow of Benjamin Boiseau dec^d, William P. Boiseau Louisa Boiseau and Emma Boiseau, the said William P. Emma and Louisa being minors by their next friend John Kerr, and Benjamin B. Vaughn and James B. Vaughn also minors by their next friend James B. Coghill, represent to your honors that they are the only heirs at law, and Legal Representatives of Benjamin Boiseau dec^d, that the said Benjamin Boiseau dec^d, in his life time entered into a Title Bond or Obligation for the Sale and Conveyance of the following described tract of Land in the County of Union and State of Ohio, to wit; Lot Number four (No 4) in Survey Number Five thousand one hundred and thirty four (No 5134). Beginning at a Stake in the centre of the Darby Creek Road in the west line of the Original Survey. Thence N 36½ W 117 poles to a Small Beech and Two Sugar trees. Thence N 53½ E 117 poles [Described in Bond by mistake S 53½ E] to a Stake. Thence S 36½ E 171 poles within the line of Lots Nos 5 & 3 to a Stake also in the centre of the Darby Creek road Thence along the said S 78° W [Described in Bond by mistake N 78° E] to the beginning Containing one Hundred and Eight acres (108). ~~To one~~ To one David M. Boal of the State of Ohio, in Consideration of the Sum of Five Hundred and forty Dollars to be paid by the said David M. Boal ~~to~~ to the said Benjamin Boiseau dec^d as follows to wit; ~~one hund~~ one Hundred dollars on the delivery of the said Title Bond, and the balance of four hundred & forty dollars in twelve months thereafter with interest thereon, for which

said sum of $440 dollars the said David M. Boal gave his promissory note payable as aforesaid after having paid the aforesaid $100 dollars on the delivery of the said title Bond in consideration of which, and upon the payment of the said note of $440 dollars when due as aforesaid with the interest thereon, the said Benjamin Boisseau dec^d bound himself to make and execute to the said David M. Boal a Deed of General Warranty for the aforesaid described premises [the original ~~a copy~~ of which said Title Bond is herewith filed marked A and made a part of this Bill]

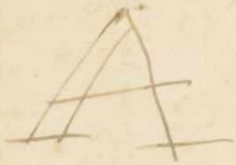
your petitioners further represent that the said Benjamin Boisseau dec^d departed this life before the completion of the said title Bond or obligation on his part to be completed and performed, and that the said David M. Boal departed this life without having fully paid up and completed the said Title Bond and obligation on his part to be performed and completed - your petitioners would however further represent that since the death of the said David M. Boal his administrator has fully paid up and completed the said title Bond entered into as aforesaid by the said David M. Boal, and your petitioners being desirous of completing the said obligation or Title Bond on the part of the said Benjamin Boisseau dec^d, but are unable so to do from the fact of some of your petitioners being minors and the ages of 18 and 21 years - your petitioners would therefore pray your honorable Court to appoint and authorize some suitable person to fully complete the said obligation or title Bond of the said Benjamin Boisseau dec^d, with authority to make and execute a Deed of Conveyance for the aforesaid premises to the Heirs at Law of the said David M. Boal, who are as your petitioners are informed, James F. Boal George M. Boal, Margaret F. Boal who intermarried with

Lackly Reid, Elvyra N. Boal, Martha Eliza Boal, Cornelia A. Boal, and Aaron J. D. Boal, for and on behalf of your petitioners according to the terms and stipulations of the said Title Bond or Obligation and your petitioners will ever pray &c

By K. Thomas
Their Solicitor

B. Bourseau
to
D M Boal

Tillie Bond



Received on the within fifty dollars. May 1st 1844 which has been credited on note

B Borsper
By Wm Thomas

Received on the within one hundred dollars June 6 1844 which has been credited on note

B Borsper
By
Wm Thomas

ent

June 5: 1843 rec'd on the within twenty seven dollars which has been credited on note

B Borsper
By
Wm Thomas

Sept 13. 1843 rec'd on the within fifteen dollars for 7 Bowl
credited on note

B Borsper
By
Wm Thomas

Dec 14, 1843 - By cash on the within, one hundred
and thirty dollars

K Thomas for Wm

May 14, 1844 By Cash on the within twenty dollars

K Thomas for Wm

Know all men by these presents that I. Benjn Boisseau of the Town of Petersburg and State of Va am held and firmly bound unto David M Boal of the State of Ohio in the sum of One Thousand & Eighty Dollars - as witness my hand & seal this 12th day of May - One thousand Eight hundred & forty.

The Condition of the above obligation is such, that Whereas the said Boisseau hay this day sold to the said David M Boal the following piece or parcel of land to Wit, Lot number four (No 4) in survey (#5134) number five thousand One hundred & thirty four, beginning at a stake in the Centre of the Darby-Creek-Road in the West line in the original survey thence N 36½ W. 117 Poles - to a small beech and two sugar trees. thence S. 53½ E 120 Poles to a stake - thence S 36½ E 171 Poles with the lines of Lots No. 5 & 3 - to a stake also in the Centre of Darby Creek Road - thence along the sd Road N. 78 E to the beginning - Cont.g One Hundred & Eight (say 108) Acres - for the consideration of the sum of Five Hundred & forty Dollars

One

One Hundred Dollars of which is to be paid on the delivery of this title Bond and the Balance is to be paid in twelve months from that time with Interest thereon. Now if the said Boal shall well & truly pay the said Balance amounting to four Hundred & forty Dollars & the Interest which may have accrued therein the s.d B Boisseau binds himself his heirs to make and Execute a Deed of general Warranty for the s.d piece or parcel of Land aforesaid - to the s.d D. M Boal or his heirs & Assigns - but if the s.d Boal shall fail to make the payment of the s.d four Hundred & forty Dollars and Interest aforesaid the above obligation to be Void and of no effect

B. Boisseau Seal

Received on the above obligation of David M. Boal one hundred dollars being the cash payment - July 5th 1840

Kendall Thomas
By Wray Thomas
agt of B Boisseau

Received of David M. Boal eighty dollars on the within title bond - Nov 19. 1840 & which is to be credited on his note

B Boisseau by
Wray Thomas

July 27, 1841 received of D M Boal twenty eight dollars which has been credited on his note

B Boisseau
By W Thomas

Civil/Domestic Case File

Case No. 1847-CV-0057

Civil/Domestic Case File

Case No. 1847-CV-0058

Civil/Domestic Case

1847-CV-0058

located with

Supreme Court Case

1850-SC-0001

Civil/Domestic Case File

Case No. 1847-CV-0059

No. 47-CV-59

Union Common Pleas Court.

Asa Clark
Plaintiff,

AGAINST

Martha Wheeler, or
Marshall Wheeler Defendant.

SEP TERM 1843

JUD'G VS PLAINT'F

Journal 4 Page 137

Record No. Page

No Record

Ex. Doc. Page

In the action of Asa Clark against Marshal Wheeler I Ancil Wheeler do acknowledge myself bail for the Appellant in the sum of fifty five dollars and thirty four cents to be levied of my goods and chattels land and tenements ~~if default~~ in case the appellant shall be condemned in the action and shall fail to pay the condemnation Money and costs that have and accrued and that may accrue in the Court of common Pleas

Ancil Wheeler (Seal)

Taken signed and sealed this 18th day of Sept 1847 before me

Joshua Judy
Justice of the Peace

State of Ohio Union ba SS

I do hereby certify the foregoing to be a true transcript from my docket of the proceedings had by and before me in said case

This 6th day of Oct. 1847

Joshua Judy J P

Asa Clark
vs
Marshall Wheeler
Transcript

Filed Oct 6 1847
John Carrie Clk

Asa Clark
vs
Marshal Wheeler

Plaintiffs claim

Debt	$28.06½
Summons	12½
P. subp.	24/-
Deft "	24/-
const cost	1.50
witnesses fees	4.00
Judgment	25
B Bond	25
Transcript	31

In suit Sept 11th 1847
suit brought on plea of debt for twenty eight dollars and sixe and a half cents as per bill filed.
Summons Issued Sept 4th 1847 for trial the 11th at 1. oclock P.M. Subpoenas Issued by order of Plaintiff. for Wm Moore Moses Dean Vansinier Clark and Jefferson B. Clark. by order of Defendant Subpoenas Issued for Frederick Wheeler Joseph Gladhill Elihu Phelps and Ancil Wheeler Sept 11th 1847

Summons in in due time indorsed served the 6th day of Sept 1847 by Reading fee 30 c.
E. Hammond const

Subpoenas returned served by reading fee $1.25
E. Hammond const

The Parties and witnesses all Present and ready for trial when the following witnesses were sworn and examined for Plaintiff to wit Wm Moore Moses Dean Vansinier Clark and Jefferson B Clark, & Frederick Wheeler Joseph Gladhill Elihu Phelps and Ancil Wheeler were sworn and examined for Defendant. After hearing the Testimony and alegations of both parties. and mature deliberation.
It is considered by me that the Plaintiff obtain a Judgment of the Defendant for the sum of twenty one dollars and sixe and a half cents debt and cost of suit herein taxed at sixe dollars sixty and a half cents. Notice of Appeal by Defendant.

M

Of the premises then And there promised to pay the said Several sums of Money to the Plaintiff On Request, yet he hath discregarded his promises and hath not paid the said Several sums of money nor either of them nor any part thereof to the Damages of the Plaintiff Twenty eight Dollars And thereupon he brings suit by —

J. C. Doughty and
C. F. Sweetser his
Attys

Ira Clark
vs
Marshall Brick
On Promissory
Note

Filed May 17th 1876
Noah Copsie, Clerk

Court Trial made
No. Recd

Judgment Sweetser
Atty for Defdt

Asa Clark
vs
Marshall Wheeler

In Union Common Pleas
October Term A D 1847

This Cause is brought into Court by way of an appeal from the Docket of a Justice of the peace, And thereupon Asa Clark Complains of Marshall Wheeler in a plea of debt for that Whereas the said Marshall Wheeler On the tenth day of August, Eighteen hundred And forty Seven was indebted to the said Asa Clark in Twenty, Eight Dollars Six cents And a half, for the price and value of goods then and there bargained, and sold by the Plaintiff to the Defendant at his Request, And in Twenty eight Dollars Six ~~cents~~ and a half cents for the price and value of goods then and there Sold And Delivered by the Plaintiff to the Defendant At his Request, And in Twenty eight Dollars Six and a half cents for the price And value of work then And there done And for materials for the same found by the Plaintiff for the Defendant At his Request, And in Twenty eight Dollars Six and a half cents for Money then and there lent by the Plaintiff to the Defendant at his Request And in Twenty eight Dollars Six and a half cents then and there paid by the Plaintiff for the use of the Defendant at his Request And in Twenty eight Dollars Six and a half cents then and there Received by the Defendant for the use of the Plaintiff And in Twenty eight Dollars Six and a half cents for Money found to be due from the Defendant to the Plaintiff On an account then and there stated between them And Whereas the Defendant afterwards On the first day of September Eighteen hundred and forty Seven in consideration of the

Filed Sept 21. 1848
John Cassie Clk

September 20th 1848

Received of Asa Clark — my fees — in full

as a witness in and for him

Lewis Sayre

Asa Clark
vs
Wheeler

Filed Sept 13, 1848
John Cassil Clk

Asa Clark
vs
Martial Wheeler

In Union Com Pleas.

Issue Subpoenas to Hugh Stickney, Wallace Herd, Moses Dean, Ansel Wheeler, David Wood Jr. ~~Elisha Phelps~~ & ~~John Johnson~~ to testify on behalf of Defendant for 2nd day

Sept 13th 1848

Allison & Curry
Attys for Deft.

the within bill of Items settled in trial and Judgment rendered in favor of Plaintiff for $21.00 debt and $6.60 cost on the 11th day of Sept 1847

Joshua Judy JP

Filed June 19 1848
John Cassie Clk

Marshel Wheeler Dr to Asa Clark

1846

To use of one Field sawed to Buckwheat $ 4.00

Decem^br 11 to Dressing 2500 and 50 Read oak Staves
at 20 cts per hundred 5 10

Do to Dressing 500 and 79 white oak staves
at 23 cts per hundred 1 35

to Dressing 1369 white oak - - - - 3 16

to Dressing 548 white oak Staves 1 26

1847
June Do to Dressing 600 white oak staves 1 38

to Dressing 266 white oak staves 61

to Riveing 2400 Staves at
75 cts per thousand 1 68

to Riveing 900 Staves — 63

to Riveing 755 Staves — 52

to Riveing 1800 Staves — 1 26

to Riveing 250 Staves — 17

Do to one pile of Staves uncounted —
supposed to be 2000 1 50

To Sawing Staves by son (John Clark) 5.46

To use of ~~one Field~~ sawed to Buckwheat 4 00

~~28.00~~

$ 28,06½

Filed sept 18, 1847
John Cassie Clk

Asa Clark
vs
Marshall Wheeler

In union common
Pleas.

Issue a Subpoena
for George Hall, Anson
Dorrow, witnesses for
Plaintiff.

J. C. Doughty Clerk

Jno John Cassel
Clerk

Septr 18.

Replication
Asa Clark
vs
Marshall Wheeler

Filed Sept 20, 1848
John Cassil Clk

Daniel G Allen for Plaintiff

Replication

And the said Asa Clark says that by any thing in said plea of said Marshall Wheeler alleged his said writ and Declaration ought not to be quashed because he says that the said several promises in said Declaration mentioned were and each and every of them was made by the said Marshall Wheeler alone in manner and form as the said Asa Clark hath above declared against him and this he prays may be enquired of by the Country.

J. C. Dunlap Atty for plaintiff

And the said defendant doth the like

By Allison & Curry, His attys

Union Com Pleas

Asa Clark
vs
Marshall Wheeler
Sub fa Writ

Filed Sept 20. 1848
John Curtis Clk

Served this writ personally upon the within-named George Hale, David Angle, Daniel Clark and Joseph Gladhill. Sept 18. 1848

Philip Snider Sheriff

Fees mileage 45
service 12½ = 57½

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON George Hall and Anson Dawes, David Argo Pleasanzoneer Clark and Joseph Gladhill

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on the ~~first~~ second day of next term, at ~~ten~~ nine o'clock, A.M., to testify and the truth to speak on behalf of Asa Clark

in a certain controversy in said Court depending, wherein

Asa Clark is Plaintiff, and Marshall Wheeler

is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 18th day of September A.D., 1848.

John Cassil Clerk.

Clark
vs
Wheeler
Suit for wrongs

Filed Sept 20, 1848
John Cassil Clk

Served this writ personally upon the within
named witness, who demanded his fees which were
not paid
Fees — mileage 3
Service 12½ = 17½
Philip Reider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON Hugh Stickney

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, ~~on the first day of next term, at ten o'clock, A.M.~~ Forthwith, to testify and the truth to speak on behalf of Marshall Wheeler

in a certain controversy in said Court depending, wherein

Asa Clark is Plaintiff, and Marshall Wheeler

is Defendant: and this he shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 20 day of September A.D., 1848.

John Cassil Clerk.

Served this writ personally upon Moses Dean, Ansel Wheeler, David Wood Jr, Elihu Phelps and Wallace Herd said Herd demanded his which were not paid. Hugh Stickney not found.

Fees = mileage 55
Service 62½ = $1.17½

Philip Snider Sheriff

Mun Com Pleas
Asa Clark
v
Marshall Wheeler
Writ for Wits.

Filed Sept 16, 1848
Thos Cassidy Clk

THE STATE OF OHIO, UNION COUNTY, SS.

To the Sheriff of said County, Greeting:

WE COMMAND YOU TO SUMMON Hugh Stickney, Wallace Herd Moses Dean, Ansel Wheeler, David Wood Jr ~~Elisha Phelps and John Johnson,~~

to be and appear before the Honorable, the Judges of our Court of Common Pleas of said County, at the Court House, in the town of Marysville, on the ~~first~~ second day of next term, at ~~ten~~ nine o'clock, A.M., to testify and the truth to speak on behalf of Marshall Wheeler,

in a certain controversy in said Court depending, wherein

Asa Clark is Plaintiff, and Marshall Wheeler is Defendant: and this they shall in no wise omit, under the penalty of the law; and have then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid, this 13th day of September A.D., 1846.

John Cassil Clerk.

In Union Com Pleas

Martial Wheeler

vs

Asa Clark

Plea

Filed Sept. 20th 1848
John Caspil, Clerk

Allison & Curry

Marshall Wheeler
ads
Asa Clark } Union Com Pleas.

And the said Martial Wheeler Comes and defends, &c when &c. and prays judgment of the writ and declaration aforesaid, because he says, that the said several promises in said declaration mentioned, if any such were made, were made by one Frederick Wheeler jointly, with the said Martial Wheeler and not by the said Martial Wheeler alone, and which said Frederick Wheeler is still living, to wit, at the said County of Union, &c and this he is ready to verify. Wherefore, because the said ~~Martial~~ Frederick Wheeler is not named in said transcript from said Justice of the peace, and declaration, the said Martial Wheeler prays judgment of the said transcript and declaration, and that the same may be quashed, &c.

By Allison & Lenox, His Attys

Martial Wheeler the above named defendant, makes oath and says that the above plea by him pleaded is true in substance and matter of fact.

Martial Wheeler

Sworn to and subscribed ~~before open~~ Court this 20th day of September A.D. 1848. John Cassil, Clerk

Asa Clark
to
Marshall Wheeler
In com. common
pleas

Agreement

Filed Sept. 20th 1848
John Cafferillen

Asa Clark,
v
Marshall Wheeler

In Union common pleas. September Term 1845

This Case is settled, by the said parties on the following terms, the said Defendant agrees to pay the Plaintiff the Sum of ten Dollars. And all the Costs he has made in the Case And the Plaintiff pays all the Costs he has made, in the case, by him September 20 1845 signed by the said Parties

Martial Wheeler
Asa Clark

Civil/Domestic Case File

Case No. 1847-CV-0060

No. 47-CV-60

Union Common Pleas Court.

S. Taylor & Wife Plaintiff,

AGAINST

E. L. Reynolds Defendant.

JUN TERM. 1843

JUD'G VS PLAINT'F

Journal 4 Page 132

Record No. No Record. Page

Ex. Doc. Page

Union Com. Pleas

S Taylor & Wife

vs

E J Reynolds

Praecipe

Filed Oct 9th 1847
John Copsil, Clerk

56

By Cole & Thurber

Samuel Taylor
and Susan F his wife
vs
E L Reynolds

In Assumpsit Damages one thousand dollars

Issue a summons returnable forthwith in this suit brought on a note of hand made by the defendant to Susan F Reynolds or bearer while sole and who has since intermarried with the said Samuel Taylor for eight hundred and three dollars and sixty cents payable twelve months after date and dated Sept 8th 1846 Also for goods sold & delivered money lent had and received and upon an account stated &c Damages claiming one thousand dollars

October 9th 1847

Cale & Witter
Attys for Pltffs

Saml Taylor & wife
vs
E. L. Reynolds

Signed Statement.

New Jersey 20. 1848
John Cassidy Clk

Samuel Taylor & wife
vs
E. L. Reynolds

In Union Com Pleas
In Assumpsit.

The following facts are agreed upon in this case by the parties, and submitted to the Court, to wit. On the eighth day of September 1845 the defendant gave his note for value Recd. to the said Susan F Taylor, then Susan F Reynolds, for $701.97 - payable 12 months after date with interest. And on the 8th day of September 1846, the interest at 6 per cent was cast upon said note, which was the amount then due, to wit $744.08, eight per cent interest was then cast upon that last amount for one year, which brought the whole amount, to $803.60, for which last sum the note upon which this suit is brought, was given. The amount of interest over and above six per cent thus added in the renewed note was $14.88 - It is further agreed by the parties that if the above illegal interest is deducted by the Court, and the plaintiff fails in getting a judgment against defendant for costs, then and in that case, the defendant agrees to pay all costs if they do not exceed $2.50 all over that amount is to be paid by the plaintiffs.

Robt. V. Witten Attys for Plff.

Allison & Curry Attys for Deft

In Chancery Terms

E. L. Reynolds

vs

Saml Taylor & Wife

Plea

Filed April 18. 1848

John Cassil Clk

Allison & Lemmy

E. L. Reynolds
adv
Samuel Taylor & Wife

Union Com. Pleas.

And the said E. L. Reynolds comes and defends &c. and says that he did not assume and promise in manner and form as the Samuel Taylor & Wife have declared against him; and of this he puts himself upon the country; and the said Samuel Taylor & Wife do the like.

By Allison & Curry His attys.

The plaintiffs will also take notice, that the defendant, on the trial of this cause will give in evidence and insist, that in the note declared on by the plaintiffs, if any such was given, a large amount of illegal interest was incorporated, and increased the amount for which the said note was given, to wit, 8 per cent, which was cast in advance, and made part of the amount for which said note was given, if given at all, and that defendant will ask upon the trial that such illegal interest be deducted from the amount.

The plaintiff will also take notice, that on the trial of this cause, the defendant will give in evidence and insist that the plaintiffs at the commencement of this suit, was and still is indebted to the defendant in the sum of One thousand dollars for the price and value of goods before that time sold and delivered by the defendant to the said Susan F. Reynolds defendant ~~whilst~~ sole, at her request

And also in the sum of One thousand dollars for the price and value of work before that time done and materials for the same provided by the defendant for the said Susan F. Reynolds, whilst sole, and at her request.

And also in the sum of One thousand dollars for money before that time received by the plaintiffs for the use of defendant, and that the defendant will set off on said trial so much of the said several sums of money, so due and owing, from the plaintiffs to defendant against any demand of the plaintiffs to be proved on said trial as will be sufficient to satisfy and discharge said demand.

By Allison & Curry His attys

suit brought on a note of hand made by the Defendant to Susan F. Reynolds or bearer, "while sole", and who has since intermarried with the said Samuel Taylor for eight hundred & three dollars and sixty cents payable twelve months after date and dated Sept. 8th 1846 - Also for goods sold & delivered - money lent had & delivered - and upon an account stated &c - Damages claimed one thousand Dollars

Cole & Witter
Attys for Plfft.

union common Plea
Saml. Taylor & wife
vs
E. L. Reynolds

Filed Oct 9th 1847
John Cafferil, Clerk

Defence filed by certificate only Defendant
9th 1847.

Officer-mileage 25
Service 35
Copy 12½
Affidavit Witness fees 25

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING

WE command you to summon E. L. Reynolds

to appear

forthwith ~~on the first day of our next term~~ before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Samuel Taylor & Susan F. his wife

in a plea of Assumpsit damages one thousand dollars.

And have you then there this writ.

WITNESS, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 9th day of October A. D. 1847.

John Cassil CLERK.

Union Com. Pleas

S Taylor & Wife
vs
S. Nor.
& L Reynolds

Filed Nov 18th 1847
John Cassil clk

Cast bill mad
No Record

By C. & W.

State of Ohio } Court of Common Pleas
Union County ss } October Term A D 1847

Samuel Taylor and Susan H his wife Complain of E L Reynolds in a plea of assumpsit for the whereas the said defendant heretofore and whilst the said Susan H was sole and unmarried to wit on the 8th day of September in the year of our Lord one thousand eight hundred and forty six at the County of Union and State of Ohio made his promissory note in writing and ~~sealed~~ bearing date the day and year aforesaid and thereby then and there promised to pay ~~to the said Susan~~ Twelve months after the date thereof to the said Susan H. now the wife of the said Samuel Taylor (by her then name and addition of Susan H Reynolds) or bearer Eight hundred and three dollars and sixty cents for value received and then and there delivered the said note to the said Susan H. and the plaintiffs aver that after making the said promissory note and before the same became payable according to the tenor and effect thereof on the 27th day of June A D 1847 at the County aforesaid they intermarried by means whereof the defendant after the said intermarriage of the plaintiffs became liable to pay to the plaintiffs the money in the said note specified according to the tenor and effect thereof in right of the wife, and being so liable the defendant in consideration thereof after the intermarriage of the plaintiffs promised the plaintiffs to pay them the money in the said note specified according to the tenor and effect thereof &c

And whereas also the defendant on the 8th day of September A D 1846 at the County aforesaid was indebted to the said Susan H while sole and unmarried in the sum of Eight hundred and three dollars and ~~sixty~~ sixty cents for the price and value of goods then sold

owed and delivered by the said Susan H to the said defendant at his request, — ~~and being so indebted the said E L Reynolds afterwards~~ and being so indebted to the said E L Reynolds in consideration thereof afterwards ~~to wit~~ and whilst the said Susan H was sole and unmarried to wit on the day and year last aforesaid at the County aforesaid undertook and promised the said Susan H to pay her the said last ~~mentioned sum~~ sum of money when he the said E L Reynolds should be thereunto afterwards requested —

And whereas also the said E L Reynolds afterwards on the day and year last aforesaid at the County aforesaid ~~was~~ and whilst the said Susan H was sole and unmarried was indebted to the said Susan H in the further sum of Eight hundred and Three dollars and sixty cents for money lent ~~the~~ and therefore lent by the said Susan H to the said defendant at his request. —

And for ~~also~~ that whereas also the said defendants afterwards to wit on the day and year last aforesaid at the County aforesaid whilst ~~the~~ said Susan H was sole and unmarried was indebted to the said Susan H in the sum of Eight hundred ~~the~~ and Three dollars and sixty cents on an account then and there stated between them, and being so indebted the said E L Reynolds in consideration thereof ~~undertook and faithfully promised~~ afterwards on the day and year last aforesaid at the County aforesaid whilst the said Susan was sole and unmarried, undertook and faithfully promised to pay her the said ~~last mentioned~~ sum of money, when the said E L Reynolds should be thereunto afterwards requested; yet the said E L Reynolds hath ~~not~~ regarded his said promises, and hath not paid the said sum of money or either of them or any part thereof to the said Susan H whilst she was sole and unmarried or to the said Samuel Taylor and Susan H his wife or either of them since their

since their intermarriage, but he to do this hath hitherto wholly refused. and still doth refuse to pay the same or any part thereof to the said Samuel Taylor and Susan his wife to the damage of the the said Samuel Taylor and Susan his wife of one thousand dollars, and therefore they bring their suit &c

By Cole & Miller
their Attys

Civil/Domestic Case File

Case No. 1847-CV-0061

No. 47-CV-61

Union Common Pleas Court.

The State of Ohio
Plaintiff,

AGAINST

Moses Mitchell et al,
Defendant.

APR TERM. 1848

JUDGMENT VS DEFENDANT

Journal H Page 99

Record No. 5 Page 214

Ex. Doc. Page

In Common Pleas

The State of Ohio
For &c

vs

Moses Mitchell et al

Prae In Assumpsit

Filed Oct 9th 1847
John Cassil, Clerk

Allison & Conroy

The State of Ohio.
For the use of the Fund Commissioners of Union County
vs
Moses Mitchell
David Mitchell &
Wm Orr

In Assumpsit.
Damages — $200.

Issue a Summons returnable forthwith. Judgment on the Writ" Suit brought on a note of Hand, made by defendant, to plaintiff, for One hundred dollars, payable one year after date, Dated June 13th 1837 - with interest at seven per cent. Given for Surplus Revenue and subject to the Act regulating the distribution of the same &c. Also for goods sold and delivered, Money had and received &c. Damages claimed as due $200.00

Allison & Curry Attys for Plff.

To the Clerk of Union Com Pleas
October 9th 1847

Suit brought on a note of hand, made by defendant, to plaintiff, for one hundred dollars, payable one year after date, dated June 13th 1838 - with interest at seven per cent, given for surplus revenue and subject to the act regulating the distribution of the fund, &c. Also for goods sold and delivered, money had and received &c Damages claimed as due $200.00 Allison & Cary Attys for Plff.

Union Common Pleas

The State of Ohio for the use of the Fund Commissioners of Union County

vs

Moses Mitchell, et al

Filed Oct. 9th 1841
John Capel, Clerk

Served this writ on Wm Orr one Moses Mitchell by certified copies October 9th 1841, Jacob Whitehead not found

Fees - mileage	40
Service	55
Copies	30

Philip Snider Sheriff

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING

We command you to summon Moses Mitchell David Mitchell and Wm Orr

to appear forthwith ~~on the first day of our next term~~, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto The State of Ohio For the use of the Fund Commissioners of Union County

in a plea of Assumpsit damages two hundred dollars.

And have you then there this writ.

WITNESS, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 9th day of October A. D. 1847.

John Cassil CLERK.

In Union Com Pleas

The State of Ohio, for &c

vs

Moses Mitchell &
Wm Orr

Narr — In assumpsit

Filed Nov. 18 1847
John Coffeil Clk

Cost bill made
Record

Recorded

Allison & Curry

The State of Ohio
Union County SS

Court of Common Pleas, of Union County
Of the Term of October A.D. 1847

The State of Ohio for the use of the Fund Commissioners of Union County, sued out a writ of Summons herein against Moses Mitchell, David Mitchell and Wm Orr, the defendants in said writ named, to which the Sheriff of said County has returned not found as to David Mitchell, and thereupon the said State of Ohio for the use of the Fund Commissioners of Union County, complains of the said Moses Mitchell and Wm Orr, in a plea of Assumpsit. For that whereas, the defendants on the 13th day of June A.D. 1837 at the County of Union aforesaid, made their promissory note in writing, and delivered the same to the plaintiff; and thereby then and there promised to pay to the plaintiff One hundred dollars one year after the date thereof, with interest at seven per cent, (the said note having been given for Surplus Revenue and made subject to the Act, regulating the distribution of the same) which period hath now elapsed.

And whereas also the defendants on the 1st day of October A.D. 1847 at the County of Union aforesaid were indebted to the plaintiff in the sum of Two hundred dollars for money then and there lent by the plaintiff to the defendants at their request,

And in Two hundred dollars for money then and there had and received by the defendants, for the use of the plaintiff;

And in Two hundred dollars, for money found to be due from the defendants to the plaintiff, on an account then and there stated between them,

And the defendants afterwards, on the day and year last aforesaid, at the County aforesaid, in consideration of the premises respectively, promised to pay the plaintiff the said several moneys herein last above mentioned on request, yet the defendants have disregarded their said promises, and have not, nor hath either of them paid any of the said moneys or any part thereof, To the damage of the plaintiff of Two hundred dollars, and therefore he brings his suit &c.

By Allison & Curry Attys for Plff.

Ex Docket Page 457

The State of Ohio for &c
vs
Moses Mitchell &
Wm Orr

Damage $108.43
Costs 5.03
Increase 1.17
Writ .41

Fees = mileage .70
Levy .35
Service .35
Poundage .18
advertising .25
Pr fee 1.00 = $2.83

Philip Snider Sheriff

Filed May 30. 1849
J. S. Kirkland Clk

Recorded

Received this writ November 4th 1848. Same day levied on 1 Cook Stove and pipe, 3 Bedsteads & bedding, 8 Chairs, 1 Wheel, 1 Reel, 1 Brass Clock, 1 Table, 2 Boxes, and one Plough, advertised said property for sale by publication in the Argus a newspaper published in general circulation in Union County for at least ten days previous to the day of sale, in pursuance of said notice. Afterwards ~~[illegible]~~ to wit on the 12th day of May 1849 between the legal hours offered said property for sale at Public Vendue to William Orr 1 Stove for $5.00, 1 Plough for 50 cts, 6 chairs $1 Box for 37½ cts, 1 Bedstead & bedding for 37½ cts, 4 & 2 bedsteads for 25 cts, and sold to George Orr 1 Wheel & Reel for 56 cts, 1 clock for 2.06, 2 chairs for $1 Box for 11 cts, amounting in all to nine dollars & twenty three cents

Philip Snider Sheriff

THE STATE OF OHIO, UNION COUNTY, SS:

To the Sheriff of said County, Greeting:

WHEREAS, at the Court of Common Pleas of the County aforesaid, begun and held at the Court House in the town of Marysville, on the Twenty fifth day of April A.D., 1848 The State of Ohio for the use of the Fund commissioners of Union County Ohio recovered against Moses Mitchell and William Orr,

as well as the sum of One hundred & Eight dollars and Forty three cents for ~~debt, as the sum of~~ ~~dollars~~ ~~and~~ ~~cents, for~~ damages, as also the sum of $ 5,23 for cost and charges in that behalf expended, as of record is manifest. As we have heretofore commanded you

You are therefore commanded, that of the goods, and chattels, and for the want thereof, of the lands and tenements of the said Moses Mitchell & William Orr

you cause to be made the debt, damages and costs aforesaid, with interest thereon from the 26th day of April A.D., 1848, until paid; also the sum of $1,17 the costs of increase on said Judgment, and accruing costs; and that you have these moneys before said Court at the Court House aforesaid, on the first day of our next Term, to render unto the said State of Ohio for the use of the fund commissioners of Union County Ohio

Hereof fail not at your peril; and have then there this writ.

WITNESS JAMES KINKADE, Jr., CLERK of said Court, at the Court House aforesaid, this 4th day of November A.D., 1848.

James Kinkade Jr. Clerk.

Ex Docket D page 457

The State of Ohio for &c
vs
Moses Mitchell &
Wm Orr

Damages $108.43
Costs 5.23
writ .41

Filed June 27th 1845
John Copsil, Clk

Recorded

Received this writ May 22, 1845 for legacy of Plaintiff & defendant returned without day.
Fees = mileage 40
service 35 = 75
Philip Shriver Sheriff

THE STATE OF OHIO, UNION COUNTY, SS:

To the Sheriff of said County, Greeting:

WHEREAS, at the Court of Common Pleas of the County aforesaid, begun and held at the Court House in the town of Marysville, on the 25th day of April A.D., 1848. The State of Ohio for the use of the Fund Commissioners of Union County, recovered against Moses Mitchell and William Orr, as well as the sum of One Hundred and Eight dollars and Forty three cents for ~~debt, as the sum of~~ ~~dollars and~~ ~~cents, for~~ damages as also the sum of $ 5.23 for cost and charges in that behalf expended, as of record is manifest. You are therefore commanded, that of the goods and chattels, and for the want thereof, of the lands and tenements of the said Moses Mitchell and William Orr, you cause to be made the ~~debt~~ damages and costs aforesaid, with interest thereon from the 26th day of April A.D., 1848, until paid; also the sum of $ the costs of increase on said Judgment, and accruing costs; and that you have these moneys before said Court at the Court House aforesaid, on the first day of our next Term, to render unto the said State of Ohio for the use of the Fund Commissioners of Union County. Hereof fail not at your peril; and have you then there this writ.

WITNESS JOHN CASSIL, CLERK of said Court, at the Court House aforesaid, this 22nd day of May A.D., 1848.

John Cassil Clerk.

Filed May 22. 1848
John Carrie Clk

The State of Ohio for use
vs
Moses Mitchell & Son

Judgment in Union Com Pleas

Issue on Execution

in divorce case

To John Cassil Clerk
May 22nd 1868

Allison & Cum
Attys for Plff

Civil/Domestic Case File

Case No. 1847-CV-0062

No. 47-CV-62

Union Common Pleas Court.

N. Rogers & Co

Plaintiff,

AGAINST

James Muncadetoe

Defendant.

APR TERM, 1843

Settled,

Journal 4 Page 101

Record No. No Record Page

Ex. Doc. Page

H. Rymond
vs
James Hinkedey
and others

Praecipe

Filed Oct. 9th 1847
John Cassiller

For J.

Henry Rysom v John F. Dunlap late partners trading under the firm of H Rysom & Co

v

James Thirkield for John Cofil & James Thirkield Jr

In Sept Dangers $1000

Issue a summons returnable forthwith, and

Suit bot. on note made by defendants payable to pltff order & delivered to them dated July 16. 1845, due 18th Dec. 1845 for the sum of Seven hundred & eighty two dollars & fifty cents also for goods sold, money lent & on account stated

Finch & Jones
attys for pltff

Oct 9. 1847
To Clk Univ Com. Plas

suit brot on note made by defendants
payable to pltffs or order & delivered to them
dated July 16th 1845 due 18th Dec. 1845
for the sum of seven Hundred & eighty
two dollars & fifty cents - Also for
goods sold - money lent & an account
stated Oct 9th 1847

Finch & Jones
Attys for Pltffs

Union County ss

A. Rigan & Co.
vs
James Kinkade
& others

Filed Oct. 9th 1847
John Copsil, Clerk

Minutes adjournment - Oct. 9th 1847
John Copsil, Clerk

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING

We command you to summon James Kinkade jr. John Cassil James Kinkade, sr.

forthwith ~~on the first day of our next term~~, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Henry Rigon & John F. Dunlap late partners trading under the firm of H. Rigon & Co.

to appear

in a plea of Assumpsit damages One thousand dollars.

And have you then there this writ.

WITNESS, JOHN CASSIL, Clerk of said Court, at the Court House aforesaid this 9th day of Oct. A. D. 1847.

John Cassil CLERK.

H. Ryan & Co.

vs

James Kirkadett et al

Nar.

Filed Oct. 25th 1837
John Capsil Clerk

No. Record

F. & J.

Henry Rigour &
John J. Dunlap
Late Partners in
Trade under the
Name of H Rigour & Co
vs
James Kinkade Jr
John Cagsil &
James Kinkade Sen
Union County ss

Court of Common
Pleas October
Term 1847

Henry Rigour & John J. Dunlap late partners in trade under the names of H Rigour & Co Complain of James Kinkade Jr John Cagsil & James Kinkade Sen in a plea of Assumpsit for that whereas the said James Kinkade Jr John Cagsil & James Kinkade Sen on the 16th July 1845 at union county aforesaid made their promissory note in writing and delivered the same to the said Henry Rigour & John J. Dunlap and thereby promised to pay to the said plaintiffs (by the said name of their firm of H. Rigour & Co.) or order seven hundred and Eighty two dollars & fifty cents on or before the 18th of December 1845 for value received which period has now elapsed and the said James Kinkade Jr John Cagsil & James Kinkad Sen then & there in consideration of the premises promised to pay the amount of the said note to the said plaintiffs by the said name of their firm according to the tenor & effect thereof and also further whereas the said defendants on the 22nd December A.D. 1845 at the county aforesaid were indebted to the said plaintiffs in in the sum of one thousand

dollars for the price and value of goods then & there bargained and sold by the plaintiffs to the defendants at their request and in one thousand dollars for the price & value of goods then & there sold and delivered by the plaintiff to the defendants at their request and in one thousand dollars for money then & there lent by the Plaintiffs to the defendants at their request and in one thousand dollars for money then & there paid by the plaintiffs for the use of the defendants at their request and in one thousand dollars for money found due to the plaintiffs from the defendants on an account then & there stated between them And whereas the defendants afterwards on the 24th day of December 1845 at the County aforesaid in consideration of the premises promised to pay the 20 Pounds last mentioned sums of money to the plaintiffs on request yet they have disregarded their promises & have not the paid the said Pounds sum of money nor either of them or any part thereof to the damage of the plaintiffs one thousand dollars & therefore they bring suit by Finch & Jones their atty

Civil/Domestic Case File

Case No. 1847-CV-0063

No. 47-CV-63

Union Common Pleas Court.

James Watt
Plaintiff,

AGAINST

Joseph Wells
Defendant.

MAY TERM, 1850

Ejectment,

Dismissed

Journal 4 Page 290

Record No. Page

Ex. Doc. Page

No Record.

Law No. 26.

John Doe Ex Dem
James Watt
vs

Richard Roe
Joseph Wells Tennant

1

Cest Bill made
No Record

State of Ohio Union County, ss;
David Burton of said County, makes oath and says, that he on the 26th day of October A.D. 1847, did serve Joseph Wells tenant in possession of the premises, in the within declaration mentioned or of part thereof, with a true copy of the said declaration and notice, by delivering the same to, and leaving it with the Daughter of the said Joseph Wells at his dwelling house being person of the premises in the said declaration mentioned, and the defendant at the same time explained and made known to her the intent and meaning of said declaration and notice, and delivered to her the day and year aforesaid.

Sworn to before me

David Burton

Subscribed and sworn to this 26th day of October in the year 1847 before me

Thos. Scott

Fees — mileage 50
service 35
copy 50 = $1.35

Philip Hedges
Sheriff

Union Com Pleas

John Doe ex dem
James Watt
v
Richd Roe
Joseph Wells tenant

Declaration in Ejectment

Filed Oct. 26th 1847
John Cassil Clerk

English & Martin

Mr. Joseph Wells

Sir: I am informed that you are in possession of, or claim title to, the premises in this declaration mentioned, or to some part thereof; and I being sued in this action as a casual ejector, and having no title to the said premises, do advise you to appear at the next term of the Court of Common Pleas within and for the county of ~~Franklin~~ Union and State of Ohio, and make yourself defendant in my stead, otherwise judgment will be entered against me by default, and you will be turned out of possession.

Dated this 8 day of October A. D. 1847

RICHARD ROE.

STATE OF OHIO, } COURT OF COMMON PLEAS,
Union ~~Franklin~~ **county, ss.** } October TERM, A. D. 1847

John Doe complains of Richard Roe, for that James Watt on the 29th day of October in the year of our Lord one thousand eight hundred and twenty Seven at ~~Franklin~~ Union county aforesaid, had demised to the said John the following lands and tenements, to wit: All that tract or parcel of land lying and being in the County of Union and State of Ohio, and described as follows to wit:
Being part of John Philips Survey No. 2991 Beginning at two hickory & walnut and running thence South ten degrees East two hundred poles to a stake sugartree and red elm thence South eighty degrees west eighty poles to a sugartree and dogwood, thence north ten degrees west two hundred poles to two beech trees, thence north eighty East eighty poles to the place of beginning containing one hundred acres be the same more or less—

and also Ten messuages, Ten cabins, Ten barns, Ten stables, Ten orchards, Ten out-houses, Ten yards, Ten gardens, Two hundred acres of arable land, Two hundred acres of meadow land Two hundred acres of pasture land, Two hundred acres of wood land, Two hundred acres of land covered with water, and Two hundred acres of other land, with the appurtenances, situate in said county of ~~Franklin~~ Union. To have and to hold the same to the said John, from the 29th day of October in the year aforesaid, for and during the term of Forty years, thence next ensuing: And also for that James Watt on the 29 day of October in the year of our Lord one thousand eight hundred and twenty seven at the county of ~~Franklin~~ Union aforesaid, had demised to the said John Ten other messuages, Ten cabins, Ten barns, Ten stables, Ten orchards, Ten out-houses, Ten yards, Ten gardens, Two hundred acres of arable land, Two hundred acres of meadow land, Two hundred acres of pasture land, Two hundred acres of wood land, Two hundred acres of land covered with water, and Two hundred acres of other land, with the appurtenances, situate in said county of ~~Franklin~~ Union; to have and to hold the same to the said John, from the 29 day of October in the year aforesaid, for and during the term of Forty years, thence next ensuing; By virtue of which said several demises the said John entered into the said several tenements, first and secondly above mentioned, with the appurtenances, and was thereof possessed for the several terms aforesaid; and the said John being so thereof possessed, the said Richard, afterwards, to wit, on the first day of November in the year of our Lord one thousand eight hundred and Twenty seven with force and arms entered into the said tenements, with the appurtenances, and ejected the said John therefrom, and other wrongs to the said John then and there did; to his damage Ten dollars.

And therefore he sues, &c.

By English & Martin
his Attys

John Doe ex dem
James Watt —
v
Joseph Wells

Consent rule
and plea —

Filed april 27. 1848
John Cassil Clk

John Doe ex dem
James Watt.
v
Richard Roe
Joseph Wells
tenant.

} Ejectment

And the said Joseph Wells comes and by consent of parties makes himself defendant herein in the place of Richard Roe and the said Joseph comes and confesses the lease entry and ouster in the same declaration mentioned and admits himself to be in possession of the premises in the said declaration mentioned and for plea says that he is not guilty of the trespass and ejectment in the said declaration alleged against him of this he puts himself upon the country and the said Doe doth the like —

by
Swan Vandreen
his attys —

Civil/Domestic Case File

Case No. 1847-CV-0064

No. 47-cw-64

Union Common Pleas Court.

Jonas Figley, Plaintiff,

AGAINST

James Paxton, Defendant.

APR TERM. 1848

JUD'G VS PLAINTIFF

Journal 4 Page 106

Record No. No Record Page

Ex. Doc. Page

J Fegley
vs
James Paxton
Trespass

Filed Dec. 21st 1847
John Cofroth Clerk

Cost bill made
No Record

Francis Tigley } Huron Comm Pleas
vs } Trespass Damages $500.
James Patton }

Summons returnable next Term
"Ordered" Suit brought to recover $500 Damages sus-
tained by plaintiff by reason of Defendant at the County of Huron
entering upon the premises of the plaintiff by force & strong
hand ~~about~~ on the 10th day of July 1847 & destroying the plaintiffs
fences crops & fruit on the same premises and continuing from
time to time to forcibly enter upon the said premises ~~and~~ to the
Damage & injury thereof up to the fifth day of September 1847.
Said premises situate in Norwalk Township Huron
County and State of Ohio & being a farm of fifty
acres, part of Surveys No 52 & 53 known as the farm
of the Plaintiff —

To John Leaml Clerk
Com Pleas.

By Cole & Witter
Attys for Pltff.

Filed Dec 21st 1847
John Cofsill Clk

I Served the within Writ on the within named James Paxton by Reading and Certified Copy, December 21st 1847

Wm H. Frank Coroner of Union Co. Ohio

for Service	35
Milage	40
Copy	10
	$ 85

STATE OF OHIO, UNION COUNTY, SS:

TO THE SHERIFF OF SAID COUNTY, GREETING.

We command you to summon James Paxton

to appear on the first day of our next term, before the Judges of our Court of Common Pleas, in and for the County aforesaid, at the Court House in said County to answer unto Jonas Figley

in a plea of Trespass damages five hundred dollars.

And have you then there this writ.

WITNESS, JOHN CASSIL, Clerk of our said Court, at the Court House aforesaid this 21st day of Decr. A. D. 1817.

John Cassil CLERK.