

**LAW  
RECORD  
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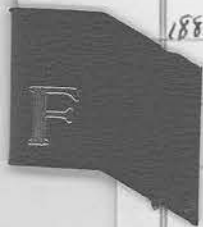
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*Charles A.*

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Case #	Plaintiff	VS	Defendant	by
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MOTION TO CITE DEFENDANT FOR CONTEMPT

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Annalee Sanns  
Plaintiff  
vs  
Richard Sanns  
Defendant

Case No. 18648  
Filed Dec 29, 1960  
Recorded January 6, 1961

Now comes Annalee Sanns the above named plaintiff, and represents to the Court that the above named defendant, Richard Sanns is in default of the order and decree heretofore made by this Court, on the 1st day of December, 1960, requiring the defendant to pay to the plaintiff, as children support the sum of Twenty and no/100 (\$20.00) Dollars per week. That the defendant has wholly failed to comply with said order and decree of the Court.

Wherefore the said Plaintiff prays that the said defendant may be cited to appear before this Court, and show cause why he should not be punished for contempt for default as above set forth.

Annalee Sanns  
By William J. Porter  
Attorney for Plaintiff

The State of Ohio, Union County.

Annalee Sanns, being first duly sworn according to law, says that she is the plaintiff in the above entitled action, and that the facts set forth in the foregoing motion are true.

Annalee Sanns  
A.D.

Sworn to before me and subscribed in my presence this 29th day of December, 1960.

William J. Porter  
Notary Public

NOTICE

Filed Dec 29, 1960

The above named Richard Sanns will take notice that a motion, of which the foregoing is a true copy, has been filed in the Common Pleas Court of Union County, Ohio, and that the same will be for hearing on Tuesday, the 3rd day of January, 1961, at 1 o'clock P.M. or as soon thereafter as the Court can hear the same.

Gwynn Sanders  
Judge

ENTRY

Filed Jan 3, 1961

This day this cause came on to be heard on the application of the plaintiff charging the defendant with contempt of Court by being in arrears of the payments to the plaintiff for the support of the children in the sum of one hundred dollars (\$100.00), to this charge the defendant Richard Sanns entered a plea of guilty.

In order to purge himself of contempt it was the order of the Court that he immediately pay to plaintiff the sum of one hundred dollars (\$100.00) for support of children, to the Clerk of this Court costs including attorney fees of fifty dollars (\$50.00), in the total sum of seventy nine dollars & 20/100 (\$79.20).

It was further ordered that the defendant be committed to the Union County jail for a period of sixty (60) days or until said payments as hereinabove enumerated were made.

APPROVED BY:  
William J. Porter  
Attorney for Plaintiff

Gwynn Sanders  
Judge

NOTICE TO SERVE

To the Sheriff of Union County, Greeting:

You are hereby commanded to serve the attached copy/copies of Motion & Notice heretofore filed in this case, upon the Defendant, Richard Sanns, 130 N. Walnut St., Marysville, Ohio and of your serve hereof, make due return to this office, on or before the 3rd day of Jan. A.D. 1961.

WITNESS my hand and seal of said Court, this 29th day of December, 1960.

Helen L. Sullivan  
Clerk of said Court

SHERIFF'S RETURN

Filed Jan. 5, 1961

The State of Ohio, Union County.

Received this writ Dec. 29th, 1960 at 2:40 o'clock P.M. And on Jan. 3rd, 1961 I served the within named Richard Sanns by personally handing to him a true and certified copy thereof with all the endorsements thereon.

\$1.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

COMMITMENT FOR CONTEMPT

The State of Ohio, Union County, ss.

To the Sheriff of said County, Greeting:

WHEREAS, in the action of \_\_\_\_\_ against Richard Sanns in cause No. 18648 in said Court, a charge was duly made against Richard Sanns as for contempt of Court, in this, to-wit: In Compliance with said Entry (60 days or until said fine, costs, support is paid.

And the Court having investigated said charge determined that said Richard Sanns was guilty of the contempt charged and did adjudge a fine of No Dollars against him, for the use of said Union County; and the costs taxed to Twenty Nine & 20/100 Dollars; and did further order and sentence him to be imprisoned for the period of 60 days, or until he complies with such requirement, or is otherwise legally discharged.

You are, therefore ordered to arrest and commit the body of the said Richard Sanns to the jail of the said County of \_\_\_\_\_, there to remain for the said period of 60 days or until he shall perform said judgment, as aforesaid, or he is otherwise legally discharged.

WITNESS my hand and the seal of said Court, at Marysville, Ohio, this 3rd day of Jan. A.D. 1961.

Helen L. Sullivan

SHERIFF'S RETURN

Filed Jan 6, 1961

The State of Ohio, Union County.

Received this writ Jan. 3rd, 1961 at 1:22 o'clock P.M. and pursuant to its command I did commit the body of the within named Richard Sanns within the confines of the Union County Jail to stay until such time that he complies with such requirement or is otherwise legally discharged.

Edward Amrine, Union County Sheriff  
By Deputy: Martha Rogers

WARRANT TO DISCHARGE PRISONER

The State of Ohio .  
Union County.  
To the Sheriff of said County:

Whereas, in the case of Annalee Sanns vs. Richard Sanns in said Common Pleas Court, the said Defendant having on the 5th day of January A.D. 1961, paid up all back alimony, court costs and attorney fees, per entry of Jan. 3, 1961. It was thereupon ordered that the said Defendant Richard Sanns be discharged from imprisonment. You are therefore ordered to discharge the said Richard Sanns from the jail of said County and from your custody as such Sheriff, forthwith.

WITNESS my hand and the seal of said Court, at Marysville, Ohio, this 5th day of January, 1961.

Helen L. Sullivan, Clerk of said Court  
By Eileen Daniels, Deputy

SHERIFF'S RETURN

The State of Ohio, Union County.  
Received this writ, this 5th day of January, 1961 at 1:18 o'clock P.M. and pursuant to the command thereof, I have discharged from the jail and from my custody as Sheriff of said County, the within named Richard Sanns.

Edward Amrine, Union County Sheriff  
Martha Rogers, Deputy

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Sandra Sisson, a minor  
19 years of age, by her mother  
and next friend, Esther Zigler,  
316 East Sixth Street,  
Marysville, Ohio  
Plaintiff

vs  
Robert Sisson  
3511 Maize Road,  
Columbus, Ohio  
Defendant

Case No. 18696  
Filed Jan 6, 1961  
Recorded Jan 6, 1961

On motion of the plaintiff, the motion for citation for contempt is hereby dismissed.

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff'

Gwynn Sanders  
Judge

PETITION

Lewis A. Balsiger  
2420 Marcia Drive  
Columbus, Ohio  
Plaintiff

vs  
Mable Ann Balsiger  
RR#3  
Plain City, Ohio  
Defendant

Case No. 18749  
Filed Nov 16, 1960  
Recorded Jan. 6, 1961

Plaintiff says that he has been a resident of the State of Ohio for more than one year immediately preceeding the filing of this petition, and that this action is one for divorce and that plaintiff's cause of action arose in Union County, Ohio.

Plaintiff further says that he and the defendant were married at Delaware Ohio on the 29th day of December 1952, and that the parties have two minor children as issue of said marriage, to-wit: Leora Balsiger age seventeen months and Timothy Ray Balsiger age four months.

Plaintiff says that the defendant has been guilty of gross neglect of duty and extreme cruelty towards this plaintiff, by reason of which he is entitled to a divorce.

Wherefore, plaintiff prays that he may be divorced from the said defendant; that he be awarded the custody, care and control of the parties minor children and for such other and further relief in the premises as the court may find to be just and equitable.

Luther L. Liggett  
Attorney for Plaintiff

STATE OF OHIO, UNION COUNTY, ss:

Lewis A. Balsiger, being first duly sworn, says that he is the plaintiff in the above entitled action, and that the facts stated and allegations contained in the foregoing petition are true as he verily believes.

Lewis A. Balsiger

Sworn to before me and subscribed in my presence this 16 day of November, 1960.

Luther L. Liggett  
Notary Public

PRECIPE

TO THE CLERK:

Issue summons in the above entitled cause with a copy of the petition directed to the Sheriff of Union County, Ohio for the Defendant, Mable A. Balsiger, RR#3, Plain City, Ohio, endorse "Action for divorce, custody of minor children and equitable relief" and make returnable according to law.

Luther L. Liggett  
Attorney for Plaintiff



ANSWER TO PLAINTIFF'S PETITION

Filed Nov. 17, 1960

For Answer to plaintiff's petition herein, Defendant admits the marriage of the parties; that there are two children issue of said marriage.  
Defendant says that plaintiff has not lived in Union County for over one year last past.  
Defendant further denies all the allegations of the petition not herein expressly admitted to be true.

Mable Ann Balsiger

STATE OF OHIO, UNION COUNTY, ss:

Mable Ann Balsiger, being first duly sworn, says that she is the defendant in the above entitled action, and that the facts stated and allegations contained in the foregoing Answer are true as she verily believes.

Mable Ann Balsiger

Sworn to before me and subscribed in my presence this 17th day of November, 1960.

Todd Hoopes  
Notary Public

SUMMONS IN DIVORCE

The State of Ohio Union County.  
To the Sheriff of Union County:

You are hereby commanded to notify Mable A. Balsiger Plain City, Ohio R#3, that Lewis A. Balsiger has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging her with Gross Neglect of duty & Extreme Cruelty and asking that he be divorced from her and that he be awarded the custody, care and control of the parties minor children and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.  
Said Sheriff will make due return of this summons on the 28th day of November, 1960.  
WITNESS my signature and the seal of said Court, this 16th day of November, 1960.

Helen L. Sullivan, Clerk

Filed Nov 18, 1960

SHERIFF'S RETURN

The State of Ohio, Union County.

Received this writ on the 16th day of Nov. 1960 at 2:06 o'clock P.M. and on the 16th day of Nov, 1960, I served the same by personally handing to the within named Mable A. Balsiger a true copy thereof, together with a certified copy of the petition filed against her in this cause.

\$4.20

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

JOURNAL ENTRY

Filed Jan. 6, 1961

This day this cause came on to be heard upon the petition of the plaintiff, the answer of the defendant and the evidence, and the Court finds that the plaintiff at the time of filing his petition had been a resident of the State of Ohio for one year next preceeding the filing of said petition and that the cause of action arose in Union County, Ohio.  
The Court further finds that the parties hereto were married on the 29th day of December 1952 at Delaware, Ohio, and that they have two minor children, Leora Balsiger and Timothy R. Balsiger as issue of said marriage.  
The Court further finds upon the evidence adduced, that the defendant has been guilty of gross neglect of duty and by reason thereof the Plaintiff is entitled to a divorce as prayed for.  
It is therefore ordered and adjudged by the Court, that the marriage contract heretofore existing between the said Lewis A. Balsiger and Mable Ann Balsiger be, and the same is hereby dissolved, and both parties are released from the obligations of the same. It is further ordered that the said Mable A. Balsiger shall have the exclusive care, custody and control of the parties two minor children and the defendant is granted reasonable rights of visitation; and that the plaintiff, Lewis A. Balsiger pay to the said Defendant, through the Clerk of this Court, the sum of ten dollars (\$10.00) per week per child for the support of said children until they are emancipated or until further order of this court.  
It is further ordered that the plaintiff pay the costs of this prosecution taxed at \$ , and that the Plaintiff pay to Todd Hoopes the sum of \$50.00 within sixty days, as attorney fees for the defendant.  
APPROVED BY:  
Luther L. Liggett  
Attorney for Plaintiff  
Todd Hoopes  
Attorney for Defendant  
Gwynn Sanders  
Judge

PETITION

F & R Lazarus & Co.  
Columbus, Ohio  
Plaintiff  
vs  
Phillip Lincoln and  
Mildred Lincoln  
R#1  
Milford Center, Ohio  
Defendants

Case No. 18597  
Filed March 2, 1960  
Recorded Jan. 7, 1961

Plaintiff is a corporation organized under the laws of the State of Ohio, with its principal place of business at Columbus, Ohio.  
Plaintiff says that on and prior to the 25th day of September, 1959, it sold goods and merchandise to the defendants from the time to time upon which defendants had made certain payments from time to time. That on the 25th day of September, 1959, an account was quoted between plaintiff and defendants upon which it was agreed there was due from defendants to plaintiff the sum of \$1982.63; no part of which as been paid.  
WHEREFORE, Plaintiff asks judgment against defendants for the sum of \$1982.63 with interest from September 25, 1959 and the costs of this action.

Hoopes & Hoopes  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:

C. A. Hoopes, being first duly sworn says that he is one of the attorneys for the plaintiff, a corporation, in the above entitled cause and that the facts stated and allegations made in the foregoing petition are true as he verily believes.

Sworn to before me and subscribed in my presence this 2nd day of March, 1960.  
C. A. Hoopes  
Eloise C. Smart  
Notary Public

PRECIPE

TO THE CLERK:



Issue summons to the Sheriff of Union County, for the defendants Phillip Lincoln and Mildred Lincoln, (Rt#1, Milford Center, Ohio), and make same returnable according to the law.  
Endorse summons, "Action for money, amount claimed \$1982.63 and Interest and costs."

Hoopes & Hoopes  
Attorneys for Plaintiff

SUMMONS IN ACTION FOR MONEY ONLY.

The State of Ohio, Union County.  
To the Sheriff of Union County:

You are hereby commanded to notify Phillip Lincoln and Mildred Lincoln, Milford Center, Ohio R#1 that they have been sued by F. & R. Lazarus & Co. in the Court of Common Pleas of said Union County, and must answer by the 2nd day of April A.D. 1960, or the petition of said plaintiff will be taken as true, and judgment rendered accordingly.  
Said Sheriff will make due return of this summons on the 14th day of March, 1960.  
WITNESS my hand and the seal of said Court, this 2nd day of March, 1960.

Helen L. Sullivan, Clerk  
Filed March 4, 1960

SHERIFF'S RETURN

The State of Ohio, Union County.  
Received this Writ March 2nd, 1960, at 9:30 o'clock A.. And on March 2nd, 1960, I served the within named Phillip Lincoln and Mildred Lincoln, Milford Center, Ohio R#1 by personally handing to each of them a true and certified copy thereof with all the endorsements thereon.

Edward Amrine, Union County Sheriff  
By Martha S. Rogers, Deputy

\$3.45

ENTRY

Filed Jan 7, 1961

Now comes the plaintiff by its attorneys and the defendants being in default for answer and demurrer, the court find the allegations of the petition are confessed by them to be true.  
Whereupon the court takes the account and finds that the defendants owe the plaintiff the sum of \$2131.31 with interest from January 6, 1961.  
It is therefore considered by the court that the plaintiff recover from the defendants said sum of \$2131.31 with interest and its costs herein expended.

Gwynn Sanders  
Judge

APPROVED:  
Hoopes & Hoopes  
Attorneys for Plaintiff

PETITION

Cecil Stithem  
Box 35  
Raymond, Ohio  
Plaintiff  
vs  
Norman Stithem  
% White Cottage  
Shawnee Hills, Ohio  
Defendant

Case No. 18735  
Filed Oct 26, 1960  
Recorded Jan. 9, 1961

Now comes plaintiff, Cecil Stithem who says she and the defendant Norman Stithem are husband and wife and that she has resided in Union County, State of Ohio, for more than one year prior to the filing of this petition; that she and the defendant Norman Stithem have one minor child, namely Carol Sue Stithem, now aged 14 years, who resides with her mother in Union County; that the defendant Norman Stithem has been guilty of gross neglect of duty in that for an extended period of time he has failed to provide for plaintiff and has resided with another woman in Delaware County, Ohio.

Plaintiff further says she and the defendant are owners of a residence in Raymond, Ohio, purchased approximately three years ago; that said property is worth about \$5500.00 with an indebtedness thereon in the sum of approximately \$4500.00, which property plaintiff is making the payments on and asks the equity therein be set off to her in division of property in this action.

WHEREFORE, plaintiff prays for a decree of divorce from the defendant, for custody and support of the minor daughter Carol Sue, for equity in the residence as and for permanent alimony, for attorney fees, costs of suit and such other relief as may be just and proper in the premises.

Sanders & Grigsby  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:  
Cecil Stithem, being first duly sworn, says the facts and allegations in the foregoing petition are true.

Cecil Stithem

Sworn to before me and subscribed in my presence this 26th day of October, 1960.

Joseph B. Grigsby  
Notary Public

PRECIPE

Filed Oct 26, 1960

TO THE CLERK:  
Please issue summons to the Sheriff of Delaware County, Ohio, for the defendant Norman Stithem, who may be served at White Cottage, Shawnee Hills, Delaware, Ohio.  
Endorse Summons "Action for Divorce, Custody, Alimony, Attorney Fees and Costs." Make same returnable according to law.

Joseph B. Grigsby  
Attorneys for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Delaware County:  
You are hereby commanded to notify Norman Stithem, who may be served at White Cottage, Shawnee Hills, Delaware, Ohio that Cecil Stithem has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with Gross Neglect of Duty and asking that she be divorced from him and for custody and support of the minor daughter, Carol Sue, for the equity in the residence as and for permanent alimony, for attorney fees, costs and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 7th day of November, 1960.  
WITNESS my signature and the seal of said Court, this 26th day of October, 1960.

Fee Deposited

Helen L.Sullivan, Clerk

SHERIFF'S RETURN

Filed Oct. 29, 1960

The State of Ohio, Delaware County.

Received this writ on the 27th day of October, 1960 at 10:30 o'clock AM. and on the 27th day of October, 1960, I served the same by personally handing to Norman Stithem a true copy thereof, together with a certified copy of the petition filed against him in this cause.

\$7.20

Harley Wornstaff, Sheriff  
By Orville Tossey, Deputy

JOURNAL ENTRY

Filed Jan 9, 1961

This cause having come on for hearing on the 30th day of December, 1960, on the petition of plaintiff, the defendant being in default of answer or demurrer, although duly served with process according to law, the Court finds from the evidence that plaintiff is and was for at least ninety (90) days prior to the filing of her petition a bona fide resident of Union County, Ohio, and that she has been a resident of the State of Ohio for more than one (1) year preceding the commencement of this action. The Court further finds that plaintiff and defendant are married and that there is one minor child, Carol Sue Stithem, as issue of this marriage; that defendant has been guilty of gross neglect of duty towards plaintiff; and that plaintiff is a proper person to have custody of said minor child. The Court further finds that plaintiff and defendant are the owners of a residence in Raymond, Ohio with an indebtedness thereon of approximately \$4500.00, and that plaintiff and defendant owe The First National Bank of Marysville, Ohio \$335.16, City Loan of Marysville, Ohio \$86.32, Lazarus, Columbus, Ohio \$41.32, Rohr Furniture of Marysville \$3500, Grant's, Columbus, Ohio \$14.50, Kay's Jewelers, Columbus, Ohio \$47.98, and Nelson's Furniture Co., Columbus, Ohio \$10.00.

It is ordered, adjudged and decreed that plaintiff be and hereby is granted a divorce from defendant and the marriage contract is hereby dissolved and that custody of the minor child of the parties be confided to plaintiff. It is further ordered, adjudged and decreed that the defendant pay the sum of Twenty Dollars (\$20.00) per week as support for said minor child, said sum to be paid to the Clerk of Common Pleas Court, Union County, Ohio, and that the defendant pay for all major medical expenses of said minor child; that the real estate owned by the parties is awarded to the plaintiff, to be her separate and individual property; that the defendant shall pay the following bills; within ninety (90) days from the date of this Entry:

First National Bank, Marysville, Ohio	\$335.16
City Loan, Marysville, Ohio	86.32
F. & R. Lazarus Co., Columbus, Ohio	41.32
Rohr Furniture Co., Marysville, Ohio	35.00
Grants, Columbus, Ohio	14.50
Kay's Jewelry Co., Columbus, Ohio	47.98
Nelson's Furniture Store, Columbus, Ohio	10.00

It is further ordered matters of custody and support for the minor child be subject to further order of this Court. Costs to Plaintiff.

APPROVED BY:  
Grigsby & Parrott  
Attorney for Plaintiff

Richard H. Finefrock  
Common Pleas Judge

PETITION FOR DIVORCE

Mary Jane Kazee  
613 S. Walnut Street  
Marysville, Ohio, a minor  
by Letha Gibson, her sister  
and next friend  
Plaintiff

Case No. 18745

vs  
Arlee Francis Kazee  
Dover, Ohio  
Defendant

Filed Nov. 7, 1960

Recorded Jan. 9, 1961

Now comes the Plaintiff a minor, by Letha Gibson her sister and next friend and for her cause of action says that she has been a bona fide resident of the State of Ohio and the County of Union therein for more than one year prior to the filing of this her petition for divorce.

That she and the Defendant were married on the 31st day of December, 1956, at Marysville, Ohio, and that one child has been born as issue of this marriage, to-wit: Boneta Marie Kazee, age two years.

Plaintiff further says that she and Defendant have no property.

Plaintiff further says that the Defendant Has been guilty of gross neglect of duty and extreme cruelty toward Plaintiff, the particulars of which will be proved at the time of trial.

WHEREFORE Plaintiff prays for a decree of divorce, custody of the minor child, temporary and permanent support for minor child and for such other and further relief as she may be found entitled either in law or in equity.

Lloyd George Kerns  
Attorney for Plaintiff

STATE OF OHIO, UNION COUNTY, ss:

Letha Gibson being first duly sworn says that she is the sister and next friend of Mary Jane Kazee and that the facts stated and allegations contained in the foregoing petition are true as she verily believes.

Letha Gibson  
Lloyd George Kerns  
Notary Public

Sworn to before me and subscribed in my presence this 8th day of October, 1960.

PRECIPE

Filed Nov 7, 1960

TO THE CLERK:

Please issue summons together with a certified copy of petition for divorce for the Defendant Arlee Francis Kazee whose last known residence was Oakland Hotel, Marysville, Ohio, directed to the Sheriff of Union County, Ohio, for service. Endorse thereon "Action for divorce, custody of minor child, temporary and permanent support for minor child and equitable relief."

Make same returnable according to law.

Lloyd George kerns  
Attorney for Plaintiff



SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:

You are hereby commanded to notify Arlee Francis Kazee, Oakland Hotel, Marysville, Ohio that Mary Jane Kazee, a minor by Letha Gibson, her sister and next friend, has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with Gross Neglect of Duty & Extreme Cruelty and asking that she be divorced from him and custody of the minor child, temporary and permanent support for minor child and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.  
Said Sheriff will make due return of this summons on the 21st day of November, 1960.  
WITNESS my signature and the seal of said Court, this 7th day of November, 1960.

Helen L. Sullivan, Clerk  
Filed Nov. 10, 1960

SHERIFF'S RETURN

The State of Ohio, Union County:

Received this writ on the 7th day of Nov. 1960 at 3:20 o'clock P.M. and on the 8th day of Nov. 1960, I served the same by personally handing to the within named Arlee Francis Kazee a true copy thereof, together with a certified copy of the petition filed against him in this cause.  
\$1.60  
Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

PRECIPE FOR SUBPENA - IN CIVIL CASE

Filed Dec 29, 1960

To the Clerk:-Issue Subpena for

1. George DeBolt, in care of Fred Kleiber, E. 5th St., Marysville, Ohio to appear as witnesses in above named case, on Dec. 30, 1960 A.D. 19 , at 2:30 o'clock P.M. Requires on behalf of the Plaintiff.  
Lloyd George Kerns  
Attorney for the Plaintiff

SUBPENA

The State of Ohio, Union County

To George DeBolt, in care of Fred Kleiber, E. 5th St., Marysville, Ohio      O                      P                      12-29-60

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 30th day of December A.D. 1960, at 2:30 o'clock P.. to testify as a witness in a certain case pending in said Court, wherein Mary Jane Kazee Plaintiff, and Arlee Francis Kazee Defendant, and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.  
Said Court requires your said attendance on behalf of the Plaintiff.  
Witness my hand and the seal of said Court, this 29th day of Dec. 1960.

Helen L. Sullivan, Clerk  
Filed Dec. 30, 1960

RETURN OF SERVICE

I received this writ on the 29th day of Dec. 1960, at 2:40 o'clock P.M. and served the persons named therein, on the day and in the manner indicated against each name.  
\$.60  
Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

DECREE OF DIVORCE

Filed Jan. 9, 1961

This cause came on to be heard on the petition and the evidence and on consideration the Court finds that the Defendant has been duly served with summons personally according to law and that he is in default for answer or demurrer and that the facts set forth in the petition are true; that the Plaintiff was a resident of the State of Ohio for more than one year and a bona fide resident of Union County for more than ninety days on the filing of her petition and that the parties were married as in the petition set forth.  
The Court further finds that one child, Boneta Marie Kazee, aged two years was born as issue of the marriage as alleged in the petition.  
The Court further finds that the Defendant has been guilty of gross neglect of duty and extreme cruelty as alleged in the petition and that by reason thereof Plaintiff is entitled to a decree of divorce as prayed for.  
It is therefore ordered, adjudged and decreed that the Plaintiff be and she is hereby granted a divorce from the Defendant and the marriage contract heretofore existing be, and the same hereby is dissolved and set aside.  
It is therefore ordered, adjudged and decreed that the custody of the minor child above named be and is hereby awarded to the Plaintiff and that the Defendant pay to the Plaintiff through the Clerk of this Court for the support of said minor child the sum of Twenty (20.00) Dollars per week plus poundage, and that Defendant pay the extra ordinary medical expenses of said child, until further order of this Court; Defendant is hereby accorded reasonable rights of visitation with said minor child.  
It is further ordered and decreed that Plaintiff pay the cost of this proceeding.  
Dated this 5th day of January, 1961.

APPROVED BY:  
Lloyd George Kerns  
Attorney for Plaintiff

Richard H. Finefrock  
Judge

PETITION FOR DIVORCE

Mary Bosse  
R.F.D.  
Richwood, Ohio  
Plaintiff  
vs  
Norman Bosse  
R.F.D.  
Richwood, Ohio  
Defendant

Case No. 18708  
Filed Sept 17, 1960  
Recorded Jan. 9, 1961

Now comes the Plaintiff and says that she is now and has been for more than one year next immediately preceeding the filing of this petition, a bona fide resident of the State of Ohio, and has been for at least 90 days last past a bona fide resident of the County of Union.  
That the Plaintiff and the Defendant were married on the 12th day of February, 1947, at Green Cemtp, Ohio, and that two children have been born as issue of said marriage, to-wit: Rodney, aged 12 years and Cheryl, aged 11 years.

7

Plaintiff further says that she and Defendant have entered into a written agreement in regard to property rights. Plaintiff further says that the Defendant has been guilty of gross neglect of duty and extreme cruelty toward the Plaintiff, the particulars of which said allegations will be furnished to Defendant or his counsel upon request and will be fully proven upon trial.

WHEREFORE Plaintiff prays that she may be divorced from the Defendant, custody of the minor children, support for minor children, confirmation of property settlement and for such other and further relief as the Plaintiff may be found entitled, either in law or in equity.

Lloyd George Kerns  
Attorney for Plaintiff

STATE OF OHIO, UNION COUNTY, ss:

Mary Bosse being first duly sworn says she is the Plaintiff herein and that the facts stated and allegations contained in the foregoing pleading are true as she verily believes.

Mary Bosse

Sworn to before me and subscribed in my presence this 8th day of September, 1960.

Lloyd George Kerns  
Notary Public

PRECIPE

Filed Sept 17, 1960

TO THE CLERK:

Please issue summons together with a certified copy of Petition for Divorce in the above entitled action directed to the Sheriff of Union County, Ohio, upon the Defendant who resides on the J. T. Reed, road York Twp, 1 mile East of State Route #47.

Endorse thereon "petition for divorce, custody of the minor children, support for minor children, confirmation of property settlement and equitable relief.

Make same returnable according to law.

Lloyd George Kerns  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:

You are hereby commanded to notify Norman Bosse, Richwood, Ohio R.F.D. (resides on the J. T. Reed Road, York Twp., 1 mi. East of State Route #47) that Mary Bosse has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with Gross Neglect of Duty & Extreme Cruelty and asking that she be divorced from him and custody of the minor children, support for minor children, confirmation of property settlement and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 26th day of Sept. 1960.

WITNESS my signature and the seal of said Court, this 17th day of Sept. 1960.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

Filed Sept 27, 1960

The State of Ohio, Union County.

Received this writ on the 17th day of Sept. 1960 at 11:15 o'clock AM. and on the 23rd day of Sept. 1960, I served the same by personally handing to the within named Norman Bosse a true copy thereof, together with a certified copy of the petition filed against him in this cause.

\$4.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

ANSWER

Filed Oct 27, 1960

Now comes defendant and admits that he and plaintiff were married on the 12th day of February, 1947, as stated in the petition, and that two children were born as issue of this marriage.

Defendant further admits that a written agreement in regard to a property settlement has been entered into with plaintiff.

Further answering defendant denies each and every other allegation contained in said petition, not specifically herein admitted to be true.

Sanders & Grigsby

STATE OF OHIO, COUNTY OF UNION, SS:

Norman Bosse, being first duly sworn,, says he is defendant in the above entitled action, and that the facts and allegations contained in the foregoing answer are true as he verily believes.

Sworn to before me and subscribed in my presence this 25th day of October, 1960.

Norman C. Bosse  
Richard E. Parrott  
Notary Public

PRECIPE FOR SUBPENA - IN CIVIL CASE

Filed Dec 28, 1960

To the Clerk: - Issue Subpena for

1. Rachel Erwin, Richwood, Ohio, S. Franklin St., to appear as witnesses in above named case, on Friday, December 30, A.D. 1960, at 2 o'clock P.M. Required on behalf of the Plaintiff.

Ralph C. Godwin  
Att'y for the Plaintiff

SUBPENA

The State of Ohio, Union County

To Rachel Erwin, S. Franklin St., Richwood, Ohio 34 P 12-29-60

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 30th day of December A.D. 1960, at 2:00 o'clock P.M. to testify as a witness in a certain case pending in said Court, wherein Mary Bosse Plaintiff, and Norman Bosse Defendant, and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the Plaintiff.

Witness my hand and the seal of said Court, this 28th day of December, 1960.

Helen L. Sullivan, Clerk

RETURN OF SERVICE

Filed Dec 30, 1960

I received this writ on the 28th day of Dec. 1960 at 11:30 o'clock A.M. and served the persons named therein, on the day and in the manner indicated against each name.

\$4.00

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy



JOURNAL ENTRY

Filed Jan. 5, 1961

Upon motion of the defendant, by his attorney, the Answer in the above-entitled action is hereby dismissed.

APPROVED BY:

Lloyd George Kerns  
Attorney for Plaintiff  
Grigsby & Parrott  
Attorney for Defendant

Gwynn Sanders  
Judge

DECREE OF DIVORCE

Filed Jan 9., 1961

This cause came on to be heard on the petition, the Defendant having heretofore withdrawn his answer filed herein, and upon the evidence, and upon consideration the Court finds that the Plaintiff was a resident of the State of Ohio for more than one year and was a bona fide resident of Union County for more than ninety days, next before the filing of the petition and that the parties were married as in the petition alledged.

The Court further finds that two children have been born as issue of this marriage, to-wit: Rodney, aged 12 years and Cheryl, aged 11 years, as alledged in the petition.

The Court further finds that the Defendant has been guilty of gross neglect of duty and extreme cruelty as alledged in the petition and that the Plaintiff is entitled to a decree of divorce by reason thereof, as prayed for.

It is therefore ordered, adjudged and decreed that the Plaintiff be and she hereby is granted a divorce from the Defendant and the marriage contract heretofore existing be and hereby is dissolved and set aside.

It is further ordered, adjudged and decreed that the custody of the two minor children above named be and hereby is awarded to the Plaintiff and the Defendant is hereby ordered to pay to the Plaintiff through the Clerk of this Court for the support of said minor children the sum of Twenty-five (\$25.00) Dollars plus poundage per week until further order of this Court.

The Court further finds that the parties hereto have entered into a separation agreement which this Court finds to be fair and equitable and the Court hereby orders that said separation agreement shall be incorporated herein by reference as Exhibit "A" and attached hereto and made a part hereof as if fully rewritten in this entry.

It is further ordered and decreed that the Plaintiff pay the costs of this proceeding.

Dated this 5th day of January, 1961.

APPROVED BY:

Lloyd George Kerns  
Attorney for Plaintiff  
Richard E. Parrott  
Attorney for Defendant

Richard H. Finefrock  
Judge

EXHIBIT A - SEPARATION AGREEMENT

This agreement made at Richwood, Ohio, this 7th day of September, 1960, by and between Norman Bosse and Mary Bosse, husband and wife, WITNESSETH:

That whereas, unfortunate differences have arisen between the parties hereto rendering it impossible fro them to hereafter live together, and said parties have agreed upon an immediate separation, and;

Whereas, the said Norman Bosse has this day agreed to transfer and assign over to Mary Bosse all of his right, title and interest in and to the household goods of the parties and the 1954 Plymouth automobile and does hereby assign and set over unto her the same, and;

Whereas both parties hereto have mutually agreed to the sale of the fifty-three acre farm in York Township, Union County, Ohio, by a real estate broker and that from the proceeds from said sale all debts incurred by the parties during their marriage be paid, the balance, if any, remaining after the payment of said debts, to be divided equally between the parties hereto, and;

Whereas the said Mary Bosse has agreed to assign and does hereby assign and set over unto the said Norman Bosse any interest she may have in and to the 1953 Plymouth automobile.

It is further agreed that the children of the parties hereto shall be in the following exclusive custody, care and control, to-wit: Rodney, age 12 and Cheryl, age 11, shall be in the exclusive custody of Mary Bosse, during their minority, and that the said Norman Bosse agrees to pay to Mary Bosse for the support of said children during minority the sum of Twenty-five Dollars per week, due on Saturday of each week hereafter; the said Norman Bosse to be accorded all reasonable rights of visitation with said children; the said Norman Bosse is hereby permitted to claim said children as exemptions on his income tax reports and agrees to the best of his ability to bear any extra ordinary medical or hospital expense incurred in connection with said children.

Now therefore in consideration of the premises the said Mary Bosse hereby releases the said Norman Bosse from all obligations of future support for herself, and she does further release and relinquish unto the said Norman Bosse, his heirs, executors, administrators and assigns, all rights and claims by way of dower, inheritance and descent, in and to the real property of the said Norman Bosse, now owned or hereafter acquired, and any and all rights or claims to a distributive share of his personal estate, now owned or hereafter acquired, and all claims for an allowance for twelve months support and to reside in his mansion house, and all rights or claims as widow, heir, distributee, survivor or next of kin, in or to the estate of the said Norman Bosse, whether real or personal, and whether now owned or hereafter acquired, and all otherrights or claims of every kind and nature arising or growing out of said marriage relation; and the said Mary Bosse further agrees that she will not contract any debts on the credit of the said Norman Bosse or incur any liability on his behalf, nor ask further support from the said Norman Bosse should divorce proceedings be instituted.

And the said Mary Bosse for the considerations aforesaid agrees that the said Norman Bosse shall be at full liberty to dispose of all his property, real and personal, by Last Will and Testament free from all claims, interest or right in favor of the said Mary Bosse, and that upon his death all of hisproperty which shall not have been so disposed of shall descent to vest in and be distributed to such persons as would be entitled thereto, by the statute of descent and distribution of the State of Ohio then in effect, had the said Mary Bosse died during the life of the said Norman Bosse.

And the said Norman Bosse for consideration aforesaid does hereby release and relinquish to the said Mary Bosse, her heirs, executors and assigns, all rights or claims of dower, inheritance, descent, distribution, and all rights or claims as widower, heir, distributee, survivor or next of kin, and all otherrights or claims in any manner arising or growing out of said marriage relation now existing between the parties, in or to the estate of the said Mary Bosse, real, or personal or mixed now owned or hereafter acquired, but by these presents the said Norman Bosse shall be forever barred therefrom.

Witness our hands the day and year first above written.

IN THE PRESENCE OF:

Lloyd George Kerns:  
Ralph C. Godwin

Norman C. Bosse  
Mary Bosse

STATE OF OHIO, UNION COUNTY, SS:

Personally appeared before me the undersigned a Notary Public in and for the State of Ohio, the above named Norman Bosse and Mary Bosse, who did acknowledge that they signed the foregoing instrument and that the same is their free act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Richwood, Ohio, this 7th day of September, 1960.

Lloyd George Kerns  
Notary Public

PETITION

Eleanor J. Carroll  
RR#5  
Marysville, Ohio  
Plaintiff  
vs  
Thomas C. Carroll  
N. Main St.  
Marysville, Ohio  
Defendant

Case No. 18713  
Filed Sept 22, 1960  
Recorded Jan. 11, 1961

Plaintiff says that she has been a resident of the State of Ohio for more than one year immediately preceeding the filing of this petition and a bona fide resident of Union County for more than ninety days immediately prior to the filing of this petition.

Plaintiff further says that she and the defendant were married at Graceland, Kentucky on the 6th day of August 1948 and that four children have been born as issue of said marriage, to-wit: Wanda Carroll age 11, Patty Carroll age 7, JoAnne Carroll age 5 and Tommy Carroll age 3.

Plaintiff says that she has always conducted herself as becomes a dutiful wife, but that the defendant has been guilty of gross neglect of duty and extreme cruelty towards this plaintiff, by reason of which she is entitled to a divorce.

Plaintiff further says that the parties are the owners of a house and two acres of real estate located in Paris Township, Union County, Ohio, and on State Route #275; a 1960 Model Falcon two door automobile; a 1959 model Ford pickup truck; a retail business known as "Carroll's Carry Out and Party Store; located at 115 S. Plum St. Marysville; four registered ponies and one grade pony; and a savings account and Christmas Savings Account at the First National Bank, Marysville, Ohio; all of said property having been acquired by the parties since their marriage; and that plaintiff has contributed her labor and earnings toward the acquisition of said property by being gainfully employed and by working in said retail business.

Wherefore, plaintiff prays that she may be divorced from the said defendant; that she be awarded the custody, care and control of the parties minor children; for temporary and permanent support for said minor children and for temporary and permanent alimony for herself; that she may be awarded her costs and attorney fees and for such other and further relief in the premises as the court may find to be just and equitable.

Luther L. Liggett  
Attorney for Plaintiff

VERIFICATION

STATE OF OHIO, UNION COUNTY, SS:

Eleanor J. Carroll, being first duly sworn, says that she is the plaintiff in the above entitled action, and that the facts stated and allegations contained in the foregoing petition are true as she verily believes.

Eleanor J. Carroll

Sworn to before me and subscribed in my presence this 22 day of September, 1960.

Luther L. Liggett  
Notary Public

TO THE CLERK:

Issue summons in the above entitled cause with a copy of the petition, motion and entry, for the defedant Thomas C. Carroll, directed to the Sheriff of Union County, Ohio, endorse, "Petition for Divorce, temporary and permanent support, temporary and permanent alimony, injunction and equitable relief" and make returnable according to law.

Luther L. Liggett  
Attorney for Plaintiff

MOTION

Filed Sept 22, 1960

Now comes Eleanor J. Carroll, plaintiff herein by her attorney, and moves the court for an order directing the defendant to pay to her prior to final hearing herein, a reasonable sum for alimony and support, together with a reasonable sum for her attorney fees in this cause; and further moves the court for a restraining order enjoining the defendant from selling, mortgaging, transferring or otherwise disposing of the property mentined in her foregoing petition for divorce.

Luther L. Liggett  
Attorney for Plaintiff

ENTRY

Filed Sept 22, 1960

This matter coming before the Court on plaintiff's motion for temporary alimony and support, attorney fees and restraining order, it is ordered by the court that a hearing be had on said motion before the court on the 26th day of September, 1960 at 2:30 o'clock P.M.

Robert F. Allen  
Judge

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County.

You are hereby commanded to notify Thomas C. Carroll that Eleanor J. Carroll has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, Motion & Entry, (a copy of which accompanies this summons) charging him with gross neglect of duty and extreme cruelty and asking that she be divorced from him and that she be awarded the custody, care, and control of the parties minor children; for temporary and permanent support for said minor children and for temporary and permanent alimony for herself; that she may be awarded her costs and attorney fees and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.  
Said Sheriff will make due return of this summons on the 3rd day of October, 1960.



WITNESS my signature and the seal of said Court, this 22nd day of September, 1960.

Helen L.Sullivan  
Clerk

SHERIFF'S RETURN

Filed Sept. 27, 1960

The State of Ohio, Union County.

Received this writ on the 23rd day of Sept. 1960 at 9:22 o'clock A.M. and on the 23rd day of Sept. 1960, I served the same by personally handing to the within named Thomas C. Carroll a true copy thereof, together with a certified copy of the petition filed against him in this cause.

\$1.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

JOURNAL ENTRY

Filed Jan 11, 1961

This day this cause came on to be heard upon the petition of the plaintiff, and the evidence, and the Court finds that the Defendant is in default for answer or demurrer to the petition, thereby confessing the allegations thereof to be true.

The Court further finds that the Plaintiff, at the time of filing her petition, had been a resident of the State of Ohio for one year next prior thereto and was, at the time of filing said petition and for at least ninety days immediately preceeding the same, a bona fide resident of Union County; that the parties were married on the 6th day of August 1948 at Graceland Kentucky and that four children have been born as issue of said marriage, to-wit: Wanda Carroll, age 11, Patty Carroll, age 7, Jo-Anne Carroll age 5, and Tommy Carroll age 3 years.

The Court further finds, upon the evidence adduced, that the Defendant has been guilty of gross neglect of duty and extreme cruelty and by reason thereof the Plaintiff is entitled to a divorce as prayed for.

It is therefore ordered and adjudged by the Court, that the marriage contract heretofore existing between the said Eleanor J. Carroll and Thomas C. Carroll be, and the same is hereby dissolved, and that both parties are released from the obligations of the same. It is further ordered that the said Eleanor J. Carroll shall have the exclusive care, custody and control of the parties four children and the Defendant is granted reasonable rights of visitation, and that the Defendant pay to the said Plaintiff, through the Clerk of this Court, the sum of forty-five dollars (\$45.00) per week for the support of said children until they are emancipated or until further order of this Court.

The Court further finds that the parties herein have entered into a separation agreement settling all property rights and all claims arising as a result of their marriage relationship, which separation agreement the Court hereby approves and incorporates said agreement in, and makes it a part of this decree of divorce, and further orders that defendant is to furnish suitable transportation in the way of an automobile satisfactory to plaintiff with defendant paying for or financing the same.

It is further ordered that the defendant pay the costs of this prosecution.

Gwynn Sanders  
Judge

APPROVED BY:

Luther L. Liggett  
Attorney for Plaintiff

Hoopes & Hoopes  
Attorney for Defendant

SEPARATION AGREEMENT

This agreement made and concluded at Marysville, Ohio, this 13 day of December, 1960, by and between, Thomas C. Carroll and Eleanor J. Carroll, husband and wife, WITNESSETH:

THAT WHEREAS, unfortunate differences have arisen between the parties and as a consequence thereof they have separated and are living separate and apart; AND

WHEREAS, the said parties are the joint owners of the household goods and furniture; a 1960 Falcon two-door automobile; a one-story frame house and two acres of land located in Paris Township, Union County, Ohio, on State Route 275; four registered ponies and one grade pony and a retail business known as "Carroll's Carry Out and Party Store" located at 115 South Plum Street, Marysville, Ohio, and now in the name of Thomas C. Carroll, the parties heretofore have entered into this agreement to settle all property rights and all claims heretofore existing and any and all claims arising in the future as a result of their marriage relationship.

NOW THEREFORE, in consideration of the premises and of the covenants herein contained, the parties hereto agree as follows:

1. That they will sell and dispose of immediately, the five ponies belonging to the parties.

In consideration of the premises and of the agreements of the said Eleanor J. Carroll herein contained the said Thomas C. Carroll agreed with the said Eleanor J. Carroll as follows:

1. That he will immediately and does hereby assign, convey and transfer to the said Eleanor J. Carroll all his right, title and interest in all of the household goods and furniture owned by the said parties.
2. That he will immediately execute and deliver to the said Eleanor J. Carroll a quit-claim deed for all his right, title and interest to the parties' residence property located on State Route 275, Paris Township, Union County, Ohio.
3. That he will assume and pay the real estate mortgages and liens now existing on the said residence property owned by the parties located on Route 275, Paris Township, Union County, Ohio, and will continue to make said mortgage and lien payments and will immediately execute and deliver to the said Eleanor J. Carroll a promissory note in the amount of \$2500.00 and a chattel mortgage in the same amount securing said note on all the furniture, fixtures and equipment located in and used in Carroll's Carry-Out and Party Store located at 115 South Plum Street, Marysville, Ohio. Said note and mortgage are on the condition that when the principal sum of the mortgage to the Citizens Federal Savings & Loan Association of Marysville, Ohio, has been reduced to the sum of \$4300.00 the said note and mortgage shall be void and of no effect and the said Eleanor J. Carroll shall cancel the same.
4. That he hereby covenants and agrees that the said Eleanor J. Carroll shall have the sole and exclusive custody, control and care of the children of the parties hereto, Wanda Carroll, aged eleven years; Patty Carroll, aged seven years; Joanne Carroll, aged five years and Tommy Carroll, aged three years.
5. That Thomas C. Carroll will continue to carry adequate hospitalization insurance on said minor children during their minority.
6. That he will pay to Eleanor J. Carroll the sum of Forty-five Dollars (\$45.00) per week as support for said four minor children.

In consideration of the premises and of the agreements of the said Thomas C. Carroll herein contained, the said Eleanor J. Carroll hereby agrees with the said Thomas C. Carroll as follows:

1. That she hereby covenants and agrees that she will not in any manner incur or contract any debts on the credit of the said Thomas C. Carroll, and that she will not ask for nor apply for any alimony, either temporary or permanent and that the promises and agreements of the said Thomas C. Carroll herein contained, when fully executed by him shall be in full satisfaction of all such claims.
  2. That the said Thomas C. Carroll may visit said children at all reasonable times and may have said children with him temporarily upon the mutual agreements between these parties.
  3. That she will immediately, and does hereby assign, convey and transfer to the said Thomas C. Carroll all her right, title and interest in all of the furnishings, furniture, fixtures, signs, utensils, equipment, inventory, implements, contents and wares in property located in the retail business establishment known as "Carroll's Carry-out and Party Store; 115 South Plum Street, Marysville, Ohio.
- That each of the parties hereto may freely or otherwise dispose of his or her own property by deed or last will



and testament, and each party is by these presents forever barred from any rights or claims by way of dower, inheritance, descent, distribution, allowance for year's support, right to remain in the mansion house, survivor, next of kin, and all other rights whatsoever, in or to the estate of the other, whether real or personal and whether now owned or hereafter acquired, which may in any manner, arise or accrue by virtue of said marriage.

It is further agreed between the parties that in the event they are divorced that this contract shall be made a part of such decree of divorce.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names the day and year first above written.

SIGNED IN THE PRESENCE OF

William S. Hoopes

Luther L. Liggett

Thomas C. Carroll

Eleanor J. Carroll

CONTINUED FROM BOOK 77 PAGE 550

Annis Carlene Wooley Titus  
R.R.3  
Richwood, Ohio  
Plaintiff

Dwight Irwin Wooley  
755 Wedgewood Drive, Apt. 5  
Columbus, Ohio  
Defendant

Case No. 18189

Filed Jan 13, 1961

Recorded Jan 13, 1961

This day came into court the parties by their attorneys and respectively reported to the court that Thomas J. Wooley, the minor child of the parties and presently age 4 years, has been residing with the Defendant in Columbus, Ohio for approximately six months.

Upon consideration thereof the court finds that it would be for the best interest of said minor child and for the best interest of the parties hereto that the previous order of this court be amended and the care, custody and control of said minor child be awarded to the Defendant.

It is therefore the order of this court that the care, custody and control of Thomas J. Wooley be awarded to the Defendant; that the payments heretofore ordered paid by the Defendant to the Plaintiff be discontinued, and the Plaintiff shall have all reasonable rights of visitation of said minor child.

APPROVED BY:  
Todd Hoopes  
Attorney for Plaintiff

Gwynn Sanders  
Judge

William L. Coleman  
Attorney for Defendant

PETITION

Mary G. Seitz  
Plaintiff

vs  
Richard R. Seitz  
Donald D. Seitz, age 13  
Defendant

Case No. 18156

Filed Oct 25, 1957

Recorded Jan. 17, 1961

Plaintiff says that she has a legal estate in fee simple of the undivided 2/3 part as tenant in common of the following described property, situated in the county of union, State of Ohio.

Situated in the Township of Allen, County of Union, State of Ohio, and being in Survey No. 6295.

Beginning at a stone at the N. East corner of 52.50 acre tract of land owned by John Asman; thence N. 58 deg. E. 35.03 poles to a stake in the south line of John Connolly's land; thence South 32 deg. 40' East 63.72 poles to an iron stake in the center of the Milford and Amrine Mill Road; thence with the center of said Road South 58 deg. 20' W. 36.24 poles to a stone at the south east corner to John Asman's land; thence with the east line of said Asman's land north 31 deg. 40' West 63.54 poles to the place of beginning, containing 14.17 acres.

Also the following premises situated in the State of Ohio, County of Union, and the Township of Union, being part of Survey No. 3459. Bounded and described as follows:

Beginning at a stake, ash, hickory, and red oak, (Ash and Hickory ) down ) one of the original corners of said Survey, South 35 1/2 deg. East 72 1/5 poles to a stone in the township road; thence south 43 deg. west 55.4 poles to a stone; thence north 35 1/2 deg. west 72 1/5 poles to a stone in one of the original lines of said survey and in the Amrine Road and from which a Red oak bears north 14 1/4 deg. east 3 poles 2 links and Burr oak bears South 88 1/2 deg. West 3 4/5 poles; thence with said original line correcting course thereof north 54 deg. East 55.1 poles to the place of beginning, containing 25 acres.

Also the following premises, situated in said Survey No. 3459, and bounded and described as follows:

Beginning at a stake in the center of the Milford and Amrine Gravel Road and northeast corner to lands owned by Ettie E. Paugh, thence with the east line of said Paugh's land South 32 deg. 30' East 72.20 poles to a stake, corner to said Paugh's land and in the line of Philip Herre's land; thence with said Herr's line north 57 deg. 30' East 35.40 poles to a stake; thence North 32 deg. West 72.40 poles to a stake in the center of said Gravel Road; thence with the center of said Gravel Road South 57 deg. 30' West 35.60 poles to the place of beginning, containing 16 acres.

Also the following premises, situated in said Survey No. 3459 and bounded and described as follows:

Beginning at a stake in the center of the Milford And Amrine Gravel Road and North east corner of lands owned by Lottie May Lucas; thence with the east line of said Lucas land South 32 deg. 30' East 92.80 poles to a stake and stone, corner to said Lucas land in the north line of lands owned by Robert H. Keyes and others; thence with said Keyes line North 57 deg. 30' East 15.52 poles to a stone in the line of Philip Herre's land; thence with 2 consecutive lines of said Herre's land North 31 deg. 30' West 20.60 poles to a stake; thence North 57 deg. 30' East 15.50 poles to a stake corner of William B. Davis land; thence with the west line of said Davis land north 32 deg. 30' West 72.20 poles to a stake in the center of said Milford and Amrine Gravel Road; thence with center of said Gravel Road South 57 deg. 30' West 30.82 poles to the place of beginning. Containing 16 acres.

Containing in all 71.17 acres.



Being the same premises conveyed from Connecticut Mutual Life Insurance Company to Irvine M. Seitz and Mary G. Seitz by Warranty Deed dated Dec. 21, 1936 and recorded in Deed Book 153 Page 41 of Union County Deed Records.

That on the 21st day of December, 1936 this Plaintiff and her husband Irvine M. Seitz acquired the above described premises as tenants in common by deed recorded in Volume 153, Page 41 of Union County Deed Records.

That thereafter upon the death of Irvine M. Seitz, his undivided  $\frac{1}{2}$  interest was transferred equally to the Plaintiff, Richard Seitz and Donald Seitz by Certificate of Transfer recorded in Volume 197 Page 467 of Union County Deed Records. That at the present time the ownership of said premises is vested as follows: Mary G. Seitz, Undivided  $\frac{2}{3}$  interest, Richard Seitz, Undivided  $\frac{1}{6}$  interest and Donald Seitz, Undivided  $\frac{1}{6}$  interest.

Plaintiff alleges she is filing this friendly partition action to clear the title to the real estate.

Wherefore, Plaintiff prays to have her interest set off to her in severalty, if the same can be done without manifest injury to the whole. If not, that said premises be sold and she be paid her proper share thereof and for such other and further orders and relief as may be just and proper.

William L. Coleman  
Attorney for Plaintiff

STATE OF OHIO, COUNTY OF UNION, SS:

Mary G. Seitz, being first duly cautioned and sworn, says that she is the Plaintiff in the foregoing cause of action, and that the facts stated and allegations contained therein are true to the best of her knowledge and belief.

Mary G. Seitz

Sworn to before me and subscribed in my presence this 15th day of October, 1957.

William L. Coleman  
Notary Public

WAIVER

Filed Oct. 25, 1957

Now comes Richard R. Seitz, defendant in this action, and waives service of summons and enters his appearance in this action.

Richard R. Seitz

PRECIPE

Filed Oct 25, 1957

TO THE CLERK: Issue summons in the above action to the Sheriff of Union County for service upon the defendant Donald D. Seitz, Age 13, and upon Mary G. Seitz, his mother, the person with whom he resides.

William L. Coleman  
Attorney for Plaintiff

SUMMONS IN ACTION FOR PARTITION

The State of Ohio, Union County.  
To the Sheriff of said County:

You are commanded to notify Donald D. Seitz and Mary G. Seitz, his mother, that a petition was filed against him on the 25th day of October, A.D. 1957, in the Court of Common Pleas of said Union County, by Mary G. Seitz and is now pending, wherein the said petitioner demands partition of the following described real estate, to-wit: (same as in the petition) and that they must answer by the 23rd day of November, 1957, or such petition will be taken as true, and partition will be made of said premises according to law.

Said Sheriff will make due return of this summons on the 4th day of November, 1957.

WITNESS my hand and the seal of said Court, at Marysville, Ohio, this 25th day of October, 1957.

Helen L. Sullivan  
Clerk of Courts

SHERIFF'S RETURN

Filed Oct 28, 1957

Sheriff's Office, Union County, Ohio  
Oct. 26th, 1957

and on the 26th day of Oct. 1957

Received this writ Oct 25th, 1957 at 10:45 o'clock A.M./and served the within named Donald D. Seitz and Mary G. Seitz, his mother, by personally handing to each of them a true and certified copy of the original writ with all endorsements thereon:

\$2.38

Edward Amrine, Union County Sheriff  
Martha S. Rogers, Deputy

APPLICATION FOR APPOINTMENT OF GUARDIAN AD LITEM

Filed Nov. 28, 1960

To the Hon. Robert F. Allen, Acting Judge of said Court:

Now comes Robert O. Hamilton, Attorney for Plaintiff and makes application for the appointment of a Guardian Ad Litem for Donald D. Seitz a minor 16 years of age and minor over 16 years of age, defendant herein, upon whom summons was duly served according to law, and suggests that Luther L. Liggett who is a suitable person be appointed as such Guardian Ad Litem.

Robert O. Hamilton

JOURNAL ENTRY

Filed Nov. 28, 1960

On the application of Robert O. Hamilton, it appearing to the Court that Donald D. Seitz one of the defendants herein, he been duly served with summons, and minor of the age of 16 years; it is ordered that Luther L. Liggett be and is hereby appointed Guardian Ad Litem for said minor defendant.

Robert F. Allen  
Judge

ANSWER OF GUARDIAN AD LITEM

Filed Nov. 28, 1960

And now comes Luther L. Liggett duly appointed by the Court as Guardian Ad Litem for Donald D. Seitz the minor child of Mary G. Seitz and defendant to the petition in said cause, and for answer to the petition of said plaintiff, says that he has not, by reason of the tender age of said defendant, become informed as to the truth of the matters set forth in said petition; and therefore, on behalf of said minor defendant, denies the same, and submits the interest of said defendants to the care and protection of the Court, to order in the premises as justice and interests of said defendants shall require.

Luther L. Liggett  
Guardian ad litem

PRECIPE

Filed Nov. 28, 1960

TO THE CLERK:

Sanders & Grigsby are designated as Attorneys to certify title to the real estate subject to this action.

Robert O. Hamilton  
Attorney for Plaintiff

PRELIMINARY CERTIFICATE OF TITLE

Filed Dec 2, 1960

The undersigned hereby certify that they have made a thorough examination of the records of Union County, Ohio, as disclosed by the public indexes for a period of sixty (60) years prior to the date hereof, relating to the following described real estate:

(same as in the petition)

This certificate does not purport to cover matters not of record in Union County, Ohio including rights of persons in possession, questions which a correct survey or inspection would disclose, right to file Mechanic's Liens, special taxes and assessments not shown by the County Treasurer's Records and zoning and other governmental regulations.

The undersigned further certify that based upon records, the fee simple title to the said premises is vested in Mary G. Seitz undivided two-thirds (2/3) interest, Richard R. Seitz undivided one-sixth (1/6) interest and Donald E. Seitz undivided one-sixth (1/6) interest by a Certificate of Transfer dated October 2, 1957, filed for record October 2, 1957 at 11:18 o'clock A.M. and recorded October 2, 1957 in Deed Record Volume 197 page 467.

Said title is marketable and free from encumbrances except the following:

1. Taxes for 1960 amount not yet determined nor payable.
  2. Mortgage from Irvine M. Seitz and Mary G. Seitz to Federal Land Bank of Louisville, Louisville, Kentucky dated February 1, 1949, filed for record February 1, 1949 at 10:45 A.M. in Mortgage Record Volume 134, page 360, Records of Union County, Ohio TO SECURE FIFTEEN HUNDRED DOLLARS (\$1500.00).
  3. Common Pleas Court Case No. 7-18156, partition action pending.
- Dated at Marysville, Ohio, this 1st day of December, 1960, 10:30 A.M.

Sanders & Grigsby  
Attorneys at Law  
Marysville, Ohio  
By Joseph B. Grigsby

JOURNAL ENTRY

Filed Dec 28, 1960

This cause came on to be heard on the petition, the answer of Luther L. Liggett, Guardian ad Litem for Donald D. Seitz, minor, and the court further finds that said minor has been duly served with summons and that the Defendants, Richard R. Seitz has entered his appearance herein and consents to the sale as prayed for.

On consideration of the petition the court finds the averments of said petition to be true; that the Plaintiff, Mary G. Seitz is the owner of an undivided 2/3 interest in the real estate described; that the Defendant, Richard R. Seitz is the owner of an undivided one-sixth interest in said real estate; that the Defendant Donald D. Seitz is the owner of an undivided one-sixth interest in the premises described; and that the Plaintiff is entitled to the partition thereof as prayed for in the Petition.

It is therefore ordered and adjudged by a writ of partition issue to the Sheriff of Union County, Ohio commanding him that the oaths of Russell Banks, three judicious and disinterested freeholders of the vicinity, hereby appointed commissioners for the purpose, that he cause to be divided and set off to the said parties respectively the part of said premises to which they have herein severally found to be entitled, and of his proceeds, said Sheriff shall make due return to the court.

APPROVED BY:  
William L. Coleman  
Attorney for Plaintiff  
Luther L. Liggett  
Guardian Ad Litem  
Richard E. Parrott  
Title Examiner

Gwynn Sanders  
Judge

WRIT OF PARTITION

The State of Ohio, Union County:  
To the Sheriff of said County:

Pursuant to an order of our said Court of Common Pleas within and for said County, made at the September Term A.D. 1960, in a certain case No. 18156 now pending in said Court, Wherein Mary G. Seitz plaintiffs, and Richard R. Seitz and Donald D. Seitz, Age 16 defendants, you are commanded that, by the oaths of

three disinterested and judicious freeholders of the vicinity who were appointed by the Court as Commissioners for such purpose, you cause to be set off and divided the following described premises, situated in the Township of Allen County of Union and State of Ohio, to-wit:

(same as in the petition)

To the persons named herein, and in the following proportions, to-wit:

- To Mary G. Seitz 2/3 part.
- To Richard R. Seitz 1/6 part
- To Donald D. Seitz 1/6 part.

But if the said Commissioners are of opinion that said premises cannot be divided according to the demand of this writ without manifest injury to its value, you cause them to make a just valuation of the same in money and of this writ and your proceedings thereon and of the proceedings of said Commissioners under this writ, you make return to our said Court forthwith.

WITNESS my hand and the seal of said Court at Marysville, Ohio, this 28 day of December, 1960.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

Filed Jan. 6, 1961

I received this writ on the 29th day of Dec. 1960 at 11:00 o'clock A.M. and in obedience to its command, I have executed the same by the oaths of Dana Stump, Russell S. Banks and Huber Degood the Commissioners therein named, causing to be set off and divided the premises in said Writ described.

The said Commissioners being of the opinion that the said premises cannot be divided without manifest injury to its value, I have caused the same to be appraised.

All of which will appear by the report of said Commission, herewith returned.

Given under my hand this 5th day of Jan. 1960.

\$7.20

Edward Amrine, Sheriff

COMMISSIONERS' REPORT

According to the command of the Writ of Partition hereto annexed, and on the call of the Sheriff of said County,



we, the undersigned commissioners, after being first duly sworn, and upon actual view and examination of the premises in said Writ described, do make partition of said premises and set apart the same in Lots as follows:  
To the said  
We are of the opinion that the said estate cannot be divided according to the demand of the writ without manifest injury to its value, and we do estimate the just value of the same at (\$9,000.00) Nine Thousand Dollars and no/100.  
Given under our hands this 5th day of Jan. 1961.

Dana Stump  
Russell S. Banks  
Huber DeGood  
Commissioners

LAND APPRAISEMENT

Filed Jan. 6, 1961

WHEREAS, the Sheriff of said County, having in his hands an Writ of Partition issued from the Court of Common Pleas of said County, on the 29th day of Dec. A.D. 1960, in a decree in favor of Mary G. Seitz and against Richard R. Seitz and Donald D. Seitz, age 16 commanding said Sheriff to cause to be appraised, advertised and sold, the following described lands and tenements situate in Allen Township, County of Union and State of Ohio, to-wit: (same as in the petition) did summon us Dana Stump, Russell S. Banks and Huber DeGood three disinterested freeholders, residing within said County of Union and administered to us an oath impartially to appraise said lands and tenements upon actual view thereof.  
Now We, after actual view of said premises, and forthwith after such view, do find and estimate the real value in money of said premises to be as follows, viz: (\$9,000.00) Nine Thousand Dollars and no/100)  
In Testimony Whereof, We hereunto set our hands this 5th day of Jan. 1961.

ATTEST:  
Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

Dana Stump  
Russell S. Banks  
Huber DeGood

The State of Ohio, Union County.  
I hereby certify that I called an inquest of Dana Stump, Russell S. Banks, and Huber DeGood three disinterested freeholders, residents of Union County, Ohio, and administered to them an oath impartially to appraise the within described property upon actual view.  
Dated this 5th day of Jan. 1961.

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

ELECTION TO TAKE

Filed Jan. 14, 1961

The undersigned being Plaintiff and one of the tennants in common for the real estate described in the Petition herein, hereby elects to purchase said real estate at the appraised value thereof, to wit: \$9,000.00.

Mary G. Seitz

JOURNAL ENTRY

Filed Jan. 14, 1961

On Motion to the Court by the Plaintiff, and upon producing the return of the sheriff and the report of the commissioners heretofore appointed herein, and the same having been examined by the Court, and found in all respects correct, the said proceedings and report are hereby approved and confirmed.

And it appearing to the Court that the said Mary G. Seitz has elected to take said premises at their appraised value, to wit, \$9,000.00, and the Court finding that upon the payment to the sheriff by said Mary G. Seitz of the sum of \$9,000.00, less her proportionate share of the net proceeds, the said estate be and it hereby is adjudged to her, and the sheriff is ordered thereupon to make and execute to her a donveyance thereof.

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

- |  |          |
|--|----------|
| 1. Clerk of Courts - Union County, Ohio                    | \$ 71.63 |
| 2. William L. Coleman - Attorney Fees                      | 380.00   |
| 3. 1/6 interest to the Guardian of Donald D. Seitz, age 16 | 1424.73  |
| 4. 1/6 interest to Richard R. Seitz                        | 1424.73  |

Gwynn Sanders  
Judge

APPROVED BY:  
Robert O. Hamilton  
Attorney for Plaintiff  
Luther L. Liggett  
Attorney for Guardian Ad Litem  
Richard E. Parrott  
Title Examiner

PETITION

Arthur Fladt  
Plaintiff  
vs  
Lawrence Dolan d/b/a  
Dolan's Plumbing & Heating  
Marysville, Ohio  
Defendant

Case No. 16991  
Filed Feb. 13, 1952  
Recorded Jan. 18, 1961

Plaintiff says that sometime in 1950 he entered into an agreement with Lawrence Dolan of Dolan's Plumbing & heating Company of Marysville, Ohio, for the purpose of installing a Waterman-Waterbury furnace. That said furnace was partly installed and was so irregularly installed that the building inspector refused to approve the furnace. Plaintiff further says that the original costs of the same was Four hundred sixty-three (\$463.00) plus Thirteen and 89/100 (\$13.89) Dollars sales tax, thus making a total of Four hundred Seventy-six and 89/100 (\$476.89) Dollars, which was paid by plaintiff.

Plaintiff further says that he made numerous calls and requests upon the defendant to correct the defects in this furnace and after said demands, and defendant having neglected to comply with said demands and requests of plaintiff, it was necessary to employ Frank C. Keffer Furnace Company of Columbus, Ohio, to correct such installation and defects at a cost of Two hundred forty (\$240.00) Dollars, a copy of which statement is hereto attached and marked Exhibit "A" and made a part hereof.

WHEREFORE, Plaintiff prays judgment against the defendant in the sum of \$240.00 together with interest and costs of this action and to such other and further relief as the Court may deem just, equitable and proper.

Clifton L. Caryl  
Attorney for Plaintiff

STATE OF OHIO, COUNTY OF UNION, SS:  
Clifton L. Caryl, being first duly sworn, says he is the Attorney for Authur Fladt and the facts stated and allegations contained in the foregoing Petition are true as he verily believes.

Clifton L. Caryl



Sworn to before me and subscribed in my presence this 13th day of February, 1952.

Gwynn Sanders  
Notary Public

EXHIBIT A

FRANK C. KEFFER FURNACE CO.  
Licensed and Insured

SHEET METAL AND FURNANCE WORK  
107 Belvidere Avenue Columbus 4, Ohio Phone Randolph 9206

Date Sept 4, 1951

SOLD TO Mr. & Mrs. Auther Fladt  
163 South Ogden Ave.

Remodling of Furnace-----\$240.00

Paid in full.

(S) Frank C. Keffer.

SUMMONS - In Action for Money Only

The State of Ohio, Union County.  
To the Sheriff of Union County:

You are hereby commanded to notify Lawrence Dolan, dba. Dolan's Plumbing & Heating, Marysville, Ohio that he has been sued by Arthur Fladt in the Court of Common Pleas of said Union County, and must answer by the 15th day of March A.D. 1952, or the petition of said plaintiff will be taken as true, and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 25th day of Feb. 1952.

WITNESS my hand and the seal of said Court, this 13th day of Feb. 1952.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

Filed Feb 15, 1952

The State of Ohio, Union County.

Received this Writ Feb. 14, 1952, at 2:00 o'clock P.M. And on Feb. 14, 1952, I served the within named Lawrence Dolan, dba Dolan's Plumbing & Heating, Marysville, Ohio by personally handing to each of them a true and certified copy thereof with all the endorsements thereon.

\$.85

Walter T. Galloway, Sheriff  
by Marjorie M. Wilcox, Deputy

MOTION

Filed March 15, 1952

Now comes the defendant and moves the Court for an order requiring the plaintiff to make his petition more definite and certain by stating what was wrong with the installation of the furnace made by the defendant and what was required to correct the same.

C. A. Hoopes  
Attorney for Defendant

DECISION ON MOTION

Filed Sept. 18, 1952

ALLEN, F. LeRoy, J.

The motion of the defendant filed March 15, 1952, for an order requiring the plaintiff to make his petition definite and certain by stating what was wrong with the installation of the furnace and what was required to correct the same is sustained.

The plaintiff is granted 15 days in which to file amended petition in conformity with this ruling on motion. Journal Entry accordingly, saving exceptions to plaintiff.

F. LeRoy Allen  
Judge

ENTRY

Filed Sept. 20, 1952

This day this cause came on to be heard upon the Motion of the defendant for an order requiring plaintiff to make his petition definite and certain by stating what was wrong with the installation of the furnace and what was required to correct the same and the Court being fully advised in the premises sustained the Motion.

Leave is granted plaintiff to file an amended petition on or before October 3, 1952.

O.K. C. A. Hoopes  
O.K. Clifton L. Caryl

F. LeRoy Allen  
Judge

MOTION

Filed Oct. 30, 1953

Now comes the defendant and moves the court to dismiss the petition for the following reasons:

1. That the plaintiff is a non-resident of Union County and has never secured the costs.
2. More than a year ago a motion to make the petition more definite and certain was sustained and no amended petition has been filed.

C. A. Hoopes  
Attorney for Defendant

AMENDED PETITION

Filed Oct 31, 1953

Plaintiff says that on or about the 6th day of September, 1950, he entered into an agreement with Lawrence Dolan of Dolan's Plumbing & Heating Company of Marysville, Ohio, for the purpose of installing a Waterman-Waterbury furnace. That said furnace was partly installed and was so irregularly installed in the following respects:

That the cold air pipes and hot air pipes were installed in such locations and positions that they failed to function at all and had to be removed and installed in the right positions and locations before the same could be approved by the building inspector.

Plaintiff further says that he made numerous calls and requests upon the defendant to correct the defects in this furnace and after said demands, and defendant having neglected to comply with said demands and requests of plaintiff, it was necessary to employ Frank C. Keffer Furnace Company of Columbus, Ohio, and in order to correct the same, it was necessary that the said Frank C. Keffer Furnace Company remove the pipes that defendant had installed and provide for the proper locations for the pipes to run which also necessitated the rebuilding of the furnace in its entirety and at a cost of Two Hundred forty (\$240.00) Dollars, a copy of which statement is hereto attached and marked Exhibit "A" and

made a part hereof.  
WHEREFORE, Plaintiff prays judgment against the defendant in the sum of \$240.00, together with interest and costs of this action and to such other and further relief as the Court may deem just, equitable and proper.

Clifton L.Caryl  
Attorney for Plaintiff

STATE OF OHIO, COUNTY OF UNION, SS:  
Clifton L.Caryl, being first duly sworn, says he is the Attorney for Arthur Fladt and the facts stated and allegations contained in the foregoing amended petition are true as he verily believes.

Sworn to before me and subscribed in my presence this 31st day of October, 1953.  
Clifton L.Caryl  
Ruth Ridgeway  
Notary Public

EXHIBIT A

(same as before)

MOTION

Filed Nov. 30, 1953

Now comes the defendant and moves the Court for an order requiring the plaintiff to make his amended petition more definite and certain by stating what the contract was upon which the plaintiff bases his claim. Defendant further moves the Court to strike from the petition the following portion, to wit:  
"it was necessary to employ Frank C. Keffer Furnace Company of Columbus, Ohio, and in order to correct the same, it was necessary that the said Frank C. Keffer Furnace Company remove the pipes that defendant had installed and provide for the proper locations for the pipes to run which also necessitated the rebuilding of the furnace in its entirety and at a cost of Two Hundred Forty (\$240.00) Dollars, a copy of which statement is hereto attached and marked Exhibit "A" and made a part hereof."

C. A. Hoopes  
Attorney for Defendant

MEMORANDUM

Filed Nov. 30, 1953

The petition mentions a contract but it does not say anything about it except that it was for the purpose of installing a furnace. The defendant is entitled to know what kind of a contract the plaintiff claims, for example, it is not evident from the petition whether the plaintiff claims it to be a contract to sell or to install or to sell and install.  
Upon the second ground the position of the defendant is as follows:  
If the plaintiff claims a contract to install a furnace and it was improperly installed it is not a part of the plaintiff's claim that any one person had to be employed or that any one person was paid any certain amount. If the defendant did not install a furnace properly then the plaintiff has a right to claim that he was damaged in some amount but the fact that he hired some particular person and paid that person some particular price is not in itself conclusive as to the amount of the damage but is merely evidence.

C. A. Hoopes  
Attorney for Defendant

ENTRY

Filed Oct 8, 1955

This day this cause came on to be heard upon the motion of the defendant for an order requiring the plaintiff to make his amended petition more definite and certain by stating what the contract was upon which plaintiff bases his claim, and upon the motion of the defendant to strike from the petition a certain portion thereof, and was submitted to the court. And the court, being fully advised in the premises sustains said motion. Exceptions noted for plaintiff. Leave granted plaintiff to file an amended petition by October 22nd, 1955.

APPROVED:  
Clifton L.Caryl  
Attorney for Plaintiff  
Hoopes & Hoopes  
Attorneys for Defendant

F. LeRoy Allen  
Judge

SECOND AMENDED PETITION

Filed Oct 8, 1955.

Plaintiff says that on or about the 27th day of July, 1950, he entered into an agreement with Lawrence Dolan of Dolan's Plumbing and Heating Company of Marysville, Ohio, for the purpose of installing a Waterman-Waterbury furnace. Contract price for complete installation was Four hundred Seventy-six and 89/100 (\$476.89) dollars which has been paid. Said furnace was partly installed and was so irregularly installed in the following respects:  
That the cold air pipes and hot air pipes were installed in such locations and positions that they failed to function at all and had to be removed and installed in the right positions and locations before the same could be approved by the building inspector.  
Plaintiff further says that he made numerous calls and requests upon the defendant to correct the defects in this furnace and after said demands, and defendant having neglected to comply with said demands and requests of plaintiff, Plaintiff through his agent notified defendant that unless defendant made good the damage done, he would have installation and repairs made by a licensed furnace man. These notices were made April 18, 1951, and May 14th, 1951. Defendant did nothing to correct the faulty workmanship so on or about September 4th, Plaintiff had the furnace rebuilt by a licensed contractor for Two hundred Forty (\$240.00) dollars and had the job approved by the Columbus furnace inspector all to his damage in the sum of Two hundred Forty (\$240.00) dollars.  
WHEREFORE, Plaintiff prays judgment against the defendant in the sum of Two hundred Forty (\$240.00) dollars together with interest and costs of this action and to such other and further relief as the Court may deem just, equitable and proper.

Clifton L.Caryl  
Attorney for Plaintiff

STATE OF OHIO, COUNTY OF UNION, SS:  
Clifton L.Caryl, being first duly sworn, says he is the Attorney for Arthur Fladt and the facts stated and allegations contained in the foregoing second amended petition are true as he verily believes.

Sworn to before me and subscribed in my presence this 5th day of October, 1955.  
Clifton L.Caryl  
Christine Kasper  
Notary Public

ANSWER

Filed Oct 26, 1955

Now comes the defendant and for his answer to the Second Amended Petition of the plaintiff says that in about the month of July, 1950, plaintiff came to defendant's place of business in Marysville, Ohio and discussed the purchase



and installation of a heating plant in a residence in Columbus, Ohio. Defendant says that he explained to plaintiff that he would not be able to install a heating plant for him in Columbus for the reason that he was not licensed to install heating equipment in the City of Columbus. Defendant says that the plaintiff then suggested that he purchase the heating equipment and install it himself with the help of defendant's employees. Defendant says that he agreed to do this on condition that the plaintiff accept complete responsibility for the installation of said heating equipment, to which plaintiff agreed. Defendant says that thereafter he sold the furnace to the plaintiff and received payment in full therefore and that he permitted three of his employees to give some assistance to the plaintiff in the installation of said heating equipment.

Further answering the defendant denies each and every allegation in said petition contained except such as are herein expressly admitted to be true.

Hoopes & Hoopes  
Attorneys for Defendant

STATE OF OHIO, UNION COUNTY, SS:

Lawrence S. Dolan, being first duly sworn says that he is the defendant in the above entitled cause and that the facts stated and allegations made in the foregoing instrument are true as he verily believes.

S.  
Lawrence Dolan  
C. A. Hoopes  
Notary Public

Sworn to before me and subscribed in my presence this 26 day of October, 1955.

ORDER FOR TRIAL

Filed Dec 13, 1960

The above cause is assigned for trial in the Common Pleas Court of Union County, Ohio Friday December 30th at 9:30 o'clock A.M., 1960.

The Bailiff is ordered to notify the jury.

Copies of this order mailed to Clifton L. Caryl, Attorney for Plaintiff and Hoopes & Hoopes, Attorneys for defendant.

Gwynn Sanders  
Judge

WAIVER

Filed Dec 30, 1960

The undersigned, attorneys for the parties herein, waive the right of trial by jury and consent to submit this cause without a jury to the Hon. Gwynn Sanders, Common Pleas Judge.

Clifton L. Caryl  
Attorney for Plaintiff

Hoopes & Hoopes  
Attorneys for Defendant

ENTRY

Filed Jan. 5, 1961

This day this cause came on to be heard and by agreement of parties was submitted to the court without the intervention of a jury and the court being fully advised in the premises find for the defendant.

It is therefore considered that defendant go hence without day and recover his costs herein expended.

APPROVED:

Hoopes & Hoopes  
Attorneys for Defendant

Gwynn Sanders  
Judge

PETITION

Milton Cooper  
616 East Sixth St.  
Marysville, Ohio  
Plaintiff  
vs  
Harry Mechtensimer  
888 Selwyn Rd.  
Cleveland Heights 12, Ohio  
Defendant

Case No. 18582

Filed Jan. 28, 1960

Recorded Jan. 24, 1961

Now comes the Plaintiff, Milton Cooper, and for his cause of action says that Milford Avenue, at all times mentioned in this Petition was a duly dedicated public street in the Village of Marysville, Union County, Ohio.

Plaintiff further says that on November 1, 1959, at about 5:00 P.M., Gary L. Cooper was driving a 1955 Nash Station Wagon owned by the Plaintiff, Milton Cooper, on Milford Avenue in the Village of Marysville, and in a north-easterly direction.

Plaintiff further says that the Defendant, Harry Mechtensimer, was the owner and operator of a 1959 Ford Sedan automobile driving in a north-easterly direction on said highway and at said time, and that the said Defendant drove into and collided with the rear of the Plaintiff's 1955 Nash Station Wagon.

Plaintiff further says that the Defendant, Harry Mechtensimer, was negligent and careless, which negligence and carelessness directly and proximately caused the aforesaid accident, to-wit:

1. In driving at a speed which was excessive for the weather and road conditions prevailing at the time.
2. In that he drove in excess of the legal speed limit, to wit: 50 M.P.H.
3. In failing to keep his said automobile under control.
4. In driving his said motor vehicle at a speed greater than would permit him to bring it to a stop within the assured clear distance ahead.

Plaintiff further says that as a direct and proximate result of said accident and by reason of the negligence and carelessness of the Defendant, Harry Mechtensimer, the Station Wagon of the Plaintiff was damaged in the amount of \$607.01; and that this Plaintiff has been further damaged in the amount of \$100.00 by reason of loss of use of said Station Wagon while the said automobile was being repaired.

Wherefore, Plaintiff prays judgment against the Defendant for the sum of \$707.01.

William L. Coleman  
Atty for Milton Cooper

STATE OF OHIO, COUNTY OF UNION, SS:

Milton Cooper, being first duly cautioned and sworn, deposes and says that the facts stated and allegations contained in the foregoing Petition are true as he verily believes.

Milton Cooper  
Robert O. Hamilton  
Notary Public

Sworn to before me and subscribed in my presence this day of January, 1960.

PRECIPE

Filed Jan. 28, 1960

To the Clerk:

Issue summons for Harry Mechtensimer, 808 Selwyn Rd., Cleveland Heights 12, Ohio in the above entitled case to Sheriff of Cuyahoga., returnable according to law.

Robert O. Hamilton, Atty for Plaintiff



SUMMONS

The State of Ohio, Union County.  
To the Sheriff of Cuyahoga County:  
You are hereby commanded to notify Harry Mechtensimer, 808 Selwyn Rd., Cleveland Heights, 12 that he has been sued by Milton Cooper, in the Court of Common Pleas of said Union County, and must answer by the 27th day of February A.D. 1960, or the petition of said plaintiff will be taken as true, and judgment rendered accordingly.  
Said Sheriff will make due return of this summons on the 8th day of February, 1960.  
WITNESS my hand and the seal of said Court, this 28th day of January, 1960.

Helen L.Sullivan  
Clerk

Filed Feb 4, 1960

SHERIFF'S RETURN

The State of Ohio, Cuyahoga County.  
Received this W it Jan. 29th, 1960, at 11:50 o'clock A.M. And on Jan. 30th, 1960, I served the within named Harry Mechtensimer, by leaving for him at his usual place of residence, a true and certified copy thereof with all the endorsements thereon.  
\$3.54

Joseph M. Sweeney, Sheriff  
By Roy L. Herman, Deputy

MOTION

Filed Feb. 27, 1960

Defendant moves the court for an order to strike the last paragraph including the prayer of plaintiff's petition for the following reason, to wit:  
That the measure of damages is the difference between the market value before and after collision--allegation and proof of cost of repairs--amount of recovery limited. (Falter Et Al., Appellees, v. City of Toledo et al., Appellants. Decided May 20, 1959. 169 O.S. Page 238.)

Clifton L.Caryl  
Attorney for Defendant

MEMORANDUM AGAINST MOTION OF DEFENDANT

Filed March 4, 1960

The Plaintiff says that the last paragraph of the petition consists entirely of prayer for judgment. Therefore, the motion should be denied.

William L.Coleman  
Attorney for Plaintiff

RULING ON MOTION TO STRIKE

Filed March 28, 1960

Whitney, J:  
This cause is before the Court on motion of the defendant to strike " the last paragraph including the prayer of plaintiff's petition".  
As noted in plaintiff's memorandum in opposition to this motion, the last paragraph of the petition consists solely of the prayer. In view of this, the motion must be overruled.  
It may be pertinent, however, to note that pleading both the before and after value of a motor vehicle is not necessary in order to allege damages to such vehicle. The pleader must allege ultimate facts. 31 O. Jur. p 55, Sec.12. Spencer v. Miller 84 O. App 190.  
Defense counsel cites Falter V. City of Toledo 169 O.S. 238 but a careful reading of the syllabus and opinion in that case reveals that, as a general rule, one may recover the difference in the before and after value of a motor vehicle but it is not prejudicial error to allege, prove and recover the reasonable costs of repairs so long as they do not exceed the difference in the before and after value.  
Plaintiff's petition alleges "the station wagon of the plaintiff was damaged in the amount of \$607.01" It will be noted that this doesnot even refer to costs of repairs. It is a proper allegation of damages to a motor vehicle and whether or not it is proven by the old general rule of before and after value or by reasonable costs of repairs are matters that will have to await trial.  
Motion overruled. Exceptions reserved.  
Leave to plead granted.

O. W. Whitney, Jr.  
Judge

JOURNAL ENTRY

Filed May 3, 1960

The Defendant's Motion to Strike having come on for the Court's consideration, and the Court having considered the same, finds said Motion to be not well taken.  
It is, therefore, the order of the Court that the Motion be overruled with exceptions reserved to the Defendant.  
The Defendant is given leave to plead further on or before May 7, 1960.

APPROVED BY:  
William L.Coleman  
Attorney for Plaintiff  
Clifton L.Caryl  
Attorney for Defendant

O. W. Whitney, Jr.  
Judge by assignment

ANSWER

Filed May 7, 1960

Defendant denies each and every and singularly all of the allegations in plaintiff's petition herein contained. Wherefore, defendant prays that plaintiff's petition be dismissed, and that he may go hence without day and reclaim his costs herein.

Clifton L.Caryl  
Attorney for Plaintiff

STATE OF OHIO, COUNTY OF UNION,SS:  
Clifton L.Caryl, being first duly cautioned and worn, deposes and says that Harry Mechtensimer is outside the jurisdiction of the court and that denials contained in the foregoing answer are true as he verily believes.

Clifton L.Caryl

Sworn to before me and subscribed in my presence this 7th day of May, 1960.

John W. Dailey  
Notary Public

ORDER FOR TRIAL

Filed Dec 13, 1960

It is ordered that the above cause be set for trial in the Court of Common Pleas Union County Ohio on Friday January 6th, 1961 at 9:30 O'clock A.M.

It is further ordered that the bailiff be instructed to notify the jury of the date of this trial. Copies of this order mailed to William L. Coleman and Robert O. Hamilton, Attorneys for plaintiff and Clifton L. Caryl, Attorney for defendant.

Gwynn Sanders  
Judge

JOURNAL ENTRY AT PRE TRIAL

Filed Dec 29, 1960

This case came on for pretrial on the 23rd day of May, 1960, with Robert O. Hamilton representing the Plaintiff and Clifton L. Caryl, the Defendant.

It is agreed and stipulated between the parties that on November 1, 1959, at about 5:00 P.M., Gary L. Cooper was driving a 1955 Nash Station Wagon, owned by the Plaintiff, Milton Cooper, on Milford Avenue, in the Village of Marysville, Ohio, and in a northeasterly direction, at which time said automobile was damaged in an accident which accident was caused by the negligence of the Defendant, Harry Mechtensimer.

It is further stipulated and agreed between the parties that as a direct and proximate result of said accident and by reason of the negligence and carelessness of the Defendant, Harry Mechtensimer, the Station Wagon of the Plaintiff was damaged.

Upon representation of the parties that this case may be settled, it is not set for trial at this time.

O. W. Whitney, Jr.  
Judge

PRECIPE FOR SUBPENA-IN CIVIL CASE

Filed Jan. 6, 1961

To the Clerk:-Issue Subpena for

1. Albert Sellers c/o Evans Motor Sales
  2. August Vollrath c/o H.I. Huffman & Co.
- to appear as witnesses in above named case, on Jan. 6, A.D. 1961, at 10:30 o'clock A.M. Required on behalf of the Plaintiff.

Robert O. Hamilton  
Att'y for the Plaintiff

SUBPENA IN CIVIL CASE

To Albert Sellers c/o Evans Motor Sales, Marysville, Ohio  
August Vollrath c/o H.I. Huffman & Co.

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 6th day of January A.D. 1961, at 10:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Milton Cooper Plaintiff, and Harry Mechtensimer Defendant, and not depart the Court without leave. Herein fail not, under penalty of the law. and have you then and there this writ.

Said Court requires your said attendance on behalf of the Plaintiff.

Witness my hand and the seal of said Court, this 6th day of January, 1961.

Helen L. Sullivan  
Clerk

RETURN OF SERVICE

Filed Jan. 6, 1961

I received this writ on the 6th day of Jan. 1961 at 9:30 o'clock A.M. and served the persons named therein, on the day and in the manner indicated against each name.

\$1.10

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

STATEMENT OF STENOGRAPHER'S COSTS

\$4.00

Arthur D. Lowe  
Court Stenographer

VERDICT FOR PLAINTIFF

Filed Jan. 6, 1961

We, the Jury, being duly impaneled and sworn and affirmed, find the issues in this case in favor of the Plaintiff, and assess the amount due to the Plaintiff from the defendant the said Harry Mechtensimer (\$525) Five hundred twenty five dollars.

And we do so render our verdict upon the concurrence of 13 members of our said jury, that being three-fourths or more of our number. Each of us said jurors concurring in said verdict signs his name hereto this 6th day of January, 1961.

- |                     |                        |
|---------------------|------------------------|
| 1. David C. Davis   | 7. Augusta Adams       |
| 2. G. Richard Starr | 8. Margaret Mc Kitrick |
| 3. Russell Boerger  | 9. Azile Phillips      |
| 4. Penrose Prichard | 10. Martha McBride     |
| 5. Burton Haines    | 11. Eileen Durban      |
| 6. Nelle Cowgill    | 12. Walter J. Johnson  |

JOURNAL ENTRY

Filed Jan. 1961

The Motion of the Defendant to strike from the record, the pre-trial Journal Entry dated May 23, 1960 is overruled. Exceptions are reserved to the Defendant.

Gwynn Sanders  
Judge

APPROVED BY:  
Robert O. Hamilton  
Attorney for Plaintiff  
Clifton L. Caryl  
Attorney for Defendant

JOURNAL ENTRY

Filed Jan. 19, 1961

This case came on for hearing on the 6th day of January, 1961.

After the Jury was seated the Defendant moved the court to strike from the record the pre-trial Journal Entry dated May 23, 1960. Upon consideration of said motion the court denied the same.

The cause then proceeded to trial before the Jury, after the court read to the jury the first three paragraphs of said pre-trial Journal Entry.



The Jury returned its verdict for the Plaintiff in this action, fixing damages in the sum of \$525.00 with interest from January 6, 1961 and his costs herein for which judgment is hereby rendered.

Exceptions saved to the defendant.

APPROVED BY:  
Robert O. Hamilton  
Attorney for Plaintiff  
Clifton L. Caryl  
Attorney for Defendant

Gwynn Sanders  
Judge

PETITION

William Baldwin, Columbus, Ohio  
Clayton B. Baldwin, East Liberty, Ohio  
Marie M. Baldwin, Kenton, Ohio  
Richard L. Baldwin, Kenton, Ohio  
Mondo L. Baldwin, Kenton, Ohio  
Billy V. Baldwin, Kenton, Ohio and  
Loa Ann Thaxton, Kenton, Ohio  
Plaintiffs

vs  
Frank L. Cramer, Administrator with the Will Annexed  
of Bertha B. Reading, deceased, Richwood, Ohio  
Sally Sullivan, a minor, Richwood, Ohio  
Cindy Sullivan, a minor, Richwood, Ohio  
Dallas Sullivan, father of Sally and Cindy Sullivan  
minors, and the person with whom they reside  
Richwood, Ohio  
Lamont Thornton, also known as Lamont Thornton Moloney, Akron, Ohio  
Mabel Evans, Richwood, Ohio  
Richwood First Methodist Church Inc., Richwood, Ohio  
Frank L. Cramer, Richwood, Ohio  
Lamont Cramer, Richwood, Ohio  
Dorothy Dennis, also known as Ora Traverse  
9812 Wanda Park Drive, Beverly Hills, California  
Beatrice Modd, also known as Evelyn Modd  
R.R. #4, Traverse City, Michigan  
Virginia Wilkins, 3121 Freyer Road, Lima, Ohio  
Maude Zigler, 1836 Auburn Avenue, Dayton, Ohio  
Betty Lou Metcalf, 2319 Indiana Mound Avenue  
Norwood, Ohio  
Ralph S. Bolenbaugh, R.R. 1, Marysville, Ohio  
Ruth Neal, 370 State Street South, Marion, Ohio  
Robert C. Bolenbaugh, 783 7th Street, Marysville, Ohio, and  
Christine Bolenbaugh, 402 East 4th Street, Marysville, Ohio  
Defendants

Case No. 18733  
Filed Oct 25, 1960  
Recorded January 25, 1961

Plaintiffs say that William Baldwin and Clayton B. Baldwin are half brothers and next of kin of Bertha B. Reading, deceased, and that Marie M. Baldwin is the widow of Ralph Baldwin, deceased, who was a half brother of Bertha B. Reading, deceased. That Richard L. Baldwin, Mondo L. Baldwin, Billy V. Baldwin, and Loa Ann Thaxton, are the only children and heirs at law of Ralph Baldwin, deceased.

Plaintiffs further say that Bertha B. Reading died a resident of Union County, Ohio, on the 1st day of February, 1960, and that thereafter on the 28th day of April, 1960, a certain paper writing, dated the 30th day of April, 1957, and designated as the Last Will and Testament of Bertha B. Reading, was offered for Probate in the Probate Court of Union County, Ohio, and that on the said 28th day of April, 1960, Plaintiffs say that said paper writing was admitted to Probate by the Probate Court of Union County, Ohio, as the Last Will and Testament of Bertha B. Reading, deceased.

Plaintiffs further stated that said paper writing is not the Last Will and Testament of Bertha B. Reading, deceased; and that the Defendant, Frank L. Cramer was appointed by the Probate Court of Union County, Ohio, as Administrator with the Will annexed of Bertha B. Reading, and that letters testamentary were issued to him as such Administrator, with the Will annexed, as more fully appears under Estate Case # 18251-A, in the Probate Court of Union County, Ohio.

Plaintiffs further say that the Defendants, Sally Sullivan, Cindy Sullivan, Dorothy Dennis, also known as Ora Travers, Beatrice Modd, also known as Evelyn Modd, Virginia Wilkins, Lamont Thornton, also known as Lamont Thornton Moloney, Methodist Church, Inc., Mabel Evans, Frank L. Cramer, and Lamont Cramer, are named or are suggested as devisees under the paper writing designated as the Last Will and Testament of Bertha B. Reading, deceased, dated the 30th day of April, 1957.

Plaintiffs further say that the Defendants, Maude Zigler, Betty Lou Metcalf, Ralph S. Bolenbaugh, Ruth Neal, Robert C. Bolenbaugh, and Christine Bolenbaugh are the sole heirs at law of Otis G. Bolenbaugh, the former husband of Bertha B. Reading, deceased, and that they have an interest at law as next of kin of the said Bertha B. Reading, deceased.

Plaintiffs further say that there are no other persons except the Plaintiffs and the Defendants herein above named and referred to who have any interest in said paper writing designated as the Last Will and Testament of Bertha B. Reading, deceased, as heirs-at-law, next of kin, devisees or legatees.

WHEREFORE, Plaintiffs pray that said purported Last Will and Testament be found and adjudged not to be the Valid Last Will and Testament of Bertha B. Reading, deceased, and that said Last Will and Testament be set aside and held for naught and for their costs herein.

Wetherill & Schwemer  
W. B. Bartels & Samuel L. Black  
Attorneys for Plaintiffs

STATE OF OHIO, FRANKLIN COUNTY, SS:  
WILLIAM BALDWIN, being first duly sworn, deposes and says that he is one of the Plaintiffs in the foregoing action and that the averments and allegations contained in the within Petition are true, as he verily believes.

Sworn to before me and subscribed in my presence this 24th day of October, 1960.

William Baldwin  
Virginia W. Dysart  
Notary Public

WAIVER OF SERVICE OF SUMMONS AND ENTRY OF APPEARANCE

Filed Oct. 25, 1960

I, the undersigned, a party defendant in the above entitled action, being of full legal age, do hereby waive the issuing and service of summons and voluntarily enter my appearance as defendant in the above styled cause.

Evelyn Beatrice Modd  
Also known as Evelyn Modd



WAIVER OF SERVICE OF SUMMONS AND ENTRY OF APPEARANCE

Filed Oct 25, 1960

I, the undersigned, a part defendant in the above entitled action, being of full age, do hereby waive the issuing and service of summons and voluntarily enter my appearance as defendant in the above styled cause.

Dorothy Dennis  
also known as Ora Traverse  
Virginia Wilkins

WAIVER AND ENTRY OF APPEARANCE

Filed Oct 25, 1960

We hereby waive the issuance and service of summons upon us in the above entitled cause, and voluntarily enter our appearance as Defendants herein.

Ralph Bolenbaugh  
Robert C. Bolenbaugh  
Ruth B. Neal  
Christine Bolenbaugh

WAIVER AND ENTRY OF APPEARANCE

Filed Oct 25, 1960

I hereby waive the issuance and service of summons upon me in the above entitled cause, and voluntarily enter my appearance as a defendant herein.

Dorothy Dennis

PRECIPE

Filed Oct 25, 1960

To Clerk of Common Pleas Court, Union County:

Issue summons for service upon the Defendant, Betty Lou Metcalf, 2319 Indian Mound Avenue, Norwood, directed to Sheriff of Hamilton County returnable according to law. Endorse summons: "Action to Contest and Set Aside Will."

W. B. Bartels  
Attorney for Plaintiffs  
Columbus, Ohio, October 25, 1960

PRECIPE

Filed Oct 25, 1960

To Clerk of Common Pleas Court, Union County:

Issue summons for service upon the Defendant Maude Zigler, 1836 Auburn Avenue, Dayton, Ohio, directed to Sheriff of Montgomery County returnable according to law. Endorse summons: "Action to Contest and Set Aside Will."

W. B. Bartels  
Attorney for Plaintiffs  
Columbus, Ohio, October 25, 1960

PRECIPE

Filed Oct 25, 1960

To Clerk of Common Pleas Court, Union County:

Issue summons for service upon the Defendant, Lamont Thornton, also known as Lamont Thornton Moloney, Akron, Ohio, directed to Sheriff of Summit County returnable according to law. Endorse summons: "Action to Contest and Set Aside Will." Defendant lives at 1101 Greenwood Avenue, Akron 20, Ohio.

W. B. Bartels  
Attorney for Plaintiffs  
Columbus, Ohio, October 25, 1960

PRECIPE

Filed Oct 25, 1960

To Clerk of Common Pleas Court, Union County:

Issue summons for service upon the following defendants: Frank L.Cramer, Admr. w. w. a. of Bertha B. Reading, deceased, Richwood, Ohio; Frank L.Cramer, Devisee under the Will, Richwood, Ohio; Sally Sullivan, a minor, Richwood, Ohio; Cindy Sullivan, a minor, Richwood, Ohio; Dallas Sullivan, father of Sally and Cindy Sullivan, and the person with whom they reside; Mabel Evans, Richwood, Ohio; Richwood First Methodist Church, Inc., (serve summons upon Paul Curl, Richwood, Ohio, Statutory Agent;) Lamont Cramer, Richwood, Ohio; directed to Sheriff of Union County, Ohio, returnable according to law. Endorse summonses: "Action to Contest and Set Aside Will."

W. B. Bartels  
Attorney for Plaintiffs  
Marysville, Ohio, October 25, 1960

ANSWER

Filed Oct. 28, 1960

Now come the defendants, Frank L.Cramer, Administrator with the Will Annexed of Bertha B. Reading, deceased, Sally Sullivan, Cindy Sullivan, Dallas Sullivan, Frank L.Cramer and Lamont Cramer, and for answer to petition of plaintiffs deny that the paper therein referred to is not the Last Will and Testament of the said Bertha B. Reading, deceased, but allege that it is in fact the Last Will and Testament of said decedent.

Hoopes & Hoopes  
Sanders & Grigsby  
Attorneys for Defendants

STATE OF OHIO, UNION COUNTY, SS:

Frank L.Cramer, being first duly sworn says that he is one of the above answering defendants in the above entitled cause and that the facts stated and allegations made in the foregoing answer are true as he verily believes.

Sworn to before me and subscribed in my presence this 26th day of October, 1960.  
Frank L.Cramer  
Rachel M.Erwin  
Notary Public

SUMMONS

The State of Ohio, Union County.

To the Sheriff of said County:

You are hereby commanded to notify Frank L.Cramer, Admr. w.w.a. of Bertha B. Reading, deceased, Richwood, O. Frank L.Cramer, Devisee under the Will, Richwood, Ohio; Sally Sullivan, a minor, Richwood, Ohio; Cindy Sullivan, a minor, Richwood, Ohio; Dallas Sullivan, father of Sally and Cindy Sullivan and the person with whom they reside; Mabel Evans, Richwood, Ohio; Richwood First Methodist Church, Inc. (serve summons upon Paul Curl, Richwood, Ohio, Statutory Agent;) Lamont Cramer, Richwood, Ohio, that they have been sued by William Baldwin, et al., in the Court of Common Pleas of said Union County, and must answer by the 26th day of November AD 1960, or the petition of said plaintiff will be taken as true and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 7th day of November, 1960.  
WITNESS my hand and seal of said Court, this 25th day of October, 1960.

Helen L.Sullivan, Clerk

SHERIFF'S RETURN

Filed Oct 27, 1960

The State of Ohio, Union County.

Received this writ 25th, 1960, at 2:41 o'clock P.M. And on Oct. 25th 1960, I served the within named Frank L.Cramer, Admr. w.w.a. of Bertha B. Reading, deceased, Richwood, Ohio, Frank L.Cramer, Devisee under the Will, Richwood, Ohio, Sally Sullivan, a minor, Richwood, Ohio; Cindy Sullivan, a minor, Richwood, Ohio; Dallas Sullivan, father of Sally and Cindy Sullivan, and the person with whom they reside; Mabel Evans, Richwood, Ohio; Richwood First Methodist Church, Inc., (service was made on Paul Curl, Richwood, Ohio, Statutory Agent:) & Lamont Cramer, Richwood, Ohio by personally handing to each of them a true and certified copy thereof with all the endorsements thereon.

\$6.50

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

SUMMONS

The State of Ohio, Union County.

To the Sheriff of Hamilton County:

You are hereby commanded to notify Betty Lou Metcalf, 2319 Indian Mound Avenue , Norwood, Ohio that she has been sued by William Baldwin, et al in the Court of Common Pleas of said Union County, and must answer by the 26th day of November A.D. 1960, or the petition of said plaintiff will be taken as true and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 7th day of November, 1960.

WITNESS my hand and seal of said Court, this 25th day of October, 1960.

Helen L.Sullivan  
Clerk

SHERIFF'S RETURN

Filed Oct 29, 1960

The State of Ohio, County.

Received this writ, Oct. 26th, 1960 at 8:45 o'clock A.M. and on Oct 26th, 1960, I served the within named Betty Lou Metcalf, by and through R. Balser, my duly authorized and acting Deputy Sheriff by leaving for her at her usual place of residence, a true and certified copy thereof with all the endorsements thereon.

\$2.90

Dan Tehan Hamilton County, Ohio Sheriff  
By J.O. Gallagher, Deputy

SUMMONS

The State of Ohio, Union County.

To the Sheriff of Montgomery County:

You are hereby commanded to notify Maude Zigler, 1836 Auburn Avenue, Dayton, Ohio that she has been sued by William Baldwin, et al in the Court of Common Pleas of said Union County, and must answer by the 26th day of November A.D. 1960, or the petition of said plaintiff will be taken as true and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 7th day of November, 1960.

WITNESS my hand and seal of said Court, this 25th day of October, 1960.

Helen L.Sullivan, Clerk

SHERIFF'S RETURN

Filed Oct. 21, 1960

The State of Ohio, Montgomery County.

Received this writ 26 Oct. 1960, at 10:18 o'clock AM. And on Oct 27, 19 , I served the within named Maude Zigler by leaving for each of them at their usual place of residence, a true and certified copy thereof with all the endorsements thereon.

\$2.79

Bernard L. Keiter, Sheriff  
By B. Henry, Deputy

SUMMONS

The State of Ohio, Union County.

To the Sheriff of Summit County:

You are hereby commanded to notify Lamont Thornton, also known as Lamont Thornton Moloney, Akron, Ohio, (1101 Greenwood Ave.,) (R-12-R.P. 10/27) that she has been sued by William Baldwin, et al in the Court of Common Pleas of said Union County, and must answer by the 26th day of November A.D. 1960, or the petition of said plaintiff will be taken as true and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 7th day of November, 1960.

WITNESS my hand and seal of said Court, this 25th day of October, 1960.

Helen L.Sullivan, Clerk

SHERIFF'S RETURN

Filed Nov. 1, 1960

The State of Ohio, Summit County.

Received this writ October 26th, 1960 And on October 27th, 1960, I served the within named Lamont Thornton aka Lamont Thornton Moloney by leaving for her at her usual place of residence, a true and certified copy thereof with all the endorsements thereon.

\$2.99

Russell M. Bird, Sheriff  
Ray M. Protech, Deputy

CERTIFICATE TO PROBATE COURT (copy)

To the Honorable The Probate Court of Union County, Ohio:

I, Helen L.Sullivan Clerk of the Court of Common Pleas within and for said County and State, do hereby certify that on the 25th day of October, 1960, William Baldwin, Clayton B. Baldwin, Marie M. Baldwin, Richard L. Baldwin, Mondo L. Baldwin, Billy V. Baldwin & Loa Ann Thaxton filed their certain petition in said Court of Common Pleas against Frank L. Cramer, et a., the same being Cause No. 18733, therein, and which is still there pending, to contest the validity of the will of Bertha B. Reading deceased, lately admitted to probate and record in said Probate Court.

You will therefore, as required by law, forthwith transmit to our said Court of Common Pleas, the said Will, the testimony, and all papers relating thereto, with a copy of the order of probate, attaching the same together, and certifying the same under the seal of the Court.

WITNESS my hand and the seal of said Court of Common Pleas, at Marysville, Ohio, this 29th day of December A.D. 1960.

Helen L.Sullivan  
Clerk- Court of Common Pleas

APPLICATION FOR APPOINTMENT OF GUARDIAN AD LITEM

Filed Dec. 29, 1960

To the Hon.

Judge of said Court:

Now comes Joseph B. Grigsby and makes application for the appointment of a Guardian Ad Litem for Sally Sullivan and Cindy Sullivan minor childrendefendants upon whom summons was duly served according to law, and suggests that Dallas Sullivan, who is a suitable person be appointed as such Guardian Ad Litem.

Joseph B. Grigsby

JOURNAL ENTRY

Filed Dec. 29, 1960



On the application of Joseph B. Grigsby it appearing to the Court that Sally Sullivan And Cindy Sullivan minor children ages 14 and 12 respectively, two of the defendants, herein, been duly served with summons, and it is ordered that Dallas Sullivan be and is hereby appointed Guardian Ad Litem for said minor defendants.

O. W. Whitney, Jr.  
Judge

ANSWER OF GUARDIAN AD LITEM

Filed Dec. 29, 1960

And now comes Dallas Sullivan duly appointed by the Court as Guardian Ad Litem for Sally Sullivan and Cindy Sullivan the minor children of Dallas Sullivan and defendants to the petition in said cause, and for answer to the petition of said plaintiff, says that he has not, by reason of the tender age of said defendants, become informed as to the truth of the matters set forth in said petition; and therefore, on behalf of said minor defendants, denies the same, and submits the interest of said defendants to the care and protection of the Court, to order in the premises as justice and interests of said defendants shall require.

Dallas Sullivan  
Guardian Ad Litem

MOTION

Filed Dec 20, 1960

Now comes the defendants by their attorneys and move the court to require the plaintiffs to deposit additional security for costs herein.

Joseph B. Grigsby  
Hoopes & Hoopes  
Attorneys for Defendants

MEMORANDUM

Filed Dec 30, 1960

The plaintiffs have a deposit of \$50.00 as security for costs which we believe is inadequate. We have today filed with the Clerk of Courts a subpoena for seventeen witnesses. We expect to use all of these and probably others. Plaintiffs' attorneys have stated that they expect to use from eight to ten witnesses. At the pretrial conference it was agreed that the case would take approximately five days to try. We therefore feel that the court costs will amount to at least \$200.00 and that the plaintiffs should be required to deposit with the Clerk an additional amount of \$150.00 before proceeding to trial.

COPY OF LAST WILL AND TESTAMENT OF BERTHA B. READING (submitted to court for trial)

JOURNAL ENTRY

Filed Jan. 11, 1961

On motion of the Defendants' and it appearing to the Court that the deposit for costs herein previously made by Plaintiffs is wholly inadequate to cover the probable costs of this case, Defendants' motion is, therefore, sustained. It is ordered that Plaintiff make a further deposit of \$100.00 with the Clerk of this Court as and for further security for costs herein, said additional deposit to be made on or before 9:30 A.M. Monday, January 16, 1961. Exceptions reserved to Plaintiffs.

O. W. Whitney, Jr.  
Judge by assignment

JOURNAL ENTRY

Filed Jan. 16, 1961

This cause came on for trial and it appearing to the court that no issue has been made up by the pleadings herein to be tried by the jury, it is ordered that the following issue of fact be submitted to and tried by the jury, to wit: "is the writing produced the last will of Bertha B. Reading?" and the clerk is directed to enter this order on the journal in this cause.

O. W. Whitney, Jr.  
Trial Judge

VERDICT ON CONTEST OF WILL

Filed Jan. 16, 1961

We, the Jury, being duly impaneled and sworn and affirmed, on the issue joined herein, find that the paper writing here shown to us, and admitted to probate in the Probate Court of Union County, State of Ohio, on the 28th day of April, 1960, purporting to be the Last Will and Testament of Bertha B. Reading deceased, is the valid last Will and Testament of the said Bertha B. Reading, deceased.

And we so render our verdict upon the concurrence of twelve members of our said Jury, that being three-fourths or more of our number. Each of us said Jurors concurring in said verdict signs his name hereto this 16th day of January 1961.

Henry Boerger	Lillian Macomber
Paul D. George	Harold G. Pullins
Leroy Vollrath	Frances K. Scheiderer
Erna S. Cosgray	Willard Bradley
Leland M. Kelley	John Lott
Mary U. Howard	Inis Lemaster

ENTRY

Filed Jan. 20, 1961

WHEREAS, on the 16th day of January, 1961, the jury impaneled and sworn herein, notice of said assignment having been heretofore given to all counsel of record, by the concurrence of all twelve of their number, rendered a verdict finding the paper writing dated the 30th day of April, 1957, and admitted to probate by the Probate Court of Union County, Ohio, on the 28th day of April, 1960, and produced and offered in evidence herein, is the Last Will and Testament of Bertha B. Reading, deceased, it is ordered, in accordance with said verdict, that said paper writing be, and is hereby adjudged the Last Will and Testament of the said Bertha B. Reading, deceased.

The costs herein shall be taxed against plaintiffs.

APPROVED:  
W. B. Bartels  
Attorneys for contestants  
Hoopes & Hoopes  
Sanders & Grigsby  
Attorneys for Defendants

O. W. Whitney, Jr.  
Judge



PETITION

The Great American Insurance Company  
17 South High Street  
Columbus, Ohio  
Plaintiff  
  
vs  
David William Fogle  
Route 3  
Marysville, Ohio  
Defendant

Case No. 18760  
  
Filed Dec 6, 1960  
  
Recorded Jan. 25, 1961

Plaintiff is a corporation admitted to the State of Ohio for the purpose of writing insurance.  
On and about the 21st day of January, 1959, one Ray N. LaFontaine was the owner of an automobile which was being operated in a northeasterly direction on U. S. Route 42, a public highway extending in a general northerly and southerly direction in Delaware County, Ohio. At said time and place, defendant was operating an automobile in a southerly direction on County Road #5, a public highway which intersects with U. S. Route 42, and approaching said inter-section. As the automobile of the said Ray N. LaFontaine was approaching said intersection, defendant operated the automobile he was driving into said intersection and into the path of the automobile of the said Ray N. LaFontaine, causing said automobiles to collide, anddamaging the automobile of the said Ray N. LaFontaine, as will be hereinafter set out.  
Said collision and the resulting damage was solely and proximately caused by the carelessness and negligence of defendant in the following particulars:

1. Defendant failed to yield the right-of-way to the automobile of the said Ray N. LaFontaine;
2. Defendant failed to have the automobile he was operating under control;
3. Defendant failed to stop, check the speed or divert the course of the automobile he was operating so as to avoid colliding with the automobile of the said Roy N. LaFontaine;
4. Defendant failed to see the automobile of the said Ray N. LaFontaine.

As a direct and proximate result of the carelessness and negligence of defendant, and the aforesaid resulting collision, the automobile of the said Ray N. LaFontaine was bent, damaged, twisted, broken, and forced out of alignment to the extent of Sixteen Hundred Fifty-Five and no/100 Dollars (\$1655.00).  
At all times hereinafter mentioned, there was in full force and effect, a policy of insurance issued by the Great American Insurance Company to the said Ray N. LaFontaine, whereby plaintiff agreed to indemnify and pay the said Ray N. LaFontaine, for all damage to the said automobile of the said Ray N. LaFontaine caused by collision, in excess of One Hundred and no/100 Dollars (\$100.00). As a further direct and proximate result of defendant's carelessness and negligence and the aforesaid resulting collision, plaintiff was obliged to and did pay to the said Ray N. LaFontaine, the sum of Fifteen Hundred Fifty Five and no/100 Dollars (\$1555.00) and thereby became subrogated to the rights of the said Ray N. LaFontaine against defendant to the extent of said payment.  
WHEREFORE, plaintiff prays that it may have judgment against defendant in the sum of Fifteen Hundred Fifty-Five and no/100 Dollars (\$1555.00) with interest from the 21st day of January, 1959, and its costs herein expended.

Lane, Huggard & Alton  
Attorneys for Plaintiff  
150 E. Broad Street, Columbus, Ohio

STATE OF OHIO, FRANKLIN COUNTY, SS:  
Richard Huggard, being first duly sworn, says that he is attorney for plaintiff; that plaintiff is a corporation, and that the allegations of the foregoing Petition are true as he verily believes.

Sworn to before me and subscribed in my presence this 6 day of December, 1960.

Richard Huggard  
William M. Lane  
Notary Public, State of Ohio

PRECIPE

TO THE CLERK:  
Issue summons for defendant returnable according to law. Endorse thereon: "Action for money damages; amount claimed \$1555.00 with interest and costs."

Filed Dec 6, 1960

Lane, Huggard & Alton  
Attorneys for Plaintiff  
150 E. Broad St., Columbus, Ohio

SUMMONS

The State of Ohio, Union County.  
To the Sheriff of said County:  
You are commanded to notify David William Fogle, Route 3, Marysville, Ohio that he has been sued by The Great American Insurance Company, 17 South High Street, Columbus, Ohio in the Court of Common Pleas of said Union County, and must answer by the 7th day of January A.D. 1961, or the petition of said plaintiff will be taken as true and judgment rendered accordingly.  
Said Sheriff will make due return of this summons on the 19th day of December, 1960.  
WITNESS my hand and seal of said Court, this 6th day of December, 1960.

Helen L. Sullivan, Clerk

Filed Dec. 21, 1960

SHERIFF'S RETURN

The State of Ohio, Union County.  
Received this writ Dec. 6th, 1960 at 4:00 o'clock P.M. And on Dec. 16th, 1960, I served the within named David William Fogle, Rte 3, Marysville, Ohio by personally handing to him a true and certified copy thereof with all the endorsements thereon.  
\$3.70

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

WAIVER OF TRIAL BY JURY

Filed Jan. 19, 1961

Plaintiff waives a jury for trial of this action, and herewith submits all issues contained thereon to the court.

Lane Huggard & Alton  
By R. Huggard  
Attorneys for Plaintiff

ENTRY

Filed Jan. 23, 1961

This day this cause came on to be heard upon the petition and the evidence of plaintiff, defadant being in default for answer or appearance, and a jury being waived by plaintiff, was submitted to the court, and the court upon consid-eration thereof and being fully advised in the premises, finds that the allegations of said petition are true; that the defendant has been properly served with summons and is in default for answer and appearance, and that plaintiff should have judgment against defendant in the sum of Fifteen Hundred Fifty-Five and no/100 Dollars (\$1555.00) with interest from the 21st day of January, 1959, and its costs herein expended.

It is, therefore, ordered that plaintiff be and hereby is awarded judgment against defendant in the sum of Fifteen Hundred Fifty-Five and no/100 Dollars (\$1555.00) with interest from the 21st day of January, 1959, and its costs herein expended.

APPROVED:  
Lane, Huggard & Alton  
Attorneys for Plaintiff

Gwynn Sanders  
Judge

CONTINUED FROM RECORD 77 Page 418  
APPLICATION  
Doris Sedgwick  
Plaintiff  
vs  
Rolland Sedgwick  
Defendant

Case No. 17991  
Filed March 20, 1958  
Recorded January 26, 1961

Now comes the Defendant and says that on the 5th day of October the Court in this cause granted the Plaintiff a decree of divorce from the Defendant and ordered the Defendant to pay for the support of the minor children the sum of Fifty Dollars (\$50.00) per week and in addition thereto, ordered the Defendant to pay to the City Loan of Marysville, Ohio the existing chattel mortgage on certain household items described in the chattel mortgage.

Defendant further says that he no longer receives weekly compensation for labor in an amount sufficient to comply with the order of the Court, but has suffered a reduction in hours of employment resulting in a lesser amount of income.

Defendant further says that the Plaintiff herein refuses to permit the Defendant herein to remove the children of the parties from the Plaintiff's home at the time of Defendants visitation with said children.

WHEREFORE, Defendant prays for an order of Court reducing the amount of support payments for minor children and for an order permitting Defendant to remove the minor children from Plaintiff's home on Defendant's visitation with said children.

Lloyd George Kerns  
Attorney for Defendant

STATE OF OHIO, COUNTY OF UNION, SS:  
Rolland Sedgwick being first duly sworn says that the Facts stated and allegations contained in the foregoing Application are true as he verily believes.

Rolland Sedgwick

Sworn to before me and subscribed in my presence this 15th day of March, 1958.

Lloyd George Kerns  
Notary Public

ENTRY

Filed March 20, 1958

Defendant herein having filed a application for deduction of support payments of minor children and for a order permitting Defendant to remove minor children from Plaintiff's dwelling on Defendant's visitation with said children, and on consideration thereof the court hereby orders a hearing on said application and hereby sets the 29th day of March, 1958 at 9:30 o'clock as the hearing date thereon and hereby orders that both the Plaintiff and Defendant be and appear before said court at said time and directs that a copy of this order be served upon the Plaintiff as and for legal notice of the time and place of said hearing.

Luther L. Liggett  
Judge

NOTICE TO SERVE

To the Sheriff of Union County, Greeting:  
You are hereby commanded to serve the attached copy/copies of Application & Entry heretofore filed in this case, upon the Plaintiff, Doris Sedgwick Raymond, Ohio, and of your service hereof, make due return of this office, on or before the 29th day of March A.D. 1958.

WITNESS my hand and seal of said Court, this 20th day of March, 1958.

Helen L. Sullivan  
Clerk of said Court

SHERIFF'S RETURN

Filed March 21, 1958

The State of Ohio, Union County.

R ceived this writ March 20th, 1958, at 2:30 o'clock P.M. And on March 20th 1958, I served the within named Doris Sedgwick by personally handing to her a true and certified copy thereof with all the endorsements thereon.

\$2.77

Edward Amrine, Union County Sheriff  
By Martha S. Rogers, Deputy

ENTRY

Filed April 9, 1958

This matter coming on for hearing on Defendant's application for an order reducing support payments for minor children, and on the evidence presented, court finds that the Defendant is in arrears for his support payments under the former order of this court; that Defendant do to his type of employment has less income during the winter months than in the summer months and that it would be more equitable for Defendant to pay \$40.00 per week during the winter months and \$60.00 per week during the summer months, it is therefore:

Ordered, adjudged and decreed by this court that the Defendant pay through the clerk of this court for support of minor children the sum of \$60.00 per week commencing the 1st week of May and continuing through October; that from November through April he pay \$40.00 per week for their support each year hereafter until further order of this Court; that during the month of April, 1958, Defendant pay \$40.00 per week for support of said minor children; that Defendant shall make up his default payments to the best of his ability; said proceedings to be at the cost of said defendant.

Luther L. Liggett  
Judge

APPROVED:  
William L. Coleman  
Attorney for Plaintiff  
Lloyd George Kerns  
Attorney for Defendant



MOTION FOR CONTEMPT

Filed July 12, 1958

Now comes the Plaintiff by her attorney and respectfully moves the Court for an order directing said Defendant to appear before this Court to show cause why he should not be punished for contempt.

Plaintiff respectfully represents to the Court that on the 29th day of March of this year, 1958, upon Motion of the Defendant, a decree as entered in this cause on October 5, 1957, was amended as follows: "That the Defendant pay through the Clerk of this Court for support of minor children the sum of Sixty Dollars (\$60.00) per week commencing the first week of May and continuing through October; that from November through April he pay Forty Dollars (\$40.00) for their support each year thereafter until further order of this Court; that during the month of April, 1958, Defendant pay Forty Dollars (\$40.00) per week for support of said minor children; that Defendant shall make up his default payments to the best of his ability, said proceedings to be at the cost of said Defendant."

Your Applicant further represents to the Court that said decree as entered on October 5, 1957, among other things provided as follows: "All other debts including the chattel mortgage are to be paid by the Defendant. It is further ordered that the Defendant pay the costs of Plaintiff's attorney all for which execution is awarded."

Your Applicant represents to the Court that said chattel mortgage payments have not been made by the defendant; that said Defendant has paid to this date nothing on the Plaintiff's counsel fee; that since the hearing on March 23, 1958, the Defendant has at no time paid Sixty Dollars (\$60.00) per week and is now delinquent in said support payments in the total sum of Seven Hundred Sixty Dollars and Forty-five Cents (\$760.45).

WHEREFORE, Plaintiff prays the Court for an order directing said Defendant to appear before this Court and show cause why he should not be punished for contempt.

Robert O. Hamilton  
Attorney for Plaintiff

MOTION FOR CONTEMPT

Filed Jan. 8, 1960

Now comes the Plaintiff by her attorney and respectfully moves the Court for an order directing said Defendant to appear before this Court to show cause why he should not be punished for contempt.

Plaintiff respectfully represents to the Court that on the 29th day of March, 1958, upon Motion of the Defendant, a decree as entered in this cause on October 5, 1957, was amended as follows: "That the Defendant pay through the Clerk of this Court for support of minor children the sum of Sixty Dollars (\$60.00) per week commencing the first week of May and continuing through October; that from November through April he pay Forty Dollars (\$40.00) for their support each year thereafter until further order of this Court; that during the month of April, 1958, Defendant pay Forty Dollars (\$40.00) per week for support of said minor children; that Defendant shall make up his default payments to the best of his ability, said proceedings to be at the cost of said Defendant."

Plaintiff further represents to the Court that the Defendant should have paid for support \$2600.00 during the calendar year 1958 and that in fact he has paid only \$1866.75; that the Defendant should have paid for the year 1959 the sum of \$2600.00 and that he has in fact paid to date only \$1607.95.

The Defendant was further ordered to pay the Court Costs in this action in the amount of \$32.19; and he has to date paid nothing on said court costs.

Your applicant represents to the Court that said Defendant has paid to date nothing on the Plaintiff's counsel fees and is now delinquent in said support payments in the total sum of \$1725.30.

Wherefore, Plaintiff prays the Court for an order directing said Defendant to appear before this Court and show cause why he should not be punished for contempt.

William L. Coleman  
Attorney for Plaintiff

JOURNAL ENTRY

Filed Jan. 8, 1960

This day this cause came on to be heard upon Motion of the Plaintiff and for good cause shown, said Motion is granted. It is ordered that said Defendant appear before this Court on Saturday, January 9, 1960 at 10:00 A.M. and then and there show cause why he should not be punished for contempt. It is further ordered that the Clerk of this Court serve a copy of the Application and this Order upon the Defendant by the Sheriff of Union County.

APPROVED BY:  
William L. Coleman  
Attorney for Plaintiff

Luther L. Liggett  
Judge

NOTICE TO SERVE

To the Sheriff of Union County, Greeting:

You are hereby commanded to serve the attached copy/copies of Journal Entry heretofore filed in this case, upon the Defendant, Roland Sedgwick and of your service hereof, make due return to this office, on or before the 9th day of January A.D. 1960.

WITNESS my hand and seal of said Court, this 8th day of January, 1960.

Helen L. Sullivan  
Clerk of said Court

SHERIFF'S RETURN

Filed January 9, 1960

The State of Ohio, Union County.

Received this writ Jan. 8th, 1960, at 11:30 o'clock AM. And on Jan. 8th, 1960, I served the within named Roland Sedgwick by personally handing to him a true and certified copy of Journal Entry thereof with all the endorsements thereon.

\$1.60

Edward Amrine, Union County Sheriff  
By Martha S. Rogers, Deputy

MOTION FOR CONTEMPT

Filed Jan. 18, 1961

Now comes, Doris Sedgwick, and represents to the Court that Roland Sedgwick is now in contempt of Court, having failed to make support payments as previously ordered by the Court.

Your Petitioner respectfully represents that during the year, 1960, said Roland Sedgwick was ordered to pay the sum of \$2600.00, that in fact he paid the total sum of \$1184.10 representing a default of \$1415.90 for the year, 1960.

Your Petitioner further represents to the Court that said Roland Sedgwick was delinquent in his support payments for the years 1958 and 1959 in the total sum of \$1725.30; that as of January 1, 1961, said Roland Sedgwick is delinquent in his support payments for the years 1958, 1959, and 1960, in the total sum of \$3141.20.

Your Petitioner suggests January 23, 1961, at 9:00 A.M. as a proper time for the Defendant to appear to show cause why he should not be punished for contempt.

Wherefore, this Petitioner prays for an order directing said Defendant to appear on January 23, 1961, at 9:00 A.M. to show cause why he should not be punished for contempt and to further order in the premises such as justice and equity may require.

Respectfully submitted,  
William L. Coleman  
Attorney for Plaintiff



ENTRY Filed Jan. 18, 1961

This day this cause came on to be heard upon the Motion of the Plaintiff and upon consideration thereof, Court finds said Motion is reasonable and should be granted.

It is the order of the Court that Defendant, Roland Sedgwick, appear before said Court on January 23, 1961, at 9:00 A.M., and then and there show cause why he should not be punished for contempt.

It is further ordered that a copy of this Motion & Entry be served upon the Defendant by registered mail or certified mail with receipt requested returned.

APPROVED BY: Gwynn Sanders  
William L. Coleman Judge  
Attorney for Plaintiff

JOURNAL ENTRY Filed Jan. 24, 1961

This day this cause came on to be heard upon the motion of the Defendant for a change of custody of the minor children, and the Motion of the Plaintiff citing the Defendant for contempt, and upon consideration thereof the Court finds the best interests of the minor children requires that Plaintiff be continued the exclusive care and custody of said children; that the Defendant is delinquent as of January 1, 1961 in the total sum of \$3142.30 on his support payments; that the defendant is presently under medical care and may require further hospitalization.

It is therefore the order of this court that the Defendant pay into Court today the sum of \$40.00; that in the future he pay into court one-half of his gross income until the delinquency is paid in full; that every three months ending March, June, September, and December in file with the court an itemized statement of all his earnings and expenses; that current payments for the future be credited at the rate of \$ 5.00 per week and the excess payment be applied on the delinquency described above.

APPROVED BY: Richard H. Finefrock  
William L. Coleman Judge  
Attorney for Plaintiff  
Roy Warren Roof  
Attorney for Defendant

Continued from Book 77 Page 60

Viola Margaret Goldsberry  
Plaintiff  
vs  
John Robert Goldsberry  
Defendant

Case No. 17823  
Filed Oct 20, 1956  
Recorded Jan. 26, 1961

Now comes Viola Margaret Goldsberry, the above named plaintiff, and represents to the Court that the above named defendant, John Robert Goldsberry, is in default of the order and decree heretofore made by this Court, on the 17th day of March, 1956, requiring the defendant to pay to the plaintiff, as temporary alimony, the sum of \$40.00 (Forty and 00/100 Dollars) per week starting March 17, 1956, That the defendant has wholly failed to comply with said order and decree of the Court.

Wherefore the said Viola Margaret Goldsberry prays that the said John Robert Goldsberry may be cited to appear before this Court, and show cause why he should not be punished for contempt for his default as above set forth.

Viola Margaret Goldsberry

The State of Ohio, Union County.

Clifton L. Caryl, being first duly sworn according to law, says that he is the Attorney for Plaintiff in the above entitled action, and that the facts set forth in the foregoing motion are true.

Sworn to before me and subscribed in my presence this 20th day of October A.D. 1956.

Clifton L. Caryl  
Christine Kasper  
Notary Public

NOTICE Filed Oct 20, 1956

The above named John Robert Goldsberry will take notice that a motion, of which the foregoing is a true copy, has been filed in the Common Pleas Court of Union County, Ohio, and that the same will be for hearing on Saturday, the 27th day of October, 1956, at 10 o'clock A.M. or as soon thereafter as the Court can hear the same.

Clifton L. Caryl  
Attorney for Plaintiff

MOTION Filed July 24, 1957

Now comes the Defendant, John Robert Goldsberry, by his Attorney Robert O. Hamilton and represents to the Court that the income of the Defendant has been substantially reduced since the original order given in this case for support of the minor children of the parties.

Defendant further states to the Court that the original order in this case gives custody of the children to the Plaintiff, but no specific rights of visitation were set up.

Wherefore, Defendant prays that the Court reduce the payments required to be paid to the Clerk of Courts and that visitation rights be granted.

Robert O. Hamilton  
Attorney for John R. Goldsberry

MOTION TO CITE DEFENDANT FOR CONTEMPT Filed July 30, 1957

Now comes Viola Margaret Goldsberry, the above named plaintiff and represents to the Court that the above named defendant, John Robert Goldsberry is in default of the order and decree heretofore made by this Court, on the 17th day of March, 1956, requiring the defendant to pay to the plaintiff the sum of \$40.40 per week for the support of four children. That the defendant has wholly failed to comply with said order and decree of the Court and is in default in the sum of \$2,920.00.

WHEREFORE, the said Viola Margaret Goldsberry, prays that the said John Robert Goldsberry may be cited to appear before this Court forthwith and show cause why he should not be punished for contempt for his default as above set forth.

Clifton L. Caryl  
Attorney for Plaintiff

STATE OF OHIO, COUNTY OF UNION, SS:  
Viola Margaret Goldsberry, being first duly sworn according to law, says that she is the plaintiff in the above entitled action, and that the facts set forth in the foregoing motion are true.

Viola M. Goldsberry  
Sworn to before me and subscribed in my presence this 29th day of July, 1957.

Clifton L.Caryl  
Notary Public

NOTICE

The above named John Robert Goldsberry will take notice that a motion, of which the foregoing is a true copy, has been filed in the Common Pleas Court of Union County, Ohio, and that the same will be for hearing on Tuesday the 30th day of July, 1957 at 9 o'clock A.M. or as soon thereafter as the Court can hear the same.

Clifton L.Caryl  
Attorney for Plaintiff

ENTRY

Filed July 31, 1957

This day came on for hearing the Motion of the Defendant for reduction in support payments and for setting of visitation rights and also the motion of the Plaintiff to cite the Defendant for contempt, the Plaintiff being in Court with her Attorney, Clifton L.Caryl and the Defendant being in Court with his Attorney, Robert O. Hamilton.

Upon hearing the evidence presented, the Court denies the Motion of the Defendant to reduce the support payments and finds that the Defendant is behind as of this week (\$775.60 in payments as originally ordered by the Court.

The Court further finds that the Defendant's motion for establishment of visitation rights is reasonable.

It is, therefore, the order of the Court that the Defendant continue to pay the sum of \$10.00 per week plus poundage for the support of each child through the Clerk of this Court, and that in addition thereto, he pay the sum of \$2.50 each week, plus poundage, through the Clerk of this Court to be applied upon the amount for which the Defendant is now in arrears.

It is the further order of the Court that the Defendant shall have the custody of the children of the parties from Saturday Morning, August 3 at 9:00 A.M. until 6:00 P.M. Sunday, August 4, 1957 and have the same hours on alternate weekends thereafter, and that the Defendant shall have such other reasonable visitation as may be agreed upon by the parties.

APPROVED BY:  
Robert O. Hamilton  
Attorney for Defendant  
Clifton L.Caryl  
Attorney for Plaintiff

m F. LeRoy Allen  
Judge

MOTION

Filed Jan. 12, 1961

Plaintiff respectfully represents to the Court that defendant is in arrears as to the installment payments of money for support of their minor children, namely, Robert M. Goldsberry, Nancy Ann Goldsberry, Linda Sue Goldsberry and Kathrine G. Goldsberry, as ordered by this Court. In order to avoid uncertainty and future controversy and to enable plaintiff to enforce payment of such accrued and unpaid installments, plaintiff respectfully moves the Court for an order reducing the same to a lump-sum judgment amount to the sum of \$2630.63.

Clifton L.Caryl  
Attorney for Plaintiff

To: John Robert Goldsberry:

You will take notice that Viola Margaret Goldsberry (Armentrout), plaintiff in the above entitled action has filed her motion therein for an order reducing to a lump sum judgment the accrued and unpaid installments of support for the minor children, namely, Robert M. Goldsberry, Nancy Ann Goldsberry, Linda Sue Goldsberry, and Kathrine C. Goldsberry, amounting to the sum of \$2630.63.

Should you desire to resist such motion or deny the amount claimed to be due, you are required to make your objections known by the 24th day of January, 1961 at 10:00 A.M. or as soon thereafter as the same may be heard by the Court.

Clifton L.Caryl  
Attorney for Plaintiff

JOURNAL ENTRY

Filed Jan. 24, 1961

On this 24th day of January, 1961 this cause came on to be heard before the Court on motion of plaintiff, Viola Margaret Goldsberry (now Armentrout), due notice of which was given defendant, John Robert Goldsberry, and it appearing from the record in this case that a decree was entered hereon on the 17th day of March, 1956, awarding the said Viola Margaret Goldsberry the custody of the four minor children of the parties and ordering the sum of \$40.40 per week starting March 17, 1956 and continuing until further order of the Court as and for the support of said children. It further appearing from the records of the Clerk of this Court that the said John Robert Goldsberry is in arrears in the sum of \$2630.63 as of the 23rd day of January, 1961, it is hereby ordered, adjudged and decreed that the said former order be modified and that the arrearage under the said former decree of this Court be reduced to judgment, and the said Viola Margaret Goldsberry recover from John Robert Goldsberry the sum of \$2630.63, together with the costs of this proceeding, for which judgment is hereby rendered and an execution on said judgment is hereby issued.

It is further ordered that, in addition to the amount of such judgment that John Robert Goldsberry continue to pay to the said Viola Margaret Goldsberry (Armentrout) the installments pursuant to the said original decree herein.

APPROVED:  
Clifton L.Caryl  
Attorney for Plaintiff

Richard H. Finefrock  
Judge

PETITION

John A. Miller  
RFD#3  
Marysville, Ohio  
Plaintiff  
vs  
Mildred K. Miller  
RFD  
Delaware, Ohio  
Defendant

Case No. 18723  
Filed Oct 6, 1960  
Recorded Jan. 27, 1961

Plaintiff says that he has been a resident of the State of Ohio and Union County for more than one year last past. That he was married on the 31st day of January, 1941 to the defendant and that two children were born of said marriage, Beverly aged sixteen years and Sharon aged eight years.

Plaintiff says that the defendant has been guilty on numerous and divers occasions with adultery with one Ray Pines.

WHEREFORE, Plaintiff prays that he may be divorced from the defendant that he be awarded the custody, care and control of said children and for such other relief as is proper.

Hoopes & Hoopes  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:

John A. Miller, being first duly sworn says that he is the plaintiff in the above entitled cause and that the facts stated and allegations made in the foregoing petition are true as he verily believes.

John A. Miller



Sworn to before me and subscribed in my presence this 6th day of October, 1960.

C. A. Hoopes  
Notary Public

PRECIPE

TO THE CLERK:

Issue summons together with a copy of the petition, directed to the Sheriff of Delaware County for the defendant Mildred K. Miller (Rt#23 south of Delaware, Ohio) and make same returnable according to law.

Endorse summons "ACTION FOR DIVORCE, CARE AND CUSTODY OF MINOR CHILDREN."

Hoopes & Hoopes  
Attorneys for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.

To the Sheriff of Delaware County:

You are hereby commanded to notify Mildred K. Miller, R#23, south of Delaware, Ohio that John A. Miller has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging her with Adultery and asking that he be divorced from her and that he be awarded the custody, care and control of said children and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 17th day of October, 1960.

WITNESS my signature and the seal of said Court, this 6th day of October, 1960.

Helen L. Sullivan, Clerk

Filed Oct 10, 1960

SHERIFF'S RETURN

The State of Ohio, Delaware County.

Received this writ on the 7th day of October 1960, at 10:30 o'clock A.M. and on the 7th day of October 1960, I served the same by personally handing to Mildred K. Miller a true copy thereof, together with a certified copy of the petition filed against her in this cause.

\$1.90

Harley Wornstaff, Sheriff  
By William Lavery, Deputy

MOTION

Filed Oct 10, 1960

Now comes defendant and moves the court for an order requiring plaintiff to make definite and certain his petition and set forth time, date and places at which the alleged acts of adultery occurred.

Sanders & Grigsby  
John W. Dailey  
Attorneys for Defendant

AMENDED PETITION

Filed Oct 11, 1960.

Plaintiff says that he has been a resident of the State of Ohio and Union County for more than one year last past. That he was married on the 31st day of January, 1941 to the defendant and that two children were born of said marriage, Beverly aged sixteen years and Sharon aged eight years.

FIRST CAUSE OF ACTION

Plaintiff says that the defendant has been guilty of adultery with one Ray Pines on the 2nd day of October, 1960, in an apartment in Delaware County, <sup>Ohio</sup> on Route #23, the property of one E. A. Frisbie and on numerous other occasions, the exact time of which are unknown to plaintiff.

SECOND CAUSE OF ACTION

The defendant has been guilty of extreme cruelty towards the plaintiff in openly and notoriously association with the said Ray Pines under such circumstances as to cause the plaintiff great humiliation and mental suffering.

WHEREFORE, Plaintiff prays that he may be divorced from the defendant that he be awarded the custody, care and control of said children and for such other relief as is proper.

Hoopes & Hoopes  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:

John A. Miller, being first duly sworn says that he is the plaintiff in the above entitled cause and that the facts stated and allegations made in the foregoing amended petition are true as he verily believes.

John A. Miller

Sworn to before me and subscribed in my presence this 11th day of October, 1960.

C. A. Hoopes  
Notary Public

MOTION

Filed Nov. 15, 1960

Now comes defendant and moves the Court for an order granting a hearing on matters of support for minor children during the pendency of the action.

Sanders & Grigsby  
Attorneys for Defendant

JOURNAL ENTRY

Filed Nov. 15, 1960

It is ordered the above motion and any other matters subject to orders during the pendency of the action be heard in this Court on Wednesday, November 16th, 1960 at 11:00 o'clock A.M.

Richard H. Finefrock  
Judge

ANSWER AND CROSS-PETITION

Filed Nov. 16, 1960

For her answer to plaintiff's petition this defendant admits that the allegations of the petition concerning jurisdiction of the court, admits the marriage and the children born issue of the marriage.

Further answering this defendant denies all other allegations contained in the petition and asks that plaintiff's petition be dismissed at his cost.

CROSS-PETITION

For her cross-petition defendant says she and the defendant John A. Miller were married in the year 1941 and the two children issue of this marriage are Beverly aged sixteen (16) and Sharon Kay aged eight (8) years; defendant says that she has been a dutiful wife in all respects but plaintiff has been guilty of gross neglect of duty and extreme cruelty and has openly consorted with other women on numerous occasions, has accused defendant of adultery and grand larceny all of which he well knows to be untrue but does out of malice with intent to embarrass defendant and the children of the parties and that by reason of such conduct defendant is entitled to a divorce. Defendant further says



that all property rights to both real and personal property not determined in Union County Court of Common Pleas Case No. 18703 be fully adjudged and determined in this proceeding and defendant's rights be protected therein.  
WHEREFORE, defendant prays for decree of divorce, settlement of property rights, custody and support of the children and such other relief as may be just and proper in the premises.

John W. Dailey  
Attorney for Defendant  
Sanders & Grigsby  
Attorneys for Defendant

STATE OF OHIO, COUNTY OF UNION, SS:  
Mildred K. Miller, being first duly sworn, says she is defendant herein and the facts and allegations in the foregoing answer and cross-petition are true.

Mildred K. Miller  
John W. Dailey  
Notary Public

Sworn to before me and subscribed in my presence this 16th day of November, 1960.

AFFIDAVIT

Filed Nov. 16, 1960

STATE OF OHIO, UNION COUNTY, SS:  
On this 16th day of November, A.D. 1960, personally appeared before me, the undersigned notary public in and for the State of Ohio, Mildred K. Miller, who, first being duly sworn, says that she is the defendant in the above entitled cause and that she is without funds and property to pay the court costs in this proceeding.

Sworn to before me and subscribed in my presence this 16th day of November A.D. 1960.

Mildred K. Miller  
John W. Dailey  
Notary Public

PRECIPE

Filed Nov. 16, 1960

To the Clerk:  
Issue summons with Certified copy of petition in the above entitled cause for service on John A. Miller directed to Sheriff Union Co. Ohio returnable according to law.

Dated Nov. 16, 1960

John W. Dailey  
Attorney for Defendant

SUMMONS ON ANSWER AND CROSS PETITION IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:  
You are Commanded to Notify John A. Miller to appear before the Court of Common Pleas of Union County, at the Court House in Marysville, Ohio, and answer an Answer and Cross Petition for Divorce filed in the Clerk's office of said County by Mildred K. Miller a copy of which accompanies this summons.  
The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ. Said Sheriff will make due return of this summons on the 28th day of November A.D. 1960.  
WITNESS my signature and the seal of said Court, this 16th day of November, 1960.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

Filed Nov. 16, 1960

The State of Ohio, Union County.  
Received this writ at 9:59 o'clock A.M. on the 16th day of Nov. 1960, and on the 16th day of Nov. 1960, I served the same by personally handing to the within named John A. Miller a true and duly certified copy thereof with all the endorsements thereon, together with a certified copy of the answer and cross petition filed against him in this cause.

\$1.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

JOURNAL ENTRY

Filed Nov. 16, 1960

Upon application of the plaintiff, it is ordered that Wilford Dasher, Receiver in the case of Mildred K. Miller -vs- John A. Miller, Common Pleas Court of Union County, Ohio, Case No. 18703, pay to Weiss Brothers the sum of approximately \$100.00, being a bill for clothing for the children of the parties, and in addition to pay to Mildred K. Miller the sum of \$50.00 per week up to December 19, 1960, the Court to determine hereafter against whom said payments shall be charged.

APPROVED:  
Hoopes & Hoopes, Atty for Plaintiff  
Sanders & Grigsby  
John W. Dailey  
Attorneys for Defendant

Richard H. Finefrock  
Trial Judge by assignment

PRECIPE

Filed Dec. 16, 1960

TO THE CLERK:  
Please issue subpoenas returnable at 9:30 A.M. December 19, 1960 to the Sheriff of Union County for the following persons; Eugene Amrine, Gertrude Amrine, Leo Cox, Gertrude Cox, Lloyd McDowell and Floyd Philo, all of Route #3, Marysville, Dover Township; Robert Smart, corner Seventh and Ash Streets, Marysville; Lillian Organ, Marysville; Iva Strausbury and Mrs. Paul DeVault, Richwood, Ohio.  
Issue subpoenas to the Sheriff of Delaware County for the following returnable at 1:30 P.M. December 19, 1960, Lyle Byers, Ostrander Route #1; Berdette Gray, Ostrander, Ohio; William Frisby, 9 Northwest Mounted South Sandusky St. Delaware; Rev. Joel Myers, Ostrander; Patrolman DeLanders, Delaware Patrol Post, Delaware, Ohio.  
Issue subpoena to the Sheriff of Marion County for Monroe Fields, c/o Eaton Mfg. Company, Marion, Ohio returnable at 1:30 P.M. December 19, 1960.

Joseph B. Grigsby  
Attorney for Defendant  
John W. Dailey  
Attorney for Defendant

SUBPENA IN CIVIL CASE

To. Eugene Amrine, R#3, Marysville, Ohio	22	P	12-19-60
Gertrude Amrine, R#3, Marysville, Ohio	22	P	12-19-60
Leo Cox, R#3, Marysville, Ohio	18	P	12-19-60
Gertrude Cox, R#3, Marysville, Ohio	18	P	12-19-60
Lloyd McDowell, R#3, Marysville, Ohio	16	P	12-19-60
Floyd Philo, R#3, Marysville, Ohio	16	P	12-17-60
Robert Smart, corn. 7th & Ash St., Marysville, O.		P	12-17-60
Lillian Organ, Marysville			Delaware County
Iva Stansberry, Richwood, Ohio	34	P	12-17-60
Mrs. Paul DeBolt, Richwood, Ohio	34	P	12-17-60

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 19th day of December A.D. 1960, at 9:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein John A. Miller Plaintiff, and Mildred K. Miller Defendant, and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.  
Said Court requires your said attendance on behalf of the Defendant.  
Witness my hand and the seal of said Court, this 16th day of December, 1960.

Helen L. Sullivan

RETURN OF SERVICE

Filed Dec. 19, 1960

I received this writ on the 16th day of Dec. 1960 at 2:00 o'clock P.M. and served the persons named therein, on the day and in the manner indicated against each name.

\$13.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

SUBPENA IN CIVIL CASE (FOREIGN COUNTY)

To Lyle Byers, Ostrander, R#1, Ohio  
Berdette Gray, Ostrander, Ohio  
William Frisby, 9 Northwest Mounted, South Sandusky St., Delaware, Ohio  
Rev. Joel Myers, Ostrander, Ohio  
Patroman DeLanders, Delaware Patrol Post, Delaware,

You are hereby required to be and appear before the Common Pleas Court at the Court House in said Union County, at Marysville, Ohio, on the 19th day of December, 1960, at 1:30 o'clock P.M. to testify as a witness in a certain case pending in said Court, wherein John A. Miller Plaintiff, and Mildred K. Miller Defendant; and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.  
Said Court requires your said attendance on behalf of the Defendant.  
Witness my hand and the seal of said Court, this 16th day of Dec. 1960.

Helen L. Sullivan  
Clerk

We received this subpoena at 12:00 P.M. 19th Dec. and they are to appear in your Court at 1:30 P.M. I am returning it due to not enough time to serve. Union Co. Sheriff's office has informed you of this.

Harley Wornstaff, Sheriff  
By Ross Armentrout Deputy

SUBPENA IN CIVIL CASE (FOREIGN COUNTY)

To Monroe Fields, c/o Eaton Mfg. Co. Marion, Ohio.

You are hereby required to be and appear before the Common Pleas Court at the Court House in said Union County, at Marysville, Ohio, on the 19th day of December, 1960, at 1:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein John A. Miller Plaintiff, and Mildred K. Miller Defendant; and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.  
Said Court requires your said attendance on behalf of the Defendant.  
Witness my hand and the seal of said Court, this 16th day of December, 1960.

Helen L. Sullivan  
Clerk

This writ returned not served not received in time for service.

Filed Dec 21, 1960

JOURNAL ENTRY

Filed Jan. 24, 1961

Plaintiff having dismissed his petition and the answer to the cross-petition, this matter came before the Court upon the Cross-Petition of Mildred K. Miller, defendant; the Court finds it has jurisdiction of the parties and of the subject matter; the Court further finds defendant and John A. Miller were married in the year 1941 and they now have two children issue of this marriage, Beverly, aged 17 years and Sharon Kay aged 9 years; the Court finds the defendant has been a dutiful wife but that John A. Miller has been guilty of gross neglect of duty and extreme cruelty and by reason thereof defendant is entitled to a divorce as prayed for in the petition; that defendant is a suitable person to have the custody of the children, subject to visitation rights of plaintiff.

It is thereby ordered and decreed that Mildred K. Miller be granted a divorce from John A. Miller and that the custody of the two minor children be confided to Mildred K. Miller; that the plaintiff have the privilege of visiting said children outside defendant's home, between the hours of 2:00 and 5:00 o'clock P.M. each Sunday afternoon but shall not take the children beyond the limits of Franklin and Delaware Counties, Ohio; it is further ordered plaintiff pay to the office of the Clerk of Courts beginning January 24, 1961, the sum of \$40.00 per week for the support of the minor children and that in addition thereto be forthwith pay the sum of \$50.00 in back support and that he be responsible for all reasonable medical bills and that defendant submit within ten days of receipt, all bills for medical care of the children to John A. Miller and that he forthwith give her a check for said amounts, said check being payable to the creditor.

It is further ordered plaintiff, John A. Miller deliver to the office of John W. Dailey or Joseph B. Grigsby, the silverware heretofore ordered turned over to defendant and the stock certificates of any other personal property, still held by Plaintiff, belonging to defendant and the minor children. All costs of this proceeding are to be taxed to plaintiff, John A. Miller.

APPROVED BY:  
John W. Dailey  
Lombardo & DeVactor  
Joseph B. Grigsby  
Attorneys for Defendant  
Hoopes & Hoopes  
Attorneys for Plaintiff

Richard H. Finefrock  
Judge

CONT. FROM BOOK 78, PAGE 119

Catherine D. Rosette  
Plaintiff  
vs  
Russell P. Rosette  
Defendant

Case No. 18316

Filed Oct 3, 1959

Recorded Feb 8, 1961

MOTION

Now comes the defendant, Russell P. Rosette by his attorney, William J. Porter and says that the plaintiff, Catherine D. Rosette is and has been, since the first of September, 1959, in Kansas City, Missouri studying for a position with one of the airlines, and that she completes her study on or about October 1st and expects to return home on October 2nd, 1959.

Defendant further says that he has reason to believe that whether the plaintiff receives a position or not with one of the said airlines that she will move from the village of Marysville and take their said children with her.

Wherefore, defendant respectfully moves the Court for an order restraining said plaintiff from taking their said children Paula and Beth Rosette from the village of Marysville, Ohio, and this cause continued.

William J. Porter, Attorney for Defendant



ENTRY

Filed Oct 3, 1959

The Court being fully advised in the premises hereby orders and directs said plaintiff, Catherine D. Rosette not to remove their said children from the village of Marysville until said matter can be heard on its merits.

Richard H. Pinefrock  
Judge

PRECIPE

TO THE CLERK:

Please issue a copy of said motion and entry on the plaintiff in Marysville, Ohio directed to the Sheriff of Union County, Ohio. Endorse thereon "Order restraining said plaintiff, Catherine D. Rosette from removing their said children from the village of Marysville, Ohio until said matter can be heard upon its merits.

William J. Porter  
Attorney For Defendant

NOTICE TO SERVE

TO The Sheriff of Union County, Greeting:

You are hereby commanded to serve the attached copies of Motion and Entry heretofore filed in this case, upon the Plaintiff, Catherine D. Rosette and of your service hereof, make due return to this office, on or before the 12th day of October, A.D. 1959.

WITNESS my hand and seal of said Court, this 3rd day of October, 1959.

Helen L. Sullivan  
Clerk of said Court

SHERIFF'S RETURN

Filed Oct. 7, 1959

The State of Ohio, Union County.

Received this writ Oct. 3rd, 1959, at 10:30 o'clock A.M. And on Oct. 3rd. 1959, I served the within named Catherine D. Rosette by personally handing to her a true and certified copy thereof with all the endorsements thereon.

Edward Amrine Union County Sheriff  
By Martha S. Rogers, Deputy

\$1.60

PRECIPE FOR  
SUBPENA

Filed Nov. 9, 1959

To the Clerk: Issue Subpena for

1. Thelma Coder, W. 8th Marysville, Ohio

to appear as witnesses in above named case, on November, 10th, A.D. 1959 at 9:30 o'clock AM. Required on behalf of the Defendant.

William J. Porter  
Attorney for the Defendant.

ENTRY

Filed Nov. 10, 1959

This day this cause came on to be heard upon motion of defendant to restrain plaintiff from removing the minor children of the parties hereto from the Village of Marysville, Ohio, and upon consideration of the same the Court finds that said motion is not well taken and overrules the same, and the temporary restraining order issued on Oct 3, 1959, is dissolved and vacated.

This matter came on further to be heard upon an agreement of the parties regarding the removal of said children from the State of Ohio and the Court finds that said parties have agreed that plaintiff will not remove said minor children from the State of Ohio without the approval and consent of this Court.

John P. Case  
Judge (Sitting by assignment)

APPROVED:

Sanders & Grigsby  
Attorney for Plaintiff  
Catherine Rosette  
Plaintiff  
William J. Porter  
Attorney for Defendant  
Russell P. Rosette  
Russell P. Rosette, Defendant

SUBPENA

The State of Ohio, Union County.

To Thelma Coder, 629 W. 8th St., Marysville, Ohio

O

P

11/9/59

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 10th day of Nov. A.D. 1959 at 9:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Catherine Rosette Plaintiff, and Russell Rosette Defendant, and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the Defendant.

Witness my hand and the seal of said Court, this 9th day of Nov. 1959.

Helen L. Sullivan, Clerk

RETURN OF SERVICE

Filed November 10, 1959

I received this writ on the 9th day of Nov. 1959, at 1:00 o'clock P.M. and served the persons named therein, on the day and in the manner indicated against each name.

Edward Amrine, Union County Sheriff  
By Martha S. Rogers, Deputy

\$1.60



PETITION FOR ALIMONY

Helen Luella Norris  
Route #3  
Plain City, Ohio  
Plaintiff

vs

Max Norris  
Route #3  
Plain City, Ohio  
Defendant

Case No. 18746

Filed Nov. 9, 1960

Recorded Feb. 8, 1961

Now comes the Plaintiff, Helen Luella NORRIS, and says that she has been a bonafide resident of Union County, Ohio, for more than one (1) year immediately preceeding the filing of this Petition.

Plaintiff further states that she and the Defendant, Max Norris, were married on November 26, 1949, at New California, Ohio, and that they have one child, Timothy Norris, born July 24, 1952.

Plaintiff furthr says that the Defendant has been guilty of "Gross Neglect of Duty" toward the Plaintiff and Extreme Cruelty.

Plaintiff further says that the Defendant has repeatedly caused her bodily harm and that she has reasonable grounds that he will again do so unless restrained.

Wherefore, Plaintiff prays that she be awarded temporary alimony and support for her minor child, during the pendancy of this action; that at the conclusion of this action she be awarded permanent alimony, custody of the minor child and permanent support for said child; that the Defendant be restrained from disposing of or incumbering the household furniture of the parties during the pendancy of this acton; that the Plaintiff be awarded said household furniture; that the Defendant be restrained from entering the premises of Ora Andrews where the Plaintiff resides, except for purposes of visitation with said child; that the Defendant be restrained from molesting the Plaintiff; and that she be given her costs and such other and further relief as is proper in law and in equity.

Robert O. Hamilton  
Attorney for Plaintiff

STATE OF OHIO, COUNTY OF UNION, SS:

Helen Luella Norris, being first duly cautioned and sworn, deposes and says that she is the Plaintiff in the foregoing Petition for Alimony and that the facts stated and allegations contained therein are true.

Sworn to before me and subscribed in my presence this 8th day of Nov. 1960.

Helen Luella Norris  
Robert O. Hamilton  
Notary Public

PRECIPE

TO THE CLERK:

Issue summons to the Sheriff of Union County, Ohio, for the Defendant, Max Norris.

Endorse summons "Action for Alimony, temporary and permanent, custody of minor child, restraining order and other relief."

Robert O. Hamilton  
Attorney for Plaintiff

SUMMONS

The State of Ohio, Union County.

To the Sheriff of Union County, Greeting:

You are commanded to notify Max Norris, R#3, Plain City, Ohio that Helen Luella Norris has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons), charging him with gross neglect of dity and extreme cruelty and asking for reasonable alimony, temporary and permanent, custody of minor child, restraining order and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 21 day of November, 1960.

WITNESS my signature and the seal of said Court, this 9th day of November, 1960.

Helen L. Sullivan, Clerk

Filed Nov. 14, 1960

SHERIFF'S RETURN

The State of Ohio, Union County.

Received this writ on the 9th day of Nov. 1960, at 2:21 o'clock P.M., and on the 10th day of Nov. 1960, I served the same by personally handing to the within named Max Norris a true and duly certified copy thereof with all the endorsements thereon, together with a certified copy of the petition filed against him in this cause.

\$4.30

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

APPLICATION

Filed Nov. 18, 1960

Now comes the Plaintiff and asks that the Court set a hearing to determine temporary support and custody of the child.

Helen Luella Norris  
By Robert O. Hamilton  
Her Attorney

TO: Max Norris, Defendant, Route 3, Plain City, Ohio

You are hereby notified that the above application is set for hearing on November 25, 1960 at 10:00 A.M.

Helen L. Sullivan  
Clerk

ENTRY

Filed Nov. 29, 1960

By agreement of the parties, temporary custody of the minor child is awarded to the Plaintiff, and the Defendant is ordered to pay \$10.00 per week for support of said child, thru the Clerk of this Court commencing November 26, 1960.

It is further ordered that the Defendant shall have reasonable rights of visitation with said child during the pendency of this action.

APPROVED BY:

Robert O. Hamilton  
Attorney for Plaintiff  
William J. Porter  
Attorney for Defendant

Richard H. Finefrock  
Judge

ANSWER

Filed Jan. 9, 1961

Now comes the defendant Max Norris and admits that the plaintiff Helen Luella Norris has been a resident of Union County and the State of Ohio for more than one yearprior to filing herpetition herein.  
Defendant further admits that there is one child the issue of said marriage, namely, Timothy Norris, born July 24th, 1952.  
Further answering defendant denies each and every other allegation set forth in plaintiff's petition .  
Wherefore, defendant prays thatsaid petition be dismissed and that he go hence this day without costs.

William J. Porter  
Attorney for defendant

STATE OF OHIO, COUNTY OF UNION, SS:  
Max Norris being first duly sworn deposes and says that the facts stated and the allegations contained herein are true as he verily believes.  
  
Sworn to before me and signed in my presence this 9th day of January, 1961.

Max Norris  
William J. Porter  
Notary Public

ORDER FOR TRIAL

Filed Jan. 18, 1961

Above cause set for trial Wednesday January 25gh, 1961 at 1:30 o'clock P.M.  
Notice of this order mailed to Robert O. Hamilton, Attorney for Plaintiff and William J. Porter, Attorney for Defendant.

Gwynn Sanders  
Judge

JOURNAL ENTRY - DECREE FOR ALIMONY

Filed Jan. 27, 1961

On the 25th day of January, 1961, came the Plaintiff, and the Defendant having been duly served with summons and a copy of the Petition herein, and having filed an Answer.  
The Court heard the testimony presented by the Plaintiff, and the Defendant being present was asked if he wished to present any testimony and he stated that he did not.  
The Court finds that the Plaintiff was at the time of filing her Petition, a bonafide resident of this County and State for more than one (1) year immediatelypreceeding the filing of her Petition.  
The Court further finds upon the evidence that the Plaintiff has been "Guilty" of Gross Neglect of duty and Extreme Cruelty toward the Plaintiff, and that by reason thereof, the Plaintiff is entitled to alimony out of the estate of her husband, the said Defendant.  
It is therefore, ordered, adjudged, that the said Plaintiff shall have all of the household goods of the parties as her own, free and clear of any claim of the Defendant.  
It is further ordered that the Defendant shall have the autmobile belonging to the parties free and clear of any claim of the Plaintiff. It is further ordered that the Defendant assumeobligations owed his sister and parents and that he hold the Plaintiff harmless against said claims; and that the Plaintiff assume any obligation owed her family.  
It is further ordered that the custody, care, education and control of Timothy Norris, the minor child of the parties be, until further order, confined to the Plaintiff, with the Defendant having reasonable rights of visitaton with said child.  
It is further ordered that the Defendant pay to the Plaintiff for the support of said child, through the Clerk of the Court, the sum of \$10.00 per week plus poundage.  
for so long as Defendant is drawing unemployment compensation, or until further order of the Court.  
Costs are assessed to the Plaintiff.

APPROVED BY:  
Robert O. Hamilton  
Attorney for Plaintiff

Gwynn Sanders  
Judge

PETITION

Dicie Mae Smith  
128 Chestnut Street  
Marysville, Ohio  
Plaintiff  
vs  
James E. Smith  
RD 6, Marion, Ohio  
Defendant

Case No. 18761  
Filed Dec 12, 1960  
Recorded Feb. 9, 1961

Plaintiff, Dicie Mae Smith, says she has been a resident of the Stateof Ohio, for more than one year last past, and has been a bona fide resident of Union County for moe than ninety days next prior to the filing of this her petition.  
Plaintiff and defendant, James E. Smith, were married on the 23rd day of April, 1935, at Hindman in the State of Kentucky, and the following children were born of said marriage, to-wit: Dosha Margaret, born January 29, 1936, emancipated; Harold E. Smith, born March 3, 1938, emancipated; Larry Smith, born September 22, 1940, emancipated; Samuel Smith, born December 23, 1942; Carolyn Sue, born January 28, 1944, emancipated; Joseph Edward Smith, born February 12, 1947; James Smith, born April 10, 1950; Dwight Smith, born October10, 1953; Rebecca Smith, born February 10, 1955 and Sandra Smith, born June 11, 1957.  
Plaintiff says the defendant has been guilty of gross neglect of duty toward theplaintiff and that by reason thereof she is entitled to a divorce.  
Plaintiff says that she and the defendant have a small amount of household goods and furniture now in possession of the plaintiff and neither have any other real or personal prperty; that the plaintiff has no funds for her support or the support of the minor children; that she has been unableto secure steady employment and is dependent upon her children and friends for support; that the defendant is in good health and able to secure employment andsupport his minor children.  
Wherefore plaintiff prays for divorce, alimony pending this suit for the support of herself and minor children, and reasonable permanent alimony for the support of the minor children on final hearing; temporary and permanent custody of all the minor children, and for such other and further relief as she may be entitled to.

John W. Dailey  
Attorney for Plaintiff

State of Ohio, Union County, ss:  
Dicie Mae Smith, being duly sworn, says the facts stated and allegations made in the foregoing petition are true, as she verily believes.

Dicie Mae Smith  
John W. Dailey  
Notary Public, State of Ohio

Sworn to before me and subscribed in my presence this the 12th day of December, 1960.



PRECIPE

TO THE CLERK:

Issue summons on the above petition with a certified copy of said petition to the Sheriff of Marion County, Ohio, for service on the defendant, James E. Smith, residing at R D 6, Marion, Ohio, with Harold E. Smith. Endorse, "Action for divorce, custody of minor children, alimony, temporary and permanent and other relief", and make same returnable in accordance with law.

John W. Dailey  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Marion County:

You are hereby commanded to notify James E. Smith, R#6, Marion, Ohio that Dicie Mae Smith has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with gross neglect of duty and asking that she be divorced from him and custody of minor children, alimony, temporary and permanent and other relief and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 26th day of December, 1960.  
WITNESS my signature and the seal of said Court, this 12 day of December, 1960.

Helen L. Sullivan, Clerk  
Dec 16, 1960

SHERIFF'S RETURN

The State of Ohio, Marion County.

Received this writ on the 31th day of December, 1960, at 11:30 o'clock A.M. and on the 14th day of December 1960, I served the same by personally handing to the within named James E. Smith a true copy thereof, together with a certified copy of the petition filed against him in this cause.

\$3.14

Glenn Obenour, Sheriff  
By Robert M. Hazen, Deputy

JOURNAL ENTRY

Filed Jan. 31, 1961

This day this cause came on for hearing on the petition and the evidence and on consideration the court finds that the defendant has been duly served with summons and copy of the petition and that he is in default for answer or demurrer and that the facts stated in said petition are true; that the plaintiff was a resident of the State of Ohio for more than year and has been a bona fide resident of the county of Union in the State of Ohio for more than one year immediately prior to the date of the filing of the petition.

The court further finds that the parties were married as set forth in the petition and that the following minor children were born the issue of said marriage, to-wit: Samuel Smith, born December 23, 1942; Joseph Edward Smith, born February 12, 1947; James Smith, born April 10, 1950; Dwight Smith, Born October 10, 1953; Rebecca Smith, born February 10, 1955, and Sandra Smith, born June 11, 1957. The court finds that Dwight Smith and Rebecca Smith is living in the home of the plaintiff and the other minor children are now living with relatives of the children.

The court further finds the defendant has been guilty of gross neglect of duty toward the plaintiff as alleged in the petition and that by reason thereof the plaintiff is entitled to a divorce as prayed for in the petition.

It is therefore ordered, adjudged and decreed that the plaintiff be and she hereby is granted a divorce from the defendant and the marriage contract heretofore existing be and the same hereby is dissolved and set aside.

It is further ordered, adjudged and decreed that the plaintiff be and she hereby is awarded the custody of the minor children until further order of this court, and that she be awarded, as alimony, all the personal property owned by the plaintiff and defendant located in the dwelling now occupied by the plaintiff, and that defendant pay, through the clerk of this court, the sum of \$20.20 per week for the support and maintenance of the two minor children now in the home occupied by the plaintiff; the first payment to be made on January 28, 1961 and payments to be made each and every Saturday until further order of this court.

It is further ordered the clerk of this court mail a certified copy of this order to the defendant James E. Smith in care of Harold E. Smith. R D 6, Marion, Ohio, and that the plaintiff pay the costs of this proceeding.

APPROVED:

John W. Dailey  
Attorney for Plaintiff

Gwynn Sanders  
Judge

PETITION

Velma Pearl Day, a minor  
by Dorothy Sarah Herriott  
her Mother and next friend  
Plaintiff

vs  
Charles Eugene Day  
Route 2  
Ostrander, Ohio  
Defendant

Case No. 18678

Filed July 25, 1960

Recorded Feb 9, 1961

Plaintiff says that she is a minor of the age of 16 years and brings this action by her Mother and next friend, Dorothy Sarah Herriott.

Plaintiff says that she has been a resident of Union County, Ohio for more than 90 days preceding the filing of this petition and a resident of the State of Ohio, for more than one year preceding the filing of this her Petition for Divorce.

Plaintiff says that she and the defendant were married on the 8th day of June, 1957, at Brookville, Indiana, and that three children, namely Charles Eugene Day, Born Jan. 16, 1958; Teresa Kathryn Day, Born December 12, 1958; and Rickey Lee Day, Born June 27, 1960, have been born the issue of said marriage.

Plaintiff says that the Defendant has been guilty of Extreme Cruelty and Gross Neglect of Duty, and by reason thereof she is entitled to a divorce.

Wherefore, Plaintiff prays for a decree of divorce, for support for herself and the minor children during the pendency of this action and thereafter, for temporary and permanent custody of the minor children, for attorney fees, and such other relief as may be just and proper in the premises.

William L. Coleman

STATE OF OHIO, COUNTY OF UNION:

Dorothy Sarah Herriott, being first duly cautioned and sworn, says that she is the mother and next friend of Velma Pearl Day, the plaintiff in the above entitled action, and that the facts stated and allegations contained therein are true as she verily believes.

Dorothy Sarah Herriott  
Velma Pearl Day



Sworn to before me and subscribed in my presence this 25th day of July, 1960.

Robert O. Hamilton  
Notary Public

PRECIPE

TO THE CLERK:

Issue summons to the Sheriff of Union County goether with copy of the Petition to be served upon the Defendant, Charles Eugene Day.

Endorse Summons, "Action for Divorce, Support for Plaintiff and the minor children during the pendency of this action and thereafter, for temporary and permanent custody of the minor children, for Attorney Fees" and such other and further relief as may be just and proper in the premises.

William L.Coleman  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County.

You are hereby commanded to notify Charles Eugene Day, Ostrander, Ohio R#2 that Velma Pearl Day,a minor by Dorothy Sarah Herriott, her mother and next friend has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) Charging him with Gross Neglect of duty & Extreme Cruelty and asking that she be divorce from him and for support forherself and the minor chil-dren during the pendency of this action and thereafter, for temporary and permanent custody of the minor children, for attorney fees and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 8th day of Aug. 1960

WITNESS my signature and the seal of said Court, this 25th day of Jul, 1960.

Helen L.Sullivan, Clerk

Filed July 27, 1960

SHERIFF'S RETURN

The State of Ohio, Union County.

Received this writ on the 25th day of July 1960, at 3:25 o'clock P.M. and on the 26th day of July 1960, I served the same by personally handing to the within named Charles Eugene Day a true copy thereof, together with a certified copy of the petition filed against him in this cause.

\$2.40

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

ORDER FOR TRIAL

Filed Dec. 13, 1960

The above cause is set for trial before this Court on December 30th, 1960 at 10:00 o'clock A.M.

Notice of this order mailed to W. L. Coleman, Attorney for Plaintiff and Clyde E. Lewis, Delaware, Ohio, attorney for Defendant.

Gwynn Sanders  
Judge

JOURNAL ENTRY

Filed 1, 1961

This cause came on for hearing on December 30, 1960, the Defendant, Charles Eugene Day, being in default for answer.

Upon hearing the testimony and evidence presented by the Plaintiff, the Court finds that the allegations of the Petition have not been proved.

Therefore, Petition of the Plaintiff is denied. Costs assessed to the Plaintiff.

APPROVED BY:

Robert O. Hamilton  
Attorney for Plaintiff

Richard H. Finefrock  
Judge

PETITION

June Warner  
319 North Street  
Plain City, Ohio  
Plaintiff

Case No. 18763

vs

Roy A. Warner  
Defendant

Filed Dec 13, 1960

Recorded Feb. 9, 1961

Plaintiff says that she has been a resident of the State of Ohio for more than one year last past and a resident of Union County for more than sixty days prior to the filing of this petition. That she was married to the defendant on the 31st day of December, 1955 at New California, Ohio, and that there are two children born of said marriage, to-wit: Lucinda, aged four years and Robert, aged two years.

That defendant has been guilty of gross neglect of duty towards plaintiff and that by reason thereof she is entitled to be divorced from the defendant.

Plaintiff further says that parties own household goods and furniture located in the apartment where she resides at 319 North Street, Plain City, Ohio, and that they own a 1952 Chevrolet Sedan. That parties have the following obligations; City Loan, \$375.00; General Finance Company, \$422.00; Columbus City Income Tax, \$96.00; Federal Income Tax 1959, \$73.00 and Economy Finance, mortgage on car, \$307.00.

WHEREFORE, Plaintiff prays that she may be divorced from the defendant, that she be granted the sole care, custody and control of said minor children, that the property hereinabove set forth be awarded to her and for such other and further relief as is proper.

Hoopes & Hoopes  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:

June Warner, being first duly sworn says that she is the plaintiff in the above entitled cause and that the facts stated and allegations made in the foregoing petition are true as she verily believes.

Sworn to before me and subscribed in my presence this 13th day of December, 1960.

June Warner  
William S. Hoopes  
Notary Public

AFFIDAVIT

Filed Dec 13, 1960

State of Ohio, Union County, ss:

June Warner, being first duly sworn says that she is the plaintiff in the above entitled action, which is an action for divorce, and that service of summons cannot be made on the defendant herein for reason that the residence of defendant is unknown to this plaintiff, and after exercise of reasonable diligence cannot be ascertained.

June Warner

Sworn to before me and subscribed in my presence this 13th day of December, 1960.

William S. Hoopes  
Notary Public

PROOF OF PUBLICATION

Filed Jan. 26, 1961

STATE OF OHIO, Village of Marysville, Union County. ss.

Personally appeared before me Marie M. Strauss and made solemn oath, that the Legal Notice, a copy of which is hereto attached, was published for 6 consecutive weeks on and next after December 14, 1960, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Sworn to before me and signed in my presence this 19 day of January A.D. 1961.  
Marie M. Strauss  
W. E. Behrens  
Notary Public

My commission expires June 22, 1961.  
Printer's Fees, \$11.55

NOTICE

IN THE COURT OF COMMON PLEAS, UNION COUNTY, OHIO  
No. 18763

LEGAL NOTICE

June Warner, Plaintiff

-vs-

Roy A. Warner, Defendant.

Roy A. Warner, whose place of residence is unknown, will take notice that on the 13th day of December, 1960, the undersigned filed her petition against him in the Court of Common Pleas of Union County, Ohio, praying for a divorce and relief on the grounds of gross neglect of duty. said cause will be for hearing on and after the 26th day of January, 1961.  
June Warner

by: Hoopes and Hoopes  
Her attorneys

DECREE OF DIVORCE

Filed Feb 4, 1961

And now comes the said Plaintiff, by her Attorney, and the Defendant having been legally summoned by publication the Court finds that the Defendant is in default for answer or demurrer to the petition, thereby confessing the allegations thereof to be true.

The Court also finds that the Plaintiff, at the time of filing her petition, had been a resident of the State of Ohio for one year next prior thereto and was, at the time of filing said petition and for at least ninety days immediately preceding the same, a bona fide resident of this County of Union and that the parties hereto were married on the 31st day of December, 1955, as in said petition set forth.

The Court further finds, upon the evidence adduced, that the Defendant has been guilty of gross neglect of duty toward plaintiff and by reason thereof the Plaintiff is entitled to a divorce as prayed for.

It is therefore ordered and adjudged by the Court, that the marriage contract heretofore existing between the said June Warner and Roy A. Warner be, and the same is hereby dissolved, and both parties are released from the obligations of the same.

It is further ordered that the custody, care, education and control of the children, to-wit: Lucinda, age four and Robert age two of the said parties hereto be, until further order, confided to the said Plaintiff. And the said Roy A. Warner is hereby enjoined from interfering in any manner with either the said children, or with Plaintiff, June Warner in the custody, care, education and nurture thereof until further order of this Court.

It is further ordered that title to the 1952 Chevrolet Two Door Automobile belonging to the defendant be and hereby is transferred to the plaintiff, June Warner.

It is further ordered that all furniture and household goods belonging to the parties be and the same hereby is transferred to the plaintiff, June Warner.

It is further ordered that the said Plaintiff pay the costs of this prosecution.

APPROVED:

Hoopes & Hoopes  
Attorneys for Plaintiff

Gwynn Sanders  
Judge

PETITION

Hilda A. Hager  
Route #3  
Plain City, Ohio  
Plaintiff

Case No. 18764

vs

Leslie Hager  
509 Sixth Avenue  
Huntington, West Virginia  
Defendant

Filed Dec 15, 1960

Recorded Feb. 9, 1961

Plaintiff says that she has been a bona fide resident of the State of Ohio for more than one year and an actual and bona fide resident of this County of Union for more than ninety (90) days immediately preceding the filing of this petition.

Plaintiff further says that she was married to the defendant on the 9th day of January, 1959, at Catlettsburg, Kentucky and as a result of such union, one child Terry H. Hager was born on the 26th day of July, 1959. Plaintiff further says that there is no property owned by the plaintiff and defendant.

Plaintiff alleges for her cause of action herein that the defendant has been guilty of gross neglect of duty.

WHEREFORE, plaintiff prays that the marriage ties existing between the parties hereto be dissolved and that upon final hearing she be awarded the care, custody and control of the minor child herein and for such other and further relief that the Court may deem just, equitable and proper.

Grigsby & Parrott  
Attorneys for Plaintiff

STATE OF OHIO, COUNTY OF UNION, SS:

Hilda A. Hager, being duly sworn, says that the facts stated and allegations contained in the foregoing petition are true as she verily believes.

Hilda A. Hager

Sworn to before me and subscribed in my presence this 14th day of December, 1960.

Richard E. Parrott

AFFIDAVIT FOR SERVICE OF PUBLICATION

Filed Dec. 15, 1960

Hilda A. Hager, being first duly sworn, says that she is the plaintiff in the above entitled action which is an action for divorce, that the defendant Leslie Hager is not a resident of the State of Ohio, but resides at 509 Sixth Avenue, Huntington, West Virginia and that service of summons can not be made upon said defendant within the State of Ohio.



Hilda A. Hager

Sworn to before me and subscribed in my presence this 14th day of December, 1960.

Richard E. Parrott

ENTRY

Filed Dec. 15, 1960

Plaintiff having filed her motion and affidavit that defendant can not be served with summons within the State of Ohio and the Court being satisfied that service can be made only by means of publication in a newspaper of general circulation in this County, it is therefore the order of this Court that the plaintiff proceed to obtain service upon said defendant by publication as prescribed by the Revised Code of Ohio in such matters.

Gwynn Sanders  
Judge

PROOF OF PUBLICATION

Filed Jan. 26, 1961

STATE OF OHIO, Village of Marysville, Union County. ss.

Personally appeared before me Marie M. Strauss and made solemn oath, that the Legal Notice, a copy of which is hereto attached, was published for 6 consecutive weeks on and next after December 16, 1960, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Marie M. Strauss

Sworn to before me and signed in my presence this 21 day of January A.D. 1961.

W. E. Behrens  
Notary Public

My Commission expires June 22, 1961

Printer's Fees \$13.44

NOTICE

IN THE COURT OF COMMON PLEAS, UNION COUNTY, OHIO

Case No. 18764

Hilda A. Hager, Route No. 3, Plain City, Ohio, Plaintiff

-vs-

Leslie Hager, 509 Sixth Avenue, Huntington, West Virginia, Defendant.

Leslie Hager whose place of residence is 509 Sixth Avenue, Huntington, West Virginia, other wise whose place of residence is unknown, will take notice that on December 14, 1960 the undersigned filed her petition against him in Court of Common Pleas of Union County, Ohio praying for a divorce and relief on the grounds of gross neglect of duty, said cause will be for hearing on and after the 28th day of January, 1961.

Hilda A. Hager  
Grigsby & Parrott

JOURNAL ENTRY

Filed Feb 7, 1961

This cause came on for hearing on the 4th day of February, 1961, on the petition of plaintiff, the defendant being in default of answer or demurrer although duly served with process according to law, the courts finds from the evidence that plaintiff is and was for atleast 90 days prior to the filing of her petition a bona fide resident of Union County, Ohio, and that she has been a resident of the State of Ohio for more than 1 year preceding the commencement of this action. The court further finds that plaintiff and defendant are married and that there is one minor child, Terry H. Hager, as issue of this marriage; that defendant has been guilty of gross neglect of duty towards plaintiff; and that plaintiff is a proper person to have custody of said minor child.

It is ordered, adjudged and decreed that plaintiff be and hereby is granted the divorce from defendant and the marriage contract is hereby dissolved and that custody of the minor child of the parties be confided to plaintiff. It is further ordered that defendant have no right of visitation as to said minor child. Costs to plaintiff.

Grigsby & Parrott  
Attorneys for Plaintiff

Gwynn Sanders  
Judge

PETITION

Dorothy Akey  
Route #3  
Richwood, Ohio  
Plaintiff

vs

Carl S. Akey  
327 East Sandusky Street  
Bellefontaine, Ohio  
Defendant

Case No. 18791

Filed Jan. 27, 1961

Recorded Feb 9. 1961

Now comes Dorothy Akey who says she has been a resident of Union County, State of Ohio, for more than one year immediately prior to the filing of this petition; that she and the defendant Carl S. Akey were married on the 3rd day of December, 1954 and have one child issue of this marriage namely Kay Akey born September 10, 1956, and that said child is now in the custody of plaintiff.

The plaintiff further says for her cause of action, that the defendant Carl S. Akey has been guilty of gross neglect of duty and that by reason thereof she is entitled to a divorce. Plaintiff and defendant own no personal or chattel property the rights to which are in issue but defendant is gainfully employed and earning approximately \$100.00 per week net income from which this plaintiff asks temporary support for herself and minor child in the sum of \$35.00 per week.

Wherefore plaintiff prays for a decree of divorce, custody of the minor child, temporary and permanent support and such other relief as may be just and proper in the premises.

Grigsby & Parrott  
Attorneys for Plaintiff

STATE OF OHIO, COUNTY OF UNION, SS:

Dorothy Akey first being duly sworn says the facts and allegations in the foregoing petition are true.

Dorothy Akey  
1961.

Sworn to and before me and subscribed in my presence this 26th day of January,

Joseph B. Grigsby

MOTION

Filed Jan. 27, 1961

Now comes plaintiff Dorothy Akey and moves the court for an order setting the date for hearing on matters pertaining to temporary support of plaintiff and minor child, custody and visitation rights and for an award of attorney fees for plaintiff's attorney.

Dorothy Akey

JOURNAL ENTRY

Filed Jan. 27, 1961

It is ordered that the motion filed in this matter pertaining to temporary support for plaintiff and minor child, custody and visitation rights and attorney fees be heard



PETITION

Olive Marie Moore  
111 1/2 N. Franklin Street  
Richwood, Ohio  
Plaintiff  
vs  
Charles William Moore  
1453 North Main Street  
Sidney, Ohio  
Defendant

Case No. 18759  
Filed Dec. 6, 1961  
Recorded February 18, 1961

Now comes the Plaintiff, Olive Marie Moore, and says that she has resided in the County of Union and State of Ohio, where she has had a bona fide residence for more than one year immediately preceding the filing of this Petition; that she was married to the Defendant, Charles William Moore, on July 11, 1950 at Richwood, Ohio and that two children, Charolett Marie Moore, aged 9 years and Connie Faye Moore, aged 8 years, have been born as the issue of said marriage.

Plaintiff further says that the Defendant has been guilty of gross neglect of duty toward this Plaintiff, the full particulars of which are well known to the Defendant and will be fully disclosed upon the trial of this cause.

Plaintiff further says that the parties are the owners of a 1955 Ford Ranch Wagon title in the name of the Defendant; that they are the owners of a 1958 Ford 4 Door Sedan title in the name of the Defendant and that said 1958 Ford 4 Door Sedan is covered by a mortgage held by Sidney Exchange, Sidney, Ohio.

Plaintiff further says that they are the owners of real estate described as follows:

Situated in the County of Union, in the State of Ohio, and in the Township of Jackson, part of Survey No. 9942, and bounded and described as follows:

Commencing at a point in the center line of State Route No. 37 where said center line intersects the northerly line of a 76.85 acre tract now owned by said grantors; thence southeasterly with the center line of said Route No. 37 a distance of 433 feet to the place of beginning; thence North 49 deg. 0' East 185.13 feet to an iron pipe (passing over an iron pipe at 30 feet); thence South 41 deg. 0' East 200 feet to an iron pipe; thence South 49 deg 0' West 185.13 feet (passing over an iron pipe at 155.13 feet) to a point in the center line of said Route No. 37; thence North 41 deg. 0' West with the center line of said Route No. 37 a distance of 200 feet to the place of beginning.

Containing 85/100 acre, more or less. As surveyed by N. W. Llewellyn, Union County Surveyor.

Being a part of a 76.85 acre tract now owned by said grantors as recorded in Volume 180, page 149 of the Deed Records of Union County, Ohio

and that said real estate is covered by a mortgage held by Union Federal Savings and Loan Association, Marysville, Ohio; and, that they are the owners of a shoe repair business located on real estate described as follows:

Situated in the County of Union, in the State of Ohio and in the Village of Richwood, and bounded and described as follows:

Beginning at the S. W. corner of a strip of land conveyed to G. W. Huffman off the east end of In-lot No. 48 in said Village; thence North with the west line to his N. W. corner, being the north line of said Lot No. 48; thence westerly with the north line of said lot 16 feet 8" to a stake; thence southerly and parallel with said Huffman's West line to the south line of said lot; thence Easterly 16 feet 8' to the beginning.

and that said real estate is covered by a mortgage held by the Union County Federal Savings and Loan Association, Marysville, Ohio.

Plaintiff further says that they are the owners of three (3) rooms of furniture, a part of which furniture is covered by a mortgage held by Sears Roebuck and Company.

Plaintiff further says that they are the owners of a business building and equipment located at Sidney, Ohio and that said business and equipment is covered by a mortgage.

WHEREFORE, Plaintiff prays that she be granted a divorce from the Defendant; that pending the hearing of this cause on the merits she be given support for the minor children of the parties and custody of the minor children of the parties; that she be given permanent support for and custody of the minor children of the parties; that the Defendant quit-claim all his right, title and interest in and to the residence and real estate located in Jackson Township and the shoe repair business and real estate located in the Village of Richwood; that the Defendant transfer title of the 1955 Ford Ranch Wagon to the Plaintiff; that the Defendant transfer all his right, title and interest in and to the household furnishings to the Plaintiff and for such other and further relief as is just and proper in the premises.

Olive Marie Moore  
by G. A. Piacentino  
Her Attorney

STATE OF OHIO, Marion County, Ohio

Olive Marie Moore, being first duly sworn according to law, deposes and says that she is the Plaintiff in the foregoing action and that the facts stated and allegations contained therein are true, as she verily believes.

Sworn to before me and subscribed in my presence this 23rd day of November, 1960.  
Olive Marie Moore  
G. A. Piacentino  
Notary Public

PRECIPE

Filed Dec. 6, 1960

To the Clerk of said Court:

Issue summons together with a certified copy of the Petition herein to be served on the Defendant, Charles William Moore, 1453 North Main Street, Sidney, Ohio, directed to the Sheriff of Shelby County, Ohio.

Endorse thereon "Action for divorce; temporary and permanent custody and support of the minor children of the parties; that the Defendant quit-claim all his right, title and interest in and to the residence and real estate located in Jackson Township and the Shoe repair business and real estate located in the Village of Richwood; that the Defendant transfer title of the 1955 Ford Ranch Wagon to the Plaintiff; that the Defendant Transfer all his right, title and interest in and to the household furnishings to the Plaintiff and for such other and further relief as is just and proper in the premises.", returnable according to law.

G. A. Piacentino  
Attorney for Plaintiff



SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Shelby County:

You are hereby commanded to notify Charles William Moore, 1453 North Main St., Sidney, Ohio that Olive Marie Moore has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with gross neglect of duty and asking that she be divorced from him and temporary and permanent custody and support of the minor children of the parties; that the Defendant quit-claim all his right, title and interest in and to the residence and real estate located in Jackson Township and the shoe repair business and real estate located in the Village of Richwood; that the Defendant transfer title of the 1955 Ford Ranch Wagon to the Plaintiff; that the Defendant transfer all of his right, title and interest in and to the household furnishings to the Plaintiff and for such other and further relief as is just and proper in the premises, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 19th day of December, 1960.

WITNESS my signature and the seal of said Court, this 6th day of December, 1960.

Helen L. Sullivan, Clerk

Filed Dec. 9, 1961

SHERIFF'S RETURN

The State of Ohio, Shelby County.

Received this writ on the 8th day of December, 1960, at 9:00 o'clock A.M. and on the 8th day of December, 1960, I served the same by personally handing to Charles William Moore a true copy thereof, together with a certified copy of the petition filed against him in this cause.

\$1.74

Robert M. Gearhart, Sheriff  
By Stuart Carey, Deputy

ANSWER

Filed Jan. 17, 1961

The Defendant for answer admits the date and place of the marriage and that two children were born as the issue of said marriage as set out in Plaintiff's petition. He denies all other allegations not herein specifically admitted to be true.

Charles W. Moore  
By James H. Rieck  
His Attorney

STATE OF OHIO, SHELBY COUNTY, SS:

Charles W. Moore, being duly sworn, says that he is the defendant in this action and that the allegations of the above answer are true.

Sworn to before me and subscribed in my presence this 16th day of January, 1961.

Charles W. Moore  
James H. Rieck  
Notary Public, State of Ohio

ORDER FOR TRIAL

Olive Marie Moore  
111 $\frac{1}{2}$  N. Franklin Street  
Richwood, Ohio  
Plaintiff

vs

Charles William Moore  
1453 North Main Street  
Sidney, Ohio  
Defendant

Case No. 18759

Filed Jan. 18, 1961

Above cause set for trial Tuesday January 31st, 1961 at 10:00 o'clock A.M.

Notice of this order mailed to G. A. Piacentino, Attorney for Plaintiff and James H. Rieck, Attorney for Defendant.

Gwynn Sanders  
Judge

JOURNAL ENTRY

Filed Feb. 10, 1961

This day this cause came on to be heard on the Petition of the Plaintiff, the Answer of the Defendant, and the evidence. Upon consideration thereof the Court finds that the Plaintiff, Olive Marie Moore, was a bona fide resident of the State of Ohio and the County of Union, for more than one year before the filing of her Petition; that the Defendant was duly served by summons as required by law; and, that the parties were married as set forth in the Petition.

the Court further finds that two children, Charolett Marie Moore, age 9 years, and Connie Faye Moore, age 8 years, have been born as issue of said marriage.

The Court further finds that Defendant has been guilty of gross neglect of duty towards the Plaintiff and that by reason thereof the Plaintiff is entitled to a divorce as prayed for in her Petition.

The Court further finds that the mother, the Plaintiff herein, is a suitable person to have custody of the minor children of the marriage.

The Court further finds that the parties have entered into an oral agreement relating to the division of property and the same is fair and equitable.

WHEREFORE, it is ordered, adjudged and decreed that the marriage contract heretofore existing between Olive Marie Moore and Charles William Moore be, and the same hereby dissolved and both parties are released and discharged therefrom.

It is further ordered, that the Plaintiff be awarded the custody of the minor children with reasonable rights of visitation granted to the Defendant.

It is further ordered that the Defendant pay the sum of Fifteen Dollars (\$15.00) per week for the ordinary support and maintenance of each child commencing on the 3rd day of February, 1961 and payable thereafter on each successive Friday. Said payments are to be made through the Clerk of Court of Union County, Ohio.

It is further ordered that the Defendant provide at his sole expense, medical and surgical insurance coverage for the minor children of the parties. A written memorandum of coverage is to be furnished the Plaintiff by February 20, 1961.

It is further ordered that the oral Separation Agreement in which the following stipulations were agreed upon, be and the same are hereby approved and ordered:

1. That the unencumbered title and ownership to a 1955 Ford Ranch Wagon be transferred to the Plaintiff and set-off as her sole property.
2. That the title and ownership to a 1958 Ford Sedan shall be set-off to the Defendant as his sole property.
3. That the Plaintiff and Defendant were joint owners of real estate located in the Village of Richwood and in the Township of Jackson, which real estate is fully described in the Petition herein. the Defendant shall convey by appropriate instruments of conveyance, his undivided one-half interest in real estate to plaintiff and the same shall be her sole property. In the event the Defendant refuses to convey said property as aforesaid, then this order shall operate as a conveyance of the same.



That by making said transfer the Plaintiff assumes the balance of the mortgage held by the Union Federal Savings and Loan Association, Marysville, Ohio, and as between the parties hereto the Defendant is not obligated to make any further payments on said mortgage.

- 4. That the household furnishings and the personal property, chattels and effects acquired by the parties during their marriage and located in the County of Union are set-off to the Plaintiff as her sole property.
- 5. All right, title and interest in and to a certain building and business located in Sidney, Ohio, now being operated by the Defendant, are set-off to the Defendant as his sole property. That any obligations outstanding on said business or building shall be deemed hereafter to be the sole obligation of the Defendant.

APPROVED:  
S. A. Piacentino  
Attorney for Plaintiff  
James H. Rieck  
Attorney for Defendant

Gwynn Sanders  
Judge

RESOLUTION AND FINDING

In the matter of the Appropriation by The State of Ohio of an Easement for Highway purposes over the property of Daniel E. Speakman, et al., on State Route No. U. S. 33, Section 0.00, Union County, Ohio and State Route No. U. S. 33, Section 31.67, Logan County, Ohio.

Case No. 18757  
Filed Dec. 1, 1960  
Recorded Feb. 20, 1961

WHEREAS, I have been unable to purchase certain herein after described property, needed in the construction and improvement of State Route No. U. S. 33, Section 0.00, Union County, Ohio and State Route No. U. S. 33, Section 31.67, Logan County, Ohio.

THEREFORE, I find it is necessary for the public convenience and welfare that action be taken under Section 5519.01 and related sections of the Revised Code of Ohio, to appropriate the property hereinafter described, which I deem needed, in accordance with the plans and specifications on file in the Department of Highways, Columbus, Ohio, from the following named owners:

NAME	PLACE OF RESIDENCE
Daniel E. Speakman	Methodist Mission, A.P.O. No. 301, San Francisco, California
Phyllis B. Speakman	Methodist Mission, A.P.O. No. 301, San Francisco, California
The Citizens Federal Savings and Loan Association	Marysville, Ohio
Treasurer of Union County, Ohio	Marysville, Ohio

The aforementioned property to be appropriated is located in Virginia Military Survey No. 1913, Paris Township, Union County, Ohio, lying on the left side of the centerline of a survey made by the Department of Highways, and recorded in the records of Union County, Ohio, and being more fully described as follows:

PARCEL NO. 79 (HIGHWAY) PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning in the owners' westerly property line at a point 29.74 feet left of station 401 plus 39.49 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U. S. 33, Section 0.00 in Union County, also known as the Marysville-Bellefontaine Road, said point being in the existing northerly right of way line of said highway; thence northerly along said property line to a point 55 feet left of station 401 plus 27.04; thence southeasterly to a point 55 feet left of station 402 plus 00; thence southeasterly to a point 45 feet left of station 402 plus 00; thence southeasterly to a point 45 feet left of station 403 plus 00; thence northeasterly to a point 55 feet left of station 403 plus 00; thence southeasterly to the owners' easterly property line at a point 55 feet left of station 404 plus 13.54; thence southerly along said easterly property line to the existing northerly right of way line of said highway at a point 29.89 feet left of station 403 plus 25.89; thence northwesterly along said northerly right of way line to a point 29.77 feet left of station 403 plus 28.07; thence northwesterly along said northerly right of way line to the place of beginning, containing 0.14 of an acre, more or less.

Said station being the Station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Highways, Columbus, Ohio.  
And I find the following amount to be the value of the property to be appropriated and damages to the residue.

VALUE OF THE PROPERTY	DAMAGES TO THE RESIDUE	TOTAL DEPOSIT
\$500.00	\$1,700.00	\$2,200.00

WITNESS my hand and seal this 26th day of October, 1960.

E. S. Preston

Directory of Highways  
I hereby certify that the foregoing is a true and correct copy of an entry in the Right of Way Section of the Journal of the Director of Highways, made on October 26, 1960, in Volume 45, Page 1500.  
Esther E. Dearing  
Recorder

PLAT FILED

PRECIPE

Filed Dec. 1, 1960

To the Clerk of the Common Pleas Court of Union County, Ohio:  
Pursuant to the provisions of Section 5519.01 Revised Code kindly notify within three days, through the Sheriff, the following named persons:

The Citizens Federal Savings and Loan Association, Marysville, Ohio  
Treasurer of Union County, Ohio, Court House Marysville, Ohio

PLEASE SERVE THE FOLLOWING PARTIES BY ADVERTISING AND REGISTERED MAIL.

Daniel E. Speakman, Methodist Mission, A.P.O. No. 301, San Francisco, California  
Phyllis B. Speakman, Methodist Mission, A.P.O. No. 301, San Francisco, California  
owners of real estate described in the resolution this day filed in your Court, in the above proceedings, of the amount deposited with you on account of the property appropriated, and serve each of them with a copy of the resolution in which is contained a definite, detailed and accurate description of the property appropriated, also a plat showing the area appropriated, and direct the Sheriff to make a return of service upon said persons, as in civil action.

Mark McElroy, Attorney General-State of Ohio



AFFIDAVIT

Filed Dec. 1, 1960

Lewis J. DiRosario, being duly sworn, deposes and says that he is the duly appointed, qualified and acting Assistant Administrator of the Legal Bureau, Division of Right of Way, of the State of Ohio, Department of Highways, and that in the appropriation of the property described in the resolution of the Director of Highways, filed herein, pursuant to the provisions of Section 5519.01 et seq, and 2703.15 of the Revised Code of Ohio, it is necessary to obtain service upon the hereinafter named persons by publication since such persons are not a resident of this state, and/or their place of residence cannot be ascertained.

Daniel E. Speakman, Methodist Mission, AP.O. No. 301, San Francisco, California  
PHYLLIS B. Speakman, Methodist Mission, A.P.O. No. 301, San Francisco, California

Lewis J. DiRosario  
Assistant Administrator  
Legal Bureau  
Division of Right of Way

Franklin County, State of Ohio, ss;  
Sworn to before me and subscribed in my presence this 25th day of October, 1960.

Herman F. Kelein  
Notary Public

COPY OF LEGAL NOTICE FOR PUBLICATION FILED Dec. 1, 1960  
RECEIPT FILED

MOTION TO DISMISS

Filed Dec. 22, 1960

Now comes E. S. Preston, Director of Highways, of the State of Ohio, by <sup>M</sup>ark McElroy, Attorney General for the State of Ohio, and moves the Court for an order dismissing the Resolution and Finding filed herein for the reason that the property owners have executed and delivered an easement for the property described in the Resolution and Finding filed herein.

Mark McElroy  
Attorney General of Ohio  
W. B. Furnier  
Assistant Attorney General

SUBPENA FILED

Filed

The State of Ohio, Union County, ss.  
To the Sheriff of said County, Greeting:  
You are commanded to notify

The Citizens Federal Savings and Loan Association, Marysville, Ohio  
Treasurer of Union County, Ohio, Court House, Marysville, Ohio

PLEASE SERVE THE FOLLOWING PARTIES BY ADVERTISING AND REGISTERED MAIL

Daniel E. Speakman, Methodist Mission, A.P.O. No. 301, San Francisco, California  
Phyllis B. Speakman, Methodist Mission, A.P.O. No. 301, San Francisco, California

that The, Director of Highways of the State of Ohio has instituted a proceeding to appropriate certain property of Daniel E. Speakman, et al., in the Common Pleas Court of Union County, and that unless they appeal within thirty (30) days from the date of service of this summons they will be deemed to have waived their right to appeal and Judgment will be rendered accordingly.

You (the Sheriff) will make due return of this summons, on or before the 12th day of December A.D. 1960.  
WITNESS my hand and seal of said Court this 1st day of December A.D. 1960.

Helen L. Sullivan  
Clerk of the Common Pleas Court of  
Union County, Ohio

THE FINAL DATE, on which a petition setting forth your intention to appeal may be filed as provided in 5519.02 of the Revised Code of Ohio, is thirty (30) days from the date of the service of this summons.

SHERIFF'S RETURN

Filed Dec. 23, 1960

The State of Ohio, Union County:  
Received this writ December 1st, 1960, at 3:00 o'clock P.M. and pursuant to its command, on Dec. 2nd, 1960 I served the within named The Citizens Federal Savings and Loan Association and Treasurer of Union County, Ohio, by personally handing to them a true and certified copy of this writ with all the endorsements thereon, together with a copy of the resolution of appropriation and a blue print of the property appropriated.  
I also, on December 3 1960, served the within named Daniel E. Speakman and Phyllis E. Speakman, Methodist Mission, A.P.O. No. 301, San Francisco, California, by registered mail. (Receipts attached) (returned by order of the Defendants representative)

Edward Amrine, Sheriff of Union  
County  
by Martha Rogers, Deputy

\$2.70

JOURNAL ENTRY

Filed Dec. 22, 1960

This cause came on to be heard upon the motion of E. S. Preston, Director of Highways of the State of Ohio, by Mark McElroy, Attorney General for the State of Ohio, for an order dismissing the Resolution and Finding filed herein for the reason that the property owners have executed and delivered an easement for the property described in the Resolution and Finding filed herein and the Court being fully advised in the premises finds the motion well taken. It is therefore

ORDERED, ADJUDGED AND DECREED that this cause be and is hereby dismissed.  
It is further ordered, adpddged and decreed that the Clerk of Courts shall return the total deposit made herein to the Director of Highways, forthwith, and that the Director of Highways pay all Court costs accrued herein.

Mark McElroy  
Attorney General of Ohio  
W. B. Furnier  
Assistant Attorney General

Gwynn Sanders  
Judge

PROOF OF PUBLICATION

Filed Jan. 27, 1961



STATE OF OHIO, Village of Marysville, Union County, ss.

Personally appeared before me Marie M. Strauss and made solemn oath, that the Legal Notice, a copy of which is hereto attached, was published for 2 consecutive weeks on and next after December 2, 1960, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Sworn to before me and signed in my presence this 12 day of December A.D. 1960.  
Marie M. Strauss  
W. E. Behrens  
Ndary Public

My commission expires June 22, 1961  
Printer's Fees, \$25.88

LEGAL NOTICE FOR PUBLICATION

Daniel E. Speakman, whose last known address is Methodist Mission, A.P.O. No. 301, San Francisco, California, and Phyllis B. Speakman whose last known address is Methodist Mission, A.P.O. No. 301, San Francisco, California will take notice that on December 1, 1960 special proceedings were filed in the Common Pleas Court of Union County, Ohio, IN THE MATTER OF THE APPROPRIATION BY THE STATE OF OHIO OF AN EASEMENT FOR HIGHWAY PURPOSES OVER THE PROPERTY OF DANIEL E. SPEAKMAN, ET AL ON STATE ROUTE NO. U. S. 33, SECTION 0.00, UNION COUNTY, OHIO AND STATE ROUTE NO. U. S. 33, SECTION 31.67 LOGAN COUNTY, OHIO, CASE NO. 18757, in pursuance of a resolution and finding of the Director of Highways of the State of Ohio in Volume 45, Page 1500, of the Right of Way Section of the Journal of the Director of Highways, setting forth that it is necessary for the public convenience and welfare to appropriate and easement for highway purposes over the property situated in Virginia Military Survey No. 1913, Paris Township, Union County, Ohio, lying on the left side of the centerline of a survey made by the Department of Highways, and recorded in the records of Union County, Ohio, and being more fully described as follows:

PARCEL NO. 79 (HIGHWAY) PERPETUAL EASEMENT FOR HIGHWAY PURPOSES  
(description same as in resolution)

Said stations being the Station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Highways, Columbus, Ohio.

And said resolution further sets forth that \$500.00 as compensation for land taken and \$1,700.00 as damages to the residue on account of the appropriation of the easement and construction of said improvement, or a total of \$3200 is due; Daniel E. Speakman, Phyllis B. Speakman, The Citizens Federal Savhgs and Loan Association, and Treasurer of Union County, Ohio, for such interest as each may have.

The parties first named herein will further take notice that if they are not satisified with the findings of the Director of Highways as to the amount due them for compensation and damages, they shall file notice of their appeal from findings as to compensation and damages, within 40 days after the date of publication of this notice, or they will be forever barred from appealing therefrom.

E. S. Preston  
D irector of Highways

PETITION

Don C. Cramer  
Richwood, Ohio  
Plaintiff

vs

Cloa Mae Cramer, as Executrix  
of the Estate of Arby Cramer, Dec'd.,  
Paul Cramer  
and  
Brenda Cramer Gibson  
Richwood, Ohio  
Defendants

Case No. 18775

Filed Jan. 9, 1961

Recorded Feb. 21, 1961

Plaintiff says he has a legal estate in fee simple of an undivided one-half ( $\frac{1}{2}$ ) interest in the following described premises, situated in the County of Union, State of Ohio, and Bounded and Described as follows:

Situated in the State of Ohio, County of Union and Township of Claibourne and bounded and described as follows:  
Being a part of Survey No. 6293.

Beginning in the center of the New channel of Fulton Creek in the South line of land formerly owned by Leander Cramer, now owned by his widow; thence North  $74-3/4$  deg. East to a stone southeast corner to said Cramer land; thence with said Cramer's East line N. 16 deg. to the southwest corner of John Dilsaver land being the part formerly owned and sold by John gan to said John Dilsaver; thence N.  $87\frac{1}{2}$  deg. E. with the south line of said John Dilsaver land, it being the land formerly sold to him by John Ogan and the Woodruff heirs, to a point in said line in a direct line with and one pole northeasterly from the west line of land <sup>now</sup> owned by Isaac Cowgill (Earl Dilsaver); thence South one pole to said Isaac Cowgill's northwest corner; thence with his west line South 71.28 poles to the center of thepike thence south 90 deg. E. 4.38 poles to the northwest corner of land formerly owned by Charles Beaver; thence S. 12 deg. W. 83 poles to the center of the New Channel of Fulton Creek to the Place of beginning.

CONTAINING 72 and 26/100 acres, mor or less. EXCEPTING 12.26 acres convyed by O. P. Lenox to the Trustees of Claibourne Township and 20 acres sold by Mary E. Jenkins to O. P. Lenox and being FORTY ACRES, more or less, hereby conveyed.

ALSO the following 15 acre tract, situated in the same County, State and Township and beig a part of Survey No. 7008:

Beginning in the eastern boundry of Survey No. 7008 and at the southeast corner of a 16.75 acre tract now owned by Lewis J. Lake (1960) thence S. 13 deg. W. 101.63 rods to a stone in said Survey line; thence in a westerly direction S. 77 deg. 35' W. 123.94 feet to the center of Fulton Creek; thence with the meanderings of said creek in a northerly direction approximately 1700.00 feet to the southern boundry of Lewiw J. Lake; thence in an easterly direction N. 77 deg. E. 610 poles to the point of beginning. Containing in all 15 acres, more or less, and being the eastern portion of a 30 acre tract described in Union County Deed Record Volume 187 page 259, said TRACT 1 containing in all            acres, more or less.

TRACT II:

Situated in the State of Ohio, County of Union, Township of Claibourne, and being a part of Survey No. 7008; Beginning at a stake in the center of the new channel of Fulton Creek and at the southwest corner of a 16.75 acre tract of land now (1960) owned by Lewis J. Lake; thence S. 77 deg. W. 170 feet to a stake in the northeast corner of a 50 acre tract of land now (1960) owned by Don and Georgia Cramer; thence with the easterly line of said Cramer 50 acre tract of land S. 13 deg. E. 1665.84 feet to a stake being the southeast corner of said Cramer 50 acre tract; thence N. 77 deg. E. 658 feet to the center of Fulton Creek; thence with the meanderings of said Fulton Creek in a northerly direction approximately 1800 feet to the point of beginning. Containing in all 15 acres, more or less and being the westerly portion of the 30 acretract described in UnionCounty Deed Record Volume 187 page 259.

Plaintiff says he acquired his undivided one-half ( $\frac{1}{2}$ ) interest in said real estate by a deed of purchase recorded in Union County Deed Record Volume 187 page 529 and that Arby Cramer, now deceased, of whom the defendant Cloa Mae Cramer is the duly appointed, qualified and acting executrix, acquired an undivided one-half ( $\frac{1}{2}$ ) interest in said real estate by virtue of the aforesaid deed; that the last will and testament of Arby Cramer, also known as Arby P. Cramer, was duly admitted to probate and record in the Union County Probate Court, and that under said will, the defendant Cloa Mae Cramer, Paul Cramer and Brenda Cramer, who is a minor 20 years of age, are the only persons having any interest



in said real estate; that the assets in said estate consisting of personal property are more than ample to pay the debts and costs of administration of said estate and that of the one-half ( $\frac{1}{2}$ ) interest owned by Arby Cramer, said Cloa Mae Cramer has an estate for life with remainder interest in said undivided one-half ( $\frac{1}{2}$ ) interest in equal shares in Paul Cramer and Breanda Cramer Gibson, a minor aged 20.

WHEREFORE, plaintiff prays that partition of said premises be made of if said estate cannot be divided by metes and bounds without manifest injury to its value, then plaintiff prays that the Court order the property to be appraised in separate parcels and sold, and the proceeds of said sale distributed and paid to plaintiff and defendants herein in lieu of their respective parts and protions of the estate, according to their rights herein and for such other and further orders and relief as may be just and proper in the premises.

Grigsby & Parrott  
Attorneys for Plaintiff

Ralph C. Godwin is designated to furnish the Certificate of Title in this matter.

J. B. Grigsby  
Attorneys for Plaintiff

STATE OF OHIO, COUNTY OF UNION, SS:

Don C. Cramer, being first duly sworn, says that the facts and allegations in the foregoing petition are true as he verily believes.

Don C. Cramer

Joseph B. Grigsby  
NotaryPublic, State of Ohio

Sworn to before me and subscribed in my presence this 30th day of December, 1960.

PRECIPE

TO THE CLERK:

Please issue summons in the above entitled action for the defendant, Brenda Cramer Gibson, a minor age 20 to be served upon her and her husband Darrell W. Gibson, her custodian and the person with whom she resides, Route #3, Richwood, Ohio.

Endorse summons "Action for Partition of real estate". Make same returnable according to law.

Grigsby & Parrott  
Attorneys for Plaintiff

SUMMONS IN ACTION FOR PARTITION

The State of Ohio, Union County.

To the Sheriff of said County:

You are commanded to ntoify Brenda Cramer Gibson, a minor age 20 to be served upon her and her husband Darrell W. Gibson, her custodian, R#3, Richwood, Ohio that a petition was filed against her on the 9th day of January A.D. 1961, in the Court of Common Pleas of said Union County, by Don C. Cramer and is now pending, wherein the said petition demands partition of the following described real estate, to-wit:

(same as in the petition)

and that she must answer by the 11th day of February 1961, or such petition will be taken as true, and partition will be made of said premises according to law.

Said Sheriff will make due return of this summons on the 23rd day of January, 1961.

WITNESS my hand and the seal of said Court, at Marysville, Ohio, this 9th day of January, 1961.

Helen L. Sullivan, Clerk of Courts  
By Eileen Daniels, Deputy  
Filed Jan. 13, 1961

SHERIFF'S OFFICE, Union County, Ohio, Jan. 11th, 1961

Received this writ Jan. 9th, 1961 at 3:23 o'clock P.M. and served the within named Brenda Cramer Gibson, a minor, 20 years of age and her husband Darrell W. Gibson, her Custodian, by personally handing to each of them a true and certified copy of the original writ with all endorsements thereon:

Edward Amrine, Union County Sheriff  
By Deputy- Martha Rogers

\$5.25

WAIVER

Filed Jan. 24, 1961

The undersigned parties defendant hereby waive issuance of process, service of summons and enter their general appearance in the above captioned case.

Cloa Mae Cramer  
Cloa Mae Cramer  
Executrix of the estate of  
Arby Cramer, Deceased.  
Paul E. Cramer

APPLICATION FOR APPOINTMENT OF GUARDIAN AD LITEM

Filed Jan. 24, 1961

Now comes Brenda Cramer Gibson, a minor aged 20 years, who has been dily served with summons in the above entitled partition suit and hereby makes application for the appointment of Robert E. Evans, Jr., Attorney at Law, Richwood, Ohio, as guardian ad litem to represent her interests in this matter.

Brenda Cramer Gibson

JOURNAL ENTRY

Filed Jan. 24, 1961

It appearing to the court Brenda Cramer Gibson, minor defendant herein, has been duly served with summons and being of the age of 20 years, having moved for the appointment of Robert E. Evans, Jr., Attorney at Law, Richwood, Ohio, as guardian ad litem to represent her in this matter, the Court finds said Robert E. Evans, Jr., to be a suitable person to represent said minor as guardian ad litem and hereby appoints said Robert E. Evans, Jr., as guardian ad litem for Brenda Cramer Gibson.

Richard H. Finefrock  
Judge

ANSWER OF GUARDIAN AD LITEM

Filed Jan. 24, 1961

Now comes Robert E. Evans, Jr., Attorney at Law, Richwood, Ohio, Guardian Ad Litem herein for Brenda Cramer Gibson, a minor aged 20 years, and for answer to the petition of plaintiff, because of the age of said minor defendant denies each and every allegation in the petition contained and prays the Court to protect the interest of said minor.

Robert E. Evans, Jr.  
Attorney at Law  
Guardian ad litem for Brenda Cramer  
Gibson



JOURNAL ENTRY

Filed Jan. 24, 1961

This cause coming on to be heard on the petition of plaintiff, the answer of Robert E. Evans, Jr., guardian ad litem for Brenda Cramer Gibson, a minor, and the evidence, the Court finds all parties have been duly served with summons and the Court has jurisdiction of both the parties and the subject matter, and on consideration of the pleadings and oral testimony, the Court finds the averments of said petition to be true and that the plaintiff is seized of an undivided one-half ( $\frac{1}{2}$ ) interest in fee simple in all real estate described in the petition; that the defendant Cloa Mae Cramer is seized of a life estate in an undivided one half interest in said premises and each of the defendants, Paul Cramer and Brenda Cramer Gibson is seized of an undivided one-fourth interest in all real estate described in the petition; and that said plaintiff is entitled to have partition of the following described real estate as prayed for in the petition.

(same as in the petition)

It is therefore ordered, and adjudged, that a Writ of Partition issue to the sheriff of Union County commanding him that by the oath of John Pfarr, John Cheney and John Livingston, three judicious disinterested freeholders of the vicinity, hereby appointed commissioners for the purpose, that he cause to be divided and set off to said parties respectively, the parts of said premises to which they have herein severally been found to be entitled and of his proceedings the sheriff shall make due return to this Court, and in the event said real estate cannot be set off in metes and bounds to the parties that said Sheriff cause said real estate to be appraised at its real value in money, each parcel to be appraised separately.

APPROVED BY:

Grigsby & Parrott

Attorneys for Plaintiff

Robert E. Evans, Jr.

Attorney for Brenda Cramer Gibson, a minor.

Lloyd George Kerns

Attorney for Paul Cramer

Lloyd George Kerns

Attorney for Cloa Mae Cramer

Lloyd George Kerns

Attorney for Cloa Mae Cramer,

Executrix of the Estate of Arby Cramer

Gwynn Sanders

Judge

WRIT OF PARTITION

The State of Ohio, Union County

To the Sheriff of said County:

Pursuant to an order of our said Court of Common Pleas within and for said County, made at the January term, A.D. 1961, in a certain case No. 18775 now pending in said Court, wherein Don C. Cramer Plaintiff, and Cloa Mae Cramer et al defendants, you are commanded that, by the oaths of John Pfarr, John Cheney and John Livingston three disinterested and judicious freeholders of the vicinity who were appointed by the Court as Commissioners for such purpose, you cause to be set off and divided the following described premises, situated in the Township of Claibourne County of Union and State of Ohio, to-wit:

(same as in the petition)

To the persons named herein and in the following proportions, to-wit:

To Don C. Cramer - one-half part.

To Cloa Mae Cramer - one-half life estate part.

To Paul Cramer - one-fourth in remainder part.

To Brenda Cramer Gibson, - one-fourth in remainder part.

But if the said Commissioners are of opinion that said premises cannot be divided according to the demand of this writ without injury to its value, you cause them to make a just valuation of the same in money, appraising Tract 1 and Tract 2 separately and of this writ and your proceedings thereon and of the proceedings of said Commissioners under this writ, you make return to our said Court forthwith.

WITNESS my hand and the seal of said Court at Marysville, Ohio, this 24th day of January, 1961.

Helen L. Sullivan, Clerk

By Eileen Daniels, Deputy

SHERIFF'S RETURN

Filed Jan. 27, 1961

I received this writ on the 24th day of Jan. 1961 at 3:00 o'clock P.M. and in obedience to its command, I have executed the same by the oaths of John P. Livingston, John Pfarr Jr. and John W. Cheney the Commissioners therein named, causing to be set off and divided the premises in said Writ described.

The said Commissioners being of the opinion that the said premises cannot be divided without manifest injury to its value, I have caused the same to be appraised.

All of which will appear by the report of said Commissioner, herewith returned.

Given under my hand this 25th day of Jan. 1961.

Edward Amrine, Sheriff - Union County

By Deputy: Martha Rogers

COMMISSIONERS' REPORT

According to the command of the Writ of Partition herein annexed, and on the call of the Sheriff of said County, we, the undersigned Commissioners, after being first duly sworn, and upon actual view and examination of the premises in said Writ described, do make partition of said premises and set apart the same in Lots as follows:

To the Said

We are of the opinion that the said estate cannot be divided according to the demand of the writ without manifest injury to its value, and we do estimate the just value of the same at

TRACT 1: \$15,900.00 - Fifteen thousand nine hundred-----no/100

TRACT 2: \$2,100.00 - Two thousand one hundred-----no/100

Given under our hands this 25th day of Jan. 1961.

John P. Livingston

John Pfarr, Jr.

John W. Cheney

Commissioners

LAND APPRAISEMENT

Filed Jan. 27, 1961

WHEREAS, the Sheriff of said County, having in his hands an Order of Sale, issued from the Court of Common Pleas of said County, on the 24th day of Jan. A.D. 1961, in a decree in favor of Don C. Cramer, and against Cloa Mae Cramer et al commanding said Sheriff to cause to be appraised, advertised and sold, the following described lands and tenements situated in Claibourne Township, County of Union, and State of Ohio, to-wit:

(same as in the petition)

did summons us John Pfarr, John Cheney and John Livingston three disinterested freeholders, residing within said County of Union and administered to us an oath impartially to appraise said lands and tenements upon actual view thereof.

Now We, after actual view of said premises, and forthwith after such view, do find and estimate the real value in money of said premises to be as follows, viz:

TRACT 1: \$15,900.00 - Fifteen thousand nine hundred-----no/100

TRACT 2: \$2,100.00 - Two thousand one hundred-----no/100

In Testimony Whereof, We hereunto set our hands this 25th day of Jan. 1961.

ATTEST:  
Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

John P. Livingston  
John Pfarr Jr.  
John W. Cheney

The State of Ohio, Union County.

I hereby certify that I called an inquest of John P. Livingston, John Pfarr Jr. and John W. Cheney three disinterested freeholders, residents of Union County, Ohio, and administered to them an oath impartially to appraise the within described property upon actual view.  
Dated this 25th day of Jan. 1961.

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

PRELIMINARY CERTIFICATE

Filed Jan. 30, 1961

The undersigned, being the Attorney designated to certify the title in this cause, hereby certifies that he has examined the proceedings and files in this cause to date and finds as follows:

1. The title to the real estate described in the petition herein, was vested in Arby Cramer and Don C. Cramer at the time of the filing of said petition.
2. All necessary parties are properly before the Court.
3. The proceedings herein are regular and in conformity to law.
4. The title of the said Arby Cramer and Don C. Cramer is a good and merchantable title, free and clear from all encumbrances excepting:

- (a) the premises are subject to a mortgage for the original sum of \$6,000.00 to The Richwood Banking Company, recorded in Mortgage Volume 145, page 371, and thereby being a balance due of \$914.50 as of the 26th day of January, 1961.
  - (b) Taxes for the year 1960 are now a lien on the premises but are as yet undetermined.
  - (c) The court costs in the petition case, still pending, are unpaid of this date.
- Dated: January 30, 1961.

Respectfully submitted  
Ralph C. Godwin  
Attorney at Law  
Richwood, Ohio

ELECTION BY PARTY

Filed Feb. 6, 1961

Paul Cramer, defendant herein, hereby elects to purchase Tract No. One at the appraised value of \$15,900.00 and requests the Court to accept his election as provided by statute.

Paul E. Cramer

ELECTION BY PARTY

Filed Feb. 6, 1961

Don C. Cramer, plaintiff herein, hereby elects to purchase Tract No. Two at the appraised value of \$2,100.00 and requests the Court to accept his election as provided by statute.

Don C. Cramer

JOURNAL ENTRY

Filed Feb. 17, 1971

This cause came on to be heard on the return of the Sheriff and the report of the commissioners on the writ of partition herein issued, and upon consideration, the Court finds that said proceedings are in all respects correct and in conformity to law and the orders of the Court, and the same are hereby approved and confirmed, and thereupon Paul Cramer, also known as Paul E. Cramer having filed his motion and elected to take the first tract described as Tract One and consisting of approximately seventy five (75) acres at their appraised value of \$15,900.00 as returned by the commissioners, and Don C. Cramer, plaintiff, having filed his election and thereby elected to take Tract Two consisting of approximately fifteen (15) acres appraised by the commissioners at the figure of \$2,100.00, and no other person desiring or offering to take said premises, said premises are adjudged to the aforesaid parties, to wit: To Paul E. Cramer, the real estate described in the petition as tract One and To Don C. Cramer, the real estate described in this proceeding as tract two and the Sheriff is ordered to execute deeds therefore as provided by law;

It is further ordered that the \$2,100.00 purchase price for the tract taken by Don C. Cramer be deducted from his share of the proceeds from the remaining tract and that the \$18,000.00 total proceeds from the sale of the real estate, the subject of this action, be disbursed by the parties to the parties in the following manner:

- |  |           |
|--|-----------|
| 1. To the Treasurer of Union County, Real Estate Taxes   | \$ 170.64 |
| 2. To the Clerk of Courts, the Costs in this proceeding, said sum including an attorney fee for plaintiff's attorney in the sum of \$560.00  | 715.10    |
| 3. To the Richwood Banking Company for payment of the mortgage lien on the real estate   | 914.50    |
| 4. To Cloa Mae Cramer, the value of her life estate in the undivided one-half interest in said real estate   | 5,515.56  |
| 5. To Paul E. Cramer, a one-quarter remainder interest in said real estate   | 1,063.53  |
| 6. To Brenda Cramer Gibson, a minor is set off as her undivided one-fourth interest in the real estate, subject to a life estate of Cloa Cramer and in consideration of the fact said Brenda Cramer Gibson is now a minor aged 20 years, without a legal Guardian, it is ordered that said sum be held by Helen L. Sullivan Clerk of Courts until Brenda Cramer Gibsons's 21st Birthday, that is the 13th day of November, 1961. | 1,063.53  |
| 7. To Don C. Cramer, the balance of his undivided one half interest in said real estate amounting to \$8557.13, less \$2,100.00, for the purchase of tract two or the sum of   | 6,457.13. |

APPROVED BY:

Grigsby & Parrott  
Attorneys for Plaintiff  
Lloyd George Kerns  
Attorneys for Cloa Mae Cramer  
and Paul E. Cramer  
Robert E. Evans, Jr.  
Guardian Ad Litem for  
Brenda Cramer Gibson

Gwynn Sanders  
Common Pleas Judge

PETITION

The Modern Finance Company, An Ohio Corporation  
Plaintiff  
vs  
John Eubanks, Diana Eubanks  
Charles Eubanks and Barbara Eubanks  
Defendants

Case No. 18688  
Filed August 9, 1960  
Recorded Feb. 23, 1961



The Plaintiff say John Eubanks, Diana Eubanks, Charles Eubanks and Barbara Eubanks  
The Defendants, on the 1st day of February, 1960, executed and delivered to Modern Finance Company their promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, with all the endorsements thereon, are hereto attached, makred "Exhibit A" and made a part of this petition.  
Said note is unpaid, except as shown by said endorsements, and there is now due theplaintiff, onsaid note the sum of Eight Hundred Forty Three and 99/100 Dollars, and cents, with interest at the rate of six per cent. per annum, from the 9 day of August, 1960.  
Wherefore, plaintiff pray judgment against said defendant for the sum of Eight Hundred Forty Three dollars, and Ninety nine cents with interest thereon from the 9 day of August, 1960 at the rate of 6 per cent. per annum till paid, and for costs of suit.

John W. Dailey  
Attorney for Plaintiff

The State of Ohio, Union ss.

John W. Dailey, being duly sworn, says that he is the attorney of said plaintiff, that this action is brought upon an instrument in writing for the unconditional payment of money only, that saidinstrument in writing is in his possession, and that he verily believes the statements contained in the foregoing petition are true, in substance and in fact.

Sworn to by said John W. D iley before me, and by him signed in my presence, this 9 day of August, 1960.  
John W. Dailey  
Edwin F. Buck  
Notary Public, Union County, Ohio

CHATTEL NOTE - EXHIBIT A

Charles Eubanks, 323 $\frac{1}{2}$  South Walnut St., Marysville, Ohio Union Ohio, jointly and severally promise to pay to the order of King Kar Company, the sum of \$One Thousand one hundred and two --93/100 as set out below, at the office of the holder.

In order to secure payment of the within debt, the undersigned, as Mortgagors, hereby bargain, sell, convey and mortgage to the above payee, as Mortgagee, hls heirs, successors and assigns, the following described property:  
1954 Oldsmobile 2 dr Hardtop 547 M 26722

Year Make Type Serial Number  
complete with all attachments and equipment, together with all added and substituted parts and equipment placed upon the goods during the life of this contract, whether because of repairs, necessity or otherwise, and any additional goods purchased or substitutions agreed upon, all of which goods shall be kept at the address of the buyer given above.

1. Cash Price		\$926.85
2. Cash down payment	\$	
Mdse. cred on 50 plymouth	\$ 74.94	
3. Total down payment		\$ 74.94
4. Unpaid balance of cash price		\$851.91
5. Insurance Cost		\$ 62.50
fire-Theft Comprehensive	\$	
6. Principal Balance		\$914.41
7. Finance Charge		\$188.52
8. Time Balance		\$1,102.93

shall be paid by buyer in 23 monthly installments of 45.98 dollars each, beginning March 13, 1960 and 1 final payment of 45.39 with delinquent charge of 5¢ per dollar of a payment more than 10 days delinquent up to a maximum delinquent charge of \$3.00 for any one installment and with \$ filing fee; and with interest at 8% per annum after maturity.

The buyer understands and agrees that the provisions on the reverse side of this note and mortgage hereby incorporated by reference are a part of this note and mortgage as though the entire note and mortgage were written on a single page.

Buyer acknowledges receipt at the time of its execution of a copy of this combined note and mortgage.

Witnessed: Signed: William D. Carles Signed as C/M John Eubanks Signed as Maker Charles Eubanks  
Witnessed: Signed: Bonnie Moore, Signed as C/M Diana Eubanks Signed as Maker Barbara Eubanks

(For remainder of note refer to Case)

ANSWER OF DEFENDANT

Filed August 9, 1960

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I, an attorney at law in the several courts of record of this state, do hereby enter an appearance for said defendants, in this suit and waive theissuing and service of process therein, and confess a judgment in favor of said plaintiff against defendant on said note for the sum of Eight hundred forty three dollars and ninety nine cents, being the amount appearing due for principal and interest on said note, and also for costs of suit, taxed and to be taxed; and I do hereby release and waive all exceptions, errors, and right of appeal ofthe premises.

Gwynn Sanders  
Attorney for Defendant

JUDGMENT ENTRY

\$843.99  
Filed August 9, 1960

This day came the plaintiff, by their attorney; also appeared in open court, for and on behalf of said defendants, Gwynn Sanders, an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendants, entered the appearance of said defendants, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendants, and in favor of said plaintiff, for Eight Hundred Forty Three dollars and Ninety nine cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived allexceptions, errors and right of appeal in the premises.

It is therefore considered that said plaintiff recover from said defendants the sum of Eight Hundred Forty Three dollars and ninety nine cents, being the amount of said note and unpaid interest due thereon from the 9 day of August, 1960 to date of judgment; and also recover their costs herein expended, taxed at \$ , and interest on said judgment at six per cent. per annum, from said date of judgment until paid.

Richard H. Finefrock  
Judge

PETITION

Modern Finance Company  
Plaintiff  
vs  
Sam F. Easterday and  
Hellen X. Easterday  
Defendant

Case No. 18478  
Filed July 17, 1959  
Recorded Feb. 23, 1961

The Plaintiff say Modern Finance is a corporation duly organized under the laws of the State of Ohio, with an office located at 127 West Fifth Street, Marysville, Ohio.



Said note is unpaid, except as shown by said endorsements, and there is now due the plaintiff, on said note the sum of One Hundred Sixty Two dollars, and sixty three cents, with interest at the rate of six per cent. per annum, from the 17 day of July, 1959.

Wherefore, plaintiff pray judgment against said defendants for the sum of One Hundred Sixty Two dollars, and Sixty three cents, with interest thereon from the 17 day of July, 1959, at the rate of six per cent. per annum till paid, and for costs of suit.

John W. Dailey  
Attorney for Plaintiff

The State of Ohio, Union County, ss.

John W. Dailey, being duly sworn, says that he is the attorney of said plaintiff, that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writing is in his possession and that he verily believes the statements contained in the foregoing petition are true, in substance and in fact.

John W. Dailey  
his 17 day of July, 1959.  
Joseph B. Grigsby  
Notary Public, State of Ohio

Sworn to by said John W. Dailey before me, and by him signed in my presence, this 17 day of July, 1959.

NEGOTIABLE PROMISSORY NOTE - EXHIBIT A

Account No. MY200 THE MODERN FINANCE COMPANY, PAYEE  
127 W. Fifth St., Marysville, Ohio

Name - Samuel F. & Hellen Easterday

Address- 613 S. Walnut St.

City- Marysville, Ohio

Date of Loan 11-25-58 First payment due date 12-6-58

Amount of Loan \$200.00      Monthly Payments

Number 12      Amountt 20.02

Amount of First Payment \$20.03

For value received, the undersigned jointly and severally promise to pay to the order of The Modern Finance Company, at its above office, The Amount of Loan, with the agreed charges, above shown. Said Amount of Loan and charges to be repaid in consecutive monthly payments in the number and amounts above indicated, beginning on the stated due date for the first payment and continuing on the same day of each succeeding month to and including the stated due date for the final payment, which payments include charges as above stated.

Payment may be made in advance in any amount, at any time. Any payment made shall be applied first to all charges in full at the agreed rate up to the date of such payment. The entire balance of principal and charges shall become due and payable upon failure to make any payment when due.

All parties to this note, whether maker, co-maker, endorser, guarantor, surety, or other party, hereby jointly and severally waive presentment, notice of dishonor and protest and diligence in bringing suit against any such party, and agree that discharge or release of any such party shall not discharge any other party, and that any time of payment may be extended, if the holder's right to enforce this note postponed, at any time without notice and without discharging any such party, and further, jointly and severally authorize irrevocably any attorney at law to appear in any court of record of Ohio or elsewhere at any time after any installment herein becomes due and unpaid, and waive the issuing and service of process and confess judgment against the, or any of them, in favor of the holder hereof for the total amount, including charges, unpaid on this note, together with costs of suit, and thereupon to release all errors and waive all right of appeal.

Witness /s/ Donald Reed

Witness /s/ Samuel Easterday

/s/ Sam F. Easterday

/s/ Hellen X. Easterday

## ANSWER OF DEFENDANT

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I, an attorney at law in the several courts of record of this state do hereby enter an appearance for said defendant in this suit and waive the issuing and service of process therein, and confess a judgment in favor of said plaintiff, against said defendants, on said note for the sum of One Hundred Sixty Two dollars, and Sixty Three cents, being the amount appearing due for principal and interest on said note, and also for costs of suit, taxed and to be taxed; and I do hereby release and waive all exceptions, errors, and right of appeal of the premises.

Joseph B. Grigsby  
Attorney for Defendant

## JUDGMENT ENTRY

Filed July 17, ,1959  
\$162.63

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

It is therefore considered that said plaintiff recover from said defendants the sum of One Hundred Sixty Two dollars and sixty three cents, being the amount of said note and unpaid interest due thereon from the 17 day of July, 1959 to date of judgment; and also recover their costs herein expended, taxed at \$ , and interest on said judgment at six per cent. per annum, from said date of judgment until paid.

Luther L. Liggett  
Judge

## PRECIPE

Filed July 17, 1959

To the Clerk:

Issue execution to sheriff of Union County, Ohio in the above entitled case against Sam F. Easterday and Hellen X. Easterday for \$162.63, interest at 6 per cent from July 17, 1959 and costs. Levy only on real estate, 613 S. Walnut Street, Marysville, Ohio,

Dated July 17, 1959

John W. Dailey  
Attorney for Plaintiff

## EXECUTION

The State of Ohio, Union County.

To the Sheriff of said County:

You are hereby Commanded, That of the goods and chattels in your County of Sam F. Easterday & Hellen X. Easterday (Levy only on Real Estate, 613 S. Walnut St., Marysville, Ohio) you cause to be made the sum of One Hundred Sixty Two & 63/100 Dollars debt, and Twenty Five Dollars costs of suit, which by the judgment of said Common Pleas Court at the May Term, thereof, 1959, The Modern Finance Company recovered against the said Sam F. Easterday & Hellen X. Easterday with interest thereon at the rate of 6 per cent. per annum from the 17th day of July, 1959, until paid; and also the costs of increase on said judgment and the accruing costs hereon; and for want of goods and chattels that you cause the lands and tenements in your county, of the said Sam F. Easterday & Helen X. Easterday to be sold for cash. And make due return of this writ in sixty days.



WITNESS my hand and the seal of said Court this 17th day of July, 1959.

Helen L.Sullivan  
Clerk

SHERIFF'S RETURN

Filed July 17, 1959

Sheriff's Office, Union County, Ohio July 17th, 1959.

Received this writ on the 17th day of July, 1959 at 11:30 o'clock A.M. and pursuant to its command I did, on the 17th day of July, 1959, at 1:30 o'clock P.M. levy upon to-wit: Being all of Lot 278 in the Village of Marysville, Ohio.

\$6.60

Edward Amrine, Union County Sheriff  
Martha S. Rogers, Deputy

PETITION

Russell M. Cline  
105 Sherman Avenue  
Mansfield, Ohio  
Plaintiff

Case No. 18485

vs

Richard Hanson, North East Street  
Prospect, Ohio  
Defendant

Filed July 29, 1959

Recorded Feb. 23, 1961

The Plaintiff says that the Defendant is obligated to him as herein after provided:  
The Defendant, on the 7th day of March, 1959, executed and delivered to Russell M. Cline, the Plaintiff herein a certain promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, with all the endorsements thereon, are hereby attached, marked "Exhibit A" and made a part of this petition.  
Said note is unpaid, except as shown by said endorsements, and there is now due the plaintiff on said note the sum of One Hundred and Forty-five dollars, and no cents, with interest at the rate of eight per cent. per annum, from the 7th day of May, 1959.  
Wherefore, plaintiff prays judgment against said defendant for the sum of One Hundred and Forty five dollars, and no cents, with interest ~~at the rate of eight per cent. per annum, from the 7th day of May, 1959~~  
~~thereon from the 7th day of May, 1959, at the rate of eight per cent. per annum till paid, and for costs of suit.~~  
thereon from the 7th day of May, 1959, at the rate of eight per cent. per annum till paid, and for costs of suit.

Robert E. Evans, Jr.  
Attorney for Plaintiff

The State of Ohio, Marion County, ss.

Robert E. Evans, Jr. being duly sworn, says that he is one the attorneys of said plaintiff, that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writing is in his possession, and that he verily believes the statements contained in the foregoing petition are true, in substance and in fact.

Robert E. Evans, Jr.  
Sworn to by said Robert E. Evans, Jr. before me, and by him signed in my presence, this 20th day of July, 1959.

Robert F. Allen  
Notary Public - State of Ohio

ANSWER OF DEFENDANT

Filed July 29, 1959

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I, an attorney at law in the several courts of record of this stated, o hereby enter an appearance for said defendant in this suit and waive the issuing and service of process therein, and confess a judgment in favor of said plaintiff, against said defendant, on said note for the sum of One Hundred and Forty-seven dollars, and no cents, being the amount appearing due for principal and interest on said note, and also for costs of suit, taxed and to be taxed; and I do hereby release and waive all exceptions, errors, and right of appeal of the premises.

Robert O. Hamilton  
Attorney for Defendant

JUDGMENT ENTRY

Filed July 29, 1959  
\$147.00

This day came the plaintiff, by his attorney; also appeared in open court, for and on behalf of said defendant, Robert O. Hamilton, an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendant, entered the appearance of said defendant, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendant, and in favor of said plaintiff, for One Hundred and Forty-Seven dollars and no cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.  
It is therefore considered that said plaintiff recover from said defendant the sum of One Hundred and Forty Seven dollars and no cents, being the amount of said note and unpaid interest due thereon from the 7th day of May, 1959, to date of judgment; and also recover his costs herein expended, taxed at \$ , and interest on said judgment at six per cent. per annum, from said date of judgment until paid.

Luther L. Liggett  
Judge

PETITION

Edgar D. Hastings  
601 Midvale Ave., West Los Angeles, Calif.  
Plaintiff

Case No. 18500

vs

Donald Beckett  
Rt. 2, Richwood, Ohio  
Defendant

Filed August 21, 1959

Recorded Feb. 23, 1961

The Plaintiff says that  
The Defendant, on the 15th day of April, 1958, executed and delivered to him a promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, with all the endorsements thereon, are hereto attached, marked "Exhibit A" and made a part of this petition.  
Said note is unpaid, except as shown by said endorsements, and there is now due the plaintiff on said note the sum of Five Hundred forty and 60/100 dollars, and cents, with interest at the rate of 6 per cent. per annum, from the 20th day of August, 1959.  
Wherefore, plaintiff prays judgment against said defendant for the sum of Five Hundred Forty dollars, and 60 cents with interest thereon from the 20th day of August, 1959, at the rate of 6 per cent. per annum till paid, and for costs of suit.



Sanders & Grigsby  
Attorney for Plaintiff

The State of Ohio, Union ss.  
Gwynn Sanders, being duly sworn, says that he is the attorney of said plaintiff, that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writing is in his possession, and that he verily believes the statements contained in the foregoing petition are true in substance and in fact.

Gwynn Sanders  
Sworn to by said Gwynn Sanders before me, and by him signed in my presence, this 20th day of August, 1959.

Robert L. Frix  
Notary Public, State of Ohio

EXHIBIT A

Cognovit Note

\$500.00 Richwood, Ohio 4-15-58  
One Year after date, we or either of us promise to pay to the order of Edgar D. Hastings Five Hundred Dollars at THE RICHWOOD BANKING CO. Richwood, Ohio for value received, with interest from date at the rate of 6 per cent per annum, payable semi-annually, until due, and with interest at six per cent. per annum, on all unpaid principal and interest after due until paid. And we hereby authorize and empower any Attorney-at-Law of any Court of Record, at any time after the abovenote becomes due, to appear for us or any of us, without process, in any Court of Record in the State of Ohio, or elsewhere, and confess a judgment for the said amount, interest and costs, in favor of the payee, legal holder, indorsee or assignee hereof, and release all errors which may accrue in the rendition of such judgment. And we also release the right of appeal, the stay of execution, and the power and privilege to hold exempt from execution, any personal or real property belonging to us, or either of us, at and after the date of said judgment and our said attorney is hereby authorized to enter such release in said judgment. Endorsers waive demand, protest, notice of protest, and legal diligence to enforce collection.

Donald Beckett

Due 4-15-59

ANSWER OF DEFENDANT

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I an, attorney at law in several courts of record of this state, do hereby enter an appearance for said defendant in this suit and waive the issuing and service of process therein, and confess a judgment in favor of said plaintiff, against said defendant, on said note for the sum of Five Hundred Forty dollars, and 60 cents, being the amount appearing due for principal and interest on said note, and also for costs of suit, taxed and to be taxed; and I do hereby release and waive all exceptions, errors, and right of appeal of the premises.

Todd Hoopes  
Attorney for Defendant

JUDGMENT ENTRY

Filed August 21, 1959  
\$540.60

This day came the plaintiff, by his attorney; also appeared in open court, for and on behalf of said defendant, , an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendant, entered the appearance of said defendant, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendant, and in favor of said plaintiff, for Five Hundred Forty dollars and 60 cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.

It is therefore considered that said plaintiff recover from said defendant the sum of Five Hundred Forty dollars and 60 cents, being the amount of said note and unpaid interest due thereon from the 15th day of April, 1958 to date of judgment; and also recover his costs herein expended, taxed at \$ , and interest on said judgment at 6 per cent. per annum, from said date of judgment until paid.

Richard H. Finefrock  
Judge

PETITION

Eaton Forge Employees Federal Credit Union  
Marion, Ohio  
Plaintiff  
vs  
James E. Smith  
Route #3, Richwood, Ohio  
Defendant

Case No. 18499  
Filed August 20, 1959  
Recorded Feb. 24, 1961

Eaton Forge Employees Federal Credit Union, the above named Plaintiff, says that there is due to it from James E. Smith Defendant, on a certain promissory note executed and delivered by said Defendant and dated the 30th day of October, 1958, the sum of Five Hundred Twenty-five and no/100 Dollars, which it claims with interest at the rate of one per centum per month from the 30th day of October, 1958.  
Copies of said promissory note, with the Warrants of Attorney and all endorsements and credits thereon, is hereto attached, marked "Exhibit A", and made a part of this petition.  
Plaintiff further says that it is the legal owner and holder of said note, and that the Defendant has failed and refused to pay said note according to the terms and conditions thereof except as shown by endorsements on said note.  
Wherefore, Plaintiff prays judgment against said Defendant for the sum of Five Hundred Twenty-five and no/100 Dollars, which it claims, with interest thereon from the 30th day of October, 1958, at the rate of one per centum, per month and for costs of suit.

Frank C. Gegenheimer

The State of Ohio, Marion County, ss.  
Frank C. Gegenheimer, being duly sworn, says that he is the Attorney of said Plaintiff, that this action is founded upon an instrument in writing for the payment of money, that said instrument is in his possession, and that the statements contained in the foregoing Petition are true, as he verily believes.

Frank C. Gegenheimer  
Christina Hecker

Sworn to before me and signed in my presence, this 30 day of August, 1959.

NOTE  
\$550.00 30 October, 1958  
For value received, I We, jointly and severally, promise to pay to the Eaton Forge Employees Federal Credit Union or other, the sum of Five Hundred Fifty and no/100 Dollars with interest on unpaid balances at the rate of one per cent per month, payable in eleven installments of fifty and no/100 Dollars; the first payment to be made on 21 Nov. 1958 and a like amount every month thereafter until the full amount has been paid. Collateral : 1951 Buick Super 4 Dr. Station Wagon.



In case of any default in payments as herein agreed, the entire balance of this note shall become immediately due and payable, at the option of the holder.

Each party to this note, whether as maker, indorser, or guarantor, severally waives presentment for payment, demand, protests and notice of protest and dishonor of the same.

The undersigned further pledge all the collateral mentioned above and hereby grant this credit union a first lien upon said collateral to secure the sums now due or hereafter due under this note, and in the event of default, the credit union shall have the right to sell such collateral at public sale and apply the proceeds of such sale to the satisfaction of this indebtedness.

The undersigned hereby authorize any attorney-at-law in the State of Ohio or any other state or territory of the United States at any time after the above sum becomes due to appear for the undersigned in any court in the State of Ohio or any other State or territory of the United States and to waive the issuing and service of process and confess judgment against the undersigned, any or all of us, in favor of the payee or any holder of this note for the amount due and the cost of suit, and thereupon to release all errors and waive all rights of appeal and stay of execution.

Signature of Witnesses  
/s/ W. H. Trafzer

Signature of Maker and Comakers  
/s/ James E. Smith

Address  
R.R.3, Richwood, O.

ANSWER OF DEFENDANT

Filed Aug. 20, 1959

By virtue of the Warrants of Attorney annexed to and mentioned in the foregoing Petition and a part of "Exhibit A" attached to said Petition. J. D. Williamson, an Attorney at Law in the several courts of record of this State, does hereby enter an appearance for said Defendant in this suit, and waives the issuing and service of process therein, and consents that judgment be entered herein in favor of said Plaintiff and against said Defendant on said notes for the sum of Five Hundred Seventy-four and 88/100 Dollars, being the amount appearing due for principal and interest on said notes, and also for costs of suit, taxed and to be taxed; and does hereby waive and release all errors in said proceedings, petitions in error, and the right of appeal from the judgment rendered.

August 20, 1959.

J. D. Williamson  
Attorney for Defendant

JUDGMENT ENTRY

Filed Aug. 20, 1959

This day came the Plaintiff, by its Attorney, also appeared in open Court, for and on behalf of said Defendant, J. D. Williamson, an Attorney at Law of this Court, and, by virtue of the Warrants of Attorney annexed to the notes attached to the Petition in said cause and shown to have been duly executed by said Defendant, entered the appearance of said Defendant, and waived the issuing and service of process in this action, and consented that judgment be entered herein on said notes against said Defendant, and in favor of said Plaintiff, for Five Hundred Seventy Four and 88/100 Dollars, being the amount of the principal and interest due on said notes, and for the costs taxed and to be taxed, and waived and released all errors in said proceedings, petitions in error, and the right of appeal from the judgment rendered.

It is, therefore, ordered that said Plaintiff recover of said Defendant the sum of Five Hundred Seventy-four and 88/100 Dollars, being the amount of said notes with interest computed at one per centum per month from the 30th day of October, 1958, and also its costs herein expended, taxed at \$

Luther L. Liggett  
Judge

PRECIPE FOR EXECUTION

Filed Aug. 20, 1959

To the Clerk:

Issue execution in the above entitled case directed to the Sheriff of Union County, Ohio returnable according to law.

Dated 8/20/59

Frank C. Gegenheimer  
Attorney for Plaintiff

EXECUTION

The State of Ohio, Union County.  
To the Sheriff of said County:

You are hereby Commanded, That of the goods and chattels in your County of James E. Smith, Richwood, Ohio R#3 you cause to be made the sum of Five Hundred Seventy Four & 88/100 Dollars debt, and Twenty Five Dollars costs of suit, which by the judgment of said Common Pleas Court at the May Term thereof, 1959, Eaton Forge Employees Federal Credit Union, Marion, Ohio recovered against the said James E. Smith with interest thereon at the rate of 6 per cent. per annum from the 20th day of Aug. 1959, until paid; and also the costs of increase on said judgment and the accruing costs hereon; and for want of goods and chattels that you cause the lands and tenements in your County, of the said James E. Smith to be sold for cash. And make due return of this writ in sixty days.

WITNESS my hand and the seal of said Court this 20th day of August, 1959.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

Filed Sept. 2, 1959

Sheriff's Office, Union County, Ohio August 31st, 1959

Received this writ on the 20th day of Aug. 1959 at 1:00 o'clock P.M. and pursuant to its command on the 31st day of Aug. 1959, due to prior liens I return this writ.

\$4.00

Edward Amrine, Union County Sheriff  
Martha S. Rogers, Deputy

PETITION

M. E. Fravel  
Plaintiff

Case No. 18564

vs

Paul E. Wilson and Lucille Wilson  
Defendants

Filed Dec. 18, 1959  
Recorded Feb. 27, 1961

The Plaintiff says

The Defendants, on the 16th day of April 1959, executed and delivered to him their promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, with all the endorsements thereon, are hereto attached, marked "Exhibit A" and made a part of this petition.

Said note is unpaid, except as shown by said endorsements, and there is now due the plaintiff on said note the sum of Three Hundred Six dollars, and Sixty cents, with interest at the rate of six per cent. per annum, from the 16th day of December 1959.

Wherefore, plaintiff prays judgment against said defendants for the sum of Three Hundred Six dollars, and Sixty cents, with interest thereon from the 16th day of December, 1959, at the rate of six per cent. per annum till paid, and for costs of suit.

Hoopes & Hoopes  
Attorney for Plaintiff



The State of Ohio, Union County, ss.  
William S. Hoopes, being duly sworn, says that he is one of the attorneys of said plaintiff, that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writint is in his possession, and that he verily believes the statements contained in the foregoing petition are true, in substance and in fact.

William S. Hoopes

Sworn to by said William S. Hoopes before me, and by him signed in my presence, this 16th dayof December, 1959.

Eloise C. Smart  
Notary Public

EXHIBIT A

\$300.00 Marysville, Ohio April 16th, 1959

Six months after date for value received, I, we, any or either of us, promise to pay M. E. Fravel or order the sum of Three Hundred and no/100 Dollars with interes thereon from date, until paid, at the rateof six per cent per annum, payable at Marysville, Ohio. Said principal sum and interest is payable as follows: Three hundred dollars on the 16 day of October, 1959.

I, we, any or either of us, hereby authorize any attorney-at law, to appear for us, any, or either of us, in an action on the above note, at any time after the same becomes due, as herein provided, in any court of record in or of the State of Ohio, or of elsewhere, to waive the issuing and service of process against us, any or either of us, and confess judgment in favor of the legal holder of the above noteagainst us, any or either of us, for the amount that may be due, with interest at the rate therein mentioned and costs of suit, and to waive and release all errors in said proceedings and judgment, and all petitions in error and right of appeal from the judgment rendered. After judgments entered hereunder against one or more of us, the powers herein conferred may be exercised as to one or more of the others.

Due Oct 16, 1959

Paul E. Wilson  
Lucille Wilson

ANSWER OF DEFENDANT

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I, an attorney at law in the several courts of record of this state, do hereby enter an appearance for said defendants, in this suit and waive the issuing and service ofprocess therein, and confess a judgment in favor of said plaintiff against said defendants on said note forthe sum of Three Hundred Six dollars, and Sixty cents, being the amount appearing due for principal and interest on said note, and also for costs of suit, taxed and to be taxed; and I do hereby release and waive all exceptions, errors, and right of appeal of the premises.

Robert L. Frix  
Attorney for Defendant

JUDGMENT ENTRY

Filed Dec 18, 1959

This day came the plaintiff, by his attorney; also appeared in open court, for and on behalf of said defendant, Robert L. Frix, and attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendants, entered the appearance of said defendant, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defndants, and in favor of saidplaintiff, for Three Hundred Six Dollars and Sixty cents, being the amount of the principal and interest due on said rde, and for the costs taxed andto be taxed, and released and waived allexceptions, errors and right of appeal in the premises.

It is therefore considered that said plaintiff recover from said defendants the sum of Three Hundred Six dollars and Sixty cents, being the amount of said note and unpaid interest due thereon from the 16th day of August, 1959 to date of judgment: and also recover costs herein expended, taxed at \$ , and interest on said judgment at per cent. per annum, from said date of judgment until paid.

O. W. Whitney, Jr.  
Judge by assignment

PETITION

Mary Coomer  
Plaintiff  
vs  
Henry Clay Coomer  
Defendant

Case No. 18596  
Filed Feb. 29, 1960  
Recorded Feb. 27, 1961

Now comes the Plaintiff, Mary Coomer, and says that she is the wife of the Defendant, Henry Clay Coomer; and that the parties were duly married on the 23rd day of May, 1958 in Franklin County, Ohio.

Plaintiff further says that she is the Mother and the Defendant is the father of Marvin Lewis Coomer, age 1.

That the Plaintiff and said child are entitled to support from the Defendant under the provisions of the Uniform Support of Dependent's Act of Ohio, a Copy of which is hereto attached and made a part hereof.

That the Defendant on or about December 4, 1959, and subsequently thereto did refuse and neglect to provide fair and reasonable support for Plaintiff and said child according to his means and earnings ability.

Plaintiff further says that the Defendant is now residing at Route #1, Cave City, Kentucky, and is in the jurisdiction of the State of Kentucky which State has enacted a law substantially similar to the Uniform Support of Dependent's Act of this State.

Wherefore, the Plaintiff prays for such an order for support, directed to said Defendant, as shall be deemed to be fair and reasonable and for such other and further relief as she may be entitled.

Robert O. Hamilton  
Attorney for Plaintiff

STATE OF OHIO, COUNTY OF UNION, SS:  
Mary Coomer being first duly cautioned and sworn deposes and says that she is the Plaintiff in the foregoingcause of action, and that the facts stated and allegations contained therein are true to the best of her knowledge and belief.

Mary Coomer

Sworn to before me and subscribed in my presence this 29th day of February, 1960.

Robert O. Hamilton  
Notary Public

AFFIDAVIT

Feb. 29, 1960

STATE OF OHIO, COUNTY OF UNION, SS:  
Mary Coomer, Plaintiff in the above case, says that she is without funds and unable to make a deposit for costs in this case.

Mary Coomer

Sworn to before me and subscribed in my presence this 29th day of February, 1960.

Robert O. Hamilton  
Notary Public



PETITIONER'S EXHIBIT

Filed Feb. 29, 1960

TESTIMONY OF MARY COOMER

Q What is your full name?  
A Mary Coomer  
Q What is your present address?  
A Route #3, Plain City, Ohio  
Q When and where were you married to the Defendant?  
A May 23, 1958 in Franklin County, Ohio  
Q What were the circumstances leading to the separation from your husband?  
A He left on December 4, 1959.  
Q Were there any children born of this marriage?  
A Marvin Lewis Coomer, born January 24, 1959  
Q Are you now pregnant?  
A No  
Q What are the names and ages of the children now living?  
A Marvin Lewis Coomer, born January 24, 1959., Age 1  
Q Are they living with you?  
A Yes  
Q When was it your husband last lived with you?  
A December 4, 1959  
Q When and how much was his last contribution for support?  
A Nothing since December 4, 1959  
Q Is there a complaint or an order for support in any Court?  
A No  
Q Are you employed? What are your earnings?  
A No. I was laid off October 24, 1959 from Lane Avenue Drive In  
Q Have you any other source of income? If so, what is the source and hwat is the amount thereof?  
A Receiving unemployment compensation in the amount of \$36.00 per week.  
Q Are you and the children in good health?  
A Yes  
Q Have you any debts outstanding?  
A WhiteCross Hospital \$78.20  
Dr. Rowe 165.00  
Q What do you require for the support of yourself and children?  
A \$25.00 per week  
Q Do you know the whereabouts of your husband. If so, please give his address?  
A % Grover Long, Route #1, Cave City, Kentucky.  
Q Do you know if and where your husband is now employed. If so, state name and address of employer and give husband's Social Security number  
A Do not know  
Q What is his salary, if you know?  
A Do not know  
Q Are you now receiving public aid? and how much?  
A No  
Q Give an accurate physical description of the Defendant (color of hair, distinguishing marks, age, etc.) describe other names and aliases by which he is known and attach a recent photograph or snapshot of the Defendant.  
A White male, age 35, 5'8", Weight 160 lbs., Medium brown hair, limps.

Sworn to before me and subscribed in my presence this 29th day of February, 1960.  
Mary Coomer  
Robert O. Hamilton  
Notary Public

JOURNAL ENTRY

Filed Feb. 29, 1960

The undersigned, Judge Richard A. Finefrock, acting Judge of the Common Pleas Court of Union County, Ohio, hereby certifies:

1.  
That on February 29, 1960, a Petition was verified by the above named petitioner and duly filed in this Court in a proceeding against the above named Defendant commenced under the provisions of the Uniform Support of Dependent's Act.
2.  
That the Defendant is believed to be living or domiciled at Route #1, Cave City, Kentucky, and that the Circuit Court for the 43rd District may obtain jurisdiction of the Defendant or his property.
3.  
That the undersigned, a Judge of the Court of Common Pleas of Union County, Ohio, has examined the petitioner under oath and she has reaffirmed the allegations contained in the petition; and that according to the testimony of the petiti~~or~~ the needs of the dependents, Mary Coomer and Marvin Lewis Coomer, named in the Petition for support from the Defendant are the sum of \$25.00 per week.
4.  
That in the opinion of this Court, the Defendant should be compelled to answer such petition and by ordered to be dealt with according to law.

WHEREFORE, it is hereby ordered that this Journal Entry, together with certified copies of the petition be transmitted to the Circuit Court for the 43rd District, Barren County, Cave City, Kentucky.

APPROVED BY:  
Robert O. Hamilton  
Attorney for Plaintiff  
Richard H. Finefrock  
Judge

PETITION

The Modern Finance Company  
Plaintiff  
vs  
James E. Smith and Dicie Mae Smith  
R D 3, Richwood, Union County, Ohio  
Defendant

Case No. 18622  
Filed April 21, 1960  
Recorded Feb. 28, 1961

The Plaintiff says James E. Smith and Dicie Mae Smith, R.D.3, Richwood, Union County, Ohio  
The Defendants, on the 28 day of July, 1958, executed and delivered to The Modern Finance Company their promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, with all the endorsements thereon, are hereto attached, marked "Exhibit A" and made a part of this petition.  
Said note is unpaid, except as shown by said endorsements, and there is now due the plaintiff on said note the sum of Five Hundred Thirty Four Dollars, and ninety three cents, with interest at the rate of six per cent. per annum, from the 19 day of April, 1960.





PETITION

The Ohio Grain Company  
Milford Center, Ohio  
Plaintiff  
vs  
Owen B. Price and Annaddis Price  
Defendants

Case No. 18586  
Filed Feb. 5, 1960  
Recorded Feb. 28, 1961

The Plaintiff says that it is a corporation organized and existing under the laws of the State of Ohio with its principal place of business at Milford Center, Ohio; that it is the holder of a certain note executed by The Defendants, on the 2nd day of June, 1959, at Milford Center, Ohio promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, with all the endorsements thereon, are hereto attached, marked "Exhibit A" and made a part of this petition.  
Said note is unpaid, except as shown by said endorsements, and there is now due the plaintiff on said note the sum of Three Hundred Ninety Five dollars, and nine cents, with interest at the rate of six (6%) per cent. per annum, from the 5th day of February 1960.  
Wherefore, plaintiff pray judgment against said defendant for the sum of Three Hundred Ninety Five dollars, and Nine cents with interest thereon from the 5th day of February 1960, at the rate of 6% per cent. per annum till paid, and for costs of suit.

Sanders & Grigsby  
Attorneys for Plaintiff

The State of Ohio, Union ss.  
Robert L. Frix, being duly sworn, says that he is the attorney of said plaintiff, that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writing is in his possession, and that he verily believes the statements contained in the foregoing petition are true, in substance and in fact.  
Sworn to by said Robert L. Frix before me, and by him signed in my presence, this 5th day of February, 1960.

Betty Berger  
Notary Public, Union County, Ohio

EXHIBIT A ATTACHED

ANSWER OF DEFENDANT

Filed Feb. 5, 1960

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I, an attorney at law in the several courts of record of this state, do hereby enter an appearance for said defendant in this suit and waive the issuing and service of process therein, and confess a judgment in favor of said plaintiff, against said defendants, on said note for the sum of Three Hundred Ninety Five dollars, and Nine cents, being the amount appearing due for principal and interest on said note, and also for costs of suit, taxed and to be taxed; and I do hereby release and waive all exceptions, errors, and right of appeal of the premises.

Robert O. Hamilton  
Attorney for Defendants

JUDGMENT ENTRY

Filed Feb. 5, 1960

This day came the plaintiff, by its attorney; also appeared in open court, for and on behalf of said defendants, Robert Hamilton, an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendants, entered the appearance of said defendants, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendants, and in favor of said plaintiff, for Three Hundred Ninety Five dollars and nine cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.  
It is therefore considered that said plaintiff recover from said defendants the sum of Three Hundred Ninety Five dollars and Nine Cents, being the amount of said note and unpaid interest due thereon from the 5th day of February 1960 to date of judgment; and also recover its costs herein expended, taxed at \$ , and interest on said judgment at 6% per cent. per annum, from said date of judgment until paid.

O. W. Whitney, Jr.  
Judge

PRECIPE

Filed March 7, 1960

To the Clerk:  
Issue execution to levy on goods & chattels of defendants in the above entitled case directed to Sheriff of Franklin County returnable according to law.  
Dated 3-7-1960

Sanders & Grigsby  
Attorney for Plaintiff

EXECUTION

The State of Ohio, Union County.  
To the Sheriff of Franklin County:  
You Are Hereby Commanded, That of the goods and chattels in your County of Owen B. Price and Annaddis Price (Levy on goods and chattels) you cause to be made the sum of Three Hundred Ninety Five & 09/100 Dollars debt, and Twenty Five & no/100 Dollars costs of suit, which by the judgment of said Common Pleas Court at the Jan. Term thereof, 1960, The Ohio Grain Co., Milford Center, Ohio recovered against the said Owen B. Price and Annaddis Price with interest thereon at the rate of 6 per cent. per annum from the 5th day of Feb. 1960, until paid; and also the costs of increase on said judgment and the accruing costs hereon; and for want of goods and chattels that you cause the lands and tenements in your County, of the said Owen B. Price and Addaddis Price to be sold for cash. And make due return of this writ in sixty days.  
WITNESS my hand and the seal of said Court this 7th day of March, 1960.  
Sheriff's Office, Franklin County, Ohio 9 May 1960  
Received this writ on the 9 day of March, 1960 at 9:04 o'clock AM.  
This writ returned for want of time.

Helen L. Sullivan, Clerk  
Filed May 11, 1960

Stacy R. Hall  
Sheriff of FRANKLIN COUNTY, O.  
By W. Frank, Deputy

\$2.50

PETITION

Logan Farm Bureau Cooperative  
Association, an Ohio Corporation  
vs  
Donald Gossard  
Peoria, Ohio  
Defendant

Case No. 18730  
Filed Oct 13, 1960  
Recorded Feb. 28, 1961

FIRST CAUSE OF ACTION

The Plaintiff says that it is the owner and holder of a certain promissory note described below, executed in Logan County, Ohio, which was assigned to it by the Farm Bureau Agricultural Credit Corporation, Columbus, Ohio.  
The Defendant, on the fourth day of January, 1954, executed and delivered to Farm Bureau Agricultural Credit Corporation his said promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, with all the endorsements thereon, are hereto attached, marked "Exhibit A" and made a part of this petition.  
Said note is unpaid, except as shown by said endorsements, and there is now due the plaintiff on said note the sum of Three Hundred Ten and 50/100 dollars, with interest at the rate of eight per cent. per annum from the fourth day of August, 1954, or a total of \$463.64 as of October 7, 1960.

SECOND CAUSE OF ACTION

The Plaintiff says that it is the owner and holder of a certain promissory note described below, executed in Logan County, Ohio, which was assigned to it by The Farm Bureau Agricultural Credit Corporation, Columbus, Ohio.  
The Defendant, on the fourth day of January, 1954, executed and delivered to Farm Bureau Agricultural Credit Corporation his said promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, with all the endorsements thereon, are hereto attached, Marked "Exhibit B" and made a part of this petition.  
Said note is unpaid, except as shown by said endorsements, and there is now due the plaintiff on said note the sum of Three Hundred Fifteen Dollars, and fifty-five cents, with interest at the rate of eight per cent. per annum from the 15th day of November, 1954, or a total of \$464.09 as of October 7, 1960.  
Wherefore, plaintiff prays judgment against said defendant for the sum of Nine Hundred Twenty-seven dollars, and seventy-three cents with interest thereon from the 7th day of October, 1960, at the rate of eight per cent. per annum till paid, and for costs of suit.

Smith, Shellhaas & Kerns  
Attorney for Plaintiff

The State of Ohio, Logan County, ss.  
J. Ewing Smith, being duly sworn, says that he is one of the attorneys of said plaintiff, that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writing is in his possession, and that he verily believes the statements contained in the foregoing petition are true, in substance and in fact.

J. Ewing Smith  
Sworn to by said J. Ewing Smith before me, and by him signed in my presence, this 7th day of October, 1960.  
Zetta M. Reed  
Notary Public, Logan County, Ohio

EXHIBIT A ATTACHED  
EXHIBIT B ATTACHED

ANSWER OF DEFENDANT

Filed Oct 13, 1960

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I, an attorney at law in the several courts of record of this state, do hereby enter an appearance for said defendant in this suit and waive the issuing and service of process therein, and confess a judgment in favor of said plaintiff, against said defendant, on said note for the sum of Nine Hundred Twenty-seven dollars, and seventy-three cents, being the amount appearing due for principal and interest on said note, and also for costs of suit, taxed and to be taxed; and I do hereby release and waive all exceptions, errors, and right of appeal of the premises.

Joseph B. Grigsby  
Attorney for Defendant

JUDGMENT ENTRY

Filed Oct. 13, 1960  
\$927.73

This day came the plaintiff, by its attorneys; also appeared in open court, for and on behalf of said defendant, Joseph B. Grigsby, an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendant, entered the appearance of said defendant, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendant, and in favor of said plaintiff, for Nine Hundred Twenty-seven dollars and seventy-three cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.

It is therefore considered that said plaintiff recover from said defendant the sum of Nine Hundred Twenty seven dollars and seventy-three cents, being the amount of said notes and unpaid interest due thereon from the 7th day of October, 1960 to date of judgment; and also recover its costs herein expended, taxed at \$ , and interest on said judgment at six per cent. per annum from said date of judgment until paid.

APPROVED:  
Smith, Shellhaas & Kerns  
Attys for Plaintiff  
Robert O. Hamilton  
Attorney for Plaintiff

O. W. Whitney, Jr.  
Judge

PRECIPE

Filed Oct 14, 1960

TO THE CLERK:  
Issue execution in the above case to the Sheriff of Union County for the Defendant, Donald Gossard.

Robert O. Hamilton

EXECUTION

The State of Ohio, Union County.  
To the Sheriff of said County:  
You are hereby Commanded, That of the goods and chattels in your County of Donald Gossard, Peoria, Ohio you cause to be made the sum of Nine hundred twentyseven and seventy-three Dollars debt, and twenty five Dollars costs of suit, which by the judgment of said Common Pleas Court at the September Term thereof, 1950, Logan Farm Bureau Cooperative Association recovered against the said Donald Gossard with interest thereon at the rate of six per cent per annum from the 7th day of October, 1960, until paid; and also the costs of increase on said judgment and the accruing costs hereon; and for want of goods and chattels that you cause the lands and tenements in your County, of the said Donald Gossard to be sold for cash. And make due return of this writ in sixty days.



WITNESS my hand and the seal of said Court this 14th day of October, 1960.

Helen L.Sullivan, Clerk

SHERIFF'S RETURN

Filed Nov. 10, 1960

Sheriff's Office, Union County, Ohio, Oct. 24, 1960.

Received this writ on the 14th day of Oct. 1960 at 11:30 o'clock A.M. and pursuant to its command No goods and chattels being found whereon to levy due to prior leins I return this writ.

\$3.00

Edward Amrine Sheriff of Union County  
Martha Rogers, Deputy

PETITION

Dolores Ott  
Route #4  
Marysville, Ohio  
Plaintiff  
vs  
Albert Jack Ott  
41 West 11th Avenue  
Columbus, Ohio  
Defendant

Case No. 18532  
Filed Oct 26, 1959  
Recorded Feb. 28, 1961

Plaintiff says she has been a resident of the State of Ohio for more than one year, and a resident of Union County for more than ninety (90) days prior to the filing of this petition, and that she and the defendant, Albert Jack Ott, were married at Marysville, Ohio, on the 25th day of December, 1951, and there are two children the issue of such marriage, whose names are Harold Ott, born August 13, 1952, and Keith Ott, born November 9, 1954, and said children are now in the custody and care of plaintiff.

Plaintiff further says that at the present time she is residing near the Village of Marysville, Union County, Ohio, and is separated from the defendant in consequence of ill treatment by the defendant; that defendant is guilty of gross neglect of duty and extreme cruelty and by reason thereof she is entitled to a divorce.

WHEREFORE, Plaintiff prays for a decree of divorce, maintenance and expenses of herself and said minor children, attorney fees, and for such other relief as may be just and proper.

Sanders & Grigsby  
Attorneys for Plaintiff

VERIFICATION

STATE OF OHIO, UNION COUNTY, SS:

Dolores Ott, being first duly sworn, says the facts and allegations in the foregoing petition are true.

Dolores Ott

Sworn to before me and subscribed in my presence this 19th day of Oct. 1959.

Robert L. Frix  
Notary Public-State of Ohio

PRECIPE

Filed Oct 26, 1959

TO THE CLERK:

Please issue summons to the Sheriff of Franklin County, to be served upon the defendant, with a copy of the Petition. This defendant resides at 41 West 11th Avenue and works at C & G Restaurant between Tenth and Eleventh Avenues on North High Street.

ENDORSE SUMMONS "ACTION FOR DIVORCE, CUSTODY, ATTORNEY FEES AND OTHER RELIEF." Make same returnable according to law.

Sanders & Grigsby  
Attorneys for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Franklin County:

You are hereby commanded to notify Albert Jack Ott, 41 West 11th Ave., Columbus, Ohio that Dolores Ott has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with Gross Neglect of Duty & Extreme Cruelty and asking that she be divorced from him and maintenance and expenses of herself and said minor children, attorney fees and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 9th day of November, 1959.

WITNESS my signature and the seal of said Court, this 26th day of October, 1959

Helen L.Sullivan, Clerk

SHERIFF'S RETURN

Filed Nov. 27, 1959

The State of Ohio, Franklin County.

Received this writ on the 28th day of Oct. 1959 at 11:19 o'clock AM. And after due and diligent search we were unable to locate the within named Albert Jack Ott within the limits of our bailiwick. (Not living here)

\$3.29

Stacy R. Hall Sheriff of Franklin County  
By R. Capozzeello. Deputy

PRECIPE

Filed Nov. 9, 1959

To the Clerk:

Issue Alias Summons in the above entitled case to Albert Jack Ott (works at C & G Restaurant, N. High St., between Tenth and Eleventh Ave., Columbus, Ohio) directed to Sheriff of Franklin County returnable according to law.

Dated Nov. 9, 1959

Sanders & Grigsby  
Attorney for Plaintiff

ALIAS SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Franklin County:

You are hereby commanded to notify Albert Jack Ott (works at C & G Restaurant, N. High St., between Tenth and Eleventh Avenues, Columbus, Ohio) that Dolores Ott has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with gross neglect of duty & extreme cruelty and asking that she be divorced from him and maintenance and expenses for herself and said minor children, attorney fees and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 23rd day of Nov. 1959.  
WITNESS my signature and the seal of said Court, this 9th day of Nov. 1959.

Helen L.Sullivan, Clerk  
Filed Nov. 18, 1959

SHERIFF'S RETURN

The State of Ohio, Franklin County.  
Received this writ on the 10th day of Nov. 1959, at 9:04 o'clock A.M. and on the 10th day of Nov. 1959 I served the same by personally handing to Alber Jack Ott a true copy thereof, together with a certified copy of the petition filed against him in this cause.  
\$3.29

Stacy R. Hall Sheriff of FranklinCounty  
By R. Capozziello, Deputy

PRE TRIAL CONFERENCE

The abovementioned case is set for pre-trial conference on February 7th, 1961 at 2:00 o'clock P.M.  
Copies of this order mailed to Sanders & Grigsby, Attorneys for Plaintiff and Robert Reeves, Attorney for Defendant.  
Have your clients present.

Filed Jan. 3, 1961  
Gwynn Sanders  
Judge

JOURNAL ENTRY

This matter coming before the Court upon the petition of plaintiff, the Court finds the plaintiff has been a resident of Union County, Ohio, for more than one year prior to the filing of this petition and that defendant has been personally served with summons and a copy of the petition but has failed to answer or demur thereto and by reason of such default the allegations of the petition are held to be true; the Court also finds notice of hearing was sent to defendant and his attorney, both of whom failed to appear.  
The Court further finds the parties to this action have two minor children, namely, Harold Ott, born August 13, 1952, and Keith Ott, born November 9, 1954; that said children are in the custody and care of plaintiff and should remain in the custody and care of plaintiff, subject to rights of visitation, by the defendant under reasonable conditions, only in the home of plaintiff on the first and third Sundays of each month between the hours of 2:00 o'clock and 4:00 o'clock, said visitation to be made only if defendant has given plaintiff at least twenty-four (24) hours notice of his intent to visit, the Court finding Defendant has not visited the children in approximately one and one-half (1½) years; the Court further finds defendant to be an unfit person to have custody of the children and to take the children away from plaintiff's home.  
The Court further finds there are no questions concerning property, either real or personal, to be settled and that defendant has been guilty of gross neglect of duty and extreme cruelty as alleged, and by reason thereof, plaintiff is entitled to a decree of divorce.  
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff be and she hereby is awarded a decree of divorce from the defendant; that the custody of the minor children, namely, Harold Ott and Keith Ott, be awarded exclusively to the plaintiff but that defendant shall have visitation rights between the hours of 2:00 o'clock and 4:00 o'clock on the first and third Sundays of each month providing he has given plaintiff at least twenty-four (24) hours notice of his intention to make such visitation; that defendant shall not have the right to take the children from plaintiff's home.  
It is further ordered that until further order of this Court, the defendant shall pay for the support of his two minor children, the sum of \$100.00 per month, plus poundage, or any additional amount thereto which might be awarded for the support of the children by the Veterans Administration, and that a certified copy of this order be sent to the Adjudication Officer of the Veterans Administration, Regional Office, 209 East 6th Street, Cincinnati, Ohio and that so far as within the power of defendant to do so, defendant shall cause and do all things requisite and necessary to effect, the payment of said sum to the Clerk of this Court directly from the Veterans Administration payments to him or for him and his children.  
APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff

Filed Feb. 20, 1961  
Richard H. Finefrock  
Judge

PETITION

Marilyn Jean Parker  
Box 337  
Broadway, Ohio  
Plaintiff  
vs  
Robert Charles Parker, Sr.  
Broadway, Ohio  
Defendant

Case No. 18773  
Filed Jan. 3, 1961  
Recorded Feb. 28, 1961

Plaintiff says that she has been a resident of the State of Ohio for more than one year immediately before filing the petition and that she has been a bona fide resident of Union County for at least ninety (90) days immediately preceding the filing of this petition.  
She further alleges that she was married to the defendant, Robert Charles Parker, Sr., on the 4th day of August, 1950, and that Ronald Gene Parker, born September 9, 1953, and Robert Charles Parker, Jr., born August 27, 1958, are issue of this marriage. Plaintiff further says that this plaintiff and defendant own household furniture together and have incurred debts of approximately \$1500.00.  
The plaintiff further says that ever since her marriage to the defendant she has been a faithful and dutiful wife but that the defendant has been guilty of gross neglect of duty and extreme cruelty toward the plaintiff.  
WHEREFORE, plaintiff prays that she may be divorced from the defendant, that she be granted custody of the aforesaid minor children, that the defendant be made to pay support for said minor children, and that plaintiff may have all other and proper relief in the premises as the court may deem just.

Grigsby & Parrott  
Attorneys for Plaintiff

VERIFICATION

STATE OF OHIO, UNION COUNTY SS:  
Marilyn Jean Parker, being first duly sworn, says that she is plaintiff in the foregoing petition, and that the facts stated and the allegations contained thereon are true.

Sworn to before me and subscribed in my presence this 30th day of December, 1960.  
Marilyn Parker  
Richard E. Parrott  
Notary Public

PRECIPE

TO THE CLERK:  
Please issue summons in the above entitled cause, together with a copy of the petition, directed to the Sheriff of Union County, Ohio, to be served upon the defendant, Robert Charles Parker, Sr., Broadway, Ohio.  
Endorse summons "Action for divorce, permanent custody of minor children, and permanent support for minor children."  
Make summons returnable according to law.

Grigsby & Parrott  
Attorneys for Plaintiff



SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:

You are hereby commanded to notify Robert Charles Parker, Sr., Broadway, Ohio that Marily Jean Parker, has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with gross neglect of duty and extreme cruelty and asking that she be divorced from him and permanent custody of minor children, and permanent support for minor children, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 16th day of January, 1961.

WITNESS my signature and the seal of said Court, this 3rd day of January, 1961.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

SHERIFF'S RETURN

Filed Jan. 4, 1961

The State of Ohio, Union County.

Received this writ on the 3rd day of Jan. 1961, at 12:30 o'clock P.M. and on the 3rd day of Jan. 1961, I served the same by personally handing to Robert Charles Parker, Sr., a true copy thereof, together with a certified copy of the petition filed against him in this cause.

\$1.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

JOURNAL ENTRY

Filed Feb. 20, 1961

This cause came on for hearing on the 16th day of February, 1961, upon the petition of the plaintiff and the evidence, the defendant being in default of answer or other pleading although duly served with process personally according to law. Upon due consideration thereof the court finds that the plaintiff has been a residence of the State of Ohio for more than one year prior to filing the petition and at the time of the filing and for more than 90 days prior thereto had been a bonafide resident of the County of Union. The court further finds that the parties were married and that two children, Robert Charles Parker, Jr., born August 27, 1958 and Ronald Gene Parker, born September 9, 1953, are issue of this marriage, all as alleged in the petition. The court further finds the defendant has been guilty of gross neglect to plaintiff as alleged in the petition and that by reason thereof plaintiff is entitled to a divorce as prayed for.

It is therefore ordered, adjudged and decreed that the plaintiff and she is hereby granted a divorce from the defendant and the marriage contract heretofore existing be and is hereby dissolved and set aside. It is further ordered, adjudged and decreed that the custody of the minor children, Ronald Gene Parker and Robert Charles Parker, Jr., be and hereby is awarded to the plaintiff and that the defendant pay to the plaintiff for the support of said minors, the sum of \$10.00 per week plus poundage through the clerk of this court, until further order of court; that the defendant be granted the right of reasonable visitation of said children. It is further ordered, adjudged and decreed that the household furniture heretofore belonging to the plaintiff and defendant be and hereby is granted to the plaintiff to be hers and hers alone, and the defendant shall pay all debts which have been incurred during the course of this marriage and which have not yet been paid. It is a further order of the court that the plaintiff pay court costs incurred in this action.

APPROVED BY:  
Grigsby & Parrott  
Attorney for Plaintiff

Gwynn Sanders  
Judge

NUNC PRO TUNC ENTRY

Filed Feb. 24, 1961

By error of omission the journal entry in this cause granting a divorce and giving custody of the children to the plaintiff reads that the defendant pay to the plaintiff for the support of said minors, the sum of \$10.00 per week plus poundage to the clerk of this court until further order of this court; and said entry should read "that the defendant pay to the plaintiff for the support of said minors, the sum of \$10.00 per child per week plus poundage to the clerk of this court, until further order of court". It is hereby ordered that the entry be corrected to show that the defendant pay to the plaintiff for the support of said minors the sum of \$10.00 per child per week plus poundage to the clerk of this court until further order of court.

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff

Gwynn Sanders  
Judge

CONTINUED FROM RECORD BOOK 78 PAGE 602

In the Matter of the Appropriation  
by the State of Ohio of an easement  
for Highway purposes over the property  
of Garnet Davidson, et al on State Route  
No. U. S. 33 Section 0.00, Union County, Ohio  
and State Route No. U. S. 33, Section 31.67  
Logan Co., Ohio

Case No. 18747

Filed Feb. 25, 1961

Recorded Feb. 28, 1961

JOURNAL ENTRY

It appearing to the court the legal title to the real estate subject to this action is in the names of Garnet Davidson and O. W. Davidson; that O. W. Davidson is deceased and his estate is being administered in the Probate Court of Union County, Ohio, and that Garnet Davidson is the legally appointed, qualified and acting executrix of said estate.

It further appears to the court that Robert A. Haines, Director Department of Mental Hygiene and Correction, 65 South Front Street, Columbus, Ohio, has a claim pending against said estate which claim has not been reduced to judgment and is no lien on said real estate other than as a claim filed with the executrix.

It is therefore ordered that the clerk of this court make payment in the amount of \$725.00 to Garnet Davidson and Garnet Davidson as executrix of the estate of O. W. Davidson, deceased.

APPROVED:  
Bruno E. Voltolini  
Assistant Attorney General  
State of Ohio  
John W. Dailey  
Attorney for Garnet Davidson

Gwynn Sanders  
Judge

PETITION FOR DIVORCE

Jonathan J. Clappsaddle  
R.R.#1  
West Mansfield, Ohio

Case No. 18772  
Filed Jan. 3, 1961  
Recorded Feb. 28, 1961

Jonathan J. Clappsaddle  
RR.#1  
West Mansfield, Ohio  
Plaintiff  
vs  
Vera E. Clappsaddle  
Richwood, Ohio  
Defendant

Now comes the Plaintiff and says that he is now and has been for more than one year next immediately proceeding the filing of this petition, a bona fide resident of the State of Ohio, and has been for at least 90 days last past a bona fide resident of the County of Union.  
That plaintiff and the Defendant were married on the 22nd day of February, 1959, at Richwood, Ohio and that no children were born as issue of said marriage.  
Plaintiff further says that ll property of the parties has been divided between Plaintiff and Defendant.  
Plaintiff further says that the Defendant has been guilty of gross neglect of duty and extreme cruelty toward the Plaintiff, the particulars of which said allegations will be furnished to Defendant or her counsel upon request and will be fully proven upon trial.  
WHEREFORE, Plaintiff prays that he be divorced from the Defendant and for such other and further relief as he may be found entitled, either in law or equity.

Lloyd George Kerns  
Attorney for Plaintiff

STATE OF OHIO, UNION COUNTY, ss:  
Jonathan J. Clappsaddle being first duly sworn says that he is the Plaintiff herein and that the facts stated and allegations contained in the foregoing pleading are true.

Sworn to before me and subscribed in my presence this 31st day of December, 1960.  
Jonathan J. Clapsaddle  
Lloyd George Kerns

PRECIPE  
TO THE CLERK:  
Please issue summons together with a certified copy of divorce, to the Sheriff of Union County, Ohio, for service upon the Defendant who may be found residing at N. Franklin Street, Richwood, Ohio; make same returnable according to law.  
Endorse thereon, "action for divorce and equitable relief."

Ralph C. Godwin  
Attorney for Plaintiff

SUMMONS IN DIVORCE  
The State of Ohio, Union County.  
To the Sheriff of Union County:  
You are hereby commanded to notify Vera E. Clapsaddle, richwood, Ohio that Jonathan J. Clapsaddle has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging her with gross neglect of duty and extreme cruelty and asking that he be divorced from her and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.  
Said Sheriff will make due return of this summons on the 16th day of January, 1961.  
WITNESS my signature and the seal of said Court, this 3rd day of January, 1961.

Helen L. Sullivan, Clerk  
Eileen Daniels, Deputy

SHERIFF'S RETURN  
The State of Ohio, Union County.  
Received this writ on the 3rd day of January 1961 at 2:00 o'clock P.M. and on the 5th day of January, 1961, I served the same by personally handing to Vera E. Clapsaddle a true copy thereof together with a certified copy of the petition filed against her in this cause.

Filed Jan. 6, 1961

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

DECREE OF DIVORCE  
Filed Feb. 25, 1961

This day this cause came on to be heard upon the pleadings, evidence and arguments of counsel, On consideration thereof, and the Court being fully advised in the premises, finds that the defendant has been duly and legally served with process and summons according to law, and that the Defendant is in default for answer or demurrer, thereby confessing the allegations of the petition to be true, that at the time of filing the petition herein, the plaintiff had been a resident of the State of Ohio for one year next prior thereto, and was at the time of filing said petition and for at least ninety days immediately preceding the same, a bona-fide resident of this County of Union and that said parties were married on the 22nd day of February, 1959, as alleged in said petition, and that no children have been born as issue of said marriage and that the defendant has been guilty of gross neglect and extrme cruelty as alleged in said petition; and that said plaintiff is therefore entitled to a divorce as prayed for in said petition.  
It is therefore ordered, adjudged and decreed that the said marriage relation now existing between said parties, be and the same is now here dissolved, and the said parties are hereby released therefrom, and that said plaintiff and Defendant have adjusted any or all property rights that may have existed during the period of said marriage.  
It is further ordered that: Plaintiff pay the costs of this proceeding taxed at \$ , and that this case be recorded.

APPROVED BY:  
Lloyd George Kerns  
Attorney for Plaintiff  
Gwynn Sanders  
Judge



PETITION FOR DIVORCE

Roger Clevenger  
Magnetic Springs, Ohio  
Plaintiff

vs

Joann Clevenger, a minor  
Magnetic Springs, Ohio  
Defendant

Case No. 18547

Filed Nov. 17, 1959

Recorded March 2, 1961

Now comes the Plaintiff and for his cause of action says that he is at present in the United States Air Force, stationed at Mitchell Air Force Base Long Island, New York; that the Defendant is a minor 20 years of age and that her father is Delno Wilcox, a resident of Leesburg Township; Plaintiff further says that he has been a resident of the State of Ohio and County of Union for more than one year therein prior to the filing of this petition.

Plaintiff further says that he and the Defendant were married in Brooksville, Indiana, on the 25th day of July, 1955, and that two children have been born as issue of said marriage, to-wit: Roger Rhett, age three years and Rita Jo, age nine months.

Plaintiff further says that each party own an automobile and that they jointly own household goods; that they own no real estate.

Plaintiff further says that the Defendant has been guilty of gross neglect of duty toward the plaintiff in such a manner as to make it impractical for Defendant to have custody and control over the minor children of the parties, either on a temporary basis or permanently, the particulars of said allegations will be fully proven at the hearing regarding these matters.

WHEREFORE the Plaintiff prays for a decree of divorce, custody of minor children, division of property and for such other and further relief as he may be found entitled either in law or in equity.

Lloyd George Kerns  
Attorney for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:

Roger Clevenger being first duly sworn says that the facts stated and allegations contained in the foregoing petition are true as he verily believes.

Roger Clevenger

Sworn to before me and subscribed in my presence this 10th day of November, 1959.

Lloyd George Kerns  
Notary Public

PRECIPE

Filed Nov. 17, 1959

To the Clerk:

Issue summons together with certified copy of petition for divorce for Joann Clevenger, a minor and Delno Wilcox her father, at Magnetic Springs, Ohio in the above entitled case, Indorse "Action for divorce, custody of minor children division of property and equitable relief" directed to Sheriff of Union County Ohio for service returnable according to law.

Dated 11/17/59

Lloyd George Kerns  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.

To the Sheriff of Union County:

You are hereby commanded to notify Joann Clevenger, a minor and Delno Wilcox, her father, Magnetic Springs, Ohio that Roger Clevenger has filed in the office of the Clerk of <sup>the</sup> Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging her with gross neglect of duty and asking that he be divorced from her and custody of minor children, division of property and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 30th day of November, 1959.

WITNESS my signature and the seal of said Court, this 17th day of November, 1959.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

Filed Nov. 23, 1959

The State of Ohio, Union County.

Received this writ on the 17th day of Nov. 1959, at 4:00 o'clock P.M. and on the 17th day of Nov. 1959, I served the same by personally handing to the within named Joann Clevenger, a minor and Delno Wilcox a true copy thereof, together with a certified copy of the petition filed against her in this cause.

\$1.85

Edward Amrine, Union County Sheriff  
By Martha S. Rogers, Deputy

ANSWER AND CROSS-PETITION

Filed Nov. 24, 1959

Now comes the Defendant by her next friend, and for Answer to the Petition of the Plaintiff heretofore filed herein says:-

That she admits that the Plaintiff is at present in the United States Air Force, stationed at Mitchell Air Force Base, Long Island, New York; that she is a minor person of the age of 20 years; and that her father, Delno Wilcox is a resident of Leesburg Township, Union County, Ohio

That she admits that he has been a resident of the State of Ohio and the County of Union for more than one year prior to the filing of Plaintiff's Petition.

That she admits that she and the Plaintiff were married in Brooksville, Indiana on the 25th day of July, 1955 and that two children have been born to them as an issue of said marriage, to-wit: Roger Rhett, age 3 years, and Rita Jo age 9 months. Defendant further admits that each one of the parties own an automobile and that she is the owner of a certain amount of household furniture, and that they own no real estate. contained

Defendant further answering, says that she denies each and every, all and singular, the allegations in Plaintiff's Petition, not hereinbefore specifically admitted to be true.

CROSS PETITION

Now comes the Defendant by her next friend, Ruby Wilcox, by way of Cross-Petition and for her cause of action states:-

Defendant says that she has been a bona fide resident of the State of Ohio for more than one year immediately prior to the time of the filing of this Cross-Petition, and that she has been a bona fide resident of this County of Union for more than 90 days immediately prior to the filing of this Cross-Petition.

Defendant further says that she and the Plaintiff were married in Brooksville, Indiana on the 25th day of July, 1955, and that two children have been born to them as an issue of said marriage, to-wit: Roger Rhett, age 3 years, and Rita Jo, age 9 months, and that both of said children have been in her possession until approximately two weeks ago, at which said time plaintiff, without her consent and authority, but entirely against her consent and authority, took the said Roger Rhett away from her home and kept him away and hidden for approximately one day, and thereafter took said child to the home of his parents and has ever since said time, refused to return said child, notwithstanding the fact that said child had not been away from his mother or sister on any other occasion and that said child is now discontented, unhappy and constantly fretting and worrying in being away from this Defendant, his mother; that said



~~Plaintiff has threatened to and will, unless enjoined and restrained from so doing by this Court, take said child~~  
to the State of New York and keep him there away from his home and his mother, all of which will be greatly detrimental  
to the welfare and well being of said minor child.

Defendant further says that the Plaintiff has been guilty of gross neglect of duty towards her and their children  
and also has been guilty of extreme cruelty towards her in such a manner as to make it impractical for him to have the  
custody and control over either or both of said minor children, either on a temporary basis or permanently, the particulars  
of said allegations will be fully developed and presented in the testimony regarding these matters at the time of the  
trial of this case.

Defendant further says that she has at all times been a true, loyal, faithful, loving and trusting wife towards this  
Plaintiff, but nevertheless he has been guilty of certain conduct towards her in the manners and particulars as above  
herein set forth.

WHEREFORE, Defendant prays that Plaintiff's Petition filed against her may be dismissed and that she may go hence  
without day; that all of the household goods and her automobile may be decreed by this Court to be absolutely her own  
property, without any interest therein by the Plaintiff; that she may be decreed a divorce from the Plaintiff, the  
permanent care, custody and control of both of said minor children and that she may be awarded a sufficient amount of  
money for the support of said children, together with sufficient support for herself during the pendency of this action  
and a reasonable amount of money for her legal expenses herein; that the Plaintiff may be enjoined and restrained from  
disturbing her in the custody of the two children and that Plaintiff be further restrained from taking either or both of  
said children from her home, or from any other place where said children may be, both temporarily and permanently,  
together with such equitable relief as maybe just and proper and the costs of the action.

Roy Warren Roof  
Attorney for Defendant

STATE OF OHIO, HARDING COUNTY, SS:

RUBY WILCOX, being first duly sworn according to law, says that she brings this action as next friend to the  
Defendant who is a minor person, and for her sole benefit; That the facts and allegations set forth in the foregoing  
Cross-Petition are true.

Ruby Wilcox

to  
Sworn to before me and subscribed/in my presence this 20th day of November, 1959.  
Tax as costs.

Burke E. Smith  
Notary Public, State of Ohio

PRECIPE

STATE OF OHIO, UNION COUNTY, SS:  
TO THE CLERK:

Please issue summons on the Cross-Petition to the Sheriff of Union County, Ohio to be served upon the Plaintiff.  
Also issue copy of Answer and Cross-Petition and Journal Entry herein to be served upon the Plaintiff. Endorse summons,  
on Cross-Petition. "Action for dismissal of Plaintiff's Petition at his costs, and action on Cross-Petition for divorce,  
temporary and permanent custody of minor children, temporary and permanent alimony, reasonable amount for legal expenses  
herein, together with a reasonable amount for herself and said minor children, temporary restraining order allowed as  
prayed for, and for a permanent restraining order, and for such other equitable relief as may be just and proper and  
the costs of the action." Returnable according to law.

Roy Warren Roof  
Attorney for Defendant

ENTRY

Filed Nov. 24, 1959

This day this cause came on to be heard upon the duly verified Cross-Petition of the Defendant and the statements  
of her Attorney made in open Court for a permanent restraining order against the Plaintiff from molesting or disturbing  
her in the custody of the minor children herein, and to temporarily restraining the Plaintiff from removing either of  
said children from her home during the pendency of this action.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE COURT that Plaintiff be, and he hereby is, enjoined and restrained from  
disturbing or molesting Defendant in the custody of the minor children of the parties and from taking either or both of  
said children from her home or from any other place where said children may be, all until further order of this court.

This being an action for divorce, the restraining order is allowed to issue without bond.

Luther L. Liggett  
Acting Judge

SUMMONS ON ANSWER AND CROSS PETITION IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:

You are Commanded to Notify Roger Clevenger, Magnetic Springs, Ohio to appear before the Court of Common Pleas of  
Union County, at the Court House in Marysville, Ohio, and answer an Answer and Cross Petition and Entry for Divorce  
filed in the Clerk's office of said County by Joann Clevenger a copy of which accompanies this summons.

The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 7th day of December A.D. 1959.

WITNESS my signature and the seal of said Court, this 24th day of November, 1959.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

Filed Nov. 25, 1959

The State of Ohio, Union County.

Received this writ at 1:20 o'clock P.M. on the 24th day of Nov. 1959, and on the 24th day of Nov. 1959, I served  
the same by personally handing to the within named Roger Clevenger a true and duly certified copy thereof with all the  
endorsements thereon, together with a certified copy of the answer and cross petition filed against him in this cause.

\$4.20

Edward Amrine, Union County Sheriff  
By Martha S. Rogers, Deputy

PRECIPE FOR SUBPENA IN CIVIL CASE

Filed Sept 6, 1960

To the Clerk: Issue Subpena for

1. Donald Drumm,
2. Jessie Drumm,) 1st house on left from State Route 37 on \$183A near Magnetic Springs, Ohio
3. Charles Sullivan, Magnetic Springs, Ohio

to appear as witnesses in above named case, on September 8, A.D. 1960 at 9:30 o'clock A.M. Required on behalf of the  
Plaintiff.

Lloyd George Kerns  
Attorney for the Plaintiff



PRECIPE FOR DEFENDANT'S WITNESSES.

Filed Dec. 20, 1960

To the Clerk of Courts:

Please issue subpoenas to the Sheriff of Union County, Ohio to be served upon the following named witnesses to be and appear in this Court on Wednesday, December 21, 1960 at 9:00 o'clock AM. to testify in behalf of the Defendant.

- 1. Wilbur Cantrell, Magnetic Springs, Ohio
- 2. Donald Clevenger, Marysville, Ohio RFD 1
- 3. Delno Wilcox, Marysville, Ohio RFD 1
- 4. Ruby Wilcox, Marysville, Ohio RFD 1
- 5. Dorothy Elliott, Magnetic Springs, Ohio
- 6. Janice Davis, Magnetic Springs, Ohio
- 7. Barbara Wilson, Marysville, Ohio RFD 3

Roy Warren Roof  
Attorney for Defendant

PRECIPE FOR SUBPENA - IN CIVIL CASE

Filed Dec. 20, 1960

To the Clerk:- Issue Subpena for

- 1. Donald Drumm (1st house on left from State route 37 on #183A near Magnetic Springs, Ohio
- 2. Jessie Drumm)
- 3. Charles Sullivan, Magnetic Springs, Ohio

to appear as witnesses in above named, case on Dec. 21st A.D. 1960, at o'clock M. Required on behalf of the Plaintiff.

Lloyd G. Kerns, HLS  
Atty for the Plaintiff

Subpenain Civil Case

- To 1. Wilbur Cantrell, Magnetic Springs 24 R 12-30-60
- 2. Donald Clevenger, R#1, Marysville, Ohio 16 P 12-20-60
- 3. Delno Wilcox, R#1, Marysville, Ohio 20 P 12-20-60
- 4. Ruby Wilcox, R#1, Marysville, Ohio 20 P 12-20-60
- 5. Dorothy Elliott, Magnetic Springs, Ohio 24 P 12-20-60
- 6. Janice Davis, Magnetic Springs, Ohio 24 P 12-20-60
- 7. Barbara Wilxon, Marysville, Ohio R#3 34 P 12-20-60

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 21st day of December A.D. 1960, at 9:00 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Roger Clevenger Plaintiff, and Joann Clevenger, a minor Defendant, and not depart the Court without leave. Herein fail not, under penalty of the law. and have you then and there this writ.

Said Court requires your said attendance on behalf of the defendant.

Witness my hand and the seal of said Court, this 20th day of December, 1960.

Helen L. Sullivan, Clerk

RETURN OF SERVICE

Filed Dec. 21, 1960

I received this writ on the 20th day of Dec. 1960, at 9:30 o'clock AM. and served the persons named therein, on the day and in the manner indicated against each name.

\$7.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

SUBPENA IN CIVIL CASE

- To Donald Drumm ( 1st house on left from State Route 37 on 22 P 12-20-60
- Jessie Drumm ) 183A near magnetic Springs, Ohio 22 P 12-20-60
- Charles Sullivan, Magnetic Springs, Ohio 24 R 12-20-60

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 21st day of Dec. A.D. 1960, at 9:30 o'clock AM. to testify as a witness in a certain case pending in said Court, wherein Roger Clevenger Plaintiff, and Joann Clevenger Defendant, and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the Plaintiff.

Witness my hand and the seal of said Court, this 20th day of Dec. 1960.

Helen L. Sullivan, Clerk

RETURN OF SERVICE

Filed Dec. 21, 1960

I received this writ on the 20 day of Dec. 1960 at 3:10 o'clock P.M. and served the persons named therein, on the day and in the manner indicated against each name.

\$4.20

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

ORDER FOR TRIAL

Filed Dec. 22, 1960

The above cause is assigned for trial Friday December 30th, 1960 at 9:30 A.M. before the Honorable Richard F. Finefrock.

Copies of this order mailed to Roy Warren Roof, Attorney for Defendant, Kerton, Ohio and Lloyd George Kerns, Attorney for Plaintiff, Richwood, Ohio

Gwynn Sanders  
Judge

PRECIPE FOR SUBPENA - IN CIVIL CASE

Filed Dec. 29, 1960

To the Clerk:- Issue subpena for

- 1. Ann Sullivan, Magnetic Springs, Ohio
- 2. Daisy Sullivan, all work at Magnetic Springs Polio Foundation
- 3. Robert Asman,

to appear as witnesses in above named case, on Dec. 30, 1960 A.D. 19 , at 10 o'clock A.M. Required on behalf of the Plaintiff.

Lloyd George Kerns  
Attorney for the Plaintiff

SUBPENA IN CIVIL CASE

- To Ann Sullivan, Magnetic Springs, Ohio 24 P 12-29-60
- Daisy Sullivan, all work at Magnetic 24 P 12-29-60
- Robert Asman, springs polio foundation 24 P 12-29-60

You are/required to be and appear before the Common Pleas Court at the Court House in said County, on the 30th day of December A.D. 1960, at 10:00 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Roger Clevenger Plaintiff, and Joann Clevenger Defendant, and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the Plaintiff.

Witness my hand and the seal of said Court, this 29th day of Dec. 1960.

Helen L. Sullivan, Clerk



RETURN OF SERVICE

Irreceived this writ on the 29th day of Dec. 1960 at 2:40 o'clock P.M. and served the ppersons named therein, on the day and in the manner indicated against each name.

\$4.00

SUBPENA IN CIVIL CASE

To Donald Drumm ,(1st house onleft from State Route 37  
Jessie Drumm ) on 183A near Magnetic Springs,Ohio  
CharlesSullivan, Magnetic Springs, Ohio

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 8th day of Sept. A.D. 1960, at 9:30 o'clock A.M. to testify as a witness in a certain ase pending in said Court, wherein Roger Clevenger Plaintiff, and Joann Clevenger Defendant, and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the Plaintiff.  
Witness my hand and the seal of said Court, this 6th day of Sept. 1960.

Filed Dec. 30, 1960  
Edward Amrine  
Union County Sheriff  
By Martha Rogers, Deputy

Helen L.Sullivan, Clerk

RETURN OF SERVICE

I received this writ on the 6th day of Sept. 1961 at 12:30 o'clock M. , time having lapsed I return this writ.

Filed Jan. 13, 1961  
Edward Amrine, Union County Sherfff  
By Martha Rogers, Deputy

JOURNAL ENTRY - DECREE OF DIVORCE

Filed Feb. 20, 1961

Now came the Plaintiff,and the Defendant having been duly served with a summons and a copy of the Petition herein, and Plaintiff having withdrawn his Petition, the case came onfor hearing upon the Answer and the Cross-Petition of the Defendant and the evidence adduced, upon which evidence the Court finds the Plaintiff to be in default for Answer and Demurrer to Defendant's Cross-Petition, and that the allegations contained in said Cross-Petition are therefore found upon the evidence to be true and that the Defendant, at the time of filing her Answer and Cross-Petition, had been a resident of the State of Ohiofor one year next preceding the same, and was, at the time a bona fide resident of this County of Union, for more than ninety days (90) immediately preceding the filing of her said Answer and Cross-Petition, and that the cause of complaint arose and took place in this County of Union, and that the parties hereto were married as in said Petition set forth.

The Court further finds upon the Cross-Petition and upon the evidence adduced, that the Plaintiff has been guilty of gross neglect of duty and extreme cruelty, and that by reason thereof the Defendant is entitled to a divorce as prayed for.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE COURT that the Marriage contract heretofore existing between the said Roger Clevenger and the said Joann Clevenger be, and the same hereby is, dissolved, and both parties are released from the obligations of the same, and Defendant, Joann Clevenger, is hereby granted a divorce from Plaintiff, Roger Clevenger,

The Court further finds that the following named children have been born to the parties as an issue of said marriage and are in the custody of the Defendant, namely, Robert Rhett Clevenger, and Reta Jo Clevenger, and that both of said children are minors, the said Robert Rhett Clevenger being born on the 26th day of August, 1956; and Reta Jo Clevenger being born onthe 22nd day of January, 1959.

IT IS FURTHER ORDERED AND ADJUDGED BY THE COURT that the custody, care, education and control of the said minor children of the parties hereto, be, until further order of the Court, confided tothe said Joann Clevenger, Defendant and mother, exclusively. And the said Roger Clevenger is hereby enjoined from interfering in any manner with either or both of said children. That the said Plaintiff, Roger Clevenger, father, is hereby granted reasonable rights of visitation of both of said children on each Tuesday and Tuesday night, fo each and every week, of each and every month, during each and every year, until further order of the Court, and he shall have the right to take said children,upon his visitation days, to his home, and at the end of said visitation to return themto the home of the Defendant.

The Court further finds that neither party is possess/84 of any real orpersonal property.

IT IS THEREFORE ORDERED AND DECREED BY THE COURT that the Plaintiff pay to the Clerk of this Court the sum of \$25.00 plus poundage, on Saturday of each and every week of each and every month, until further order of the Court, for the support of both of saidminor children.

IT IS FURTHERCONSIDERED AND ORDERED BY THE COURT that the said order of this Court as to the payment of the amounts hereinbefore mentioned, for the support of said minor children, to begin on the 30th day of December, 1960, and that the Plaintiffpay the costs of these proceedings, taxed at \$ \_\_\_\_\_ and execution is awarded.

APPROVED BY:  
Lloyd George Kerns  
Attorney for Plaintiff  
Roy Warren Roof  
Attorney for Defendant

Richard H. Finefrock  
Judge

PETITION

Ross Ingram  
Milford Center,Ohio  
Plaintiff  
vs  
James Bouldin  
Monteagle, Tennessee  
Defendant

Case No. 18719  
Filed Sept. 30, 1960  
Recorded March 2, 1961

Plaintiff Ross Ingram says that at all times mentioed herein he was the owner and is the owner of a 1955 F-600 Ford Truck with DayBrook Dump bed thereon and is engaged in trucking for hire; that on the 7th day of September, 1960, while said truck was being driven by his employee southward on U. S. Route 42 at a point approximately 2 miles north of the Village of Plain City, a 1955 Ford Automobile license number 37-4411, Tennessee, 1960, driven by the defendant, James Bouldin in a northerly direction on said highway which is a duly dedicated public thoroughfare located in Union County, Ohio, suddenly and abruptly turned from the eastern lane of traffic, that is thelane of traffic for vehicles proceeding northward over the center line and into the lane of traffic of plaintiff's truck.

Plaintiff further says that the vehicle of the defendant with great force and violence struck theplaintiff's truck in the left front causing it to leave the highway on its western side of the road and completely demolishing said truck.

Plaintiff says that the value of his truck immediately prior to the accident was \$1600.00 and immediately following the collision was worth not more than \$100.00 and that he as been damaged in the sum of \$1500.00 which damages was the proximate result of the failure of the defendant to maintain a lookout for other users of thehighway, of the defendant's failure to control his vehicle and operate it in the proper lane of traffic and of defendant's crossing the center line into the lane of traffic reserved for vehicles operating southward on said highway.

WHEREFORE, Plaintiff prays judgment against the defendant James Bouldin for the sum of \$1500.00 and costs of suit.

Sanders & Grigsby  
Attorneys for Plaintiff



State of Ohio, County of Union, ss:  
Ross Ingram, being first duly sworn says the facts and allegations in the foregoing petition are true.

Sworn to before me and subscribed in my presence this 30th day of September, 1960.  
Ross Ingram  
Nancy Rider  
Notary Public

PRECIPE

Filed Sept 30, 1960

TO THE CLERK:  
Please issue summons to the Sheriff of Union County to be served upon the Secretary of State, Ted W. Brown, by leaving with the office of the Secretary of State at least fifteen (15) days before the return of such process, a true and attested copy thereof and by sending to the defendant James Boulding (no street address), Monteagle, Tennessee by registered mail a like true and attested copy, with an endorsement thereon of the service upon said Secretary of State and to make the return receipt of the registered mail a part of the return of service of such process by attaching same to the return, all as in accordance with section 2703.20 of the revised Code.  
Endorse summons "action for damages amount claimed Fifteen Hundred Dollars (\$1500.00) and costs." Make same returnable according to law.

Sanders & Grigsby  
Attorney for Plaintiff

PRECIPE

Filed Oct. 4, 1960

To the Clerk:  
Issue summons to Sheriff of Cuyahoga Co. in the above entitled case directed to James Bouldin c/o Mrs. Edward H. Rowling, 4392 E. 156th St., returnable according to law.

Sanders & Grigsby  
Attorney for Plaintiff

SUMMONS

The State of Ohio, Union County.  
To the Sheriff of Cuyahoga County:  
You are hereby commanded to notify James Bouldin c/o Mrs. Edward H. Rowling 4392 E. 156th St., Cleveland, Ohio that he has been sued by Ross Ingram, Milford Center, Ohio in the Court of Common Pleas of said Union County, and must answer by the 5th day of November A.D. 1960, or the petition of said plaintiff will be taken as true and judgment rendered accordingly.  
Said Sheriff will make due return of this summons on the 17th day of October, 1960.  
WITNESS my hand and seal of said Court, this 4th day of October, 1960.

Helen L. Sullivan, Clerk  
Filed Oct 13, 1960

SHERIFF'S RETURN

~~THE STATE OF OHIO, UNION COUNTY.~~  
~~TO THE SHERIFF OF CUYAHOGA COUNTY:~~  
~~YOU ARE HEREBY COMMANDED TO NOTIFY JAMES BOULDIN C/O MRS. EDWARD H. ROWLING 4392 E. 156TH ST., CLEVELAND, OHIO~~

The State of Ohio, Cuyahoga County.  
Received this writ Oct 5th, 1960 at 12:10 o'clock P.M. And on October 7th 1960, I served the within named James Boulding by handing to him a true and certified copy thereof with all the endorsements thereon.  
\$3.89  
James M. Sweeney, Sheriff  
By James H. Crile, Deputy

SUMMONS

The State of Ohio, Union County.  
To the Sheriff of said County:  
You are hereby commanded to notify James Bouldin, Monteagle, Tennessee, to be served upon the Secretary of State, Ted W. Brown, by leaving with the office of the Secretary of State, at least fifteen (15) days before the return day of such process, a true and attested copy thereof and by sending to the defendant, James Bouldin (no street address) Monteagle, Tennessee by registered mail a like true and attested copy, with an endorsement thereon of the service upon said Secretary of State and to make the return receipt of the resigered mail a part of the return of service of such process by attaching same to the return, all as in accordance with section 2703.20 of the revised code, that he has been sued by Ross Ingram, Milford Center, Ohio in the Court of Common Pleas of said Union County, and must answer by the 12th day of November, A.D. 1960, or the petition of said plaintiff will be taken as true and judgment rendered accordingly.  
Said Sheriff will make due return of this summons on the 24th day of October, 1960.  
WITNESS my hand and the seal of said Court, this 30th day of Sept. 1960.

Helen L. Sullivan, Clerk  
Filed Oct 27, 1960

SHERIFF'S RETURN

The State of Ohio, Union County.  
Received this writ Sept. 30th, 1960, at 3:30 o'clock P.M. and on oder of the Plaintiff's Attorney I return this writ.  
\$1.60  
Edward Amrine, Sheriff of Union County, O.  
By Martha Rogers, Deputy

ORDER FOR TRIAL

Above cause set for trial Tuesday, February 7th, 1961 at 9:00 o'clock A.M.  
Gwynn Sanders  
Judge

JOURNAL ENTRY

Filed Feb. 14, 1961  
This matter coming on to be heard on the testimony and evidence the court finds defendant is in default of answer or other pleading after having been duly served with personal service and that the allegations of the petition are thereby confessed by him to be true; that plaintiff should therefore recover from defendant the sum of Fifteen Hundred Dollars (\$1500.00) and costs of suit.  
It is therefore ordered that judgment be and hereby is granted plaintiff against defendant for the sum of \$1500.00 and costs.  
APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff  
Richard H. Finefrock  
Common Pleas Judge

DESCRIPTION TRACT NO. 1

In Re: of the Appropriation of Real Estate  
by Fairbanks Local School District  
(Property of Clara M. Wolpert)

Case No. 18778  
Filed Jan. 12, 1961  
Recorded March 16, 1961

Situated in the State of Ohio, County of Union, Township of Darby, being part of V.M.S. 2675, and more particularly described as follows:

Beginning at a railroad spike at the point of intersection of State Highway #38 with the southeasterly line of V.M.S. 2675, thence with the following three consecutive courses of said State Highway #38: N. 44 deg. 00' W. 262.75' to a railroad spike; N. 12 deg. 53' E. 493.5' to an iron pin; and N. 43 deg. 34' E. 1,242.8' to a point; thence S. 33 deg. 17'E 909.6' to an iron pin, passing an iron pin at 29.6'; thence S. 57 deg. 43' W. with the said southeasterly line of V.M.S. 2675, 1,518.0' to the point of beginning, containing 24.44 acres, more or less, but subject to all legal rights of way.

The last previous instrument by which title to this property was transferred is recorded in Deed Book 186, page 89, Union County Recorder's Office, Marysville, Ohio

NOTICE OF APPLICATION TO ASSESS COMPENSATION

To: Clara M. Wolpert  
Route #5  
Marysville, Ohio

Filed Jan. 13, 1961

You are hereby notified that on the 20th day of January, 1961, at 10:00 A.M. the Board of Education of Fairbanks Local Scholl District, Union County, Ohio, will make written application to the Common Pleas Court of Union County, Ohio, for the assessment by a jury of the compensation to be paid by the Board of Education to the owner of the following described real property, of which you claim to be the owner.

Said property is described by metes and bounds onExhibit A, attached hereto, and is plated upon Exhibit B, attached hereto.

Such application will be presented to the Judge of said Court in the County Court House in Marysville, Ohio, and you are notified to appear and set up your interest in said property.

Board of Education  
Fairbanks Local School District  
Union County, Ohio  
By Robert O. Hamilton  
Prosecuting Attorney

PRECIPE

Filed Jan. 13, 1961

To the Clerk:

Issue Notice with description and plat in the above entitled case directed to Clara Wolpert returnable according to law.

Dated Jan. 13, 1960

Robert O. Hamilton  
Attorney for School Board

NOTICE TO SERVE

To the Sheriff of Union County, Greeting:

You are hereby commanded to serve the attached copy of notice, descritpion and platt heretofore filed in this case, upon Clara Wolpert and of your service hereof, make due return to this office, on or before the 20th day of January A.D. 1961.

WITNESS my hand and seal of said Court, this 13th day of January, 1961.

Helen L.Sullivan, Clerk  
By Eileen Daniels, Deputy

SHERIFF'S RETURN

Filed Jan. 16, 1961

The State of Ohio, Union County.

Received this writ Jan. 13th, 1961 at 3:50 o'clock P.M. And on Jan. 13th 1961, I served the within named Clara Wolpert by personally handing to her a true and certified copy thereof with all the endorsements thereon.

\$2.80

Edward Amrine, UnionCounty Sheriff  
By Martha Rogers, Deputy

APPLICATION

Filed Jan. 19, 1961

Now comes the Board of Education of Fairbanks Local School District, Union County, State of Ohio, and represents that it is organized under thelawsof Ohio, and that by resolution duly passed on the day of January, 1961, it did declare it sintention to appropriate the property hereinafter described to public use, for the erection of a High Wchool Building, of which resolution due notice was given according to law, and by resolution duly passed on the 12th day of January, 1961, two-thirds of all the members elected to the Board of Education concurring therein, did direct the approproation of said proerty to proceed:

That the Defendant Clara Wolpert herein owns said property which is described as follows:  
(same as in the description Tract 1)

Wherefore, Plaintiff asks the court to cause a jury to be empaneled to make inquiry into and assess the compensation to be paid by the Plaintiff for the property appropriated as above set forth, and that upon the payment to the owner or deposit of the amount so assessed,as the court shall order, possession of said property may be awarded it according to law.

Robert O. Hamilton  
Prosecuting Attorney

STATE OF OHIO, COUNTY OF UNION, SS:

Robert Brunskill, being first duly sworn, says that he is the President of the Board of Education of the Fairbanks Local School District, and that the facts and allegations contained in the foregoing application are true.

Sworn to before me and subscribed in my presence this 19th day of January, 1961.

Robert O. Hamilton  
Notary Public



ENTRY ORDERING COMMISSIONERS OF JURORS  
TO DRAW SPECIAL PANEL

Filed Jan. 26, 1961

It is ordered that the Commissioners of Jurors shall draw a special panel consisting of 25 members as jurors in the above styled cause on Tuesday January 31st at 9:00 o'clock A.M.; for trial February 20th at 9:30 o'clock A.M. 1961.

Gwynn Sanders  
Judge

PLAT FILED

JOURNAL ENTRY

Filed Feb. 8, 1961

On the 20th day of January, 1961, the Board of Education of the Fairbanks Local School District appeared in open Court represented by Robert O. Hamilton, Prosecuting Attorney, and also appeared the property owner, Clara M. Wolpert, represented by her attorney, Clarence A. Hoopes.

It was stipulated by and between the parties that all proceedings were property filed and that the plat and description on file in this cause are accurate and may be submitted to the Jury.

It is further ordered that the assessed compensation to the property owner shall be made by a Jury on February 20, 1961 at 9:30 A.M.

It is further ordered that a special Jury panel be drawn for this action.

APPROVED BY:

Robert O. Hamilton  
Prosecuting Attorney

Hoopes & Hoopes  
Attorney for Property Owner

Gwynn Sanders  
Judge

PRECIPE FOR SUBPENA - In Civil Case

Filed Feb. 17, 1961

To the Clerk: Issue Subpena to Sheriff of Delaware County, for

1. Earl M. French, Delaware, Ohio

to appear as witnesses in above named case, on February 20 A.D. 1961 at 10 o'clock A.M. Required on behalf of the Clara M. Wolpert.

Hoopes & Hoopes  
Att'y for the Plaintiff

PRECIPE FOR SUBPENA - In Civil Case

Filed Feb. 17, 1961

To the Clerk: Issue Subpena for

1. Walter Vollrath Rt#1 Milford Center, Ohio

2. Robert J. MacIvor, Marysville, Ohio

3. Lorin W. Cook, Marysville, Ohio

4. Nelson Blue, Richwood, Ohio

to appear as witnesses in above named case, on February 20, 1961 A.D. 19 , at 10:00 o'clock A.M. Required on behalf of Clara M. Wolpert.

Hoopes & Hoopes  
Att'y for Clara M. Wolpert

PRECIPE FOR SUBPENA - In Civil Case

Filed Feb. 17, 1961

To the Clerk: Issue Subpena for

1. Dwight Graham, Marysville RFD

2. Glenn Quincy, Mt. Victory

3. Don Temple, Greenville

to appear as witnesses in above named case, on Feb. 20, A.D. 1961 at 2 o'clock P.M. Required on behalf of the School District.

Robert O. Hamilton  
Att'y for the School District

SUBPENA IN CIVIL CASE

To Walter Vollrath, R#1, Milford Center, Ohio

14 P 2-17-61

Robert J. MacIvor, Marysville, Ohio

Lorin W. Cook, Marysville, Ohio

Nelson Blue, Richwood, Ohio

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 20th day of February A.D. 1961, at 10:00 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein In Re: of the Appropriation of Real Estate by Fairbanks Local School District, (Property of Clara M. Wolpert) and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of Clara M. Wolpert.

Witness my hand and the seal of said Court, this 17th day of Feb. 1961.

Helen L. Sullivan  
Clerk

RETURN OF SERVICE

Filed Feb. 18, 1961

I received this writ on the 17th day of Feb. 1961, at 11:30 o'clock AM. and served the persons named therein, on the day and in the manner indicated against each name.

\$3.50

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

SUBPENA IN CIVIL CASE

To Dwight Graham, Marysville, Ohio RFD

Glenn Quincy, Mt. Victory, Ohio

Don Temple, Greenville, Ohio

(Will pickup at the Clerk's Office)

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 20th day of February A.D. 1961, at 2:00 o'clock P.M. to testify as a witness in a certain case pending in said Court, wherein In Re The Appropriation of Real Estate by Fairbanks Local School District (Property of Clara M. Wolpert) and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the School District.

Witness my hand and the seal of said Court, this 17th day of Feb. 1961.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

RETURN OF SERVICE

Filed Feb. 20, 1961

I received this writ on the 17th day of Feb. 1961 at 4:00 o'clock A.M. and served the persons named therein, on the day and in the manner indicated against each name.

\$1.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

STATEMENT OF STENOGRAPHERS COSTS

\$8.00

Filed Feb. 21, 1961

Arthur D. Lowe  
Court Stenographer

SUBPENA IN CIVIL CASE

To Earl M. French, Delaware, Ohio 3 Res. 2/18/61

You are hereby required to be and appear before the Common Pleas Court at the Court House in said Union County, at Marysville, Ohio, on the 20th day of February 1961 at 10 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein The Board of Education of the Fairbanks Local School District, Plaintiff, and Clara M. Wolpert Defendant; and no depart the Court without leave. Herein fail not, under penalty of the law, and have you then and there this writ.

Said Court requires your said attendance on behalf of the Defendant Clara M. Wolpert.

Witness my hand and the seal of said Court, this 17th day of Feb. 1961.

Helen L. Sullivan, Clerk

RETURN OF SERVICE

Filed Feb. 24, 1961

I received this writ on the 17th day of February, 1961, at 1:30 o'clock A.M. and served the persons named therein, on the day and in the manner indicated against each name.

\$.90

Harley Wornstaff, Sheriff  
By John Weiser, Deputy

JURY VERDICT, Property Appropriated for  
Board of Education, Fairbanks Local School  
District, Union County, Ohio

Filed Feb. 21, 1961

We, the Jury, being duly impaneled and sworn, find and assess the amount of Compensation and Damages, as follows:

Compensation for land taken	\$10,998.00
Damages to Residue	3,750.00
Total	14,748.00

And this we do without deduction for benefits.

We do so render our verdict upon the concurrence of 12 members of our said Jury, that being three-fourths or more of our number.

Each of us said Jurors concurring in said verdict signs his name hereto this 21st day of February, 1961.

L. C. Grindell	Elmer W. Coder
Elmer Jones	Paul McCrary
Lowell Longbrake	Thomas J. Morrison
W. H. Somerlot	Mildred Fisher
John Smallwood, Jr.	Ethel Johnson
John P. Hartman, Sr.	Carolyn Boerger

JOURNAL ENTRY

Filed Feb. 27, 1961

This cause coming on to be heard upon the application of the Board of Education of the Fairbanks Local School for the assessment of compensation to be paid to Clara M. Wolpert, owner of the 24.44 acre tract described in the application for all interest therein appropriated for school purposes.

And the said Clara M. Wolpert having been duly and legally served with process and a jury having been empaneled to assess the compensation and having viewed the premises, heard the testimony of witnesses, the arguments of counsel and the charge of the court and having returned their verdict into court assessing the compensation to be paid for said property as follows:

(same as the above Jury verdict)

And the court having examined all the proceedings herein finds them all legal and according to law and does further find that said property belongs to Clara M. Wolpert. It is therefore, ordered, adjudged that said verdict and assessment made therein be and they are hereby confirmed.

It is further ordered that said Board of Education pay within 180 days the amount of compensation so assessed to Clara M. Wolpert, to wit: \$14,748.00.

And it is further ordered that upon payment by said Board of Education of said amount as allowed by the Jury, that the Board of Education shall be entitled to all of the interest and estate of Clara M. Wolpert in the following described tract, and to the possession of the same and that an order shall issue to the Sheriff of Union County to put the Board of Education in possession of said property and interest.

A certified copy of this entry shall be filed with the recorder of Union County, Ohio. Said tract is described as follows:

(same as in the description)

It is further ordered that the property owner, Clara M. Wolpert pay one-half the jury fees in this action in the amount of \$102.62 within 30 days and that the Board of Education pay the balance of the court costs in the amount of \$178.85 within 30 days.

It is further ordered that the Board of Education pay all 1961 real estate taxes and assessments on the tract appropriated.

APPROVED BY:

Robert O. Hamilton  
Prosecuting Attorney  
Hoopes & Hoopes  
Attorneys for Defendant

Gwynn Sanders  
Judge

PETITION

Irma Stillings  
Marysville, Ohio  
Plaintiff

Case No. 18785

vs  
Victor B. Stillings  
Marysville, Ohio  
Defendant

Filed Jan. 20, 1961

Recorded March 16, 1961

Now comes the plaintiff and says that she has been a resident of the State of Ohio for more than one year last past, and a bona-fide resident of the county of Union for more than ninety days prior to filing her petition herein.

Plaintiff further says that she and the defendant were married on the 13th day of February, 1946, and that there are two minor children the issue of said marriage, namely, Judith age 14 years and Mary Ellen age 12 years.

Plaintiff for her cause of action herein says that defendant is guilty of extreme cruelty and gross neglect of duty toward her.

Wherefore plaintiff prays for a divorce, custody of the two minor children, household goods, permanent support for said children and for such other and further relief in the premises to which she may be entitled and costs.



William J. Porter  
Attorney for Plaintiff

State of Ohio, County of Union, ss:  
Irma Stillings being first duly sworn deposes and says that the fact stated and the allegation contained herein are true as she verily believes.

Irma Stillings  
1961.  
William J. Porter  
Notary Public

TO THE CLERK:

Please issue summons and a copy of the petition on the defendant Victor B. Stillings at Marysville, Ohio, Directed to the Sheriff of Union County, Ohio. Endorse thereon Action for Divorce, Custody of the two minor children, household goods, permanent support of said minor children and for such other and further relief in the premises to which she may be entitled and costs.

William J. Porter  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:

You are hereby commanded to notify Victor B. Stillings, Marysville, Ohio that Irma Stillings has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with gross neglect of duty and extreme cruelty, and asking that she be divorced from him and custody of the two minor children, household goods, permanent support of said minor children and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 30th day of January, 1961.  
WITNESS my signature and the seal of said Court, this 20th day of January, 1961.

Helen L. Sullivan, Clerk  
Eileen Daniels, Deputy

SHERIFF'S RETURN

Filed Jan. 23, 1961

The State of Ohio, Union County.

Received this writ on the 20th day of Jan. 1961, at 3:50 o'clock P.M. and on the 20th day of Jan. 1961, I served the same by personally handing to the within named Victor B. Stillings a true copy thereof, together with a certified copy of the petition filed against him in this cause.

\$1.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

DECREE OF DIVORCE

Filed March 6, 1961

And now comes the said Plaintiff, by her attorney, and the Defendant having been duly served with a summons and a copy of the petition herein the Court finds that the Defendant is in default for answer or demurrer to the petition, thereby confessing the allegations thereof to be true.

The Court also finds that the Plaintiff, at the time of filing her petition, had been a resident of the State of Ohio for one year next prior thereto and was, at the time of filing said petition and for at least ninety days immediately preceding the same, a bona fide resident of this County of Union and that the parties hereto were married on the 13th day of February 1946, as insaid petition set forth.

The Court further finds, upon the evidence adduced, that the Defendant has been guilty of gross neglect of duty and extreme cruelty and by reason thereof the Plaintiff is entitled to a divorce as prayed for.

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

It is further ordered that the custody, care education and control of the children, to-wit: Judith Stillings and Mary Ellen Stillings of the said parties hereto be, until further order, confided to the said plaintiff Irma Stillings. And the said Defendant Victor B. Stillings is hereby enjoined from interfering in any manner with either the said children, or with the plaintiff Irma Stillings in the custody, care, education and nurture thereof until further order of this Court.

It is the further order of the Court that the Defendant pay the sum of \$7.50 plus poundage per week per child through the Clerk of the Courts; further that said defendant shall have the right of visitation at any reasonable hour of the day, and it is ordered that the said Plaintiff pay the costs of this prosecution.

Wm. J. Porter, Atty for Plaintiff

Gwynn Sanders  
Judge

PETITION

C. P. Wagner  
Marysville, Ohio  
Plaintiff  
vs  
James W. Boyd  
Bellefontaine, Ohio  
Defendant

Case No. 18476  
Filed July 14, 1959  
Recorded March 28, 1961

The Plaintiff Says  
The Defendant, on the 7th day of January, 1957, executed and delivered to him his promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, with all the endorsements thereon, are hereto attached, marked "Exhibit A" and made a part of this petition.

Said note is unpaid, except as shown by said endorsements, and there is now due the plaintiff on said note the sum of Two Thousand Dollars, and no cents, with interest at the rate of 4 per cent. per annum, from the 7th day of January 1957.

Wherefore, Plaintiff prays judgment against said defendant for the sum of Two Thousand Dollars, and no cents with interest thereon from the 7th day of January 1957, at the rate of 4 per cent. per annum till paid, and for costs of suit.

Clifton L. Caryl  
Attorney for Plaintiff

The State of Ohio, county of Union ss.

Clifton L. Caryl, being duly sworn, says that he is the attorney of said plaintiff, that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writing is in his possession, and that he verily believes the statements contained in the foregoing petition are true, in substance and in fact.

Sworn to by said Clifton L. Caryl, before me, and by him signed in my presence, this 14th day of July, 1959.  
Doris A. Parr, Notary Public



EXHIBIT A

COGNOVIT NOTE

\$2,000.00 January 1957  
One year after date for value received I promise to pay  
to the order of C. P. Wagner  
Two Thousand and no./100 Dollars  
with Interest, at the rate of 4 per centum per annum at

And hereby authorize any Attorney at law to appear in any Court of Record in the State of Ohio, after the above obligation becomes due, and waive the issuing and service of process and confess a judgment against in favor of the holder hereof for the amount then appearing due, together with costs of suit, and thereupon to release all errors and waive all right of appeal.

/s/ James W. Boyd

ANSWER OF DEFENDANT

Filed July 14, 1959

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I, an attorney atlaw in the several courts of record of this state, do hereby enter an appearance for said defendant, in this suit and waive the issuing and service of process therein, and confess a judgment in favor of said plaintiff, against said defendant, on said note for the sum of Two thousand two hundred dollars, and no cents, being the amount appearing due for principal and interest on said note, ~~and also for costs, being the amount appearing due for principal and interest on said note, and~~ also for costs of suit, taxed and to be taxed, and I do hereby release and waive all exceptions, errors, and right of appeal of the premises.

John W. Dailey  
Attorney for Defendant

JUDGMENT ENTRY

Filed July 14, 1959

\$2200.00  
This day came the plaintiff, by his attorney; also appeared in open court, for and on behalf of said defendant, John W. Dailey, an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, whom to have been duly executed by said defendant, entered the appearance of said defendant, and waived the issuing and service of process in thisaction, and confessed a judgment on said note against said defendant, and in favor of said plaintiff, for Two thousand two hundred dollars, and no cents, being the amount ofthe principal andinterest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.

It is therefore considered ~~that~~ that said plaintiff recover from said defendant the sum of Two thousand two hundred dollars and no cents, being the amount of said note and unpaid interest due thereon from the 7th day of January 1957 to date of judgment; and also recover his costs herein expended, taxed at \$ \_\_\_\_\_, and interest on said judgment at 6 per cent. per annum, fromsaid date of judgment until paid.

Richard H. Finefrock  
Judge

PETITION

Mildred K. Miller  
Route #3  
Marysville, Ohio  
Plaintiff  
vs  
John A. Miller  
Route #3  
Marysville, Ohio  
and  
The Mutual Benefit Life Insurance Company  
Ames, Iowa  
Defendant

Case No. 18703  
Filed August 27, 1960  
Recorded March 28, 1961

Plaintiff, Mildred K. Miller and the defendant, Jhn A. Miller are tenants in common i n the following described real estate, each owning an undivided one-half interest therein.  
Situat e in the State of Ohio, County of Union, Township of Dover, being part of Lot No. 6 of the Division of said Survey 5869 into lots and described as follows:  
Beginning at a stake in the center of the Dry Run Gravel Road and in the south line of said Survey No. 5869; thence with said line South 84 deg. 30' W. 104 poles to a stakein the east line of Thomas R. Perkins land; thence with said line North 6 deg. W. 73 poles to a stone at a corner of William H. Perkins land; thence with two consecutive lines of said land North 84 deg. 30' East 16 poles to a stone and North 6 deg. West 12 poles to a stake a corner to the said William H. Perkins land in the north line of said lot No. 6 of the division of said Survey No. 5869; thence with said line North 84 deg. 30' E. 84 poles to a stake in the center of the said Dry Run Gravel Road; thence with the center of said road S. 9 deg. 15' E. 85-20/100 poles to the beginning. CONTAINING 51 acres, be the same, more or less.  
ALSO  
Situat ed in the State of Ohio, County of Union, Township of Dover, being part of Survey No. 5499.  
Beginning at a stake in the center of the Dry Run Gravel Road and in the north line of Survey No. 5499, thence with said survey line South 84 deg. 30' W. 104.68 poles to a stone and tile in the east line of T. R. Perkins land; thence with the east line of said T. R. Perkins land South 4 deg. 15' East 47.80 poles to a stone and brick; thence North 84 deg. 30' East 100 poles passing a stone northwest corner to William H. Hamner and continuing with said W. H. Hamner's North lineto a stake in the center of the Dry Run Gravel Road; thence with the center of the said Ry Run Gravel Road North 1 deg. 30' East 47.80 poles to the place of beginning. CONTAINING 30.35 acres, more or less.  
ALSO  
Situat e in the State of Ohio, County of Union, Township of Dover, part of Survey No. 5499 and bounded and described as follows:  
Beginning in the center of the Dover and Perkins Gravel Road and in the west line of the Walter F, Cody 7.50 acre tract; thence with the west line of ~~the Walter F, Cody 7.50 acre tract~~ thence said tract S. 5 deg. 09' E. 16.42 poles to a stake in the center of Blues Creek from which an anchor post bears N. 5 deg. 09' West 35 feet; thence up the center of said creek with its meanderings N. 79 deg. 18' W. 14.15 poles, S. 59 deg. 31' W. 6.41 poles, S. 19 deg. 36' W. 9.62 poles, S. 49 deg. 53' W. 3.62 poles, S. 80 deg. 52' W. 14.58 pdes, N. 74 deg. 40' W. 8.79 poles, S. 73 deg. 38' W. 5.88 poles, S. 8 deg. 38' W. 5.76 poles, S. 54 deg. 00' E. 10.00 poles S. 7 deg. 44' E. 5.69 poles, S. 49 deg. 44' W. 5.78 poles. N. 80 deg. 01' W. 4.02 poles. N. 37 deg. 06' W. 6.83 poles, S. 72 deg. 25' W. 9.66 poles, N. 51 deg. 32' W. 17.52 poles to a stake from which an ironpipe on the north bank bears N. 5 deg. 30' W. 46 feet and being in the east line of a 115.50 acre tract; thence with said east line N. 5 deg. 30' W. 27.06 poles to the center of said Dover and Perkins Gravel Road; thence with two consecutive lines of the center of said road N. 84 deg. 20' E. 52.12 to an angle N. 80 deg. 57' E. 30.90 poles to the place of beginning.  
CONTAING 13.56 acres, more or less.



The title to said real estate came to the parties by purchase from Paul R. Anderson and Mary Anderson by deed executed November 15, 1950 and recorded in Union County Deed Record Volume 183 page 169.

The defendant, The Mutual Benefit Life Insurance Company claims an interest in said real estate by virtue a mortgage recorded in Union County Mortgage Records Volume                      Page                      .

SECOND CAUSE OF ACTION

For her second cause of action plaintiff says she and the defendant are owners in common of the following personal property used in the operation of the real estate described in the first cause of action:

- 2 Farmall Tractors
- 1 Set of Sultivators for Tractors
- 2 Wagons
- 1 Combine
- 1 Corn Picker
- 1 International baler
- 1 Grain drill
- 1-4 row corn planter
- 2 Discs
- 1 Harrow
- 1 Plow
- 1 Cultipacker
- 1 Drag
- 1 Studebaker truck
- 1-1954 Plymouth Automobile
- 1 field growing corn
- 1 field growing beans
- 5 brood sows
- 1-1960 Buick automobile
- 1 Side delivery hay rake
- 1 Mowing machine
- 50 Head of Sheep
- 1 Power seed sassy
- 1 Chain saw

THIRD CAUSE OF ACTION

Plaintiff for her third cause of action says the defendant, John A. Miller in the operationof the real estate described in the first cause of action with the equipment described in the second cause of action has received money for crops and livestock raised on said farm and that an accounting should be madeof the proceeds from the operation of the farm during the crop year, 1960 and specifically an accounting be made for 41 lambs and 43 hogs sold to Producers Livestock Corporation, Marion, Ohio, on the 15th day of August, 1960, which money John A. Miller has and refuses to acknowledge plaintiff's interest therein.

Plaintiff says she is entitled to a parttion of the real estate, the personal property and an accounting for funds received from the operation of said farm with the aforesaid personal property.

WHEREFORE, plaintiff prays for a partition of said real estate and her interest therein be set off to her in severalty, for a partition of the personal property and an accounting of the rents and profits received by defendant, John A. Miller from the operaton of the farm since July 1, 1960, for the appointment of a receiver and for such other relief as may be just and proper in the premises.

&  
Sanders/Grigsby  
John W. Dailey  
Attorneys for Plaintiff

VERIFICATION

STATE OF OHIO, UNION COUNTY, SS:

Mildred K. Miller being first duly sworn says she is plaintiff in the foreging petition and that the facts and allegations contained therein are true.

Sworn to before me and subscribed in my presence this 26th day of August, 1960.

Todd Hoopes to check Certificate of Title

Mildred K. Miller  
Joseph B. Grigsby

MOTION

Plaintiff moves that a receiver be appointed to take charge of all personal property and real estate described in plaintiff's petition and to effect recover of assets wrongfully withheld from Mildred K. Miller by defendant, John A. Miller:

1. This appointment of a receiver is sought under authority of Ohio Revised Code Section 2735. 01 (a)

John W. Dailey  
Sanders & Grigsby  
Attorneys for Plaintiff

PRECIPE

TO THE CLERK:

Please issue summons for the defendant, John A. Miller, Route #3, Marysville, Ohio, ENDOSE SUMMONS, "Action for partition of real estate, and personal property, accounting for rents and profits and appointment of receiver." Make same returnable according to law.

John W. Dailey  
Sanders & Grigsby  
Attorneys for Plaintiff

SUMMONS IN ACTION FOR PARTITION

The State of Ohio, Union County.

To the Sheriff of said County:

You are commanded to notify, John A. Miller, Route #3, Marysville, Ohio that a petition was filed against him on the 27th day of August A.D. 1960, in the Court of Common Pleas of said Union County, by Mildred K. Miller and is now pending, wherein the said petition demands partition of the following described real estate, to-wit: (same as in the petition) and that he must answer by the 24th day of Sept. 1960, or such petition will be taken as true, and partition willbe made of said premises according to law.

Said Sheriff will make due return of this summons on the 5th day of Sept. 1960.

WITNESS my hand and the seal of said Court, at Marysville, Ohio, this 27th day of Aug. 1960.

Helen L. Sullivan  
Clerk of Courts  
Filed August 29, 1960

RETURN

Sheriff's Office, Union County, Ohio. Aug. 29th, 1960

Received this writ Aug. 27th, 1960 at 11:55 o'clock A.M. and served the within named John A. Miller on Aug. 29th 1960, by personally handing to him a true and certified copy of the original writ with all endorsements thereon: (Office Service)

\$1.60

Edward Amrine, Sheriff of Union County  
By Deputy: Martha Rogers

JOURNAL ENTRY

Filed Sept. 6, 1960

The motion of plaintiff roappointment of a receiver will be heard in this Court on the 8 day of September, 1960 at 9:00 o'clock A.M.

Richard H. Finefrock  
Judge

ANSWER

Filed Sept. 8, 1960

Now comes the defendant, J<sup>O</sup>hn A. Miller, and for his Answer to the petition of the plaintiff admits that plaintiff and defendant are each the owners of an undivided one-half legal title to the real estate described in the petition. This defendant further says that in the purchase of said real estate the sum of Three Thousand dollars (\$3000.00) was represented by money received by this defendant from the sale of real estate given to him by his father.

This defendant further says the he is the sole owner of the property described in the second cause of action of the petition.

Further answering the defendant denies each and every allegations in said petition contained except such as are herein expressly admitted to be true.

Hoopes & Hoopes  
Attorneys for John A. Miller

STATE OF OHIO, UNION COUNTY, SS:

John A. Miller, being first duly sworn says that he is the defendant in the above entitled cause and that the facts stated and allegations made in the foregoing Answer are true as he verily believes.

Sworn to before me and subscribed in my presence this 8th day of September,

John A. Miller  
1960.  
C. A. Hoopes  
Notary Public

ENTRY

Filed Sept. 8, 1960

This day this cause came on to be heard upon the motion of plaintiff for the appointment of a receiver, and was submitted to the court. And, with the consent of counsel, it is ordered that this cause be heard upon its merits on the 15th day of September, 1960, and that the question of the appointment of a receiver be continued until that time.

It is further ordered that, until further order, the defendant be, and he is hereby enjoined from disposing of or incumbering in any way any of the property described in the petition.

APPROVED:

Richard H. Finefrock  
Judge

Sanders & Grigsby  
Attorneys for Plaintiff  
Hoopes & Hoopes  
Attorneys for Defendant  
John A. Miller

STATEMENT OF STENOGRAPHER'S COSTS

\$4.00

Filed Sept 15, 1960

Arthur D. Lowe  
Court Stenographer

PRECIPE FOR SUBPENA - IN CIVIL CASE

Filed Sept 15, 1960

To the Clerk: Issue Subpena for

1. Dean D. Tresch c/o Cols. Production Credit Assn., Delaware Ave., Marysville, O.  
to appear as witnesses in above named case, on Sept. 15, A.D. 1960, at 10:30 o'clock A.M. required on behalf of the

Joseph B. Grigsby  
Atty for the Pl

SUBPENA IN CIVIL CASE

To Dean D. Tresch, c/o Cols. Production Credit Assn., Delaware Ave., Marysville, Ohio

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 15th day of Sept. A.D. 1960, at 10:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Mildred K. Miller Plaintiff, and John A. Miller defendant, and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the  
Witness my hand and the seal of said Court, this 15th day of Sept. 1960.

Helen L. Sullivan  
Clerk

RETURN OF SERVICE

Filed Sept. 16, 1960

I received this writ on the 15th day of Sept. 1960, at 11:30 o'clock A.M. and served the persons named therein, on the day and in the manner indicated against each name.

\$.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

JOURNAL ENTRY

Filed Oct 4, 1960

This cause coming on for hearing upon the petition of the plaintiff the answer of the defendant and the evidence, the court find that the plaintiff and the defendant are tenants in common in the real estate described in the petition and that each has a legal right to the undivided one-half thereof.

And, upon evidence offered at the hearing of this cause, and with the consent of both parties, this action is considered by the court as, in addition to being an action for the partition of real estate, an action for the dissolution of the joint ownership of plaintiff and defendant in the chattel property of the parties including the crops upon said real estate and the defendant's share of the crops on the land leased by defendant in Delaware County.

And, with the consent of both parties, Wilfred Dasher is appointed receiver of all of said real and personal property described in the petition except the automobiles and, in addition thereto the crops on said real estate and upon said rented property.

it is further ordered that said receiver file with the Clerk of this Court, an inventory of all of said personal property and that he take possession of the same; that he ascertain all of the indebtedness of the parties and file with the Clerk of this Court an itemized statement of the same; that he forthwith advertise for sale at public auction within thirty days from this date, the real estate described in the petition and all of the chattel property described in the petition except said automobiles, said real estate to be sold for not less than \$19,000.00, terms of sale ten per cent cash on day of sale and balance of cash within thirty days, and said chattel property to the highest bidder for cash.

Said receiver is further ordered to file with the Clerk of this Court a detailed report of the proceeds of said sale as soon as practicable and as to the disposition of the remaining personal property of the parties, this cause is continued.

It is further ordered that the attorneys for plaintiff and defendant, jointly represent said receiver.



## APPROVED:

Sanders & Grigsby  
John W. Dailey  
 Attorneys for Plaintiff  
Hoopes & Hoopes  
 Attorneys for Defendant

Richard H. Finefrock  
 Judge

## JOURNAL ENTRY

Filed Nov. 5, 1960

This matter coming before the Court on application of W. J. Dasher, receiver, for authority to pay certain bills pertaining to the operation of the farm, the subject of this action, and the expenses of the public sale had under the prior order of the Court by agreement of counsel the following bills be paid by said receiver.

Ostrander Farmers Exchange	\$ 64.31
Standard Oil Company	361.79
Willard Clevenger, Treasurer, real estate and chattel taxes	124.59
Frank Phillips, combining & hauling beans	118.00
Don DeVault, public sale expenses	377.22
Columbus Production Credit Association, mortgage in the principal sum of \$3594.75 plus interest to date of payment	3732.36

It is further ordered W. J. Dasher, Receiver make arrangements for the harvesting of the corn on the Delaware County Farm.

## APPROVED BY:

C. A. Hoopes  
 Attorneys for John A. Miller  
John W. Dailey  
Sanders & Grigsby  
 Attorneys for Mildred K. Miller

O. W. Whitney, Jr.  
 Judge

## ENTRY

Filed Nov. 16, 1960

This cause coming on to be heard upon the petition and the answer of John A. Miller, and the evidence, the court find that all of the defendants have had due legal notice of the pendency and demand of said petition and that with the exception of those above named, they are in default for answer thereto.

The court further find that the plaintiff and the defendant, John A. Miller, are tenants in common in the estate described in the petition; that the plaintiff has a legal right to the one-half of said estate and the defendant, John A. Miller, has a legal right to the other one-half and that the plaintiff is entitled to have partition made of said premises as prayed for in her petition.

It is therefore ordered, adjudged and decreed that partition of said estate be made, and Fred Johnson, Dwight Graham and Russell Banks, three judicious and disinterested freeholders of the vicinity are hereby appointed commissioners to make and set off the same.

And it is ordered that if said estate is entire, and cannot be divided by metes and bounds, that it be appraised.

And it is ordered that a writ issue to the Sheriff of Union County commanding him that by the oaths of the commissioners above named, he cause to be set off and divided to each of the above named parties, the part and proportion of said estate to which they are herein before severally found entitled and in the event that said commissioners find that said estate cannot be divided without manifest injury to its value then that said appraisers return it s true value in money.

And all his proceedings, herein, the said Sheriff is ordered to make due return.

## APPROVED:

John W. Dailey  
 Attorneys for Plaintiff  
Hoopes & Hoopes  
 Attorneys for Defendant

Richard H. Finefrock  
 Judge

## PRECIPE

Filed Nov. 16, 1960

To the Clerk:

Issue Writ of Partition in the above entitled case directed to the Sheriff of Union County returnable according to law.

Hoopes & Hoopes  
 Attorney for Defendant

## ENTRY

Filed Nov. 16, 1960

On application of defendant, Wilfred Dasher, Receiver, is directed to pay to defendant out of the money in his hands, the sum of Two Hundred Dollars (\$200.00) the same to be deducted from his share upon final distribution.

## APPROVED:

Sanders & Grigsby  
 Attorneys for Plaintiff  
Hoopes & Hoopes  
 Attorneys for Defendant

Richard H. Finefrock  
 Judge

## WRIT OF PARTITION

To the Sheriff of said County:

Pursuant to an order of our said Court of Common Pleas within and for said County, made at the September Term, A.D. 1960, in a certain case No. 18703 now pending in said Court, wherein Mildred K. Miller plaintiff, and John A. Miller, et al defendants, you are commanded that, by the oaths of Fred Johnson, Dwight Graham, and Russell Banks three disinterested and judicious freeholders of the vicinity who were appointed by the Court as Commissioners for such purpose, you cause to be set off and divided the following described premises, situate in the Township of Dover County of Union and State of Ohio, to-wit:

(same as in the petition)

To the persons named herein, and in the following proportions, to-wit:

To Mildred K. Miller, one-half part

To John A. Miller, one-half part

But if the said Commissioners are of opinion that said premises cannot be divided according to the demand of this writ without manifest injury to its value, you cause them to make a just valuation of the same in money and of this writ and your proceedings thereon and of the proceedings of said Commissioners under this writ, you make return to our said Court forthwith.

WITNESS my hand and the seal of said Court at Marysville, Ohio this      day      of      19.

SHERIFF'S RETURN

Helen L. Sullivan  
Clerk

Filed Nov. 23, 1960

I received this writ on the 16th day of Nov. 1960, at 11:30 o'clock A.M. and in obedience to its command, I have executed the same by the oaths of Dwight L. Graham, Fred Johnson and Russell S. Banks.

The said Commissioners being of the opinion that the said premises cannot be divided without manifest injury to its value, I have caused the same to be appraised.

All of which will appear by the report of said Commission, herewith returned.

Given under my hand this 21st day of Nov. 1960.

Edward Amrine, Sheriff  
By Deputy

\$7.40

COMMISSIONERS' REPORT

We are of the opinion that the said estate cannot be divided according to the demand of the writ without manifest injury to its value, and we do estimate the just value of the same at (\$19,000.00) Nineteen Thousand dollars and no/100/

Given under our hands this 21st day of Nov. 1960.

Dwight L. Graham  
Fred Johnson  
Russell S. Banks  
Commissioners

WAIVER OF SERVICE OF ORIGINAL PROCESS AND  
ANSWER OF THE DEFENDANT, THE MUTUAL BENEFIT  
LIFE INSURANCE COMPANY

Filed Dec. 5, 1960

Comes now the defendant, The Mutual Benefit Life Insurance Company, a corporation, and for its first defense herein says:

That it is a corporation duly organized and existing under and by virtue of the laws of the State of New Jersey and having its principal place of business in the City of Newark, Essex county, State of New Jersey, but having its National Farm Loan Office, at Amex, Iowa, duly authorized to transact business in the State of Ohio by its Attorney, Austin A. King, and waives issuance and service of summons and notice by publication and the issuance and service of all other original notices and says:

That it claims to have and does have a certain lien upon the premises owned by the plaintiff and the defendant, John A. Miller, which premises are described in the petition. This answering defendant further states that its said lien is now in the amount of \$6,200. plus interest thereon and that the said lien is a first and best valid subsisting lien upon said land and further says that it has no information or knowledge regarding the other allegations in the said petition contained and, therefore, denies all other allegations in said petition set forth and each and every one.

SECOND DEFENSE

By way of second and further defense to plaintiff's petition the defendant, The Mutual Benefit Life Insurance Company by its Attorney, Austin A. King says:

That it is a corporation duly organized and existing under and by virtue of the laws of the State of New Jersey and duly authorized to transact business in the State of Ohio, that on or about the 20th day of December, 1950, John A. Miller and Mildred Miller, husband and wife, duly executed and delivered to this answering defendant their certain mortgage dated on the 20th day of December, 1950, upon the following described real estate in Union County, Ohio, to wit:

(same as in the petition)

being the real estate described in the plaintiff's petition and being the same estate described in the mortgage in favor of this answering defendant, and said mortgage contains the condition that if the said John A. Miller and Mildred Miller, their heirs, executors or administrators shall pay or cause to be paid to the said mortgagee, its successors or assigns the principal sum of \$8,000.00., being the original amount of said note on or before January 1, 1971, with interest thereon at the rate of four per cent per annum, the said mortgage upon all these payments should be void, otherwise, it should be and remain in full force and effect.

This answering defendant further says that the said mortgage on January 2, 1951, was duly filed for record in the Recorder's Office of Union County and State of Ohio and was duly entered of record in Book 138, page 462 of the official mortgage records in the office of the Recorder of said Union County, State of Ohio and that said mortgage on the recordation thereof became the first and best valid subsisting lien upon the real estate described therein.

This answering defendant further says that interest has been paid on said mortgage to July 1, 1960, and interest is running at the rate of four per cent per annum since that date.

There now remains unpaid on the principal of said indebtedness the balance of \$6,200. with interest thereon from July 1, 1960, at the rate of four per cent per annum.

WHEREFORE, this answering defendant, The Mutual Benefit Life Insurance Company, prays that the mortgage hereinbefore described and now held by it be declared the first and best valid subsisting lien on said real estate, and that in any sale which may be made herein of the premises that the lien of the said mortgage be protected and be held to be the first lien on said real estate, and that the said real estate described in the said mortgage be sold subject to the lien of the said mortgage as a whole, and not by tracts or parcels thereof. This answering defendant hereby consents to the sale of the real estate in its mortgage described provided it is sold subject to the lien of the afore-said mortgage. And this answering defendant prays it may recover its costs herein, and for all other and proper relief in the premises.

The Mutual Benefit Life Insurance Company  
By Austin A. King  
Its Attorney, 500 Fifth Street  
Ames, Iowa

state of Iowa, County of Story, ss:

Austin A. King, being duly sworn, upon his oath deposes and says that he is the duly qualified and authorized attorney for the defendant, The Mutual Benefit Life Insurance Company, and that the said defendant is a non-resident of the County of Union and State of Ohio.

That he has prepared and examined the annexed Answer and says that the facts and averments set forth in the Answer are true in substance and in fact, as he verily believes.

Subscribed and sworn to before me this 2nd day of December, A.D. 1960.

Austin A. King

Ienore N. Williams  
Notary Public in and for  
Story County, Iowa  
My commission expires July 4, 1963



## RECEIVER'S REPORT

Filed Dec. 9, 1960

Now comes W. J. Dasher, Receiver herein, and respectfully submits to the Court the following, report, to-wit:

## Receipts

D-25-60 Ostrander Farmers Exchange, Sale of Beans, Check No. 43610	\$ 911.01
10-26-60 Ostrander Farmers Exchange, Sale of Beans, Check No. 43806	2517.54
10-31-60 Proceeds from sale of farm chattels	6034.75
11-2-60 Proceeds from sale of corn-Farmers Exchange	957.45
11-29-60 Proceeds from sale of corn (Weaver farm)	1095.66
	<u>\$ 11516.41</u>

## Disbursements

11-2-1960 Check # 1 Willard Clevenger - taxes	\$ 124.59
11-2-60 Check # 2 Columbus Production Credit	3732.36
11-2-60 Check # 3 Don De Vault - Auctioneer & Clerk	377.22
11-3-60 Check # 4 Ostrander Farmers Exchange (feed)	64.31
11-3-60 Check # 5 Frank Phillips - combinb beans	118.00
11-3-60 Check # 6 Standard Oil Company - gas	316.79
11-16-60 Check # 7 Mildred Miller - alimony	50.00
11-16-60 Check # 8 Weiss Bros. - clothes	109.52
11-17-60 Check # 9 John Miller - advance	200.00
11-17-60 Check # 10 Lyle Byers - picking & Shelling corn	132.00
11-17-60 Check # 11 Gray's Sinclair Service - tires	62.73
11-17-60 Check # 12 Delaware Farmers Exchange - repairs	26.00
11-17-60 Check # 13 Parrott's Sales & Service - repairs	4.50
11-17-60 Check # 14 Larcomb & Mitchell Co., Inc., - repairs	77.07
11-17-60 Check # 15 Eugene Thomas $\frac{1}{2}$ of fertilizer - Weaver Farm	110.88
11-16-60 Check # 16 Lowe-Mattec, Inc. - repairs	17.40
11-23-60 Check # 17 Mildred Miller - alimony 11-23 to 11-30	50.00
12-1-60 Check # 18 Lyle Byers - picking & shelling corn	425.00
12-1-60 Check # 19 Mildred Miller - alimony 11-30- to 12-7	50.00
12-5-60 Check # 20 Robert Smart - labor	421.25
12-8-60 Check # 21 Mildred Miller - alimony 12-7- to 12-14	50.00
	<u>\$ 6519.62</u>
Balance on hand	<u>\$ 4996.79</u>

Respectfully submitted

C. A. Hoopes

Attorneys for Receiver

STATE OF OHIO, UNION COUNTY, SS:

W. J. Dasher, being first duly sworn says that the foregoing is a correct statement of his proceedings as receiver.

W. J. Dasher

Sworn to before me and subscribed in my presence this 9th day of December, 1960.

C. A. Hoopes  
Notary PublicPRECIPUE

Filed Dec. 15, 1960

To the Clerk:

Issue subpoenas in the above entitled case for Alberta Pines and Mrs. C. B. Frisbie. Man Dec. 19, 1960 - 10:00 A.M. returnable according to law.

Dated Dec. 15, 1960

C. A. Hoopes  
Attorneys for Pl

## EXCEPTION TO RECEIVER'S Report

Filed Dec. 19, 1960

Now come the undersigned, the attorneys for Mildred K. Miller plaintiff, and file exception and objections to the payment of all bills listed in the disbursements of the receivers report heretofore filled in this matter by W. J. Dasher, Receiver, except those specifically covered by prior Journal entry authorized expenditures, said journal entry being dated November 16, 1960.

The disbursements excepted to are:

11-17-60 Check # 9 John Miller - advance	\$200.00
11-17-60 Check # 10 Lyle Byers- picking & shelling corn	132.00
11-17-60 Check # 11 Gray's Sinclair Service-Tires	62.73
11-17-60 Check # 12 Delaware Farmers Exchange - repairs	26.00
11-17-60 Check # 13 Parrott's Sales & Service - repairs	4.50
11-17-60 Check # 14 Larcomb & Mitchell Co. Inc. - repairs	77.07
11-17-60 Check # 15 Eugene Thomas $\frac{1}{2}$ of fertilizer (weaver farm)	110.88
11-16-60 Check # 16 Lowe-Mattec, Inc.- repairs	17.40
12-1-60 Check # 18 Lyle Byers - picking & shelling corn	425.00
12-5-60 Check # 20 Robert Smart - labor	421.25

J. B. Grigsby

Attorney for Mildred K. Miller

John W. Dailey

Attorney for Mildred K. Miller

## SUBPENA IN CIVIL CASE (FOREIGN COUNTY)

To Mrs. C. B. Frisbie, Columbus Rd., Delaware, O. 3 Per 12-15-60

You are hereby required to be and appear before the Common Pleas Court at the Court House in said Union County, at Marysville, Ohio, on the 19th day of Dec. 1960, at 10:00 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein John A. Miller Plaintiff, and Mildred K. Miller Defendant; and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the Plaintiff.

Witness my hand and the seal of said Court, this 15th day of Dec. 1960.

Helen L. Sullivan, ClerkRETURN OF SERVICE

Filed Dec. 16, 1960

I received this writ on the 15th day of December, 1960, at 12:00 o'clock P.M. and served the persons named therein, on the day and in the manner indicated against each name.

\$.90

STATEMENT OF STENOGRAPHER'S COSTS

\$4.00

JOURNAL ENTRY

Harley Wornstaff, Sheriff  
By John Weiser, Deputy

Filed Dec. 19, 1960

Arthur D. Lowe  
Court Stenographer

Filed Dec. 21, 1960

this matter coming on further to be heard upon the report of the receiver, the testimony and the evidence concerning the said report, bills and division of personal property of the parties, the Court orders the receiver's report dated December 9, 1960 be approved, said report consisting of his checks numbers one (1) to twenty one (21) inclusive and in addition thereto another payment of \$50.00 under prior order of the Court to plaintiff; The Court further orders John A. Miller, defendant, shall receive as his separate personal property, free of all claims of plaintiff the 1960 Buick Convertible Automobile, a share of stock in The Ostrander Locker Company and one (1) share of stock in the Ostrander Farmers Exchange and plaintiff, Mildred K. Miller shall receive the 1954 Plymouth and the 1958 Plymouth Automobiles, free of all claim of John A. Miller; that all household goods in the hands of plaintiff shall be hers and defendant shall turn over to plaintiff the household goods now in his possession, which he has taken from the home of the parties, consisting of the following:

- 1 Bedroom suite, complete
- 1 Recordeo record player and radio
- 2 9 X 12 floor rugs
- 1 Electric Alarm clock
- 1 Box of Roger Brothers Silverware
- Ironing Board and iron
- Assorted dishes, pots and pans.

It is further ordered the receiver pay out of the cash in his hands the following bills.

1. W. J. Dasher, Receiver, compensation	\$ 301.00
2. Thorpe Motor Sales	390.94
3. Dr. E. C. Jenkins, Delaware, Ohio	25.00
4. Dr. Malcolm MacIvor, Marysville, Ohio	29.00
5. Tilton Moving & Storage Company, Delaware, Ohio	54.60
6. Refund to Mildred Miller for moving bill	45.00
7. The Ostrander Banking Company, note with interest	621.50
8. The First Nat'l Bank of Delaware, note with interest	102.00
9. Earl French, 1959 Income tax work	27.00
Total	<u>\$1596.04</u>

It is further ordered John A. Miller pay any other indebtedness incurred by him and that his bill for labor be disallowed, and that plaintiff pay any other indebtedness incurred by her, and that after the deduction of the aforesaid \$1596.04 and the \$50.00 payment made to plaintiff since the receiver's report leaving a net in the hands of the receiver of \$3350.75 and that said sum be divided by the receiver's paying to C. A. Hoopes, Attorney for John A. Miller, the sum of \$1675.38 and to J. B. Grigsby and J. W. Dailey, Attorneys for Mildred K. Miller, the sum of \$1675.37.

It is further ordered that the receiver collect from Columbus Production Credit Association the refund, in the amount of \$180.00, on the stock in the names of either of the parties and the same be divided equally between them.

It is further ordered that the receiver file his Final Account upon payment of the bills as herein ordered.

APPROVED BY:

Joseph B. Grigsby  
John W. Dailey  
Attorneys for Plaintiff  
Hoopes & Hoopes  
Attorney for Defendant

Richard H. Finefrock  
Judge

PRECIPE

Filed Dec. 21, 1960

To the Clerk:

Issue Order of Sale in Partition in the above entitled case directed to Sheriff of Union County returnable according to law.

Dated December 16, 1960

Joseph B. Grigsby  
Attorney for Plaintiff

PRELIMINARY CERTIFICATE

Filed Dec. 22, 1960

The undersigned, being the Attorney designated to certify the title in this case, hereby certifies that he has examined the proceedings and files in this cause to date and finds as follows:

1. The title to the real estate described in the petition herein, was vested in John A. Miller and Mildred Miller at the time of the filing of said petition.
2. All necessary parties are properly before the Court
3. The proceedings herein are regular and in conformity to law.
4. The title of the said John A. Miller and Mildred Miller is a good and merchantable title, free and clear from all encumbrances excepting:
  - a. The premises are subject to a mortgage for the original sum of \$8,000.00 to The Mutual Benefit Life Insurance Company, recorded in Mortgage Volume 138, page 462.
  - b. Taxes for the year 1960 are now a lien on the premises but are as yet undetermined.

Respectfully submitted,  
Todd Hoopes  
Attorney at Law  
Marysville, Ohio

JOURNAL ENTRY

Filed Dec 22, 1960

This cause came on to be heard on the return of the Sheriff and the report of the commissioners on the writ of partition herein issued, and upon consideration the court finds that said proceedings are in all respects in conformity to law and the orders of the court and the same are hereby approved and confirmed, and neither of the parties selecting to take said premises, it is ordered that said premises be sold at public auction by the sheriff upon the following terms: 10 % in cash at time of sale, balance in cash within 30 days, upon confirmation of sale.

APPROVED BY:

Joseph B. Grigsby  
Attorney for Plaintiff  
John W. Dailey, Attorney for Plaintiff  
C. A. Hoopes, Attorney for Defendant

Richard H. Finefrock  
Richard H. Finefrock, Judge



PROOF OF PUBLICATION

Filed Jan. 26, 1961

State of Ohio, Village of Marysville, Union County, ss.  
Personally appeared before me, Marie M. Strauss and made solemn oath, that the Legal Notice, a copy of which is hereto attached, was published for 5 consecutive weeks on and next after December 21, 1960, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marsville and Union County.

Sworn to before me and signed in my presence this 19 day of January, A.D. 1961.  
Marie M. Strauss  
W. E. Behrens  
My commission expires June 22, 1961  
Printer's Fees \$62.00

NOTICE

IN THE COURT OF COMMON PLEAS, UNION COUNTY, OHIO, CASE NO. 18703  
NOTICE OF PUBLIC SALE

Mildred K. Miller, Route No. 3, Marysville, Plaintiff -vs- John A. Miller, et al, Defendants  
In pursuant to an order of sale and partition issued out of the Court of Common Pleas of said Union County in the case of Mildred K. Miller vs John A. Miller et al being case No. 18703 in said court, I will offer at public auction at the north door of the Court House in said County on the 21st day of January, 1961 at 11:00 o'clock A.M the following described premises, to wit:  
(same as in the petition)  
Appraised at \$19,000.00  
Terms of Sale: 10% in cash at time of sale, balance in cash within 30 days, ~~balance~~ upon confirmation of sale.  
Edward Amrine, Sheriff of Union County, Ohio  
John W. Dailey and Sanders & Grigsby, Attorneys for Plaintiff

ORDER OF SALE IN PARTITION

To the Sheriff of said County:  
Pursuant to an order of our said Court of Common Pleas within and for said County, made at the May Term, A.D. 1960, in a certain case No. 18703 now pending in said Court, wherein Mildred K. Miller Plaintiff, and John A. Miller, et al defendants, you are commanded that without delay, you proceed according to law to sell at public auction, for not less than two-thirds the appraised value thereof, as returned by the Commissioners following described premises, situate in the Township of Dover County of Union and State of Ohio, to-wit:  
(same as in the petition)  
Said sale to be made following terms:  
Must sell for 2/3 of the appraised value, 10% cash at time of sale, balance in cash upon confirmation, within 30 days.  
Appraised at \$19,000.00 Must sell for 2/3 of the appraised value.  
You will make return of your proceedings herein to our said Court of Common Pleas within sixty days from date hereof, and have you then and there this Writ.  
WITNESS my hand and the seal of said Court, at Marysville, Ohio, this 21st day of December A.D. 1960.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

Filed Jan. 24, 1961

The State of Ohio, Union County.  
I received this Order of Sale on the 21st day of Dec. 1960, at 12:30 o'clock P.M. and in obedience to the command of the same, I did, on the 28th day of Dec. 1960, cause to be advertised in the Journal-Tribune, a newspaper printed and of general circulation in Union County, Ohio, said lands and tenements to be sold at public sale, at the north door of the Court House in said County on the 21st day of Jan. 1961, at 11 o'clock A.M. of said day. And having advertised the said lands and tenements for at least thirty days before the day of sale, to-wit: five consecutive weeks; and pursuant to said notice, I did, on said 21st day of Jan. 1961, at the time and place above mentioned, proceed to offer said land, and tenements at public sale; and then and there came Duane L. Stinemetz who bid for the same the sum of Sixteen Thousand & six hundred no/100(\$16,600.00) Dollars, and said sum being more two-thirds of the appraised value thereof, and said Duane L. Stinemetz being the highest and best bidder therefor, I then and there publicly sold and struck off said lands and tentments to him for the said sum of \$16,600.00 Dollars.  
\$174.90

Edward Amrine, Sheriff  
of Union County, Ohio

JOURNAL ENTRY

Filed Feb. 1, 1961

This cause coming on to be heard on the return of the sheriff of the sale of the premises herein made, and the same being in all respects in conformity to law, said sale and his proceedings are approved and confirmed and it is ordered that the Sheriff execute and deliver to the purchaser Duane L. Stinemetz, Route #1, Marysville, Ohio, a deed for said premises as provided by law.  
And it is further ordered that the Sheriff make distribution of the proceeds of said sale in pursuance to the former orders of the Court as follows:  
1. To Duane L. Stinemetz, the estimate of 1960 taxes, not yet payable as based on 1959 Taxes, the sum of \$165.55  
2. To The Mutual Benefit Life Insurance Company, Ames, Iowa, the amount due on its mortgage lien the sum of 6,348.53  
3. To the Clerk of this Court the costs of this case, including an attorney fee to John W. Dailey and Sanders and Grigsby of \$660.00 total costs of 1,074.60  
4. To Mildred K. Miller, Plaintiff 4,505.66  
5. To John A. Miller, Defendant 4,505.66

Joseph B. Grigsby  
John W. Dailey  
Attorneys for Plaintiff  
Hoopes & Hoopes  
Attorney for Defendant John A. Miller  
Hoopes & Hoopes  
Attorney for Defendant, Mutual Benefit Life Insurance Company

Richard H. Finefrock  
Judge

FINAL CERTIFICATE OF TITLE

Filed Feb. 7, 1961

To Duane L. Stinemetz:  
The undersigned, being the Attorney designated to certify the title in this cause, hereby certifies that he has examined the title to the real estate described in the petition for a period of sixty years prior to the filing of the petition, and he finds that  
1. All necessary parties are properly before the Court in this cause.  
2. All the proceedings herein are regular and in conformity to law.  
3. The Sheriff's Deed to Duane L. Stinemetz dated February 3, 1961, and recorded in Deed Volume 205, page 311, Records of Union County, Ohio, upon recording conveyed a good and merchantable title to said premises to the said Duane L. Stinemetz, free and clear from all encumbrances excepting:  
a. Taxes for the year 1960.  
b. Taxes for the year 1961 are now a lien on the premises, but are as yet undetermined.

February 6, 1961

Respectfully submitted  
Todd Hoopes  
Attorney at Law  
Marysville, Ohio

PETITION

George Shustick & Sons Inc.  
756 Parsons Avenue  
Columbus 6, Ohio  
Plaintiff  
vs  
Harold Baughman  
526 W. 5th St.  
Marysville, Ohio  
Defendant

Case No. 18657  
Filed June 24, 1960  
Recorded March 28, 1961

Plaintiff is a corporation duly organized and existing under the laws of the State of Ohio, with its principal place of business at 756 Parsons Avenue, Columbus 6, Ohio; that it is engaged in the sale of roofing materials and the defendant, Harold Baughman, purchased from plaintiff materials for which he owes plaintiff the sum of One Thousand Five Hundred Nine Dollars (\$1,509.00) since the 24th day of June, 1959.

WHEREFORE, Plaintiff prays judgment against the defendant, Harold Baughman, for One Thousand Five Hundred Nine Dollars (\$1,509.00), with interest from June 24, 1959.

Abraham Gertner  
Sanders & Grigsby  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:  
Joseph B. Grigsby, being first duly sworn, says he is attorney for plaintiff corporation and that the facts and allegations in the foregoing Petition are true.

Sworn to before me and subscribed in my presence this 23rd day of June, 1960.

Joseph B. Grigsby  
Betty Berger  
Notary Public

PRECIPE

Filed June 24, 1960

TO THE CLERK:  
Please issue summons to the Sheriff to be served upon the defendant, Harold Baughman 526 W. 5th St., Marysville, Ohio.  
Endorse Summons "ACTION FOR MONEY ONLY, AMOUNT CALIMED ONE THOUSAND FIVE HUNDRED NINE DOLLARS (\$1,509.00), plus interest and costs." Make same returnable according to law.

Sanders & Grigsby

SUMMONS

The State of Ohio, Unioa County.  
To the Sheriff of Union County:  
You are hereby commanded to notify Harold Baughman, 526 W. 5th St., Marysville, Ohio that he has beensued by George Shustick & Sons Inc., in the Court of Common Pleas of said Union County, and must answer by the 23rd day of July A.D. 1960 or the petition of said plaintiff will be taken as true, and judgment rendered accordingly.  
Said Sheriff will make due return of this summons on the 4th day of July, 1960.  
WITNESS my hand and the seal of said Court, this 24th day of June, 1960.

Helen L.Sullivan, Clerk

SHERIFF'S RETURN

Filed June 25, 1960

The State of Ohio, Union County.  
Received this Writ June 24th 1960, at 3:30 o'clock P.M. And on June 24th, 1960, I served the within named Harold Baughman by personally handing to him a true and certified copy thereof with all the endorsements thereon.

\$1.60

Edward Amrine, UnionCounty Sheriff  
By Martha S. Rogers, Deputy

MOTION

Defendant moves the court for an order granting him until on or before the 2nd day of August, 1960 to move or plead to Plaintiff's Petition.

Filed July 28, 1960  
Clifton L.Caryl  
Attorney for Defendant

ENTRY

Defendant granted leave to move or plead by August 2, 1960.  
Joseph B. Grigsby  
Attorney for Plaintiff  
Clifton L.Caryl  
Attorney for Defendant

Filed July 28, 1960  
O. W. Whitney, Jr.  
Judge

MOTION

Filed August 2, 1960

Defendant moves the Court for an order requiring plaintiff to make his petition definite and certain.

Clifton L.Caryl  
Attorney for Defendant

AMENDED PETITION

Filed Sept 13, 1960

Plaintiff is a corporation duly organized and existing under the laws of the State of Ohio, with its principal place of business at 756 Parsons Avenue, Columbus 6, Ohio; that it is engaged in the furnishing of roofing materials and the furnishing of labor, and the defendant Harold Baughman, purchased from plaintiff materials and labor for which he owes plaintiff the sum of One Thousand Five Hundred Nine Dollars (\$1,509.00) since the 24th day of June, 1959, a copy of the invoice for said materials and labor is attached hereto, marked "Exhibit A" and made a part hereof.

WHEREFORE, plaintiff prays judgement against the defendant Harold Baughman, for One Thousand Five Hundred Nine Dollars (\$1,509.00) with interest from June 24, 1959.

Abraham Gertner  
Sanders & Grigsby  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:



Joseph B. Grigsby, being first duly sworn, says he is attorney for plaintiff corporation and that the facts and allegations in the foregoing amended petition are true.

Sworn to before me and subscribed in my presence this 13th day of September, 1960.  
Joseph Grigsby  
Nancy Rider  
Notary Public

EXHIBIT A

\$1,509.00

ANSWER

Filed Sept 15, 1960

Defendant admits plaintiff is a corporation duly organized and existing under the laws of the State of Ohio with its principal place of business at 756 Parsons Avenue, Columbus, Ohio. That it is engaged in the business of selling roofing and material.

FIRST DEFENSE  
Defendant denies each, every and singular and all other allegations in the plaintiff's petition contained as herein expressly admitted to be true.

Clifton L. Caryl  
Attorney for Defendant

STATE OF OHIO, UNION COUNTY, SS:  
Harold Baughman, being first duly sworn, says that the admissions made and denials contained in the foregoing Answer are true as he verily believes.

Sworn to before me and subscribed in my presence this 13th day of September, 1960.  
Harold Baughman  
Clifton L. Caryl  
Notary Public, State of Ohio

STIPULATION

Filed Sept. 19, 1960

It is agreed by and between the parties hereto by their respective counsel that:  
1. Harold Baughman received from plaintiff on March 17, 1959, a written proposition to perform certain work on Theatre Building in Circleville, Ohio, for a consideration of \$1509.00.  
2. Defendant, Harold Baughman requested plaintiff to do the work in accordance with the proposal of March 17, 1959.  
3. The work was done in accordance with the proposal and the request in a satisfactory manner.  
4. The sum of \$1509.00 is due plaintiff.  
September 15, 1960

Sanders & Grigsby  
& Abraham Gertner  
Attorney for Plaintiff  
Clifton L. Caryl  
Attorney for Defendant

MOTION FOR SUMMARY JUDGMENT

Filed Oct 14, 1960

Now come Attorneys for Plaintiff and moves the court for a summary judgment in this matter and that notice be sent to Attorneys for Defendant and the Defendant, and that Judgment be rendered as prayed for in the petition.

Sanders & Grigsby  
Attorneys for Plaintiff

MEMORANDUM

Filed Oct 14, 1960

Under section 2311.041 Summary Judgment can be granted in a civil action when the case is at issue and when reasonable minds can come to but one conclusion and that conclusion is adverse to the party against whom the motion is made. This matter is at issue and stipulation has been filed by defendant admitting the amount prayed for is due and there is no issue of fact or of law to be tried. Judgment should be rendered with all haste.

Sanders & Grigsby  
Attorneys for Plaintiff

JOURNAL ENTRY

Filed Oct 18, 1960

It is ordered the motion of plaintiff for a summary judgment be heard on the 28th day of October, 1960 at 9:00 o'clock A.M.

O. W. Whitney, Jr.  
Judge

AFFIDAVIT

Filed Oct 28, 1960

STATE OF OHIO, UNION COUNTY, SS:  
Harold Baughman of 526 West 5th Street, Marysville, Ohio, says he was named a party defendant in the Court of Common Pleas in Case No. 18657 which is in the cause of George Shustick & Sons, Inc., versus Harold Baughman wherein a petition and amended petition were filed on an account and on the 18th day of October, 1960 a motion of summary judgment was filed in said cause.

Affiant says that the matters contained in the petition, the amended petition and the motion for summary judgment and all other matters pertaining to the subject of this cause has to do with the purchase of building materials which were purchased for Ida Baughman who is the mother of Harold Baughman and owner of the building where the materials were used, which building is a theater located in Circleville, Ohio.

Affiant further says that this purchase was made for his mother for the improvement of the building which she owned and affiant further says he has no interest and received no benefits whatsoever from the improvements of this building.

Affiant further says that the building and other property owned by his mother are solvent and are worth more than the value of this claim.

Affiant further says that there was no memorandum in writing concerning any agreements whereby affiant was to be charged upon any special promise to answer for the debt, default, or miscarriage of another person as provided by Sec. 1335.05 of the R. C. of Ohio. (Statute of Frauds).

Further affiant saith not.

Sworn to before me and subscribed in my presence this 28th day of October, 1960.  
Harold Baughman  
Clifton L. Caryl  
Notary Public

JOURNAL ENTRY

Filed Oct 28, 1960

This matter coming before the Court upon the pleadings and stipulations and Defendant Affidavit filed herein and upon consideration thereof the Court finds the sum of \$1509.00 is due plaintiff with interest from the 24th day of June, 1959.

Wherefore, it is ordered that judgment be rendered plaintiff against the defendant, Harold Baughman, for the sum of \$1509.00 with interest at the rate of 6% per annum from June 24, 1959, and costs of suit.

APPROVED BY:  
Sanders & Grigsby  
Attorneys for Plaintiff

Richard H. Finefrock  
Common Pleas Judge

Attorney for Defendant

PRECIPE

Filed Oct 28, 1960

To the Clerk:

Issue execution to Sheriff of Unio County in the above entitled case for judgment of \$1509.00 with interest at 6% from June 24, 1959, returnable according to law.

Dated Oct 28, 1960

Joseph B. Grigsby  
Attorney for Plaintiff

EXECUTION

The State of Ohio, Union County.  
To the Sheriff of said County:

You are hereby Commanded, That of the goods and chattels in your County of Harold Baughman, 526 W. 5th St., Marysville, Ohio you cause to be made the sum of One Thousand Five Hundred Nine and 00/100 Dollars debt, and Dollars costs of suit, which by the judgment of said Common Pleas Court at the September Term thereof, 1960, George Shustick & Sons Inc. recovered against the said Harold Baughman with interest thereon at the rate of 6 per cent. per annum from the 24th day of June, 1959, until paid; and also the costs of increase on said judgment and the accruing costs hereon; and forwant of goods and chattels that you cause the lands and tenements in your County, of the said Harold Baughman to be sold for cash.  
And make due return of this writ in sixty days.

WITNESS my hand and the seal of said Court this 28th day of October, 1960.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

Filed Feb. 10, 1961

Sheriff's fffice, Union County, Ohio Feb. 9th, 1961

Received this writ on the 28th day of Oct. 1961 at 12:49 o'clock P.M. and pursuant to its command Time having lapsed I return this Wrrant.

\$1.60

Edward Amrine, Sheriff of Union County  
Martha Rogers, Deputy

PETITION

Ray Donovan  
West Ottawa Street  
Richwood, Ohio  
Plaintiff  
vs  
Samuel Haughn  
Route 1  
Richwood, Ohio  
Defendant

Case No. 18753  
Filed Nov. 21, 1960  
Recorded March 30, 1961

Plaintiff says there is due a d unpaid to him from the Defendant upon an account, a copy of which is hereto attached and made a part hereof marked "Exhibit A" with all credits and endorsements thereon, the sum of Three Hundred and Seventeen and 10/100 Dollars (\$317.10) which he claims with interest.  
WHEREFORE Plaintiff prays judgment against the Defendant in said sum of Three Hundred and Seventeen and 10/100 Dollars (\$317.10) which he claims with interest from the 14th day of September, 1960.

Robert E. Evans, Jr.  
Attorney for Plaintiff

State of Ohio, Union County, ss:

Ray Donovan, being first duly sworn and cautioned, says that he is the Plaintiff in the foregoing Petition and that the facts stated therein are, as heverily believes, true.

~~Robert E. Evans, Jr.~~  
Ray Donovan

Sworn to before me and subscribed in my presence this 10th day of November, 1960.

Robert E. Evans, Jr.  
Notary Public, State of Ohio

EXHIBIT A - STATE OF ACCOUNT \$317.10

PRECIPE

Filed Nov. 21, 1960

To the Clerk of the Court of Common Pleas:

Please issue summons to the sheriff of Union County for service upon the Defendant, Samuel Haughn, Route 1, Richwood, Ohio, and make the same returnable according to law.

Endorse summons "Action for Money Only, amount claimed Three Hundred and Seventeen and 10/100 Dollars (\$317.10) with interest and the costs of this action."

Robert E. Evans, Jr.  
Attorney for Plaintiff

SUMMONS IN ACTION FOR MONEY ONLY

The State of Ohio, Union County.  
To the Sheriff of Union County:

You are commanded to notify Samuel Haughn, R/#1, Richwood, Ohio that he has been sued by Ray Donovan in the Court of Common Pleas of said Union County, and must answer by the 24th day of December A.D. 1960, or the petition of said plaintiff will be taken as true, and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 5th day of December, 1960.

WITNESS my hand and the seal of said Court, this 21st day of November, 1960.

Helen L. Sullivan

SHERIFF'S RETURN

Filed Nov. 23, 1960

The State of Ohio, Union County.

Received this Writ Nov. 21st, 1960, at 3:15 o'clock P.M. And on Nov. 22nd, 1960, I served the within named Samuel Haughn by personally handing to him a true and certified copy thereof with all the endorsements thereon.

\$5.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy



JOURNAL ENTRY

Filed Jan. 9, 1961

This day this matter came on to be heard upon the oral Motion of Robert E. Evans, Jr., Attorney for the Plaintiff, and it appearing to the court that said Defendant, Samuel Haughn, is in default for demurer or answer herein, and it therefore appearing that said Motion for a default judgment is well taken, said Motion is hereby granted and judgment is hereby rendered against the Defendant in the sum of Three Hundred and Seventeen Dollars and Ten Cents (\$317.10) with interest at the reate of 6% per annum from the 14th day of September, 1960.

APPROVED:  
Robert E. Evans, Jr.  
Attorney for Plaintiff

Gwynn Sanders  
Judge

PRECIPE

Filed Jan. 9, 1961

To the Clerk of the Court of Common Pleas:  
Please issue a writ of execution against Samuel Haughn, Route 1, Richwood, Ohio, the Defendant haein, for service by sheriff Edward Amrine, of Union County, Ohio, for the judgment and costs herein.  
Make the same returnable according to law.  
Also please issue a Certificate of Judgment for the judgment rendered herein and file the same as provided by law.

Robert E. Evans, Jr.  
Attorney for Plaintiff

EXECUTION

The State of Ohio, Union County.  
To the Sheriff of said County:  
You are hereby Commanded, That of the goods and chattels in your County of Samuel Haughn, R#1, Richwood, Ohio you caue to be made the sum of Three Hndred Seventeen and 10/100 Ddollars debts, and Twenty & 75/100 plus Sheriff's Costs Dollars costs of suit, which by the judgment of said Common Pleas Court at the January Term thereof, 1961, Ray Donovan recovered against the said Samuel Haughn with interest thereon at the rate of 6 per cent. per annum from the 14th day of Septmber, 1960, until paid; and also the costs of increase on said judgment and the accruing costs hereon; and for want of goods and chattels that you cause the lands and tenements in your County, of the said Samuel Haughn to be sold vor cash.  
And make due return of this writ in sixty days.  
WITNESS my hand and the seal of said Court this 9th day of January, 1961.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

SHERIFF'S RETURN

Filed March 16, 1961

Sheriff's Office, Union County, Ohio, March 13th, 1961  
Received this writ on the 9th day of Jan. 1961 at 2:07 o'clock P.M. and pursuant to its command on the 13th day of March 1961, money was made; Check to the Clerk of the Courts # 3345.

Judgment	317.10
Clerk	20.75
Interest	9.52
Sheriff's	8.87
	<u>356.24</u>

\$8.87

Edward Amrine, Union County Sheriff  
Martha Rogers, Deputy

PETITION

Ronald Yoder  
Plaintiff  
vs  
Virginia Yoder, a Minor  
Defendant

Case No. 18771  
Filed Jan. 3, 1961  
Recorded March 30, 1961

Plaintiff says that he has been a resident of the State of Ohio for more than oe year last past and that this cause of action arose in Union County, Ohio.  
Plaintiff says he was married to the Defendant on the 10th day of August, 1957, and that one child, Barbara, aged three years was born of said marriage.  
Plaintiff says that defendant has been guilty of gross neglect of duty towards him.  
WHEREFORE, Plaintiff prays that he may be divorced from the defendant and for such other relief as is proper.

Hoopes & Hoopes  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:  
Ronald Yoder, being first duly sworn says that he is the plaintiff in the above entitled cause and that the facts stated and allegations made in the foregoing petition are true as he verily believes.  
Sworn to before me and subscribed in my presence this 3d day of January, 1961.

Ronald Yoder  
C. A. Hoopes  
Notary Public

PRECIPE

TO THE CLERK:  
Issue summons in the above entitled cause directed to the Sheriff of Logan County, together with copies of the petition, for the defendant, Virginia Yoder, a minor, summons to be served on said minor and upon her father L. Dale Elleman with whom she resides (address, adjacent to Bellefontaine Drive-In Theatre, Bellefontaine, Ohio) and make same returnable according to law.  
Endose summons, "Action for Divorce."

Hoopes & Hoopes  
Attorneys for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Logan County:  
You are hereby commanded to notify Virginia Yoder, a minor & L. Dale Elleman, her father address: adjacent to Bellefontaine Drive-In Theatre, Bellefontaine, Ohio that Ronald Yoder, has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompaniies this summons) charging her with gross neglect of duty and asking that he be divorced from her and for otherproper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.  
Said Sheriff will make due return of this summons on the 16th day of January, 1961.  
WITNESS my signature and the seal of said Court, this 3rd day of January, 1961.

Helen L. Sullivan, Clerk  
Eileen Daniels, Deputy

SHERIFF'S RETURN

Filed Jan. 13, 1961

The State of Ohio, Logan County.

Received this writ on the 4th day of January, 1961, at 11 o'clock A.M. and on the 5th day of Jan. 1961, I served the same by personally handing to Virginia Yoder, a minor & L. Dale Elleman, her father a true copy thereof, together with certified copy of the petition filed against her in this cause.

It was necessary to make two trips before both could be contacted.

\$2.75

Donald M. Horn  
Sheriff

APPLICATION FOR APPOINTMENT OF GUARDIAN FOR THE SUIT

Filed Jan. 17, 1961

Now comes Virginia Yoder, a minor, twenty years of age, within twenty days after having been served with summons in the within cause, requesting that a guardian for the suit be appointed for her and suggests the name of James R. Goslee, Attorney at Law, Bellefontaine, Ohio, as being a suitable person to act for her in such capacity.

SIGNED In the presence of:

Lila L. Norman  
Robert E. Dunlap

Virginia Yoder

JOURNAL ENTRY

Filed Jan. 17, 1961

The defendant, Virginia Yoder, a minor, twenty years of age, having applied for the appointment of a guardian for the suit, James R. Goslee, Attorney at Law, Bellefontaine, Ohio, is hereby appointed guardian for the suit for said minor defendant, at her request, and this day appears in open court and accepts his appointment and files his answer herein.

APPROVED:

James R. Goslee  
Guardian for the suit

Gwynn Sanders  
Judge

ANSWER OF GUADIAN FOR THE SUIT

Filed Jan. 17, 1961

Now comes James R. Goslee, guardian for the suit herein for Virginia Yoder, a minor, defendant, and for answer denies each and every allegation in the petition contained prejudicial to his said ward.

James R. Goslee  
Guardian for the suit for Virginia Yoder, a minor

ENTRY

Filed March 17, 1961

This day this cause came on to be heard upon the pleadings and the evidence and was submitted to the court. And the court find that the plaintiff at the time of filing his petition had been a resident of the State of Ohio and of the County of Union, for more than one year last past and that the parties were married as in the petition set forth.

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

It is therefore ordered and adjudged by the court that the marriage contract heretofore existing between the said Ronald Yoder and Virginia Yoder be, and the same hereby, is, dissolved, and both parties are released from the obligations of the same.

It is further ordered that the custody and control of the child of the parties hereto be, until further order, confined to the defendant, Virginia Yoder exclusively, but the plaintiff shall have the privilege of visitation at all reasonable times. It is further ordered that the plaintiff pay to the defendant for the support of said child through the Clerk of this Court the sum of Fifteen Dollars (\$15.00) per week and that he also keep the hospitalization insurance for said child.

The court further find that the parties hereto have made an equitable division of their property and the same is hereby confirmed.

It is further ordered that the plaintiff pay the costs of this suit.

APPROVED:

Hoopes & Hoopes  
Attorneys for Plaintiff  
James R. Goslee  
Attorney for Defendant

Gwynn Sanders  
Judge

SEPARATION AGREEMENT

This agreement made this 11th day of March, 1961, by and between Dale Elleman, Sr., on behalf of his daughter Virginia Yoder, FIRST PARTY, and Ronnie Yoder, SECOND PARTY, WITNESSETH:

THAT WHEREAS, Virginia Yoder and Ronnie Yoder are husband and wife and WHEREAS, differences have arisen between them whereby it is impossible for them to live together, it is agreed that they will henceforth live separate and apart and desiring to reach a settlement of their property rights, it is agreed as follows: and

That Ronnie Yoder will pay all of the obligations incurred during the period the parties lived together/will pay for the support of the child, subject to the approval of the court, the sum of Fifteen Dollars (\$15.00) per week and will keep up the hospitalization insurance on the child of the parties, Barbara Yoder.

It is further agreed that each party will pay his own attorney fee.

IN WITNESS WHEREOF the parties hereto have hereunto subscribed their names the day and year first above written.

SIGNED IN THE PRESENCE OF:

/s/ James R. Goslee  
/s/ Mrs. Margaret Goodman  
Witnesses to signature of First Party  
/s/ Eloise C. Smart  
/s/ William S. Hoopes  
Witnesses to signature of second party

/s/ Dale Elleman, Sr., father & natural guardian of Virginia Yoder, a minor 20 years of age.  
/s/ Virginia Yoder  
First Party

/s/ Ronnie Yoder  
Second Party



RESOLUTION AND FINDING

In the Matter of the appropriation by the State of Ohio of an easement for highway purposes over the property of Charles N. McCarty, et al., on State route No. U. S. 33, Section 0.00, Union County, Ohio, and State Route No. U. S. 33, Section 31.67, Logan County, Ohio

Case No. 18739  
Filed Oct 27, 1960  
Recorded March 30, 1961

WHEREAS, I have been unable to purchase certain hereinafter described property, needed in the construction and improvement of State Route No. U. S. 33, Section 0.00, Union County, Ohio, and State Route No. U. S. 33, Section 31.67, Logan County, Ohio.

THEREFORE, I find it is necessary for the public convenience and welfare that action be taken under Section 5519.01 and related sections of the Revised Code of Ohio, to appropriate the property hereinafter described, which I deem needed in accordance with the plans and specifications on file in the Department of Highways, Columbus, Ohio, from the following named owners:

Name	Place of Residence
Charles N. McCarty	Route No. 5, Marysville, Ohio
Stella McCarty	Route No. 5, Marysville, Ohio
First National Bank	Marysville, Ohio
Treasurer of Union County, Ohio	Marysville, Ohio

The aforementioned property to be appropriated is located in Virginia Military Survey No. 5728, Paris Township, Union County, Ohio, lying on the right side of the centerline of a survey made by the Department of Highways, and recorded in the records of Union County, Ohio, and being more fully described as follows:

PARCEL NO. 65 (HIGHWAY) PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning in the owners' westerly property line at a point 29.98 feet right of Station 336 plus 05.31 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U. S. 33, Section 0.00, in Union County, also known as the Marysville-Bellefontaine Road, said point being in the existing southerly right of way line of said highway, thence southeasterly along said right of way line to a point 29.90 feet right of Station 337 plus 86.65; thence southeasterly along said right of way line to a point 29.79 feet right of Station 342 plus 86.59; thence southeasterly along said existing right of way line to a point 26.88 feet right of Station 347 plus 89.22; thence southeasterly along said right of way line to the owners' easterly property line at a point 27.40 feet right of station 348 plus 19.23; thence southerly along the owners' easterly property line to a point 55 feet right of Station 348 plus 33.13 thence northwesterly to a point 55 feet right of Station 345 plus 20; thence southwesterly to a point 65 feet right of station 345 plus 20; thence northwesterly to the owners' westerly property line at a point 65 feet right of Station 336 plus 23.40; thence northerly along the owners' westerly property line to the place of beginning, containing 0.93 of an acre, more or less.

Said stations being the station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Highways, Columbus, Ohio.

And I find the following amount to be the value of the property to be appropriated and damages to the residue:

VALUE OF PROPERTY	DAMAGES TO THE RESIDUE	TOTAL DEPOSIT
\$967.00	\$2,875.00	\$3,842.00

Witness my hand and seal this 21st day of October, 1960.

E. S. Preston  
Director of Highways

I hereby certify that the foregoing is a true and correct copy of an entry in the Right of Way Section of the Journal of the Director of Highways, made on October 21, 1960, in Volume 45, Page 1472.

Esther E. Dearing  
Recorder

PLAT FILED  
RECEIPT FILED

PRECIPE FILED

Filed Oct 27, 1960

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

Pursuant to the provisions of Section 5519.01 Revised Code kindly notify within three days, through the Sheriff, the following named persons:

Charles N. McCarty, Route No. 5, Marysville, Ohio  
Stella McCarty, Route No. 5, Marysville, Ohio  
First National Bank, Marysville, Ohio  
Treasurer of Union County, Ohio, Marysville, Ohio

owners of real estate described in the resolution this day filed in your Court, in the above proceedings, of the amount deposited with you on account of the property appropriated, and serve each of them with a copy of the resolution in which is contained a definite, detailed and accurate description of the property appropriated, also a plat showing the area appropriated, and direct the Sheriff to make a return of service upon said persons, as in civil action.

Mark McElroy  
Attorney General-State of Ohio  
RJG

PETITION IN APPEAL

Filed Nov. 9, 1960

The appellants, Charles N. McCarty and Stell McCarty, say they are the owners of the real estate hereinafter described and appropriated by the Director of Highways of the State of Ohio in the above entitled proceedings; that on the 21st day of October, 1960, they were served with a copy of Resolution and Finding of the Director of Highways and a copy of plat of the property appropriated filed in this action.

Appellants are not satisfied with the amount fixed by the Director of Highways and deposited with this Court, and it is their intention to appeal and they do hereby appeal from the finding of the Director of Highways as to the amount of compensation for the land taken and damages to the residue, for the following described property appropriated: (same as in the resolution)

Said stations being the station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Highways, Columbus, Ohio.

Wherefore, appellants pray that the amount due these appellants be determined according to law and for all other and further relief to which they may be entitled.

George, Greek, King & McMahon  
44 East Broad Street, Columbus, Ohio  
By John D. Herbert, Attorney for Appellants

State of Ohio, Union County, ss  
Charles N. McCarty and Stella McCarty, being first duly sworn, deposes and say that they are the above named appellants and that the facts stated and allegations contained in the foregoing petition are true as they verily believe.

Charles N. McCarty  
Stella McCarty  
Sworn to before me, a notary public, in my presence, this 9th day of November, 1960.  
Helen L. Sullivan  
Notary Public, Clerk of Courts  
Union Co., Ohio

SUMMONS

The State of Ohio, Union County, ss.  
To the Sheriff of said County, Greeting:  
You are commanded to notify  
Charles N. McCarty, Route No. 5, Marysville, Ohio  
Stella McCarty, Route No. 5, Marysville, Ohio  
First National Bank, Marysville, Ohio  
Treasurer of Union County, Ohio. Marysville, Ohio

that the, Director of Highways of the State of Ohio has instituted a proceeding to appropriate certain property of Charles N. McCarty, et al., in the Common Pleas Court of Union County, and that unless they appeal within thirty (30) days from the date of service of this summons they will be deemed to have waived their right to appeal and Judgment will be rendered accordingly.  
You (the sheriff) will make due return of this summons, on or before the 7th day of November, A.D. 1960.  
WITNESS my hand and seal of said Court this 28th day of October, A.D. 1960.

THE FINAL DATE, on which a petition setting forth your intention to appeal may be filed as provided in 5519.02 of the Revised Code of Ohio, is thirty (30) days from the date of the service of this summons

Helen L. Sullivan  
Clerk of the Common Pleas Court of  
Union County, Ohio

SHERIFF'S RETURN

Filed Nov. 4, 1960

The State of Ohio, Union County:  
Received this writ Oct. 28th, 1960, at 12:30 o'clock P.M. and pursuant to its command, on Nov. 2nd, 1960, I served the within named Charles N. McCarty, Stella McCarty, the First National Bank and Treasurer of Union County, Ohio by personally handing to each of them a true and certified copy of this writ with all the endorsements thereon, together with a copy of the resolution of appropriation and a blue print of the property appropriated.

\$3.05

Edward Amrine, Union County  
Deputy

JOURNAL ENTRY- PRELIMINARY HEARING

Filed Nov. 25, 1960

This cause came on to be heard, on the date fixed by the Court, for the hearing of all preliminary questions and motions and for the examinations of the papers and proceedings, and the Court finds that the appeal herein has been properly perfected, and that the proceedings are substantially regular and according to law.  
It is, therefore, ordered, adjudged and decreed that the appeal of Charles N. McCarty, et al, has been properly perfected.  
The 5th day of December, 1960, is fixed by the Court for the trial of this case by jury. The trial of this cause will be, and hereby is continued until a Motion is filed to set same for trial, made by any appellant herein or on behalf of the Director of Highways.

Mark McElroy  
Attorney General  
Harry R. Paulino  
Assistant Attorney General  
John D. Herbert  
George, Greek, King & McMahon  
by John D. Herbert  
Attorney for Appellant

O. W. Whitney, Jr.  
Judge by assignment

PRECIPE FOR SUBPENA - DUCES TECUM

Filed March 6, 1961

To the Clerk:  
On behalf of State of Ohio-Department of Highways issue Subpena Duces Tecum for the following named persons:  
Name Residence  
1. Everett Royer 215 North Main Street, London, Ohio  
to appear on the 9th day of March, A.D. 1961, at 1:30 o'clock P.M. and testify as a witness in the above case, and to bring and produce at the time aforesaid, The appraisal report made of the property appropriated by the Department of Highways of the property owned by Charles N. McCarty, et al, subject appraisal report made by Everett Royer.

Thomas C. Clark  
Attorney for the Department of  
Highways

SUBPENA DUCES TECUM (FOREIGN COUNTY)

The State of Ohio, Union County.  
To Everett Royer, 215 N. Main Street, London, Ohio.  
You are hereby required to be and appear before the Common Pleas Court at the Court House in said Union County, at Marysville, Ohio, on the 9th day of March A.D. 1961, at 1:30 o'clock P.M. to testify as a witness in a certain case pending in said Court, thwerein In the Matter of the Appropriation by the State of Ohio of an Easement for Highway Purposes, over the Property of Charles N. McCarty, etl, and also that you bring with you and produce at the time and place of aforesaid The appraised report made of the Property appropriated by the Department of Highways of the property owned by Charles N. McCarty, et al, subject appraisal report made by Everett Royer and not depart the Court without leave. Herein fail not, under panalty of the law.  
Said Court requires your said attendance on behalf of the Department of Highways.  
WITNESS my hand and the seal of said Court, this 6th day of March, 1961.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy  
Filed March 9, 1961

RETURN OF SERVICE

I received this writ on the 7th day of March, 1961 at 10 o'clock A.M. and served the following persons named therein.  
Everetty Royer Res.

\$.54

Herbert C. Markley, Sheriff  
By K. H. Johnson, Deputy



STATEMENT OF STENOGRAPHERS COSTS

\$8.00

Filed March 10, 1961

Arthur D. Lowe  
Court Stenographer

JURY VERDICT OF EASEMENT IN PROPERTY APPROPRIATED FOR HIGHWAY PURPOSES ETC.

Filed March 10, 1961

We, the Jury, being duly impaneled and sworn, find and assess the amount of Compensation and Damages, as follows:

Compensation for land taken	\$1000.00
Damages to residue	2500.00
Total	3500.00

And this we do without deduction for benefits.  
We do so render our verdict upon the concurrence of 12 members of our said Jury, that being three-fourths or more of our number.

Each of us said Jurors concurring in said verdict signs his name hereto this 10 day of March, 1961.

<u>Frank W. Reilly Jr.</u>	<u>Robert E. Knedler, Jr.</u>
<u>Herman C. Rausch</u>	<u>Gale W. Baldwin</u>
<u>Harry Hughes</u>	<u>Ralph Kirby</u>
<u>Paul Schacherbauer</u>	<u>Wm. H. Payne</u>
<u>Peggy Ackley</u>	<u>Ruth Patrick</u>
<u>Walter E. Strunkenburg</u>	<u>Ruth G. Hinton</u>

JOURNAL ENTRY ON JURY VERDICT

Filed March 21, 1961

This cause came on duly to be heard for the determination of compensation of land taken and assessment of damages to the residue. Thereupon, a jury was duly impanelled and sworn; and such issues as to compensation and damages were duly submitted to said jury. Thereupon, after due deliberation, said jury returned a verdict for One Thousand Dollars (\$1,000.00), as compensation for the land taken, and Two Thousand Five Hundred Dollars (\$2,500.00), as damages to the residue, such verdict thus being for the total sum of Three Thousand Five Hundred Dollars (\$3500.00). The landowners are not entitled to interest on the amount of the verdict, because the date of trial preceded the date the State took possession of the premises.

It is therefore ordered, adjudged and decreed that the said proceedings be and the same are hereby approved and confirmed by the Court and that the Clerk of Courts shall pay to the landowners herein, as their interests may appear, in an order for distribution made by the Court, the sum of Three Thousand Five Hundred Dollars (\$3500.00); and that the Clerk of Courts shall return to the Director of Highways, forthwith, the sum of Three Hundred Forty-two Dollars, (\$342.00), which amount is the balance of the deposit made herein.

Further in conformity with these proceedings, it is ordered, adjudged and decreed that an easement for highway purposes over and upon the premises described in the resolution and finding as Parcel No. 65 (HIGHWAY) the same being located in Virginia Military Survey No. 5728, Paris Township, Union County, Ohio, lying on the right side of the centerline of a survey made by the Department of Highways, and recorded in the records of Union County, Ohio, and more particularly described as follows:  
(same as in the resolution)

be and the same hereby is duly vested in the State of Ohio, free and clear of all claims of the owners of said lands and persons having interest hereto, to-wit: Charles N. McCarty, Stella McCarty, First National Bank of Marysville, Ohio, and the Treasurer of Union County, Ohio.

It is further ordered that the Appellants pay all court costs herein accrued and that a record be made of these proceedings according to law.

Mark McElroy  
Attorney General  
Donald E. Strouse  
Assistant Attorney General  
John D. Herbert  
George, Greek King & McMahon  
Attorneys for Appellants  
By John D. Herbert

Gwynn Sanders  
Judge

PETITION

Kenneth W. Fulk  
DBA Fulk Electric  
Plain City, Ohio  
Plaintiff  
vs  
Alfred L. Schmidt  
West Main Street  
Plain City, Ohio  
Defendant

Case No. 18695

Filed August 18, 1960

Recorded March 30, 1961

Plaintiff says that prior to the 1st day of March, 1958, he sold goods and merchandise and furnished labor to the defendant from time to time, upon which defendant made one payment of \$700.00.

That on said 1st day of March, 1958, an account was stated between plaintiff and defendant upon which there was found to be due from defendant to this plaintiff the sum of \$1545.87; that no amount has been paid upon said account since that time.

Plaintiff further says that he sold additional goods and merchandise and furnished additional labor to defendant on August 6, 1959, in the amount of \$77.44; no part of which has been paid.

Wherefore, plaintiff prays judgment against defendant for the sum of \$1623.31, with interest at six per cent per annum from the 1st day of March, 1958, on \$1545.87, and interest at six per cent per annum from the 1st day of September 1959 on \$77.44, and the costs of this action.

Gilbert Kirby  
Attorney for Plaintiff

State of Ohio    SS.  
Union County

Kenneth W. Fulk, being duly sworn, says that he is the plaintiff in the above entitled cause of action and that the statements contained and the allegations made in the foregoing petition are true.

Sworn to before me and subscribed in my presence this 12th day of August, 1960.

Kenneth W. Faulk  
Gilbert Kirby  
Notary Public, For The State of Ohio  
My Commission Expires Feb. 16, 1963

CONTINUE FROM PAGE NO. 85

PRECIPE  
TO THE CLERK

Please issue summons for the defendant, Alfred L. Schmidt, in the above entitled action, directed to the Sheriff of Union County, Ohio, for service and return, according to law. Endorse thereon; "Action on account for money only. Amount claimed \$1623.31, with interest thereon at six per cent (6%) per annum from the 1st day of March, 1958"/

Gilbert Kirby  
Attorney for Plaintiff

SUMMONS  
THE STATE OF OHIO, UNION COUNTY.  
TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to notify Alfred L. Schmidt, West Main Street, Plain City, Ohio that he has been sued by Kenneth W. Fulk, DBA Fulk Electric Plain City, Ohio in the Court of Common Pleas of Said Union County, and must answer by the 17th day of September A.D., 1960 or the petition of said plaintiff will be taken as true and judgment rendered accordingly.  
Said Sheriff will make due return of this summons on the 29th day of August, 1960.  
Witness my hand and seal of said Court, this 19th day of August, 1960.

Helen L. Sullivan  
Clerk of the Common Pleas Court  
of Union County.

SHERIFF'S RETURN

THE STATE OF OHIO, Union County  
Received this writ August 19th, 1960 at 9:00 O'clock A.M. And on August 19th, 1960, I served the within named Alfred L. Schmidt, by personally handing to him a true and certified copy thereof with all the endorsements thereon.  
Edward Amrine  
I Union County Sheriff  
Martha Rogers  
Deputy

Filed August 20, 1960

MOTION

Now comes the defendant and moves the court to require Plaintiff to make his petition more definite and certain by setting out therein an itemized statement of his claim against Defendant.

Filed August 25, 1960

Hoopes & Hoopes  
Attorney for Defendant

OPINION FOR ON MOTION

Motion of Defendant to make petition definite and certain by setting out itemized statement of plaintiffs claim against defendant sustained. Plaintiff given twenty (20) days to plead.

Filed December 9, 1960

/ Gwynn Sanders  
Judge.

ENTRY

This cause came on to be heard upon the motion of the defendant to make the petition of plaintiff more definite and certain by setting out an itemized statement of plaintiff's claim and the court being fully advised in the premises sustains said motion. Leave granted plaintiff to plead within twenty days.

Filed December 14, 1960

Gwynn Sanders  
Judge

APPROVED:  
Gilbert Kirby  
Attorney for Plaintiff  
Hoopes & Hoopes  
Attorneys for Defendant

AMENDED PETITION

Plaintiff says that from February 1, 1958 to March 1, 1958 he sold goods and merchandise to defendant consisting of the following items:

Filed January 9, 1961

17 1 1/4 Bushings, \$9.18; 8 Service Heads, \$6.40; 88 ft. 3 Wire service cable, \$83.60; 8 1 1/4 WT Connectors, \$8.80; 30 Sets 1" Nuts and Bushings, \$7.50; 27 Nipples \$7.02; 75 ft. No. 6 Jumper Wire,, \$15.00; 58 Ft. G. Wire,\$11.60; 8 G Rods, \$26.40; 17 60 amp. WT Safety and Fuses, \$306.00; 17 Connectors, \$2.04; 13 FS Box Lids, and Receptacle, \$74.88; 6 Male Plugs, \$5.70; 1 2" Head, \$4.80; 5 Straps, \$.50; 2 2" Factory Ells, \$6.60; 170 Ft. 3/o RH Wire, \$144.50; 50 ft. 2" Conduit, \$49.00; 1 200 AMP Safety and Fuses, \$48.00; 2 2" Nipples, \$1.20; 1 10 cir Panel \$24.00; 4 ft. 4x4 Duct. \$12.80; 3 sets 2" Locknuts and Bush., \$2.01; 1 1 1/2" Nipple and Locknut and Bushing, \$.64; 1 LW 43 Washer, 1 LW 44 Washer, 1 LB 44 Dryer, \$690.00; 3 F Porc E /Pulls, \$1.65; 2 keyless, \$.70; 6 150 Wt. Bulbs, \$1.62; 9 200 Wt Bulbs \$3.51; 107Connectors, \$11.77; 7 Speakers and Switches, \$33.60; 2 Incandescent Bath Fixtures, \$6.40; 1 brass Pull-Down, \$32.50; 1 3' Flourescent Strip and Tube, \$8.00; 4 Bed-room Fixtures, \$19.80; 5 4" Oct. Plates, \$1.75; 6 4" Sq. Plates, \$2.52; 2 15-amp Breakers, \$6.60; 6 Bar Boxes \$5.10; 15 NW Boxes, \$6.30; 2 4" Sq. NW Boxes, \$1.10; 1 Box Staples, \$.60; 4 4" Sq. Junction Box, \$1.88; 200 ft. Bell Wire, \$6.00; 2 Rolls 12-2 G. Romex, \$50.00; 2 Rolls 14-2 G Romex, \$40.00; 2--2--Gang S. Plates, \$.60; 2 2-Gang Comb. Plates, \$.30; 1 3-Gang S Plate, \$.45; 14 Duplex Plates, \$2.10; 12 S. Plates, \$1.08; 750 ft. 10-2AZG Wire, \$240.00.

Total Items, \$2,034.82 plus Tax, \$61.05, Total \$2,095.87.  
From the first day of February, 1958 to the first day of March, 1958 plaintiff furnished labor to the defendant in the amount of \$150.00.

That on the first day of March, 1958, an account was stated between plaintiff and defendant upon which there was found to be due from defendant to this plaintiff, the sum of \$2m245.87, with a credit of \$700.00 of payment b the defendant, making a net amount due of \$1,545.87; plaintiff further says that no amount has been paid upon said amount (account) since that time.

Plaintiff further says that beginning on August 6, 1959 and for several days thereafter plaintiff furnished the following material to the defendant.

1 Clutch Shoe Accessory, \$10.80; 1 Shaft, Block and Keys, \$2.40; and 2 Transmission Exchanges, \$28.00.  
Total Items, \$41.40, plus Tax, \$1.24; Total \$42.44.

Plaintiff also furnished labor to the defendant in the amount of \$35.00.

Plaintiff further says that on the 8th day of August, 1959 an account was stated between plaintiff and defendant upon which therewas found to be a further amount due from defendant to this plaintiff, the sum of \$77.44; plaintiff further says that no amount has been paid upon said account since that time.

Wherefore, plaintiff prays judgment against defendant for the sum of \$1623.31 with interest at six per cent per annum from the 1st day of March, 1958, on \$1545.87, and interest at six per cent per annum from the 1st day of September, 1959 on \$77.44 and the costs of this action,

Gilbert Kirby  
Attorney for Plaintiff



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STATE OF OHIO

SS.

UNION COUNTY

Kenneth W. Fulk, being duly sworn, says that he is the plaintiff in the above entitled cause of action and that the statements contained and the allegations made in the foregoing petition are true.

Sworn to before me and subscribed in my presence this 2nd day of December, 1960

Kenneth W. Fulk  
Gilbert Kirby  
Notary Public for the State of Ohio  
My Commission Expires Feb. 16, 1963

PRE-TRIAL CONFERENCE

Filed January 18, 1961

The above mentioned case is set for Pre-Trial Conference on Wednesday, January 25th at 11:00 o'clock A.M. Copies of this mailed to Gilbert Kirby, Attorney for Plaintiff and Hoopes & Hoopes, Attorneys for Defendant. Have your clients present.

Gwynn Sanders  
Judge.

ENTRY

Filed February 6, 1961

This day this cause settled and dismissed without record, costs to be divided equally between the parties.

Gwynn Sanders  
Judge

APPROVED:

Gilbert Kirby  
Attorney for Plaintiff  
Hoopes & Hoopes  
Attorneys for Defendant

ENTRY

Filed March 11, 1961

On motion of the plaintiff the judgment entry of dismissal of February 6, 1961 is hereby vacated.

Gwynn Sanders  
Judge

APPROVED:

Gilbert Kirby  
Attorney for Plaintiff  
Hoopes & Hoopes  
Attorney for Defendant

ORDER FOR TRIAL  
(March 13, 1961)

Filed March 13, 1961

The Above case is set for trial on Tuesday, March 21st, 1961 at 9:30 o'clock A.M.

Gwynn Sanders  
Judge

Notice of this order mailed to:

Gilbert Kirby, Attorney at Law -- Plain City, Ohio  
Hoopes & Hoopes, Attorneys at Law --- Marysville, Ohio

Judgement ENTRY

Filed March 21, 1961

This cause came on for hearing before the court on the amended petition of the plaintiff, the defendant being in default of answer or demurrer, and the evidence, and the court finds that there is due to the plaintiff from the defendant the sum of \$1623.31 with interest at six per cent per annum from the 1st day of March, 1958, on \$1545.87, and interest at six per cent per annum from the 1st day of September, 1959, on \$77.44, making a total of \$1930.76, and the costs of this action.

Gwynn Sanders.  
Judge.

PETITION

Jeannette Turner  
Marysville, Ohio  
Plaintiff

Case No. 18796  
Filed February 4, 1961  
Recorder May 2, 1961

-vs-

John Richard Turner  
Defendant

Plaintiff says that she has been a resident of the State of Ohio and of the County of Union for more than one year last past, that she was married to the defendant on October 11, 1957 and that no children were born of said marriage.

Plaintiff says that the defendant has been guilty of gross neglect of duty and of extreme cruelty towards her.

WHEREFORE, Plaintiff prays that she may be divorced from the defendant and that she be restored to her former name of Jeannette Fox and for such other relief as is proper.

Hoopes & Hoopes  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY, SS.

Jeannette Turner, being first duly sworn says that she is the plaintiff in the above entitled cause and that the facts stated and allegations made in the foregoing petition are true as she verily believes.

Jeannette Turner

Sworn to before me and subscribed in my presence this 4th day of February, 1961.

T.A. Hoopes  
Notary Public

PRECIPE  
TO THE CLERK

Issue summons together with two copies of the petition directed to the Sheriff of Allen County for the defendant, John Richard Turner and make same returnable according to law.

Also serve summons and a copy of the petition on the Superintendent of the Lima State Hospital and make same returnable according to law.

Endorse summons, "Action for Divorce."

Hoopes & Hoopes  
Attorneys for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County  
To the Sheriff of Allen County

You are hereby commanded to notify John Richard Turner, & Superintendent, Lima State Hospital that Jeannette Turner has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with gross neglect of duty and extreme cruelty and asking that she be divorced from him and for other relief. The cause may be heard and decided at any time after the

CONTINUE FROM PAGE 87

expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 13th day of February, 1961  
Witness my signature and the seal of said court, this 4th day of February, 1961.

Helen L Sullivan  
Clerk of The Common Pleas Court  
Union County  
Eileen Daniels  
Deputy

SHERIFF'S RETURN

Filed February 14, 1961

The State of Ohio, Allen County

Received this writ on the 6th day of February, 1961 at 9:30 o'clock A.M. and on the 6th Day of February, 1961 I Served the same by (1) personally handing to John Richard Turner, Lima State Hospital a true copy thereof, together with a certified copy of the petition filed against him in this cause.

And on the 6th day of February 1961, I servrd the same by personally handing to Dr. J.O. Crist, Superintendent of Lima State Hospital, a true copy thereof together with a certified copy of the petition filed against defendant John Richard Turner, Lima State Hospital, Lima, Ohio, in this Cause.

Sheriff Fees  
Service & Return \$1.50  
5 miles traveled @ .50  
Postage .04  
Add'l Names (1) .25

Clay T. Cotterman  
Sheriff  
Ben Welker  
Deputy

Total \$2.29

DECREE OF DIVORCE

Filed March 23, 1961

Court of Common Pleas, Union County, Ohio

And now comes the said Plaintiff, by her attorney, and the Defendant having been (1) duly served with summons and a copy of petition herein the Court finds that the Defendant is in Default for answer or demurrer to the petition, thereby confessing the allegations thereof to be true.

The Court also finds that the Plaintiff, at the time of filing her petition, had been a resident of the State of Ohio for one year next prior thereto and was, at the time of filing said petition and for at least ninety days immediately preceding the same, a bona fide resident of this County of Union and that the parties hereto were married on the 11th day of October, 1957, as in said petition set forth.

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

It is therefore ordered and adjudged by the Court, that the marriage contract heretofore existing between the said Jeannette Turner and John Richard Turner be, and the same is hereby dissolved, and both parties are released from the obligations of the same.

It is further ordered that plaintiff be restored to her former name of Jeannett Fox.

It is further ordered that the said Plaintiff pay the cost of this prosecution.

Gwynn Sanders.  
Judge.

PETITION FOR DEVORCE

Fanny Simpson

R.R. #1

Marysville, Ohio

Plaintiff

--vs--

James Russell Simpson

Adress Unknown

Defendant

Case No. 18789  
Filed January 26, 1961  
Recorded May 3, 1961

Now comes the plaintiff and says that she is now and has been for more than one year next immediately proceeding the filing og this petition, a bona fide resident of the State of Ohio, and has been for at least ninety days last past a bona fide resident of the County of Union.

That the Plaintiff and the Defendant were married on the 21st day of January, 1948, in Newport, Kentucky, and that four children have for been born as issue of said marriage, to-wit; Susan Diane, aged 12 years; LaMoynes, aged 11 years; Steven, aged 9 years and Brenda, aged 8 years.

Plaintiff further says that the parties own no real or personal property.

Plaintiff further says that the Defendant has been guilty of gross neglect of duty, the particulars of which said allegations will be furnished to Defendant or his counsel upon request and will be fully proven upon trial.

WHEREFORE Plaintiff prays that she be divorced from the Defendant, custody of the minor children, temporary and permanent support for minor children and for such other and further relief as the Plaintiff may be found entitled either in law or in equity.

Lloyd George Kerns  
Attorney for Plaintiff

STATE OF OHIO UNION COUNTY SS

Fanny Simpson being first duly sworn says that she is the Plaintiff herein and that the facts stated and allegations contained in the foregoing pleading are true.

Sworn to before me and subscribed in my presence this 26th day of January, 1961.

Fanny Simpson  
Lloyd George Kerns  
Notary Public  
Commission Expires May 15, 1963

AFFIDAVIT FOR SERVICE BY PUBLICATION

Filed January 26, 1961

Fanny Simpson being first duly sworn, deposes and says that she is the Plaintiff in the Above entitled action for divorce, that service of summons cannot be made upon the Defendant James Russell Simpson, within the State of Ohio; that the last known place of residence of the Defendant was 513 Pin Avenue Compton, California; that he has now left that address and his wherabouts are unknown.

That Plaintiff has exercised reasonable diligence ao ascertain the residence of the said Defendant, and that the residence of said Defendant is unknown; that this case is one of those mentioned in the Revised Code of Ohio as subject to service by publication.

Sworn to before me and subscribed in my presence this 26th day of January, 1961

Fanny Simpson  
Lloyd George Kerns  
Notary Public

ENTRY

Filed January 26, 1961

Plaintiff having filed her motion and affidavit that the Defendants's residence is unknown and that service of summons cannot be made upon said Defendant withing the State and the Court being satisfied that service can be made only by means of publication in a newspaper of general circulation in this County. It is therefore the order of this Court that the Plaintiff proceed to obtain service upon said Defendant by publication as prescribed by the Revised Code of Ohio in such matters.

Gwynn Sanders  
Judge



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STATE OF OHIO UNION COUNTY

Personally appeared before me George W. Keigley and made oath that the notice, a copy of which is hereto attached, was published for six consecutive weeks on and after February 2, 1961 in the Richwood Gazette, a newspaper of general circulation in the county aforesaid.

George W. Keigley Sworn to before me and signed in my presence this 9th day of March A.D., 1961.

Helen M. Faumaugh  
Notary Public

DECREE OF DIVORCE

Filed March 25, 1961

Court of Common Pleas of Union County January Term, 1961

And now comes the said Plaintiff, by her attorney and the Defendant having (1) legally summoned by publication which said service the court hereby approves, the Court finds that the Defendant is in default for answer or demurrer to the petition, thereby confessing the allegations thereof to be true.

The Court also finds that the Plaintiff, at the time of filing her petition had been a resident of the State of Ohio for one year next prior thereto and was, at the time of filing said petition and for at least ninety days immediately preceding the same, a bona fide resident of this county of Union and that the parties hereto were married on the 21st day of January 1948, as in said petition set forth.

The Court further finds, upon the evidence adduced, that the Defendant has been guilty of gross neglect of duty and by reason thereof the Plaintiff is entitled to a divorce as prayed for.

It is therefore ordered and adjudged by the Court, that the marriage contract heretofore existing between the said Fanny Simpson & James Russell Simpson be, and the same is hereby dissolved, and both parties are released from the obligations of the same.

It is further ordered that the custody, care, education and control of the Children, to-wit: Susan Diane age 12 years, LaMoyne, age 11 years, Steven age 9 Years and Brenda, age 8 years. until further order, confided to the said Fanny Simpson and the said James Russell Simpson is hereby enjoined from interfering in any manner with either the said children or with Fanny Simpson in the custody, care, education and nurture thereof until further order of this court.

That the defendant pay to the Clerk of this Court for the support of said minor children the sum of forty dollars (40.00) per week payable on Saturday of each week, until further order.

It is further considered by the Court that the said Fanny Simpson recover from said James Russell Simpson costs herein expended, and it is ordered that the said plaintiff pay the cost of this prosecution.

Gwynn Sanders  
Judge

APPROVED BY  
Lloyd George Berns

PETITION

Levi J. Miller  
RFD #1  
Plain City, Ohio  
Union County  
Plaintiff

Case No. 18800  
Filed February 9, 1961  
Recorded May 3, 1961

--VS--

Nellie Louise Miller  
Defendant

Plaintiff says that he has been a resident of the State of Ohio for More than one year last past and an actual and bona-fide resident of this County of Union for more than ninety days immediately preceding the filing of this petition.

Plaintiff further says that he was married to the defendant on the 1st day of November, 1958 at Plain City, Ohio and as a result of such union no children are the issue thereof.

Plaintiff alleges for his cause of action herein the grounds of gross neglect of duty and wilful absence for more than one year last past.

WHEREFORE, Plaintiff prays that the marriage ties existing between the parties hereto be dissolved and that upon final hearing he be decreed a divorce upon the grounds as in his petition set forth, that defendant be restored to her maiden name of Nellie Louise Harden, and to such other and further relief as the Court may deem just, equitable and proper.

Levi J. Miller

STATE OF OHIO UNION COUNTY SS

Levi J. Miller, being first duly sworn, says that the facts stated and allegations contained in the foregoing petition are true as he verily believes.

Sworn to before me and subscribed in my presence this 7th day of February, 1961.

Levi J. Miller  
Clifton L. Caryl  
Notary Public

PRECIPE  
TO THE CLERK

Filed February 9, 1961

Please issue summons together with certified copy of the petition to the Sheriff of Fairfield County, Ohio, to be served on the defendant Nellie Louise Miller, c/o Charles Harden, R.F.D. #1 Baltimore, Ohio.

Endorse summons, "Action for Divorce, restoration to maiden name, and equitable relief," and make returnable according to law.

Clifton L. Caryl  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County  
To The Sheriff of Fairfield County

Your are hereby commanded to notify Nellie Louise Miller c/o Charles Harden, RFD #1 Baltimore, Ohio that Levi J. Miller has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio A petition, ( a copy of which accompanies this summons) charging her with gross neglect of duty and wilful absence for more than one year las past, and asking that he be divorced from her and restoration to maiden name, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 20th day of February, 1961

Witness my signature and the seal of said court, this 9th day of February, 1961

Helen L. Sullivan  
Clerk of the Common Pleas Court  
Union County  
Eileen Daniels  
Deputy

CONTINUE FROM PAGE 89  
SHERIFF'S RETURN

Filed February 11,1961

The State of Ohio Fairfield County

Received this writ on the 10th day of February, 1961 at 9 o'clock A.M., and on the 10th day of February, 1961 I served the same by(1) personally handing to Nellie Louise Miller a true copy thereof, together with a certified copyof the petition filed against her in this cause.

Sheriff Fees-  
Service & Return \$1.50  
24 miles @ 10 2.40  
total \$3.90

Jack Blazer  
Sheriff

DECREE OF DIVORECE

Filed March 25,1961

And now comes the said Plaintiff, by his Attorney, and the Defendant having been (1) duly served with summons and a copy of the petition herein and the court has jurisdiction over the subject matter, the Court finds that the Defendant is in default for answer or demurrer to the petition, thereby confessing the allegations thereof to be true.

The Court also finds that the Plaintiff, at the time of filing his petition, had been a resident of the State of Ohio for one year next prior thereto and wasat the time of filing said petition and for at least ninety days immediately preceding the same a bona fide resident of this County of Union (Plain City) and that the parties hereto were married on the 1st day of November, 1958, as in said petition set forth.

The Court Further finds, upon the evidence adduced, that the Defendant has been guilty of gross neglect of duty and willful absence for one year last past, and by reason thereof the Plaintiff is entitled to a divorce as prayed for.

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

It is further ordered by the court that Nellie Louise Miller be restored to her maiden name of Nellie Louise Harden.

And it is ordered that the said Plaintiff pay the cost of this prosecution.

Gwynn Sanders  
Judge

APPROVED:  
Clifton L. Caryl

PETITION

Walter S. Beightler  
645 W Fifth St.  
Marysville, Ohio  
Plaintiff

Case No. 18798  
Filed February 8,1961  
Recorded May 3,1961

---VS---

Mildred C. Beightler  
525 Ash St.  
Marysville, Ohio  
Defendant

Plaintiff says that he has been a resident of the State of Ohio for more than one year immediately preceeding the filing og this petition and a bona fide resident of Union County fore more than niney days immediately prior to the filing of this petition.

Plaintiff further says that he and the defendant were married at Bellefontaine, Ohio on the 1st day of January 1934, and that there are no minor children under the age of eighteen years born as issue of said marriage.

Plaintiff says that he and the defendant are the owners of a house and lot located at 525 Ash St. Marysville, Ohio; household goods located therein and a 1956 model Buick automobile, all of such property having been acquired during the marriage relationship.

Plaintiff says that he has always conducted himself as becomes a dutiful husband, but that hte defendant has been guilty of gross neglect of duty towards this plaintiff, by reason of which he is entitled to a divorce.

Wherefore, Plaintiff prays that he may be divorced from the said Defendant, that he be awarded an equitable share of the parties property and for such other and further relief in the premises as the Court may find to be just and equitabel.

Luther L Liggett  
Attorney for Plaintiff

STATE OF OHIO SS  
UNION COUNTY

Walter S. Beightler being first duly sworn, says that he is the Plaintiff in the above entitled action and that the facts stated and allegations contained therin are true as he verily believes.

Sworn to before me and subscribed in my presence this 8th day of February, 1961.

Walter S. Beightler  
Luther L Liggett  
Notary Public State of Ohio

PRECIPE  
To The Clerk

Please issue summons, with copy of the petition, in the above entitled cause, directed to the Sheriff of Union County Ohio, for the Defendant Mildred C. Beightler, 525 Ash St., Marysville, Ohio, endorse "Action for Divorce and equitable relief" and make returnable according to law.

Luther L. Liggett

SUMMONS IN DIVORCE

The State of Ohio, Union County  
To the Sheriff of Union County

You are hereby commanded to notify Mildred C Beightler, 525 Ash St. Marysville, Ohio that Walter S Beightler has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio a Petition of (a copy of which accompanies this summons) charging her with gross neglect of duty and asking that he be divorced from her and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 20th day of February 1961

Witness my signature and the seal of said Court, this 8th day of February ,1961

Helen L. Sullivan  
Clerk of the Common Pleas Court  
Union County  
Eileen Daniels  
Deputy

SHERIFF'S RETURN

The State of Ohio Union County

Received this writ on the 8th day of February, 1961 at 3:59 o'clock P.M. and on the 10th day of February, 1961 I served the same by (1) personally handing to the within named Mildred C. Beightler a true copy thereof, together with a certified copy of the petition filed against her in this cause.

Sheriff Fees  
Service and Return \$1.50

Edward Amrine  
Union County Sheriff  
Martha Rogers-----Deputy

Docket .10  
Total \$ 1.60



CONTINUE FROM PAGE ( ) 90

DECREE OF DIVORCE

Filed March 25, 1961

And now comes the said Plaintiff and the Defendant having been (1) duly served with summons and a copy of the petition herein the Court finds that the defendant is in default for answer or demurrer to the petition, thereby confessing the allegations thereof to be true.

The Court as also finds that the Plaintiff, at the time of filing his petition had been a resident of the State of Ohio for one year next prior thereto and was, at the time of filing said petition and for at least ninety days immediately preceding the same, a bona fide resident of this County of Union and that the parties hereto were married on the 1st day of January 1934 as in said petition set forth.

The Court further finds, upon the evidence adduced, that the Defendant has been guilty of gross neglect of duty and by reason thereof the Plaintiff is entitled to a divorce as prayed for.

It is therefore ordered and adjudged by the Court, that the marriage contract heretofore existing between the said parties be, and the same is hereby dissolved, and both parties are released from the obligation of the same. The court further finds that the parties hereto have entered into a separation agreement and an agreement to pay certain debts of the parties jointly and the Court hereby approves said agreements and makes said agreements a part of this decree.

It is further ordered that the said Plaintiff pay the costs of this prosecution/

Gwynn Sanders  
Judge

APPROVED BY:

Luther L. Liggett

SEPARATION AGREEMENT

This agreement made and concluded at Marysville, Ohio, this 7th day of February 1961, by and between, Walter Beightler and Mildred Beightler husband and wife, WITNESSETH:

THAT WHEREAS, unfortunate differences have arisen between the parties and as a consequence thereof they have separated and are living separate and apart; and

WHEREAS, the said parties are the joint owners of household goods, a 1956 Buick automobile and a house and lot located at 525 Ash St., Marysville, Ohio, the parties have entered into this agreement to settle all property rights and all claims heretofore existing and any and all claims arising to in the future as a result of their marriage relationship.

NOW THEREFORE, in consideration of the premises and of the covenants herein contained, the parties hereto agree as follows:

1. That they will sell and dispose of immediately their house and lot, located in Marysville, Ohio, and after payment of the mortgage on said real estate and all joint debts, equally divide the remainder of the receipts from the sale of said house.

2. That the said Walter Beightler will immediately, and does hereby assign, convey and transfer to the said Mildred Beightler, all his right, title and interest in all the household goods and furniture owned by the said parties and the 1956 Buick Automobile.

3. That the said Mildred Beightler will, and does hereby release any and all interest and claim she may have as owner or beneficiary in any insurance policies on the life of the said Walter Beightler, or now owned by him; and that the said Mildred Beightler will sign the necessary instruments to remove herself as beneficiary under any such policies.

4. That the said Walter Beightler will name the parties daughter, Janet Beightler, as beneficiary of a certain life insurance policy held by O.M. Scotts & Sons Co. and issued by the Prudential Life Insurance Co. as soon as the said Mildred Beightler is removed as a beneficiary of said policy.

5. That they will, and do hereby assign and transfer all their rights title and interest in a certain trust fund, held by the O.M. Scott & Sons Co. and in the amount of \$450.00 payable in June 1961, to their daughter Janet Beightler.

That each of the parties hereto may freely or otherwise dispose of his or her own property by deed or last will and testament, and each party is by these forever barred from any rights or claims by way of dower, inheritance descent, distribution, allowance for years support, right to remain in the mansion house, survivor, next of kin, and all other rights whatever, in or to the estate of the other, whether real or personal and whether now owned of hereafter acquired, which may in any manner arise or accrue by virtue of said marriage.

It is further agreed between the parties that in the event of an action instituted by either party for divorce that this contract shall be made a part of such decree of divorce, and that neither party will ask for or petition for attorney fees, costs or permanent or temporary alimony.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names the day and year first above written.

Signed in the presence of:

Glenn Bumgarner  
Luther L. Liggett  
Vivian Kuhn

Walter S. Beightler  
Mildred C. Beightler

AGREEMENT

The undersigned Mildred Beightler and Walter Beightler, husband and wife, hereby agree that the following is a list of obligations and debts that they owe and are willing to pay jointly:

Dayton Power & Lite	\$ 6.00	Ohio Fuel Gas	\$ 19.00
Lazarus	97.85	Speigel	29.00
Presby. Church Dues	26.00	Village of M. Water Bill	12.50
V. of Marysville, Garbage Bill	5.25	Mt. Carmel Hosp. Janet's	
Janet's Pictures	20.00	Fees	190.00
111, Atty fees-closing real est.	10.00	Janet's capping Exp.	50.00

Total \$473.05

the parties further agree that Walter Beightler will pay to Mildred Beightler one half of the above total sum in the amount of \$236.52, the receipt of which is hereby acknowledged, and the said Mildred Beightler will pay the sum of the above amounts in full and save the said Walter Beightler free and harmless from paying the said above listed debts. The parties further agree that the said Mildred Beightler has received the sum of \$715.40 in addition to her share of the receipts from the sale of the parties' home on Ash St. and that she will pay said sum of \$715.40 to Loren Cook as his commission for the sale and for the amount advanced to by Fed. Revenue Tax Stamps.

Walter S. Beightler  
Mildred Beightler

Receipts from sale of property to Richard Parrott

\$ 14,000.00

Mortgage to Union Co. Fed. Sav. & Loan

5,147.61

Balance

\$ 8,852.39

1960 Real Estate Taxes

\$111.38

Fee- recording Mtg. Release

.50

111.88

Balance to Walter & Mildred Beightler \$ 8,740.51

Due Loren Cook-Commission

700.00

Fed Tax Stamps

15.40

715.40

715.40

Balance after expenses

\$ 8,025.11

One half of balance to Mildred Beightler

4,012.55

Plus-amount due Loren Cook

715.40

Total Paid Mildred Beightler

4,727.95



CONTINUE FROM PAGE 91

	Total Amount Paid Mildred Beightler	\$ 4,727.95
One half of balance to Walter Beightler		4,012.55
		<hr/>
	Total	\$ 8,740.50

PETITION FOR DIVORCE  
Frederick Karash  
101 West Blagrove  
Richwood, Ohio  
Plaintiff

Case No. 18784  
Filed January 19, 1961  
Recorded May 3, 1961

-vs-  
Lois Karash  
101 West Blagrove  
Richwood, Ohio  
Defendant

Now comes the Plaintiff, Frederick Karash, and says that he has been a resident of the State of Ohio for more than one (1) year last past and has been a bona fide resident of the County of Union for more than ninety (90) days last past. That he and the Defendant were married September 3rd, 1949, at Westfield, New York, and that three children have been born of said marriage, namely: Ethel Karash, age 10 years; Frederick Karash, Jr., age 8 years; and Ella Karash, age 3 years.

Plaintiff further says that the defendant has been guilty of gross neglect of duty toward the Plaintiff WHEREFORE, plaintiff prays that he may be divorced from the defendant, that the custody and support of the minor children of the parties be determined, that the property rights of the parties be determined, and for such other relief as may be just and proper in the premises.

Frederick Karash  
By Martin & Hall  
His Attorneys

State of Ohio SS  
Marion County

Frederick Karash, being first duly sworn according to law, deposes and says that he is the Plaintiff in the foregoing Petition for Divorce, and that the facts stated and allegations contained therein are true.

Sworn to before me and subscribed in my presence this 17th day of January A.D. 1961  
Mary Ann Rowland  
Notary Public

PRECIPE

Filed January 19, 1961

TO THE CLERK OF SAID COURT: Issue Summons and certified copy of petition for divorce in the above captioned matter, upon the defendnat: Lois Karash, 101 West Blagrove, Richwood, Ohio. Directed to the Sheriff Union County, Ohio, endorsed: "Action for divorce, determination of custody and support of minor children, determination of property rights, and for such other relief as may be just and proper in the premises." Returnable according to law.

Martin & Hall  
Att'ys for Pl't'ff

SUMMONS IN DIVORCE

The State of Ohio, Union County  
To the Sheriff of Union County

You are hereby commanded to notify Lois Karash, 101 W Blagrove, Richwood, Ohio that Frederick Karash has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio a Petition, ( a copy of which accompanies this summons) charging her with gross neglect of duty and asking that he be divorced from her and determination of custody and support of minor children, determination of property reights, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 30th day of January, 1961  
Witness my signature and the seal of said Court, this 19th day of January, 1961

Helen I Sullivan  
Clerk of Common Pleas Court  
Union County  
Eileen Daniels  
Deputy

SHERIFF'S RETURN

The State of Ohio, Union County

Filed January 23rd, 1961

Received this writ on the 19th day of January, 1961 at 3:10 o'clock P.M. and on the 20th day of January, 1961 I served the same by (1) personally handing to the within neamed Lois Karash a true copy thereof, together with a certified copy of the petition filed against her in this cause.

Sheriff Fees

Service and Return	\$1.50
34 miles traveled @	3.40
Docket	.10
total	<u>5.00</u>

Edward Amrine  
Union County Sheriff  
By Martha Rogers  
Deputy

ANSWER AND CROSS PETITION

ANSWER

Filed February 2, 1961

Now comes the Defendant herein and for her Answer to the Petition filed admits the residence of the Defendant; admits the marriage of the parties hereto; and admits the birth of the three children as set forth in said petition. Defendant further denies that she has been guilty of gross neglect of duty toward the Plaintiff.

WHEREFORE, this Defendant prays that said Plaintiff's Petition be dismissed, and for such other and further relief to which she may be entitled.

CROSS PETITION

Now comes the Defendant and for her Cross Petition says that she and the Plaintiff herein were married at Westfield, New York, on September 3, 1949; and that three children have been born of said marriage, namely; Ethel Karash, age 10 years; Frederick Karash, Jr., age 8 years; and Ella Karash 3 years. Defendant further says she has been a resident of the State of Ohio for more than(1) one year last past and has been a bona fide resident of the County of Union For more than 90 days last past.

Defendant further says that the Plaintiff has been guilty of gross neglect of duty and extreme cruelty toward this Defendant .

WHEREFORE, this Defendant prays that the Petition of the Plaintiff may be dismissed, that she may be awarded alimony for her support upon the final determination of this case and pending the final hearing and termination of this cause, she may be decreed reasonable support for herself and her children and for the expenses of prosecuting this action, that she may be awarded temporary and permanent custody of the minor children herein, and for such other and further relief to which she may be entitled.

Lois Karash  
By Robert E Evans Jr.  
Her Attorney



CONTINUE FROM PAGE 92

State of Ohio, Union County, SS

Lois Karash, being first duly sworn according to law, says that she the facts stated and allegations herein contained are true, as she verily believes

Sworn to before me and subscribed in my presence this 2nd day of February, 1961

Lois Karash

Robert E Evans Jr.

AFFIDAVIT

Filed February 6, 1961

STATE OF OHIO, UNION COUNTY, SS:

I, Lois Karash, being first duly sworn and cautioned, depose and say that I am financially unable to advance the sum of Twenty-five Dollars (\$25.00) as a deposit to secure the court costs herein.

Lois Karash

Sworn to before me and subscribed in my presence this 2nd day of February, 1961

Robert E. Evans, Jr.

PRAECIPE

To the Clerk of the Court of Common Pleas:

Please issue summons directed to the sheriff of Union County Ohio for service upon the Defendant, Frederick Karash, Richwood, Ohio.

ENDORSE summons "Cross Petition in Divorce, and for alimony, support for minor children, custody of minor children, and other further equitable and legal relief.

Please make the same returnable according to law.

Robert E. Evans, Jr.

Attorney for Plaintiff

SUMMONS ON ANSWER AND CROSS PETITION IN DIVORCE

The State of Ohio Union County

To the Sheriff of Union County

You are commanded to Notify Frederick Karash, 101 W Blagrove St., Richwood, Ohio to appear before the Court of Common Pleas of Union County, at the Court House in Marysville, Ohio, and answer an answer and Cross Petition for Divorce filed in the Clerk's office of said County by Lois Karash a copy of which accompanies this Summons.

The Cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 27th day of February A.D., 1961

Witness my signature and the seal of said Court, this 18th day of February, 1961

Helen L. Sullivan

Clerk of the Court of Common Pleas

Union County

By Eileen Daniels

Deputy

Sheriff's Return

Filed March 3, 1961

The State of Ohio, Union County

Received this writ at 10:30 o'clock A.M. on the 18th day of February 1961 and on the 1st day of March 1961, I served the same by personally handing to the within named Frederick Karash a true and duly certified copy thereof with all the endorsements thereon, together with a certified copy of the answer and cross petition filed against him in this cause. O.K ed by Judge Robert E. Evans, as the within named subject has been in Marion County.

Sheriff Fees

Service and Return 1.50

Docket .10

Total 1.60

Edward Amrine

Union County Sheriff

By Martha Rogers

Deputy

JOURNAL ENTRY

Filed March 6, 1961

This matter came on for hearing upon the Cross Petition of the Defendant herein praying for temporary support for the minor children of the parties hereto and it appearing that the parties hereto have entered into an agreement, through their attorneys, for the support of said minor children the same is hereby confirmed and approved.

It is therefore ordered and adjudged that said Plaintiff pay the sum of Twenty-Five Dollars (\$25.00) per week for the support of said minor children to the Clerk of this Court, in the amount of \$25.25 per week, including poundage.

It is further ordered and adjudged that said Defendant, Lois Karash, shall have the custody of said minor children during the pendency of this action.

Gwynn Sanders

Judge

APPROVED:

Martin & Hall

Attorneys for Plaintiff

Robert E. Evans, Jr.

Attorney for Defendant

ORDER FOR TRIAL

Filed March 23, 1961

The above mentioned cause is set for trial Thursday April 6th at 1:00 o'clock P.M.

Gwynn Sanders

Judge

Copies of this notice mailed to Martin & Hall Attorneys for Plaintiff and Robert E. Evans, Jr. Attorney for Defendant.

JOURNAL ENTRY

Filed April 6, 1961

This day this cause came on to be heard upon the Petition of the Plaintiff and the Answer and Cross-Petition of the Defendant, and the Court finds that the Plaintiff had been a resident of the State of Ohio for more than one (1) year last past and a bona fide resident of the County of Union for More than ninety (90) days last past before the filing of her petition herein; that the parties were married as alleged in Plaintiff's petition and that three children were born of this union, namely: Ethel Karash, age 10 years; Frederick Karash, jr., age 8 years; and Ella Karash, age 3 years.

Further this day came the Defendant, through her attorney, and moved the court for authority to withdraw her Cross-Petition and said authority is hereby granted and said Cross-Petition is hereby withdrawn.

The Court Further finds that the Defendant has been guilty of gross neglect of duty toward the Plaintiff and that by reason thereof the Plaintiff is entitled to a divorce as prayed for in his petition.

The Court further finds that it is agreed between the parties that the custody of the minor children shall be with the defendant, with reasonable rights of visitation to the Plaintiff, consisting in addition to weekly visitation, during the year, to a period of at least two weeks in the summer which he may have said minor children in his care.

The Court Further finds that the Plaintiff shall pay unto the Defendant the Sum of \$25.00 per week as support for said children through the Clerk of Courts, Union County, Ohio, in the amount of \$25.25 per week, which included poundage.

The Court further finds that the Plaintiff shall pay unto the Defendant the sum of \$400.00 on th day of this hearing, which \$400.00 shall constitute a complete property settlement between the parties hereto, and which \$400.00 the Defendant has agreed to accept as complete property settlement herein.

FROM  
CONTINUE/61 PAGE (#93  
WHEREFOR E, it is ordered, adjudged and decreed that the marriage contract heretofore existing between the parties ~~heretofore~~ hereto is hereby dissolved and held for naught and both parties are released and held therefrom.  
It is further ordered, Adjudged and decreed that the Defendant shall have custody of the three minor children ~~of the parties~~ of the partieshereto, and the Plaintiff shall have reasonable rights of visitation, consisting in addition to weekly visitation during the year, to a period of at least two weeks in the summer which he may have said minor children in his care.  
It is further ordered, adjudged and decreed that the plaintiff shall pay unto the Defendant the Sum of \$25.00 per week on as support for said minor children through the Clerk of Courts of Union County, Ohio, in the amount of \$25.25 per week, which includes poundage, subject to further order.  
It is further ordered, adjudged and decreed that the Plaintiff shall pay unto the Defendant the sum of \$400.00 on the day of this hearing, which \$400.00 shall constitute a complete property settlement between the parties hereto and which \$400.00 the Defendant has agreed to accept as complete property settlement herein.  
Gwynn Sanders  
Judge

Approved:  
Martin & Hall  
Attorneys for Plaintiff  
Robert E. Evans, Jr.  
Attorney for Defendant

PETITION  
Dorotha D Youngblood,  
130 E First Avenue  
Plain City, Ohio  
Plaintiff

Case No. 18780  
Filed January 14, 1961  
Recorded May 4, 1961

-vs-  
Leo C Youngblood  
Luray, Virginia  
Defendant

1. Plaintiff is and has been for at least one year immediately preceeding the filing of this petition, a bona fide resident of the state of Ohio, and plaintiff is, has been for at least ninety days last past, a bona fide resident of the County of Union, Ohio. Plaintiff and the defendant were married on or about the 28th day of April, 1923 at Jamestown, Pennsylvania, and seven children were born as result of said marriage and all are adults excepting Arlene Wilson, age 17, and Melvin Youngblood, age 20.
2. Plaintiff has at all times conducted herself as becomes a dutiful wife, but the defendant has been uilty of gross neglect of duty toward the plaintiff. Plaintiff has received no support whatsoever from the defendant for the last eleven years and the parties have lived separate and apart the past eleven years.
3. Plaintiff as her second ground for divorce says that defendant has been guilty of extreme cruelty towards plaintiff in that he has on numerous occasions struck and harmed the plaintiff physically.
4. Plaintiff further says that she is classified as a blind person and is not able to work at all and is drawing a blind pension of Seventy Seven Dollars (\$77.00) per month, that she has not been able to work since February, 1960.
5. Plaintiff further says that the defendant is in good health and is capable of working, if he wanted to, but he wants to make his sole occupation the sale of coon dogs, and that he owns now approximately fifteen coon dogs valued at One Hundred Dollars (\$100.00) each.
6. WHEREFORE, Plaintiff prays that she be granted a Decree of Divorce from the defendant, and that she be given temporary and permanent alimony and for such other relief as may be just and proper.

Russel S. Welch  
10 E Town Street, Columbus, Ohio  
Attorney for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:

Dorotha D. Youngblood, being duly sworn, says that she is the plaintiff herein and has read the foregoing Petition and the averments and statements therein contained are true as she ~~is~~ verily believes.

Sworn to before me and subscribed in my presence this 9th day of January, 1961  
Dorotha D. Youngblood  
June E. Hay  
Notary Public-Madison County, Ohio  
Filed January 14, 1961

AFFIDAVIT

STATE OF OHIO, UNION COUNTY, SS:

Dorotha D. Youngblood, being duly sworn, says that she is the plaintiff in the above entitled action, which is an action for divorce and alimony; that defendant, Leo C. Youngblood is not a resident of the state of Ohio, but resided at Luray, Virginia, and that summons cannot be served on him in Ohio.

Sworn to before me and subscribed in my presence this 9th day of January, 1961  
Dorotha D. Youngblood  
June E. Hay  
Filed January 14, 1961

PRECIPE

TO THE CLERK:

Please Mail summons, endorsed, "Action for Divorce and Alimony" and certified copy of the Petition to the Defendant, Leo G. Youngblood, whose place of residence is Luray, Virginia.

Russel S Welch  
10 E Town St., Col. Ohio  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County  
To Leo G. Youngblood

You are herby notified that Dorotha D. Youngblood has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging you with gross neglect of duty and extreme crulety and asking that she be divorced from you and that she be given temporary and permanent alimony, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the first publication of notice to non-resident defendant.

Witness my signature and the seal of said court, 14th day of January, 1961.

Helen L. Sullivan  
Clerk of the Common Pleas Court  
Union County  
Eileen Daniels  
Deputy

THE STATE OF OHIO, Union County.

On the 14th day of January, 1961, I mailed a certified copy of this summons together with a certified copy of the petition to Leo G. Youngblood, Luray, Virginia

Witness my signature and the seal of said Court, this 14th day of January, 1961

Helen L. Sullivan  
Clerk  
Eileen Daniels  
Deputy



CONTINUE FROM PAGE 94  
STATE OF OHIO VILLAGE OF MARYSVILLE )  
UNION COUNTY ) SS:

Filed March 10, 1961

Personally appeared before me Marie M. Strauss and made solemn oath, that the Public Notice a copy of which is hereto attached, was published for 6 consecutive weeks on and next after January 18, 1961, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Sworn to before me and signed in my presence this 23 day of February A.D., 1961  
Printer's Fees \$9.65

Marie Strauss  
W.E. Behrens  
Notary Public

DIVORCE DECREE

Filed April 6, 1961

This cause came on for hearing this 6th day of April, 1961, on the Petition of the plaintiff, defendant being in default of answer of demurrer and the Court finds from the evidence that plaintiff is, and was for the last one year immediately preceeding the commencement of this action a bona fide resident of the State of Ohio, and that she is and was for the last ninety days immediately before commencement of this action a bona fide resident of the County of Union, Ohio; and that defendant has been guilty of gross neglect of as alleged in the petition; that by reason thereof plaintiff is entitled to a divorce; that defendant has been duly served with summons and copy of petition by publication as required by law, which service is hereby approved and the Court has jurisdiction of the cause of action and the parties hereto.

It is ordered, Decreed and Adjudged that the plaintiff be and is hereby granted a divorce from the defendant and that the marriage contract is hereby dissolved and both of the parties hereto released from its obligations. It is ordered that Plaintiff pay the costs herein.

Gwynn Sanders  
Judge

APPROVED:  
Russel S Welch  
Attorney for Plaintiff.

PETITION

The Marysville Lumber Company  
South Main Street  
Marysville, Ohio  
Plaintiff

Case No. 18833  
Filed April 14, 1961  
Recorded May 4, 1961

--vs--

Pauline Simmermacher and  
Edward W. Simmermacher  
318 East Fifth Street  
Marysville, Ohio  
Defendant

Plaintiff says it is a corporation duly organized and existing under the laws of the State of Ohio with its principal place of business at 335 South Main Street, Marysville, Ohio.

For its cause of action plaintiff says that the defendant, Pauline Simmermacher and Edward W. Simmermacher, on the 11th day of July, 1959, executed and delivered to it their promissory note of that date with warrant of attorney annexed, a true copy of which warrant and note with all endorsements thereon are hereto attached, marked Exhibit A and made a part of this petition.

Said note is unpaid and there is now due to plaintiff on said note, the sum of \$475.50 with interest from the 11th day of July, 1959.

WHEREFORE plaintiff prays judgement against said defendants for the sum of \$475.50 with interest at 6% per annum from the 11th day of July, 1959, and for costs of suit.

Grigsby & Parrott  
Attorneys for Plaintiff

STATE OF OHIO UNION COUNTY SS:

Joseph B. Grigsby being first duly sworn says he is attorney for plaintiff corporation; that the cognovit note is in his possession and the facts and allegations in the foregoing petition are true.

Sworn to before me and subscribed in my presence this 10th day of April, 1961

Joe B. Grigsby  
Nancy Rider

ANSWER ON COGNOVIT NOTE

By virtue of a warrant of attorney annexed to and mentioned in the foregoing petition in this matter, I, an attorney of at law in the several courts of record of this state do hereby enter an appearance for said defendants Pauline Simmermacher and Edward W. Simmermacher, in this suit, and waive the issuing and service of process therein, and confess a judgement in favor of said plaintiff against said defendants on said note for the sum of \$520.00, being the amount appearing due for principal and interest on said note, and also for costs of suit, taxed and to be taxed, and I do hereby and waive all exceptions, errors and right of appeal in the premises.

T.A. Hoopes  
Attorney for Defendants.  
Filed April 14, 1961

JUDGEMENT ENTRY

This day came the plaintiff by its attorney; also appeared in open court for and on behalf of said defendants, Pauline Simmermacher and Edward W. Simmermacher, C. A. Hoopes, and attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendants, entered the appearance of said defendants, waived the issuing and service of process in this action and confessed a judgement on said note, against said defendants and in favor of said plaintiff for \$520.00, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.

It is therefore considered that said plaintiff recover of said defendants, the sum of \$520.00, being the amount of said note with interest computed at 6% per annum from the 11th day of July, 1959 and also court costs herein expended taxed at \_\_\_\_\_.

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff

O.W. Whitney Jr.  
Judge, by assignment

PETITION

McAuliffe Bros., Inc.  
111 South Main Street  
Marysville, Ohio  
Plaintiff

Case No. 18808  
Filed March 1, 1961

-vs-

Walter Scott  
Milford Center, Ohio  
Defendant

Now comes plaintiff and says that it is a corporation duly organized and existing under the laws of the State of Ohio with its principal place of business at 111 South Main Street, Marysville, Ohio.

For its cause of action plaintiff says that defendant Walter Scott is indebted to it on an open book account for merchandise and services and the amount due on said open book account is \$516.68 with interest from the 16th day of May, 1960. A Copy of said account is attached hereto, marked exhibit A, and made a part of this petition.

WHEREFORE plaintiff prays judgement against Walter Scott in the Sum of \$516.68 with interes at 6% per annum from May 16, 1960 and cost of suit.

Grigsby & Parrott  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY SS:

Richard E. Parrott, first being duly sworn says he is attorney for McAuliffe Bros., Inc. and the facts and allegations in the foregoing petition are trun as he verily belives.

Sworn to before me and subscribed in my presence this 28th day of February, 1961.  
Richard E. Parrott  
Nancy Rider  
Notary Public.

EXHIBIT A  
(John) McAuliffe Bros. (Jerry)  
Total Amount Due \$516.68

PRECIPE  
Please issue summons for the defendant Walter Scott, Milford Center, Ohio. Endorse summons "action for money only amount claimed \$516.68 with interest from May 16,1960." Make same returnable according to law.  
Filed March 1,1961  
Grigsby & Parrott  
Attorneys for Plaintiff

SUMMONS  
The State of Ohio, Union County  
To the Sheriff of Union County  
You are hereby commanded to notify Walter Scott, Milford Center, Ohio That he has been sued by McAuliffe Bros., Inc. in the Court of Common Pleas of said Union County, and must answer by the 1st day of April A.D. 1961, or the petition of said plaintiff will be taken as true and judgment rendered accordingly.  
Said Sheriff will make due return of this summons on the 13th day of March, 1961  
Witness my hand and the seal of said Court, this 1 day of March, 1961

Helen L. Sullivan  
Clerk of the Common Pleas Court  
Union County  
Eileen Daniels  
Deputy

SHERIFF'S RETURN  
The State of Ohio, Union County  
Received this writ March 1st. 1961 at 3:00 o'clock P.M. and on March 1st 1961, I served the within named Walter Scott, Milford Center, Ohio by personally handing to him a true and certified copy thereof with all the endorsements thereon.  
Sheriff Fees  
Service and Return 1.50  
11 miles traveled @.10 1.10  
Docket .10  
Total 2.70  
Filed March 3,1961  
Edward Amrine  
Union County Sheriff  
by Martha Rogers, Deputy

JOURNAL ENTRY  
This matter coming before the Court on the petition of plaintiff the Court finds the defendant is in default for answer or demurrer and upon motion of plaintiff judgment should be awarded as prayed for in the petition  
It is therefore ordered, that plaintiff, McAuliffe Bros., Inc., recover from the Defendant, Walter Scott, the sum of \$543.09 for which judgment is hereby granted.  
Filed April 15,1961  
Gwynn Sanders  
Common Pleas Judge

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff

PETITION  
Dorothy Akey  
Route #3  
Richwood, Ohio  
Plaintiff  
Case No. 18791  
Filed January 27,1961  
Recorded May 4,1961

-vs-  
Carl S. Akey  
327 East Sandusky Street  
Bellefontaine, Ohio  
Defendant

Now comes Dorothy Akey who says she has been a resident of Union County, State of Ohio, for more than one year immediately prior to the filing of this petition; that she and the defendant Carl S. Akey were married on the 3rd day of December, 1954 and have one child issue of this marriage namely Kay Akey born September 10,1956, and that said child is now in the custody of plaintiff.  
The Plaintiff further says for her cause of action, that the defendant Carl S. Akey has been guilty of gross neglect of duty and that by reason thereof she is entitled to a divorce. Plaintiff and defendant own no personal or chattel property the rights to which are in issue but defendant is gainfully employed and earning approximately \$100.00 per week net income from which this plaintiff asks temporary support for herself and minor child in the sum of \$35.00 per week.  
Wherefore plaintiff prays for a decree of divorce, custody of the minor child, temporary and permanent support and such other relief as may be just and proper in the premises.

Grigsby & Parrott  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY SS:  
Dorothy Akey first being duly sworn says the facts and allegations in the foregoing petition are true.  
Sworn to and before me and subscribed in my presence this 26th day of January, 1961.  
Dorothy Akey  
Joe Grigsby

MOTION  
Now comes plaintiff Dorothy Akey and moves the court for an order setting the date for hearing on matters pertaining to temporary support of plaintiff and minor child, custody and visitation rights and for an award of attorney fees for plaintiff's attorney.  
Filed January 27,1961  
Dorothy Akey

JOURNAL ENTRY  
it is ordered that the motion filed in this matter pertaining to temporary support for plaintiff and minor child, custody and visitation rights and attorney fees be heard in this court on the 2nd day of February, 1961 at 12 O'clock copy of motion and journal entry to be served with summons, shall constitute notice of defendant.  
APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff  
Filed January 27,1961  
Gwynn Sanders  
Judge



PRECIPE  
TO THE CLERK

Filed January 27,1961

Please issue summons to the Sheriff of Logan County to be served upon the Defendant Carl S. Akey, 327 East Sandusky Street, Bellefontaine, Ohio, along with a copy of the petition and motion filed herein.  
Endorse summons, action for a divorce, custody of minor child, temporary and permanent support, attorney fees and other reliefs. Make same returnable according to law.

Grigsby & Parrott  
Attorneys for Plaintiff

SUMMONS IN DIVORCE  
The State of Ohio, Union County  
To the Sheriff of Logan County

You are hereby commanded to notify Carl S. Akey, 327 East Sandusky Street, Bellefontaine, Ohio that Dorothy Akey has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition & Motion (a copy of which accompanies this summons) charging him with and asking that she be divorced from him and custody of minor child, temporary and permanent support, attorney fees and other reliefs, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 6th day of February 1961  
Witness my signature and the seal of said Court, this 27th day of January, 1961

HELEN L. SULLIVAN  
Clerk of the Common Pleas Court  
Union County  
Eileen Daniels-Deputy

SHERIFF'S RETURN  
The State of Ohio, Logan County

Filed February 2,1961

Received this writ on the 30th day of January 1961 at 10:00 o'clock A.M. and on the 31 th day of January, 1961, I served the same by (1) personally handing to Carl S. Akey a true copy thereof, together with a certified copy of the petition filed against him in this cause.

Sheriff's Fees  
Service and Return 1.50  
4 miles traveled @.10 .40  
Docket .10  
Total 2.00

Donald M Howe  
Sheriff

JOURNAL ENTRY

Filed February 8,1961

This matter coming before the court on motion of plaintiff for consideration of matters pertaining to custody temporary support, attorney fees, visitation rights and maintenance of plaintiff, the court finds defendant was served with copy of petition, motion and entry for hearing, but failed to appear.

The court finds that defenddant is gainfully employed and earning approximately \$100.00 perweek; that the sum of \$35.00 per week should be awarded to plaintiff for support and maintenance of a minor child and \$15.00 per week as temporary allimony for plaintiff and that attorney fees in the sum of \$150.00 should be awarded plaintiff's attorney; that plaintiff is temporarily employed and visitation by defendant should be at the home of plaintiff between the hours of 6:00 and 8:00 P.M. each Monday.

It is therefore ordered defendant pay to the office of Clerk of Courts beginning Friday, February 3, the sum of \$50.00 per week and that in addition thereto he pay to the firm of Grigsby and Parrott the sum of \$150.00 counsel fees by the 15th day of March, 1961; that plaintiff have custody of the minor child of the parties, subject to visitation rights of defendant between the hours of 6:00 to 8:00 each Monday evening, said visitation to be at plaintiffs home.

Gwynn Sanders  
Judge

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff

ORDER FOR TRIAL

Filed March 23,1961

The above mentioned cause is set for trial Thursday April 6th, at 10:00 o'clock A.M.

Gwynn Sanders  
Judge

Copies of this notice mailed to Grigsby & Parrott-Attorneys for Plaintiff

JOURNAL ENTRY

Filed April 18,1961

This cause came on to be heard on the petition and the evidence and on consideration thereof, the court finds that the defendant has been july served with personal service as provided by law and that he is in default for answer or demurrer and the facts set forth in said petition are true; that plaintiff was a resident of Union County Stat of Ohio, for more than one year immediately prior to the filing of her petition and that the parties were married as set forth in the petition and have as issue of said marriage one child namely Kay Akey, born September 10,1956; that said child is now in the custody of plaintiff and that plaintiff is a suitable person to whom should be confided the exclusive care and custody of said minor child.

The court further finds plaintiff has been a dutiful wife but that the defendant has been guilty of gross neglect of duty and that by reason of such conduct plaintiff is entitled to a divorce. The Court further finds there are no property rights to be settled inthis action and that defendant is gainfully employed and earning approximately \$100.00 per week net income.

It is therefore adjudged and decreed that the marriage contract heretofore existing between the plaintiff, Dorothy Akey, and the Defendant Carl S. Akey be and the same is hereby dissolved and both parties are released and discharged of the same; that plaintiff have exclusive custody of Kay Akey subject to rights of visitstion which until further order of the court shall be continued as in the tmeporary order heretofore made, to-wit; at the home of plaintiff between the hours 6 and 8 pm each Monday; that as support for said child defendant pay the sum of \$35.00 per week and at request of plaintiff that said sum be paid directly to her.Cost taxed to plaintiff.

Gwynn Sanders  
Common Pleas Judge

APPROVED BY:  
Grigsby & Parrott  
Attorney for Plaintiff



PETITION

Robert Plotner  
RFD 1  
West Mansfield, (Union County)  
Ohio

Case No. 18754  
Filed November 21, 1960  
Recorded May 5, 1961

Plaintiff

--vs--

Charles M. Plotner and  
LaVon Plotner  
Defendant

Plaintiff says that Anna Laura Plotner during her lifetime was seized in fee simple and in possession of the following described real estate:

Situated in the County of Union, State of Ohio and Township of York, and bounded and described as follows:

Military Survey No. 5290. Beginning at a stone in the Greenville line and northeast corner to Isaac Dally's land; thence N. 80-1/2 deg. E. 126-4/10 poles with said treaty line to a stake or stone; thence S. 8 deg. W. 88-65/100 poles to a stake; thence N. 79-1/4 deg. W. 119-55/100 poles to a stake in said Isaac Dally's east land line; thence N. 7-3/4 deg. N. 45-18/100 poles to the place of beginning. Containing fifty (50) acres, more or less. Except twenty-five (25) acres off the east end of said tract heretofore conveyed to L.A. Dixon by a said Joesph Skidmore and all the estate, right, title and interest.

Also the following, situated in the County of Union, State of Ohio, and Township of York, and bounded and described as follows:

Being part of Virginia Military Survey No. 5290. Beginning at a stone in the Greenville treaty and north-east corner to Isaac Dally's land; thence N. 80-1/2 deg. E. 126-4/10 poles with said Greenville Treaty line to a stake or stone; thence S 8 deg. W. 88-65/100 poles to a stake at the N.E. corner to L. A. Dixon's land; thence N. 79-1/4 deg. W. 119-55/100 poles to a stake in the east line of Isaac Dally's land; thence N. 7-3/4 deg. E. with said Dally's east line 45-18/100 poles to the place of beginning. Containing 50 acres, more or less. Excepting 25 acres off the west end of said tract.

Also the following, situated in the County of Union, State of Ohio and Township of York, and bounded and described as follows:

Known as part of Military Survey No. 5290 and beginning at a stone in the center of the county road and N.E. corner to Anthony Middleworth's land; thence 71-1/2 deg. W. 120-7/10 poles to a stone N.W. corner to said Middleworth's land in Isaac Dally's east land line; thence N. 9 deg. E. 33-15/100 with said Dally's east land line to a stake; thence S. 79-1/4 E. 120-7/10 poles to a stake in center of said road; thence S 9 deg. W. 33-14/100 poles with center of said road to the place of beginning. Containing twenty-five acres, more or less.

Also the following, situated in the County of Union, State of Ohio and Township of York, and being part of Survey No. 5290.

Beginning at a stake in the County Road and at the S.E. Corner to Skidmore's land; thence S 9 deg. N. 44 poles to a stake in the center of the County Road thence N. 79-1/2 deg. W. 120-7/10 poles to a stake in I. Dally's east land line; thence N. 9 deg. E 44 poles with said I. Dally's east land line to a stone, S.W. corner to Skidmore's land; thence S 79-1/4 deg. E. 120-7/10 poles with said Skidmore's South land line to the place of beginning. Containing 32 acres, more or less.

That the said Anna Laura Plotner being so seized of the above described real estate, died on the 19th day of November 1950, testate, leaving plaintiff and defendant, Charles M. Plotner and James Rea Plotner as the only legatees and devises by her last will and testament which was duly admitted to the Probate Court of Union County, Ohio in Case No. 16404 and said estate was fully and completely administered according to law. Plaintiff further says that he was a grandson of decedent, Anna Laura Plotner, deceased and was devised a one fourth interest in the above described real estate in accordance with the provisions of the last will and testament of said decedent. That James Rea Plotner is the father of plaintiff and the son of decedent who was devised a one fourth interest in the real estate aforesaid and that defendant, Charles M. Plotner was a son of Anna Laura Plotner, deceased and was devised of a one half interest in said real estate in fee simple. Plaintiff further says that on the 14th day of August, 1952, plaintiff acquired by purchase the one fourth interest devised to James Rea Plotner by the last will and testament of the above decedent and that the plaintiff and defendant Charles M Plotner then became seized in fee simple as tenants in common by descent from the said Anna Laura Plotner to Charles M. Plotner of the undivided one half of the above described real estate and that plaintiff became seized as the other tenant in common of the remaining undivided one half interest as follows: One fourth by descent and one fourth by purchase.

Plaintiff further says that defendant LaVon Plotner is the wife of defendant Charles M. Plotner and has an interest in said premises if any by way of an inchoate right of dower.

Plaintiff further says that the said Anna Laura Plotner, deceased, was an inhabitant of the State of Ohio at the time of her death and all claims and debts of her estate have been paid in full.

Plaintiff prays that a partition of the real estate above described may be made by and under the direction of this court, between plaintiff and defendants according to their respective rights and interest herein; that his interest in said premises may be set off to him in severally; that commissioners be appointed by the court for the purpose of making such partition and assigning dower, or in case a partition of said premises cannot be made without manifest injury to the value thereof, then the said premises may be sold by and under the direction of this court, free of the rights of all the persons parties to this suit, and that the proceeds of the same may be distributed to the parties entitled thereto in lieu of their respective parts and proportions of the estate, according to their just rights therein; and that reasonable attorney fees be taxed as part of the cost and expenses and that plaintiff may have such other and further relief as the court may deem just, equitable and proper.

Clifton L. Caryl  
Attorney for Plaintiff

STATE OF OHIO SS;  
UNION COUNTY

Robert Plotner, being first duly sworn says that the facts stated and allegations contained in the foregoing petition are true as he berily believes.

Sworn to before me and subscribed in my presence this 19th day of November, 1960.

Clifton L. Caryl  
Notary Public

PRECIPE

Filed November 21, 1961

TO THE CLERK

Please issue summons to the Sheriff of Union County to be served upon Charles M. Plotner and LaVon Plotner, residing in York Township, Union County, Ohio.

Endorse summons "Action in Partition, reasonable cost and equitable relief" and make same returnable according to law.

Clifton L. Caryl  
Attorney for Plaintiff

SUMMONS IN ACTION FOR PARTITION

The State of Ohio, Union County  
To the Sheriff of said County:

You are commanded to sotify Charles M. Plotner and Lavon Plotner, residing in York Township, Union County, Ohio, that a petition was filed against them on the 21st day of November A.D. 1960 in the Court of Common Pleas of Said Union County, by Robert Plotner, RFD 1, West Mansfield, Ohio (Union County) and is now pending, wherein the said petitioner demands partition of the following described real estate, to-wit:

Situated in the County of Union, State of Ohio and Township of York, and bounded and described as follows:

SAME AS IN PETITION -----



and that they must answer by the 24th day of December 1960 or such petition will be taken as true and partition will be made of said premises according to law.

Said Sheriff will make due return of this summons on the 5th day of December 1960.

Witness my hand and the seal of said Court at Marysville, Ohio this 21st day of November 1960.

Helen L. Sullivan  
Clerk of Courts

SHERIFF'S OFFICE, Union County November 22nd, 1960.

Filed November 23, 1960

Received this writ November 21st, 1960 at 3:15 o'clock P.M. and served the within names Charles M Plotner and Lavon Plotner on the 22nd day of November 1960 by personally hand-to each on them a true and certified copy of the original writ with all endoresments thereon.

Service and Return 1.50  
1 additional name .25  
38 miles traveled @.10 3.80  
Docket .10  
total 5.65

Edward Amrine  
Union County Sheriff

MOTION

Filed December 28, 1960

Plaintiff moves the Court for an order for leave to file his amended petition in the above cause for the following reasons, to-wit: That by inadvertance the description contained in Plaintiff petition contains 107 acres, more or less located in York Township, Union County, Ohio when in fact the description contains 2.15 acres which should be excepted from the 107 acres, which 2.15 acres is in the name of Charles M. Plotner, the Defendant, none of which Plaintiff has any interest. That Plaintiff and Defendant entered into a written agreement May 14, 1957 concerning cost of improvements and how the same were to be settled in event of sale of premises. Leaving in all Real Estate described 104.85 Acres, more or less.

Clifton L. Caryl  
Attorney for Plaintiff

JOURNAL ENTRY

Filed December 28, 1960

On motion of Plaintiff and for good cause shown, Plaintiff is granted leave to file amended petition in the above cause for the purpose of excepting from the description 2.15 acres in the name of Defendant Charles M. Plotner and in which Plaintiff has no interest and to include a reference made to an agreement of May 14, 1957 concerning cost of improvements and the settlement of the same. The real estate described consists of 104.85 acres more or less.

Gwynn Sanders  
Judge

APPROVED:

Clifton L. Caryl  
Attorney for Plaintiff

AMENDED PETITION

Filed December 28, 1960

Plaintiff with leave of Court first had and obtained files his amended petition and says that Anna Laura Plotner during her lifetime was seized in fee simple and in possession of the following real estate described:

Situated in the County of Union, State of Ohio and Township of York and bounded and described as follows:

SAME AS IN PETITION, with following addition

Save and except the following described real estate:

Real Estate situated in the County of Union, in the State of Ohio and in the Township of York, and bounded and described as follows:

Being a part of Virginia Military Survey No. 5290.

Beginning at an iron pin which bears S 83 deg. W. 81-23 poles from the intersection of the Middlesworth Gravel Road with the Treaty line Gravel Road and in the center line of the Treaty Line Gravel Road; thence S. 11 deg. 40' W. 7.77 poles to an iron pin; thence S. 87 deg. 11' E 32.61 poles to a corner post in what was formerly the west line of Thomas Hicks' 25 acre tract; thence with said west line N. 10 deg. 55' E 13.57 poles to a stake in the center line of the treaty line Gravel Road; thence with the center line of said road S 83 deg. 00' W. 33.82 poles to the point of beginning, passing the S.E. corner of the lands of Charles Headington at 13.7 poles.

Containing 2.15 acres, more or less as surveyed 2--3/37 by Claude F. Skidmore, Reg. Sur. & Engineer. Recorded Surveyor's Rec. Vol. 6, Page 160, Union County Engineer's Office.

Containing in all 108.85 acres more or less.

That the said Anna Laura Plotner being so seized of the above described estate, died on the 19th day of November, 1950, testate, leaving plaintiff and Defendant, Charles M. Plotner and James Rea Plotner as the only legatees and devisees by her last will and testament which was duly admitted to the Probate Court of Union County Ohio in Case no 16404 and said estate was fully and completely administered according to law. Plaintiff further says that he was a grandson of decedent, Anna Laura Plotner, deceased and was devised one fourth interest in the above described real estate in accordance with the provisions of the last will and testament of said decedent. That James Rea Plotner is the father of Plaintiff and the son of decedent who was devised a one fourth interest in the real estate aforesaid and that defendant, Charles M. Plotner was a son of Anna Laura Plotner, deceased, and was devised of a one-half interest in said real estate in fee simple. Plaintiff further says that on the 14th day of August 1952, plaintiff acquired by purchase the one-fourth interest devised to James Rea Plotner by the last will and testament of the above decedent and that the plaintiff and defendant Charles M. Plotner then became seized in fee simple as tenants in common by descent from the said Anna Laura Plotner to Charles M Plotner of the undivided one half of the above described real estate and that plaintiff became seized as the to other tenant in common of the remaining undivided one-half interest as follows: One fourth by descent and one fourth by purchase.

Plaintiff further says that on the 14th day of May, 1957 he and the defendant, Charles M. Plotner entered into an agreement in writing concerning the installation of a bathroom in the house located on said premises, which agreement provides the method arrived at in the event of a settlement between the parties.

Plaintiff further says that defendant Lavon Plotner is the wife of defendant, Charles M. Plotner and has an interest in said premises if any by way of an inchoate right of dower.

Plaintiff further says that the said Anna Laura Plotner, deceased, was and inhabitant of the state of Ohio at the time of her death and all claims and debts of her estate have been paid in full.

Plaintiff prays that a partition of the real estate above described may be made by and under the direction of this court, between plaintiff and defendants according to their respective rights and interest herein; that his interest in said premises may be set off to him in severalty; that commissioners be appointed by the court for the purpose of making such partition and assigning dower, or in case a partition of said premises cannot be made without manifest injury to the value thereof, then the said premises may be sold and under the direction of this court, free of the rights of all the persons parties to this suit, and that the proceeds of the same may be distributed to the parties entitled thereto in lieu of their respective parts and proportions of the estate, according to their just rights therein; and that reasonable attorney fees be taxed as part of the cost and expenses and that plaintiff may have such other and further relief as the court may deem just, equitable and proper

Clifton L. Caryl  
Attorney for Plaintiff

STATE OF OHIO UNION COUNTY SS:

Robert Plotner, being first duly sworn says that the facts stated and allegations contained in the foregoing amended petition are true as he verily believes.

Robert Plotner  
Sworn to before me and subscribed in my presence this 27th day of December, 1960  
Clifton L. Caryl

I hereby designate John W. Dailey, Attorney-at-Law, Marysville, Ohio as Title Examiner in the above cause.



PELIMINARY CERTIFICATE OF TITLE

Filed December 29,1960

The undersigned, being the Attorney designated to certify the title to the real estate as described in the petition, hereby certifies that I have made a through examination of the public records of Union County, Ohio, as disclosed by the indexes, for a period of 60 years immediately prior to the date hereof relating to the real estate as described in the petition, to--wit:

Situated in the County of Union, State of Ohio and Township of York, and bounded and described as follows:

SAME AS IN AMENDED PETITION-----

The real estate herein described being 104.85 acres, more or less.

This certificate does not purport to cover matters nor of record in Union County, Ohio, including rights of persons in possession, question which a correct survey or inspection would disclose, rights to file Mechanic's Liens, special taxes and assessments not shown by the County Treasurer's Records, zoning and other govermental regulations.

The undersigned further certifies that based upon said records, the fee simple title to the premises is vested in Robert Plotner and Charles M. Plotner by certificate of transfer from the estate of Anna Laura Plotner by recorded in Vol. 186 page 451, and by quit claim deed from James R. Plotner and Lora D. Plotner, his wife, to Robert Plotner, recorded in Vol.186 page 453, Union County Deed Record.

Said Title is marketable and free from encumbrances, except:

- 1. Taxes for the year 1860, amount not yet determined-Taxes for 1959 in the sum of \$213.04 paid.

Dated at Marysville, Ohio, this 28th day of December, 1960.

John W. Dailey

PRECIPE FOR WRIT OF PETITION  
TO THE CLERK

Filed December 28,1960

Issue writ of partition in the above cause.

Clifton L. Caryl.  
Attorney for Plaintiff  
Filed December 29,1960

DECREE FOR PARTITION

This cause coming on to be heard on the petition of the plaintiff, Robert Plotner, and it appearing to the court that all of the defendants are in default for answer or other pleading herein, therefore confessing the allegations of plaintiff's amended petition to be true and that said partis are properly before the court.

The plaintiff and defendant, Charles M. Plotner are entitled to the undivided interest in the premises as follows: Robert Plotner, one-half interest and Charles M Plotner, one half interest.

Said premises are described as follows:

Situated inthe County of Union, State of Ohio and Township of York and bounded and described as follows:

SAME AS IN PETITION-----

Containing 2.15 acres, more or less as surveyed 2/3/37 by Claude F. Skidmore, Reg. Sur. & Engineer.

Containing in all 104.85 acres, more or less.

And that plaintiff is entitled to have partition thereof as prayed for in his petition.

It is therefore ordered and adjudged that a writ of partition issue to the Sheriff of Union County commanding him that by the oaths of Charles Wiley, John R. Jolliff and Carl Headington, three judicious disinterested free-holders of the vicinity, hereby appointed commissioners for the purpose, that he cause to be divided and set off to the said parties aforesaid, but if in the opinion of said commissioners said premises cannot be divided without manifest injury to the value thereof, they shall report said fact and no dower shall be assigned, and they shall appraise said premises free from said dower, and of his proceedings said sheriff shall make due return to this court.

Gwynn Sanders  
Judge

APPROVED BY:

Clifton L. Caryl  
Attorney for Plaintiff  
John W. Dailey  
Title Examiner

WRIT OF PARTITION

January 13,1961

THE STATE OF OHIO UNION COUNTY  
TO THE SHERIFF OF Said County

Pursuant to an order of our said Court of Common Pleas within and for said County, made at the September Term A.D.,1960 in a certain case No. 18754 now pending in said Court, Wherein Robert Plotner plaintiff and Charles M. Plotner and Lavon Plotner defendants you are commanded that, by the oaths of Charles Wiley, John R. Jolliff and Carl Headington three disinterested and judicious freeholders of the vicinity who were appointed b the Court as Commissioners for such purpose, you cause to be set off and divided the following described premises, situate in the Township of York County of Union and State of Ohio, to-wit:

SAME AS IN PETITION -----

To the persons named herein, and in the following proportions, to-wit

To Robert Plotner ----- 1/2 part

To Charles M. Plotner ----- 1/2 part.

But if the said Commissioners are of opinion that said premises cannot be divided according to the demand of this writ without manifest injury to its value, you cause them to make a just valuation of the same in money. and of this writ and your proceedings thereon and of the proceeding of said Commissioners under this writ, you make return to our said Court forthwith.

Witness my hand and the seal of said Court of Marysville, Ohio this 29th day of December 1960

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

I received this writ on the 29th day of December 1960 at 2:40 o'clock P.M. and in obedience to its command, I have executed the same by the oaths of John R. Jolliff Carl Headington and Charles C. Wiley the Commissioners therein named, causing to be set off and divided the premises in said Writ described.

The said commissioners named, being of the opinion that the said premises cannot be divided without manifest injury to its value, I have caused the same to be appraised \$26,212.50.

All of which will appear by the report of said Commissioner, herewith returned.

Given under my hand this 11th day of January, 1961.

Edward Amrine  
Sheriff  
By Deputy-Martha Rogers.

We are of the opinion that the said estate cannot be divided according to the demand of the writ without manifest injury to its value, and we do estimate the just value of the same at Twenty Six Thousand Two Hundred and Twelve Dollars and 50/100 (\$26,212.50)

Given under our hands this 11th day of January 1961

John R. Jolliff )  
Carl Headington ) Commissioners  
Charles C. Wiley )



LAND APPRAISEMENT

Court of Common Pleas, Union County, Ohio

WHEREAS, the Sheriff of said County, having in his hands on an Order of Sale, issued from the Court of Common Pleas of said County, on the 29th day of December A.D., 1960 in a decree in favor of Robert Plotner and against Charles M. Plotner and LaVon Plotner commanding said Sheriff to cause to be appraised, advertised and sold, the following described lands and tenements situate in York Township County of Union and State of Ohio, to-wit:

Situated in the County of Union, State of Ohio and Township of York and bounded and described as follows:  
SAME AS IN PETITION-----

did summon us Charles Wiley, John R. Jolliff and Carl Headington three disinterested freeholders, residing withing said County of Union and administered to us an oath impartially to appraise said lands and tenments upon actual view thereof.

Now We, after actual view of said premises, and forthwith after such view, do find and estimate the real value of in money of said premises to be as follows, viz: \$26,212.50-Twenty Six Thousand Two Hundred and Twelve Dollars & 50/100.

In Testimony Whereof, We hereunto set our hands this 11th day of January, 1961

Attest:

Edward Amrine  
Union County Sheriff

By Martha Rogers Deputy  
The State of Ohio Union County.

John R. Jolliff  
Carl Headington  
Charles C. Wiley

Filed January 3, 1961

I hereby certify that I called an inquest of John R. Jolliff Carl Headington and Charles C. Wiley three disinterested freeholders, residents of Union County, Ohio and administered to them an oath impartially to appraise the within described property upon actual view.

Dated this 11th day of January 1961

Edward Amrine  
Union County Sheriff  
Martha Rogers  
Deputy

MOTION TO CONFIRM REPORT OF COMMISSIONERS

Plaintiff moves that the return of the sheriff and report of the commissioners be confirmed.

February 2, 1961  
Clifton L. Caryl  
Attorney for Plaintiff

DECREE OF CONFIRMATION AND ORDER OF SALE

This cause coming on to be heard on the return of the sheriff, and the report of the commissioners heretofore appointed herein, and on the motion to confirm the same, and it appearing to the court that said premises can not be divided by metes and bounds without manifest injury to the value thereof, and that the commissioners have appraised said premises at Twenty Six Thousand, Two Hundred Twelve Dollars and Fifty Cents (\$26,212.50), the court finds said return and proceedings in all respects in conformity to law, and the orders of the court, and do therefore approve and confirm the same.

And thereupon, none of the parties electing to take said premises at their appraised value, it is on motion of plaintiff ordered that said premises be sold at public auction at the north door of the courthouse in Marysville, Ohio on the 11th day of March 1961, at 11:00 o'clock A.M. on the terms as follows: 10% on day of sale and balance upon confirmation of sale and delivery of deed.

APPROVED BY:

Clifton L. Caryl

Gwynn Sanders  
Judge

PRECIPE FOR ORDER OF SALE  
TO THE CLERK:

Issue an order of sale in the above action directed to the Sheriff of Union County, Ohio, returnable according to law.

Filed February 2, 1961

Clifton L. Caryl  
Attorney for Plaintiff

ORDER OF SALE OF PARTITION  
THE STATE OF OHIO UNION COUNTY  
To the Sheriff of Said County:

Pursuant to an order of our said Court of Common Pleas within and for said County, made at the January Term A.D., 1961 in a certain case No. 18754 now pending in said Court, wherein Robert Plotner, RFD 1, West Mansfield, Ohio (Union County) plaintiff and Charles M. Plotner and LaVon Plotner defendants you are commanded that without delay you proceed according to law to sell at public auction, for not less than two-thirds the appraised value thereof as returned by the commissioners, the following described premises, situate in the Township of York County of Union and State of Ohio, to-wit:

SAME AS IN PETITION-----

Said sale to be made at the north door of the Court House, Marysville, Ohio on the 11th day of March at 11:00 A.M. and upon the following terms:

10% on day of sale and balance upon confirmation of sale and delivery of deed.  
Appraised at \$26,212.50.

You will make return of your proceedings herein to our said Court of Common Pleas within sixty days from the date hereof, and have you then and there this Writ.

Witness my signature as Clerk of our said Court of Common Pleas and the seal of said Court, at Marysville, Ohio this 2nd day of February, 1961

Helen L. Sullivan  
Clerk  
Eileen Daniels-Deputy

SHERIFF'S RETURN

The State of Ohio, Union County

I received this Order of Sale on the 2nd day of February, 1961 at 3:30 o'clock P.M. and in obedience to the command of the same, I did, on the 2nd day of February, 1961 cause to be advertised in the Journal-Tribune a newspaper printed and of general circulation in Union County, Ohio, said lands and tenements to be sold at public sale (1) north door of the Court House in said County on the 11th day of March, 1961 at 11:00 o'clock A.M. of said day. And having advertised the said lands and tenements for at least thirty days before the day of sale, to-wit five consecutive weeks; and pursuant to said notice, I did, on said 11th day of March 1961 at the time and place above mentioned, proceed to offer said lands and tenements at public sale; and then and there came Robert Plotner who bid for the same the sum of \$182.00 per acre and said sum being over two thirds of the appraised value thereof and said Jim Anderson being the highest and best bidder therefor I then and there publicly sold and struck off said lands and tenements to him for the said sum of 182.00 per acre.

Sheriff's Fees  
Service & Return 5.00  
Poundage 190.83  
Docket .10  
195.93

Edward Amrine  
Sheriff Union County  
Martha Rogers  
Deputy

STATE OF OHIO, Village of Marysville, Union County SS: Filed Marcy 24, 1961  
Personally appeared before me Marie M. Strauss and made solemn oath, that the Sheriff's Sale a copy of which is hereto attached, was published for 6 consecutive weeks on and next after February 3, 1961 in the Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Sworn to before me and signed in my presence this 11th day of March A.D., 1961

Marie M. Strauss  
W.E. Behrens  
Notary Public

## DECREE OF CONFIRMATION AND DISTRIBUTION

Filed April 13, 1961

On the motion of plaintiff and on his producing the writ of the Sheriff of said Sheriff's proceedings under the order of sale heretofore issued herein, the Court, having examined the same and being satisfied that they were had in all respects in conformity to law and the orders of thsi Court, hereby approves and confirms said proceedings and sale, and the Sheriff is ordered to convey said premises to Robert Plotner, the purchaser hereof by deed in fee simple, the following described real estate, to-wit.

Situated in the County of Union, State of Ohio and Township of York and bounded and described as follows:

SAME AS IN PETITION

Said purchaser is subrogated to the rights thereof of the parties hereto for the protection of his title and a writ of possession is awarded to him.

The Court further finds that the plaintiff and the defendant made and entered into an agreement dated May 14, 1957 for improvements and on the premises and that under said agreement there is a balance due of \$800.00 and that Robert Plotner is entitled to \$400.00 more than Charles Plotner on the distribution of said sale..

And the Court now coming on to distribute said fund in the amount of \$19,082.70 orders that the Sheriff pay as follows:

- (1) To the Treasurer of Union County, Ohio, taxes in the amount of ----- \$ 225.16  
(2) To the Clerk of this Court, costs of this action taxed at ----- \$ 1056.08  
which includes counsel fees to Clifton L. Caryl in the sum of \$600.00  
(3) To the Sheriff of Union County, Ohio Revenue Stamps in the amount of ----- \$ 22.60  
(4) to be placed on said deed  
(4) To Charles Plotner, the one half of said purchase price, less the above expense and  
the sum of \$400.00, the sum of ----- \$ 8489.73  
(5) And it appearing that the plaintiff is one of the coparceners and was the purchaser of said  
premises and is entitled to the one-half plus the sum of \$400.00 in the amount of \$ 9289.73  
It is ordered that said sum be retained by the purchase.

It is further ordered that the Sheriff execute a deed to the said purchaser, Robert Plotner for said premises less the sum of \$9289.73 being retained by the purchaser.

Gwynn Sanders  
Judge

APPROVED:

Clifton L. Caryl  
Attorney for Plaintiff  
John W. Dailey  
Tital Examiner  
Roy Darren Rood  
Attorney for Defendant

FINAL CERTIFICATE TITLE

Filed April 15, 1961

The undersigned, being the attorney designated to certify the title, the subject of this partition action, hereby certifies that he has examined the proceedings in this case since the filing of the Preliminary Certificate herein and finds that all has been done properly and in conformity to law, and that the deed from the Sheriff of Union County, Ohio, to the purchaser, Robert Plotner, recorded in Vol. 205 page 671 Records of Deeds of Union County, Ohio, conveys fee simple title to said real estate as described in the Order of Sale issued to said Sheriff, free and clear from all encumbrances, except taxes for the year 1961, which are not yet payable and can not be ascertained.

Dated at Marysville, Ohio, this the 15th day of April, 1961.

John W. Dailey

## FEES

Clerk	24.40
Sheriff	211.08
Other Fees	
in CP Court	820.60

Total Fees  
in C.P. 1056.08  
Court

Filed April 15, 1961

# PETITION

Kenneth E. Riley  
300 W 3rd Street  
Marysville, Ohio  
Plaintiff

--VS--

Carlos E. Riley  
300 W 3rd Street  
Marysville, Ohio  
Defendant

Case No. 18786

Filed January 21, 1961

RECORDED MAY 6, 1961

Plaintiff says that he has been a resident of the State of Ohio for more than one year immediately proceeding the filing of this petition and a bona fide resident of Union County for more than ninety days immediately prior to the filing of this petition.

Plaintiff further says that he and the defendant were married at Mechanicsburg, Ohio on the 22nd day of September 1956 and that there are no minor children born as issue of said marriage.

Plaintiff says that he and the defendant are the owners of a house and lot, located at 300 W 3rd St. Marysville, Ohio; household goods therein; a joint checking account at the First Nat'l Bank of Marysville, Ohio a 1953 Ford tudor automobile and a 1960 Chevrolet Corvette Sport Coupe automobile, all of such property having been acquired during the marriage relationship.

Plaintiff says that he has always conducted himself as becomes a dutiful husband, but that the defendant has been guilty of gross neglect of duty towards this plaintiff, by reason of which he is entitled to a divorce.

Wherefore, Plaintiff prays that he may be divorced from the said Defendant, that he be awarded an equitable share of the parties property and for such other and further relief in the premises as the court may find to be just and equitable.

Luther L. Liggett  
Attorney for Plaintiff



STATE OF OHIO UNION COUNTY SS:

Kenneth E. Riley being first duly sworn according to law, says that he is the Plaintiff in the above entitled action and that the facts stated and allegations contained therein are true as he verily believes.

Sworn to before me and subscribed in my presence this 21st day of January, 1961  
Kenneth E. Riley  
Luther L. Liggett

Filed January 21, 1961

PRECIPE  
TO THE CLERK

Please issue summons, with a copy of the petition, in the above entitled cause, directed to the Sheriff of Union County, Ohio, for the Defendant Carlos E. Riley, 300 W. 3rd St., Marysville, Ohio, endorse " Action for Divorce and equitable relief" and make returnable according to law.

Luther L. Liggett  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County  
To the Sheriff of Union County

You are hereby commanded to notify Carlos E. Riley, 300 W third St., Marysville, Ohio that Kenneth E. Riley has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio a Petition ( a copy of which accompaines thas summons ) charging her with gross neglect of duty and asking that he be divorced from her and for other proper relief. The cause may be heard and deceedid at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 30th day of January, 1961.  
Witness my signature and the seal of said Court, this 21st day of January, 1961

Helen L. Sullivan  
Clerk  
Eileen Daniels  
Deputy

SHERIFF'S RETURN

The State of Ohio, Union County

Filed January 23, 1961

Received this writ on the 21st day of January, 1961 at 10:48 o'clock A.M. and on the 21st day of January, 1961 I served the same by 1-personally handing to the within named Carlos E. Riley a true copy thereof, together with a certified copy of the petition filed against her in this cause.

Edward Amrine  
Union County Sheriff

Sheriff Fees  
Service & Return        1.50  
Docket                    .10  
Total                    1.60

ANSWER

Filed January 25, 1961

Now comes the defendant and admits that she and the plaintiff were married on the 22nd day of September, 1956 and that there are no minor children born as issue of said marriage. Defendant further says that she and the plaintiff are the owners of a house and lot located at 300 West Third Street, Marysville, Ohio, with household goods therein and a joint checking aaccount at The First National Bank of Marysville, Ohio.

Further answering, defendant denies each and every other allegation contained in said petition not specifically herein admitted to be true.

CROSS---PETITION

Now comes the defendant and says that she has been a resident of the State of Ohio for more than(1) one year immediately preceding the filing of this cross--petition and a bona fide resident of Union County for more than ninety (90) days, prior to the filing of this cross-petition.

Defendant further says that she and plaintiff are married and that there are no children born as issue of said marriage. Defendant further says that ever since their marriage she has been a faithful and dutiful wife and that the plaintiff has been guilty of gross neglect of duty.

She further says that the plaintiff owns a 1953 Ford Two Door Automobile and that she owns a 1960 Chevrolet Corvette Sport Coupe Automobile; and that she and the plaintiff are the owners of a residence in Marysville, Ohio, worth about \$6700.00 which has an indebtedness theron in the sum of approximately \$4100.00. The defendant further says that the 1960 Chevrolet Corvette has a mortgage on it in the appproximate amount of \$3,000.00 and that the household goods have a mortgage on them in the approximate amont of \$110.00.

WHEREFORE, the defendant prays for a decree of divorce from the plaintiff, that she be restored to her maiden name of Carlos Tooker, and further asks that she be granted temporary and permanent alimony and that the plaintiff pay costs of suit and her attorney fees. Defendant further asks that she be allowed to remain and live in the residence during the pendency of this action and that the plaintiff be restrained from molesting her and for such other relief as may be just and proper in the premises.

Grigsby & Parrott  
Attorneys for Defendant.

VERIFICATION

STATE OF OHIO        )  
County of Union        )    SS;

Carlos E. Riley, being first duly sworn, says that the facts and allegations contained in the foregoing answer and cross-petition are true.

Sworn to before me and subscribed in my presence, this 23rd day of January, 1961.

Carlos E. Riley  
Richard E. Parrott  
Notary Public.

Filed January 25, 1961

PRECIPE  
TO THE CLERK

Please issue summons, together with copy of answer and cross-petition, to the Sheriff of Union County, Ohio to be served upon the plaintiff, Kenneth E. Riley.

ENDORSE SUMMONS: "Action for divorce, temporary and permanent alimony, and other equitable relief." Make same returnable according to law.

Grigsby & Parrott  
Attorneys for Defendant  
Filed January 25, 1961

JOURNAL ENTRY

It is order of this Court that the defendant, Carlos E. Riley be allowed to remain in the residence of the parties located at 300 W third Street, Marysville, Ohio and that the plaintiff be restrained from molesting or interfering with her in any way during the pendency of this action.

Gwynn Sanders  
Common Pleas Judge

APPROVED BY:  
Luther L. Liggett  
Attorneys for Plaintiff  
Grigsby & Parrott  
Attorneys for Defendant

SUMMONS ON ANSWER AND CROSS PETITION IN DIVORCE

The State of Ohio, Union County  
To the Sheriff of Union County

You are Commaned to Notify Kenneth E. Riley, 300 W. Third St., Marysville, Ohio to appear before the Court of Common Pleas of Union County, at the Court House in Marysville, Ohio, and answer an Answer and cross Petition for Divorce filed in the Clerk's Office of said County by Carlos E. Riley a copy of which accompanes this Summons.

The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 6th day of February A.D., 1961  
Witness my signature and the seal of said Court, this 25th day of January, 1961

Helen L. Sullivan  
Clerk  
Eileen Daniels  
Deputy

Filed January 27,1961

SHERIFF'S RETURN

The State of Ohio, Union County

Received this writ at 10:00 o'clock A.M. on the 23rd day of January 1961, and on the 6th day of January,1961 I seved the same by personally hadding to him a true and duly certified copy thereof with all the endorsements thereon, together with a certified copy of the answer and cross petition filed against him in this cause.

Sheriff Fees  
Service & Return 1.50  
Docket .10  
Total 1.60

Edward Amrine  
Union County Sheriff  
Martha Rogers  
Deputy

PRECIPE FOR SUBPENA--IN CIVIL CASE

TO THE CLERK: Issue Subpena for Bennett Erwin, 40 North Main Street, Mechanisburg, Ohio, to appear as witness in above named case, on 23, March A.D., 1961 at 9:30 o'clock A.M. Required on behalf of the Plaintiff, Riskard E.

Richard E. Parrott  
Att'y for the Plaintiff

ANSWER

Filed March 22,1961

Now comes the Plaintiff and for his answer herein admits the residenceof the Defendant as in her cross--petition alleged.

Further answering, Plaintiff denies each and every allegation in Defendants cross-petition contained not herein specifically admitted to be true

Luther L. Liggett  
Attorney for Plaintiff

STATE OF OHIO, UNION COUNTY SS:

Kenneth Riley first being duly sworn according to law says that the facts contained and allegations stated in the foregoing answer are true as he verily believes.

Sworn to before me and subscribed in my presence this 20day of March, 1961.

Kenneth E. Riley  
Luther L. Liggett  
Filed March 24,1961

SUBPENA IN CIVIL CASE

The State of Ohio: Union County

To Bennett Erwin, 40 N Main St., Mechanicsburg, Ohio, Res. 3/21/61

You are hereby required to be and appear before the Common Pleas Court at the Court House in said Union County, at Marysville, Ohio, on the 23 day of March, 1961 at 9:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Kenneth Riley Plaintiff and Carlos Riley Defendant; and not depart the Court without leave, Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the Defendant.

Witness my hand and the seal of said Court, this 20th day of March 1961

Helen L. Sullivan  
Clerk  
Eileen Daniels  
Deputy

RETURN OF SERVICE

I received this writ on the 21 day of March 1961 at 9:00 o'clock A.M. and served the persons named therein on the day and in the manner indicated against each name.

Service & Return .50  
Mileage 22 mi. at 2.20  
postage-docket .31  
total 3.01

Jay H. McKeever  
Sheriff  
b Harry Hess  
Deputy

CHARGE OF CONTEMPT

Filed April 1,1961

STATE OF OHIO,UNION COUNTY SS:

Kenneth E. Riley being first duly sworn says that the defendant herein, Carlos E. Riley, removed certain household goods from the property of the parties located at 300 W. Third Street, Marysville, Ohio, and has possession of said property in the County of Champaign. Affiant says that eh said Carlos Riley removed from said house chairs, television set, electrical kitcher utensils, dihhes, silverware, rugs, clocks, record player, and other items.

That by removing said property defendant is in contempt of order of court entered herein regarding said property.

WHEREFORE, affiant moves the court to issue process to bring the said Carlos Riley into court to show cause why she should not be punished for contempt of court.

Sworn to before me and subscribed in my presence this 1st day of April

Kenneth R. Riley  
Luther L. Liggett

ENTRY

Kenneth Riley, having filed with the clerk of this court a charge in writing against Carlos Riley alleging that the said Carlos Riley has moved certain household goods from the property of the parties located at 300 W Third Streetm Marysville, Ohio, in violation of the order of court previously entered herein, it is ordered that the said Carlos Riley be and appear before this court on the 6th day of April, 1961, at two o'clock P.M. to show cause why she should not be punished as for contempt of court and that notice of this order and a copy of said charge be served forthwith on the said Carlos Riley by the Sheriff of Champaign County, Ohio

Gwyan Sanders



NOTICE OF SERVE

Filed April 7, 1961

The State of Ohio, Union County

To the Sheriff of Champaign County, Greeting:

You are hereby commanded to serve the attached copy of charge of Contempt of Entry heretofore filed in this case, upon the Defendant, Carlos E. Riley, 100 High St., Mechanicsburg, Ohio (serve after 4:00 P.M.) and of your service hereof, make due return to this office, on or before the 6th day of April A.D., 1961.

Witness my hand and seal of said Court, this 3rd day of April, 1961

Helen L. Sullivan  
Clerk of Said Court

SHERIFF'S RETURN

The State of Ohio, Champaign County

Received this writ April 4, 1961 at 9 o'clock A.M., and on April 4, 1961 I served the within named Carlos E. Riley by personally handing to her a true and certified copy thereof with all the endorsements thereon.

Jay H. McKeever  
Sheriff  
Harry Hess  
Deputy

JOURNAL ENTRY

Filed April 6, 1961

This day this cause came on to be heard upon the motion of plaintiff charging the defendant, Carlos E. Riley with contempt of a former order to this Court and was presented to the Court upon the evidence and argument of counsel.

Upon consideration of the same, the Court finds the defendant, Carlos E. Riley, guilty of contempt as charged. It is ordered that to purge herself of said contempt the defendant be confined to the Union County Jail until such time as the property she removed from the premises at 300 West Third Street, Marysville, Ohio, is returned.

The Court further orders the Sheriff to release the defendant from custody when advised by Richard Parrott, attorney for defendant, that said property has been returned.

Exceptions noted for defendant.

Gwynn Sanders  
Judge

WARRANT TO COMMIT TO JAIL

Filed April 7, 1961

To the Sheriff of Said Court:

WHEREAS, at the January Term of our said Court of Common Pleas on the 6th day of April, 1961, the said defendant, Carlos E. Riley having been charged with contempt of a former order of this court and having been found guilty of contempt of Court, and the following entry having been filed herein, to-wit:

"This day this cause came on to be heard upon the motion of plaintiff charging the defendant, Carlos E. Riley with contempt of a former order of this Court and was presented to the Court upon the evidence and argument of counsel.

"Upon consideration of the same, the Court finds the defendant, Carlos E. Riley, guilty of contempt as charged.

"It is ordered that to purge herself of said contempt the defendant be confined to the Union County Jail until such time as the property she removed from the premises at 300 West Third Street, Marysville, Ohio, is returned.

"The Court Further orders the Sheriff to release the defendant from custody when advised by Richard Parrott, attorney for defendant, that said property has been returned.

"Exceptions noted for defendant.

"Gwynn Sanders, Judge."

Said defendant is therefore ordered into the custody of the Sheriff of this County, in whose custody she shall remain in said County Jail until the term of her imprisonment expires or until she is otherwise legally discharged.

YOU ARE THEREFORE HEREBY COMMANDED to proceed to carry out and enforce said judgment and sentence of the Court, according to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court, at Marysville, Ohio, this 6th day of April, 1961.

Helen L. Sullivan  
Clerk

Sheriff's Return on Bank

Received this writ on the 6th day of April, 1961 at 3:30 P.M. and pursuant to its command I kept Carlos E. Riley within the confines of my Jail until orders were complied to thereon and legally discharged.

Edward Amrine  
Sheriff of Union County  
Martha Rogers  
Deputy

Service and return           2.00  
Docket                       .10  
                                  2.10

STATEMENT OF STENOGRAPHER'S COSTS

Filed April 6, 1961

In the Common Pleas Court of Union County, Ohio

To the Clerk of Courts:

The following is a statement of Stenographer's Fees in the above entitled action.

1 day attendance at \$4.00 per day.

Hearing in contempt.

Arthur L. Lowe  
Court Stenographer.  
Filed April 4, 1961

JOURNAL ENTRY

This cause came on for hearing this 23rd day of March, 1961, on the petition of plaintiff, answer and cross petition of the defendant, and answer to the cross petition of plaintiff and the Court finds from the evidence that plaintiff and defendant were for at least one year preceding the commencement of this action bona fide residents of the State of Ohio and that they were at least 90 day immediately before the commencement of this action bona fide residents of Union County, Ohio.

The Court further finds, upon consideration of the evidence presented, that the allegations of the petition of gross neglect of duty by plaintiff, Kenneth Riley has not been substantiated, and the Court does hereby deny the prayer of the petition asking that a divorce be granted.

The Court further finds upon consideration of the evidence presented, that the allegation of gross neglect of duty contained in the cross-petition has been sustained by the evidence, and the Court finds the plaintiff Kenneth Riley, has been guilty of gross neglect of duty and that Carlos Riley is entitled to a divorce as prayed for.

The Court finds that the parties hereto are the owners of a house, upon which the Union County Federal Savings and Loan Association has a mortgage, a 1953 Ford Automobile, a 1960 Corveter automobile upon which there is a mortgage to the General Motors Acceptance Corporation, and household furniture upon which there is a mortgage in the amount of \$83.50. The Court finds that the parties are indebted upon a promissory note in the amount of \$1,210.17 to the Farmers Bank of Mechanicsburg, Ohio.

It is therefore ordered, adjudged and decreed that the marriage contract heretofore existing between the said Kenneth E. Riley and Carlos E. Riley be, and the same hereby is, dissolved and both parties are released from the obligations of the same; that Carlos E. Riley to be restored to her maiden name of Carlos E. Tooker.

The Court further orders said house, together with the furniture be sold and the proceeds of the sale be applied to the mortgage of the union County Federal Savings and Loan Association, the promissory note at the Farmers Bank of Mechanicsburg, Ohio, and the mortgage on the household goods; any amount remaining after the satisfaction of the above enumerated debts shall be divided equally between the parties hereto. The Court grants leave of 30 days during which time the parties hereto may sell said real estate and household goods in order to comply with the order of the Court, but if after the expiration of 30 days the property and household goods have not been sold then it is the



order of this Court that the said property be sold at public auction.. It is the further order of this Court that the 1953 Ford Automobile heretofore belonging to the parties in this action shall henceforth be the sole property of Kenneth Riley. It is further ordered that the Carlos Riley elect either to keep the 1960 Corvette automobile belonging to the parties, in which event she is to be the sole owner thereof and assume and pay the mortgage on said automobile, or elect to sell said automobile within 30 days in which event the mortgage on said Corvette is to be paid by applying the proceeds of sale toward its satisfaction.

It is further ordered that plaintiff and defendant share equally in the payment of the costs taxed herein.

Approved By:  
Grigsby & Parrott  
Attorneys for Defendant  
Luther L. Liggett  
Attorneys for Plaintiff

Gwynn Sanders  
Judge

Continue From Journal 78 Page 361

MOTION  
Howard Campbell  
Broadway, Ohio  
Plaintiff

Case No. 18700  
Filed November 18, 1960  
Recorded May 9, 1961

-vs-  
Nancy Campbell  
Defendant

Now comes the plaintiff and respectfully represents to the court that she never had any notice of the filing or pendency of this action. That at and for two months prior to the granting of the decree herein, her husband Howard Campbell, knew her address and residence in the City of Columbus, Ohio, and that if she had known of the filing of this action she would have appeared and defended the same.

WHEREFORE, defendant moves that the decree heretofore entered on the 4th day of November, 1960 be vacated and set aside and that she be permitted to file an answer herein.

Hoopes & Hoopes  
Attorneys for Defendant

STATE OF OHIO, UNION COUNTY, SS:  
Nancy Campbell, being first duly sworn says that she is the defendant in the above entitled cause that the facts stated and allegations made in the foregoing motion are true as she verily believes.

Sworn to before me and subscribed in my presence this 18th day of November, 1960.

Nancy Campbell  
C.A. Hoopes  
Notary Public  
Filed December 16, 1960

PRECIPE FOR SUBPENA  
To The Clerk:--Issue Subpna for  
1)Ellison Snyder, East 8th Street, Marysville, Ohio  
2)Erwin A Young, 104 South Washington Avenue, Columbus, Ohio  
to appear as witnesses in above names case, on December 19 A.D. 1960 at 1:00 o'clock. Required on behalf of the Plaintiff.

Ralph Godwin  
Attorney for Plaintiff

Filed December 19, 1960

PRECIPE FOR SUBPENA  
To The Clerk:--Issue Subpnea for  
1) Lottie Hatcher, Jimmie Jim's Cafeteria  
to appear as witnesses in above named case, on December 19 A.D. 1960 1:00 o'clock P.M. Required on behalf of the Defendant.

Hoopes & Hoopes  
Attorneys for Defendant

Subpna in Civil Case  
The State of Ohio, Union County  
To Erwin C. Young, 104 S Washington Ave., Columbus, Ohio  
You are hereby required to be and appear before the Common Pleas Court at the Court House in said Union County, at Marysville, Ohio, on the 19th day of December 1960, at 1:00 o'clock P.M. to testify as a witness in a certain case pending in said Court, wherein Howard Campbell Plaintiff, and Nancy Campbell Defendant; and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.  
Said Court requires your said attendance on behalf of the Plaintiff  
Witness my hand and the seal of said Court, this 16th day of December, 1960

Helen L. Sullivan  
Clerk.  
Filed December 20, 1960

RETURN OF SERVICE  
I received this writ on the 16th day of December, 1960 at 11:16 o'clock A.M. and served the persons named therein on the day and in the manner indicated against each name.

Sheriff Fees  
Service & Return 1.50  
Mileage .50  
Postage .04  
TOTAL 2.04

Stacy R. Hall  
Sheriff Franklin County

SUBPENA IN CIVIL CASE  
The State of Ohio, Union County  
To Ellison Snyder, E 8th St., Marysville, Ohio. You are hereby required to be and appear before the Common Pleas Court at the Court House in said County on the 19th day of December A.D. 1960 at 1:00 o'clock P.M. to testify as a witness in a certain case pending in said Court, wherein Howard Campbell Plaintiff and Nancy Campbell Defendant and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.  
Said Court requires your said attendance on behalf of the Plaintiff  
Witness my hand and the seal of said Court, this 16th day of December 1960

Helen L. Sullivan  
Clerk  
Filed December 19, 1960

RETURN OF SERVICE  
I received this writ on the 16th day of December 1960 at 11:15 o'clock A.M. and served the persons named therein on the day and in the manner indicated against each name.

Sheriff Fees  
Service & Return .50  
Docket .10  
TOTAL .60

Edward Amrine  
Union County Sheriff  
by Martha Rogers-Deputy

SUBPENA IN CIVIL CASE  
The State of Ohio, Union County  
To Lottie Hatcher, Jimmie Jim's Cafeteria, You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 19th day of December A.D. 1960 at 1:00 o'clock P.M. to testify as



a witness in a certain case pending in said Court, wherein Howard Campbell Plaintiff and Nancy Campbell Defendant and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the Defendant.

Witness my hand and the seal of said Court, this 19th day of December 1960.

Helen L. Sullivan  
Clerk

Filed December 21, 1960

#### RETURN OF SERVICE

I received this writ on the 19th day of December 1960 at 10:49 o'clock A.M. and served the persons named therein, on the day and in the manner indicated against each name.

#### SHERIFF FEES

Service & Return	.50
Docket	.10
TOTAL	.60

Edward Amrine  
Union County Sheriff

#### ENTRY

Filed February 23, 1961

This day this cause came on to be heard upon the motion of the defendant to vacate the decree of divorce heretofore entered in this cause and to permit defendant to file an answer, and was submitted to the court and the court being fully advised in the premises sustained said motion.

It is therefore considered by the court that the decree of divorce heretofore entered in this cause be, and the same hereby is, vacated and set aside and defendant is granted leave to file an answer within fifteen days from the entry of this decree.

Richard H. Finefrock  
Judge

#### APPROVED:

Kerns & Godwin  
Attorneys for Plaintiff  
Hoopes & Hoopes  
Attorneys for Defendant

#### ANSWER

Filed February 23, 1961

Now comes the defendant and for her answer to the petition admits the residence of the plaintiff as alleged to the petition and admits that she was married to the defendant as alleged to the petition and that the only issue of said marriage is emancipated.

Further answering, the defendant denies that she has been guilty of gross neglect of duty towards the plaintiff and that the plaintiff is entitled to a divorce from the defendant and alleges that the plaintiff and defendant are now separated due to the cruelty of plaintiff towards her.

Defendant says that she and the plaintiff are the joint owners of a residence property in the Village of Broadway which was paid for entirely by money derived from the joint efforts of plaintiff and defendant during the period of their married life.

WHEREFORE, Defendant prays that the petition of plaintiff be dismissed and that her ownership in said real estate be confirmed and for such other relief as is proper.

Hoopes & Hoopes  
Attorneys for Defendant

#### STATE OF OHIO, FRANKLIN COUNTY SS:

Nancy Campbell, being first duly sworn says that she is the defendant in the above entitled cause and that the facts stated and allegations made in the foregoing answer are true as she verily believes.

Sworn to before me and subscribed in my presence this 20th day of February, 1961.

Nancy Campbell  
Harry H. Hardy  
Notary Public.

#### MOTION

Filed February 23, 1961

Plaintiff respectfully moves the court to requires defendant to make her answer herein definite and certain, by stating the specific acts upon which defendant relies in the allegation "that the plaintiff and defendant are now separated due to the cruelty of plaintiff towards her."

Respectfully submitted  
Kerns & Godwin  
Attorneys for Plaintiff

#### ENTRY

Filed March 3, 1961

On motion of Defendant, leave is granted defendant to file an amended answer instant.

Richard H. Finefrock  
Judge

#### APPROVED BY:

Hoopes & Hoopes  
Attorneys for Defendant

#### AMENDED ANSWER

Filed March 31, 1961

Now comes the defendant and, leave first being had, for her amended answer herein, says that she admits the residence of plaintiff as alleged in the petition, admits that she was married to the defendant as alleged in the petition and that the only issue of said marriage is emancipated.

Further answering, the defendant denies that she has been guilty of gross neglect of duty towards plaintiff.

Further answering, defendant says that the plaintiff has a violent temper and that without any cause he has frequently struck and beat the defendant, has cursed her and called her vile names, rendering it impossible for her to live in peace with him and that by reason of said cruel treatment she is now living separate and apart from him.

The defendant says that at the time of their marriage they were residing in Kentucky; that the plaintiff did not own any property and that since their marriage the only property that has come to either the plaintiff or defendant by inheritance is a house and about twenty-five acres of land that came to the defendant by inheritance from her father. Defendant says that after their marriage they resided in Kentucky until about the year of 1940 at which time they came to Ohio and lived near Circleville until about 1943 during which time the plaintiff worked at farm work for weekly wages. That about the year 1943 they came to Madison County where plaintiff worked by the week for a while to one Willard Newmann and later farmed his land on the shares. At about the 16th day of January 1956 they purchased the residence property in Broadway, Ohio, which they now own jointly for the sum of \$7500.00 all of which was accumulated by the joint efforts of the parties during their married life.

WHEREFORE, defendant prays that the petition of the plaintiff be dismissed, that her ownership in said real estate be confirmed and for such other relief as is proper.

Hoopes & Hoopes  
Attorneys for Defendant

#### STATE OF OHIO, UNION COUNTY SS:

Nancy Campbell being first duly sworn says that she is the defendant in the above entitled cause and that the facts stated and allegations made in the foregoing amended answer are true as she verily believes.

Sworn to before me and subscribed in my presence this 3rd day of March, 1961.

Nancy Campbell  
C. A. Hoopes  
Notary Public

#### ORDER OF FOR TRIAL

(April 15, 1961)

Filed April 15, 1961



The above mentioned cause is set for trial Tuesday April 25th, 1961 at 10:00 o'clock A.M.

Gwynn Sanders  
Judge

Copies of this notice mailed to:  
Lloyd George Kerns, Attorney at Law for Plaintiff  
Hoopes & Hoopes, Attorneys at Law for defendant.

Filed April 17,1961

PRECIPE

TO THE CLERK:

Issue subpena for defendant's witness as follows:  
Union County, Ohio:  
Lottie Hatcher (Jimmy Jim's Restaurant, Marysville, Ohio)  
Virginia Schertzer, Broadway, Ohio  
Madison County, Ohio  
J. Willard Newman, Rosedale, Ohio  
Helen Rafferty Irwin, RFD, Ohio  
Returnable on the 25th day of April, 1961

Hoopes & Hoopes  
Attorneys for Defendant

SUBPENA IN CIVIL CASE

THE STATE OF OHIO, UNION COUNTY

To Lottie Hatcher ( Jimmy Jim's Restaurant, Marysville, Ohio)  
Virginia Schertzer Broadway, Ohio

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County of on the 25th day of April A.D. 1961 at 9:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Howard Campbell plaintiff and Nancy Campbell defendant and not depart the Court without leave. Herein fail nor, under penalty a of the law. And have you then and there this writ.  
Said Court requires your said attendance on behalf of the Defendant.  
Witness my hand and the seal of said Court this 17th day of April 1961

Filed

Helen L. Sullivan  
Clerk

RETURN OF SERVICE

I received this writ on the 17th day of April 1961 at 12:30 o'clock and served the persons named therein on the day and in the manner indicated against each name.

Filed April 19,1961

Edward Amrine  
Union County Sheriff

Sheriff Fees

Service & Return	1.00
Mil	1.80
Docket	.10
TOTAL	2.90

SUBPENA IN CIVIL CASE

THE STATE OF OHIO, UNION COUNTY

To J. Willard Newman Rosedale, Ohio  
Helen Rafferty Irwin, Ohio R.F.D.

You are hereby required to be and appear before the Common Pleas Court at the Court House in said Union County, at Marysville, Ohio, on the 25th day of April 1961 at 9:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Howard Campbell plaintiff and Nancy Campbell defendant and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.  
S id Court requires your said attendance on behalf of the defendant  
Witness my hand and the seal of said Court, this 17th day of April, 1961

Helen L. Sullivan  
Clerk.

Return in of Service

I received this writ on the 18 day of April 1961 at 10:00 o'clock A.M. and served the persons named thereon on the day and in the manner indicated against each name.

Herbert C. Markley  
Sheriff

Sheriff Fees

Service & Return	1.00
Mileage	2.00
Postage	.04
Total	3.04

PRESIPE FOR SUBPENA

TO THE CLERK:--X Issue Subpena for

Elison Snyder 118 E Eight Street, Marysville, Ohio  
Willard Newman Irwin, Ohio Madison County, Ohio

to appear as witnesses in above named case on April 25th A.D. 1961 at 10:00 o'clock A.M. Required on behalf of the plaintiff.

Kerns & Godwin  
Attorneys for Plaintiff

STATEMENT OF STENOGRAPHER'S COSTS

In the Common Pleas Court of Union County, Ohio ---January Term A.D. 1961

TO: Clerk fo Courts

The following is a statement of Stenpgrapher's Fees in the above entitled action: 1 days attendance at \$4.00 per day.

Filed April 25,1961

Respectfully submitted  
Arthur D. Lowe  
Court Stenographer.

SUBPENA IN CIVIL CASE

The State of Ohio, Union County

TO: E-ison Snyder 118 E. 8th St., Marysville, Ohio

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 25th day of April A.D. 1961, at 10 o'clock A.M. to testify as a witness to in a certain case pending in said Court, wherein Howard Campbell plaintiff and Nancy Campbell Defendant and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.  
Said Court requires your said attendance on behalf of the plaintiff  
Witness my hand and the seal of said Court, this 24th day of April 1961

Filed

Helen L. Sullivan  
Clerk

RETURN OF SERVICE

I received this writ on the 24th day of April 1961 at 11:00 o'clock A.M. and served the persons named within

Filed April 26,1961



on the day and in the manner indicated against each name.

Sheriff Fees  
Service & Return .50  
Docket .10  
TOTAL .60

Edward Amrine  
Union County Sheriff

SUBPENA IN CIVIL CASE  
THE STATE OF OHIO UNION COUNTY

TO: Willard Newman, Irwin, Ohio (Madison Co.) No one at home not served Deputy thought it had to be served personally.

You are hereby required to be and appear before the Common Pleas Court at the Court House insaid Union County at Marysville, Ohio, on the 25th day of April 1961, at 10 o'clock A.M. to testify as a witness to in a certain case pending in said Court, wherein Howard Campbell plaintiff and Nancy Campbell defendant; and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the plaintiff  
Witness my hand and the seal of said Court, this 24th day of April 1961

Helen L. Sullivan  
Clerk  
Eileen Daniels  
Deputy

RETURN OF SERVICE

I received this writ on the 24th day of April 1961 at 3:30 o'clock P.M. and served the persons named therein on the day dna in the manner indicated against each name.

Herbert C. Markley  
Sheriff  
K.H. Johnson  
Deputy

JOURNAL ENTRY

Filed May 5, 1961

This cause came on for hearing on the 25th day of April 1961, on the Petition of the Plaintiff and the Amended Answer of the Defendant, and the evidence. The parties were present in court and were represented by counsel.

The Court finds the Plaintiff has sufficient and legal residence in this County and State at the time of instituting this action, and that the Court has jurisdiction of the cause of action and of the parties.

Upon consideration of the evidence, the Court finds the Defendant has been guilty of gross neglect of duty toward Plaintiff, by reason whereof he is entitled to a divorce.

It is therefore, hereby ordered, decreed and adjudged that Plaintiff be and is hereby granted on absolute divorce from Defendant and the bonds of matrimony heretofore existing between the parties are hereby severed and set at naught, and both parties are released from the obligations thereof.

The Court further finds that the Plaintiff and Defendant are the owners of the following described a real estate, to-wit:

Situated in the Village of Broadway, County of Union and the State of Ohio and bounded and described as follows: Being part of Survey nos. 5778, 5641, 5806 and 6495. Beginning at a stake in the corner of the Delaware and Bellefontaine State Road. A stone the South corner of Main and West Streets in the town of Broadway bears South 17° East 2 poles: thence with the center of the Delaware and Bellefontaine State Road South 73° West 13.68 poles to a stake in the center of said road; thence South 12½° East 47.80 poles to a stake in the Northwesterly line of the Atlantic and Great Western Railway (now Erie); thence with said line North 43° East 19.64 poles to a stake in the West line of West Street in said Village of Broadway; thence with said West line North 17° West 37.80 poles to the beginning. Containning 4 acres, more or less.

BUT EXCEPTING THEREFROM one-fourth (¼) of an acre sold by John Baalt to W.P. Smith, being off the Southeast corner of said lot; ALSO EXCEPTING about one-half (½) of an acre sold off of the East side thereof to D.J. Grindle, now owned by Mary Welch. Leaving 3.25 acres, more or less. Being the same premises conveyed to the Grantees herein by Warranty Deed recorded in Vol. 194; pages 543--544, records of Union County, Ohio. The grantees in the deed above referred to are Howard Campbell and Nancy Campbell.

It is further ordered and adjudged that the said plaintiff have and possess as and for alimony the real estate heretofore described, and the said defendant is hereby ordered to convey said premises and the improvements thereon, and all the appurtenances thereto appertaining and belonging, to said plaintiff, his heirs and assigns forever, by a good and sufficient deed in fee simple, free from any right of claim of aid defendant to any estate by the dower, or otherwise, therein. And it is further ordered that upon the failure of said defendant to execute said conveyance within thirty days from the entry hereof, that this decree shall operate as such conveyance, and in that case it is ordered that the clerk cause so much of this decree to be recorded in the office of the recorder of this county as will show change of title.

And it is further ordered and adjudged that said plaintiff do also have, possess, and enjoy, as and for alimony all of the personal property, including household and kitchen furniture and shop equipment and tools now in the possession of said plaintiff and situate in the premises above described, with the right to use, sell or dispose thereof at his convenience.

It is further ordered and adjudged that the plaintiff pay to the defendant the sum of five hundred dollars, payable on or before April 25, 1962. And the same is hereby made a lien upon all the real estate of the plaintiff and in default of such payment for theree days, execution is allowed to issue therefore.

It is further ordered that the plaintiff pay the costs of this proceeding and executions is awarded.

Richard H. Finefrock  
Judge.

AZPPROVED BY  
Kerns & Godwin  
Attorneys for Plaintiff  
Hoopes & Hoopes  
Attorneys for Defendant

Petition  
Union County Farm Bureau Coop Assoc. Inc.  
Marysville, Ohio  
Plaintiff

Case No. 18680  
Filed July 28, 1960  
Recorded May 22, 1961

-vs-  
Alva G. Daniels  
R.F.D.  
Ostrander, Ohio  
Mary L. Daniels  
R.F.D.  
Ostrander, Ohio

United States of America

Ostrander Banking Company  
Ostrander, Ohio



Robert Budd  
230 S. Main Street  
North Canton, Ohio

Roberta Budd  
403 W Park Avenue  
Columbiana, Ohio

Ralph Coleman  
Marysville, Ohio

City Loas & Savings Company  
Lima, Ohio

#### Defendants

Plaintiff says it is a corporation duly organized and existing under the laws of the State of Ohio with its principal place of business located on East 4th Street, Marysville, Ohio.

Plaintiff says that on the 24th day of May, 1958 the defendants Alva G. Daniel and Mary L. Daniels executed and delivered to it, their promissory note for \$2,249.41 due in one year from date thereof; a copy of which is attached hereto marked exhibit "A" and made a part hereof.

\$2249.41 due 5--24-59 May 24, 1958

One Year after date for value received, I, we, any or either of us promise to pay to the order of UNION COUNTY FARM BUREAU COOPERATIVE ASSO., INC. Two Thousand Two Hundred Forty-Nine and 41/100 Dollars with interest at the rate of Six (6%) per centum per annum at and I, we, any or either of us hereby authorize any attorney at law in the United States to appear in any court of record in the State of Ohio or in any other State in the United States, after the above obligation becomes due, and waive the issuing and service of process and confess a judgment against us in favor of the holder of this note, for the amount appearing due and the costs of suit; and thereupon to release all errors and waive all right of appeal and stay of execution in my behalf, and we hereby waive all right to the appraisal of real estate on any execution issued on any judgement rendered on this note.

/s/ Alva G. Daniels

/s/ Mary L. Daniels

Due May 24, 1959

Plaintiff further says there are no credits nor endorsements thereon except as noted and that plaintiff is the owner of said note and there is due and a unpaid to plaintiff thereon the principal sum of \$2,249.41 with interest from the 24th day of May, 1958 at the rate of 6% per annum in the sum of \$292.21 and plain tiff therefore prays judgment on said note against the defendants Alva G. Daniels and Mary L. Daniel in the total sum of \$2m541.62.

#### SECOND CAUSE OF ACTION

Plaintiff says that in order to secure the promissory note set forth in the first cause of action herein the defendant Alva G. Daniels and Mary L. Daniels as husband and wife executed and delivered to this plaintiff their certain mortgage deed on the 24th day of May, 1958 and theregy conveyed to plaintiff the following lands and tenements situated in the County of Union and Delaware, State of Ohio, being part of V.M.S. 2995 and bounded and described as follows:

Beginning at a T. road westward from the Millcreek Road (Bellepoint Watkins Road) 350 ft. southwest of a cut stone on the county line; thence passing a post on the east side of road N. 84° 25' East 709 ft. to a Post; thence N. 6° 35' W. 556; thence N. 50° 40' W. 340 ft. to the center line of Millcreek Road; thence with the center os said road S. 44° 02' 07' N. 400 ft. S. 33° 40' W. 100 ft.; S. 34° 20' W. 334 ft. S. 25° 00' W. 314 ft. mto the place of beginning. Containing 7.33 acres, more or less of which 1.16 acres are in Delaware County and 6.17 acres are in Union County, more or less. The Survey herein referred to has sometimes heretofore been referred to in old records as Issac Jeffires Survey No. 2995. The above description is a new description complied by C.G. Anderson, Engineer, from Survey made by him Feb. 1953, a plat of such survey is attached to and made a part of the deed recorded in Vol. 245, page 645 Deed Records, Delaware County, Ohio, and is incorporated herein by reference.

Said Mortgage deed was filed with the recorder of Union County, Ohio on the 26th day of May, 1958 at 2:58 o'clock P.M. and thereafter recorded in Union County Mortgage records Volume 163 page 488 and thereafter said mortgage deed was filed for record in the Office of the Recorder of Delaware County, Ohio on the 7th day of June, 1958 at 10:35 o'clock and thereafter recorded in Delaware County Mortgage Records Volum 191 page 165 and upon recording of said mortgage deed said mortgage become a valid lien against the real estate described therein; that a copy of said mortgage deed and the terms thereof is attached hereto marked Exhibit "B" and incorporated by reference in this petition.

The defendants Alva G. Daniels and Mary L. Daniels have failed to pay said promissory note and interest thereon when they became due and said mortgage has become absolute and there is due and upaid thereon the said sum including interest to date of \$2,541.62.

The defendant Ostrander Banking Company claims a interest in said real estate by virtur of a mortgage from Robert L. Budd and Roberta B. Budd recorded in Union County Mortgage Records Volume 145 page 410 and Delaware County Mortgage Records Volum 166 page 513; the defendants Robert L. Budd and Roberta B. Budd conveyed the subject premises to the defendants Alva Daniels and Mary L. Daniels subject to the interest of Ostrander Banking Company; the defendant City Load & Savings Company claims an interst in said real estate by virtue of a mortgage recorded in Union County Mortgage Records Volume 171 at page 442 and the United States of America claims an interest in said real estate by virtue of collectors lien notice number 22645 filed in Union County Recorders Office, record number 157, filed on February 5th, 1958 at 2:18 P.M. for \$175.96, said lien notice having been filed by the Internal Revenue Office in Columbus, Ohio; that Ralph Coleman claims an interest in said real xestate by virtue of a certificate of judgment in Judgment Records Vol. Page.

Wherefore plaintiff prays judgment against the defendants Alva G. Daniels and Mary L. Daniels in the sum of \$2m541.62 with interest from the 26th day of July 1960; that said mortgage deed by foreclosed and the premises sold and the proceeds of said sale be applies toward the payment of the liens on said premises in accordance with their priorities that the various defendants be compelled to set forth their interest in said real estate by answer to this petition and for such other and further orders as may be just and proper.

Sanders & Grigsby  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:-

Joseph B. Grigsby being first duly sworn says he is attorney for Union County Farm Bureau Cooperative Association, Inc., a corporation, and its facts and allegations in the foregoing petition are true as he verily believes.

/s/ Joseph B. Grigsby

Sworn to before me and subscribed in my presence this 26th day of July, 1960.

Sam R. Sanders

#### PRECTPE

TO THE CLERK: Pleas issue summons to the Sheriff of Columbiana County for the Defendant Roberta Budd, 403 West Park Avenue.

To the Sheriff of Stark County summons for Defendant Robert Budd, 230 S. Main St. North Canton, Ohio.

To the Sheriff of Franklin County a summons and one copy of the Petition, to be served upon Hugh K. Martin, United States Attorney Post Office Building Columbus.-

To the Sheriff of Delaware County summons for Defendants, Alva G. Daniels and Mary L. Daniels, R.F.D. Ostrander, Ohio Mail by certified mail two copies of the summons and two copies of the petition to "THE ATTORNEY GENERAL of the

United States Washington 25, D.C. Endorse summons " ACTION TO FORECLOSE MORTGAGE MARSHALL LIENS AND OTHER RELIEF. MAKE SAME RETURNABLE ACCORDING TO LAW.

Sanders & Grigsby  
Attorneys for Plaintiff



SUMMONS

The State of Ohio, Union County  
To the Sheriff of Columbiana County,

You are hereby commanded to notify Roberta Budd, 403 West Park Avenue, Columbiana, Ohio that she has been sued by Union County Farm Bureau Coop Assoc, Inc. Marysville, Ohio in the Court of Common Pleas of said Union County, and must answer by the 27th day of August A.D. 1960 or the petition of said plaintiff will be taken as true, and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 8th day of August 1960  
Witness my hand and the seal of Said Court, this 28th day of July 1960

Helen L. Sullivan  
Clerk  
Filed August 3, 1960

SHERIFF'S RETURN

The State of Ohio Columbiana County,  
Received this writ July 29th 1960 at 9:00 o'clock A.M. And on July 29th 1960, I served the within named Roberta Budd by leaving her at her usual place of residence, a true and certified copy thereof with all the endorsements thereon.

SHERIFF FEES ---Service & Return 1.50  
20 miles traveled 2.00  
Postage .04  
Total --- 3.54

Russell J. Van Fossan  
Sheriff  
By Howard Gray, deputy

SUMMONS

The State of Ohio, Union County  
To the Sheriff of Delaware County,

Your are hereby commanded to notify Alva G. Daniels, and Mary L. Daniels, R.F.D. Ostrander, Ohio that they have been sued by Union County Farm Bureau Coop Assoc, Inc. Marysville, Ohio in the Court of Common Pleas of said Union County, and must answer by the 27th day of August A.D. 1960 or the petition of said plaintiff will be taken as true and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 8th day of August, 1960  
Witness my hand and seal of said Court, this 28th day of July, 1960.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

The State of Ohio, Delaware County,  
Received this writ 29th day of July, 1960 at 10:30 o'clock A.M. And on 30th July 1960, I served the within names alva G. Daniels and Mary L. Daniels by personally handing to each of them a true and certified copy thereof with all the endorsements thereon

Sheriff Fees  
Service and Return 1.50  
Additional names .25  
42 miles 4.20  
Postage .10  
Total 6.05

Harley Wornstaff  
Sheriff  
by Orville Tossey deputy

Filed August 2, 1960

SUMMONS

The State of Ohio, Union County (note: moved 2 years ago)  
To the Sheriff of Stark County

Your are hereby commanded to notify Robert Budd, 230 S. Main St., North Canton, Ohio that he has been sued by Union County Farm Bureau Coop Assoc Inc., Marysville, Ohio in the Court of Common Pleas of said Union County, and must answer by the 27th day of August A.D. 1960 or the petition of said plaintiff will be taken and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 8th day of August 1960  
Witness my hand and the seal of said Court, this 28th day of July 1960

Helen L. Sullivan  
Clerk.  
Files August 3, 1960

SHERIFF'S RETURN

The State of Ohio Stark County  
Received this writ July 29, 1960 at 10:00 A.M. and on----- 19,-----, I served the within names-----  
THIS WRIT RETURNED WITHOUT SERVICE, THE WITHIN NAMED DEFENDANT ROBERT BUDD NOT BEING FOUND IN STARK COUNTY, OHIO.

W.J. Hine, Sheriff  
P.V. Kestel deputy

Sheriff Fees  
Service and Return 1.50  
12 miles 1.20  
Postage .04  
total 2.74

SUMMONS

The State of Ohio, Union County  
To the Sheriff of Franklin County

You are hereby commanded to notify Hugh K. Martin, United States Attorney, Post Office Building Columbus, Ohio that he has been sued by Union County Farm Bureau Coop Assoc., Inc., Marysville, Ohio in the Court of Common Pleas of said Union County, and must answer by the 27th day of August A.D. 1960 or the petition of said plaintiff will be taken as true, and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 8th day of August 1960  
Witness my hand and the seal of said Court, this 28th day of July 1960

Helen L. Sullivan  
Clerk

Sheriff's Return

The State of Ohio Franklin County  
Received this writ July 29, 1960 at 9:09 o'clock A.M. and on July 29 1960 I served the within names Hugh K. Martin, United States Attorney by personally handing to him a true and certified copy thereof with all the endorsements thereon together with a copy of petition by leaving for each of them at their usual place of residence a true and certified copy thereof with all endorsements thereon.

Stacy R. Hall  
Sheriff of Franklin County  
by T. Fagin deputy

Filed August 9, 1960

Sheriff Fees  
Service & Return 2.25  
miles .50  
Postage .04  
TOTAL 2.79



ANSWER & CROSS PETITION OF OSTRANDER BANKING CO.

Filed August 17, 1960

A N S W E R

Now comes defendant Ostrander Banking Company and says it is a corporation duly organized and existing under the law of the State of Ohio with its principal place of business located at Ostrander, Ohio. Further answering this defendant admits the allegations of plaintiff's petition concerning the mortgage given it by Robert L. Budd and Roberta B. Budd and for want of knowledge denies all other allegations of plaintiff's petition.

C R O S S P E T I T I O NFIRST CAUSE OF ACTION:

Plaintiff says that on or about the 6th day of March, 1953 Robert L. Budd and Roberta B. Budd defendants herein executed and delivered to it their promissory note for \$4500.00 a copy of which is attached hereto marked exhibit "A" and made a part of this cross petition; that on said note there is as of the 25th day of July, 1960 due the sum of two thousand five hundred thirteen dollars & 42/100 (2,513.42) including interest.

Wherefore plaintiff prays judgment on said note according to the terms thereof, in the amount of \$2,513.42 with interest at 6% per annum from the 25th day of July, 1960

SECOND CAUSE OF ACTION

This defendant says that in order to secure the promissory note set forth in the first cause of action herein the defendants Robert L. Budd and Roberta B. Budd as husband and wife, on the 6th day of March, 1953 executed and delivered to this defendant their mortgage deed and thereby conveyed to this defendant the following land and tenements situated in the countis of Union and Delaware and State of Ohio, bounded and described as follows:-

Beginning at a T. road westward from the Millcreek Road (Bellepoint Watkins Road) 350 ft. southwest of a cut stone on the county line; thence passing a post on the east side of road N. 84° 25' East 709 ft. to a post; thence N. 6° 35' W. 556; thence N 5° 40' W. 340 ft. to the center line of Millcreek Road; thence with the center of said road S. 44° 07' N 400 ft. S. 33° 40' W. 100 ft.; S. 34° 20' W. 334 ft. S. 25° 00' W. 314 ft. to the place of beginning Containing 7.33 acres, more or less of which 1.16 acres are in Delaware County and 6.17 acres are in Union County, more or less. The Survey herein referred to has sometimes heretofore been referred in old records as Issaw Jefferies Survey No. 2995. The Above description is a new description compiled by C.G. Anderson, Engineer from Survey made by him Feb. 1953, a plat of such survey is attached to and made a part of the deed recorded in Vol. 245, page 645 Deed Records, Delaware County, Ohio, and is incorporated herein by reference.

Said mortgage deed was filed with the Recorder of Delaware County on the 10th day of March 1953 and thereafter recorded in Delaware County Mortgage Records Volume 166 page 513 and said mortgage deed was filed with the Recorder of Union County on the 7th day of April, 1953 and thereafter recorded in Union County Mortgage Records Volume 145 page 410 and upon the recording of said mortgages in th respective counties, said mortgage became the first and bestlien on said real estate.

One of the conditions of said mortgage deed provides that if said defendants shall pay said promissory note with the interest thereon when the same becomes due then said mortgage deed should be void otherwise to be and remain in full force and effect.

The defendant Robert L. Budd conveyed his interest to Roberta B. Budd and Roberta B. Budd has conveyed her interest in said real estate to the defendant Alva G. Daniels and Mary L. Daniels, subject to the mortgage lien of this defendant and the defendants Robert L. Budd, Roberta B. Budd, Alva G. Daniels and Mary L. Daniels have failed to pay the promissory note and the interest thereon when they became due and said mortgage deed has become absolute and there is due and unpaid thereon the sum of \$2,513.42 with interest at the rate of 6% per annum from the 25th day of July 1960.

Wherefore Ostrander Bankind Company asks defendants right of redemption be foreclosed and joins in the prayer of plaintiff and asks that the liens on said real estate be marchalled, that said real estate be sold and the proceeds thereof be applied toward the payment of the liens on said premises in accordance with their priority, and that in determining the priority of liens a judgment be awarded this defendant for the amount of prayed for to wit \$2,513.42 with 6% interest from the 25th day of July, 1960 and that said mortgage lien be adjudged the first and best lien on the premises, and for such other and further orders and relief as may be just and proper in the premises.

Sanders & Grigsby

Attorneys for Ostrander Banking Company

STATE OF OHIO Union County, SS:-

Joseph B. Grigsby being first duly sworn says he is an Attorney for the Ostrander Banking Company, a corporation, and the facts and allegations in the forgoing answer and cross petition are true as he verily believes.

/s/ Joe B. Grigsby

Sworn to before me and subscribed in my presence this 30th day of July 1960.

Gwynn SandersPRECIPE

To the Sheriff of Columbiana County for the Defendant Roberta B. Budd 403, West Park Avenue, Columbiana, Ohio  
To the Sheriff of Stark County for Defendant Robert Budd 203 S. Main Street, North Canton, Ohio  
To the Sheriff of Delaware County for the Defendants Alva G. Daniels and Mary L. Daniels R.F.D. Ostrander, Ohio  
To the Sheriff of Frankling County be Served upon Hugh K. Martin, United States Attorney, Post Office Building Columbus, A Summons and one copy of the Petition and Mail be Certified mail to teh Attorney General of the United States Washington 25, D.C. Two Copies of the Summons and Two Copies of the Petition.

Endorse Summons "CROSS PETITION BY OSTRANDER BANKING COMPANY, FOR JUDGMENT AND FORECLOSURE OF MORTGAGE. AMOUNT CLAIMES \$2 ,537.88 WITH INTEREST, FOR MARCHALLING LIENS AND OTHER RELIEF. MAKE SAME RETURNABLE ACCORDING TO LAW.

Sanders & Grigsby

Attorneys for Ostrander Banking Co.

WAIVER

The Ostrander Banking Company by Joseph B. Grigsby its Attorney hereby waives service of summons on the petition of Union County Farm Bureau Cooperative Association, One which by ist attorney waives service of summons on the cross peition of 'Ostrander Banking Company

Joseph B. GrigsbyAttorney for Ostrander Banking Co.  
and Attorney for Union County Farm  
Burear Coop Assoc., Inc.SUMMONS ON ANSWER AND CROSS-PETITION

The State of Ohio, Union County

To the Sheriff of Delaware County, Greeting:

You are commanded to notify Alva G. Daniels and Mary L. Daniels, R.F.D. Ostrander, Ohio That the Ostrander Banking Co. has filed an answer and cross-petition in the case of Union County Farm Bureau Coop Assoc., Inc. Plaintiff --vs-- Alva G. Daniels, et al in the Common Pleas Court of Union County, and that unless they answer by the 17th day of September A.D. 1960 the answer and cross petition of the said The Ostrander Banking Co. against them filed in the Clerk's office of said Court, such answer and cross petition will be taken as true and judgment rendered accordingly.

Said Sheriff will make the due return of this summons on the 29th day of August 1960

Witness my hand and seal of said Court, this 18th day of August, 1960

Helen L. Sullivan  
Clerk.

Filed August 23, 1960

SHERIFF'S RETURN

The State of Ohio, Delaware County

Received this writ 29th August, 1960 at 10:15 o'clock A.M. and on 21st August 1960 I served the within named Alva Daniels and Mary L. Daniels by personally handing to each of them a true and certified copy therof with all the endorsements thereon.

Harley Wornstaff Sheriff  
by Eugene Jackson-deputy



Sheriff Fees  
Service & Return 1.50  
Additional names .25  
24 miles 2.40  
Postage .10  
Total 4.25

SUMMONS ON ANSWER AND CROSS -PETITION

The State of Ohio, Union County,  
To the Sheriff of Stark County, Greeting:

You are commanded to notify Robert Budd 203 S. Main St., or 230 S. Main St., North Canton, Ohio that The Ostrander Banking Co. has filed an answer and cross petition in the case of Union County Farm Bureau Coop Assoc., Inc. Plaintiff ---vs--- Alva G. Daniels, et al in the Common Pleas Court of Union County, and that unless he answer by the 17th day of September A.D. 1960 the answer and cross petition of the said The Ostrander Banking Co. ad against him filed in the Clerk's office of said Court, such answer and cross petition will be taken as true and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 29th day of August 1960

Witness my hand and seal of said Court, this 18th day of August 1960

Helen L. Sullivan  
Clerk  
Filed August 24, 1960

SHERIFF'S RETURN

The State of Ohio, Stark County

Received this writ August 20, 1960 at 10 o'clock A.M. and on-----19----- I served the within named This Writ Returned Without Service, the Within Named Defendant Robert Budd Not Being Found in Stark County, Ohio

W.J. Hine Sheriff  
by P V Kestel deputy

Sheriff Fees  
Service & Return 1.50  
12 miles 1.60  
Postage .24  
Total 3.14

SUMMONS ON ANSWER AND CROSS-PETITION

The State of Ohio Union County  
To the Sheriff of Franklin County, Greeting

You are commanded to notify Hugh K. Martin, United States Attorney, Post Office Building, Columbus, Ohio That The Ostrander Banking Co. has filed an answer and cross-petition in the case of Union County Farm Bureau Coop Assoc., Inc., Plaintiff --- va--- Alva G. Daniels, et al in the Common Pleas Court of Union County, and that unless he answer by the 17th day of September A.N. 1960 the answer and cross petition of the said The Ostrander Baking Co. against him filed in the Clerk's office of said Court, such answer and cross-petition will be taken as true and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 29th day of August 1960

Witness my hand and seal of said Court, this 18th day of August 1960

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

The State of Ohio Franklin County

Received this writ August 20, 1960 at 9:02 o'clock A.M. and on August 22 1960 I served the within named Hugh Martin, U.S. Attorney by personally handing to him a true and certified copy thereof with all the endorsements thereon together with petition.

Filed August 25 1960

Stacy R. Hall, Sheriff  
T. Eagin, deputy

Sheriff Fees  
Service & Return 2.25  
miles .50  
Postage .04  
TOTAL 2.79

ANSWER

Now comes the defendant, Roberta Budd and by way of answer to plaintiff's petition herein, danies each and every, all and sigular, the allegations contained in said petition.

Wherefore, said defendant prays that said petition be dismissed as to this defendant at plaintiffs cost.

Franklin R. Wright  
Attorney for Defendant Roberta Budd

STATE OF OHIO :  
Delaware County : SS:  
:

Roberta Budd, being first duly sworn sayd that she is one of the defendants in the above styled action and that the statements made in the foregoing answer are true as she verily believes

Sworn to before me and signed in my presence this 26th day of August 1960.

/s/Roberta B. Budd  
Franklin R. Wright.

CC: Sanders and Grigsby, Attorneys for Plaintiff

ANSWER OF ROBERTA BUDD TO CROSS PETITION OF OSTRANDER BANKING CO. Filed August 27, 1960

Now comes the defendant Roberta Budd and by way of answer to the Cross Petition of the defendant, Ostrander Banking Co., says that she admits the corporate status of the Ostrander Banking Co., and further admits that she together with Robert L. Budd executed and deliveted, a note and mortgage to said Ostrander Banking Co., as in the Cross Petition alleged, and that said mortgage was recorded as stated by said defendant.

Answering further, the defendant, Roberta Budd admits that defendant Robert L. Budd conveyed his interest in the real estate in the corss petition described to her and that she in turn conveyed her interest in same to the Defendant Alva G. Daniels and Mary L. Daniels subject to said mortgage and on condition that the said Alva G. Daniels and Mary L. Daniels assum and pay the same.

Further answering, defendant Roberta Budd states that the Ostrander Banking Company at the time of said transfer to Alva G. Daniels and Mary L. Daniels, consented to the same, accepted a note from said Alva G. Daniels and Mary L. Daniels for the balance of \$2,975.00 due and payable on said mortgage, more or less and thereby substituted the said Alva G. Daniels and Mary L. Daniels as obligors on said mortgage and for the balance on said note of Robert L. Budd and Roberta B. Budd, in place of the said Robert L. Budd and Roberta B. Budd, thereafter accepting payments on same from the said Alva G. Daniels and Mary L. Daniels.

Answering further, the defendant Roberta Budd denies each and every all and singular the allegations contained in the said cross petition not otherwise specifically admitted herein to be true.

WHEREFORE, defendant Roberta Budd, prays that said cross petition be dismissed as to her at the cost of said defendant, the Osrtrander Banking Company., and for such other and further relied to which she may be entitled.

Franklin R. Wright  
Attorney for Defendant, Roberta Budd



STATE OF OHIO :  
DELAWARE COUNTY : SS:

Roberta Budd, being first duly sworn, deposes and says that she is one of the defendants in the above styled action and in the cross petition filed herein by the defendant, Ostrander Banking Co., and that the statements made and allegations contained in the foregoing answer to said cross petition are true as she verily believes.

Sworn to before me and signed in my presence this 20th day of August 1960.  
/s/Roberta B. Budd  
Franklin R. Wright.

CC: Sanders and Grigsby, Attorneys for Defendant, Ostrander Banking Co.

ANSWER AND CROSS PETITION ON THE CITY LOAN AND SAVINGS COMPANY  
ANSWER  
Filed August 27, 1960

Now comes the City Loan and Savings Company, one of the defendants herein, and for its answer to the Petition of the plaintiff admits that it has an interest in the property described in the plaintiff's Petition by way of a mortgage given to it by the defendants Alva G. Daniels and Mary L. Daniels, the exact nature and extent of which will be set forth morefully in its Cross Petition to which reference is hereby made.

Further answering, this defendant says that for want of knowledge of the allegations of the plaintiff's Petition nor admitted, it denies each and every all and singular, the other allegations contained in plaintiff's Petition.

CROSS PETITION

For its Cross Petition, The City Loan and Savings Company readsops and realleges all of the allegations set forth in the Answer as if fully rewritten herein, and says further that on or about the 30 day of June 1960, Alva G. Daniels and Mary L. Daniels, executed and delivered to this Cross Petitioning defendant their certain promissory note in the principal amount of Eight Hundred and 00/100 Dollars (\$800.00) a copy ofwhich is attached hwerto, marked "Exhibit A", and made a part of this Cross Petition as if fully rewritten herein.

This cross petitioning defendant says further that in order to secure the payment of the prmissory note heretofore described the said Alva G. Daniels and Mary L. Daniels, executed and delivered to the defendant their mortgage deed and thereby conveyed to the defendant the lands and tenements situated in the Counties of Union and Delaware, Stateof Ohio, as in the plaintiff's Petition described.

This cross petitioning defendant says further that the said mortgage deed was filed with the Recorder of Delaware County, Ohio, on the 12th day of July, 1960, and was recorded in the Mortgage Records of Said County in Volume 202 Page 123, and was filed with the Recorder of Union County, Ohio, on the 14th day of July 1960, and thereafter recorded in the Mortgage Records of Union County, Ohio, in Volume 171 at Page 242.

This cross petitioning defendant says further that upon the recording of the said mortgage in the respective counties it became a lien on the real estate in the plaintiff's Petition described.

This cross petitioning defendant says further that the mortgage deed provided that if the defendants Alva G. Daniels and Mary L. Daniels should pay the said promissory note with interest thereon as called for therein according to the terms and innor thereof that then the said mortgage deed would become void, but that otherwise it would remain in full force and effect.

This cross petitioning defendant says further that the said Alva G. Daniels and Mary L. Daniels have failed to pay the said promissory note and interest thereon according to the terms thereof and therefore, the said mortgage deed has become absolute and there is due and unpaid thereon the sum of Eight Hundred and 00/100 Dollars (\$800.00) with interest at the rate of eight percent (8%) per annum on that portion of the principal balance bearing interest according to the said note from the 30th day of June 1960.

WHEREFORE The City Loan and Savings Company asks that defendants reight of exemption be foreclosed and join of in the prayer of the plaintiff and the Cross Petitioning defendant Ostrander Banking Copany, and asks that the liens on the real estate be marshalled and that the real estate be sold and tha the proceeds received therefrom be applied toward the payment of the liens on the premises according to their priorities and for all other relief to which it may be entitled in law or in equity.

Meredith, Meredith, & Trait  
Lima, Ohio

STATE OF OHIO, :  
COUNTY OF ALLEN : 1/4 SS:

Harold J. Meredith, being first duly sworn, says that he is President of The City Loan and Savings Company and same is a corporation and that the facts stated and allegations contained in the foregoing Answer and Cross Petition are true as he verily believes.

Sworn to before me and subscribed in my presents this 23rd day of August 1960.  
Harold J. Meredith  
Helen C. Becker

SUMMONS ON ANSWER AND CROSS-PETITION  
The State of Ohio, Union County

To the Sheriff of Columbiana County, Greeting

You are commanded to notify Roberta B. Budd, 403 West Park Avenue, Columbiana, Ohio that The Ostrander Banking Co., has filed an answer and cross-petition in the case of Union County Farm Bureau Coop Assoc., Inc. Plaintiff ----vs---- Alva G. Daniels R.F.D. Ostrander, Ohio, et al Defendants in the Common Pleas Court of Union County, and that unless she answer by the 17th day of September A.D. 1960 the answer and cross petition of the said Ostrander Banking Company against her filed in the clerk's office of said Court, such answer and cross-petition will be taken as true and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 29th day of August 1960  
Witness my hand and seal of Said Court on this 18th day of August 1960

Helen L. Sullivan  
Clerk  
Filed August 30, 1960

SHERIFF'S RETURN

The State of Ohio Columbiana County

Received this writ August 20th 1960 at 9:00 o'clock A.M.

I was unalbe to locate the within named Roberta B. Budd in my County

Sheriff Fees  
Service & Return 1.50  
20 miles 2.00  
Postage .04  
Total 3.50

Russell J. Van Fossan  
Sheriff  
Howard R. Gray  
deputy

Subject has moved from this address, but works at the E.W. Bliss Co., in Salem, Ohio but at the present is on vacation. If you will issue an Alias sometime after Sept. 5th we will make service on her at work.

ANSWER OF THE UNITED STATES OF AMERICA

Filed September 21, 1960

Now comes the United Statesof America and requests the Court to dismiss it as a party to this action for the reason that the tax claim set out in plaintiff's petition has been paid and the United States is no longer an interested party.

WHEREFORE, the United States of America prays that it may be dismissed as a party defendant to this wuit.

Hugh K. Martin  
United States Attorney  
Thomas S. Schattenfield

THE UNITED STATES OF AMERICA  
SOUTHERN DISTRICT OF OHIO



Thomas S. Schattenfield, being first duly sworn, says that he is a duly appointed, qualified and acting Assistant United States Attorney for the Southern District of Ohio and is authorized to act in the premises; that he has read the foregoing Answer of the United States of America and the facts stated therein are true to the best of his knowledge and belief.

Thomas S. Schattenfield  
Assistant United States Attorney

Sworn to before me and subscribed in my presence this 20th day of September 1960.

Mary W. Goff

REPLY

Filed September 24, 1960

The Ostrander Banking Company fore reply to the answer of Roberta Budd denies each and every allegation contained with therein inconsistent with the allegations of the petition and specifically denies the obligation of defendant Roberta Budd was nullified, substituted or exchanged by any promissory note from defendants Alva and/or Mary L. Daniels.

WHEREFORE plaintiff prays for judgment and relief sought in the petition be granted.

Sanders & Grigsby  
Attorneys for Plaintiff

STATE OF OHIO UNION COUNTY -- SS

Joseph B. Grigsby being first duly sworn says he is attorney for Plaintiff and that the facts stated herein are true as he verily believes.

Sworn to before me and subscribed in my presence this 22nd day of September 1960.

Joseph B. Grigsby  
of September 1960.

Louise A. Miller

Filed November 26, 1960

ANSWER

Now comes the Defendant, Ralph Coleman, and for his answer states that he recovered judgment against the Defendant, Alva G. Daniels in Case Number 17974, Common Pleas Court, Union County, Ohio for \$392.90 plus costs of \$27.08 with interest from February 2, 1955. The Sheriff of Union County, Ohio levied said judgment upon the property described in the Petition on January 2, 1958. The Sheriff of Delaware County levied said judgment upon the property described in the Petition on March 3, 1958.

This Defendant further says that there is due him, including interest to December 2, 1960 the sum of \$566.97.

Wherefore, this Defendant asks that his priority be determined by the Court and that he be paid the sum of \$566.97 plus interest at the rate of \$.07¢ per day from December 2, 1960.

William L. Coleman  
Attorney for Defendant, Ralph Coleman

STATE OF OHIO COUNTY OF UNION SS

William L. Coleman, being first duly sworn, says that he is the Attorney for Ralph Coleman, a resident of the State of Kansas, and that the facts stated and allegations contained in the above answer are true as he verily believes.

Sworn to before me and subscribed in my presence this-----day of November 1960

William L. Coleman  
of November 1960

Marlene A. Coder

JOURNAL ENTRY

Filed January 28, 1961

This cause coming on to be heard upon the petition of the plaintiff, the answer and cross petition of the Ostrander Banking Co., the answers and cross petition of defendant Roberta B. Budd, the answer and cross petition of the City Loan and Savings Co., and the answer of the defendant Ralph Coleman, the court finds all parties up before the court with the exception of Robert Budd; the court further finds Robert and Roberta Budd are proper parties to the proceeding but are not necessary parties and on motion of cross petitioner Ostrander Banking Co., are hereby dismissed as parties defendant.

The court further finds there is due Ostrander Banking Co., on its mortgage lien the sum of \$2,587.82 as of the 25th day of January, 1961; that there is due Union County Farm Bureau Cooperative Associations as of January 25, 1961 the sum of \$2,615.85 and there is due City Loan and Savings Co. as of January 25, 1961, the sum of \$836.46 and there is due Ralph Coleman on his judgment as of the 25th day of January, 1961 the sum of \$567.39.

The court further finds that in order to secure the promissory note given by the defendant Alva G. Daniels and Mary L. Daniels to plaintiff Union County Farm Bureau Cooperative Association, Inc. said defendants mortgaged the real estate as set forth and alleged in plaintiff's petition which mortgage was thereafter duly filed in Union and Delaware Counties and became first lien on said real estates subject only to taxes and a lien of Ostrander Bankin Co.,; that the lien of the Ostrander Bankin Co., securing payment of the indebtedness as alleged in its answer and cross petition is the first lien on said premises subject only to taxes; that the lien of defendant Ralph Coleman is third in order of priority and the lien of City Loan and Savings Co. fourth in priority; that by the answer of the United States of America said United States of America has no lien on the premises.

It is therefore judged and decreed that unless the defendant Alva G. Daniels and Mary L. Daniels pay or cause to be paid the cost of this case and the aforesaid liens in full on or before the 30th day of January 1961, the equity of redemption of said defendants in said premises shall be foreclosed and said premises sold and that an order of the sale shall be issued to the Sheriff of Union County directing him to appraise, advertise and sell said premises according to law and the orders of the court and report his proceedings to this court.

Gwynn Sanders  
Common Pleas Judge

APPROVED BY:

Grigsby & Parrott

Attorneys for Plaintiff

Grigsby & Parrott

Attorneys for Ostrander Banking Co.

William L. Coleman

Attorneys for Ralph Coleman

William L. Coleman

Attorney for City Loan & Savings Co.

PRECIPE

Union County Farm Bureau

Plaintiff

-vs-

Alva G. Daniels

Defendant

To the Clerk Issue Order of Sale To Union County Sheriff

/s/ Joseph Grigsby  
attorney for plaintiff

Dated February 28, 1961

LAND APPRAISEMENT

Union County Farm Bureau Coop, Inc.

-vs-

Alva G. Daniels and Mary L. Daniels

Union County, Ohio

WHEREAS, the Sheriff of said County, having in his hands an Order of Sale, issued from the Court of Common Pleas of said County, on the 28th day of January A.D. 1961, in a decree in favor of Union County Farm Bureau Coop., Inc. and against Alva G. Daniels and Mary L. Daniels commanding said Sheriff to cause to be appraised, advertised and sold, the following described lands and tenements situate in Dover Township, County of Union and Delaware and State of Ohio, to-wit:

Filed March 7, 1961



Union County and Delaware County to wit: Beginning at a T. road westward from the Millcreek Road (Bellepoint) Watkins Road-350 ft. wouthwest of a cut stone on the county line; thence passing a post on the east side of road N. 84 deg. 25' East 709 ft. to apost; thence N. 5 deg. 40' W. 340 ft. to the center line of Millcreek Road; thence with the canter of said road S. 44 deg. 07' N 400 ft. S. 33 deg. 40' W. 100 ft.; S. 34 deg 20 ft. W.344 ft. S. 25 deg. 00' W. 314 ft. to the place of beginning. Containing 7.33 acres, more or less of which 1.16 acres are in Delaware County and 6.17 acres are in Union County, more or less. The Survey herein referred to has sometimes heretofore been referred to in old records as Issac Jeffiers Survey No. 2995. The above description is a new description compiled by C.G. Anderson, Engineer, from Survey made by him Feb. 1953 a plat of such survey is attached to and made a part of the deed recorded in Vol. 245, page 645 Deed Records, Delaware County, Ohio, and is incorporated herein by reference.

To make the aforesaid sum and the total of the liens on said real estate as determined in the Journal Entry of January 28, 1961 and costs and interest did summon us Carl Blumenschein, Lee Roy Wuertz and Van Thompson three disinterested freeholders, residing within said County of Union and administered to us an oath impartially to appraise said lands and tenements upon actual view thereof.

Now We, after actual view of said premises, and forthwith after such view, do find and estimate the real value in money of said premises to be as follows, viz:

\$6000.00 ---Six Thousand Dollars-----no/100

In Testimony Whereof, We hereunto set our hands this 6th day of March 1961

Edward Amrine----Sheriff  
by Martha Rogers---deputy  
The State of Ohio, Union County.

/s/ Carl Blumenschein  
/s/ Lee Roy Wuertz  
/s/ Van Thompson

I hereby certify that I called an inquest of Carl Blumenschein, Lee Roy Wuertz, and Van Thompson three disinterested freeholders, residents of Union County, Ohio and administered to them an oath impartially to appraise the within described property upon actual view.

Dated this 6th day of March 1961

Edward Amrine  
Union County Sheriff  
by Martha Rogers deputy

Filed April 10, 1961

#### ORDER OF SALE

The State of Ohio Union County  
To the Sheriff of Said County

WHEREAS, at a term of the Common Pleas Court, held at the Court House in and for said County, on the 28th day of January A.D. 1961 Union County Farm Bureau Coop. Assoc., Inc. obtained a judgment and decree against Alva G. Daniels and Mary L. Daniels, for the sum of Two Thousand Six Hundred Fifteen and 85/100 (\$2615.85) Dollars, -----dollars costs of suit in Case No. 18680.

And WHEREAS, it was then and there by said Court ordered, adjudged and decreed that the said Alva G. Daniels and Mary L. Daniels within 2 days from the 28th day of January 1961 pay unto the said Union County Farm Bureau Coop. Assoc., Inc. the said sum of Two Thousand Six Hundred Fifteen and 85/100 (\$2615.85) Dollars with interest at 6 per cent from the 28th day of January 1961 and costs aforesaid; and upon default to pay the same, that an order of sale issue to the Sheriff of said County, commanding him to proceed according to the statutes regulating judgments and executions at law, to sell the real estate described in the plaintiff's petition etx.

And WHEREAS the redemption days aforesaid have fully expired and the said judgments and costs aforesaid have not been paid, or any part thereof as appears to us of record;

We Therefore Command You that you proceed without delay to appraise advertise and sell, according to the statutes regulating judgments and executions at law, the following described lands and tenements, situate in Union County, Ohio, to-wit: County and Delaware County, Ohio, to wit:

Same as in Petition -----

To make the afore said sum and the total of the lien on said real estate as determined in the Journal Entry of January 28, 1961 and costs and interest, and that you also pay the costs of this writ, and all increase and accruing costs; and the residue, if any there be, you bring into this court to abide the further order of the Court, and that you make return of your proceedings to our said Court within sixth days from this date, and have you then and there this writ.

Witness my signature as Clerk of our said Court of Common Pleas and the seal of said Court at Marysville, Ohio, this 28th day of March-February, 1961

Helen L. Sullivan  
Clerk.

#### SHERIFF'S RETURN

The State of Ohio, Union County

I received this order of Sale on the 28th day of February 1961 at 4:00 o'clock P.M. and in obedience to its command I did, on the 6th day of March 1961, summon Carl Blumenschein and Lee Roy Wuertz and Van Thompson three disinterested free-holders, residents of said County, who were by me duly sworn to impartially appraise the lands and tenements herein described upon actual view; and afterward, on the 6th day of March 1961 said appraisers returned to me, under their hands, that they did upon actual view of the premises, estimate and appraise the real value of in money of the same at Six Thousand -----no/100 Dollars/ A certified copy of said appraisal I forthwith deposited in the office of the Clerk of the Court of Common Pleas of said County. And on the 9th day of March 1961 I caused to be advertised in the Journal-Tribune (a newspaper printed and published and of general circulation in Union County) said lands and tenements to be sold at public sale at the north door of the Court House of said County on the 8th day of April 1961 at 11 o'clock A.M. of said day. And having advertisees the said lands and tenements for more than thirty days previous to the day of sale, to-wit: five consecutive weeks, on the same day of the week, and in pursuance of said notice I did on said 8th day of April 1961 at the time and place above mentioned, proceed in offer said lands and tenements at public sale, at the north door of the Court House and then and there came Ted Tobbe, Manager of the Union County Farm Bureau Co-op Assn, Inc. Marysville, Ohio, Union County who bid for the same the sum of \$5700.00 Dollars and said sum being over two thirds of the appraised value thereof, and said Union County Farm Bureau Coop Assn. Inc. being the highest and best bidder therefor, I then and there publicly sold and struck off said lands and tenements to them for said sum of \$5700.00 Fifty Seven Hundred and no/100-----Dollars.

Edward Amrine  
Union County Sheriff  
by Martha Rogers deputy

#### PRELIMINARY CERTIFICATE

The undersigned being the attorney designated to certify the title to the real estate subject to this action, to-wit:

Same as in Petition-----

hereby certifies that title to said real estate is vested in the name of Alva Daniels and Mary L. Daniels and that said title is a good and merchantable title free and clear from all incumbrances, Except.:

1. Mortgage to Union County Farm Bureau, recorded in Vol. 163, page 488.
2. Mortgage to Ostrander Banking Co., recorded in Vol. 145, page 410
3. Mortgage to the City Loan & Savings Co. recorded in Vol. 171, page 442
4. Tax lien of United States #22645 Union County Recorder's office.
5. Ralph Coleman judgment Common Pleas Court, Union County, Ohio No. 17975
6. Union County Taxes \$11.01; Delaware County Taxes \$302.98

C.A. Hoopes  
Attorney

Filed April 10, 1961



STATE OF OHIO  
VILLAGE OF MARYSVILLE }  
UNION COUNTY } SS:

Personally appeared before me Marie M. Strauss and made solemn oath, that the Sheriff's Sale a copy of which is hereto attached, was published for 5 consecutive weeks on and next after March 9, 1961 in The Marysville Evening Journal-Tribune a newspaper of general circulation in the Village of Marysville and Union County.

/s/ Marie M. Strauss

Sworn to before me and signed in my presence this 6 day of April A.D. 1961.

W.E. Behrens

JOURNAL ENTRY

Filed May 12, 1961

This cause coming on further to be heard on the return of the Sheriff of the sale of the real estate order here in, and the court being satisfied that said sale was, in all respects, made in conformity to law and the orders of the court, the same is hereby confirmed and approved and the Sheriff is ordered to execute and deliver a good and sufficient deed to plaintiff, Union County Farm Bureau Coop Assn., Inc., Marysville, Ohio, for the real estate, the subject of this act and a writ of possession is ordered to place the purchaser in possession of said real estate;

It is further ordered that the Sheriff distribute the proceeds of said sale in the following amounts according to the order of priority as listed;

1. To the Clerk of this court the costs of this action, in the sum of-----\$ 243.80
2. To Union County Treasurer, taxes in the sum of----- 11.01
3. To the Delaware County Treasurer, taxes in the sum of 302.98
4. To the holder of the first mortgage in lien on said real estate, Ostrander Banking Co., in satisfaction of mortgage lien, in the sum of----- 2541.26
5. To William L. Coleman, attorney for Ralph Coleman on his judgment lien, payment in full in the sum of----- 574.39
6. That the balance of the proceeds in the sum of----- 2129.56  
to be applied on the mortgage lien of Union County Farm Bureau Coop Assn., Inc.  
leaving a balance due on their judgment in the sum of 572.03  
for which a deficiency judgment is awarded.

It is further ordered that the clerk of this court enter so much of this journal entry as is necessary in the office of the recorder of Union County to affect cancellation of record of the mortgage lien of Union County Farm Bureau Coop Assn., Inc. recorded in mortgage Records Vol. 163, pag e488, mortgage of Ostrander Banking Company recorded in Union County Mortgage Records vol. 145, page 410, mortgage of City Loan and Savings Co., recorded in Union County Mortgage Records Vol. 171, page 442 and that said mortgage liens be cancelled in Delaware County, Union County Farm Bureau Coop Assn., Inc., mortgage recorded in Delaware County mortgage Records Vol. 191, page 165, the Ostrander Banking CO., mortgage recorded in Delaware County Mortgage Records Vo. 166, page 513, City Loan and Savings Co., mortgage recorded in Delaware County Mortgage Records Vo. 202, page 123; it is further ordered that the clerk costs be noted on the records in the Union County Recorders office of tax lien of United States 22645, that said lien is cancelled by reason of the answer of said United States of America filed in this action which said United States of America releases any interest in the real estate subject to this action; it is further ordered the Clerk of this court enter satisfaction in full on Certificate of Judgment of Ralph Coleman, Union County Certificate of Judgment Vol. 2, page-----

APPROVED BY:

Grigsb & Parrott  
Attorneys for Plaintiff

William L. Coleman  
Attorney for Ralph Coleman

Grigsby & Parrott  
Attorney for Ostrander Banking Co.

William L. Coleman  
Attorney for City Loan and Sav. Co.

Gwynn Sanders  
Judge

WRIT OF POSSESSION -- FOR PURCHASER

Filed May 15, 1961

The State of Ohio, Union County  
To the Sheriff of said County:

You are hereby commanded that without delay you cause Union County Farm Bureau Coop, Assn., Inc. the purchaser of the real estate hereinafter described under the order of sale issued in the case of Union County Farm Bureau Coop Assn., Inc. vs Alva G. Daniels, etal No. 18680 to have full and peaceable possession of said real estate described as follows: Situate in the County of Union and Delaware, and State of Ohio, to-wit:

Same as in Petition-----

as against the said Defendants in said action or those who may have come into possession of said real estate under said Defendants. You will make report of your proceedings herein to our said Court of Common Pleas within sixty days from the date hereof, and have you then and there this Writ.

Witness my signature and the seal of said Court. this day 13th of May 1961

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

Sheriff's Office Union County, Ohio

Received this writ May 12th 1961 at 3:50 o'clock P.M. and pursuant to its command, I did on the 12th day of May 1961 cause the said Union County Farm Bureau Asso., Inc. to have full and peaceable possession of the within described premises

Edward Amrine  
Union County Sheriff  
by Martha Rogers deputy

Sheriff Fees

Service & Return 5.00  
Mileage 1.80  
Docket .10  
Total 6.90

*continued in this record to pages 141 & 142*

PETITION ANSWER AND ENTRY AS TO COGNOVIT NOTE

McAuliffe Bros., Inc.  
South Main Street  
Marysville, Ohio

Plaintiff

-vs-

Robert E. Fogle and Carole M. Fogle  
Route #3  
Marysville, Ohio

Defendant

The plaintiff says that it is a corporation duly organized and existing under the laws of the State of Ohio with its principal place of business at 111 South Main Street, Marysville, Ohio.

The Defendants on the 22nd day of February, 1960 executed and delivered to McAuliffe Bros. their promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, with all the endorsements

Case No. 1855 (18755)  
Filed November 25, 1960  
Recorded May 23, 1961



thereon are hereto attached, marked "Exhibit A" and made a part of this petition.

Said note is unpaid, except as shown by and said endorsements, and there is now sue the plaintiff on said note the sum of Five Hundred Fourteen---dollars, and ----no---cents with interest at the rate of 6 per cent, per annum, from the 8th day of September, 1960

Wherefore, plaintiff prays judgement againts said defendants for the sum of Five Hundred Fourteen dollars, and no cents with interest thereon from the 8th day of September 1960 at the rate of 6per cent per annum till paid, and for costs of suit.

Sanders and Grigsby  
Attorney for Plaintiff

THE STATE OF OHIO, UNION COUNTY SS:

Richard E. Parrott being duly sworn, says that he is the attorney of said plaintiff that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writing is in his possession and that he verily believes the statements contained in the foregoing petition are true, in substance and in fact.

Richard E. Parrott  
Nancy Rider  
Sworn to by said Richard E. Parrott before me and by him signed in my presence this 22nd day of November 1960

ANSWER OF DEFENDANT  
COURT OF COMMON PLEAS, UNION COUNTY, OHIO

Filed November 25,1960

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I, an attorney at law in the several courts of record of this state, do hereby enter an appearance for said defendants in this suit and waive the issuing and service of process therein, and confess a judgment in favor of said plaintiff---- against said defendant on said note for the sum of Five Hundred Twenty-Three dollars and sixty eight cents, being the amount appearing due for principal and interest on said note, and alos for costs of suit,taxed and to be taxed; and I do hereby release and waive all exceptions, errors, and right of appeal of the premises.

Luther L. Liggett  
Attorney for Defendant

JUDGMENT ENTRY  
\$523.68

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

It is therefore considered that said plaintiff recover from said defendant the sum of Five Hundred Twenty Three dollars and sixty eight cents being the amount of said note and unpaid intzeest due thereon from the 8th day of September 1960 to date of judgement; and also recover its costs herein expended, taxed at \$---- and interest on said judgment at 6 per cent per annum from said date of judgment until paid.

Richard Finefrock  
Judge  
Filed November 25,1960

Precipe  
TO THE CLERK OF COURTS:

Please issue execution to the Sheriff of Union County, Ohio, to realize from the personal property of defendants, judgment and costs in this action.

Sanders & Grigsby  
Attorneys for Plaintiff

EXECUTION  
The State of Ohio Union County  
To the Sheriff of said County

Filed January 4,1961

You are hereby commanded, That of the goods and chattels in your county of Robert E. Fogle and Carole M. Fogle Marysville, Ohio R#3 you cause to be made the sum of Five Hundred Twenty Three & 68/100 dollars debt, costs of suit which by the judgment of said Common Pleas Court at the September Term thereof, 1960 McAuliffe Bros., Inc. recovered against the said Robert E. Fogle and Carole M. Fogle with it interest thereon at the rate of 6 per cent per annum from the 25th day of November 1960 until paid; and alos the costs of increase on said judgment and the accruing costs hereon and for want of goods and chaattels that you cause the lands and tenements in your County, of the said Robert E. Fogle a and Carole M. Fogle to be sold for cash, and make due return of this wirt in sixty days.

Witness my a hand and the seal of said Court this 25th day of November 1960

Helen L.Sullivan  
Clerk

SHERIFF'S RETURN  
Sheriff's Office Union County, Ohio

January 3rd, 1961

Received this writ on the 25th day of November 1960 at 1:55 o'clock P.M. and pursuant to tis command I did, on the 17th day of December 1960 at 4:30 o'clock P.M. levy upon One General Electric Washer and One General Electric Dryer and after advertising in the local journal tribune paper, Union County, a newspaper printed and published and general cirulation in Union County, I sold the within named chattels, at the North Door of the Court House at 11:00 A.M. December 31st, 1960.

No bidders on the dryer (retained by the plaintiff) washer a sold to Lyle Cross for the sum of \$150.00 paid to the Sheriff's office by cash December 31st 1960.

Edward Amrine  
Union County Sheriff  
Martha Rogers  
deputy

STATE OF OHIO , VILLAGE OF MARYSVILLE UNION COUNTY SS:

Filed January 14,1961

Personally appeared before me Marie M. Strauss and made solemn oath, that the Sheriff's Sale a copy of which is hereto attached, was published for 2 consecutive weeks on and next after December 21,1960 in the Marysville Evening Journal Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

/s/Marie M. Strauss

Sworn to before me and signed in my presence this 30 day of December A.D. 1960

W. E. Behrens

JOURNAL ENTRY

Filed May 12,1961

On the motion of the plaintiff, and on their producing the return of the Sheriff;s of the sale made under the former order of this court; and the court, on careful examination of the proceedings of the said Sheriff being satisfied that the same has been had in all respects and conformity to law and the orders of this court, it is ordered that the said proceedings and sale be, and they are hereby, approved and confirmed. It is further ordered that the said Sheriff deliver to the purchaser of the Washer, Lyle Cross, the property so sold and to the purchaser of the dryer, McGuliffe Bros., Inc. the property so sold; and the said purchasers are hereby subrogated to all of the rights of the said lien holder, in said property, for the protection of their titles.

It is further ordered that the Clerk cause satisfaction of the mortgage secured by said washer and dryer to be enterd on the records inthe office to of the recorder of Union County.

And now the court coming to distribute ththe proceeds of said sale, ammounting to \$300.00, it is ordered that the Sheriff out of the money in his hands, pay:



- 1st. To the Clerk of Courts of Union County, Ohio court costs in the sum of ----- 44.85
- 2nd. To the plaintiff, McAuliffe Bros., Inc., the sum of----- 255.15  
to be applied to the chattel mortgage of McAuliffe Bros., Inc., leaving a  
balance due on their judgment due in the sum of ----- 268.53  
for which a deficiency judgment is awarded

APPROVED BY:  
Giggsby & Parrott  
Attorneys for Plaintiff

Gwynn Sanders  
Judge

PETITION FOR DIVORCE  
Gladys Maxine Bibler  
101 West Blagrove Street  
Richwood, Ohio

CASE NO. 18805  
Filed February 15, 1961  
Recorded May 23, 1961

Plaintiff

-vs-

Ernest Bibler  
Ohio State Penitentiary  
Columbus, Ohio

Defendant

The Plaintiff, Gladys Maxine Bibler, says she has had a bona fide residence in the State of Ohio and County of Union for more than one year and is proceeding the filing of this petition for divorce.

The Plaintiff says that she and the Defendant, Ernest Bibler were married in West Mansfield, Ohio, in 1955.

The Plaintiff says that the following children have been born as the issue of said marriage, namely, Edwin Eugene Bibler, age 4 years; Jenni Faye Bibler, age 2 years; and Roger and Rodney Bibler, age 8 months.

The Plaintiff says the Defendant has been guilty of gross neglect of duty and that the Defendant is at the time of the filing of this Petition incarcerated in a State Institution under sentence thereto, namely the Ohio State Penitentiary. The exact nature of the gross neglect of duty will be more fully set forth at the hearing of this cause.

WHEREFORE, the Plaintiff says prays that she may be divorced from the Defendant and that she may be awarded temporary and permanent custody of the minor children of said parties, that the Defendant be required to pay the costs herein, and for such other and further relief of to which the Plaintiff is entitled in law and equity.

Robert E. Evans, Jr.  
Attorney for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:

Gladys Maxine Bibler, being first duly sworn according to law, says she is the Plaintiff herein and that the facts stated in the foregoing Petition are true as she verily believes.

/s/ Gladys Maxine Bibler

Sworn to before me and subscribed in my presence this 15th day of February 1961

Robert E. Evans, Jr.  
Filed February 15, 1961

AFFIDAVIT

State of Ohio, Union County SS:

I, Gladys Maxine Bibler, being first duly sworn and cautioned, depose and say that I am financially unable to advance the sum of Twenty-five dollars (\$25.00) as a deposit to secure the court costs herein.

Gladys Maxine Bibler  
Robert E. Evans, Jr.

Sworn to before me and subscribed in my presence this 15th day of February, 1961.

Robert E. Evans, Jr.

Filed February 15, 1961

PRECIPE

TO THE CLERK OF THE COURT OF COMMON PLEAS:

Please issue service of summons directed to the Sheriff of Franklin County for service upon the Defendant Ernest Bibler, c/o Ohio State Penitentiary, Spring Street, Columbus, Ohio.

Make the Summons returnable according to law.

Endorse summons "Action for Divorce, custody of the minor children of the parties and other equitable relief"

Robert E. Evans, Jr.

SUMMONS IN DIVORCE

Filed February 16, 1961

THE STATE OF OHIO, UNION COUNTY

TO THE SHERIFF OF FRANKLIN COUNTY

You are hereby commanded to notify Ernest Bibler, c/o Ohio State Penitentiary, Spring Street, Columbus, Ohio that Gladys Maxine Bibler has filed in the office of the clerk of the Court of Common Pleas of Union County, and State of Ohio a Petition, (A copy of which accompanies this summons) charging him with gross neglect of duty and incarcerated in a State Institution and asking that she be divorced from him and custody of the minor children of the parties and for other proper relief. The case may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 27th day of February 1961

Witness my signature and the seal of said Court, this 15th day of February 1961

Helen L. Sullivan clerk  
Eileen Daniels deputy

SHERIFF'S RETURN

THE STATE OF OHIO FRANKLIN COUNTY

Received this writ on the 16th day of February 1961 at 9:26 o'clock A.M. and on the 21st day of February 1961 I served the same by personally handing to Ernest Bibler a true copy thereof, together with a certified copy of the petition filed against him in this cause.

Stacy R. Hall  
Sheriff of Franklin County  
F. G. Fagin deputy

Sheriff Fees

Service & Return 2.25  
Miles .50  
Postage .04  
Total 2.79

DIVORCE DECREE

Case No. 18805  
Filed May 12, 1961  
Recorded May 23, 1961

This cause came on to be heard on the Petition, the Defendant being in default for answer, demurer, or other pleadings, and upon consideration the court finds that the Plaintiff was a resident of the State of Ohio for more than one year, and was a bona fide resident of Union County for more than 90 days, next before the filing of this Petition, and that the parties were married as in the Petition alleged, and that the facts set forth in the Petition are true.

The court further finds that the Defendant is, and was at the time of the filing of the petition, in prison in a state institution under sentence thereto, as alleged in the Petition and by reason thereof the Plaintiff is entitled to a divorce as prayed for in the petition. It is therefore, considered, adjudged, and decreed that the marriage contract heretofore existing between Gladys M. Bibler, the Plaintiff, and Ernest Bibler, the Defendant, be



and the same is dissolved and both parties are released and discharged therefrom.  
It is further ordered and adjudged by the court that the Plaintiff have the custody and control of the said Edwin Eugene Bibler, Jennie Fay Bibler, Roger Bibler, and Rodney Bibler, the minor children of said parties, the Defendant 1 having reasonable rights of visitation. It is further ordered that said Defendant shall pay for the support of said childre the sum of Forty Dollars (\$40.00) per week, said obligation commencing with the release of said Defendant from the state institution, upon parole or upon the expiration of his sentence.

Robert E. Evans, Jr.  
Attorney for Plaintiff

Gwynn Sanders  
Judge

PETITION, ANSWER AND ENTRY AS TO COGNOVIT NOTE  
PETITION

Farmers & Merchants Bank  
Milford Center, Ohio

Plaintiff

-vs-

George Larson, Dorothy Larson  
LeEtta Smith and George C. Smith

Defendants

The Defendants on the 15th day of September 1959 executed and delivered to plaintiff at Milford Center, Union County, Ohio their promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, With all the endorsements thereon are hereto attached, marked "Exhibit A" and made a part of this petition.

Said note is unpaired, except as shown by said endorsements, and there is now due the plaintiff on said note the sum of One Thousand Five Dollars, and Ten cents, with interest at the rate of seven per cent per annum from the 1st day of April 1961/

Wherefore plaintiff prays judgment against said defendants for the sum of One Thousand Five dollars and Ten cents with interest thereon from the 1st day from April 1 1961 at the rate of seven per cent per annum till paid, and for costs of suit.

Hoopes & Hoopes  
Attorneys for Plaintiff.

THE STATE OF OHIO, UNION COUNTY SS:

William S. Hoopes being duly sworn, says that he is the attorney of said plaintiff that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writing is in his possession, and that he verily believes that statements contained in the foregoing petition are true, in substances and in fact.

Sworn to by said William S. Hoopes before me, and by him signed in my presence, this 27th day of March, 1961  
William S. Hoopes  
Eloise C. Smart

Court Of Common Pleas Union County, Ohio

ANSWER OF DEFENDANT

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I, an attorney at law in ther several courts of record of this state, do hereby enter an appearance for said defendants in this suit and waive the issuing and service of process therein, and confess a judgment in favor of said plaintiff against said defendants on said note for the sum of One T ousand Five dollars, and Ten cents, being the amount appearing due for principal and interest on said note, and also for sests of suit, taxed and to be ta xed; and I do hereby release and waive all exceptions, errors, and right of appeal of the premises.

Filed March 28, 1961

Joseph Grigsby  
Attorney for Defendant

JUDGMENT ENTRY

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

Filed March 28, 1961

It is therefore considered that said plaintiff recover from said defendants the sum of One Thousand Five Dollars and Ten cents being the amount of said note and unpaid interest due theron from the 1st day of April 1961 to date of judgment; and also recover costs herein expended, taxed at \$----- and interest on said judgment at ----per cent per annum, from said date of judgment until paid.

Robert F. Allen  
Judge

PRECIPE  
TO THE CLERK

Issue Execution in the above entitled case for \$1005.10 with interest at 7% from April 1, 1961 and costs directed to Sheriff of Union County returnable according to law.

Filed March 28, 1961

Hoopes & Hoopes  
Attorney for Plaintiff  
Filed April 4, 1961

EEECUTION

The State of Ohio Union County  
Franklin  
To the Sheriff of Said County

You are hereby Commanded, That of the goods and chattels in your county of George Larson you cause to be made the sum of \$1005.10 One Thousand Five & 10/100 Dollars debt, and costs of suit, which by the judgment of said Common Pleas Court at the January Term thereof, 1961 Farmers & Merchants Bank, Milford Center, Ohio recovered against the said George Larson with interest thereon at the rate of----per cent, per annum from the----day of -----19---- until paid; and also the costs of increase on said judgment and the accruing costs hereon; and for want of goods and chattels that you cause the lands and tenements in your County, of the said George Larson to be sald for cash And make due return of this writ in sixty days.

Witness my hand and the seal of said Court this 28th day of March 1961

Helen L. Sullivan  
Clerk.

SHERIFF'S RETURN

Sheriff's Office Franklin County, Ohio

31 March 1961-----Received this writ on the 30 day of March 1961 at 11:41 o'clock A.M. and pursuant to its command I did on the ----day of-----

This writ returned by orders of plaintiffs attorney

Sheriff Fees  
Service & Return 1.50  
Additional names 1.00  
Total 2.50

Stacy R. Hall  
Sheriff of Franklin County



PRECIPE

To the Clerk:

Issue execution in the above entitled case for \$1005.10 directed to the Sheriff of Union County returnable according to law.

Filed April 13, 1961

C.A. Hoopes  
Attorney for Plaintiff

APPRAISAL OF GOODS AND CHATTELS

Filed April 20, 1961

We, the undersigned disinterested freeholders and residents of Union County, and State of Ohio, having been duly summoned and sworn by Edward Amrine Sheriff of said County impartially to appraise upon actual view, the following described goods and chattels, to-wit:

a 1959 Studebaker Chassis and Cab Tractor  
to be sold on an issued from the Court of Common Pleas of said County, in the action of Farmers & Merchants Bank Milford Center, Ohio Plaintiff, against George Larson, et al., Defendant do forthwith, after actual view of said goods and chattels, make return and say that the same are the real value in money of \$600.00 dollars

Given under our hands this 18th day of April 1961

Joseph Dutton  
Walter Grimes

STATE OF OHIO, UNION COUNTY

I hereby certify that the within appraisers Joseph Dutton and Walter Grimes are freeholders and residents of said County, and were duly summoned and sworn by me to appraise the within described goods and chattels, this 18th day of April 1961

Edward Amrine  
Union County Sheriff  
by Martha Rogers deputy

EXECUTION

The State of Ohio, Union County  
To the Sheriff of Said County

You are hereby Commanded, That of the goods and chattels in your county of George Larson you cause to be made the sum of One Thousand Five &---10/100 dollars debt and Twenty One & 05/100---dollars costs of suit, which by the judgment of said Common Pleas Court at the January Term thereof, 1961 Farmers & Merchants Bank, Milford Center, Ohio recovered against the said George Larson with interest thereon at the rate of per cent, per annum for from the---- day of-----19--- until paid; and also the costs of increase on said judgment and the accruing cost heron; and for want of goods and chattels that you cause the a lands and tenements in your County, of the said George Larson to be sold for cash.

And make due return of this writ in sixty days.

Witness my hand and the seal of said Court this 13th day of April, 1961

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

Filed May 9, 1961

Sheriff's Office Union County, Ohio

Received this writ on the 13th day of April 1961, at 10:15 o'clock A.M. and pursuant to its command i did, on the 13th day of May 1961 at 10:15 o'clock A.M. levy upon One 1959 Studebaker Chassls and Cab Tractor. I did, on the 13th day of April, 1961, cause to be advertised in the Journal Tribune a Newspaper printed and published and general circulation in Union County, Said Chattels to be sold at Public sale at the North door of the County House of said County and on the 6th day of May, 1961, at 11 o'clock of said day, and having advertised the said Chattels for more than ten days previous to the day of sale, to-wit: and in pursuance to said notice, I did, on said 6th day of May 1961, at the time and place above mentioned, proceed to offer said Chattels at Public sale, And then and there came Mrs. George C. Smith who bid for the same the sum of \$480.00 being the highest and best bidder therefor, I then and there publicly sold said Chattels to her for the sum of \$480.00.

I was paid by personal Check 630 by Mrs. George Smith.

Am holding Check #630 for the amount of \$480.00 until further order of the Court.

Edward Amrine  
Union County Sheriff  
Martha Rogers deputy

Appraisers: Walter Grimes \$3.00  
Joe Dutton 3.00

STATE OF OHIO VILLAGE OF MARYSVILLE, UNION COUNTY SS:

Personally appeared before me Marie M. Strauss and made solemn oath, that the Sheriff's Sale a copy of which is hereto attached, was published for 3 consecutive weeks on and next after April 20, 1961 in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Sworn to before me and signed in my presence this 5 day of May A.D. 1961

Marie M. Strauss  
W.E. Behrens

PETITION

The Marysville Lumber Company  
South Main Street  
Marysville, Ohio

Plaintiff

Case No. 18832  
Filed April 13, 1961  
Recorded June 8, 1961

--VS--

Walter Scott  
Milford Center, Ohio

Defendant

Now comes Marysville Lumber Company, plaintiff herein, and says it is a corporation duly organized and existing under the laws of the State of Ohio with its principal place of business at 335 South Main Street, Marysville, Ohio.

For its cause of action plaintiff says that on the 5th day of November, 1959, an account was stated between plaintiff and defendant, Walter Scott, on which \$1,065.59 was found to be due to plaintiff from defendant, of which defendant on the 5th day of November, 1959, paid \$25.00 and no more; that there is now due on said account stated the balance of \$1,030.59 with interest at 6% per annum from the 5th day of November, 1959.

WHEREFORE, Plaintiff prays judgment against the defendant, Walter Scott, in the sum of \$1,030.59 and with 6% interest from November 5, 1959 and costs.

Grigsby and Parrott  
Attorneys for Plaintiff

STATE OF OHIO UNION COUNTY SS:

Richard E. Parrott being first duly sworn says he is attorney for plaintiff corporation and that the facts and alligations in the foregoing petition are true as he verily believes.

Sworn to before me and subscribed in my presence this 12th day of April, 1961.

Richard Parrott  
Nancy Roder



PRECIPE  
TO THE CLERK:

Filed April 13,1961

Please issue summons for the defendant, Walter Scott, Milford Center, Ohio.  
Endorse summons "action on account stated amount claimed \$1,030.59 with interest and costs. Make same returnable according to law.

Grigsby & Parrott  
Attorneys for Plaintiff

SUMMONS  
The State of Ohio, Union County  
To the Sheriff of Union County

Filed April 14,1961

You are hereby commanded to notify Waler Scott, Milford Center, Ohio that he has been sued by the Marysville Lumber Company in the Court of Common Pleas of said Union County, and must answer by the 13th day of May A.D. 1961 or the petition of said plaintiff will be taken as true and judgment rendered accordingly.  
Said Sheriff will make due return of this summons on the 24th day of April 1961.  
Witness my hand and the seal of said Court, this 13th day of April 1961.

Helen L. Sullivan.  
Clerk.

SHERIFF'S RETURN  
The State of Ohio, Union County

Received this writ April 13th,1961 at 3:30 o'clock P.M. And on April 13th 1961, I served the within named Walter Scott, Milford Center, Ohio by personally handing him a true and certified copy thereof with all the endorsements thereon

Sheriff Fees  
Serivce & Return 1.50  
11 Miles travel. 10 1.10  
Docket .10  
2.70

Edward Amrine  
Union County Sheriff  
by Martha Rogers----Deputy

JOURNAL ENTRY

Filed June 6,1961

This matter coming before the court on the petition of plaintiff the court finds the defendant Walter Scott, is in default for answer or demurrer and upon motion of plaintiff judgment should be awarded as prayed for in the petition.

It is therefore ordered, that the plaintiff, The Marysville, Lumber Company recover from the defendant, Walter Scott, the sum of \$1030.59 with 6% interest from November 5,1959 and costs.

Gwynn Sanders  
Common Pleas Judge

APPROVED BY:  
Grigsby and Parrott  
Attorneys for Plaintiff

-----  
Continue from Record 78 pages 345 and 346

ENTRY

Case No. 8--18693  
Filed June 9,1961  
Recorded June 22,1961

Jane R. Bowker  
Plaintiff  
-vs-  
Robert F. Bowker  
Defendant

The parties to this cause, by their counsel, having appeared in Court the 3rd day of June, A.D. 1961. And it appearing to the Court that Plaintiff, Jane R. Bowker, died on or about April 11, 1961 and that the former order of the Court pertaining to the custody and support of Bonnie Ann Bowker and Elizabeth Maude Bowker, minor children of the parties, as contained in decree of divorce heretofore granted in this cause should be modified, and

The parties, by their attorneys, having agreed to the following terms and conditions,  
It is therefore ordered by the Court that subject to further order of the Court:  
1. Robert F. Bowker be and he hereby is awarded the care, custody and control of Elizabeth Maude Bowker and his obligation to pay One Hundred Dollars (\$100.00) per month to the Clerk of this Court for the support of the said Elizabeth Maude Bowker be and the same hereby is terminated; and  
2. The care, custody of Bonnie Ann Bowker be and the same hereby is awarded to Martha Robinson, sister of Jane R. Bowker, deceased, it having been represented to the Court that Bonnie Ann Bowker (a minor of the age of 19 years) desires that she be in the custody of said Martha Robinson.  
3. That Robert F. Bowker be and he hereby is ordered to continue payments of \$100.00 per month for the support of said Bonnie Ann Bowker.

Gwynn Sanders  
Judge

APPROVED:  
Todd Hoopes  
Attorney for Plaintiff  
J.P. Wilson  
Attorney for Defendant

PETITION  
Erma P. Current  
510 South Chestnut Street  
Marysville, Ohio  
Plaintiff

Case No. 18854  
Filed May 9,1961  
Recorded June 22,1961

-vs-  
Roy Leon Current  
510 South Chestnut Street  
Marysville, Ohio  
Defendant

Defendant says that she has been a bona fide resident of the State of Ohio for more than one year last past and of Union County for more than ninety (90) days immediately preceding the filing of this petition .

Plaintiff says that she was married to defendant on the 21st day of April, 1952 at Liberty, Indiana and as a result of the issue three (3) children namely: Russell L. Current, seven (7) years old September 23,1960; Gary L. Current, six (6) years old December 20,1960, and Anthony Current, four (4) years old October 30,1960.

Plaintiff further alleges as her cause of action herein that defendant has been guilty of gross neglect of duty.

q WHEREFORE, plaintiff prays the marriage ties existing between the partis hereto be dissolveed and that upon final hearing she be decreed a divorce on the grounds as in her petition set forth and that she be awarded the care, custody and control of said children herein mentioned and a resonable amount as and for the support of said children. herein mentioned and to such other and further relief that the court may deem just, equitable and proper.

Clifton L. Caryl  
Attorney for plaintiff



STATE OF OHIO  
COUNTY OF UNION

SS:

Erma P. Current, being first duly sworn says that the facts stated and allegations contained in the forgoing petition are true as she verily believes .

/s/ Erma Current

Sworn to before me and subscribed in my presence this 8th day of May, 1961.

Clifton L. Caryl

PRECIPE

TO THE CLERK:

Please issue summons with certified copy of petition to the Sheriff of Union County, Ohio to be served upon defendant Roy Leon Current 510 South Chestnut St., Marysville, Ohio. Endorse summons " Action for Divorce (gross neglect of duty) and custody, control and support of minor children and equitable relief". Make same returnable according to law.

Clifton L. Caryl  
Attorney for Plaintiff

SUMMONS FOR DIVORCE

THE STATE OF OHIO, Union County  
TO THE SHERIFF OF Union County:

Filed May 10, 1961  
Recorded June 22, 1961

You are commanded to notify Roy Leon Current, 510 S. Chestnut St. Marysville, Ohio that Erma Current has filed in the office of the Clerk of the court of Common Pleas of Union County, and State of Ohio a Petition, ( a copy of which accompanes this summons) charging him with Gross Neglect of Duty and asking that she be divorced from him custody, control and support of minor children and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 22nd day of May 1961.

Witness my signature and the seal of said court, this 9th day of May, 1961.

Helem L. Sullivan.  
Clerk

SHERIFF'S RETURN

THE STATE OF OHIO, Union County

Received this writ on the 9th day of May 1961, at 11:15 o'clock A.M. and on the 9th day of May 1961, I served the same by personally handing to the within named Roy Leon Current a true copy thereof, together with a certified copy of the petition filed against him in this cause.

SHERIFF FEES

Servie and Return	1.50
Docket	.10
total	1.60

Edward Amrine  
Sheriff Union County  
Martha Rogers  
Deputy

DECREE OF DIVORCE

Current -vs- Current

Filed June 21, 1961

This cause came on for hearing this 21st day of June, 1961, on the petition of the plaintiff, defendant being in default of answer or demurrer, and the court finds from the evidence that plaintiff is, and was for at least one year immediately preceding the commencement of this action, a bona fide resident of the State of Ohio, and that she is, and was for at least ninety days immediately before commencement of the action a bona fide resident of the County of Union, Ohio; that defendant has been guilty of gross neglect, as alleged in the petition; that by reason thereof plaintiff is entitled to a divorce; that defendant has been duly served with summons and copy of the petition as required by law, which service is hereby approved, and that the court has jurisdiction of the cause of action and the parties hereto.

It is ordered, decreed and adjudged that plaintiff be and hereby is granted a divorce from defendant and the marriage be contract is hereby dissolved and both of the parties hereto released from its obligations. It is ordered that plaintiff pay the costs herein.

It is further ordered that plaintiff have custody of the minor children of the parties, namely, Russell L. Current, seven (7) years old September 23, 1960, Gary L. Current, Six (6) years old December 20, 1960 and Anthony Current, four (4) years old October 30, 1960 and that defendant pay to the Clerk of Courts the sum of \$40.00 per week plus poudage for the support of said children until further order of the court and that defendant shall have the right of visitation at all reasonable times.

Gwynn Sanders.  
Judge

Approved by:

Clifton L. Caryl  
Attorney for Plaintiff

PETITION FOR DIVORCE

Jeannette Victoria South, a minor  
by Parthena Amanda Poling,  
Route #4 Marysville, Ohio

Case No. 18850  
Filed May 2, 1961  
Recorded June 23, 1961

Plaintiff

-vs-

Terry Lynn South  
Lima State Hospital,  
Lima, Ohio

Defendant

Now comes the plaintiff, Jeannette Victoria South, a minor of the age of 18, by Parthena Amanda Poling, her mother and next friend, and for a cause of action says that the said Jeannette Victoria South has been a bona fide residence and domicile within the State of Ohio for more than one year last past and within the County of Union for more than ninety days immediately preceding the day of filing the petition herein.

That she and the defendant, Terry Lynn South, were married on the 6th day of June, 1960, at Clintwood, Virginia, and there are no issue of said marriage. That defendant is a minor of the age of 20.

Plaintiff says that at all times she has conducted herself as becomes a dutiful wife, but that the defendant has been guilty of gross neglect of duty toward plaintiff in that he has not contributed to her support since their marriage.

Plaintiff says that she owns no real or personal property.

Wherefore, plaintiff prays that she be granted a decree of divorce from the defendant, that the marriage ties existing between the parties hereto be dissolved, that upon final hearing she be granted a reasonable sum for her costs and attorney fees herein, and for such other and further relief as the Court may deem just and equitable.

Todd Hoopes

STATE OF OHIO UNION COUNTY SS;

On this 27th day of April, 1961, personally appeared before me, the undersigned, a Notary Public in and for said County and State, Parthena Amanda Poling, who being first duly sworn, says that the facts stated and the

allegations made and contained in the foregoing petition are true.

Sworn to before me and signed in my presence by the said Parthena Amanda Poling this 27th day of April, 1961.  
/s/ Parthena Amenda Poling  
Todd Hoopes

AFFIDAVIT

South -vs- South

Case No. 18850  
Filed May 2,1961  
Recorded June 23,1961

STATE OF OHIO UNION COUNTY SS:

On this 27th day of April, 1961, personally appeared before me the undersigned, a Notary Public in and for said County and State aforesaid, Parthena Amanda Poling, who being first duly sworn, says that she and her daughter Jeannette Victoria South, are without funds with which to secure the costs in the within case.

Sworn to before me and signed in my presence by the said Parthena Amanda Poling this 27th day of April, 1961.  
/s/ Parthena Amanda Poling  
Todd Hoopes

PRECIPE

South --vs-- South

Case No. 18850  
Filed May 2,1961  
Recorded June 23,1961

TO THE CLERK:

Issue summons in the above entitled cause with copy of Petition directed to the Sheriff of Allen County, Ohio, for service on Terry Lynn South, the defendant, Lima State Hospital, Lima, Ohio; and also deliver a copy of said petition to the Superintendent, Lima State Hospital, Lima, Ohio, and make return according to law. Endorse Thereon "ACTION FOR DIVORCE, ATTORNEY FEES, COURT COSTS AND OTHER EQUITABLE RELIEF."

Todd Hoopes  
Attorney for Plaintiff

SUMMONS IN DIVORCE

THE STATE OF OHIO, Union County  
TO THE SHERIFF OF Allen County

Filed May 22,1961

You are hereby commanded to notify Terry Lynn South, Lima State Hospital, Lima, Ohio ( Also serve Superintendent of Lima State Hospital) that Jeannette Victoria South, a minor, by Parthena Amanda Poling has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio a Petition, ( a copy of which accompanies this summons) charging him with Gross Neglect of Duty and asking that she be divorced from him and for cost and attorney fees, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 15th day of May, 1961  
Witness my signature and the seal of said Court, this 2nd day of May, 1961

Helen L. Sullivan  
Clerk.

SHERIFF'S RETURN

THE STATE OF OHIO, Allen County

Received this writ on the 5th day of May, 1961 at 9:30 o'clock A.M. and on the 8th day of May,1961, I served the same by personally handing to Terry Lynn South, Lima State Hospital, Lima , Ohio a true copy thereof, together with a certified copy of the petition filed against defendant in this cause.

And on the 8th day of May, 1961, I served the same by personally handing to Dr. J.O. Grist, Superintendent of Lima State Hospital, Lima, Ohio a true copy thereof, together with a certified copy of the petition filed against defendant in this cause.

Clay T. Cotterman  
Sheriff  
by James Micks

SHERIFF FEES

Service & Return	1.50
5 miles	.50
Postage	.04
1, add'l names	.25
Total	2.29

MOTION TO APPOINT GUARDIAN FOR SUIT

South @vs- South

Case No. 18850  
Filed June 5,1961  
Recorded June 23,1961

Now comes the plaintiff by her attorney and moves the Court to appoint a Guardian for the suit for the infant defendant, Terry Lynn South, who has been served with summons as provided by law, and being over fourteen years of age has neglected to make application therefor wihtin twenty days after the return of said summons; and plaintiff suggestes that John W. Dailey be appointed such Guardian.

Todd Hoopes

ENTRY

South -vs- South

Case No. 18850  
Filed June 5,1961  
Recorded June 23,1961

On motion of Plaintiff, and it appearing to the Court that Terry Lynn South infant defendant, has neglected to apply for Guardian for the suit within twenty days after the return of service of summons, the court appoints John W. Dailey such Guardian for said infant defendant herein, and said appointment is accepted by said John W. Dailey on ppen Court.

Robert Allen  
Judge

APPROVED BY Todd Hoopes

Attorney for Plaintiff

John W. Dailey  
Guardian for Suit for  
Terry Lynn South

ANSWER OF GUARDIAN FOR THE SUIT  
South -vs- South

Case No. 18850  
Filed June 5,1961  
Recorded June 23,1961

Now comes John W. Dailey, Guardian for the Suit for Terry Lynn South, infant defendant, and denies each and every Averment in the petition contained.

John W. Dailey  
Guardian for Suit for  
Terry Lynn South, an infant



of  
DECREE/DIVORCE

South -vs- South

Case No. 18850  
Filed June 22,1961  
Recorded June 23,1961

This cause came on for hearing on the 22nd day of June, 1961, on the petition of the plaintiff, the Answer of Guardian for the suit for the defendant and the evidence; and on consideration thereof, the Court finds that the plaintiff, at the time of filing her petition, had been a resident of the County of Union and State of Ohio for more than one year next preceding the same, and was at that time a bona fide resident of the County of Union; the Court further finds that service for of summons and copy of the petition herein was duly served upon the defendant as required by law and that this Court has jurisdiction, The Court finds that the parties thereto were married as in said petition set forth, and that there were and are no children born of said marriage.

The Court further finds that the defendant has been guilty of gross neglect of duty toward the plaintiff as alleged in plaintiff's petition and that by reason thereof, plaintiff is entitled to a divorce as prayed for in plaintiff's petition.

It is therefore ordered, adjudged and decreed by the Court, that the marriage relationship between the plaintiff and the defendant be, and the same is hereby dissolved and terminated and each of the parties are released from the obligations of same.

It is further ordered that the plaintiff and defendant each retain ownership of his or her personal property without claim by or obligation to the other party.

It is further ordered, adjudged and decreed that the plaintiff pay her attorney fee herein and the costs of this proceeding.

Gwynn Sanders  
Judge

APPROVED:  
Todd Hoopes  
Attorney for Plaintiff

PETITION  
Deane Bishop  
Plain City, Ohio  
Route #3

Case No. 18762  
Filed December 12,1960  
Recorded June 23,1961

Plaintiff

-vs-  
Suzanne Bishop, a minor aged  
12 years of age  
Plain city, Ohio  
Route #3  
and  
Leland Bishop  
Plain City, Ohio  
Route #3

Defendant

Plaintiff says she has a legal estate in fee simple of an undivided one fourth (1/4) part as tenant in common of the following described premises, situated in the County of Union, State of Ohio, bounded and described as follows:

Real estate situated in the State of Ohio, County of Union, Township of Jerome, Survey No. 3452, and bounded and described as follows:

Beginning at a stake, northwest corner to said Survey No. 3452; thence with the westerly line of said Survey S. 9° East (crossing the DeWitt gravel road at 62 poles and Indian Run at 70 poles) 109 poles to the northwest corner to lands sold to John Wagoner; thence with two consecutive lines of said Wagoner lands ( now Cyrus C. Freshwater) N. 80° East 59.88 poles; thence N. 58° East 17 poles to a stake in the old County road; thence with said road S. 81° 30' East 2.50 poles to a stake; thence N. 6° 30' West 102.30 poles to a stake in the north line of said Survey; thence with said Survey line S. 81° West 82 poles to the beginning.

Containing 53.5 acres, more or less.

That on the 11th day of September, 1960, Howard I. Bishop died intestate, seized in fee simple of an undivided one-half (1/2) interest in said premises, and that his only heirs at law are the plaintiff Deane Bishop and the defendant Suzanne Bishop, a minor aged 12 years to whom said premises descended as provided by law; that all debts have been paid or secured to be paid and there is ample personal property in the estate of said decedent to pay debts, costs of administration.

Plaintiff further says that the defendant Leland Bishop is an owner of an undivided one-half (1/2) interest in said premises and that her decedent Howard I. Bishop obtained his interest in said premises by Warranty Deed for an undivided one-half (1/2) interest therein, which deed is recorded in Union County Deed Record Volume---Page-----

Wherefore, Plaintiff prays that partition of said premises be made; or if said real estate cannot be divided by metes and bounds without Manifest injury to its value, then plaintiff prays that the Court order the property to be appraised and sold and the proceeds of such sale distributed and paid to the plaintiff and defendants herein, in lieu of their respective parts and portions of the estate, according to their rights therein and for such other and further orders and relief as may be just and proper.

Grigsby & Parrott  
Attorney for Plaintiff

STATE OF OHIO UNION COUNTY SS:

Deane Bishop, being first duly sworn says she is plaintiff herein and the facts and allegations in the foregoing petition are true.

Sworn to before me and subscribed in my presence this 8th day of December 1960.

/s/ Deane Bishop  
Joeshp Grigsby

WAIVER

Bishop---vs----Bishop

Case No. 18762  
Filed December 12,1960  
Recorded June 23,1961

The undersigned parties defendant, hereby Waive the issuance of process and service of summons in the above captioned partition suit and enter their general appearance

Leland Bishop  
/s/ Deane Bishop  
/s/ Deane Bishop  
Deane Bishop, as administratrix  
of the estate of Howard I. Bishop

PRECIPE

Bishop --vs-- Bishop  
TO THE CLERK:

Case No. 18762  
Filed  
Recorded June 23,1961

Please issue summons for the defendant Suzanne Bishop, a minor aged 12 years of age, who resides with her mother and custodian, Deane Bishop, Route #3, Plain City, Ohio

ENDORSE SUMMONS: " ACTION FOR PARTITION OF REAL ESTATE." Make Same returnable according to law.

Grigsby & Parrott  
Attorney for Plaintiff



SUMMONS IN ACTION FOR PARTITION  
THE STATE OF OHIO, Union County  
To the Sheriff of said County:

Filed December 16, 1960

You are commanded to notify Suzanne Bishop, a minor and Deane Bishop, her mother and custodian, Route #3 Plain City, Ohio that a petition was filed against her on the 13th day of December A.D. 1960 in the Court of Common Pleas of said Union County, by Deane Bishop, and is now pending, wherein the said petitioner demands partition of the following described real estate, to-wit :

Real estate situated in the State of Ohio, County of Union, Township of Jerome, Survey No. 3452 and bounded and described as follows:  
Beginning at a stake, northwest corner to said Survey No. 3452; thence with the westerly line of said Survey S. 9 deg. East ( crossing the Dewitt gravel road at 62 poles and Indian Run at 70 poles) 109 poles to the northwest corner to lands sold to John Wagoner; thence with two consecutive lines of said Wagoner lands( now Cyrus C. Freshwater) N. 80 deg. East 59.88 poles; thence N. 58 deg. East 17 poles to a stake in the old County Road; thence with said road S. 81 deg. 30' East 2.50 poles to a stake; thence N. 6 deg. 30' West 102.30 poles to a stake in the north line of said survey; thence with said Survey line S. 81 deg. West 82 poles to the beginning.

Containing 53.5 acres, more or less.  
and that she must answer by the 14th day of January 1960, or such petition will be taken as true, and partition will be made of said premises according to law.

Said Sheriff will make due return of this summons on the 26th day of December 1960.  
Witness my hand and the seal of said Court at Marysville, Ohio, this 13th day of December 1960.

Helen L. Sullivan  
Clerk of Courts

Sheriff's Office, Union County, Ohio

Received this writ December 13, 1960 at 10:49 o'clock A.M. and served the within named Suzanne Bishop, a minor and Deane Bishop her mother and custodian, a Route #3 Plain City, Ohio, by personally handing to each of them a true and certified copy for of the original writ with all endorsements thereon.

Edward Amrine  
Union County Sheriff  
by Martha Rogers

APPLICATION FOR APPOINTMENT OF GUARDIAN AD LITEM

Filed June 3, 1961

Now comes plaintiff and moves the Court to appoint a guardian ad litem for the infant defendant, Suzanne Bishop, a minor aged 12 years of age who has been duly served with summons as provided by law.

Joseph Grigsby  
Attorney for Plaintiff  
Filed June 3, 1961

JOURNAL ENTRY

Upon motion of plaintiff and it appearing to the Court that Suzanne Bishop, a minor defendant, aged 12 years of age, has been duly served with summons and an application for appointment of a guardian ad litem having been filed it is hereby ordered Robert Evans, Attorney at Law, be appointed and act as guardian ad litem for said Suzanne Bishop, a minor defendant aged 12 years.

Gwynn Sanders  
Judge

ANSWER OF GUARDIAN AD LITEM

Filed June 9, 1961

Now comes, Robert Evans, guardian ad litem for Suzanne Bishop, a minor aged 12 years, defendant herein and denies each and every averment in the petition contained and requests the Court to protect the interest of said minor defendant

Robert E. Evans, Jr.  
Guardian Ad Litem for  
Suzanne Bishop.

PELIMINARY CERTIFICATE OF TITLE

Filed June 17, 1961

The undersigned, being the attorney designated to certify the title to the real estate as describes in the petition, hereby certifies that I have made a through examination of the public records of Union County, Ohio, as disclosed by the indexes, for a period of 60 years immediately prior to the date hereof, relating to the real estate as described in the petition, and find as follows:

1. That Howard I. Bishop was seized in fee simple to the undivided one half by deed of general warranty from Leland Bishop, dated September 2, 1952, and recorded in Vol. 187 page 54 Union County Deed Record.
2. That Howard I. Bishop died September 11, 1960, intestate, leaving his surviving spouse, Deane Bishop, and Suzanne Bishop, a minor of the age of 12 years, his daughter.
3. That the estate of Howard I. Bishop is being administered in the Probate Court of Union County, Ohio.
4. That title to said real estate is now vested one-half interest in Leland Bishop and one-fourth interest in Deane Bishop and one-fourth interest in Suzanne Bishop, subject to inheritance taxes, debts of decedent Howard I. Bishop, and costs of administration of his estate, Case No. 18333 in the Probate Court.
5. That said premises are subject to a lien for taxes and assessments for the years of 1960 and 1961, which taxes are not yet determined and can not be ascertained.

This certificate does not purport to cover matters not of record in Union County, Ohio, including rights of persons in possessions, questions which a correct survey or inspection would disclose, rights to file mechanics liens, special taxes and assessments not shown by the County Treasurers records, zoning and other governmental regulations.  
Dated at Marysville, Ohio, this the 9th day of January, 1960.

John W. Dailey

JOURNAL ENTRY

Filed January 26, 1961

This cause coming on to be heard on the petition and the answer of the guardian ad litem for Suzanne Bishop, a minor defendant, and the evidence, the Court finds all parties have been duly served with summons and it has jurisdiction of the parties and of the subject matter, and on consideration the Court finds the averments in said petition to be true and that the plaintiff is seized of an undivided one-fourth (1/4) interest in said real estate, the defendant Suzanne Bishop is seized of an undivided one-fourth (1/4) interest and the Defendant, Leland Bishop is seized of an undivided one-half (1/2) interest in the said premises, to-wit:-

Real estate situated in the State of Ohio, County, of Union, Township of Jerome, Survey No. 3452 and bounded and described as follows:  
BEGINNING at a stake, northwest corner of to said Survey No. 3452; thence with the westerly line of said Survey S. 9° East ( crossing the Dewitt gravel road at 62 poles and Indian Run at 70 poles) 109 poles to the northwest corner to lands sold by to John Wagoner; thence with two consecutive lines of said Wagoner lands ( now Cyrus C. Freshwater) N. 80° East 59.88 poles; thence N. 58° East 17 poles to a stake in the old County Road; thence with said road S. 81° 30' East 2.50 poles to a stake; thence N. 6° 30' West 102.30 poles to a stake in the north line of said Survey; thence with said Survey line S. 81° West 82 poles to the beginning.  
Containing 53.5 acres, more or less.  
And that Plaintiff is entitled to have partition thereof as prayed for in the petition.

It is therefore ordered and adjudged that a Writ of Partition issue to the Sheriff of Union County commanding him, that by the oath of Douglas Beasecker, Norris Krueger and Edwin Buck three judicious, disinterested freeholders of the vicinity, hereby appointed commissioners for the purpose, that he cause to be divided and set off to said parties respectively, the parts of said premises to which they have herein severally been found to be entitled and of the proceedings said Sheriff to make due return to this Court, and in the event said land cannot be set off by metes and bounds to the various owners thereof, that said real estate be appraised at its true value in money.

APPROVED BY: Grigsby & Parrott----Attorneys for Plaintiff  
Robert E. Evans, Jr. Attorney for Suzanne Bishop, A Minor.

Gwynn Sanders  
Judge



WRIT OF PARTITION

To the Sheriff of Said County:

Pursuant to an order of said Court of Common Pleas within and for said County, made at the January Term A.D. 1961, in a certain case No. 18762 now pending in said Court, wherein Deane Bishop, Plain City, Ohio R#3 plaintiff and Suzanne Bishop, a minor aged 12 years of age and Leland Bishop defendant you are commanded that, by the oaths of Douglas Beasecker, Norris Krueger and Edwin Buck three disinterested and judicious freeholders of the vicinity who were appointed by the Court as Commissioners for such purpose, you cause to be set off and divided the following described premises, situated in the Township of Jerome County of Union and State of Ohio, to-wit:

SAME AS IN PETITION. -----

To the persons named herein, and in the following proportions, to wit;

to Deane Bishop (1/4) one-fourth  
to Suzanne Bishop (1/4) one-fourth  
to Leland Bishop (1/2) one-half

But if the said Commissioners are of opinion that said premises cannot be divided according to the demand of this writ without manifest injury to its value, you cause them to make a just valuation of the same in money and of this writ and your proceedings thereon and of the proceeding of said Commissioners under this writ, you make return to our said Court forthwith.

Witness my hand and the seal of said Court of Marysville, Ohio this 26th day of January 1961

Helen L. Sullivan  
Clerk of Courts

SHERIFF'S RETURN

I received this writ on the 26th day of January 1961, at 3:10 o'clock P.M. and in obedience to its command, I have executed the same by the oaths of Douglas Beasecker, Norris Krueger and Edwin Buck the Commissioners therein named, causing to be set off and divided the premises in said Writ described.

The said Commissioners being of the opinion that the said premises cannot be divided without manifest injury to its value, I have caused the same to be appraised.

All of which will appear by the report of said Commissioner, herewith returned.

Given under my hand this 26th day of January 1961,

Edward Amrine  
Sheriff

Deputy Martha Rogers--

We are of the opinion that the said estate cannot be divided according to the demand of the writ without manifest injury to its value, and we do estimate the just value of the same at Twenty Thousand and no/100----- (\$20,000.00)

Given under our hands this-----day of-----19-----

/s/ Douglas Beasecker  
/s/ Norris Krueger  
/s/ Edwin Buck

Filed January 26, 1961

ELECTION BY PARTY

Deane Bishop, plaintiff herein elects to purchase said real estate at the appraised value of \$20,000.00 and request the Court to accept her election as provided by statute.

Deane Bishop

JOURNAL ENTRY

This cause came on to be heard on the return of the sheriff and the report of the commissioners on the writ of partition herein issued, and upon consideration the court finds that said proceedings are in all respects in conformity to law and the order of the Court and the same are hereby approved and confirmed, and thereupon Deane Bishop filed her motion and thereby elected to take said premises at their appraised value of \$20,000.00 returned by the Commissioners, and no other person desiring or offering to take said premises and said Deane Bishop having paid and settled with the other parties their respective proportions of said appraised value which the Court finds to be the reasonable value thereof, said premises are adjudged to said Deane Bishop and the sheriff is ordered to execute a deed therefore as provided by law and it is ordered that said Deane Bishop pay first the costs of this proceedings including an attorney fee of \$-----, to Grigsby & Parrott, Attorneys for Plaintiff.

Gwynn Sanders  
Judge

APPROVED BY:

Grigsby &amp; Parrott

Attorneys for Plaintiff

Robert E. Evans Jr.

Guardian Ad Litem for Suzanne Bishop  
a minor.

PETITION

Jean Covrett  
Route #4  
Marysville, Ohio

Plaintiff

--  
-vs-

Dale Covrett  
Route #2  
Delaware, Ohio

Defendant

Case No. 18837  
Filed April 18, 1961  
Recorded June 27, 1961

The plaintiff, Jean Covrett, says she has been a resident of the State of Ohio for more than one year last past, and has been a bona fide resident of this Union County for more than 90 days next before filing this petition, that she and the defendant, Dale Covrett, were married on the 31st day of December, 1959, and there are no children born of said marriage, and neither party to the knowledge of petitioner has any property except their personal belongings. Plaintiff says she has been a dutiful wife but defendant has been guilty of gross neglect of duty.

WHEREFORE plaintiff prays that she may be divorced from defendant and restored to her former name of Jean Graham and for other orders and reliefs as may be just and proper including reasonable attorney fees and costs.

Grigsby & Parrott  
Attorney for Plaintiff

STATE OF OHIO COUNTY OF UNION SS:

Jean Covrett, being first duly sworn says the facts and allegations in the foregoing petition are true as she verily believes.

/s/ Jean Covrett  
Joseph Grigsby

Sworn to before me and subscribed in my presence this 16th day of April, A.D., 1961.

PRECIPE

Covrett --vs--Covrett

Filed April 18, 1961

TO THE CLERK:

Issue summons and copy of divorce petition in the above entitled case for defendant--serve at Bulldog Factory in Marysville-- Endorse summons ACTION FOR DIVORCE AND OTHER RELIEF directed to Sheriff of Union County returnable according to law.

Joseph Grigsby  
Attorney for Plaintiff

SUMMONS IN DIVORCE

THE STATE OF OHIO, Union County  
TO THE SHERIFF OF Union County

Filed April 21, 1961

You are hereby commanded to notify Dale Covrett (serve at Bulldog Electric Co., Marysville, Ohio) that Jean Covrett has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with Gross Neglect of Duty and asking that she be divorced from him and that restored to her former name of Jean Graham, attorney fees, costs and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 1st day of May, 1961

Witness my signature and the seal of said Court, this 18th day of April, 1961.

Helen L. Sullivan  
clerk

SHERIFF'S RETURN

THE STATE OF OHIO, Union County

Received this writ on the 18th day of April 1961, at 10:40 o'clock A.M., and on the 20th day of April 1961, I served the same by personally handing to the within named Dale Covrett a true copy thereof, together with a certified copy of the petition filed against him in this cause.

Edward Amrine  
sheriff Union County  
by- Martha Rogers

Sheriff Fees	
Service and Return	1.50
Docket	.10
Total	1.60

JOURNAL ENTRY

Covrett --vs-- Covrett

Case No. 18837  
Filed June 26, 1961  
Recorded June 27, 1961

This cause coming on to be heard on the petition and the evidence and on consideration the court finds that defendant has been duly served with summons and a copy of the petition as required by law and that he is in default for answer or demurrer that the facts set forth in said petition are true and plaintiff is entitled to a divorce on the grounds of gross neglect of duty.

The court further finds plaintiff was a resident of the State of Ohio for more than one year and a bona fide resident of Union County for more than 90 days prior to the filing of her petition and the parties were married as in the petition set forth.

The Court further finds there are no property rights to be adjusted or settled and there are no minor children issue of this marriage.

It is therefore ordered, adjudged and decreed that the marriage contract heretofore existing between the plaintiff, Jean Covrett and the defendant Dale Covrett, be and the same is hereby dissolved and both parties are released and discharged therefrom, and plaintiff is restored to the her former name of Jean Graham.

It is ordered that Plaintiff pay the costs herein taxed at \$

Gwynn Sanders  
Common Pleas Judge

APPROVED BY:

Grigsby & Parrott  
Attorneys for Plaintiff

PETITION

Gilbert McCarty  
210 London Road  
Delaware, Ohio

Plaintiff

-vs-

Irene McCarty  
115 North Oak Street  
Marysville, Ohio

Defendant

Case No. 18844  
Filed April 27, 1961  
Recorded June 27, 1961

Now comes plaintiff who says he has been a resident of Union County, Ohio, for more than one (1) year immediately



prior to the filing of this petition until approximately the middle of April when he took up resident in Delaware County, Ohio; that the cause of action on which this petition is based arose in Union County, Ohio.

Plaintiff further says that he and the defendant, Irene McCarty were married on the 13th day of October, 1938 and of this marriage have one minor child, namely Judy Kay McCarty, aged eleven (11) years, who by order of the Delaware County Juvenile Court is confided to his custody and care; that defendant has been guilty of gross neglect of duty and by reason thereof plaintiff is entitled to a divorce.

Plaintiff further says the defendant has caused to be advertised and will sell at public auction on Saturday April 29, 1961 all household goods of the parties and that the plaintiff is agreeable to the sale of said household goods but requests a restraining order forbidding defendant of to dispose of any of the proceeds of the sale, except by order of this Court.

WHEREFORE, plaintiff prays for a decree of divorce, and for such other relief as may be just and proper in the premises.

Grigsby & Parrott  
Attorneys for Plaintiff

STATE OF OHIO COUNTY OF UNION SS:

Gilbert McCarty, being first duly sworn, says he is plaintiff in the foregoing petition and that the facts and allegations contained therein are true.

/s/ Gilbert McCarty

Sworn to before me and subscribed in my presence this 27th day of April, 1961.

Joseph Grigsby

PRECIPE

McCarty vs McCarty

Filed April 27, 1961  
Recorded June 27, 1961

TO THE CLERK:

Please issue summons, to be served on the defendant, Irene McCarty, together with a copy of the petition and motion; at the following address: 115 North Oak Street, Marysville, Ohio.

ENDORSE SUMMONS " Action for Divorcę restraining order and other relief." Make same returnable according to law.

Grigsby & Parrott  
Attorneys for Plaintiff

SUMMONS IN DIVORCE

Filed April 28, 1961

THE STATE OF OHIO, Union County

TO THE SHERIFF OF Union County

You are hereby commanded to notify Irenen McCarty, 115 North Oak St., Marysville, Ohio that Gilbert McCarty has filed in the office of the Clerk of the Court of Common Pleas of Unio County, and State of Ohio, a Petition Motion and Entry ( a copy of which accompanies this summons ) charging her with Gross Neglect of Duty and asking that he be divorced from her and that restraining order and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 8th day of May 1961.

Witness my signature and the seal of said Court, this 27th day of April, 1961.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

THE STATE OF OHIO Union County.

Received this writ on the 27th day of April 1961, at 4:00 o'clock P.M., and on the 28th day of April 1961, I served the same by personally handing to the within named Irene McCarty a true copy thereof, together with a certified copy of the petition motion and entry filed against her in this cause.

Edward Amrine  
Sheriff of Union County  
by-Martha Rogers

Sheriff Fees

Service and Return 1.50

Docket .10

Total 1.60

MOTION

Case No. 18844

Filed April 27, 1961

McCarty -vs- McCarty

Now comes plaintiff and asks for a temporary restraining order restraining defendant, Irene McCarty, and the auctioneer and sale clerk from disposing of any of the proceeds of the sale of the household goods of the parties without order of this Court; plaintiff represents to the Court there are bills of the marriage that should be paid from the sale proceeds and defendant, it is feared, will not apply the sale proceeds on these bills.

Grigsby & Parrott  
Attorneys for Plaintiff

JOURNAL ENTRY

It is ordered that defendant, Irene McCarty, John Pfarr, Auctioneer, Don Geer and Homer Viers, sale clerks, be restrained from distribution any of the proceeds from the sale of the personal property of Gilbert McCarty and Irene McCarty, until further order of this Court.

This matter is further set for hearing on the 5th day of May, 1961, at 9:00 o'clock A.M.

Gwynn Sanders  
Judge

APPROVED BY:

Grigsby & Parrott  
Attorneys for Plaintiff

MOTION

Defendant, by her attorney Clifton L. Caryl, moves the court that she be allowed alimony, pendente lite for her sustenance and expenses during the pendency of the above captioned cause.

Clifton L. Caryl  
Attorney for Defendant

NOTICE FOR OF MOTION FOR ALIMONY, PENDENTE LITE  
April 29, 1961

To

Gilbert McCarty  
c/o Grigsby & Parrott  
Attorneys for Gilbert McCarty  
116 South Court Street  
Marysville, Ohio

You are hereby notified that on the 5th day of May, 1961 at the hour of 9:00 A.M., or as soon thereafter as counsel can be heard, I will make application to Honorable Gwynn Sanders, Judge of said court, at the Court House in Marysville, Union County, Ohio for an allowance of alimony, pendente lite for my sustenance and expense during the pendency of the above-entitled suit.

Defendant  
by Clifton L. Caryl

JOURNAL ENTRY  
McCarty --vs-- McCarty

Case No. 18844  
Filed May 5,1961  
Recorded June 27,1961

On the motion of the defendant, it is ordered by the court that plaintiff pay her sum of One Hundred Fifty Dollars (\$150.00) for her attorney fees in this cause , to be paid on or before May 20,1961.

Gwynn Sanders  
Judge

APPROVED BY:  
Grigsby & Parrott  
Attorney for Plaintiff  
Clifton L. Caryl  
Attorney for Defendant

JOURNAL ENTRY  
The matter of difference between the parties concerning a 1954 Chevrolet and a 1956 Bel Air Chevrolet automobile both in the name of Irene McCarty. The 1954 Chevrolet is mortgaged to Modern Finance Company of Marysville, Ohio with approximately Four Hundred Dollars (\$400.00) balance and the 1956 Bel Air Chevrolet is mortgaged through GMAC of Springfield, Ohio with approximately Five Hundred Fifth Dollars (\$550.00) balance. It is understood and agreed between the parties in the event defendant, Irenen McCarty, should sell either one of the above described motor vehicles, the proceeds of the same should be accounted for and paid into the Clerk of Common Pleas Court, Union County, Ohio.

Gwynn Sanders  
Judge

APPROVED BY:  
Grigsby & Parrott  
Attorney for Plaintiff  
Clifton L. Caryl  
Attorney for Defendant

JOURNAL ENTRY  
MCCarty -vs- McCarty

Case No. 18844  
Filed June 26,1961  
Recorded June 27,1961

This cause came on to be heard on the petition and the evidence and on consideration thereof, the court finds the defendat has been duly served by summons and with a copy of the petition as required by law and that defendant is in default for answer or demurrer and that the facts set forth in said petition are true ; that plaintiff was a resident of Union County, State of Ohio, for more than a year prior to the filing ot the petition and that the parties were married as in the petition set forth and have one minor child namely Judy Kay McCarty aged 11, who by the Juvenile Court of Delaware County, Ohio, has been confided to the custody and care of the plaintiff and said child being in the jurisdiction of the aforesaid juvenile court no further order ismade by this court.

The Court further finds the plaintiff is entitled to a divorcee from the defendant on the grounds of gross neglect as alleged in the petition.

It is therfore ordered, adjudged and decreed that the marriage contract heretofore existing between the plaintiff, Gilbert McCarty and the defendant, Irene McCarty, be and the same is hereby dissolved and both parties are released and discharged therefrom. Cost taxed to plaintiff in the sum of \$ \_\_\_\_\_.

Gwynn Sanders  
Common Pleas Judge

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff  
Clifton L. Caryl  
Attorney for Defendant

PETITION FOR DIVORCE  
Gertrude Louck  
309 S. Maple St.,  
Marysville, Ohio  
Plaintiff

Case No. 18848  
Filed May 1,1961  
Recorded June 27,1961

-vs-  
Walter Louck Jr.,  
428 S. Chestnut St.,  
Marysville, Ohio  
Defendant

Now comes the plaintiff, Gertrude Louck, and complains of defendant, Walter Louck, Jr., and for her cause of action alleges:

Plaintiff says that she has been a resident of the State of Ohio for more than one year last past and a bona fide resident of Union County, Ohio for more than ninety days next preceding the filing of her petition herein.

Plaintiff says that she and defendant were married on September 9,1948, at Greenup, Kentucky, and that there are no children the issue of this marriage.

Plaintiff further says that the defendant has been guilty of gross neglect of duty to plaintiff in that he has failed to provide plaintiff with any support since November 4,1959.

Plaintiff says that she owns household furniture worth about \$500.00

Plaintiff says that her maiden name was Gertrude Kitchen.

Plaintiff says that she has reasonable ground to and does fear that the said defendant pending this action will do her great physical and bodily harm which she has no legal remedy to prevent, unless he be restrained by injunction.

WHEREFORE, plaintiff prays that she may be granted an absolute divorce from defendant, a division of their property, and injunction against the defendant from interfering with her or causing her harm and restraining him from her present place of residence, reasonable attorney fees, court costs, restoration of maiden name, and other and further relief in the premises as the Court may find to be just and equitable.

Todd Hoopse.  
Attorney for Plaintiff

STATE OF OHIO UNION COUNTY SS:  
Gertrude Louck, being duly sworn, says that the facts stated and the allegations made and contained in the foregoing petition are true.

Sworn to before me and signed in my presence this 1st day of May, 1961.

/s/ Gertrude Louck  
Todd Hoopes

INJUNCTION  
Injunction granted as prayed for, without bond, this 1st day of May,1961.

Gwynn Sanders  
Judge



PRECIPE

Louck -vs- Louck

Case No. 18848  
Filed May 1,1961  
Recorded June 27,1961

TO THE CLERK:

Issue summons in the above entitled cause with a copy of the Petition and Injunction, directed to the Sheriff of Union County, Ohio, for the defendant Walter Louck, Jr., who resides at 428 S. Chestnut Street, Marysville, Ohio.

Endorse "ACTION FOR DIVORCE, DIVISION OF PROPERTY, INJUNCTION, ATTORNEY FEES, COURT COSTS, RESTORATION OF MAIDEN NAME AND OTHER EQUITABLE RELIEF". And make returnable according to law.

Todd Hoopes  
Attorney for Plaintiff

SUMMONS IN DIVORCE

THE STATE OF OHIO, Union County

Filed May 3,1961

TO THE SHERIFF OF Union County

You are hereby commanded to notify Walter Louck, Jr., 428 S. Chestnut St., Marysville, Ohio, that Gertrude Louck has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition & Injunction ( a copy of which accompanies this summons) charging him with Gross Neglect of Duty and asking that she be divorced from him and division of property, injunction, attorney fees, court costs, restoration of maiden name and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 15th day of May 1961.

Witness my signature and the seal of Said Court, this 1st day of May,1961.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

THE STATE OF OHIO, Union County

Received this writ on the 1st day of May 1961 at 3:25 o'clock P.M. and on the 2nd day of May 1961, I served the same by personally handing to the within named Walter Louck Jr. a true copy thereof, together with a certified copy of the petition and injunction filed against him in this cause.

Edward Amrine  
Sheriff Union County

Sheriff Fees

Service and Return 1.50  
Docket .10

Total 1.60

DECREE OF DIVORCE

This cause came on for hearing on the 26th day of June, 1961, on the petition of the plaintiff and the evidence; and on consideration thereof, the Court finds that the plaintiff, at the time of filing her petition, had been a resident of the County of Union and State of Ohio for more than one year next preceding the same, and was at that time a bona fide resident of the County of Union; the Court further finds that service of summons and copy of the petition herein was duly served upon the defendant as required by law and that the Court has jurisdiction. The Court finds that the parties thereto were married as in said petition set forth, and that there were and are no children born of said marriage.

The Court further finds that the defendant has been guilty of Gross Neglect of Duty toward the plaintiff as alleged in plaintiff's petition and that by reason thereof, plaintiff is entitled to a divorce as prayed for in plaintiff's petition.

It is therefore ordered, adjudged and decreed by the Court, that the marriage relationship between the plaintiff and the defendant be, and the same is hereby dissolved and terminated and each of the parties are released from the obligations of same.

It is further ordered that the plaintiff and defendant each retain ownership of his or her personal property, without claim by or obligation to the other party.

It is further ordered that the plaintiff be restored to her former name of Gertrude Kitchen.

It is further of ordered, adjudged and decreed that the plaintiff pay her attorney fees herein and the costs of this proceeding.

Gwynn Sanders  
Judge

APPROVED

Todd Hoopes  
Attorney for Plaintiff

PETITION

Hilda F. Cool baugh  
544 North Main Street  
Marysville, Ohio

Plaintiff

Case No. 18849  
Filed May 2,1961  
Recorded June 27,1961

-vs-

Robert L. Coolbaugh  
213 Nobottom Road  
Berea, Ohio

Defendant

Now comes the plaintiff Hilda F. Coolbaugh and says that she has been a resident of the State of Ohio for morethan one year last past, and has been a bona-fide resident of the County of Union for more than ninety days prior to filing her petition herein.

Plaintiff further says that she and the defendant were married on the 28th day of March 1959, and that there are no children the issue of said marriage.

Plaintiff further says that her former married name was Hilda F. Hill.

Plaintiff for her cause of action herein says that defendant is guilty of gross neglect of duty and extreme cruelty.

Wherefore, plaintiff prays for a divorce, restoration of her former married name of Hilda F. Hill and for such other and further relief in the premises to which she may be entitled and costs.

William J. Porter  
Attorney for Plaintiff

STATE OF OHIO COUNTY OF UNION SS:

Hilda F. Coolbaugh being first duly sworn deposes and says that she is the plaintiff herein and that the facts stated and the allegations contained herein are true and as she verily believes.

/s/ Hilda F. Coolbaugh.

Sworn to before me and signed in my presence this 1st day of May,1961.

William J. Porter

PRECIPE  
TO THE CLERK

Pleas issue summons and a copy of the petition on the defendant Robert L. Coolbaugh at 213 Nobottom Road, Berea, Ohio, directed to the Sheriff of Cuyahoga County, Ohio. Endorse thereon action for divorce, restoration of her former married name of Hilda F. Hill, and for such other and further relief in the premises to which she may be entitled and costs.

William J. Porter  
Attorney for Plaintiff

SUMMONS IN DIVORCE  
THE STATE OF OHIO, Union County  
TO THE SHERIFF OF Cuyahoga County,

You are hereby commanded to notify Robert L. Coolbaugh 213 Nobottom Road Berea, Ohio that Hilda F. Coolbaugh has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with Gross Neglect of Duty & Extreme Cruelty and asking that she be divorced from him and restoration of her former married name of Hilda F. Hill, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 15th day of May 1961  
Witness my signature and the seal of said Court, this 2nd day of May 1961.

Helen L. Sullivan  
Clerk

SHERIFF' S RETURN  
THE STATE OF OHIO, Cuyahoga County

Filed May 31,1961

Received this writ on the 3rd day of May, 1961. at 12:20 o'clock P.M. and on the 4th day of May 1961, I served the same by personally handing to Robert L. Coolbaugh a true copy thereof, together with a certified copy of the petition filed against him in this cause.

Sheriff Fees  
Service & Return 1.50  
Miles 3.00  
Postage .04  
Total 4.54

Joseph M Sweeney  
Henry H. Rickey

Decree of Divoree  
Coolbaugh -vs- Coolbaugh

Case No. 18849  
Filed June 26,1961  
Recorded June 27,1961

And now comes the said Plaintiff, by her attorney, and the Defendant having been duly served with a summons and a copy of the ptition the Court finds that the Defendant is in default for answer or demurrer to the petition, thereby confessing the allegations thereof to be true.

The Court also finds that the Plaintiff, at the time of filing her petition had been a resident of the State of Ohio for one year next prior thereto and was, at the time of filing said petition and for a least ninety days immediately preceding the same, a bona fide resident of this County of Union and that the parties hereto were married on the 28th day of March, 1959 as in said petition set forth.

The Court further does finds, upon the evidence adduced, that the defendant has been guilty of Gross Neglect of Duty and Extreme Cruelty and by reason thereof the Plaintiff is entitled to a divorce as prayed for.

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

It is further order of the Court that said Plaintiff be restored to her former married name of Hilda F. Hill.  
It is further ordered that the Said Plaintiff pay the costs of this prosecution.

Gwynn Sanders  
Judge

APPROVED BY:  
William J. Porter  
Attorney for Plaintiff

PETITION  
Nellie Kavanaugh  
Route # 2  
West Mansfield, Ohio  
Plaintiff

Case No. 18877  
Filed June 22,1961  
Recorded June 27,1961

-vs-  
David Mathys  
Route #1  
West Mansfield, Ohio  
Defendant

The plaintiff ---say  
The Defendant on the 29th day of August 1952, executed and delivered to Nellie Kavanaugh, plaintiff herein his promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, with all the endorsements thereon, are hereto attached, marked "Exhibit A" and made a part of this petition.

Said note is unpaid, except as shown by said endorsements, and there is now due the plaintiff on said note the sum of One Thousand Three Hundred and no/100 dollars and ----- cents with interest at the rate of 8% per cent, per annum, from the 29th day of September 1957

Wherefore, plaintiff pray a judgment against said defendant for the sum of One Thousand Three Hundred and no/100 dollars and ----- cents withinterest thereon from the 29th day of September 1957, at the rate of 8% per cent, per annum till paid, and for costs of suit.

Grigsby & Parrott  
Attorney for Plaintiff

THE STATE OF OHIO Union County SS:  
Joseph B. Grigsby, being duly sworn, says that he is the attorney of said plaintiff, that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writing isin his possession and that he verily believes the statements cntained in the forgoing petition are true, in substances and in in fact.

Sworn to by said -----before me and by ----- signed in my presence this 17th day of June 1961  
Nancy Rider

ANSWER FOR DEFENDANT  
By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I, an attorney at law in the several courts of record of this state, do hereby enter an appearance for said defendant in this suit and waive the issuing and service of process therein, and confess a judgment in favor of said plaintiff against said defendant on said note for the sum of One Thousand Six Hundred Sixty Two Dollars, and no/100 cents, being the amount appearing due for principal and interest on said note, and also for costs of suit, taxed and to be taxed; and I do hereby release and waive all exceptions, errors and right of appeal of the premises,



Kavanaugh ---vs--- Mathys

William L. Coleman  
Attorney for Defendant

JUDGMENT ENTRY'

This day came the plaintiff by her attorney; also appeared in open court, for and on behalf of said defendant William L. Coleman, an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendant entered the appearance of said defendant and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendant and in favor of said plaintiff for One Thousand Six Hundred Sixty Two Dollars and no/100 cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed and released and waived all exceptions, errors and right of appeal in the premises.

It is therefore considered that said plaintiff recover from said defendant the sum of One Thousand Six Hundred Sixty Two dollars and no/100 cents being the amount of said note and unpaid interest due, thereon from the 29th day of September 1957, to date of judgement; and also recover her costs herein expended, taxed at \$25.00 and interest on said judgment at 8% per cent, per annum, from said date of judgment until paid.

Gwynn Sanders  
Judge

\$2,000.00

August 29, 1952

On or before March 24, 1953 after date for value received promise to pay to the order of Nellie Kavanaugh

Two thousand and no/100----- Dollars

with Interest at the rate of eight per centum per annum at West Mansfield, Ohio

and I hereby authorize any attorney at Law to appear in any Court of Record in the United States after the above obligation becomes due and waive the issuing and service of process and confess a judgment against me in favor of the holder hereof for the amount then appearing due, together with costs of suit and thereupon to release all errors and waive all right of appeal.

/s/ David Mathys

Secured by Chattel Mortgage  
Due March 24, 1953

Cognovit Note

CONTINUING FORM RECORD 77 Page 279

Joyce C. Cocklin  
Marysville, Ohio Plaintiff

-vs-

Richard H. Cocklin  
926 Dayton Avenue  
Washington Court House, Ohio  
Defendant

Case No. 17980  
Filed June 19, 1961  
Recorded July 20, 1961

Now comes John W. Dailey, Attorney for the plaintiff, and moves the court for an order requiring defendant, Richard H. Cocklin, to be and appear in this court at 10:30 A.M. on June 26, 1961, and then and there show cause why he should not be punished as for contempt of this court for failure to comply with an order heretofore issued for payment for support and maintenance for of his two minor childre,

John W. Dailey  
Attorney for Plaintiff

JOURNAL ENTRY

On motion for plaintiff by her counsel, it is ordered defendant, Richard H. Cocklin, 926 Dayton Avenue, Washington Court House, Ohio, be and appear before this court at 10:30 A.M. June 26, 1961, and then and there show cause why he should not be punished for contempt of court.

It is further ordered the Clerk of this court notify the defendant by mailing a certified copy of this motion and entry to the defendant by certified mail with return card forthwith.

Gwynn Sanders  
Judge

JOURNAL ENTRY

Cocklin -vs- Cocklin

Filed June 26, 1961  
Recorded July 20, 1961

By agreement of counsel, hearing on motion herein filed assigned for hearing this date is continued for hearing on July 15, 1961, at 10:30 A.M.

Gwynn Sanders  
Judge

APPROVED

John W. Dailey  
Counsel for plaintiff  
Grigsby & Parrott  
Counsel for Defendant

JOURNAL ENTRY

Filed July 20, 1961

This day this cause came on for hearing on the motion herein filed and the court being fully advised in the premises finds the defendant was properly served with notice for the hearing on June 26 1961, and of the hearing on July 15th by copy of Journal Entry delivered to his counsel on June 26, 1961, and that defendant failed to appear.

The Court finds, from the evidence adduced, that the defendant is delinquent in his payments for the support and maintenance of his two minor children as of July 15, 1961, in the amount of Two Hundred Fifty (\$250.00) Dollars.

It is ordered by the court that said defendant pay the sum of Thirty Five (\$35.00) Dollars per week, with \$0.35 poundage, each and every week, beginning July 22, 1961, until the amount of back support is paid in full. It is ordered the clerk of this court mail a copy of this entry to the defendant.

It is further ordered defendant pay the costs of this proceeding.

Gwynn Sanders  
Judge

APPROVED:

John W. Dailey  
Attorney for Plaintiff

APPLICATION

Truman Redinbaugh  
Richwood, Ohio

Plaintiff

Case No. 17978  
Filed June 5,1958  
Recorded July 28,1961

-vs-

Jean Redinbaugh

Defendant

Now comes the Plaintiff and moves the court for an order modifying the former order of this court in regard to support payments for the minor children of the parties for the following reasons, to-wit:

1. Plaintiff has suffered a reduction in wages at his place of employment; his status has been reduced from that of foreman to that of group leader at the Ranco Plant in Delaware, Ohio.
2. Plaintiff has remarried since the last order herein and has an additional child to support, the same having been born since the last order herein.

Wherefore Plaintiff prays that said former order of this court be modified in such manner as is most provident for the Plaintiff and the minor children of the parties; that Plaintiff be granted custody of one or both of the minor children of the parties and for such other and further orderes in the premises as may appear equitable to the court.

/s/ Truman Redinbaugh

State of Ohio  
County of Union SS:

Truman Redinbaugh being first sworn says that the facts stated in the foregoing application are true.

/s/ Truman Redinbaugh

Sworn to before me and subscribed in my presence this 26th day of May 1958.

Lloyd George Kerns

APPLICATION

Truman Redinbaugh

Plaintiff

Case No. 17978  
Filed December 1959  
Recorded July 28,1961

-vs-

Jean Redinbaugh

Defendant

Now comes the Plaintiff and moves the court for an order modifying the former order of this court in regard to support payments for the minor children of the parties for the following reasons, to-wit:

1. Plaintiff has suffered a reduction in wages at his place of employment.
2. Plaintiff has remarried since the last order herein and has an additional child to support, the same having been born since the last order herein.

WHEREFORE, Plaintiff prays that said former order of this court be modified in such manner as is most provident for Plaintiff and the minor children of the parties; that Plaintiff be granted custody of one or both of the minor children of the parties and for such other and further orderes in the premises as may appear equitable to the court.

/s/ Truman Redinbaugh

State of Ohio Union County SS:

Truman Redinbaugh being first duly sworn says that the facts stated in the foregoing application are true.

/s/ Truman Redinbaugh

Sworn to before me and subscribed in my presence this 28th day of November, 1959.

Lloyd George Kerns

ENTRY

Redinbaugh -vs- Redinbaugh

Filed June 9,1961  
Recorded July 28,1961

Plaintiff herein havving moved the court for an order modifying the former orderes of this court in regard to support payments for the minor children of the parties.

It is therefore the order of this court that hearing on said motion shall be on the 17 day of June 1961, at 9:30 o'clock A.M. in the courtroom of this court and that a certified copy of this order be served upon Defendant shall constitute the legal notice of said hearing.

Gwynn Sandres  
Judge

Filed June 9,1959

PRECIPE

TO THE CLERK

Issue certified copy of entry setting haearing on Plaintiff's motion for reduction of support payments for minor children in the above entitled case for Defendant Jean Redinbaugh at Route #1 Sunbury, Ohio (In Condit) directed by certified mail.

Lloyd George Kerns

JOURNAL ENTRY

Filed July 6,1961  
Recorded July 28,1961

This matter coming before the court upon the application of plaintiff for modification of the divorce decree pertaining to custody of children and support payments, upon the testimony and evidence produced, the court finds that both branches of plaintiffs motion should be overruled; that plaintiff is now earning more than was being earned by him at the time of the divorce decree; and that the only child in the home of plaintiff was a child enciente and in the contemplation of the parties at the time the separation agreement was made.

The Court further finds the plaintiff stated in open court he did not wish to pursue his request for change of custody of either or both of the children of the parties.

It is therefore ordered plaintiff's motion be overruled. Exceptions noted for plaintiff.

Gwynn Sanders  
Judge

APPROVED BY:

Lloyd George Kerns  
Attorney for Plaintiff  
Grigsby & Parrott  
Attorneys for Defendant



PETITION

Jewell Kimbler  
60 Short Street  
Milford Center, Ohio

Plaintiff

Case No. 18868  
Filed June 6, 1961  
Recorded July 28, 1961

--S--

Chester Kimbler  
Milford Center, Ohio

Defendant

Plaintiff says that she has been a resident of the State of Ohio for more than one year immediately proceeding the filing of this petition and a bona fide resident of Union County formore than ninety days immediately prior to the filing of this petition.

Plaintiff further says that she and the defendant were married at Paintsville, Kentucky, on the 17th day of June 1939 and that two children have been born as issue of said marriage, to-wit: Emogene Kimbler age 21 and Ronnie Roger Kimbler age 16. That both of said children are mentally retarded children and are not capable of supporting themselves or caring for themselves and they are now and will for the remainder of their lives be dependant on others for their support and care.

Plaintiff says that she has always conducted herself as becoming a dutiful wife, and that the defendant has been guilty of gross neglect of duty and extreme cruelty towards this plaintiff, by reason of which she is entitled to a divorce.

Plaintiff further says that the parties are the joint owners of a house and lot located at 60 Short Street, Milford Center, Ohio, and that there is a mortgage thereon to the Union County Federal Savings & Loan Association in the present sum of \$2,067.81. That they are the owners of household goods located in said property and that defendant owns a 1952 Buick and this plaintiff owns a 1958 Oldsmobile automobile, all of said property having been acquired by the parties since their marriage.

WHEREFORE, plaintiff prays that she may be divorced from the said defendant; that she be awarded the custody care and control of the parties said children; for temporary and permanent support for said children; and for temporary and permanent alimony for herself. Plaintiff further asks that she be allowed to remain and live in the residence property during the pendency of this action and that the defendant be restrained from molesting her and her children and from entering said property; and that she maybe awarded her costs, attorney fees and for such other and further relief in the premises as the court may find to be just and equitable.

Luther L. Liggett  
Attorney for Plaintiff

VERIFICATION

Kimbler -vs- Kimbler

Jewell Kimbler, being firstduly sworn, says that she is the plaintiff to in the above entitled action, and that the facts stated and allegations contained in the foregoing petition are true.

/s/ Jewell Kimbler

Sworn to before me and subscribed in my presence this 5th day of June, 1961

Luther L. Liggett

MOTION

Filed June 6, 1961  
Recorded July 28, 1961

Now comes Jewell Kimbler, plaintiff herein, by her attorney, and moves the court for an order directing the defendant to pay to her prior to final hearing herein, a reasonable sum of for alimony and support, together with a reasonable sum for her attorney fees in this cause; and further moves the court for a restraining order enjoining the defendant from molesting her and her children and from entering the residence property at 60 Short Street, Milford Center, Ohio, during the pendency of this action.

Luther L. Liggett  
Attorney for Plaintiff

JOURNAL ENTRY

On motion of the plaintiff, it is the order of this court that the plaintiff, Jewell Kimbler, be allowed to remain in the residence of the parties located at 60 Short Street, Milford Center, Ohio, and the defendant be restrained from molesting her and the parties children and from entering said premises during the pendency of this action.

Robert T. Allen  
Judge

JOURNAL ENTRY

Case No. 18868  
Filed June 6, 1961

This matter coming before the court on plaintiff's motion for temporary alimony and support, attorney fees and restraining order, it is ordered by the court that a hearing be had on said motion before the court on the 16th day of June, 1961, at 9:30 o'clock A.M.

Robert T. Allen  
Judge

APPROVED BY

Luther L. Liggett

PRECIPETO THE CLERK

Please issue summons in the above entitled cause with a copy of the petition, motion, restraining order and journal entry directed to the sheriff of Union County, Ohio, for the defendant Chester Kimbler, 60 Short Street, Milford Center, Ohio, endorse "petition for divorce, custody of children temporary and permanent support and alimony, restraining order and equitable relief" and make returnable according to law.

Luther L. Liggett  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County  
To the Sheriff of Union County:

You are hereby commanded to notify Chester Kimbler, 60 Short Street, Milford Center, Ohio that Jewell Kimbler has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio a Petition, Motion, Entry & Entry, ( A copy of which accompanies this summons) charging his with gross neglect of duty and extreme cruelty and asking that she be divorced from his and custody of children, temporary and permanenet support and alimony, restraining order, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 19th day of June 1961.

Witness my signature and the seal of said Court, this 6th day of June 1961.

Helen L. Sullivan  
Clerk.



SHERIFF'S RETURN

The State of Ohio, Union County.

Received this writ on the 6th day of June 1961, at 12:30 o'clock P.M., and on the 7th day of June 1961, I served the same by personally handing to the within named Chester Kimbler a true copy thereof, together with a certified copy of the petition, motion, entry, and entry, filed against him in this cause.

Edward Amrine  
Union County Sheriff

Sheriff Fees  
Sercive and Return 1.50  
Docket .10  
Total 1.60

JOURNAL ENTRY

Case No. 18868  
Filed June 22, 1961

Kimbler -vs- Kimbler

This day this cause came on to be heard upon plaintiff's motion for temporary support and restraining order and the evidence and the court finds that the parties are the parents of two children, age twenty-one and sixteen who are retarded and dependant children.

It is ordered by the court that the temporary custody, care and control of said children be confined to the plaintiff, Je well Kimbler, and that the defendant is awarded reasonable rights of visitation with said children. It is further ordered that the defendant pay for the support of said children through the Clerk of Courts of Union County, Ohio, the sum of Fifteen Dollars (\$15.00) per week per child commencing the 17th day of June, 1961, and ontinuing during the pendency of this action and that he be restrained from molesting the plaintiff in the home where she and the children now reside during the pendency of this action. IT is further ordered that the plaintiff pay the mortgage payments on the parties residence property and the mortgage payments on the household goods, and this cause is continued.

Gwynn Sanders  
Judge

APPROVED BY:

Luther L. Liggett  
Attorney for Plaintiff  
Grigsby & Parrott  
Attorney for Defendant

JOURNAL ENTRY

Case No. 18868  
Filed July 28, 1961

This day this cause came on to be heard upon the petition of the plaintiff, and the evidence, and the Court findsthat the Defendant is in default for answer or demurrer to the petition, thereby confessing the allegations thereof to be true.

The court further finds that the Plaintiff, at the time of filing her petition, had been a resident of the State of Ohio, for one year next prior thereto and was, at the time of filing said petition and for at least ninety days immediately preceeding the same, a bona fide resident of Union County; that the parties were married on the 17th day of June, 1939, at Paintsville, Kentucky and that two children have been born as issue of said marriage, to-wit: Emogene Kimbler age 21 and Ronnie Roger Kimbler age 16, and that Emogene Kimbler is epileptic and a retarded child and that Ronnie Roger Kimbler is a retarded child and further that said children are unable because of said handicaps to support or care for themselves and that they are wholly dependant children.

The Court further finds, upon the evidence adduced, that the Defendant has been guilty of gross neglect of duty and extreme cruelty and by reason thereof the Plaintiff is entitled to a divorce as prayed for.

It is therefore ordered and adjudged by the Court, tha t the marriage contract heretofore existing between the said Jewell Kimbler and Chester Kimbler be, and the same is hereby dissolved, and that both parties are released from the obligations of the same. It is further ordered that the said Jewell Kimbler shall have the exclusive care, custody and control of the parties two children and the Defendant is granted reasonable rights of visitation in the home of Jewell Kimbler located at 60 Short Street, Milford Center, Ohio, at any reasonable time and hour, and that the Defendant pay to the said Plaintiff, through the Clerk of this Court, the sum of Fifteen Dollars (\$15.00) per week per child until further ordere d of this court.

The Court further finds that the parties are the joint owners of household goods and a house and lot all located at 60 Short Street, Milford Center, Ohio, and that there is a chattel mortgage on part of said household goods and a real estate mortgage in the amount of \$2,067.81 to the Union County Federal Savings and Loan Association of Marysville, Ohio, on the real property and it hereby ordered that Plaintiff be awarded the household goods and the real estate as permanent alimony and that within five days the Defendant execute and deliver to this Plaintiff a quit claim deed for his interest in said real estate to the said Plaintiff and that the Plaintiff assume and pay and save the Defendant free and harmless for from paying said real estate mortgage and said chattel mortgage hereinberfore described. It is further ordered by the Court that the said Plaintiff, Jewell Kimbler, not voluntarily transfer, sell or alienate the said real property located at 60 Short Street, Milford Center, Ohio, within five years from the date of this entry without the consent of this Court. It is further ordered by the Court that Plaintiff retain the 1958 Oldsmobile automobile as her sole property and that the Defendant retain the 1952 Buick automobile as his sole property.

It is further ordered that the Plaintiff pay the cost of this prosecution.

Gwynn Sanders  
Judge

APPROVED BY

Luther L. Liggett  
Attorney for Plaintiff

PETITION

Erma Gallant  
East Liberty, Ohio  
Route #1

Plaintiff

-vs-

Carl Gallant  
East Liberty, Ohio  
Route #1

Defendant

Now comes Erma Gallant, who says she has been a resident of Union County, Ohio, for more than one year, and that the cause of action heren has arisen in said jurisdiction; that see and the defendant, Carl Gallant, were married August 16, 1932, and there are no minor children as issue of this marriage.

Plaintiff says that ever since their marriage she has been a faithful and dutiful wife but that the defendant, Carl Gallant, has been guilty of gross neglect of duty.

Plaintiff further sayd that on the first day of June, 1961, a separation agreement was entered into between the parties hereto providing for settlement of all property rights and further, for the payment of the sum of \$40.00 per week as permanent allimony by the defendant to the plaintiff.

WHEREFORE, plaintiff prays that she be granted a divorce from the defendant, and asks that the aforesaid separation agreement heretofore entered into between the parties be affirmed by the court and plaintiff further asks for such other relief as the court deems just and equitable in the premises.

Grigsby and Parrott  
Attorneys for Plaintiff

Case No. 18865  
Filed June 3, 1961  
Recorded August 1, 1961



VERIFICATION

Gallant -vs- Gallant

STATE OF OHIO COUNTY OF UNION SS:

Erma Gallant, being first duly sworn, says that the facts and allegations contained in the foregoing are true.

Sworn to before me and subscribed in my presence this 1st day of June, 1961.  
/s/ Erma Gallant  
Richard E. Parrott

PRECIPE

TO THE CLERK:

Please issue summons to the Sheriff of Union County, Ohio, for the defendant, Carl Gallant, East Liberty, Ohio, Route #1. Endorse summons "action for divorce and affirmance of separation agreement." Make same returnable according to law.

Grigsby & Parrott  
Attorneys for Plaintiff

NOTE TO SHERIFF:

Carl Gallant will pick up his summons at the Sheriff's Office on Saturday, P.M. June 3, 1961.

SUMMONS IN DIVORCE

Filed June 9, 1961

The State of Ohio, Union County  
To the Sheriff of Union County:

You are hereby commanded to notify Carl Gallant East Liberty, Ohio Route #1 that Erma Gallant has filed in the office of the clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, ( a copy of which accompanies this summons) charging him with Gross Neglect of Duty and asking that she be divorced from him and that the separation agreement heretofore entered into between the parties be affirmed by the Court, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 12th day of June 1961.  
Witness my signature and the seal of said Court, this 3rd day of June, 1961.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

The State of Ohio, Union County

Received this writ on the 3rd day of June 1961, at 10:45 o'clock A.M., and on the 5th day of June 1961, I served the same by personally handing to the within named Carl Gallant a true copy thereof, together with a certified copy of the petition filed against him in this cause.

Edward Amrine  
Union County Sheriff

Sheriff Fees

Service & Return 1.50  
Docket .10  
1.60

JOURNAL ENTRY

Filed July 28, 1961

This matter coming on to be heard on petition of plaintiff, the Court finds that it has jurisdiction of both the subject matter and parties and that the defendant, though duly served with summons and copy of the petition as required by law is in default for answer or demurrer and that the allegations of the ptition are thereby confessed by him to be true; the Court further finds the parties on the 1st day of June, 1961 entered into a property settlement whereby Carl Gallant agreed to quit claim his interest in the real estate of the parties to Erma Gallant, ~~that she should~~ have as her separate property, a 1950 Ford Automobile owned by the parties and that Carl Gallant agreed to pay as and for permanenet alimony the sum of \$40.00 per week so long as Erma Gallant shall be single ; said property settlement is approved and confirmed and incorporated in this decree.

It is therefore ordered, adjudged and decreed that Erma Gallant be granted a decree of divorce from the defendant, Carl Gallant by reason of his gross neglect of duty and that he pay to her the sum of \$40.00 per week from the date of this decree so long as she remains single; alimony plus poundage to be paid through Clerk of Courts, that he sign any necessary certificate of title to transfer to her the 1950 Ford Automobile and the he quit claim his interest in the following described real estate to her within three days and in the event he fails to do so, the Clerk of this court is ordered to enter of record in the Union County Recorder;s Office so much of this decree as is necessary to transferall of the interest of Carl Gallant in and to the following real estate to Erma Gallant.

Real estate situated in the State of Ohio, County of Union and Township of Liberty, and bounded and described as follows:

2 Being in Survey Number 14755 of the Virginia Military Survey, Commencing at an angle in County Highway No. 229 and at the southeasterly corner of said Survey No. 14755. Thence South 58' 35" West on the center line of said County Highway on southerly line of said Survey 14755 a distance of 813.2 feet to an ironrod the place of beginning. Thence South 58'-35" West on center line of said County Highway and Survey line 330 to an iron pipe at the south-westerly corner of said Grantor's 47 acre tract. Thence North 32'-0" West of said Grantor's westerly line 132 feet to an iron ipe thence North 58'-35" East 330 feet to an iron pipe thence South 32'-0" East 132 feet to the place of beginning. Containing one acre, more or less. Said tract hereby conveyed is a partial out of the southwesterly corner of said Grantors 47 acre tract described in Vo. 167 page 547 of the deed records of Union County, Ohio. Surveyed by N.W. Llewellyn, County Engineer.

It is further ordered defendant, Carl Gallant pay to the firm of Grigsby & Parrott, the balance of their \$150.00 attorney fees; to wit; \$100.00, for which judgment is awarded. Costs taxed to plaintiff.

Gwynn Sanders  
Judge

APPROVED BY:

Grigsby & Parrott  
Attorneys for Plaintiff

PETITION

Case No. 18788  
Filed January 25, 1961  
Recorded August 7, 1961

Mary Belle Adams, a minor  
Post Road  
Amlin, Ohio, through her  
mother and next friend  
Gertrude Norris  
Post Road  
Amlin, Ohio  
  
Plaintiff

-vs-  
Clyde Eugene Adams  
Route #1  
Powell, Ohio  
  
Defendant

Comes now the plaintiff and for her cause of action states that she is a minor of tender years, namely 18 years, and that she brings this action through her mother and next friend.

Plaintiff further states that she has been a resident of the State of Ohio for more than one year and a resident of the County of Union for more than ninety (90) days immediately preceding the filing of her Petition herein.

Further, that she and the defendant were married October 7, 1957, at Richmond, Indiana, and that two children namely, Stephen Eugene Adams, age 3 years and Sheila Ann Adams, age 7 months, were born as issue of said marriage.

Plaintiff further states that although she has been a good and dutiful wife, that the defendant has been guilty of gross neglect of duty, mental cruelty and non-support, the facts concerning the same will be more fully brought out when this comes on for hearing on its merits.

WHEREFORE, plaintiff prays that she be granted a reasonable amount for temporary alimony and child support; and that she be granted temporary and permanent custody of said parties' minor children, and when this cause comes on for hearing that she may be granted a divorce from the defendant, reasonable expense money for the prosecuting of her cause herein and for such other and further relief as may be just and proper in the premises.

Dobbs, Frick & Finnegan  
by: Lawrence Finnegan  
Attorneys for Plaintiff

STATE OF OHIO  
COUNTY OF FRANKLIN SS:

Gertrude Norris, after being first duly cautioned and sworn, deposes and stated that she is the mother and next friend of Mary Belle Adams, a minor, the plaintiff herein, that she has read the foregoing Petition and the facts contained in same are true as she verily believes.

/s/ Gertrude Norris

Sworn to before me and subscribed in my presence this 16th day of January, 1961.

Lawrence L. Finnegan

PRECIPE

TO CLERK OF COMMON PLEAS COURT, Franklin County:

Filed January 25, 1961

Issue Summons, and copy of petition to Sheriff Union County returnable according to law Clyde Eugene Adams  
Route #1 Powell, Ohio.

SUMMONS IN DIVORCE

Filed January 27, 1961

The State of Ohio, Union County  
To the Sheriff of Union County:

You are hereby commanded to notify Clyde Eugene Adams, Route #1 Powell, Ohio that Mary Belle Adams, a minor, by her mother and next friend, Gertrude Norris, has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio a petition, ( a copy of which accompanies this summons) charging him with gross neglect of duty, mental cruelty and non-support and asking that she be divorced from him and that she be granted a reasonable amount for temporary alimony and child support; that she be granted temporary and permanent custody of said minor children of parties', and when this cause comes on for final hearing that she be awarded reasonable expense money for the prosecuting of her cause herein and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 6th day of February 1961.

Witness my signature and the seal of said Court, this 25th day of January 1961.

Helen L. Sullivan  
Clerk.

THE STATE OF OHIO, UNION COUNTY:

Received this writ on the 25th day of January 1961, at 10:00 o'clock A.M., and on the 26th day of January 1961, after diligent search I failed to find the within named Clyde Eugene Adams within the confines of my bailiwick.

Sheriff Fees

Service & Return 1.50

48 miles 4.80

Docket .10

Total 6.40

Edward Amrine  
Sheriff of Union County

ALIAS PRECIPE

Filed February 21, 1961

TO CLERK OF COMMON PLEAS COURT, Franklin County

Issue Summons and Copy of Petition to Sheriff Union County returnable according to law. Please deputize the Franklin County Sheriff's office for the purpose of serving Clyde Eugene Adams at the Westinghouse Corporation Dept. 20, 300 Phillipi Road, Columbus, Ohio.

SUMMONS IN DIVORCE

Filed March 3, 1961

The State of Ohio Union County  
To the Sheriff of Franklin County

You are hereby commanded to notify Clyde Eugene Adams, Westinghouse Corporation, Dept. 20, 300 Phillipi Road, Cols. Ohio that Mary Belle Adams, a minor, by her mother and next friend, Gertrude Norris, has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, ( a copy of which accompaines this summons) charging him with gross neglect of duty, mental cruelty and of non-support, and asking that she be divorced from him and that she be granted a reasonable amount of for temporary alimony and child support; that she be granted temporary and permanent custody of said parties minor children, and when this cause comes on for final hearing that she be awarded reasonable expense money for the prosecuting of her cause hereip. and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 6th day of March 1961.

Witness my signature and the seal of said Court, this 21st day of February 1961.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

The State of Ohio, Franklin County

Received this writ on the 23rd day of February 1961 at 9:22 o'clock A.M., and on the 27th day of February 1961, I served the same by personally handing to Clyde Eugene Adams a true copy thereof, together with a certified copy of the petition filed against him in this cause.

Stacy R. Hall --- Sheriff of Franklin County



Sheriff Fees  
Service & Return 2.25  
Miles 2.00  
Postage .04  
Total 4.29

MOTION

Case No. 18788  
Filed March 23,1961  
Recorded August 7,1961

Mary Belle Adams  
Plaintiff  
  
-vs-  
Clyde Eugene Adams  
Defendant

Now comes the plaintiff, and moves the court for an order to require the defendant to pay to her temporary alimony, support for children, expense money to prosecute her action, and to award to her temporary custody of children.

STATE OF OHIO COUNTY OF FRANKLIN SS:

The plaintiff being duly sworn, says that the answer to the following questions are true to the best of her knowledge and belief.

When Married Oct. 7,1957 When Separated Wif's age 19 Husb's age 22

No. of children by this marriage 2 Their ages 3 years, 9 months

With whom chil(ren) live(s) mother Address Post Road, Amlin, Ohio

No. of dependant children by previous marriages: Husb NONE Wife NONE

Husb: Where employed Westinghouse Net earnings \$70.00 per week

Wife: Where employed Riverside Drug Store Net Earnings 32.00 per week

Average monthly earnings for last six months: Husb \$280.00 per mo. Wife \$128.00 per mo.

Other income: Husb. NONE Wife NONE

List indebtedness. Show balances owing and monthly installments: Sun Finance Company (balance due unknown)

What amount do you consider necessary as temporary alimony \$15.00 per week

Support for children \$20.00 per week and expense mony \$250.00

ADDITIONAL AFFIDAVITS MAY BE ATTACHED.

/s/ Mary Belle Adams

Sworn to and subscribed by the plaintiff before me this 14th day of March,1961.

James B. Frick  
Notary Public

DECREE

Filed April 6,1961  
Recorded August 7,1961

Adams -vs- Adams

Now comes the plaintiff, a minor, through her mother and next friend, namely, Gertrude Norris, and the defendant having been duly served with summons and a copy of the petition herein; and having failed to appear, the Court finds the defendant in default for answer and demurrer to said petition, and finds that the allegations thereof are confessed by him to be true. The Court also finds that the plaintiff, at the time of filing her petition, had been a resident of the State of Ohio for one year next preceding the same, and was at that time a bona fide resident of Union County, and had resided in Union County more than ninety days (90) immediately preceding the filing of her petition, and that the parties hereto were married, as in said petition set forth. The Court further finds, upon the evidence adduced that the defendant has been guilty of gross neglect of duty and that by reason thereof the plaintiff is entitled to a divorce as prayed for in her petition. It is therefore ordered and adjudged by the Court, that the marriage contract hereto existing between the a said plaintiff and defendant be, and the same hereby is dissolved and both parties are released from the obligations of the same.

It is further ordered, adjudged and decreed that the plaintiff be granted the sole custody and control of the minor children of the parties hereto, namely, Stephen Eugene Adams and Sheila Ann Adams.

It is further ordered, adjudged and decreed that the defendant pay support for the above mentioned minor children in the amount of \$30.00 Dollars per week and that this support be paid to Clerk of Courts Union County.

It is further ordered , adjudged and decreed that the defendant pay the amount of \$150.00 Dollars as and for expense money and that this amount be paid directly to the plaintiff's attorneys, namely, Dobbs, Frick, & Finnegan, at their office at law located at 40 South Third Street, Columbus, Ohio.

Defendant is ordered to maintain a policy of Insurance for Hospitalization and medical benefits to children.

It is further ordered that the said Plaintiff pay the costs herein.

Gwynn Sanders  
Judge

Dobbs, Frick, & Finnegan  
by James B. Frick  
Attorneys for Plaintiff

PETITION

Ethel M. Hamilton  
Richwood, Ohio

Plaintiff

Case No. 18550  
Filed November 19,1959  
Recorded August 7,1961

-vs-

John T. Hamilton Jr.  
Richwood, Ohio

Defendant

Plaintiff says that she has been a bona fide resident of the County of Union and State of Ohio for more than one year immediately preceeding the filing of this petition; that she and the defendant were married May 13,1940, at Marion, Ohio, and divorced in 1943, that the parties were re-married October 25,1945, at Summerville, Georgia, and that the following children have been born of said marriages, to-wit: Judy, age 18 years, Janet, age 17 years, Sandra age 15 years, Susie, age 12 years and Steve, age 9 years.

Plaintiff further sayd that the defendant has been guilty of gross neglect of duty in his marital relations with her, the particulars of which are known to him and which will be more fully disclosed at the hearing of this cause.

Plaintiff further says that the defendant is the owner of considerable real estate and a partner in the firm of Hamilton Brothers wrecking business, all acquired during said marriages.

WHEREFORE, plaintiff prays that she may be granted a divorce from the defendant, that she be awarded custody of the minor children of the parties and a reasonable amount for their support, for a determination of property rights and an equitable division of said property, alimony both temporary and permanent and for such other relief as may be proper in the premises.

/s/ Ethel M. Hamilton  
by Paul Simpson  
her attorney  
139 E. Center St.  
Marion, Ohio

STATE OF OHIO MARION COUNTY SS:

Ethel Marie Hamilton, being first duly sworn deposes and says that she is the plaintiff in the foregoing petition and that the statements made and allegations contained therein are true, as she verily believes.

/s/ Ethel M. Hamilton

Sworn to before me and subscribed in my presence this 19th day of November 1959.

Paul Simpson

PRECIPE  
Hamilton --vs-- Hamilton

Filed November 19,1959  
recorded August 7,1961

TO THE CLERK:

Issue summons & copy of petition for John T. Hamilton Jr. Richwood, Ohio in the above entitled case Endorsed Action for Divorce, Custody Support, Determination & Division Property, Alimony & Other Relief directed to Sheriff of Union County returnable according to law.

Paul E. Simpson

SUMMONS IN DIVORCE

THE STATE OF OHIO, Union County  
TO THE SHERIFF OF Union County

You are hereby commanded to notify John T. Hamilton Jr. Richwood, Ohio that Ethel M. Hamilton has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, ( a copy of which accompaines this summons ) charging him with gross neglect of duty and asking that she be divorced from him and that she be awarded custody of the minor children of the parties and a reasonable amount for their support, for a determination of proper rights and an equitable division of said property, alimony both temporary and permanent and for and for other proper relief. The cause may be heard and decided at any time after the expiration of said six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 30th day of November 1959.  
Witness my signature and the seal of said Court, this 19th day of November 1959.

Helen L. Sullivan  
Clerk  
Filed November 25, 1959

SHERIFF'S RETURN

THE STATE OF OHIO, Union County

Received this writ on the 19th day of November 1959, at 4:30 o'clock P.M. and on the 24th day of November 1959, I served the same by personally handing to the within named John T. Hamilton a true copy of thereof, together with a certified copy of the petition filed against him in this cause.

Erward Amrine  
Union County Sheriff

SHERIFF FEES

Service and Return	1.50
34 miles trav. @10	3.40
Docket	.10
total	5.00

ANSWER AND CROSS PETITION

Filed June 17,1960

Now comes the Defendant for answer of the petition of the Plaintiff and admits that the residence of the Plaintiff the marriage of the parties, that the children listed in the petition have been born of the marriage and that the Defendant is a partner in the Hamilton Brothers wrecking business.

Further answering the Defendant denies each and every allegations set forth in the petition of the plaintiff, save and except those specifically herein admitted to be true.

CROSS PETITION

Now comes the Defendant by way of Cross Petition and incorporates herein by reference the allegations of his answer above set forth and further says that the Plaintiff has been guilty of gross neglect of duty toward the Defendant and that by reason thereof Defendant is entitled to a decree of divorce.

WHEREFORE Defendant prays that Plaintiff's peition be dismissed, that he be granted a decree of divorce on his cross petition, that he be awarded custody of the minor children of the parties, that he be awarded all real estate for the purpose of support of said minor children and for other and further relief as he may be found entitled either in law or equity.

Lloyd George Kerns  
Attorney for Defendant

STATE OF OHIO UNION COUNTY SS:

John T. Hamilton being first duly sworn says that the facts stated and allegations contained in the foregoing pleadings is true as he verily believes.

Sworn to before me and subscribed in my presence this 17th day of June 1960.

/s/ John T. Hamilton  
Lloyd George Kerns

PRECIPE

TO THE CLERK:

Please issue summons together with certified copy of answer and cross petition in divorce directed to Sheriff of Union County , Ohio for service upon Plaintiff at Richwood, Ohio.

Endorse " Answer and Cross Petition in Divorce Action, Custody of Minor Children Real Estate to Support Minor Children and Equitable Relief Prayed for"  
Make same returnable according to law.

Lloyd George Kerns  
Attorney for Defendants

SUMMONS ON ANSWER AND CROSS PETITION IN DIVORCE

The State of Ohio, Union County  
To the Sheriff of Union County

You are commanded to Notify Ethel M. Hamilton, Richwood, Ohio to appear before the Court of Common Pleas of Union County, at the Court House in Marysville Ohio, and answer an Answer and Cross PETition for Divorce filed in the Clerk's office of said county by John T. Hamilton Jr. a copy of which accompaines this Summons.

The cause may be heard and decided at any time after the expiration of six weeks from the serice of this writ.  
Said Sheriff will make due return of this summons on the 27th daynof June 1960.  
Witness my signature and the seal of said Court, this 17th day of June 1960.

Helen L. Sullivan  
Clerk  
Filed June 8,1960

Sheriff's Return

THE STATE OF OHIO, Union County

Received this writ at 3:43 o'clock P.M. on the 17th day of June 1960 and on the 17th day of June 1960 I served the same by personally handing to the within named Ethel M. Hamilton a true and duly certified copy thereof with all the endorsements thereon, together with a certified copy of the answerof and cross petition filed against her in this cause.

Edward Amrine  
Union County Sheriff

Sheriff Fees

Service & Return	1.50
34 miles @ 10	3.40
Docket	.10
Total	5.00



ENTRY

Ethel M Hamilton  
Richwood, Ohio

Plaintiff

-vs-

John T. Hamilton Jr.  
Richwood, Ohio

Defendant

Unless good cause is shown on or before 11:00 o'clock A.M. January 30th, 1961 this cause will be dismissed for want of prosecution.

Case No. 18550  
Filed January 18, 1961  
Recorded August 7, 1961

Gwynn Sanders  
Judge

STATEMENT OF STENOGRAPHER'S COSTS  
To Clerk of Courts.

The following is a statement of Stenographer's Fees in the above entitled action;  
Transcript ordered by both counsel of record.

Total 4.00

Arthur L. Lowe  
Court Stenographer

Filed July 29, 1961

JOURNAL ENTRY

This cause came on for hearing on the petition of the plaintiff and the answer and cross petition of the defendant and the evidence, and the Court find all parties properly in court and represented by counsel, and the oral motion of the attorney for the defendant to dismiss defendant's a cross petition is hereby granted. The Court further find that the parties were legally married; that five children have been born of said marriage, all as set forth in the plaintiff's petition and admitted in the answer of defendant.

The Court further finds from the evidence adduced that the parties have by agreement settled all of their property rights, and that an equitable division of said property has been made and should be and is approved by the Court.

The Court further find that the defendant has been guilty of gross neglect of duty in his marital relations with the plaintiff by reason of which she is entitled to be divorced from said defendant.

It is, Therefore, ordered, adjudged and decreed that the plaintiff be and she hereby is granted a divorce from the defendant, and that the marriage contract heretofore existing between them is hereby dissolved and both parties released from the obligations thereof.

It is further ordered that the custody of Steve Hamilton Susie Hamilton and Sandra Hamilton be confided in the plaintiff unless otherwise agreed upon between the parties, and that during the period of or periods in which the either or both of said children are in the custody of said plaintiff the defendant will pay the sum of Ten Dollars (\$10.00) per week per child for the support of Susie Hamilton and Steve Hamilton.

It is further ordered that the defendant pay to the plaintiff through her attorney within thirty days the sum of Four thousand Dollars (\$4,000.00) in full and complete settlement of all their property rights, and thereafter all real and personal property acquired by plaintiff and defendant during their said marriage or marriages shall become the absolute property of defendant and defendant shall be relieved from any further duties or obligations toward plaintiff.

All of the foregoing until further ordered of the Court.

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

Gwynn Sanders  
Judge

APPROVED BY:

Paul Simpson  
Attorney for Plaintiff  
Lloyd George Kerns  
Attorney for Defendant

Continue from Page 117 -----

PRECIPE

Union County Farm Bureau Coop Assn.  
Plaintiff

-vs-

Alva Daniels

Defendant

Case No. 18680  
Filed May 26, 1961  
Recorded August 8, 1961

TO THE CLERK

Issue writ of possession in the above entitled case directed to Sheriff of Union County returnable according to law.

Grigsby & Parrott  
Attorney for Plaintiff

Dated May 26, 1961

WRIT OF POSSESSION

THE STATE OF OHIO, Union County  
TO THE SHERIFF OF SAID COUNTY:

WHEREAS, at the January Term, 1961, of the Court of Common Pleas of the County and State aforesaid, Union County Farm Bureau Coop Assn. recovered against Alva G. Daniels, et al. the right to the possession of the following real property situate in the ---of---, County of Union and Delaware and State of Ohio, to-wit:  
Situating in the Counties of Union and Delaware, State of Ohio, being part of V.M.S. 2995 and bounded and described as follows:

BEGINNING at a T. road westward from the Millcreek Road ( Bellepoint-Watkins Road) 350 ft. southwest of a cut stone on the county line; thence passing a post on the east side of road N. 84° East 709 ft. to a post; thence N. 60° 35' W. 556; thence N. 50° 40' W. 340 ft. to the center line of Millcreek Road; thence with the center of said road S. 44° 07' N. 400 ft. S. 33° 40' W. 100 ft.; S. 34° 20' W. 334 ft. S. 25° 00' W. 314 ft. to the place of beginning. Containing 7.33 acres, more or less of which 1.16 acres are in Delaware County and 6.17 acres are in Union County, more or less. The Survey herein referred to has sometimes heretofore been referred to in old records as Isaac Jeffries Survey No. 2995. The above description is a new description compiled by C.G. Anderson, Engineer, from Survey made by him Feb. 1953, a plat of which is attached to and made a part of the deed recorded in Vol. 245 page 645, Deed Records, Delaware County, Ohio, and is incorporated hereby reference.

YOU ARE THEREFORE COMMANDED, to deliver the possession of the real property of aforesaid to the Plaintiff Union County Farm Bureau Coop Assn and that of the goods and chattels, and for want thereof, then of the lands and tenements of the Defendant Alva G. Daniels, et al. you cause to be made the sum of \$ damages for withholding the possession, and \$ the costs herein and that you make report of your proceedings herein to our said Court of Common Pleas within sixty days from the date hereof, and have you then and there this Writ.

Witness my signature and the seal of said Court this 26th day of May 1961.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

THE STATE OF OHIO, Union County



Received the writ hereto annexed on the 26th day of June 1961 at 3:00 o'clock P.M. and pursuant to its command I delivered the real property therein described to The Union County Farm Coop. Assn., Marysville, Ohio, on the 8th day of July .

Sheriff Fees  
Service & Return 5.00  
Mileage 36 3.60  
Docket .10  
Total 8.70

Edward Amrine  
Union County Sheriff

FINAL CERTIFICATE

Filed July 31,1961

TO: Union County Farm Bureau Coop Assoc., Inc.  
The undersigned, being the attorney designated to certify the title in this cause, hereby certifies that he has examined the proceedings and files in this cause and finds as follows:  
(1) That all the necessary parties are made parties herein and that all were either served by summons or waived service, and are properly before the court in this cause.  
(2) That all the proceedings were regular and in conformity to law and the deed filed for record and recorded in Union County Deed Records, has been delivered and the purchaser Union County Farm Bureau Coop Assoc., Inc. has a good and merchantable title free from all incumbrances EXCEPT all current taxes.

C.A. Hoopes  
Attorney.

PETITION FOR PARTITION

Ethel M. Hamilton  
W. Bomford St.  
Richwood, Ohio  
Plaintiff

Case No. 18732  
Filed October 22,1960  
Recorded August 8,1961

-vs-  
Walter C. Hamilton  
Alice M. Hamilton,  
John T. Hamilton, Jr.,  
Cherry St.  
Richwood, Ohio  
Defendants

Plaintiff has a legal right to and is seized in fee simple of the undivided one-fourth interest and part of the following described real estate, situated in the Township of Claibourne, County of Union and State of Ohio, and, Being part of Lot No. 3 of the Subdivision of lands of H.T. Marriott in Survey No. 6307. Beginning at a stone N E corner of said Lot No. 3; thence S. 15 deg. E. 46.45 poles to a stake; thence S. 75 deg. W. 30.32 Poles to a stake; thence N. 15 deg. W. 46.45 poles to a stone N.E. Corner of said Lot No. 3; thence N. 75 deg. E. 30.32 poles to the beginning, containing eight acres and one hundred and twenty nine rods of land.  
ALSO: a piece of land, bounded and described as follows; Beginning at the S.E. Corner of the above described Lot; thence S. 75 deg. E. 30.32 poles to a stake; thence South along the east line of J.D. Graham's land about 25 1/3 poles to a stake; thence E. 30.32 poles parallel with the North line above described to a stake; thence N. With the west line of Beem's Addition to Richwood, Ohio, to the place of beginning, containing five (5) acres of land.  
The Defendants Walter C. Hamilton, Alice M Hamilton and John T. Hamilton, Jr., are tenants in common with plaintiff in said premises in the following proportions.  
One-fourth belongs to each of the defendants respectively.  
Plaintiff also has a legal right to and is seized in fee simple of the following real estate, situated in the Township of Claibourne, State of Ohio and Village of Richwood;  
Parcel 1. The undivided one-hlf interest in the following: Being Lots Nos 756 & 757 in Beem's Addition to the said Village of Richwood, Ohio.  
Parcel 2. The undivided one-fourth interest in the following Two Hundred & Seventy (270) feet off the west end of Lot No. 674. For a more specific description, reference is hereby had to the recorded plat of said Addition on record in Recorder's Office at Marysville, Ohio.  
The defendants are tenants in common with the plaintiff in said premises in the following proportions:  
Parcel 1. One-half interest belongs to the defendant John T. Hamilton, Jr.,  
Parcel 2. One-fourth interest belongs to each of the defendants resepectively.  
Plaintiff further says that since October,1957, said property has been in the exclusive possession of the defendants, to the exclusion of the plaintiff.

WHEREFORE, Plaintiff prays that partition of said real estate be ordered and decreed and her interest set off to her in severalty and for an accounting of rents and profits of said property from October, 1957, until partition be made and for judgment for her share of said rents and profits and for such other relief as may be proper in the premises.

/s/ Ethel M Hamilton  
by Paul Simpson  
her attorney

SUMMONS IN ACTION FOR PARTITION

THE STATE OF OHIO, Union County,  
TO THE SHERIFF OF SAID COUNTY:

Filed October 27,1960

You are commanded to notify Walter C. Hamilton Alice Hamilton, John T. Hamilton, Jr. Cherry St., Richwood, Ohio that a petition was filed against them on the 22nd day of October A.D. L960 in the Court of Common Pleas of said Union County, by Ethel M. Hamilton and is now pending, wherein the said petitioner demands partition of the following described real estate, to-wit:  
Situated in The Township of Claibourne, County of Union and State of Ohio, and, SAME AS IN PETITION FOR PARTITION -----  
and that they must answer by the 19th day of November 1960, or such petition will be taken as true, and partition will be made of said premises according to law.  
Said Sheriff will make due return of this summons on the 31st day of October 1960.  
Witness my hand and the seal of said Court, at Marysville, Ohio, this 22nd day of October 1960.

Helen L. Sullivan  
Clerk of Courts.

SHERIFF'S OFFICE

Received this writ October 22nd 1960 at 10:21 o'clock A.M. and served the within named Walter C. Hamilton, Alice M. Hamilton, John T. Hamilton, Jr. by personally handing to each of them a trueland certified copy of the original writ with all endorsements thereon.

Edward Amrine  
Union County Sheriff

Sheriff Fees  
Service & Return 1.50  
2 add names .50  
34 miles 3.40  
Docket .10  
5.50



PRECIPE  
Hamilton --vs-- Hamilton

Case No. 18732  
Filed October 22, 1960  
Recorded August 8, 1961

TO THE CLERK:

Issue Summons in the above entitled case for each of the defendants at Richwood, Ohio directed to Sheriff of Union County-Endorsed "Action for Partition and Accounting.

Paul Simpson  
Attorney for Plaintiff

Dated October 22, 1960

MOTION

Filed November 19, 1960

Now comes the Defendants herein by their attorney, Lloyd George Kerns and respectfully represent to the Court that there is an action pending in this Court for divorce, between the Plaintiff Ethel M. Hamilton and the defendant John T. Hamilton Jr., being case No. 18550, wherein the Plaintiff in this action asks for determination of property to the same property that is the subject of this partition action.

Defendants further represent that some of the subject matter of this partition action is used for wrecking yard purposes by persons who are innocent by-standers to the divorce action in Case No. 18550 and upon them irreparable harm would be done by partitioning this land prior to the determination of this divorce action.

WHEREFORE Defendants pray for an order postponing further consideration of this action in partition until after the Court has made a final determination of property rights in Case No. 18550.

Lloyd George Kerns  
Attorney for Defendants

ENTRY

Filed January 18, 1961

Unless good cause is shown on or before 11:00 o'clock A.M. January 30th, 1961 this cause will be dismissed for want of prosecution.

Gwynn Sanders  
Judge

JOURNAL ENTRY

Filed January 30, 1961

This cause come on for hearing on the Motion of the defendant herein for an order postponing further consideration of this action in partition until after the Court made a final determination of the property rights in Case No. 18550.

Upon hearing oral argument on said Motion, the Court find same not well founded and that same should be over-ruled.

IT IS THEREFORE ordered and decreed that said Motion be, and is hereby, over-ruled and that this action proceed.

Richard Finefrock  
Judge by Assignment

APPROVED:

Paul Simpson  
Attorney for Plaintiff  
Lloyd George Kerns  
Attorney for Defendants

DECREE FOR PARTITION

Filed January 30, 1961

This cause come on to be heard on the petition and the Court finds that all parties have been duly served with summons and have entered their appearance herein. The Court further find that each of the parties are tenants in common and entitled to an undivided one-fourth interest in the following described premises, situated in the Township of Claibourne, County of Union and State of Ohio, and:

Being a part of Lot No. 3 of the Subdivision of lands -----SAME AS IN PETITION FOR PARTITION -----

The Court further find that the plaintiff and the defendant, John T. Hamilton, Jr., are tenants in common and each entitled to an undivided one-half interest in the following described premises, situated in the County of Claibourne, State of Ohio and Village of Richwood, and,

Being Lots Nos. 756 & 757 in Beem's Addition to the said Village of Richwood, Ohio.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that a writ of partition issue to the sheriff of Union County, commanding him, that by the oaths of Irwin Edison, Phillip C. Malo and Donald E. Sims, three judicious, disinterested freeholders of the vicinity, hereby appointed commissioners for the purpose, that he cause to be divided and set off to the parties respectively the parts of said premises to which they are herein entitled, in severalty, and of his proceedings, make due return.

Gwynn Sanders  
Judge of the Court of Common Pleas

Paul G. Simpson  
Attorney for Plaintiff  
Lloyd George Kerns  
Attorney for Defendant

PRELIMINARY CERTIFICATE OF TITLE

Filed March 21, 1961

The undersigned hereby certify that they have made a thorough examination of the records of Union County, Ohio as disclosed by the public indexes for a period of sixty (60) years prior to the date hereof, relating to the following described estate:

TRACT NO. 1:

Situated in the Township of Claibourne, County of Union and State for of Ohio, and, Being Part of Lot No. 3 of the subdivision of lands of H.T. Marriott in Survey No. 6307. Beginning at a stone N.E. corner of said Lot No. 3; thence S. 15 deg. E. 46.45 poles to a stake; thence S. 75 deg. W. 30.32 poles to a stake; thence N 15 deg. W. 46.45 poles to a stone N.E. corner of said lot No. 3; thence N. 75 deg. E. 30.32 poles to the beginning, Containing eight acres and one hundred and twenty nine rods of land.

ALSO: A piece of land, bounded and described as follows: Beginning at the S.E. corner of the above described Lot; thence S. 75 deg W. 30.32 poles to a stake; thence South along the east line of J.D. Graham's land about 25 1/3 poles to a stake; thence E. 30.32 poles parallel with the North line of the above described to a stake; thence N. with the west line of Beem's Addition to Richwood, Ohio, to the place of beginning, Containing five (5) acres of land.

TRACT NO: 11:

Parcel 1. Real estate situated in the Township of Claibourne, State of Ohio, County of Union and Village of Richwood: Being Lots No. 756 and 757 in Beem's Addition to the said Village of Richwood, Ohio.

PARCEL 2 Real estate situated in the Township of Claibourne, State of Ohio, County of Union and Village of Richwood; Two Hundred and Seventy (270) feet off of the west end of Lot No. 674. For a more specific description, reference is hereby had to the recorded plat of said Addition on record in Recorder's office in Marysville, Ohio.

This certificate does not purport to cover matters not of record in Union County, Ohio, including rights of persons in possession, questions which a correct survey or inspection would disclose, rights to file Mechanic's Liens, special taxes and assessments not shown by the County Treasurer's Records and zoning and other governmental regulations.

The Undersigned further certify that based upon said records, the fee simple title to the said premises is vested as follows:

Tract No. 1, in the names of John T. Hamilton, Jr., Ethel Marie Hamilton, Walter C. Hamilton and Alice Hamilton by a Warranty Deed from John T. Hamilton and Kenova I. Hamilton, his wife, dated April 11, 1946 and recorded in Deed Record 173 page 641, Records of Union County, Ohio.



Tract No. 11. Parcel 1, in the names of John T. Hamilton, Jr., and Ethel Marie Hamilton, by Quit Claim Deed from Walter C. Hamilton and Alice Marie Hamilton, dated May 28, 1957 and recorded in Deed Record 196 page 617 Records of Union County, Ohio.

Tract No. 11. Parcel 2. in the names of John T. Hamilton, Jr., Ethel Marie Hamilton, Walter C. Hamilton and Alice Marie Hamilton, by a Warranty Deed from John T. Hamilton and Kenova I. Hamilton, his wife, dated April 11, 1946 and recorded in Deed Record 173 page 641, Records of Union County, Ohio.

Said title is marketable and free from encumbrances, except the following.

1. Taxes for the year 1960, amount not yet determined or payable.
2. Taxes for the year 1961, amount not yet determined or payable.
3. Divorce Action pending in Common Pleas Court, Case No. 18550, Ethel M. Hamilton vs John T. Hamilton, Jr. Dated at Marysville, Ohio, this 3rd day of March 1961, at 8:30 o'clock A.M.

Grigsby & Parrott  
Attorneys at Law  
Marysville, Ohio  
by: Richard E. Parrott

Filed March 27, 1961

PRECIPE:

TO THE CLERK OF SAID COURT:

Issue writ of partition directed to the Sheriff of Union County, Ohio, endorsed:-----  
returnable according to law.

Paul G. Simpson  
Attorney for Plaintiff

WRIT OF PARTITION

THE STATE OF OHIO, Union County.

Filed April 22, 1961

TO THE SHERIFF OF SAID COUNTY:

Pursuant to an order of our said Court of Common Pleas within and for said County, made at the January Term, A.D. 1961, in a certain case No. 18732 now pending in said Court, Wherein Ethel M. Hamilton plaintiff and Walter C. Hamilton, Alice M. Hamilton, & John T. Hamilton, Jr., defendants you are commanded that, by the oaths of Irwin Edison, Phillip C. Malo & Donald E. Sims three disinterested and judicious freeholders of the vicinity who were appointed by the Court as Commissioners for such purpose, you cause to be set off and divided the following described premises, situate in the Township of Claibourne County of Union and State of Ohio, to-wit:

Being a part of Lot No. 3 SAME AS IN PRELIMINARY CERTIFICATED OF TITLE -----  
To the persons named herein, and in the following proportions, to-wit:  
To Ethel M. Hamilton one-fourth part.  
To Walter C. Hamilton, one-fourth part.  
To Alice M. Hamilton, one-fourth part.  
To John T. Hamilton, Jr., One-fourth part.

But if the said Commissioners are of opinion that said premises cannot be divided according to the demand of this writ without manifest injury to its value, you cause them to make a just valuation of the same in money and of this writ and your proceedings thereon and of the proceedings of said Commissioners under this writ, you make return to our said Court forthwith.

Witness my hand and the seal of said court at Marysville, Ohio this 27th day of March 1961.  
Helen L. Sullivan

SHERIFF'S RETURN

I received this writ on the 27th day of March 1961, at 3:00 o'clock P.M. and in obedience to its command I have executed the same by the oaths of Irwin Edison Phillip C. Malo and Donald E. Sims the Commissioners therein named, causing to be set off and divided the premises in said Writ described.

The said Commissioners being of the opinion that the said premises cannot be divided without manifest injury to its value, I have caused the same to be appraised. \$12,150.00  
All of which will appear by the report of said Commissioners, herewith returned.  
Given under by hand this 31st day of March 1961.

Edward Amrine  
Sheriff

We are of the opinion that the said estate cannot be divided according to the demand of the writ without manifest injury to its value, and we do estimate the just value of the same at \$2800.00 value of the lots, all other articles such as cars, new parts, Misc, Scraps and Miscellaneous Total value \$12,150.00.

Given under our hands this 31st day of March 1961.

Edison  
C. Malo  
Donald Sims

LAND APPRAISEMENT

Filed April 22, 1961

WHEREAS, the Sheriff of said County, having in his hands an Writ of Partition issued from the court of Common Pleas of said County, on the 27th day of March A.D. 1961, in a decree in favor of Ethel M Hamilton and against Walter C. Hamilton, Alice M. Hamilton, & John T. Hamilton, Jr., commanding said Sheriff to cause to be appraised, advertised and sold, the following described lands and tenements situate in Claibourne Township, County of Union and State of Ohio, to-wit:

Being a part of Lot No. 3 of the subdivision of lands of -----SAME AS IN PRELIMINARY CERTIFICATED OF TITLE did summon us Irwin Edison Phillip C. Malo and Donald E. Sims three disinterested freeholders, residing within said County of Union and administered to us an oath impartially to appraise said lands and tenements upon actual view thereof.

Now We, after actual view of said premises, and forthwith after such view, do find and estimate the real value in money of said premises to be as follows, viz:

\$12,150.00 Twelve Thousand One Hundred and Fifty Dollars and no/100  
\$2800.00 value of the Real Estate  
\$9350.00 Value of the Miscellaneous Articles  
\$12,150.00 Total

IN TESTIMONY WHEREOF, We hereunto set our hands this 31st day of March 1961

ATTEST:

Edward Amrine  
Union County Sheriff

I. Edison  
P.C. Malo  
Donald E. Sims

by Martha Rogers---Deputy

THE STATE OF OHIO, Union County

I hereby certify that I called an inquest of Irwin Edison Phillip C. Malo and Donald E. Sims three disinterested freeholders, residents of Union County, Ohio, and administered to them an oath impartially to appraise the within described property upon actual view.

Dated this 31st day of March 1961.

Edward Amrine  
Union County Sheriff



MOTION

Ethel M. Hamilton  
W. Bomford Street  
Richwood, Ohio

Plaintiff

-vs-

Walter C. Hamilton  
Alice M. Hamilton  
John T. Hamilton, Jr.  
Cherry Street  
Richwood, Ohio

Defendants

Now comes the plaintiff and moves that the return of the sheriff and the report of the commissioners be confirmed.

Case No. 18732  
Filed March 15, 1961  
Recorded August 8, 1961

/s/ Ethel M. Hamilton  
by Paul G. Simpson  
her attorney

JOURNAL ENTRY

Filed May 16, 1961

This cause come on to be heard on the return of the sheriff the report of the commissioners heretofore appointed and on the motion to confirm same, it appearing to the Court that said premises cannot be divided by metes and bounds without manifest injury to the value thereof and that the commissioners have appraised the premises, free of dower, at \$12,150.00, the Court find said return and proceedings in all respects in conformity to law and the orders of the Court, do therefore confirm the same.

Gwynn Sanders  
Judge

APPROVED

Paul G. Simpson  
Attorney for Plaintiff  
Lloyd George Kerns  
Attorney for Defendants

APPRAISED VALUE

Filed May 16, 1961

Now comes the plaintiff and makes this, her election to take the premises described in her petition at the appraised value as set forth in the return of the sheriff and report of the commissioners heretofore appointed.

/s/ Ethel M. Hamilton  
b - Paul G. Simpson  
her attorney

ELECTION TO TAKE AT APPRAISED VALUE.

Filed May 16, 1961

Now comes the defendant, Walter C. Hamilton, and makes this, his election to take the premises described in the petition at the appraised value as set forth in the return of the sheriff and report of the commissioners heretofore appointed.

Walter C. Hamilton  
by Kerns & Godwin, Attorneys  
for defendants

Filed May 16, 1961

PRECIPE

TO THE CLERK :

Issue order of sale in the above entitled case directed to Sheriff of Union County returnable according to law.

Paul G. Simpson  
Attorney for Plaintiff

Dated May 15, 1961

STATE OF OHIO, Union County

Personally appeared before me George W. Keigby and made oath, that the notice, a copy of which is hereto attached, was published for six consecutive weeks on and after May 25, 1961 in the Richwood Gazette, a newspaper of general circulation in the county aforesaid.

Sworn to before me and signed in my presence this Fifth day of July A.D. 1961

George W. Keibby  
Helen M. Fausnaugh

ORDER OF SALE IN PARTITION

THE STATE OF OHIO Union County SS.

Filed July 6, 1961

TO THE SHERIFF OF SAID COUNTY, GREETING:

In pursuance of the order of our Court of Common Pleas, within and for the County of Union at the May Term A.D. 1961 in a certain Petition for partition, now pending in said Court, wherein Ethel M. Hamilton plaintiff, and Walter C. Hamilton, Alice M. Hamilton, John T. Hamilton, Jr. defendants, we command you that without delay you proceed to sell at public auction, the lands and tenements in said petition described, to-wit: Situated in the Township of Claibourne, County of Union State of Ohio, and

Being a part of Lot No. 3 of the Subdivision of lands of ----- SAME AS IN PRELIMINARY CERTIFICATE D OF TITLE

Real Estate \$2800.00  
Other 9350.00

Appraised at \$12,150.00; and that your proceedings in the premises you make known to our said Court of Common Pleas within sixty days from the date hereof, and have you then and there this Writ.

Witness my hand and the seal of said Court, at Marysville, this 16th day of May A.D. 1961.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

I received this Order of Sale on the 16th day of May 1961., and in obedience to the command of the same, I did, on the 19th day of May 1961, cause to be advertised in the Richwood Gazette ( a newspaper printed and publisher and of general circulation in Union County, Ohio,) said lands and tenements to be sold at public sale, on the premises at Richwood, Ohio at the door of the Court House of said County , on the 1st day of July A.D. 1961 at 11 o'clock A.M. of said day. And having advertised the said lands and tenements for more than thirty days previous to the day of sale, to-wit: five consecutive weeks, and in pursuance to said notice, I did, on said 1st day of July A.D. 1961, at the time and place above mentioned, proceed to offer said lands and tenements at public sale; and then and there came Walter Hamilton who bid for the same the sum of \$One Thousand Two Hundred and Eighty-five Dollars, and said sum being two-thirds of the appraised value thereof, and said Walter Hamilton being the highest and best bidder therefor, I then and there publicly sold and struck off said lands and tenements to him for the said sum of \$1285.00 Dollars

Also at the same time and place above mentioned, proceed to offer said personal property (junk) at public sale, and then and there came Walter Hamilton, who bid for the same the sum of \$2607.50; and said sum being the highest and best bidder therefor, I then and there publicly sold and struck off said personal property (junk) to him for the sum of \$2607.50

Service & Return 1.50  
34 miles 3.40  
Copy to Printer 38.93  
Docket .10  
Total 43.93  
John W. Cheney 12.50 Clerk of the Sale  
John Pfarr 300.00 itemized account attached  
Richwood Gazette

Edward Amrine  
Sheriff of Union County, Ohio

PRECIPE FOR SUBPOENA DUCES TECUM

Filed July 15,1961  
Case No. 18732

Hamilton -vs- Hamilton  
TO THE CLERK OF SAID COURT

On behalf of the plaintiff issue Subpoena Duce sTecum for the following named persons:  
Richwood Banking Co. Richwood, Ohio  
to appear on the 28th day of July 1961, at 9:30 o'clock a.M. and testify as a witness in the above entitled case on behalf of the and to bring and produce at the time aforesaid all records of said banks conserning savings accounts, checking accounts, notes, mortgages, financial statements and other transactions with said bank since October,1957, by or with:  
Walter C. Hamilton  
Alice M. Hamilton  
John T. Hamilton Jr.  
Hamilton Brothers Auto Wrecking individually, jointly, partneship or otherwise.

Paul G. Simpson  
attorney for plaintiff

PRECIPE FOR SUBPOENA DUCES TECUM

To the Clerk of Said Court:

On behalf of the plaintiff issue Subpoena Ducus Tecum for the following named persons  
Walter C. Hamilton Richwood, Ohio  
Alice M. Hamilton Richwood, Ohio  
John T. Hamilton, Jr. Richwood, Ohio  
to appear on the 28th day of July 1961, at 9:30 o'clock A.M. and testify as a witness in the above entitled case on behalf of the and to bring and produce at the time aforesaid true copies of all income tax returns since October,1957, indiciually, jointly, partnership or otherwise, including sales and inventories, by or for:  
Walter C. Hamilton  
Alice M. Hamilton  
John T. Hamilton, Jr.  
Hamilton Brothers Auto Wrecking

Paul G. Simpson  
Attorney for the plaintiff  
Filed July 15,1961

PRECIPE FOR SUBPONEA DUCES TECUM

TO THE CLERK OF SAID COURT:

On behalf of the plaintiff issue subpoena Ducus Tecum for the following named persons  
1) National City Bank of Marion, Prospect, Ohio  
Prospect St.,  
2) Sims Brothers Scrap Iron  
S. Prospect St., Marion, Ohio  
3) Sims Brothers Auto Parts  
S. Prospect St. Marion, Ohio  
to appear on the 28th day of July 1961, at 9:30 o'clock A.M. and testify as a witness in the above entitled case on behalf of the and to bring and produce at the time aforesaid  
1. All records of said bank concerning savings accounts, checking accounts, notes, mortgages, financial statements and other transactions with said bank, individually, jointly, partnership or otherwise, since October, 1957, by or with: Walter C. Hamilton, Alice M. Hamilton, John T. Hamilton,Jr. Hamilton Brothers Auto Wrecking  
2 & 3 All recordes of sales, purchases or other transactions with said business firms, since October, 1957, by, with or for;  
Walter C. Hamilton  
Alice M. Hamilton  
John T. Hamilton, Jr.  
Hamilton Brother Auto Wrecking, all of Richwood, Ohio.

Paul G. Simpson  
Attorney for the Plaintiff

SUBPENEA DUCES TECUM

Filed July 17,1961

THE STATE OF OHIO, Union County  
To Walter C. Hamilton, Richwood, Ohio, Alice M. Hamilton, Richwood, Ohio, and John T. Hamilton, Richwood, Ohio  
You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 28thday of July A.D. 1961 at 9:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Ethel M. Hamilton plaintiff and Walter C. Hamilton, et al Defendants and also that you bring with you and produce at the time and place aforesaid true copies of all income tax returns since October, 1957, individually, jointly partnership or otherwise, including sales and inventories, by or for; Walter C. Hamilton, Alice M. Hamilton, John T. Hamilton, Jr. and Hamilton Brothers Auto Wrecking and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.  
Said Court requires you said attendance on behalf of the Plaintiff  
Witness my hand and the seal of said Court, this 15th day of July 1961.

Helen L. Sullivan  
Clerk

RETURN OF SERVICE

I received this writ on the 15th day of July 1961, at 11:00 o'clock A.M. and served the following persons named therein:  
Walter C. Hamilton 7--15-61  
Alice M. Hamilton 7--15-61  
John T. Hamilton 7--15-61

SHERIFF FEES

Service & Return 1.50  
Mileage  
Docket .10  
Total 1.60

Edward Amrine  
Union County Sheriff



SUBPENA DUCES TECUM

Hamilton -vs- Hamilton

Case No. 18732  
Filed July 17, 1961  
Recorded August 8, 1961

The State of Ohio, Union County

To Richwood Banking Co., Richwood, Ohio.

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 28th day of July A.D. 1961 at 9:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Ethel M. Hamilton Plaintiff and Walter C. Hamilton, et al Defendants and also that you bring with you and produce at the time and place of aforesaid all records of said bank concerning savings accounts, checking accounts, notes, mortgages, financial statements and other transactions with said bank since October 1957, by or with:

Walter C. Hamilton

Alice M. Hamilton

John T. Hamilton, Jr.

Hamilton Brothers Auto Wrecking

individually, jointly, partnership or otherwise.

and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires you said attendance on behalf of the plaintiff.

Witness my hand and the seal of said Court, this 15th day of July 1961

Helen L. Sullivan  
Clerk

RETURN OF SERVICE

I received this writ on the 15th day of July 1961 at 11:00 o'clock A.M. and served the following persons named therein:

Richwood Banking Co. 7-15-61  
Service & Return .50  
Mileage 3.40  
Docket .10  
Total 4.00

Edward Amrine  
Union County Sheriff

SUBPENA DUCES TECUM

Filed July 19, 1961

THE STATE OF OHIO, Union County.

To National City Bank of Marion, Prospect Branch, Prospect, Ohio.

You are hereby required to be and appear before the Common Pleas Court at the Court House in said Union County, at Marysville, Ohio, on the 28th day of July A.D. 1961 at 9:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Ethel M. Hamilton Plaintiff and Walter C. Hamilton, et al defendants and also that you bring with you and produce at the time and place aforesaid, All records of said bank concerning savings accounts, checking accounts, notes mortgages, financial statements and other transactions with said bank, individually, jointly, partnership or otherwise, since October, 1957, by or with:

Walter C. Hamilton

Alice M. Hamilton

John T. Hamilton, Jr.

Hamilton Brothers Auto Wrecking

and not depart the Court without leave. Herein fail not, under penalty of the law.

Said Court requires your said attendance on behalf of the plaintiff.

Witness my hand and the seal of said Court the 15th day of July 1961.

Helen L. Sullivan  
Clerk

RETRUN OF SERVICE

I received this writ on the 17th day of July 1961, at 11:15 o'clock A.M. and served the following persons named therein.

B.H. Gast, V. Pres &amp; Mgr. Prospect Branch, National City Bank of Marion.

SHERIFF FEES

Service & Return .50  
Mileage ) 2.40  
Total 2.90

Glenn Obenour  
Sheriff  
Paul E. Davis --Dep Sheriff

SUBPENA DUCES TECUM (Foreign County)

THE STATE OF OHIO, Union County

To Sims Brothers Scrap Iron, S. Prospect St., Marion, Ohio

and Sims Brothers Auto Parts, S. Prospect St., Marion, Ohio

You are hereby required to be and appear before the Common Pleas Court at the Court House in said Union County, at Marysville, Ohio, on the 28th day of July A.D. 1961 at 9:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Ethel M. Hamilton Plaintiff and Walter C. Hamilton, et al defendants and also that you bring with you and produce at the time and place aforesaid, All records of sales, purchases or other transactions with said business firms, since October, 1957, by ,with,or for:

Walter C. Hamilton

Alice M. Hamilton

John T. Hamilton, Jr.

Hamilton Brother Auto Wrecking, all of Richwood, Ohio

and not depart the Court without leave. Herein fail not, under penalty of the law.

Said Court requires your said attendance on behalf of the plaintiff.

Witness my hand and the seal of said Court, this 15th day of July 1961.

Helen L. Sullivan  
Clerk.

RETURN OF SERVICE

I received this writ on the 17th day of July 1961 at 11:15 o'clock a.M. and served the following persons named therein:

Don Sims, owner Sims Bros Auto Parts

Don Sims, owner Sims Bros Scrap Iron

SHERIFF FEES

Service & Return 1.00  
Mileage .40  
Postage .04  
Total 1.44

Glenn Obenour Sheriff  
Paul E. Davis--Dept Sheriff

CONFIRMATION OF SALE  
HAMILTON -vs- HAMILTON

Case No. 18732  
Filed July 29,1961  
Recorded August 8,1961

This cause came on to be heard on the return of the Sheriff of the sale of the premises herein made, and the same being in all respects in conformity to law, said sale and his proceedings are approved and confirmed and it is ordered that the sheriff execute and deliver to the purchaser a deed for said premises as provided by law.

And it is further ordered that the Sheriff make distribution of the proceeds of said sale in pursuance to the former orders of the court as follows:

- 1. To the treasurer of said County, the taxes of and assessments legally due and payable thereon with interest and penalties in the sum of \$ ---0----
- 2. To the Clerk of this court the costs of this case, including an attorney fee to Paul Simpson in the sum of \$300.00 and \$20.00 to each of said commissioners which are hereby allowed, in the amount of \$898.53.
- 3. To Ethel Hamilton, the plaintiff and to the defendants Walter C. Hamilton, Alice M. Hamilton, and John T. Hamilton, Jr., each the sum of \$748.49 being one-fourth to each of the balance of said proceeds.

Gwynn Sanders  
Judge of the Common Pleas Court

APPROVED BY:  
Paul G. Simpson  
Attorney for Plaintiff  
Lloyd George Kerns  
Attorney for Defendants

PETITION FOR DIVORCE  
Virginia Frances Smith  
382 North Avenue  
Plain City, Ohio

Case No. 18875  
Filed June 20,1961  
Recorded August 15,1961

Plaintiff

-vs-  
Jack Richard Smith

Defendant

Now comes the Plaintiff, Virginia Frances Smith, and states to the Court that she has been a resident of the County of Union, and State of Ohio, for more than one year immediately preceding the filing of this her Petition for Divorce.

Plaintiff further states that the parties were married on the 28th day of April, 1955, in Plain City, Ohio. Plaintiff further stated that three children were born, the issue of this marriage, to wit: Richard Anthony, born February 15, 1956, John Jerome, Born March 10, 1957, and Deborah Penny, Born January 22, 1959.

Plaintiff further states that all during her marriage she has conducted herself as a true and devoted wife, but that the defendant has been guilty of Gross Neglect of Duty. Plaintiff further says that the Defendant has been willfully absent from the Plaintiff since July, 1959.

WHEREFORE, the Plaintiff prays that she be granted a divorce from the Defendant; that she be given custody of the minor children of the parties; that she be awarded support for said children; that she be given such other legal and equitable relief as the Court may deem proper.

Robert O. Hamilton

STATE OF OHIO, COUNTY OF UNION, SS:

Virginia Frances Smith, being first duly cautioned and sworn, deposes and says that she is the Plaintiff in the foregoing cause of actio, and that the facts stated and allegations contained therein are true.

/s/ Virginia Frances Smith.

Sworn to before me and subscribed in my presence this 20th day of June, 1961.

Robert O. Hamilton

AFFIDAVIT OF VERIFICATION FOR CONSTRUCTIVE SERVICE

Filed June 20,1961

Smith -vs- Smith

Personally appeared before me, a Notary Public, in and for said County and State, Virginia Frances Smith, who, being duly sworn, on oath says that she is the Plaintiff in the above entitled actio, which is an action for divorce; that the present residence of the Defendant is unknown to the Plaintiff and that after exercise of reasonable diligence it cannot be ascertained; and that the last known place of resident of the Defendant is 307 South Kentucky Avenue, Evansville, Indiana.

This affidavit is made pursuant to Revised Code of Ohio 3105.06.

/s/ Virginia Frances Smith

Sworn to and before me and subscribed in my presence this 20th day of June, 1961.

Robert O. Hamilton

STATE OF OHIO )  
VILLAGE OF MARYSVILLE, ) SS:  
Union County )

Filed August 10,1961

Personally appeared before me Marie M. Strauss and made solemn oath, that the Legal Notice a copy of which is hereto attached, was published for 6 consecutive weeks on and next after June 22, 1961, in The Marysville Evening Journal-Tribune a newspaper of general circulation in the Village of Marysville, and Union County.

/s/ Marie M. Strauss

Sworn to before me and signed in my presence this 28th day of July A.D. 1961.

W.E. Behrens

DECREE OF DIVORCE

Filed August 12,1961  
Recorded August 15,1961

Smith -vs- Smith

And now comes the said Plaintiff, by her attorney, and the Defendant having been legally summoned by publication the Court finds that the Defendant is in default for answer or demurrer to the petition, thereby confessing the allegations thereof to be true.

The Court also finds that the Plaintiff, at the time of filing her petition, had been a resident of the State of Ohio for one year next prior thereto and was, at the time of filing said petition and for at least ninety days immediately preceding the same, a bona fide resident of this County of Union and that the parties hereto were married on the 28th day of April 1955, as in said petition set forth.

The Court further finds, upon the evidence adduced, that the Defendant has been guilty of wilful absence from for more than one year and by reason thereof the Plaintiff is entitled to a divorce as prayed for.

It is therefore ordered and adjudged by the Court, that the marriage contract heretofore existing between the said Virginia Frances Smith & Jack Richard Smith be, and the same is hereby dissolved, and both parties are released from the obligations of the same.

It is further ordered that the custody, care, education and control of the children, to-wit: Richard Anthony Smith, John Jerome Smith, Deborah Penny Smith of the said parties hereto be, until further order, confided to the said Virginia Frances Smith and the said Jack Richard Smith is hereby enjoined from interfering in any manner with either the said children, of with Virginia Frances Smith in the custody, care, education, and nurture thereof until further order of this Court.



It is further ordered that the Defendant pay to the Plaintiff, through the Clerk of this Court, the sum of Thirty Dollars (\$30) per week until further order of this Court.

It is further considered by the Court that the said Virginia Frances Smith recover from said Jack Richard Smith her costs herein expended, and it is ordered that the said Plaintiff pay the costs of this prosecution.

Gwynn Sanders  
Judge

APPROVED BY:  
Robert O. Hamilton  
Attorney for Plaintiff

PETITION

Filed February 17, 1961  
recorded August 15, 1961

The City Loan & Savings Company

Plaintiff

Case No. 18806

-vs-

Samuel F. Easterday and Helen Easterday  
Defendant's

The plaintiff is a corporation duly organized and existing under and by virtue of the laws of Ohio. During all of the times mentioned herein it has been duly authorized and licensed to loan money within said State in accordance with The Small Act of Ohio.

The Warrant of Attorney hereinafter referred in to was signed in Union County, Ohio and the makers thereof reside in Marysville, Union County, Ohio.

The defendant s on the 7th day of November 1958, executed and delivered to the plaintiff their promissory note of that date, with the warrant of attorney annexed. A true copy of said note with all credits and endorsements thereon is hereto attached, marked "EXHIBIT A" and made a part of this petition.

Said note is unpaid, and there is now due the plaintiff on said note the sum of Five Hundred Forty Eight and 51/100 -----Dollars with charges including interest at the rate of six per cent per annum from the 30th day of September 1960.

WHEREFORE plaintiff prays judgment against said defendant s for the sum of Five Hundred Forty Eight and 51/100 Dollars and with charges including interest hereon from the 30th day of September 1960, at the rate of six per cent per annum, and for costs of suit.

Meredith Meredith & Tait  
William L. Coleman  
Attorneys for Plaintiff

THE STATE OF OHIO, Allen County SS

James E. Meredith being first duly sworn, says that he is an attorney of said plaintiff, that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writing is in his possession, and that he verily believes the statements contained in the foregoing petition are true, in substances and in fact.

James E. Meredith  
Sworn to before me and signed in my presence, this 15th day of February 1961.  
Helen C. Becker

ANSWER

Filed February 17, 1961

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I, an attorney at law in the several courts of record of this State, do hereby enter an appearance for said defendant s in this suit, and waive the issuing and service of process therein, and confess a judgment in favor of said plaintiff, against said defendant s on said note for the sum of Five Hundred Sixty and 95/100 -----dollars, being the amount appearing due for principal on said note with charges thereon including interest, and also for costs of suit, taxed and to be taxed; and I do hereby release and waive all exceptions, errors, writs of error, right of appeal and stay of execution.

Richard E. Parrott  
Attorney for Defendant s

JUDGMENT ENTRY

This day came the plaintiff by its attorney; also appeared in open court, for and on behalf of said defendant s ----- an attorney at law of this Court, and, by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendant s, entered the appearance of said defendant s, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendants and in favor of said plaintiff for Five Hundred Sixty and 95/100-----dollars, principal and charges including interest, and for the costs taxed and to be taxed, and released and waived all exceptions, errors writs, of error, right of appeal and stay of execution.

It is therefore considered that said plaintiff recover of said defendant s the sum of Five Hundred Sixty and 95/100 -----dollars (\$560.95) and also its costs herein expended, taxed at \$ \_\_\_\_: execution awarded. Said judgment to bear interest at the rate of 6% per annum until paid.

Gwynn Sanders  
Judge

PETITION

Case No. 18768  
Filed December 27, 1960  
Recorded September 6, 1961

The Modern Finance Company, A  
Corporation

Plaintiff

-vs-

Robert E. Fogle and  
Carole M. Fogle,

Defendants

The Plaintiff says The Modern Finance Company is a corporation duly organized under the law of the State of Ohio with its principal place of business located in Columbus, Ohio.

The Defendants on the 28 day of September 1960 executed and delivered to The Modern Finance Company at their office in Marysville, Union County, Ohio their promissory note of that date, with warrant of attorney ennexed, true copies of which warrant and note, with all the endorsements thereon, are hereto attached, marked "EXHIBIT A" and made a part of this petition.

Said note is unpaid, except as shown by said endorsements, and there is now due the plaintiff on said note the sum of Four Hundred Ninety Seven dollars, and thirty eight cents, with interest at the rate of six per cent, per annum, from the 27 day of December, 1960

WHEREFORE, plaintiff prays judgment against said defendant for the sum of Four Hundred Ninety Seven dollars, and thirty eight cents with interest thereon from the 27 day of December, 1960 at the rate of six per cent per annum till paid, and for costs of suit.

John W. Dailey  
Attorney for Plaintiff

THE STATE OF OHIO, Union SS:

John W. Dailey, being duly sworn, says that he is the attorney of said plaintiff, that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writing



is in his possession, and that he verily believes the statements contained in the foregoing petition are true, in substances and in fact.

John W. Dailey  
Sworn to by said John W. Dailey before me, and by him signed in my presence, this 27 day of December, 1960.  
Todd Hoopes  
Notary Public State of Ohio.

ANSWER OF DEFENDANT

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I an attorney at law in the several courts of record of this state, do hereby enter an appearance for said defendants in this suit and waive the issuing and service of process therein, and confess a judgment in favor of said plaintiff against said defendants on said note for the sum of Four Hundred Ninety Seven dollars and 38 cents, being the amount appearing due for principal and interest on said note, and also for costs of suit, taxed and to be taxed; and I do hereby release and waive all exceptions, errors, and right of appeal of the premises.

Todd Hoopes  
Attorney for Defendant

JUDGMENT ENTRY

The MODERN FINANCE COMPANY,  
a Corporation  
-vs-  
Robert E. Fogle and  
Carole M. Fogle

\$497.38      Amount

This day came the plaintiff by its attorney; also appeared in open court, for and on behalf of said defendants Todd Hoopes, an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendants entered the appearance of said defendants and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendants and in favor of said plaintiff for Four Hundred Ninety Seven dollars and 38 cents being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.

It is therefore considered that said plaintiff recover from said defendants the sum of Four Hundred Ninety Seven dollars and 38 cents being the amount of said note and unpaid interest due thereon from the 28 day of September 1960 to date of judgment; and also recover its costs herein expended, taxed at \$ \_\_\_\_\_, and interest on said judgment at six per cent, per annum, from said date of judgment until paid.

Gwynn Sanders  
Judge

PRECIPE  
TO THE CLERK:

Issue Execution in the above entitled case against Robert E. Fogle and Carole M. Fogle for \$497.38 with interest at 6 per cent per annum from December 27, 1960 and cost., directed to Sheriff of Union County, Ohio

John W. Dailey  
Attorney for Plaintiff

Dated Januar 28, 1961

EXECUTION  
THE STATE OF OHIO, Union County  
TO THE Sheriff of said County:

You are hereby Commanded, That of the goods and chattels in you County of Robert E. Fogle and Carole M. Fogle you cause to be made the sum of Four Hundred Ninety Seven and 38/100-----Dollars debt, and Seventeen & 80/100 Dollars costs of suit, which by the judgment of said Common Pleas Court at the January Term thereof, 1961, The Modern Finance Company recovered against the said Robert E. Fogle and Carole M. Fogle with interest thereon at the rate of 6 per cent per annum from the 27th day of December 1960, until paid; and also the costs of increase on said judgment and the accruing costs hereon, and for want of goods and chattels that you cause the a lands and tenements in your County, of the said Robert E. Fogle and Carole M. Fogle to be sold for cash.

And make due return of this writ in sixt days.

Witness m hand and the seal of said Court this 28th day of January 1961.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN  
Sheriff's Office Union County, Ohio

Received this writ on the 28th day of January 1961 at 12:10 o'clock P.M. and pursuant to its command I did, on the 28th day of February 1961 at -----o'clock ---M. lev upon finding no goods and chattels on which to levy I return this writ.

Edward Amrine  
Union County Sheriff  
Martha Rogers  
Deputy

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PETITION  
In The Matter of the Petition of the  
Richwood First Methodist Church, Incorporated  
for Authority to transfe and encumber  
certain real estate

Case No. 18819  
Filed March 23, 1961  
Recorded September 6, 1961

The Richwood First Methodist Church, Incorporated, Plaintiff herein, is a coporation, not for profit, duly organized and incorporated under the laws of the State of Ohio, having its principal office at Richwood, Ohio. Plaintiff says that the premises hereinafter described was conveyed to L.H. Hastings, John Atwood, William Phillips, Isaac Gearhart, Lemuel Mers, Richard Irwin, and Z.B. Smith, as Trustees of the Methodist Episcopal Church, which instrument of conveyance is recorded in Volume 14 at Page 440 of the Union County Record of Deeds.

Plaintiff sa s that I.G. Zuspan, S.A. Laymon, Eugene Cheney, Lawrence Dodrill, Loy George, Vernon Thomas, Perry Allen, and Kenneth Davis are the successors in office of the aforementioned Trustees as Trustees of the Richwood First Methodist Church, Incorporated, which corporation is the successor in interest of the Methodist Episcopal Church.

Plaintiff sa s that said premises is described as follows:

Situated in the Village of Richwood, County of Union, and State of Ohio, and being all of In-Lot Numbers 119 and 120 in said Village of Richwood.

For a more specific description reference is hereby made to the recorded plat of said Village.

Petitioner further says that by reason of the incorporation of said Richwood First Methodist Church, Incorporated, it is necessar to transfer the title to said real estate to said corporation.

Plaintiff further says that on the 17th da of February, 1961, Rev. Lloyd Zoller, District Superintendent of the Methodist Church, consented to and authorized the Richwood First Methodist Church, Incorporated, to mortgage the above described real estate for a sum not to exceed Thirty Thousand Dollars (\$30,000.00) for the purpose of Facilitating the financing of a building program for said corporation. A copy of said consent is attached hereto and made a part hereof b reference, marked "EXHIBIT A" .



Plaintiff further says that on March 6, 1961 Reverend Roy F. Ballard, Pastor of the Richwood First Methodist Church, Incorporated consented and authorized the execution of a mortgage on the above described premises in a sum not to exceed Thirt Thousand Dollars (\$30,000.00) for the purpose of facilitating the financing of a building program for said corporation. A copy of said consent is attached hereto and made a part hereof by reference and marked "EXHIBIT B".

Plaintiff further says that on March 6, 1961 the Special Quarterly Conference consented to and authorized the execution of a mortgage on the above described premieses for a sum not to exceed Thirty Thousand Dollars (\$30,000.00) to facilitate the financing of the building program for said corporation. A copy of said consent is attached hereto and made a part hereof by reference and marked "EXHIBIT C".

Plaintiff says that on March 10, 1961 the Board of Trustees of the Richwood First Methodist Church, Incorporated consented and authorized the execution of a mortgage on the above described premises in a sum not to exceed Thirty Thousand Dollars (\$30,000.00) to facilitate the financing of the building program of said corporation. A copy of said consent is attached hereto and made a part hereof by reference and marked "EXHIBIT D".

Plaintiff further says that it is necessary to transfer the title to said real estate from the Trustees to the corporation, by reason of the recent incorporation preceedings, and that it is further necessary to mortgage said premises in a sum not to exceed Thirty Thousand Dollars (\$30,000.00) to facilitate the financing of the contemplated building program for said corporation. Petitioner further says that he is herewith causing notice of the pendency and prayer of this Petition to be published in a newspaper of general circulation in this county for a period of four consecutive weeks.

WHEREFORE, Plaintiff respectfully prays the court to authorize the present Trustees of the Richwood First Methodist Church, Incorporated, as herein named, to execute a proper deed conveying the premises herein described to the Richwood First Methodist Church, Incorporated, in trust, that said premises shall be used, kept and maintained as a place of devine worship of the Methodist ministry and members of the Methodist Church; subject to the Discipline usage and ministerial appointments of said church as from time to time authorized and declared by the General Conference and by the Annual Conference within whose bounds the said premises are situated. This provision is solely for the benefit of the Grantee, and the Grantor reserves no right or interest to said premises. Petitioner further requests that authority be given to convey said premises in trust, that such premises shall be held, kept, and maintained as a place of residence for the use and occupancy of the minister of the Methodist Church, who may from time to time be entitled to occupy the same by appointment; subject to the Discipline and usage of said church, as from time to time authorized and declared by the General Conference and by the Annual Conference within whose bounds the said premises are situated. This provision shall be solely for the benefit of the Grantee, and the Grantor shall reserve no right or interest in said premises. Petitioner further requests this court to authorize the Board of Trustees of the Richwood First Methodist, Incorporated, through its proper officials, to execute a mortgage on said premises of in a sum not to exceed Thirty Thousand Dollars (\$30,000.00), upon such terms and conditions as this court shall deem reasonable, and for such other relief as to which Plaintiff may be entitled.

Robert E. Evans Jr.  
Attorney for Petitioner

STATE OF OHIO, Union County, SS:

Robert E. Evans, Jr., being first duly sworn and cautioned says he is an attorney of record for the Petitioner the Richwood First Methodist Church, Incorporated, a corporation not for profit, and that the fact stated and allegations in the foregoing pleading are, as he verily believes, true.

Robert E. Evans, Jr.

Sworn to before me and subscribed in my presence this 22 day of March, 1961.

Helen M. Fausnaugh

JOURNAL ENTRY

Filed May 1, 1961  
Recorded September 6, 1961

This cause came on to be heard on the Petition and the evidence, and the court finds that due publication of this proceedings has been had and it hereby approves the same. The Court further finds that the allegations of the Petition are true and that the conveyance of the premises described in the Petition to The Richwood First Methodist Church, Incorporated is desired by the members of said church and that it is right and proper that authority be given to accomplish the same. It further appears that an encumbrance of the propert in a sum of not to exceed Thirt Thousnad Dollars (\$30,000.00) to facilitate the financing of the building program of said corporation is desired by the members of said church and that it is right and proper that authority be given to accomplish the same.

It is therefore adjudged and decreed that said Trustees are hereby authorized to transfer said premises to the Richwood First Methodist Church, Incorporated, in trust as requested in said Petition and in accordance with the Disipline of the Methodist Church. It is also adjudged and decreed that said Trustees of the Richwood First Methodist Church, Incorporated are authorized to encumber said premises in an amount not to exceed \$30,000.00 as prayed for in said Petition.

It is further ordered that the Petitioners make return of their proceedings hereunder to this Court.

Gw nn Sanders  
Judge

APPROVED BY  
Robert E. Evans, Jr.,  
Attorne for Petitioner

REPORT OF CONVEYANCE AMD NORTGAGE

Now comes the Petitioners and represent to the Court that the have transferred and conveyed the premises described in the Petition to The Richwood First Methodist Church, Incorporated, and that they have further executed a note and mortgage in the sum of Thirty Thousand Dollars (\$30,000.00) with interest at the rate of 6% per annym to be secured by a mortgage on the premises described in the Petition.

Trustees of The Richwood First Methodist  
Church, Incorporated  
by: Robert E. Evans, Jr.  
Attorney for Board of Trustees

DECREE OF CONFIRMATION

This cause came on to be heard on the report of the Trustees of their proceedings under the former order of the court, and the court having examined said proceedings does hereb approve and confirm them.

It is therefore adjudged and decreed that the actions of said Trustees are hereby ratified and confirmed and that the deed and mortgage hereb authorized may be delivered and filed for record

Gw nn Sanders  
Judge

APPROVED BY:  
Robert E. Evans Jr.  
Attorney for First Methodist Church, Inc.



PETITION FOR DIVORCE

Gerald Ruhl  
Plaintiff  
vs  
Isobel Ruhl  
Defendant

Case No. 18885  
Filed July 10, 1961

Now comes the Plaintiff Gerald Ruhl, and for his cause of action for divorce says thathe has been a bona fide resident of the State of Ohio for more than one year immediately preceeding the filing of this petition for divorce and that he has been a bona fide resident of the County of Union in said State for more than ninety days last past; that plaintiff and defendant Isobel Ruhl were married at West Mansfield, Ohio on the 14th day of November, 1943, and that one child, Peggy Lynn Ruhl, age 12 years, is the only issue of said marriage.  
Plaintiff further says that the defendant has been guilty of gross neglect of duty.  
Plaintiff further says that the plaintiff and the defendant have come to an equitable understanding as to the division of their property.  
Wherefore plaintiff prays for a decree of divorce, custody of the minor child and for such other and further relief as the court may find just and equitable.

Lloyd George Kerns  
Attorney for Plaintiff

STATE OF OHIO, COUNTY OF UNION, ss:  
Gerald Ruhl being first duly sworn says that the facts stated and the allegations contained in the foregoing pleading, are true as he verily believes.

Sworn to before me and subscribed in my presence this 8 June, 1961.

Gerald Ruhl  
Lloyd George Kerns

PRECIPE  
Filed July 10, 1961

TO THE CLERK:  
Please issue summons, together with certified copy of the petition for the divorce, to the Sheriff of Union County, Ohio, for service upon the Defendant, Isobel Ruhl, who resides at 128 South Chestnut St., Marysville, Ohio. endorse thereon"action for divorce, custody of minor child, and equitable relief' make same returnable according to law.

Lloyd George Kerns  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:  
You are hereby commanded to notify Isobel Ruhl, 128 South Chestnut St., Marysville, Ohio that Gerald Ruhl has fild in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging her with gross neglect of duty and asking that he be divorced from her and custody of minor child, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.  
Said Sheriff will make due return of this summons on the 24th day of July, 1961.  
WITNESS my signature and the seal of said Court, this 10th day of July, 1961

Helen L. Sullivan, Clerk  
Eileen Daniels, Deputy

SHERIFF'S RETURN  
Filed July 13, 1961

The State of Ohio, Union County.  
Received this writ on the 10th day of July, 1961, at 2:48 o'clock P.M., and on the 12th day of July, 1961, I served the same by personally handing to the within named Isobel Ruhl a true copy thereof, together with a certified copy of the petition filed against her in this cause.

\$1.60  
Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

JOURNAL ENTRY  
Filed Sept 11, 1961

This cause came on to be heard on the petition and the evidence and on consideration the court finds that the defendant has been duly served with summons and a copy of the petition for divorce and that she is in default for answer or demur and that the facts set forth in the petition are true, that the plaintiff was a resident of the State of Ohio for more than one year and a bona fide resident of Union County for more than ninety days on the filing of his petition; and that the parties were married as in the petition set forth.  
The court further finds that one child, to-wit: Peggy Lynn Ruhl, age 12 years, is the only issue of said marriage.  
The Court further finds that the defendant has been guilty of gross neglect of duty as alleged in the petition and that by reason thereof the plaintiff is entitled to a decree of divorce as prayed for/his petition.  
It is therefore ordered, adjudged and decreed that the plaintiff be and is hereby granted a divorce from the defendant and the marriage contract heretofore existing be and is hereby dissolved and set aside.  
It is further ordered, adjudged and decreed that the custody of the minor child, to-wit: Peggy Lynn Ruhl be and is awarded to the defendant and the plaintiff is directed to pay for the support of said child during the period of time that said child is in the possession of the defendant, the sum of \$10.00 per week through the clerk of this court, until further order of the court.  
The court further finds that the parties have entered into an oral agreement for the division of their property which in effect provided that each of the parties retain automobile which they presently have in possession, that the housetrailer which they own be sold and the proceeds therefrom be used to apply against the balance of the debts which they jointly owe; that store equipment be sold and the proceeds from that be used also to apply against the debt owing to Paul Jewell and that thereafter each of them will contribute jointly toward any remaining debts which they presently owe.  
It is further ordered that the plaintiff pay the costs of this proceeding.

APPROVED BY:  
Lloyd George Kerns  
Attorney for Plaintiff  
Gwynn Sanders  
Judge



CONT. FROM RECORD VOLUME 77, PAGE 411  
MOTION

Joan Croy Kestella  
Plaintiff

vs

John Charles Kestella  
Defendant

Case No. 17842

Filed August 10, 1961  
Recorded Sept. 14, 1961

Now comes plaintiff and moves that the court modify the decree of September 28th, 1957 as follows:

1. That the decree be modified to order the delinquent and unpaid installments in the sum of \$7,440.00 be paid in a lump sum.
2. That judgment be awarded against defendant and in favor of plaintiff on said sum of \$7,440.00
3. That the decree of September 28th, 1957 be modified in regard to the disposal of the real estate of the parties and that said real estate be awarded to this plaintiff free of any rights of the defendant and that in such award a credit be given plaintiff for the mortgage payments made by her and credit given the defendant on the judgment sought in the first branch of the motion.

Grigsby & Parrott  
Attorneys for Plaintiff

MEMORANDUM

Plaintiff represents to the Court that on or about the 28th day of September 1957 this court entered a decree of divorce on its Journal, Volume 38 page 71 and in said Journal Entry provided among other things, an order that defendant pay for the support of the children of the parties in this action the sum of \$0.00 per week as a minimum amount and further provided that in the event defendant's earnings exceeded the sum of \$80.00 per week plaintiff should have as additional support and amount equivalent to 1/3 of said earnings in excess of that sum of \$80.00 per week;

It is further represented to the court that thereafter upon motion by plaintiff, on the 15th day of August 1958 accrued payments then unpaid in the sum of \$1,104.05 as of the 10th day of December 1957, were reduced to judgment and judgment was rendered in favor of this plaintiff against said defendant in the sum of \$1,104.05:

Since said date, no payments have been made by the defendant and there is now due since the 10th day of December 1957 an additional accrued amount in the sum of \$7,440.00, that is, the minimum payment of \$40.00 per week for a period of 82 weeks.

This plaintiff further represents to the court that the decree of September 28th, 1957 is in full force and affect and remains unmodified and that judgment should be awarded this plaintiff for the accrued payments now due in the sum of \$7,440.00.

This plaintiff further represents to the court that in the aforesaid decree of September 28, 1957 the real estate of the parties was to be sold at private or public auction and the net proceeds after payments of a mortgage thereon to be divided 1/3 to the defendant and 2/3 to the plaintiff; and that said real estate has not been sold and plaintiff and her children are residing therein and plaintiff from her own earnings has been making the mortgage payments thereon to the Union County Federal Savings & Loan Association of Marysville at the rate of \$50.00 per month for the last 50 months; that the original mortgage was made October 6th, 1952 in the sum of \$6,500.00; on September 28th, 1957 said mortgage loan had a balance of \$5,400.92 which thereafter became delinquent but now has a balance of \$4,215.79;

Said real estate, at the time the mortgage was made was appraised by the Veterans Administration for the sum of \$8500.00 and because of the financial distress of plaintiff has not been repaired nor maintaining to increase its value and now is reasonably worth no more than the appraisal in 1952.

Grigsby & Parrott  
Attorneys for Plaintiff

ENTRY

Filed August 10, 1961

A motion has been filed in this Court for a modification of the divorce decree and it being represented to the Court that the defendant is a non resident of the State of Ohio but the Court having continued jurisdiction as to matters pertaining to the support of the minor children it is ordered that defendant be given notice of the filing of the motion and the time and place of hearing on said motion.

It is further ordered this motion shall be heard on the 31st day of August 1961 at 10:00 o'clock A.M. and defendant be sent a copy of this order and a copy of the motion in care of his employer Michigan Sewer 21720 West 8 Mile Road, Southfield, Michigan and also at his Postoffice address % Virgil McIntyre, 13554 Birwood Avenue, Detroit, Michigan by certified mail return receipt.

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff

Gwynn Sanders  
Common Pleas Judge

Attorneys for Defendant

JOURNAL ENTRY

Filed Sept 13, 1961

This cause came on for hearing upon the motion of plaintiff, Joan Croy Kestella, the defendant being in default and having been duly served with notice as provided by law.

The court finds from the evidence presented that the defendant, John Charles Kestella, is delinquent in his support payments and has unpaid installments from the 10th day of December, 1957, said delinquent installments amounting to the sum of \$7,440.00. The court further finds that the prior decree of this court, dated September 28, 1957, in full force and effect and remains unmodified; that the real estate of the parties which was to be sold at private or public sale and the proceeds divided under the aforesaid decree of September 28, 1957, has in fact, not been sold and that plaintiff has been making the mortgage payments herself. The court further finds that said real estate is reasonably worth the sum of \$8,500.00, that on September 28, 1957, said real estate was encumbered by a mortgage to Union County Federal Savings and Loan Association of Marysville, Ohio, with the balance of \$5,400.93, that said mortgage now has a balance of \$4,215.79.

It is the order of this court that the decree of September 28, 1957, be modified and that defendant pay the delinquent and unpaid installments of support, in the amount of \$7,440.00, in a lump sum. Judgment is hereby rendered in favor of said plaintiff and against said defendant in the sum of \$7,400.00. It is further ordered that the decree of September 28, 1957, be modified and the real estate is awarded to the plaintiff free of any rights of the defendant, said real estate further being described as follows:

Situated in the Village of Marysville, County of Union, State of Ohio, and being part of Out Lot No. 29. Beginning at a stake in the North line of Fifth Street, southeast corner of Mary Coleman's part of said Outlet; thence with the North line of said Fifth Street S. 85 deg. E. 61½ feet to a stone southwest corner to Andrew Taylor's devisees' part of said Outlet; thence with the West line of said last named lot N. 5 deg. E. 167 feet to a stone northwest corner of said Taylor's lot; thence N. 85 deg. W. 61½ feet to a stake Northeast corner of said Mary Coleman's lot; thence with the East line of her lot S. 5 deg. W. 167 feet to the beginning.

It is ordered that the Clerk file so much of this entry as is necessary with the recorder of Union County, Ohio to convey the title to said real estate from John Charles Kestella to John Croy Kestella. It is further ordered that the sum of \$1,033.02, said sum being the equity of the defendant in the real estate, prior to this decree, be credited as partial payment toward the judgment herein awarded plaintiff.

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff

Gwynn Sanders  
Common Pleas Judge



PETITION FOR CONFIRMATION OF ARBITRATORS AWARD

Lowell Davis  
Richwood, Ohio  
Plaintiff  
vs  
Zane Randall  
Richwood, Ohio  
Defendant

Case No. 18658  
Filed June 27, 1960  
Recorded Sept 15, 1961

Now comes the Plaintiff and says that on or about the 25th day of September, 1957, Plaintiff entered into a livestock-share lease arrangement with the defendant in writing, a copy of saidagrement is attached hereto andmade a part hereof, the same as if written herein and marked Exhibit A.

Plaintiff further says that theparties to said lease agreed to the future termination of said lease, and further agreed upon a public auction to dispose of their jointly owned property and that on the 3rd day of March, 1960, said public auction was held.

Plaintiff furthe says that a dispute arose between Plaintiff and Defendant as to final settlement under the lease above referred to and that Plaintiff in pursuance to the terms of said lease notified the Defendant in writing of the selection of an arbitrator to represent plaintiff in the settlement of saiddispute; that defendant replied to Plaintiff's request on the 19th day of April, 1960, and tendered to Plaintiff the name of Defendant's arbitrator; that thereafter and on the 29th day of April, 1960, Plaintiff's arbitrator and Defendant's arbitrator and a third arbitrator selected by the two original arbitrators met to effect a settlement between Plaintiff and defendantunder the terms of the lease above referred to .

Plaintiff says that on orabout the 29th day of April, 1960, an award was made in writing by David Glann, Carl Worthington and Donald D. Parrott, they being all of the arbitrators appointed pursuant to the written lease above referred to (dated September 25, 1957).

A copy of said award is as follows: (After weighting the information from both parties, we feel Zane owes Lowell \$325.00 for settlement. David Glann, Carl Worthing, Donald D. Parrott".

Plaintiff further says that Defendant has failed and neglected to perform and abide by the said award.

WHEREFORE Plaintiff prays that said award be confirmed and for judgment pursuant to the terms thereof and for his costs herein.

Lloyd George Kerns  
Attorney for Plaintiff

STATE OF OHIO, UNION COUNTY, ss;

Lowell Davis being first duly sworn says that the facts stated and allegations contained in the foregoing pleading are true as he verily believes.

Lowell Davis

Sworn to before me and subscribed in my presence this 13th day of June, 1960.

Lloyd George Kerns  
Notary Public

(copy of lease attached)

PRECIPE

Filed June 27, 1960

To the Clerk:

Issue summons to sheriff of Union County for Defendant who resides at Richwood, Ohioin the above entitled case Indorse "Action to Confirm award of Arbitrators, and for money judgmentin the sum of \$325.00) Make same returnable according to law.

Dated June 27, 1960.

Lloyd George Kerns  
Attorney for Plaintiff

SUMMONS

The State of Ohio, Union County.  
To the Sheriffof Said County:

You are hereby commanded to notify Zane Randall, Richwood, Ohio that he as been sued by Lowell Davis, in the Court of Common Pleas of said Union County, and must answer by the 30th day of July, A.D. 1960, or the petition of said plaintiff will be taken as true and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 11th day of July, 1960.

WITNESS my hand and seal of said Court, this 28th day ofJune, 1960.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

Filed July 1, 1960

The State of Ohio, Union County.

Received this writ June 28th, 1960. at 3:30 o'clock P.M. And on June 29th, 1960, I served the within named Zane Randall by personally handing to him a true and certified copy thereof with all the endorsements thereon.

\$5.00

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

ANSWER

Filed July 23, 1960

Now comes defendant, Zane Randall, and for answer to Plaintiff's petition admits the allegations of the first paragraph of said petition and answers that the arbitration proceeding as alleged in Plaintiff's petition is null and void and the award made by said purported arbitration is null and void for the reason that the arbitrators so imperfectly executed their powers that a mutual final and definite award could not be made on the subject matter; that said award is null and void for the further reasons that said purported award did not follow nor fulfill the provisions of Revised Code Section 2711.08.

Further answering this defendant says the arbitrators failed to take into consideration the element of damages to defendant by plaintiff's breach of contract and his failure to perform work required of him by the lease contract which work defendant was forced to have performed at his expense.

This defendant therefore prays that the arbitration award as set forthin plaintiff's petition be vacated and held for naught and for such other relief as may be just and proper in the premises.

Sanders & Grigsby  
Attorneys for Defendant

VERIFICATION

STATE OF OHIO, UNION COUNTY SS:

Zane Randall, being first duly sworn, says the facts and allegations in the foregoing answer are true.

Sworn to before me and subscribed in my presence this 21st day of July, 1960.

Zane Randall  
Joseph B. Grigsby  
Notary Public



PRE TRIAL CONFERENCE

Filed Jan 3, 1961

The above mentioned case is set for pre-trial conference on February 7th, 1961 at 9:30 o'clock A.M.  
Copies of this order mailed to Lloyd George Kerns, Attorney for Plaintiff and Sanders & Grigsby, Attorneys for Defendant.  
Have your clients present.

Gwynn Sanders  
Judge

ORDER FOR TRIAL

Filed Feb 9, 1961

The above case is set for jury trial on Monday, March 6th, 1961 at 9:30 o'clock A.M.

Gwynn Sanders  
Judge

MOTION

Filed Sept 14, 1961

now comes defendant and moves that plaintiff's case be dismissed and final judgment entered for defendant.

Grigsby & Parrott  
Attorneys for defendant

MOTION FOR JUDGMENT ON PLEADINGS

Filed Sept 14, 1961

Comes now the plaintiff and moves the court to enter judgment in his favor on the pleadings filed herein.

Kerns and Godwin  
Attorneys for Plaintiff

ENTRY

Filed Sept 14, 1961

This cause being submitted to the court upon motion of defendant for judgment on the pleadings and upon motion of plaintiff for a judgment on the pleadings, the court finds defendant's motion should be overruled and plaintiff's motion should be sustained.

It is therefore ordered that judgment be rendered for plaintiff against the defendant for the sum of three hundred twenty five dollars & no/100 (\$325.00) and costs.

Richard H. Finefrock  
Judge

APPROVED BY:  
Kerns & Godwin  
Attorneys for Plaintiff  
Grigsby & Parrott  
Attorneys for Defendant

PETITION

Joneal Baker  
Magnetic Springs, Ohio  
Plaintiff  
vs  
Kenneth Baker  
Irwin, Ohio  
Defendant

Case No. 18900

Filed August 3, 1961

Recorded Sept 18, 1961

The plaintiff, Joneal Baker, says she has been a resident of the State of Ohio for more than one year last past, and has been a bona fide resident of this county for more than 90 days prior to the filing of this petition; that she and defendant, Kenneth Baker, were married on the 1st day of January, 1957, and there are no children born of said marriage, and niether party to the knowledge of petitioner has any property except their prsonal belongings.

Plaintiff further says defendant has been guilty of extreme cruelty and by reason thereof she is entitled to a divorce.

WHEREFORE plaintiff prays that she may be divorced from defendant and restored to her former name of Joneal Willis and for such other orders and relief as may be just and proper.

Grigsby & Parrott  
Attorneys for Plaintiff

STATEOF OHIO, COUNTY OF UNION, SS:

Joneal Baker, being first duly sworn, says the facts and allegations contained in the foregoing petition are true.

Joneal Baker

Sworn to before me and subscribed in my presence this 1st day of August, 1961.

Joseph B. Grigsby

PRECIPE

TO THE CLERK:

Please issue summons to the Sheriff of Union County, Ohio, and a copy of petition fordefendant, Kenneth Baker, Irwin, Ohio. Endorse summons "action for divorce and other reliefs." Make same returnable according to law.

Grigsby & Parrott  
Attorneys for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:

You are hereby commanded to notify Kenneth Baker, Irwin, Ohiothat Joneal Baker has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with extreme cruelty and asking that she be divorced from him and that and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 14th day of August, 1961.

WITNESS my signature and the seal of said Court, this 3rd day of August, 1961.

Helen L. Sullivan, Clerk  
Eileen Daniels, Deputy

SHERIFF'S RETURN

Filed August 7, 1961

The State of Ohio, Union County.

Received this writ on the 3rd day of Aug. 1961 at 11:00 o'clock A.M. and on the 3rd day of Aug. 1961, I served the same by personally handing to the within named Kenneth Baker a true copy thereof, together with a certified copy

of the petition filed against him in this cause.

\$3.80

ANSWER

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

Filed Aug 25, 1961

Now comes the defendant, Kenneth Baker, and admits the plaintiff has been a resident of the State of Ohio for more than one year last past and a bona fide resident of the County of Union for more than 90 days immediately prior to the date of the filing of her petition, and that plaintiff and defendant were married on January 1, 1957, and that no children were born of such marriage.

Defendant further admits that said parties have no property other than their personal property now in possession of said parties.

For further answer defendant denies each and every allegation contained in the petition, except those herein admitted to be true.

Wherefore, defendant prays the petition of plaintiff be dismissed, and for such other and further relief as he may be entitled to.

John W. Dailey  
Attorney for Defendant

STATE OF OHIO, UNION COUNTY, SS:

Kenneth Baker, being duly sworn, says the facts stated and allegations contained in the foregoing answer are true, as he verily believes.

Sworn to before me and subscribed in my presence this the

Kenneth R. Baker  
day of August, 1961.  
John W. Dailey  
Notary Public, State of Ohio

JOURNAL ENTRY

Filed August 26, 1961

On application of plaintiff and for good cause shown, the defendant is hereby enjoined from molesting or interfering with the plaintiff and the children, issue of this marriage, or in plaintiff's control and direction of their children in the home, during the pendency of this suit.

APPROVED BY:

Grigsby & Parrott  
Attorneys for Plaintiff

Gwynn Sanders  
Judge

JOURNAL ENTRY

Filed Sept 18, 1961

This cause came on for hearing on the petition of the plaintiff and answer of defendant, and the court finds from the evidence that plaintiff is, and was for at least one year immediately preceding the commencement of the action, a bona fide resident of the State of Ohio, and that she is, and was for at least ninety days immediately before commencement of the action, a bona fide resident of the County of Union, Ohio; that defendant has been guilty of extreme cruelty, as alleged in the petition; that by reason thereof plaintiff is entitled to a divorce; that defendant has been served with summons and copy of the petition as required by law, which se vice is hereby approved, and that the court has jurisdiction of the cause of action and the parties hereto.

It is ordered, decreed and adjudged that plaintiff be and hereby is granted a divorce from defendant and the marriage contract is hereby dissolved and both of the parties hereto released from its obligation. It is ordered that plaintiff pay the costs herein, and the Plaintiff be restored to her former name of Joneal Willis.

APPROVED BY:

Grigsby & Parrott  
Attorneys for Plaintiff  
John W. Dailey  
Attorney for Defendant

Gwynn Sanders  
Common Pleas Judge

PETITION

Ira W. Eidemiller  
Route #1  
Ft. Loramie, Ohio  
Plaintiff

vs  
Leroy Kerns  
Union County, Ohio  
Defendant

Case No. 18563

Filed Dec 15, 1959

Recorded Oct 5, 1961

Plaintiff says that on September 28, 1959 he purchased from defendant one (1) International Tractor, Model MD, Serial Number 157837, and paid defendant therefor the sum of \$700.00 of which sum \$683.00 was in cash, the balance of \$17.00 being represented by a fence stretcher which was traded to defendant.

Plaintiff further says that defendant was not in fact the owner of said tractor, which fact defendant well knew; that said tractor was in fact, stolen property and that said property was subsequently reclaimed by the lawful owner thereof, all to the damage of plaintiff in the amount of \$700.00.

WHEREFORE, plaintiff prays for judgment against defendant in the amount of \$700.00 with interest at the rate of 6% per annum from December 15, 1959 and costs of suit.

Sanders & Grigsby  
Attorneys for Plaintiff

VERIFICATION

State of Ohio, Union County, ss:

Ira W. Eidemiller, being first duly sworn, says that he is plaintiff in the above entitled cause and that the facts stated and allegations made in the foregoing Petition are true as he verily believes.

Sworn to before me and subscribed in my presence this 15th day of December, 1959.

Ira W. Eidemiller  
Gwynn Sanders  
Notary Public  
Filed Dec 15, 1959

PRECIPE

TO THE CLERK

Please issue summons to the Sheriff of Union County for service upon the defendant herein.

Endorse summons, "Action for money only, amount claimed \$700.00 with interest at 6% per annum from the 15th day of December, 1959 and costs of suit," make same returnable according to law.

Attorneys for Plaintiff

SUMMONS

In Action for Money Only  
The State of Ohio, Union County.

To the Sheriff of Union County:



You are hereby commanded to notify Leroy Kerns, Union County, Ohio that he has been sued by Ira W. Eidenmiller in the Court of Common Pleas of said Union County, and must answer by the 16th day of January A.D. 1960, or the petition of said plaintiff will be taken as true, and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 28th day of December, 1959.

WITNESS my hand and the seal of said Court, this 15th day of December, 1959.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

Filed Dec 17, 1959

The State of Ohio, Union County.

Received this Writ 15th, 1959, at 4:00 o'clock P.M. And on Dec. 16th, 1959, I served the within named Leroy Kerns by personally handing to him a true and certified copy thereof with all the endorsements thereon.

\$5.20

Edward Amrine, Union County Sheriff  
By Martha S. Rogers, Deputy

ANSWER

Filed Feb 27, 1960

In answer to the plaintiff petition, LeRoy Kerns denies owing the plaintiff the sum of seven hundred dollars (4700.00) or any other sum.

Wherefore the defendant prays that the petition of the plaintiff be dismissed and he may go hence without costs.

Jesse G. Dickinson  
Attorney for Defendant

State of Ohio, County of Logan, ss.

LeRoy Kerns being first duly sworn says that the facts stated in the foregoing answer are true as he verily believes.

Sworn to before me and subscribed in my presence this 25 day of Feb. 1960.

LeRoy Kerns  
Helen Skidmore  
Notary Public

PRE TRIAL CONFERENCE

Filed Jan 3, 1961

The above mentioned case is set for Pre-Trial conference on February 3rd at 11:00 o'clock A.M. Copies of this mailed to Sanders & Grigsby, Attorneys for Plaintiff and Jesse G. Dickinson, Attorney for Defendant. Have your clients present.

Gwynn Sanders  
Judge

Statement

Filed Jan 30, 1961

I deny owing I. W. Eidmiller, the sum of money which he is asking of me by the support of this court, or any other sum of money which he may claim.

LeRoy E. Kerns  
West Mansfield, Ohio R.R.1  
LeRoy Kerns

This has been witnessed and Notarized by Louise Coons

ORDER FOR TRIAL

The above mentioned cause is set for trial Tuesday, April 25, 1961 at 1:00 o'clock P.M.

Gwynn Sanders  
Judge

JOURNAL ENTRY

Filed May 3, 1961.

On motion of defendant and for good cause shown, this cause is hereby continued for trial on a date to be agreed upon between the attorney's for the parties and the court.

On motion of defendant, leave is also granted defendant to file an Amended Answer, in this cause within 20 days from the date of the filing of this Entry, if counsel for defendant elects to do so.

APPROVED:

Attorney for Plaintiff  
Reed M. Winegardner  
First National Bank Building  
Washington C. H. Ohio  
Attorney for Defendant

Enter: April 30, 1961.  
Gwynn Sanders  
Common Pleas Judge

JOURNAL ENTRY GRANTING DEFENDANT RIGHT TO FILE AMENDED ANSWER INSTANTER.

Filed July 17, 1961

Upon Motion of Defendant leave is hereby granted defendant to file an Amended Answer Instanter in this proceeding.

APPROVED:

Attorney for Plaintiff  
Reed M. Winegardner  
Attorney for Defendant

ENTER July 17, 1961  
Richard H. Finefrock  
Acting Common Pleas Judge

AMENDED ANSWER

Filed July 17, 1961

Now comes the defendant, Leroy Kerns and for answer to plaintiff's petition admits that on or about September 28, 1959 he sold to the plaintiff, Ira W. Eidmiller, one International Tractor, Model MD, Serial Number 157837 and that he received from said sale the sum of \$700.00, either in money or property, therefor.

Defendant further denies, for want of knowledge, that said Tractor represented stolen property.

Defendant further denies, for want of knowledge, that said tractor was subsequently reclaimed by the lawful owner thereof.

Defendant further denies each and every allegation in plaintiff's petition not thereinbefore expressly admitted to be true.

WHEREFORE, defendant prays that the plaintiff's petition be dismissed and that he may go hence with his costs.

Dated this 24th day of April, 1961.

Reed M. Winegardner  
First National Bank Bldg  
Washington C. H. Ohio  
Attorney for Defendant

STATE OF OHIO, UNION COUNTY, ss:  
Leroy Kerns being first duly sworn says that the allegations contained in his foregoing Amended Answer are true as he verily believes.

Subscribed and sworn to before me this 26 day of April, 1961.

LeRoy Kerns  
Louise Coons  
Union County, Ohio

JOURNAL ENTRY

Filed OCT 3, 1961

On motion of Defendant, LeRoy Kerns, and for good cause shown, leave is hereby granted defendant to withdraw his Answer, Answers and/or Amended Answer, heretofore filed herein, forthwith, in this proceeding and for said cause to continue, on behalf of plaintiff, as provided by law.

APPROVED:  
Joseph B. Grigsby  
Marysville, Ohio  
Attorney for Plaintiff  
Reed M. Winegardner  
Washington C. H. Ohio  
Attorney for Defendant

ENTER: September 28, 1961  
Richard H. Finefrock  
Acting Common Pleas Judge

JOURNAL ENTRY

Filed Oct 3, 1961

This matter having been set for trial this 28th day of September, 1961, and coming on to be heard upon the pleading and testimony, the court finds the defendant has, by leave of court, withdrawn his answer, answers and/or amended answer heretofore filed herein and consented that said case proceed as upon default.

The court therefore finds defendant has defaulted for answer or demurrer and thereby confessed the allegations of the petition to be true and the court finds plaintiff should recover according to the prayer of his petition.

It is therefore ordered and adjudged that plaintiff recover from the defendant, Leroy Kerns, the sum of \$700 with interest from December 15, 1959 and his costs. Judgment shall be entered this day for said sum and costs.

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff

Richard H. Finefrock  
Common Pleas Judge

PETITION

Quaker State Finance Corporation  
827 West 36th Street  
Erie, Pennsylvania  
Plaintiff

vs  
Melvin Salley and  
Mary Salley  
R.D.# 3  
Richwood, Ohio  
Defendants

Case No. 18946  
Filed Oct 13, 1961  
Recorded October 17, 1961

The Defendants, Melvin Salley and Mary Salley, on the 14th day of October, 1958, executed and delivered to Quaker State Finance Corporation, Erie, Pennsylvania, a Promissory Note of that date, with the warrant of attorney annexed, a true copy of which note and warrant with all the indorsements thereon, is hereto attached marked "Exhibit A" and made a part of this petition.

Said Note is unpaid, except as shown by said indorsements, and there is now due the Plaintiff on said Note the sum of One Hundred Thirteen & 2/100 (\$113.02) Dollars, with interest at the rate of six (6%) per cent. per annum, from the 17th day of July, 1961.

Wherefore Plaintiff prays judgment against said Defendants for the sum of One Hundred Thirteen & 2/100 (\$113.02) Dollars, with interest thereon from the 17th day of July, 1961, at the rate of six (6%) per cent. per annum until paid, and for costs of suit.

Robert A. Stout  
Attorney for Plaintiff

The State of Ohio, Marion County, ss.

Robert O. Stout being sworn, says that he is the Attorney of said Plaintiff that this action is brought upon instrument in writing for the unconditional payment of money only, that said instrument in writing is in his possession and that he verily believes the statements contained in the foregoing petition are true, in substance and in fact.

Sworn to by said Robert O. Stout before me, and by him signed in my presence, this 9th day of October, 1961.

Robert A. Stout  
Cora McCleary  
Notary Public

NOTE

Account No. 3224  
Due Date 15th  
Date of Note 10/14/58  
Amount of Note \$250.00  
No. of Mo. Pmts. 12  
First Payment Due 11/15/58  
Final Payment Due 10/14/59  
Amount of Payments \$24.82

IN CONSIDERATION of a loan made by the payee herein named, at its above office in the principal amount above stated, the undersigned jointly and severally promise to pay to said corporation at its above officesaid principal amount together with interest at the above rate until fully paid.

Payment of principal and interest shall be made in consecutive monthly payments as above indicated. The final payment shall cover any unpaid principal balance and accrued interest at agreed rate of interest, which installments is due and owing on the final payment due date herein above mentioned. From any payment made hereon, interest at said rate due on the unpaid principal balance of the amount loaned shall first be deducted and the remainder of any such, payment shall be applied on the unpaid principal of this obligation, until paid. If this note is not paid at maturity, it shall bear interest thereafter at said rate, but on any unpaid principal balance after 24 months from date hereof, interest shall be payable at the rate of 6% per annum,.

The principal amount hereof or any part hereof may be paid in advance at any time with interest as above to the date of payment.

If default shall be made in the payment of any of said installments or sums due on this note, then the whole principal sum of this note or such portion thereof as shall then remain unpaid, with interest thereon as above stated up to that time, shall, at the option of the holder of this note become immediately due and payable without notice.

And further we do authorize and empower any attorney of any Court of Record of Pennsylvania or elsewhere, to appear for and to enter and confess judgment against us or either of us for the above sum, with or without declaration



filed, with release of errors and without stay of execution. And we also waive the right of inquisition on any real estate or personal property, that may be levied upon to collect this note and do hereby voluntarily condemn the same and authorize the prothonotary to enter upon the fi, fa, and we also waive or release all benefit or relief from any or all appraisement, stay or exemption laws of any State now in force of hereinafter to be passed, in so far as the same can be waived by us.

We acknowledge receipt now of a statement of above loan from the Lender as required by the small loan law, upon which also is printed in English a copy of the maximum interest rate section of said loan law.

Witness:

E. P. Weire  
Marie Lantz

Melvin Salley  
Mary Salley

ANSWER OF DEFENDANT

Filed Oct 13, 1961

By virtue of the warrant of attorney annexed to and mentioned in the foregoing Petition, I, an Attorney at Law in the several Courts of record of this State, do hereby enter an appearance for said Defendants in this suit, and waive the issuing and service of process therein, and confess a judgment in favor of said Plaintiff, against said Defendants, on said Note, for the sum of One Hundred Fourteen & 60/100 (\$114.60) Dollars being the amount appearing due for principal and interest on said Note, and also for costs of suit, taxed and to be taxed; and I do hereby waive and release all errors in said proceedings and the right of appeal from the judgment rendered.

Holley F. Baker  
Attorney for Defendant

JUDGMENT ENTRY

Filed Oct 13, 1961

This day came the Plaintiff, by its attorney; also appeared in open Court for and on behalf of said Defendants, Holley F. Baker an Attorney at Law of this Court, and by virtue of the Warrant of attorney annexed to the Note attached to the Petition in said cause, shown to have been duly executed by said Defendants, entered, the appearance of said Defendants, and waived the issuing and service of process in this action, and confessed a judgment on said Note against said Defendants, in favor of said Plaintiff, for One Hundred Fourteen & 60/100 (\$114.60) Dollars, being the amount of the principal and interest due on said Note and for the costs taxed and to be taxed, and waived and released all errors in said proceedings and the right of appeal from the judgment rendered.

The Court further finds that this action was brought in the County in which the Defendants reside. It is therefore considered that Plaintiff recover of said Defendants the sum of One Hundred Fourteen & 60/100 (\$114.60) Dollars, being the amount of said Note with interest computed at six (6) per cent. per annum from the 17th day of July, 1961; and also costs herein expended taxed at \$ .

Gwynn Sanders  
Judge

PETITION

Stanford Spurlock  
86 East Bomford Street  
Richwood, Ohio  
Plaintiff

vs

Sadie Spurlock  
86 East Bomford Street  
Richwood, Ohio  
Defendant

Case No. 18858  
Filed May 13, 1961  
Recorded Oct 17, 1961

Now comes the Plaintiff, Stanford Spurlock, and for his cause of action says that he has been a resident of the State of Ohio for more than one year last past and a bona fide resident of Union County for more than ninety days preceding the filing of the Petition herein.

Plaintiff further alleges and says that he and the Defendant, Sadie Spurlock, were married at Calicsburgh, Kentucky, on the 26th day of June, 1936, and that five (5) children were born as issue of said marriage, to-wit: Charles Leonard Spurlock, age 22 years and married; Eloise Spurlock, age 17 years and married; Jean Spurlock, age 14 years; Donnie Spurlock, age 12 years; and, Sandy Spurlock, age 10 years.

Plaintiff further says that the Defendant has been guilty of gross neglect of duty, the full particulars of which are well known to the Defendant and will be fully disclosed upon the final hearing of this cause.

Plaintiff further alleges and says that he is the owner of a 1951 Chrysler automobile; that he is the owner of a house and lot located at 86 East Bomford Street, Richwood, Ohio; and that he is the owner of household goods and furniture located at 86 East Bomford Street, Richwood, Ohio.

Plaintiff further alleges and says that the Defendant, unless enjoined, will refuse to vacate the home where the parties reside.

Wherefore, Plaintiff prays that he be granted a decree of divorce; that he be granted the custody of the minor children of the parties; that the Defendant be enjoined from remaining in the property located at 86 East Bomford Street, Richwood, Ohio; that if it is determined the Defendant has any interest in the house and lot located at 86 East Bomford Street, Richwood, Ohio and the household furnishings located therein or in the 1951 Chrysler automobile, that the same be set off to the Plaintiff as and for alimony; and, for such other relief as is just and proper in the premises.

Stanford Spurlock  
By G. A. Piacentino

STATE OF OHIO, Marion County, ss:

Stanford Spurlock, being first duly sworn according to law, deposes and says that he is the Plaintiff in the foregoing Petition, and that the facts stated and allegations contained therein are true, as he verily believes.

Stanford Spurlock  
day of May, 1961.  
G. A. Piacentino  
Notary Public

PRECIPE

Filed May 13, 1961

To the Clerk of said Court:

Issue summons and certified copy of the Petition on the Defendant, Sadie Spurlock, 86 East Bomford Street Richwood, Ohio, directed to the Sheriff of Union County, Ohio, endorsed thereon: Action for divorce; custody of the minor children; that the Defendant be enjoined from remaining in the property located at 86 East Bomford Street, Richwood, Ohio; that if it is determined the Defendant has any interest in the house and lot located at 86 East Bomford Street, Richwood, Ohio and household furnishings located therein or in the 1951 Chrysler automobile, that the same be set off to the Plaintiff as and for alimony; and, for such other relief as is just and proper in the premises: returnable according to law.

G. A. Piacentino  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:

You are hereby commanded to notify Sadie Spurlock, 86 E. Bomford St., Richwood, Ohio that Stanford Spurlock has filed in the office of the Clerk of the Court of Common Pleas of Union County, and Stat of Ohio, a Petition, (a copy of which accompanies this summons) charging him with gross neglect of duty and asking that she be divorced from him and custody of minor children; Defendant be enjoined from remaining in the property located at 86 E. Bomford St. Richwood, Ohio, that if it is determined Defendant has any interest in the house and lot located at 86 E. Bomford St., Richwood, Ohio and the household furnishings located therein or in the 1951 Chrysler automobile, that the same be set off to the Plaintiff as and for alimony and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 22nd day of May, 1961.

WITNESS my signatruue and the seal of said Court, this 13th day of May, 1961.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

Filed May 15, 1961

The State of Ohio, Union County.

Received this writ on the 31th day of May, 1961 at 11:30 o'clock A.M. and on the 13th day of May, 1961 I served the same by personally handing to the within named Sadie Spurlock a true copy thereof, together with a certified copy of the petition filed against her in this cause.

\$5.00

Edward Amrine Union County Sheriff  
By Martha Rogers, Deputy

MOTION FOR ALIMONY PENDENTE LITE

Filed May 16, 1961

Defendant respectfully moves the court for an order granting her reasonable alimony for her support and expenses including attorney fees during the pendency of this suit.

Defendant also moves the court for an order granting her custody support and care of the minor children namely; Jean Spurlock age 14, Donnie Spurlock age 12 and Sandy age 10 during the pendency of this action and for a reasonable sumas and for the care maintenance, clothing schooling and support of said children.

Clifton L. Caryl  
Attorney for Defendant

NOTICE

TO: Stanford Spurlock  
86 East Bomford Street  
Richwood, Ohio - PLAINTIFF

You will take mtice of the filing of the motion of which the foregoing is a copy and which will be heard on the 23rd day of May, 1961 at 10:00 o'clock A.M. or as soon thereafter as the court will hear the same in the court room of the Common Plas Court of Union County, Ohio at the Court House in Marysville, Ohio.

Clifton L. Caryl  
Attoray for Defendant

PRECIPE

TO THE CLERK:

Issue certified copy of Motion for Alimony and Custody, pendente lite to the Sheriff of Union County, Ohio to be served upon the plaintiff Stanford Spurlock residing at 86 East Bomford St., Richwood, Ohio, Make same returnable according to law.

Clifton L. Caryl  
Attorney for Defendant

PRECIPE FOR PLAINTIFF'S WITNESSES

Filed May 18, 1961

TO THE CLERK OF SAID COURT:

Issue a Subpoena for the following named persons,as witnesses on behalf of Plaintiff in the above entitled case, to appear before said Court on the 23rd day of May A.D. 1961, at 10:00 o'clock A.M. to-wit:

- 1. Florence Taylor, East Bomford St., Richwood, Ohio
- 2. Emmet (Dutch) Wurtsbaugh, East Bomford St., Richwood, Ohio
- 3. Alice Charles, East Bomford St., Richwood, Ohio

G. A. Piacentino  
Attorney for Plaintiff

NOTICE TO SERVE

To the Sheriff of Union County,Greeting:

You are hereby commanded to serve the attached copies of Motion and Notice heretofore filed in this case, upon the Plaintiff, Stanford Spurlock, 86 E. Bomford St., Richwood, Ohio and of your service hereof, make duereturn to this office, on or before the23rd day of May, A.D. 1961.

WITNESS my hand and seal of said Court, this 16th day ofMay, 1961.

Helen L. Sullivan, Clerk of said Court  
By Eileen Daniels, Deputy

SHERIFF'S RETURN

Filed May 18, 1961

The State of Ohio, Union County.

Received this writ May 16th, 1961 at 3:30 o'clock P.M. And on May 18th, 1961, I served the within named Stanford Spurlock by personally handing to him a true and certified copy of Motion and Notice thereof with all the endorsements thereon.

\$5.00

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

SUBPENA IN CIVIL CASE

To Florence Taylor, East Bomfore St., Richwood, Ohio	34	P	5-19-61
Emmet (Dutch) Wurtsbaugh, East Bomford St., Richwood, Ohio	34	P	5-19-61
Alice Charles, East Bomford St., Richwood, Ohio	34	P	5-19-61

You arehereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 23rd day of May, A.D. 1961 at 10:00 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Stanford Spurlock Plaintiff, and Sadie Spurlock Defendant, and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the Plaintiff.

Witness my hand and the seal of said Court, this 18th day of May, 1961.

Helen L. Sullivan  
Clerk



RETURN OF SERVICE

Filed May 20, 1961

I received this writ on the 18th day of May, 1961 at 11:30 o'clock A.M. and served the persons named therein on the day and in the manner indicated against each name.

\$ .500

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

ENTRY

Filed May 31, 1961

This day, the 23rd day of May, 1961, this cause came on to be heard on the Motion of the defendant for temporary alimony, custody of Jean Spurlock, Donnie Spurlock and Sandy Spurlock, the minor children of the parties and for attorney fees.

The Court finds that Jean Spurlock of the age of 14 years having indicated her preference in open Court to remain with her father, the plaintiff herein, that the custody of all the minor children remain with the father.

The Court further finds that the defendant should remove herself from the premises of the plaintiff located at 86 East Bomford Street, Richwood, Ohio; that she shall vacate said premises within 48 hours from 12:00 o'clock noon, May 23, 1961; and that the plaintiff shall pay the defendant the sum of \$25.00 for moving expense.

The Court further finds that upon the final hearing of this cause the plaintiff shall pay Clifton L. Caryl, attorney for defendant, the sum of \$150.00 for attorney fees.

It is therefore the order, judgement and decree of this court that the Motion for temporary alimony and change of custody be denied; that Stanford Spurlock shall have the custody of the minor children of the parties reserving, however, reasonable rights of visitation to the mother Sadie Spurlock; that Sadie Spurlock shall vacate the premises of the parties within 48 hours from 12:00 o'clock noon May 23, 1961 and that the plaintiff shall pay the defendant the sum of \$25.00 for moving expenses; and, upon final hearing of this cause the plaintiff shall pay Clifton L. Caryl, attorney for defendant, the sum of \$150.00 for attorney fees.

APPROVED:

G. A. Piacentino  
Clifton L. Caryl

Gwynn Sanders  
Judge

ANSWER AND CROSS PETITION OF DEFENDANT FOR ALIMONY AND CUSTODY AND SUPPORT OF MINOR CHILDREN

Filed June 27, 1961

Defendant for her answer to plaintiff's petition admits that plaintiff has been a resident of the State of Ohio and of Union County for more than one year past. Admits that they were married as in plaintiff's petition set forth and the children therein named were the issue of said marriage. Defendant further answering denies each, every and singularly all other allegations in plaintiff's petition contained.

CROSS PETITION

Defendant for her cross-petition says that she and the plaintiff were married on the 26th day of June, 1936 and that five (5) children were born of said marriage and said children are described in the petition of plaintiff. Defendant further says that continually during their married life she has worked with and for the plaintiff with endeavors to make his business enterprise a success and that as a result of her working with the plaintiff he has been able to accumulate real estate to wit: A house and lot located at 86 East Bomford Street, Richwood, Ohio which is now worth Twenty-five Hundred Dollars (\$2500.00) and no mortgage or other lien are of record on said premises. That through the years they have accumulated jointly household furnishings and other property in the way of cooking utensils and a full and complete set of household goods and furnishings and which are located in the home aforesaid.

Defendant further says that plaintiff is an able bodied man being a strong and robust person and is able to earn One Hundred Dollars (\$100.00) per week take-home pay or more as an employee of Commercial Steel Company of Marion, Ohio where he has been employed for a period of eighteen (18) years. Defendant further says that although plaintiff is an able bodied man and has the ability to make and does produce a sizeable income and that his steady tenure of employment has been made possible through her efforts, that he has refused and neglected to furnish this defendant with the ordinary means of livelihood by way of proper food for herself, clothing and other necessities of life, although in constant receipt of income and property or a means of livelihood of her own.

Defendant further says that plaintiff has been guilty of gross neglect of duty in that he not only has failed to furnish her with the necessities of life in the way of food, care and clothing but has shown her no affection, consortium or companionship during the past several years, but has displayed his affection and companionship to diverse and sundry persons who will be mentioned at the time of trial.

Defendant further says that plaintiff is living in the property aforesaid and that she has been forced out of the same and found it necessary to depend and rely on the charity of her relatives, friends and neighbors for the purpose of assistance and at the present time has no place to live and is unemployed and without any income, funds or property of any kind whatsoever.

WHEREFORE, Defendant prays that the petition of plaintiff be dismissed, she be awarded the care, custody and control of minor children herein mentioned and that upon final determination of this cause, she may be decreed reasonable alimony for herself and other necessary expenses and that she be awarded a sufficient amount as and for the support of herself and the minor children and for such other and further relief to which she may be entitled whether it be legal or equitable.

Clifton L. Caryl  
Attorney for Defendant

STATE OF OHIO, COUNTY OF UNION, SS:

Sadie Spurlock being first duly sworn says the admissions contained in the foregoing answer are true and the statements and allegations set forth in her cross petition are true as she verily believes.

Sadie Spurlock  
Sworn to before me and subscribed in my presence this 27th day of June, 1961.  
Clifton L. Caryl  
Notary Public - State of Ohio

PRECIPE

TO THE CLERK:

Issue summons together with certified copy of Answer and Cross Petition to be served upon the plaintiff Stanford Spurlock residing at 86 East Bomford Street, Richwood, Ohio. Endorse summons "Action for alimony, custody and support of minor children and equitable relief" and make same returnable according to law.

Clifton L. Caryl  
Attorney for Plaintiff

SUMMONS ON ANSWER AND CROSS PETITION IN ALIMONY

The State of Ohio, Union County.

To the Sheriff of Union County:

You are Commanded to Notify Stanford Spurlock, 86 East Bomford Street, Richwood, Ohio to appear before the Court of Common Pleas of Union County, at the Court House in Marysville Ohio, and answer an Answer and Cross Petition for Alimony filed in the Clerk's Office of said County by Sadie Spurlock a copy of which accompanies this summons.

The Cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 10th day of July A.D. 1961.

WITNESS my signature and the Seal of said Court, this 27th day of June, 1961.



SHERIFF'S RETURN  
The State of Ohio, Union County.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

Filed July 6, 1961

Received this writ at 3:20 o'clock P.M. on the 27th day of June 1961 and on the 28th day of June, 1961 I served the same by personally handing a true and duly certified copy thereof with all the endorsements thereon, together with a certified copy of the answer and cross petition filed against him in this cause.

\$5.00

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

ORDER FOR TRIAL

Filed Sept 15, 1961

The above mentioned cause is set for trial Wednesday October 11th, 1961 at 9:30 o'clock A.M.

Gwynn Sanders  
Judge

PRECIPE FOR PLAINTIFF'S WITNESSES

Filed Oct 5, 1961

TO THE CLERK OF SAID COURT:

Issue a Subpoena for the following named persons, as witnesses on behalf of Plaintiff in the above entitled case, to appear before said Court on the 11th day of October A.D. 1961 at 9:30 o'clock A.M. to-wit:

Florence Taylor, East Bomford Street, Richwood, Ohio  
Jean Butler 303 Chicago Avenue, Marion, Ohio  
Sidney Spurlock, Pennsylvania Avenue, Delaware, Ohio  
Walter Hitt, R#2, Richwood, Ohio

G. A. Piacentino  
Attorney for Plaintiff

SUBPENA IN CIVIL CASE (FOREIGN COUNTY)

To Sidney Spurlock, Pennsylvania Ave., Delaware, Ohio 3 Res. 10-6-61

You are hereby required to be and appear before the Common Pleas Court at the Court House in said Union County, at Marysville, Ohio, on the 11th day of October, 1961 at 9:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Stanford Spurlock Plaintiff, and Sadie Spurlock Defendant; and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the Plaintiff.

Witness my hand and the seal of said Court, this 5th day of October, 1961.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

RETURN OF SERVICE

Oct 9, 1961

I received this writ on the 6th day of October 1961, at 11:30 o'clock A.M. and served the persons named therein, on the day and in the manner indicated against each name.

\$.90

Harley Wornstaff, Sheriff  
By Eugene Jordson, Deputy

SUBPENA IN CIVIL CASE

To Florence Taylor, East Bomford St., Richwood, Ohio 34 P 10-6-61  
Walter Hitt, R#2, Richwood, Ohio 26 R 10-6-61

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 11th day of October A.D. 1961 at 9:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Stanford Spurlock Plaintiff, and Sadie Spurlock Defendant, and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the plaintiff.

Witness my hand and the seal of said Court, this 5th day of October, 1961.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

RETURN OF SERVICE

Oct 9, 1961

I received this writ on the day of 19 , at o'clock M. and served the persons named therein on the day and in the manner indicated against each name.

\$5.30

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

PRECIPE

Oct 9, 1961

Issue subpoena to the Sheriff of Union County, Ohio in the above entitled case directing him to serve the following persons as witnesses on behalf of Defendant to-wit: Ivey Stansberry, West Bomford Street, Richwood, Ohio (across railway tracks -5th house on right going west); Wilda Elliott, Richwood, Ohio.

Clifton L. Caryl  
Attorney for Defendant

PRECIPE

Oct 9, 1961

Issue precipe to the Sheriff of Union County for the following witness on behalf of defendant in the above cause to-wit: Issue subpoena duces tecum to Honorable Robert E. Evans, Judge of the County Court to bring in records of his court concerning Stanford Spurling which records are of February 25, 1960 and May 11, 1960, to appear in person or by someone duly authorized in his stead with such records in the Court of Common Pleas Union County, Ohio on behalf of Defendant at 1:00 P.M. on Wednesday the 11th day of October, 1961.

Clifton L. Caryl  
Attorney for defendant

SUBPENA IN CIVIL CASE (FOREIGN COUNTY)

To Jean Butler, 303 Chicago Ave., Marion, Ohio 2 Per 10/17/61

You are hereby required to be and appear before the Common Pleas Court at the Court House in said Union County, at Marysville, Ohio, on the 11th day of October, 1961 at 9:30 o'clock A.M. to testify as a witness in a certain case pending in said Court, wherein Stanford Spurlock Plaintiff, and Sadie Spurlock Defendant; and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the Plaintiff.

Witness my hand and the seal of said Court, this 5th day of October, 1961.

Helen L. Sullivan, Plaintiff  
By Eileen Daniels, Deputy

RETURN OF SERVICE

Filed Oct 10, 1961

I received this writ on the 6th day of October, 1961 at 11:30 o'clock A.M. and served the persons named therein, on the day and in the manner indicated against each name.

\$.74

Glenn Obenour, Marion Co. Sheriff  
By Robert Obenour, Deputy



SUBPENA IN CIVIL CASE

To Ivey Stansberry, W. Bomford St., Richwood, Ohio (Across  
Railway tracks-5th house on right going west)  
Wilda Elliott, Richwood, Ohio

34 P 10-10-61  
34 P 10-10-61

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 11th day of October A.D. 1961, at 1:00 o'clock P.M. to testify as a witness in a certain case pending in said Court, wherein Stanford Spurlock Plaintiff, and Sadie Spurlock Defendant, and not depart the Court without leave. Herein fail not, under penalty of the law. And have you then and there this writ.

Said Court requires your said attendance on behalf of the Defendant.

Witness my hand/and the seal of said Court, this 9th day of October, 1961.

Helen L. Sullivan  
Clerk

RETURN OF SERVICE

Oct 11, 1961

I received this writ on the 9th day of October, 1961 at 4:00 o'clock P.M. and served the persons named therein, on the day and in the manner indicated against each name.

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

\$4.50

STATEMENT OF STENOGRAPHER'S COSTS

Oct 11, 1961

\$8.00

Arthur D. Lowe  
Court Stenographer

JOURNAL ENTRY

Oct 11, 1961

This day this cause came on to be heard on the petition of the plaintiff, Stanford Spurlock, and the answer and cross petition of the defendant, Sadie Spurlock.

The Court finds that the defendant has been duly served with summons and a copy of the petition herein as required by law and the parties are properly before the court and this court has jurisdiction over the parties and the subject matter.

The court finds that the defendant, Sadie Spurlock, has withdrawn her answer and cross petition, and the evidence being adduced upon the petition of the plaintiff the court finds as follows:

1. That the Plaintiff has been a resident of the State of Ohio for more than one year preceding the filing of the petition and at least ninety days a resident of Union County preceding the filing of the petition herein.
2. That the plaintiff and the defendant were married as alleged in the petition, and that five children were born as issue of said marriage, to wit: Charles Leonard Spurlock, age 22 years and married, Eloise Spurlock, age 17 years and married, Jean Spurlock, age 15 years and married; Donnie Spurlock, age 13 years, and Sandy Spurlock, age 11 years.

The court further finds that the defendant has been guilty of gross neglect of duty as alleged in the petition and by reason thereof the plaintiff is entitled to a divorce.

The court further finds that the plaintiff is the owner of a 1951 Chrysler automobile; that he is the owner of a house and lot located at 86 East Bomford Street, Richwood, Ohio; and that he is the owner of five rooms of household furnishings also located at 86 East Bomford Street, Richwood, Ohio.

The court further finds that the defendant, Sadie Spurlock, should have as alimony the sum of \$800.00 which sum shall include counsel fees for her attorney, Clifton L. Caryl, and that she is not to have any interest in the real estate or household furnishings located at 86 East Bomford Street, Richwood, Ohio, it being the property of the plaintiff. The court further finds that she is to have no interest in the 1951 Chrysler automobile.

The court further finds that the custody of the children should be awarded to the plaintiff herein, Stanford Spurlock, and that the defendant shall have the right to visit with said children on each Sunday afternoon from the hours of one o'clock to four o'clock p.m. until further order of the court.

It is, therefore, the order, judgment and decree of this court that the plaintiff be granted a decree of divorce; that he be granted custody of the minor children of the parties with visitation reserved for the defendant Sadie Spurlock, on each Sunday afternoon from one o'clock to four o'clock p.m. subject, however, to the further orders of this court; that the plaintiff pay unto the defendant, Sadie Spurlock, the sum of \$800.00 as alimony, and that the residence and household furnishings located at 86 East Bomford Street, Richwood, Ohio, as well as the 1951 Chrysler automobile be set off to the plaintiff as his sole and absolute property, and that the plaintiff pay the costs of this action.

APPROVED:

G. A. Piacentino  
Attorney for Plaintiff  
Clifton L. Caryl  
Attorney for Defendant

Gwynn Sanders  
Judge

PETITION IN PARTITION

Esther Bryan, Now Esther Bryan Quesenberry  
747 Carroll Street  
Akron 4, Ohio  
Plaintiff

vs

1. W. J. Charles  
147 Myers Avenue  
Akron 5, Ohio
2. Victor Emerson  
4231 Woodedge Drive  
Akron, Ohio
3. Esther D. Houpt  
155 Davenport Street  
Akron, Ohio
4. Joanne Dauber  
Jan Drive  
Akron, Ohio
5. Walter Myron VanZant  
R 408 Ash Street  
Lindoa, Ohio, and
6. The unknown heirs, devisees, legatees, administrators, executors, and assigns of Mary Waring, Emery Van Zant, Clarence Van Zant, and Loney B. Adams, all deceased

defendants

Case No. 18827

Filed April 1, 1961

Recorded October 18, 1961



Plaintiff says that she has a legal estate in fee simple of the undivided one-eighth part as tenant in parcenary of the following described premises situated in the County of Union, State of Ohio, and bounded and described as follows:  
Situatd in the Village of Richwood, Union County, Ohio.  
Being all of Lot No. 629 and 10 feet off the South side of Lot No. 630 and extending back to the whole length of said Lot No. 630 in O. Beems Addition to said Village of Richwood.  
For a more complete description see the recorded plat of said Village in the Recorder's Office at Marysville, Ohio.  
For the last deed reference see Deed Folome 180 ate page, 363.

Plaintiff further says that Lois Van Zant Treese obtained title to said premises by virtue of a deed from L. L. Roebuck, Administrator of the Estate of Harriette Van Zant, which deed may be found in Volume 87 at Page 37. That thereafter Loie Treese died February 17, 1936, devising said property to Laura P. Graham and Samuel J. Treese, for and during their natural lives, and upon their deaths to Mary Waring, Mildred Emerson, Esther Bryan, W. J. Charles, Emery Van Zant, Clarence Van Zant, Walter Myron Van Zant, and Loney B. Adams, absolutely and in fee simple.

Plaintiff says that said Samuel J. Treese and Laura P. Graham are now deceased, leaving the above named remaindermen to whom said premises descended as provided by law; that all known debts and claims against the estate of said decedent have been fully paid.

Plaintiff says that she and the Defendants, W. J. Charles, and Walter Van Zant are each seized of an undivided one-eighth interest in fee simple in said premises. Plaintiff further says that Mildred Emerson, owner of an undivided one-eighth interest in fee simple in said premises died intestate, and that her interest descended to Victor Emerson, Esther D. Haupt, and Joanne Dauber, each receiving an undivided one-twenty fourth interest in fee simple.

Plaintiff further says that Mary Waring, Emery Van Zant, Clarence Van Zant, and Loney B. Adams are deceased and that their heirs, devisees, legatees, administrators, executors, and assigns are unknown and cannot by reasonable diligence be ascertained.

WHEREFORE, Plaintiff prays that partition of said premises be made; or if said estate cannot be divided by metes and bounds without manifest injury to its value, then Plaintiff prays that the court order the property to be appraised and sold and the proceeds of such sale distributed and paid to the Plaintiff and Defendants herein, in lieu of their respective parts and portions of the estate, accordingt ot their rights therein; and for such other and further orders and relief as may be just and proper.

Robert E. Evans, Jr.  
Attorney for Plaintiff

State of Ohio, Union County, ss:

Robert E. Evans, Jr., being first duly sworn and cautioned, says that he is the attorney of record for the Plaintiff herein, and that said Plaintiff is presently a non-resident of this county, and the facts stated and allegations herein contained are true as he verily believes.

Robert E. Evans, Jr.

Sworn to before me and subscribed in my presence this       day of April, 1961.

Helen M. Fausnaugh  
Notary Public

Richard Parrott, Attorney at Law, Marysville, Ohio, is hereby designated attorney to certify title in this action.

AFFIDAVIT FOR SERVICE BY PUBLICATION

April 1, 1961

State of Ohio, Union County, ss:

Robert E. Evans, Jr. , being first duly sworn, says that he is the attorney for the Plaintiff in this action, and that the heirs, devisees, legatees, administrators, executors and assigns of Mary Waring, Emery Van Zant, Clarence Van Zant, and Lonie B. Adams, are necessary parties to the final determination of the matters in the Petition contained and that their names and residences are unknown to the Plaintiff, or this Affiant, and cannot by reasonable diligence be ascertained and summons cannot be served on them or any of them within the State of Ohio; that this action relates to the partition of certain real estate described in the petition and being one of the subjedts contained in Section 2702.14 of the Revised Code of Ohio wherein service by pbublication may be made on the Defendants, and that this affidavit is filed herein under the provisions of Section 2703.24 of the Revised Code of Ohio to obtain an order of the court to serve said unknown Defendants by publication according to law.

Robert E. Evans, Jr.

Sworn to before me and subscribed in my presence this 30 day of March, 1961.

Helen M. Fausnaugh  
Notary Public

JOURNAL ENTRY

Filed April 1, 1961

It being made to appear to the court by the Affidavit of the Attorney for the Plaintiff that the places of the residence of the Defendants, being the unknown heirs, devisees, legatees, administrators, executors and assigns of Mary Waring, Emery Van Zant, Clarence Van Zant, and Lonie B. Adams, are unknown to the Plaintiff and the Attorneyfor the Plaintiff and cannot by reasonable diligence be ascertained by them.

It is therefore ordered by this Court that notice of the pendency of this action and the substance and prayer of the petition be made on said Defendants by publication in he manner and for the time provided by law for service on non-resident Defendants.

Gwynn Sanders  
Judge

AMENDED PETITION

Filed June 26, 1961

Plaintiff says that she has a legal estate in fee simple of the undivided one-eighth part as tenant in parcenary of the following described premises situated in the County of Union, State of Ohio, and boundd and described as follows:  
Situatd in the Village of Richwood, Union County, Ohio.  
Being all of Lot No. 629 and 10 feet off the South side of Lot No. 630 and extending back the whole length of said Lot No. 630 in O. Beems Addition to said Village of Richwood, Ohio.  
And excepting therefrom a strip of land off the west end of said premises being ten (10) feet in width and extending the full breadth of said premises, which property excepted herein is the premises conveyed in Deed Book 62 at 208 at Page 182.  
Fora more complete descritpion see the recorded plat of said Village in the Recorder's Office at Marysville, Ohio.  
Last Deed reference Volume 180 ate Page 363.

Plaintiff further says that Loie Van Zant Treese obtained title to said premises by virtue of a Deed from L. L. Roebuck, Administrator of the Estate of Harriette Van Zant, which Deed may be found in Volume 87 at Page 37.

That thereafter Loie Treese died february 17, 1936, devising said property to Laura P. Graham and Samuel J. Treese, for and during their natural lives, and upon their deaths to Mary Waring, Mildred Emerson, Esther Bryan, W. J. Charles, Emery Van Zant, Clarence Van Zant, Walter Myron Van Zant, and Loney B. Adams, absolutely and in fee simple.

Plaintiff says thatsaid Samuel J. Treese and Laura P. Graham are now deceased, leaving the above named remaindermen to whom said premises descended as provided by law; that all known debts and claims against the estateof said decedent have been fully paid.

Plaintiff says that she and the defendant, W. J. Charles, are each seized of an undivided one-eighth interest in fee simple in said premises. Plaintiff further says that Mildred Emerson, owner of an undivided one-eighth interest in fee simple in said premises died intestate, and that her interest descended to Victor Emerson, Esther D. Houpt and Joanne Dauber, each receiving an undivided one-twenty-fourth interest in fee simple, and the same are hereby made parties defendant.

Plaintiff further says that Mary Waring, Emery Van Zant, Clarence Van Zant, Walter Myron Van Zant, and Loney B. Adams are deceased and that their heirs, devisees, legatees, administrators, exeuctors, and assigns are unknown and cannot by reasonable diligence be ascertained.



WHEREFORE, Plaintiff prays that partition of said premises be made, or if said estate cannot be divided by metes and bounds without manifest injury to its value, then Plaintiff prays that the court order the property to be appraised and sold and the proceeds of such sale distributed and paid to the Plaintiff and Defendants herein, in lieu of their respective parts and portions of the estate, according to their rights therein; and for such other and further orders and relief as may be just and proper.

Robert E. Evans, Jr.  
Attorney for Plaintiff

State of Ohio, Union County, ss:

Robert E. Evans, Jr., being first duly sworn and cautioned, says that he is the attorney of record for the Plaintiff herein, and that said Plaintiff is presently a non-resident of this county, and the facts stated and allegations herein contained are true as he verily believes.

Sworn to before me and subscribed in my presence this 26th day of June, 1961.

Helen M. Fausnaugh  
Notary Public - Union Co. Ohio

WAIVER OF SUMMONS

June 26, 1961

I, the undersigned, party defendant in the above entitled partition action do hereby waive service of summons on the Petition filed herein and on any cross petitions which may be filed herein, and do hereby enter my appearance and consent to the prayer of said petition.

Walter Jay Charles

WAIVER OF SUMMONS

June 26, 1961

same as above

Mrs. Esther D. Haupt  
155 Davenport Ave.  
Akron 12, Ohio

WAIVER OF SUMMONS

June 26, 1961

same as above

Mrs. Joanne Dauber

AFFIDAVIT FOR SERVICE BY PUBLICATION

June 26, 1961

State of Ohio, Union County, ss:

Robert E. Evans, Jr., being first duly sworn, says that he is the attorney for the Plaintiff in this action, and that the heirs, devisees, legatees, administrators, executors and assigns of Walter Myron Van Zant, are necessary parties to the final determination of the matters in the petition contained and that their names and residences are unknown to the Plaintiff, or this affiant, and cannot by reasonable diligence be ascertained, and summons cannot be served on them or any of them within the State of Ohio; that this action relates to the partition of certain real estate described in the petition and being one of the subjects contained in Section 2703.14 of the revised code of Ohio wherein service by publication may be made on the Defendants, and that this affidavit is filed herein under the provisions of Section 2703.24 the Revised Code of Ohio to obtain an order of the Court to serve said unknown defendants by publication according to law.

Sworn to before me and subscribed in my presence this 26th day of June, 1961.

Helen M. Fausnaugh  
Notary Public

JOURNAL ENTRY

Filed June 26, 1961

It being made to appear to the Court by the Affidavit of the Attorney for the Plaintiff that the places of the residence of the defendants, being the unknown heirs, devisees, legatees, administrators, executors and assigns of Walter Myron Van Zant are unknown to the Plaintiff and the Attorney for the Plaintiff and cannot by reasonable diligence be ascertained by them.

It is therefore ordered by this Court that notice of the pendency of this action and the substance and prayer of the petition be made on said defendants by publication in the manner and for the time provided by law for service on non-resident defendants.

Gwynn Sanders  
Common Pleas Judge

PRECIPE

June 26, 1961

To the Clerk:

Issue summons to Sheriff of Summit County in the above entitled case for service upon defendant, Victor Emerson, 4231 Woodedge Drive, Akron, Ohio. Endorse summons: Action in Partition. Returnable according to law.

Robert E. Evans, Jr.  
Attorney for Plaintiff

SUMMONS IN ACTION FOR PARTITION

The State of Ohio, Union County.

To the Sheriff of Summit County:

You are commanded to notify Victor Emerson, 4231 Woodedge Drive, Akron, Ohio that a petition was filed against him on the 26th day of June, A.D. 1961, in the Court of Common Pleas of said Union County, by Esther Bryan, Now Esther Quesenberry, 747 Carroll Street, Akron 4, Ohio and is now pending, wherein the said petitioner demands partition of the following described real estate, to-wit:

(same as in the petition)

and that he must answer by the 29th day of July, 1961, or such petition will be taken as true, and partition will be made of said premises according to law.

Said Sheriff will make due return of this summons on the 10th day of July, 1961.

WITNESS my hand and the seal of said Court, at Marysville, Ohio, this 26th day of June, 1961.

Helen L. Sullivan, Clerk of Courts  
By Eileen Daniels, Deputy

Sheriff's Office,

Filed June 30, 1961

Received this writ, June 27th, 1961 at o'clock M. and on June 28th, 1961 I served the within named Victor Emerson, by leaving for him at his usual place of residence a true and certified copy thereof, with all the endorsements thereon.

Robert D. Campbell, Sheriff  
S. Hadinger, Deputy

\$4.29

PROOF OF PUBLICATION

August 11, 1961

State of Ohio, Union County.

Personally appeared before me, George W. Keigley and made oath, that the notice, a copy of which is hereto attached, was published for six consecutive weekson and after June 29, 1961 in the Richwood Gazette, a newspaper of general circulation in the county aforesaid.

George W. Keigley

Sworn to before me and signed in my presence this 9th day of August, A.D. 1961.

Printer's Fee \$39.90

Helen M. Fausnaugh  
Notary Public

COURT OF COMMON PLEAS, UNION COUNTY, OHIO  
LEGAL NOTICE

The unknown heirs, devisees, legatees, administrators, executors and assigns of Mary Waring, Emery Van Zant, Walter Myron Van Zant, Clarence Van Zant, and Lonie B. Adams will take notice that on the 1st day of April, 1961, the Plaintiff filed her Petition against them in the Common Pleas Court of Union County, Ohio, the same being cause No. 18826 in said Court, for the partition of certain real estate in said Petition described, to-wit:  
(same as in the Petition)

The prayer of said Petition is for the partition of said real estate and for other equitable relief. Said defendants are required to answer said Petition on or before the 5th day of August, 1961 or judgement will be taken against them.

Esther Bryan Quesenberry  
747 Carroll Street  
Akron 4, Ohio  
Plaintiff  
By Robert E. Evans, Jr.  
Attorney for Plaintiff

JOURNAL ENTRY

August 19, 1961

This cause came on to be heard on the petition of the Plaintiff, and the evidence, the Defendants having been duly served with summons or by publication or have waived the same, the same being in default for answer and demurrer, and on consideration the court finds the averments of said Petition, and on consideration the court finds the averments of said Petition to be true, and that the Plaintiff and the Defendant, W. J. Charles, are each entitled to an undivided one-eighth interest in the premises described in the Petition. The Defendants, Victor Emerson, Esther D. Houpt, and Joanne Dauber, are each entitled to a one-twenty-fourth interest in said premises. The unknown heirs, devisees, legatees, administrators, executors and assigns of Mary Waring, Emery Van Zant, Clarence Van Zant, Loney B. Adams, and Walter Myron Van Zant, are each entitled to an undivided interest, receiving the interest of the above named decedents per stirpes.

It is further found that the Plaintiff is entitled to have partition of said premises as prayed for in the Petition.

It is therefore ordered and adjudged that a writ of partition issue to the Sheriff of Union County, Commanding him, that by the oaths of Dale Retterer, Paul Shoup, and Donald Ransome, three judicious disinterested free holders of the vicinity, hereby appointed commissioners for the purpose, that he cause to be divided and set off to the said parties respectively the parts of said premises to which they have herein severally been found to be entitled, and of his proceedings said sheriff shall make due return to this court.

Robert E. Evans, Jr.  
Attorney for Plaintiff  
Richard E. Parrott  
Atty. Cert. Title

Gwynn Sanders  
Judge

WRIT OF PARTITION

To the Sheriff of said County:

Pursuant to an order of our said Court of Common Pleas within and for said County, made at the May Term, A.D. 1961, in a certain case No. 18827 now pending in said Court, Wherein Esther Bryan Quesenberry plaintiff, and W. J. Charles, et al defendants, you are commanded that, by the oaths of Dale Retterer, Paul Shoup, and Don Ransome three disinterested and judicious freeholders of the vicinity who were appointed by the Court as Commissioners for such purpose, you cause to be set off and divided the following described premises, situated in the Village of Richwood County of Union and State of Ohio, to-wit:  
(same as in the petition)

To the persons named herein, and in the following proportions, to-wit:

To W. J. Charles and Esther Bryan Quesenberry an undivided 1/8 part.

To Victor Emerson, Esther D. Houpt, and Joanne Dauber, each, undivided 1/3 part

To the unknown heirs, devisees, legatees, administrators, executors and assigns of Mary Waring, Emery Van Zant, Clarence Van Zant, Loney B. Adams and Walter Myron Van Zant, an undetermined part.

But if the said Commissioners are of opinion that said premises cannot be divided according to the demand of this writ without manifest injury to its value, you cause them to make a just valuation of the same in money, and of this writ and your proceedings thereon and of the proceedings of said Commissioners under this writ, you make return to our said Court forthwith.

WITNESS my hand and the seal of said Court at Marysville, Ohio, this 19th day of August, 1961.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

Filed August 19, 1961

I received this writ on the 19th day of Aug. 1961, and in obedience to its command, I have executed the same by the oaths of Don I. Ransome, Dale Retterer and Paul W. Shoup the Commissioners therein named, causing to be set off and divided the premises in said Writ described.

The said Commissioners being of the opinion that the said premises cannot be divided without manifest injury to its value, I have caused the same to be appraised.

All of which will appear by the report of said Commissioner, herewith returned.

Given under my hand this 19th day of August, 1961.

Edward Amrine, Union County Sheriff  
By Deputy: Martha Rogers

COMMISSIONERS' REPORT

We are of the opinion that the said estate cannot be divided according to the demand of the writ without manifest injury to its value, and we do estimate the just value of the same at Fifteen Hundred Dollars (\$1,500.00)

Given under our hands this 19th day of August, 1961.

Don I. Ransome  
Dale Retterer  
Paul W. Shoup  
Commissioners

JOURNAL ENTRY CONFIRMING REPORT OF COMMISSIONERS AND ORDERING SALE

August 19, 1961

This cause came on to be heard on the return of the sheriff and the report of the commissioners on the writ of partition herein issued and upon consideration the court finds that said proceedings are in order and in all respects in conformity to law and the orders of the court and the same are hereby approved and confirmed, and neither of the parties electing to take said premises, it is ordered that said premises be sold at public auction by the sheriff under the following terms: Ten per cent cash on day of sale, balance upon delivery of deed.

Robert E. Evans, Jr.  
Attorney for Plaintiff  
Richard E. Parrott  
Atty Certifying Title

Gwynn Sanders  
Judge



ORDER OF SALE IN PARTITION

To the Sheriff of said County:

Pursuant to an order of our said Court of Common Pleas within and for said County, made at the May term, A.D. 1961, in a certain case No. 18827 now pending in said Court, wherein Esther Bryan Quesenberry plaintiff, and W. J. Charles, et al., defendants, you are commanded that without delay, you proceed according to law to sell at public auction, for not less than two-thirds the appraised value thereof, as returned by the Commissioners following described premises, situate in the Village of Richwood County of Union and State of Ohio, to-wit:

(same as in the petition)

Said sale to be made upon the following terms.

Ten per cent cash upon day of sale, balance upon delivery of deed.

The deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale payable annually.

Appraised at \$1,500.00.

You will make return of your proceedings herein to our said Court of Common Pleas within sixty days from date hereof, and have you then and there this Writ.

WITNESS my hand and the seal of said Court, at Marysville, this 19th day of August, A.D. 1961.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

Sept 28, 1961

The State of Ohio, Union County.

I received this Order of Sale on the 19th day of August, 1961, at 10:00 o'clock A.M. and in obedience to the command of the same, I did, on the 19th day of August, 1961, cause to be advertised in the Richwood Gazette, a newspaper printed and of general circulation in Union County, Ohio, said lands and tenements to be sold at public sale, on the premises in said County on the 23rd day of September 1961, at 10:00 o'clock A.M. of said day. And having advertised the said lands and tenements for at least thirty days before the day of sale, to-wit: five consecutive weeks; and pursuant to said notice, I did, on said 23rd day of September 1961, at the time and place above mentioned, proceed to offer said land, and tenements at public sale; and then and there came Fred Ross and Russell Ross who bid for the same the sum of Fourteen Hundred and 00/100 Dollars, and said sum being over two-thirds of the appraised value thereof, and said Fred Ross and Russell Ross being the highest and best bidder therefor, I then and there publicly sold and struck off said lands and tenements to them for the said sum of Fourteen Hundred Dollars.

\$19.10

Edward Amrine, Sheriff of Union County, Ohio  
By Deputy: Martha Rogers

PROOF OF PUBLICATION

Oct 2, 1961

STATE OF OHIO, Union County

Personally appeared before me, George W. Keighley and made oath, that the notice, a copy of which is hereto attached, was published for five consecutive weeks on and after August 24, 1961 in the Richwood Gazette, a newspaper of general circulation in the county aforesaid.

Sworn to before me and signed in my presence this 28 day of September, A.D. 1961

Printer's Fee \$31.77

George W. Keigley  
Helen M. Fausnaugh  
Notary Public

NOTICE OF SHERIFF'S SALE

In pursuance to an order of sale in partition issued out of the Court of Common Pleas of said Union County, in the case of Esther Bryan Quesenberry against W. J. Charles et al, being Cause No. 18827, in said Court I will offer at Public Sale on the premises located on Lynn Street, Richwood, Ohio, on the 23rd day of September, 1961, at 10:00 o'clock A.M. the following described real estate to-wit:

(same as in the petition)

Said premises have been appraised at \$1,500.00 and may be purchased for 10% cash on day of sale, balance upon delivery of deed.

Edward Amrine, Sheriff  
Robert E. Evans, Jr., Attorney for Plaintiff

JOURNAL ENTRY CONFIRMING SALE, ORDERING DEED AND DISTRIBUTION

Oct 2, 1961

This cause came on to be heard on the return of the sheriff of the sale of the premises herein made, and the same being in all respects in conformity to law, said sale and his proceedings are approved and confirmed and it is ordered that the sheriff execute and deliver to the purchasers a deed for said premises as provided by law.

It is further ordered that the sheriff make distribution of the proceeds of the sale of said real estate in pursuance to the former orders of the court as follows:

1. To the Clerk of Courts, the court costs of this proceeding including the advertising and the Commissioner's fees of \$5.00 each, the sum of	\$151.80
2. To Union County Treasurer, taxes due	77.32
3. To Grigsby & Parrott, title examination	25.00
4. To John Pfarr, Jr., auctioneer's fee	25.00
5. To Robert E. Evans, Jr., Plaintiff's attorney fee	200.00
6. To Mrs. William Moyer, formerly Hazel Meddles, in accordance with the provisions of the Will of Loie Treese, said Mrs. William Moyer residing at 517 W. Washington Street, Clinton, Illinois	50.00
7. To Postmaster, revenue stamps for deed	1.65
8. Ethel Bryan Quesenberry, 747 Carroll Street, Akron 4, Ohio, one-eighth of balance	108.66
9. W. J. Charles, 147 Myers Avenue, Akron 5, Ohio, one-eighth of balance	108.66
10. Victor Emerson, 4231 Woodedge Drive, Akron, Ohio on-twenty-fourth of balance	36.22
11. Esther D. Houpt, 155 Davenport Street, Akron, Ohio, one-twenty-fourth of balance	36.22
12. Joanne Dauber, Jan Drive, Akron, Ohio, one-twenty-fourth of balance	36.22
13. To the unknown heirs, devisees, legatees, administrators, executors and assigns of Mary Waring, one-eighth of the balance	108.65
14. To the unknown heirs, devisees, legatees, administrators, executors, and assigns of Emery VanZant, one-eighth of the balance	108.65
15. To the unknown heirs, devisees, legatees, administrators, executors, and assigns of Clarence Van Zant, one eighth of the balance	108.65
16. to the unknown heirs, devisees, legatees, administrators, executors, and assigns of Lonie B. Adams, one eighth of the balance	108.65
17. To the unknown heirs, devisees, legatees, administrators, executors, and assigns of Walter Myron Van Zant, one-eighth of balance	108.65
	<u>108.65</u>
	\$1,400.00

APPROVED:

Robert E. Evans, Jr.  
Attorney for Plaintiff

Richard E. Parrott  
Attorney Certifying Title

Gwynn Sanders  
Judge

PETITION

Yvonne Reed  
329 Sycamore Street  
Marysville, Ohio  
Plaintiff

vs

James M. Reed  
320 Sycamore Street  
Marysville, Ohio  
Defendant

Case No. 18896

Filed July 25, 1961

Recorded October 19, 1961

Plaintiff says she has been a bona fide resident of the State of Ohio for one year last past and of the county of Union for more than ninety (90) days immediately preceeding the filing of this petition.

Plaintiff says she was married to the defendant on the 11th day of February, 1956 at New California, Ohio and as a result of such marriage two (2) children are the issue thereof namely; Michael Kevin Reed born March 18, 1957 and Richard Dirk Reed born July 16, 1958.

Plaintiff alleges for her cause of action herein the grounds of gross neglect of duty.

Plaintiff further says that the defendant James M. Reed is an able bodied man employed by the Johnson Construction Company and has an income of One Hundred Twenty Five Dollars (\$125.00) per week, owns a 1955 Buick automobile and the plaintiff owns no property and has no income whatsoever.

WHEREFORE, plaintiff prays that the marriage ties existing between the parties hereto upon final hearing be dissolved and that she be decreed a divorce on the grounds as in her petition set forth and awarded the custody and control of the minor children and a reasonable sum as and for the support of said children for expense money to wit: alimony pendente lite and to such other and further relief as the court may deem just equitable and proper.

Clifton L. Caryl  
Attorney for Plaintiff

STATE OF OHIO, COUNTY OF UNION, SS:

Yvonne Reed, being first duly sworn says that the facts and allegations contained in the foregoing petition are true as she verily believes.

Sworn to before me and subscribed in my presence this 24th day of July, 1961.

Yvonne Reed  
Clifton L. Caryl  
Notary Public, State of Ohio

PRECIPE

TO THE CLERK:

Issue summons with certified copy of petition to the Sheriff of nion County to be served upon defendant James M. Reed residing at 320 Sycamore Street, Marysville, Ohio. Endorse summons "Action for Divorce (gross neglect of duty, custody and support of children, alimony pendente lite and equitable relief)". Make same returnable according to law.

Clifton L. Caryl  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County  
To the Sheriff of Union County:

You are hereby commanded to notify James M. Reed, 320 Sycamore St., Marysville, Ohio that Yvonne Reed has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, Motion and (a copy of which accompanies this summons) charging him with gross neglect of duty and asking that she be divorced from him and custody and support of children, alimony pendente lite and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 7th day of August, 1961.

WITNESS my signature and the seal of said Court, this 25 day of July, 1961.

Helen L. Sullivan, Clerk  
Eileen Daniels, Deputy

SHERIFF'S RETURN

July 27, 1961

The State of Ohio, Union County.

Received this writ on the 25th day of July, 1961, at 12:30 o'clock P.M. and on the 26th day of July, 1961, I served the same by personally handing to the within named James M. Reed a true copy thereof, together with a certified copy of the petition and motion filed against him in this cause.

\$1.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

OPINION AND ORDER FOR TRIAL

Sept 19, 1961

It is ordered that the defendant pay thirty dollars (\$30.00) for support of minor children and plaintiff and that he pay \$150.00 attorney fees for plaintiffs attorney.  
Order for trial

The above mentioned cause is set for trial Friday October 13th, 1961 at 10:00 o'clock A.M.

Gwynn Sanders  
Judge

DECREE IN DIVORCE

Oct. 13, 1961

On the 13th day of October, 1961 in this cause came on to be heard before the court on the petition of plaintiff. The court having found that defendant to be in default in answer, demurrer or other pleadings to plaintiff's petition therefore confessing the allegations of the same to be true.

Plaintiff further finds from the evidence adduced that defendant has been duly served with summons and a certified copy of petition herein as provided by law and that this court has judication over the parties and the subject matter and they are properly before the court.

The court further finds from the evidence adduced that at the time of filing plaintiff's petition she had been a bona fide resident of the State of Ohio for more than one year and of the County of Union for more than ninety (90) days as in her petition set forth and that they were married on the 11th day of February, 1956 and that two (2) children are the issue thereof namely; Michael Kevin Reed born March 18, 1957 and Richard Dirk Reed born July 16, 1958.

The court further finds from the evidence adduced that this defendant has been guilty of gross neglect of duty. It is therefore ordered that she be decree a divorce by the court that the marriage ties existing between the parties hereto be dissolved and that plaintiff be granted a decree in divorce which is hereby ordered.

It is further ordered by the court that the care, custody and control and education of said children be awarded to the plaintiff Yvonne Reed and that defendant James Reed be ordered to pay the sum of Twenty Five Dollars (\$25.00) plus poundage per week or Twelve Dollars and Fifty Cents (\$12.50) for each child to the Clerk of Courts of Union County, payable beginning Saturday, October 14, 1961 and said order of support shall continue until order of this court. It is further ordered by the court that the defendant shall have the right of visitation of said minor children at all reasonable times.



It is further ordered by the court that the defendant James M. Reed pay or cause to be paid to the plaintiff as and for her attorney fees in the prosecution of this action, the sum of One Hundred Fifty Dollars (\$150.00) to be paid forthwith and that the defendant pay the costs of this action taxed at \$ \_\_\_\_\_.

APPROVED BY:  
Clifton L. Caryl  
Attorney for Plaintiff

Gwynn Sanders

PETITION

Howard L. Bonner  
Marysville, Ohio  
Plaintiff

Case No. 18913

vs

Helen R. Bonner  
Marysville, Ohio  
Defendant

Filed August 24, 1961

Now comes the plaintiff and says that he has been a resident of the State of Ohio for more than one year last past, and a bona fide resident of the county of union for more than ninety days prior to filing his petition herein.

Plaintiff further says that he and the defendant were married on the 11th day of December, 1948, and that there are no children the issue of said marriage.

Plaintiff further says that defendants conduct is such that it is impossible to live with her any longer.

Plaintiff for his cause of action herein says that defendant is guilty of gross neglect of duty and extreme cruelty.

Wherefore, plaintiff prays for a divorce, for the household goods, that defendant be restrained from entering their said premises except for her wearing apparel and other personal items, and for such other and further relief in the premises to which he may be entitled and costs.

William J. Porter  
Attorney for Plaintiff

State of Ohio, County of Union, ss:

Howard L. Bonner being first duly sworn deposes and says that he is the plaintiff herein and that the facts stated and the allegations contained herein are true as he verily believes.

Sworn to before me and signed in my presence this 23rd day of August, 1961.

Howard L. Bonner  
William J. Porter  
Notary Public

PRAECIPE

TO THE CLERK:

Please issue summons and a copy of the petition on the defendant Helen R. Bonner at the Midtown Bar, Marysville Ohio Directed to the sheriff of Union County, Ohio. Endorse thereon action for divorce, for the household goods, that the defendant be restrained from entering their said premises except for her wearing apparel and other personal items, and for such other and further relief in the premises to which he may be entitled and costs.

William J. Porter  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.

To the Sheriff of Union County:

You are hereby commanded to notify Helen R. Bonner, Marysville, Ohio (to be served at Midtown Bar) that Howard L. Bonner has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging her with gross neglect of duty and extreme cruelty and asking that he be divorced from her and for the household goods, that the defendant be restrained from entering their said premises except for her wearing apparel and other personal items, and for such other and further relief in the premises to which he may be entitled and costs, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 4th day of September, 1961.

WITNESS my hand and seal of said Court, this 24th day of August, 1961.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

SHERIFF'S RETURN

Filed August 26, 1961

The State of Ohio, Union County.

Received this writ on the 24th day of Aug. 1961 at 3:45 o'clock P.M. and on the 25th day of Aug. 1961, I served the same by personally handing to the within named Helen R. Bonner a true copy thereof, together with a certified copy of the petition filed against her in this cause.

\$1.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

DECREE OF DIVORCE

October 13, 1961

And now comes the said Plaintiff, by his Attorney, and the Defendant having been duly served with summons and a copy of the petition herein the Court finds that the Defendant is in default for answer or demurrer to the petition, thereby confessing the allegations to be true.

The Court also finds that the Plaintiff, at the time of filing his petition, had been a resident of the State of Ohio for one year next prior thereto and was, at the time of filing said petition and for at least ninety days immediately preceding the same, a bona fide resident of this County of Union and that the parties hereto were married on the 11th day of December 1948, as in said petition set forth.

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

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

It is further the order of the Court that the household now in the apartment shall forthwith become the property of the plaintiff.

The court further orders that defendant be restored to her maiden name of Helen R. Young.  
Bedroom suite and living room suite to defendant.

It is further ordered that the said Plaintiff pay the costs of this prosecution.

Gwynn Sanders  
Judge

PETITION

Patricia Ann Tillman  
1 Plummer Street  
Richwood, Ohio  
Plaintiff  
vs  
Kenneth Francis Tillman  
R.F.D.#3  
Marysville, Ohio  
Defendant

Case No. 18884  
Filed July 7, 1961  
Recorded October 19, 1961

Now comes the plaintiff Patricia Ann Tillman and says that she is a resident of the State of Ohio for more than one year last past and a bona fide resident of the County of Union for more than ninety days prior to filing her petition herein.  
Plaintiff further says that she and the defendant were married on the 30th day of September, 1956 and that there is one child the issue of said marriage, namely Gregory Allen Tillman, age 4 years, and too that she is now pregnant and expecting a child in November of this year.  
Plaintiff for her cause of action herein says that said defendant is guilty of gross neglect of duty and extreme cruelty.  
Wherefore, Plaintiff prays for a divorce, custody of their said minor child, for temporary and permanent support, Insurance for said child, all doctor bills during pregnancy, hospital bills during child birth, Attorney fee's and for such other and further relief in the premises to which she may be entitled and costs.

William J. Porter  
Attorney for Plaintiff

State of Ohio, County of union, ss:  
Patricia Ann Tillman being first duly sworn deposes and says that she is the plaintiff herein and that the facts stated and the allegations contained herein are true as she verily believes.

Sworn to before me and signed in my presence this 30th day of June, 1961.  
Patricia Ann Tillman  
William J. Porter  
Notary Public

PRECIPE

TO THE CLERK:  
Please issue summons and a copy of the petition, motion and entry on the defendant Kenneth Frances Tillman at Marysville, Ohio, R.F.D. # 3 Directed to the Sheriff of Union County, Ohio, Endorse thereon action for divorce, custody of their said minor child, for temporary and permanent support, Insurance on said child, all doctor bills during pregnancy, hospital bills during child birth, Attorney fee's and for such other and further relief in the premises to which she may be entitled and costs.

William J. Porter  
Attorney for Plaintiff

MOTION

July 7, 1961

Now comes the plaintiff by her attorney and respectfully moves the court to set a time definate and certain for a temporary hearing for the support of their said child, for doctor bills during pregnancy and attorney fees's.

William J. Porter  
Attorney for Plaintiff

ENTRY

The court being fully advised in the premises hereby orders said hearing for July 15th, 1961 at 10:00 A.M. and this cause continued.

Gwynn Sanders  
Judge

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:  
You are hereby commanded to notify Kenneth Francis Tillman, R#3, Marysville, Ohio that patricia Ann Tillman has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, Motion and Entry, (a copy of which accompanies this summons) charging him with gross neglect of duty and extreme cruelty and asking that she be divorced from him and custody of their said minor child, for temporary and permanent support, insurance on said child, all doctor bills during pregnancy, hospital bills during child birth, attorney fee's and for such other and further relief in the premises to which she may be entitled and costs and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.  
Said Sheriff will make due return of this summons on the 17th day of July, 1961  
WITNESS my signature and the seal of said Court, this 7th day of July, 1961.

Helen L. Sullivan, Clerk  
Eileen Daniels, Deputy

SHERIFF'S RETURN

July 12, 1961

The State of Ohio, Union County.  
Received this writ on the 7th day of July, 1961 at 2:45 o'clock P.M. and on the 8th day of July, 1961 I served the same by personally handing to the within named Kenneth Francis Tillman a true copy thereof, together with a certified copy of the petition, motion and entry filed against him in this cause.

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

\$1.60

ENTRY

August 7, 1961

This cause having come on to be heard upon motion of the plaintiff for temporary support of their said child Gregory Allen Tillman, for doctor bills and hospital care duing her pregnancy and child birth, for attorney fee's for sick and accident insurance for their said child, and the Court being fully advised in the premises;  
IT IS ORDERED that said defendant pay through the Clerk of the Courts the sum of \$25.25 per week for the support of their said child, that he pay all of plaintiff's doctor and hospital bills during pregnancy and child birth, that he continue his sick and accident insurance on said child and that he pay \$150.00 for plaintiffs attorney fees before said cause comes on for final hearing, and this cause continued.

APPROVED:  
William J. Porter  
Attorney for Plaintiff

Gwynn Sanders  
Judge

ORDER FOR TRIAL

Sept 19, 1961



The above mentioned cause is set for trial Saturday October 7th, 1961 at 10:00 o'clock A.M.

Gwynn Sanders  
Judge

DECREE OF DIVORCE

October 13, 1961

And now comes the said Plaintiff, by her Attorney, and the Defendant having been duly served with a summons and a copy of the petition herein the Court finds that the Defendant is in default for answer or demurrer to the petition thereby confessing the allegations thereof to be true.

The Court also finds that the Plaintiff, at the time of filing her petition, had been a resident of the State of Ohio for one year next prior thereto and was, at the time of filing said petition and for at least ninety days immediately preceding the same, a bona fide resident of this County of Union and that the parties hereto were married on the 30th day of September, 1956, as in said petition set forth.

The Court further finds, upon the evidence adduced, that the Defendant has been guilty of Gross Neglect of Duty and Extreme Cruelty and by reason thereof the Plaintiff is entitled to a divorce as prayed for.

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

It is further ordered that the custody, care, education and control of the child, to-wit: Gregory Allen Tillman of the said parties hereto be, until further order, confided to the said Patricia Ann Tillman. And the said defendant Kenneth Francis Tillman is hereby enjoined from interfering in any manner with either the said child, or with the plaintiff in the custody, care, education and nurture thereof until further order of this Court.

It is further ordered by the Court that defendant pay the sum of \$25.00 per week for the support of said child, and that he pay also all medical and hospital bills during the pregnancy and child birth of her expected child, It is further ordered that said defendant take out insurance for medical and hospital care for said child, and in addition that he pay Plaintiff's attorney the sum of \$150.00 forthwith.

It is further the order of the court that defendant shall have the right to visit said child on Sundays from 1 to 4 p.m.

It is further considered by the Court the said plaintiff pay the costs of this prosecution.

Gwynn Sanders  
Judge

PETITION FOR DIVORCE

Gay Schambs  
Plaintiff  
vs  
Edward A. Schambs  
Defendant

Case No. 18886  
Filed July 10, 1961  
Recorded October 20, 1961

Now comes the Plaintiff Gay Schambs and for her cause of action against the Defendant says that she has been a bona fide resident of the State of Ohio for more than one year last past and of the County of Union therein for more than ninety (90) days immediately preceding the filing of this her Petition for Divorce; that the parties were married at Columbus, Ohio, on the 28th day of August, 1924; that all children are fully emancipated.

Plaintiff further says that she owns some household goods and an automobile the title to which is in the name of the Plaintiff; that the Defendant has his individual property in his own possession.

Plaintiff further says that the Defendant has been guilty of gross neglect of duty, the particulars of said allegations will be furnished Defendant or his council upon request and will be fully proven upon trial of the issues.

Wherefore Plaintiff prays for a decree of divorce and for such other and further relief as she may be found entitled either in law or equity.

Lloyd George Kerns  
Attorney for Plaintiff

STATE OF OHIO, COUNTY OF UNION, ss:

Gay Schambs being first duly sworn says that she is the Plaintiff in the foregoing action for divorce and that the facts stated and the allegations contained are true as she very believes.

Sworn to before me and subscribed in my presence this 10 day of July, 1961.  
Gay Schambs  
Lloyd George Kerns  
Notary Public

PRECIPE

TO THE CLERK:

July 10, 1961

Please issue summons, together with a certified copy of petition for divorce to the sheriff of Lucas County, Ohio, for service upon the Defendant Edward A. Schambs who resides at the DeLuxe Trailer Court, Walbridge, Ohio. Endorse thereon "action for divorce, and equitable relief," make same returnable according to law.

Lloyd George Kerns  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Lucas County:

You are hereby commanded to notify Edward A. Schambs, Deluxe Trailer Court, Walbridge, Ohio that Gay Schambs has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with gross neglect of duty and asking that she be divorced from him and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 24th day of July, 1961.  
WITNESS my signature and the seal of said Court, this 10th day of July, 1961.

Helen L. Sullivan, Clerk  
Eileen Daniels, Deputy

PRECIPE

July 13, 1961

To the Clerk:

Issue summons, together with a certified copy of petition to the sheriff of Wood County, Ohio for service upon Defendant, Edward A. Schambs who resides at the Deluxe Trailer Court, Walbridge, Ohio in the above entitled case Endorse "action for divorce, and equitable relief." directed to Sheriff of Wood County, returnable according to law.

Lloyd George Kerns  
By Ralph C. Godwin

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Wood County:

You are hereby commanded to notify Edward A. Schambs, Deluxe Trailer Court, Walbridge, Ohio that Gay Schambs has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with gross neglect of duty and asking that she be divorced from him and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.  
Said Sheriff will make due return of this summons on the 24th day of July, 1961.  
WITNESS my signature and the seal of said Court, this 13th day of July, 1961.

Helen L. Sullivan, Clerk  
Eileen Daniels, Deputy

SHERIFF'S RETURN

July 19, 1961

The State of Ohio, Wood County.  
Received this writ on the 14th day of July, 1961, at 9:30 o'clock AM. and on the 17th day of July, 1961, I served the same by personally handing to Edward A. Schambs a true copy thereof, together with a certified copy of the petition filed against him in this cause.

Earl L. Rife- Sheriff  
C. McGiffin- Deputy  
By Ginifred M. Bedell

\$6.54  
ORDER FOR TRIAL

Sept 19, 1961

The above mentioned cause is set for trial Saturday October 7th, 1961 at 9:30 o'clock A.M.

Gwynn Sanders  
Judge

ENTRY

Oct. 7, 1961

This cause came on to be heard on the petition and the evidence and on consideration the court finds the defendant has been duly served with summons and that he is in default for answer or demur and that the facts set forth in the petition are true that the plaintiff was a resident of the State of Ohio for more than one year and a bona fide resident of Union County for more than ninety days on the filing of her petition and that the parties were married as in the petition set forth. The court further finds that the defendant has been guilty of gross neglect of duty and by reason thereof plaintiff Gay Schambs, is entitled to a decree of divorce.  
It is therefore considered, adjudged and decreed that the marriage contract heretofore existing between the plaintiff Gay Schambs, and the defendant Edward A. Schambs, Jr., be and the same is hereby dissolved and both parties are released and discharged therefrom.  
The court further finds that the parties hereto have entered into a separation agreement for the division of their real and personal property, which said agreement was completed on the 3rd day of August, 1961, and that the same is found by this court to be fair, just and equitable as to all parties concerned; it is therefore the order of this court that said separation agreement be made a part of this entry the same as if written herein and the same is hereby incorporated into this entry as exhibit "A" hereto.  
It is further ordered that the plaintiff pay the costs of this action.

APPROVED BY:  
Lloyd George Kerns  
Attorney for Plaintiff  
Wm. C. Beer, Jr.  
Attorney for Defendant

Gwynn Sanders  
Judge

SEPARATION AGREEMENT

This agreement made at Richwood, Ohio, this        day of April, 1961, by and between Edward A. Schambs, Jr. and Gay Schambs, WITNESSETH:

That whereas, unfortunate differences have arisen between the parties hereto rendering it impossible for them to hereafter live together, and said parties have agreed upon an immediate separation, and;

Whereas, the said Edward A. Schambs, Jr. has this day agreed to assign, transfer and convey to Gay Schambs and does hereby assign, transfer and convey to Gay Schambs the following household items, to-wit: all her personal clothing, all household goods and furniture located in the dwelling house at Richwood, Ohio, where Gay Schambs presently lives.

It is further agreed by the parties hereto that the automobile of Edward A. Schambs, Jr. shall remain his individual property, and the automobile of Gay Schambs shall remain her individual property.

Now therefore in consideration of the premises the said Gay Schambs hereby releases the said Edward A. Schambs, Jr. from all obligations of future support for herself, and she does further release and relinquish unto the said Edward A. Schambs, Jr., his heirs, executors, administrators and assigns, all rights and claims by way of dower, inheritance and descent, in and to the real property of the said Edward A. Schambs, Jr., now owned or hereafter acquired, and any and all rights or claims to a distributive share of his personal estate, now owned or hereafter acquired and all claims for an allowance for twelve (12) months support and to reside in his mansion house, and all rights or claims as widow heir, distributee, survivor or next of kin, in or to the estate of the said Edward A. Schambs, Jr., whether real or personal, and whether now owned or hereafter acquired, and all other rights or claims of every kind and nature arising or growing out of said marriage relation; and the said gay Schambs, further agrees that she will not contract any debts on the credit of the said Edward A. Schambs, Jr. or incur any liability on his behalf, nor ask further support from the said Edward A. Schambs should divorce proceedings be instituted.

And the said Gay Schambs for the consideration aforesaid agrees that the said Edward A. Schambs, Jr. shall be at full liberty to dispose of all his property, real and personal, by Last Will and Testament free from all claims, interest or right in favor of the said Gay Schambs, and that upon his death all of his property which shall not have been so disposed of all descent to vest in and be distributed to such persons as would be entitled thereto, by the statute of descent and distribution of the State of Ohio then in effect, had the said Gay Schambs died during the life of the said Edward A. Schambs, Jr.

And the said Edward A. Schambs, Jr. for consideration aforesaid does hereby release and relinquish to the said Gay Schambs, her heirs, executors, administrators and assigns, all rights or claims of dower, inheritance, descent, distribution, and all rights or claims as widower, heir, distributee, survivor or next of kin, and all other rights or claims in any manner arising or growing out of said marriage relation now existing between the parties, in or to the estate of the said Gay Schambs, real, personal or mixed now owned or hereafter acquired, but by these presents the said Edward A. Schambs, Jr. shall be forever barred therefrom.

Witness our hands the day and year first above written.



In the Presence of:

Wm. C. Beer, Jr.  
Mary M. Michael

Edward A. Schambs, Jr.

Wilma Jean Linn  
Lloyd George Kerns

Gay Schambs

State of Ohio, Crawford County ss:

Personally appeared before me the undersigned a Notary Public in and for the State of Ohio, the above named Edward A. Schambs, who does acknowledge that he did sign the foregoing instrument and that the same to be his free act and deed for the uses and purposes therein mentioned.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Bucyrus, Ohio, this 29th day of July, 1961.

Wm. C. Beer, Jr.  
Notary Public, Crawford County, Ohio

STATE OF OHIO, UNION COUNTY, SS:

Personally appeared before me the undersigned a Notary Public in and for the State of Ohio, the above named Gay Schambs, who does acknowledge that she did sign the foregoing instrument and that the same to be her free act and deed for the uses purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Richwood, Ohio, this 3 day of August, 1961.

Lloyd George Kerns  
Notary Public - State of Ohio

COMPLAINT FOR REIMBURSEMENT  
AND SUPPORT UNDER THE UNIFORM  
RECIPROCAL ENFORCEMENT OF SUPPORT ACT

Royaleda D. Jackson  
County of Los Angeles  
State of California  
Plaintiffs

vs  
Paul Granville Jackson  
Defendant

Case No. 18936  
Filed Oct 2, 1961  
Recorded October 24, 1961

Plaintiffs complain and allege:

That plaintiff Royaleda D. Jackson and defendant were married on or about April 12, 1958 at Los Angeles, California and ever since have been and are now husband and wife, were separated at Los Angeles, California on or about March 5, 1961.

That the following information is furnished for the purpose of helping to locate and identify the defendant: other names and aliases None-race Cauc.-sex, male- hair-blond, eyes-blue, height-6'1", weight-170 lbs, age or date of birth-January 26, 1937, place of birth-Thealka, Kentucky, occupation-Inactive Naval Reserve, Social Security Number 280-32-9052, distinguishing marks- Tattoo of a girl, name Joyce on right upper arm; tattoo of his initials on left arm.

That said plaintiff resides at 9805 South Normandie, Los Angeles 44, California; that defendant resides at c/o Burl Jackson, Irwin, Ohio and is employed at Unknown.

That said plaintiff is the mother and defendant is the father of the following named children:

1. Paul Jackson, January 30, 1959, with plaintiff
- | name | date of birth | residence |
|------|---------------|-----------|
|      |               |           |

That since on or about March, 1961, the defendant has failed to provide reasonable support for the children named herein; that the total sum which defendant has contributed to said children since said date is approximately \$zero.

That the said child is in need of and entitled to support from defendant.

That said plaintiff presently is obtaining financial assistance from the co-plaintiff County of Los Angeles for the support of the said child; that between March 16, 1961 and July 31, 1961, the total sum so received was \$222.49.

That plaintiffs are informed and believe, and therefore allege, that defendant is within the jurisdiction of the Court of Common Pleas, Union County, State of Ohio, which State has enacted a law substantially similar to the Uniform Reciprocal Enforcement of Support Act of this State.

WHEREFORE, plaintiffs pray for the following orders:

1. An order directing defendant to pay a reasonable sum as and for support herein.
2. An order directing defendant to reimburse plaintiff County of Los Angeles in the sum of \$222.49 for expenditures heretofore made for the support of the above-named dependent.
3. That any and all payments for support and/or reimbursement hereunder be made payable to and forwarded to the Court Trustee, the proper person to receive such payments; that the Court Trustee's address is P. O. Box 3544, Terminal Annex Zone 54, Los Angeles, California.
4. That the Clerk of this Court prepare three copies of the Complaint, the Certificate and the Uniform Reciprocal Enforcement of Support Act of the State of California, and that he transmit said documents to the Court of Common Pleas, Union County, located at Marysville, State of Ohio, forthwith.

William B. McKesson, District Attorney  
Attorney for Plaintiffs  
By Quentin A. Clifton  
Deputy District Attorney

State of California, County of Los Angeles, ss.

The undersigned, being first duly sworn, deposes and says:

That she is one of the plaintiffs named in the above entitled action; that she has read the foregoing complaint and knows the contents thereof; that the same is true of her own knowledge, except as to the matters ~~and as to those matters, which are therein stated upon information or belief and as to those matters, that she believes it to be true.~~

Subscribed and sworn to before me, this 7th day of September, 1961.

Royaleda D. Jackson  
Harold J. Ostly, County Clerk of  
Los Angeles County, State of California  
By Pauline S. Hodges  
Deputy County Clerk

FINDINGS, CERTIFICATE AND ORDER

Upon motion of counsel for the plaintiffs, from the verified Complaint on file herein, the Court makes the following Findings, Certificate and Oder.

That the verified Complaint sets forth facts from which the following may be determined; that the defendant, Paul Granville Jackson owes a duty of support of Paul Jackson dependent herein named, according to the allegations set forth in said Complaint; that the Court of Common Pleas County of Union, State of Ohio may obtainjurisdiction over the defendant or his property; that theplaintiff County of Los Angeles, State of California, between March 16, 1961, to and including July 31, 1961 has furnished for the support of the aforesaid dependent the sum of \$222.49; that during said time the defendant owed a duty of support of said dependent; that the Probation Officer, State of California, is the trustee of the Superior Court of Los Angeles County and the proper person to whom any and all payments made hereunder should be sent; and that the address of said Probation Officer is P.O. Box 3544, Terminal Annex, Los Angeles 54, California.

IT IS THEREFORE ORDERED THAT THE CLERK OF THIS COURT prepare three (3) copies of the Complaint, this Certificate, and the Uniform Reciprocal Enforcement of Support Act of the State of California; and that he transmit said documents, forthwith, to the clerk of the Court of Common Pleas, County of Union, State of Ohio, located at Marysville.  
Dated: September 25, 1961.

Roger Alton Pfaff  
Judge of the Superior Court

Uniform Reciprocal Enforcement of Support Act, attached to above

AFFIDAVIT FOR ORDER TO PROCEED WITHOUT PAYMENT OF FEES

Oct. 2, 1961

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) ss:

Royaleda D. Jackson, being first duly sworn, deposes and says: that she is one of the plaintiffs named herein; that she is obtaining public aid from co-plaintiff County of Los Angeles for the support of the dependents named in the verified complaint herein; that it would be a financial hardship for her to pay the filing and other legal fees; that unless she is allowed to file in forma pauperis she will be denied the remedy or relief contemplated under the Uniform Receiprocal Enforcement of Support Act.

WHEREFORE, affiant asks that she be allowed to file this action without thepayment of fees.

Subscribed and sworn to before me, this 7th day of September, 1961.

Royaleda D. Jackson  
  
Harold J. Ostly, County Clerk of Los Angeles County, State of California  
By Pauline S. Hodges, Deputy

ORDER FOR TRIAL

Oct 13, 1961

The above mentioned cause is set for trial on Thursday October 19th, at 2:30 o'clock P.M.

Gwynn Sanders  
Judge

JOURNAL ENTRY

Oct 13, 1961

Certified copy of Complaint for Support in the Superior Court of the State of California in and for the County of Los Angeles having been filed in this Court,

It is therefore ordered that the Defendant appear and plead on October 19, 1961 at 2:30 P.M.

It is further ordered that a copy of this entry together with a certified copy of the Petition be served upon the Defendant by the Sheriff.

APPROVED BY:  
Robert O. Hamilton  
Prosecuting Attorney

Gwynn Sanders  
Judge

NOTICE TO SERVE

To the Sheriff of Union County, Greeting:

You arehereby commanded to serve the attached copy of Entry heretofore filed in this case, upon the Defendant, Paul Granville Jackson and of your service hereof, make due return to this office, on or before the 19th, day of October, A.D. 1961.

WITNESS my hand and seal of said Court, this 13th day of October, 1961.

Helen L. Sullivan  
Clerk of said Court

SHERIFF'S RETURN

Filed Oct. 17, 1961

The State of Ohio, Union County.

Received this writ October 13th, 1961, at 2:00 o'clock P.M. And on October, 13th, 1961, I served the within named Paul Granville Jackson by personally handing to him a true and certified copy thereof with all the endorsements thereon.

\$3.80

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

JOURNAL ENTRY

Oct. 20, 1961

The defendant, Paul Granville Jackson appeared in open Court on October 19th, 1961, to show cause why an order for support as prayed for by the plaintiffs should not be made.

The Court finds that the defendant is now unemployed, that he is receiving unemployment compensation from the State of Ohio.

It is therefore the order of the Court that the defendantpay each week for the support of his minor child, Paul Jackson, the sum of \$15.00, plus 15¢ poundage. Said payments to be made to the Clerk of this Court.

It is further ordered that the defendant reimburse the plaintiff, County of Los Angeles, in the sum of \$222.49 within one year after securing employment.

It is further ordered that the defendant pay the costs in this proceeding.

The Clerk shall forward two certified copies of this entry to the County Clerk of Los Angeles County, Los Angeles, California.

Record to be made of this case.

APPROVED BY:  
Robert O. Hamilton  
Prosecuting Attorney

Richard H. Finefrock  
Judge



PETITION

Donald D. Parrott and  
Chester W. Parrott, DBA  
Parrott Implement & Supply  
Plaintiffs

vs  
Ned Blessing  
Defendant

Case No. 18955  
Filed Oct. 24, 1961  
Recorded Oct. 26, 1961

The Plaintiffs say,  
The Defendant, on the 13th day of March, 1961, executed and delivered to Parrott Implement & Supply his promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, with all the endorsements thereon, are hereto attached, marked "Exhibit A" and made a part of this petition.

Said note is unpaid, except as shown by said endorsements, and there is now due the plaintiffs on said note the sum of One Thousand Three Hundred & Five and no/100 dollars, and ---cents, with interest at the rate of 7% per cent. per annum, from the 24th day of October, 1961.

Wherefore, plaintiffs pray judgment against said defendant for the sum of One Thousand Three Hundred Five and no/100 Dollars, and-cents with interest thereon from the 24th day of October, 1961 at the rate of 7% per cent. per annum till paid, and for costs of suit.

Grigsby & Parrott  
Attorney for Plaintiff

The State of Ohio, Union County, ss.

Richard E. Parrott, being duly sworn, says that he is the attorney of said plaintiffs, that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writing is in his possession, and that he verily believes the statements contained in the foregoing petition are true, in substance and in fact.

Richard E. Parrott

Sworn to by said Richard E. Parrott before me, and by him signed in my presence, this 24th day of October, 1961.

Nancy Rider  
Notary Public

exhibit A

\$1500.00 Richwood, Ohio March 13, 1961

For value received, I promise to pay to Parrott Implement & Supply or order, at The Richwood Banking Company, Richwood, Ohio, the sum of Fifteen hundred and no/100 Dollars in the amounts and at the times stated in the schedule of installments set forth herein and made a part thereof with interest at 6½ per cent paid semi-annually from date until maturity. After maturity, each installment shall draw interest at 7 per cent.

And we hereby authorize any Attorney at Law to appear for us, at any time after the above sum becomes due, in any Court of Record in the State of Ohio, and confess judgment in favor of the holder hereof for the amount due hereon and interest at eight per cent per annum after maturity until paid, and costs of suit and to release all errors, writs of error, and the right of appeal.

This note is given for the hereinafter described property, which Parrott Implement & Supply Vendor, hath this day agreed to sell to Ned Blessing Vendee, to wit: TD 6 IHC Tractor Ser. # TD6 EDB24559 T 7uCM

However, it is agreed that the title to the aforesaid described property and to all repairs and extra parts, therefore, is vested in and shall remain in this and all other notes given therefor shall have been fully paid in money. If default is made in the payment of this note, or any installment thereof, the owner or holder may then declare this note and all installments due, or if Vendee fails to properly care for the aforesaid property, or Vendor, owner or holder of this contract deems himself insecure, then Vendor, owner or holder of this contract may if he elects repossess said property as provided by law. Vendee agrees that he will not remove any of the aforesaid property from the County of Union, State of Ohio, without written consent of Vendor, owner or holder of this Contract.

Payable and negotiable without offset.

Parrott Implement & Supply, Vendor  
By Donald D. Parrott

Ned Blessing, Vendee  
Marysville, R.D. No. 1

ANSWER OF DEFENDANT

Oct 24, 1961

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I, an attorney at law in the several Courts of record of this state, do hereby enter an appearance for said defendant in this suit and waive the issuing and service of process therein, and confess a judgment in favor of said plaintiffs, against said defendant, on said note for the sum of One Thousand Three Hundred Twenty one dollars, and sixty/100 cents, being the amount appearing due for principal and interest on said note, and also for costs of suit, taxed and to be taxed; and I do hereby release and waive all exceptions, errors, and right of appeal of the premises.

Robert O. Hamilton  
Attorney for Defendant

JUDGMENT ENTRY

Oct. 24, 1961

This day came the plaintiffs, by their attorney; also appeared in open court, for and on behalf of said defendant, Robert O. Hamilton, an attorney at law of this court, and by virtue of the warrant of attorney annexed to the note attached to the petition in said cause, shown to have been duly executed by said defendant, entered the appearance of said defendant, and waived the issuing and service of process in this action, and confessed a judgment on said note against said defendant, and in favor of said plaintiff, for One Thousand Three Hundred Twenty-one and dollars and sixty/100 cents, being the amount of the principal and interest due on said note, and for the costs taxed and to be taxed, and released and waived all exceptions, errors and right of appeal in the premises.

It is therefore considered that said plaintiff recover from said defendant the sum of One Thousand Three Hundred Five Dollars and no/100 cents, being the amount of said note and unpaid interest due thereon from the 24th day of October, 1961 to date of judgment; and also recover his costs herein expended, taxed at \$16.60 and interest on said judgment at 7% per cent. per annum, from said date of judgment until paid.

Robert F. Allen,  
Judge

PETITION

Betty Howard  
Plain City, Ohio  
Plaintiff

vs  
Pern Howard, Sr.  
Plain City, Ohio  
Defendant

Case No. 18612  
Filed March 25, 1960  
Recorded Oct. 26, 1961

Plaintiff has been a resident of the State of Ohio for more than one year last past and a bona fide resident of Union County for more than 90 days next preceding the filing of this her petition herein and the cause of action



stated herein arose and took place in Union County, Ohio.  
Plaintiff and defendant were married on the 14 day of December, 1938.  
Defendant has been guilty of gross neglect of duty and extreme cruelty toward plaintiff in that she has filed to provide for her and it has been necessary for her to work and support herself and the home and also to help support defendant and on many occasions he has struck and beaten plaintiff and he has threatened plaintiff with bodily harm.  
That unless the defendant is enjoined from molesting plaintiff and entering into the home of the parties at Plain City, Ohio he will beat and injure plaintiff and she is in danger of being injured or killed.  
The defendant is the owner of a house and lot in Plaintiff City, Ohio, which plaintiff has helped pay for.  
WHEREFORE, plaintiff prays for a temporary restraining order restraining defendant from molesting or interfering with plaintiff or from living in the home of the parties during the pendency of this action or entering into said home and upon final hearing she be granted a divorce from defendant and be granted alimony in the home of the parties and for such other and further relief as the Court deems just and proper.

Sanders & Grigsby  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:  
Betty Howard being first duly sworn, says that she is plaintiff in the above entitled cause and that the facts stated and allegations contained therein are true as she verily believes.

Betty Howard  
Gwynn Sanders  
Notary Public

Sworn to before me and subscribed in my presence this 25th day of March, 1960.

PRECIPE

TO THE CLERK:  
Please issue summons together with copy of petition, copy of motion and copy of entry to the Sheriff of Union County, Ohio for the defendant, Pern Howard, Sr., Plain City, Ohio, and make the same returnable according to law.  
Endorse summons "Action for divorce, temporary restraining order and other equitable relief."

Sanders & Grigsby  
Attorneys for Plaintiff

MOTION

March 25, 1960

Now comes plaintiff by her attorneys and respectfully moves the Court that the defendant be enjoined from remaining in the residence of the parties hereto at Plain City, Ohio, during the pendency of this action and that he be enjoined from molesting plaintiff or interfering with her in any manner during the pendency of this action.

Sanders & Grigsby  
Attorneys for Plaintiff

JOURNAL ENTRY

March 25, 1961

This day this cause came on to be heard upon the petition of plaintiff and upon motion of plaintiff for a temporary restraining order enjoining the defendant from remaining in the residence of the parties hereto at Plain City, Ohio during the pendency of this action and from molesting plaintiff during the pendency of this action.  
Upon consideration of the same, The court grants said temporary restraining order and does hereby enjoin defendant from remaining in the residence of the parties hereto at Plain City, Ohio and from molesting or interfering with plaintiff during the pendency of this action and it is ordered that a copy of this entry be served upon defendant.

APPROVED BY:  
Sanders & Grigsby  
Attorneys for Plaintiff  
Richard H. Finefrock  
Judge

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:  
You are hereby commanded to notify Pern Howard, Sr., Plain City, Ohio that Betty Howard has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, Motion and Entry, (a copy of which accompanies this summons) charging him with gross neglect of duty and extreme cruelty and asking that she be divorced from him and temporary restraining order and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.  
Said Sheriff will make due return of this summons on the 4th day of April, 1960.  
WITNESS my signature and the seal of said Court, this 25th day of March, 1960.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

March 29, 1960

The State of Ohio, Union County.  
Received this writ on the 25th day of March, 1960 at 10:59 o'clock A.M. and on the 25th day of March, 1960, I served the same by personally handing to the within named Pern Howard a true copy thereof, together with a certified copy of the petition, motion and entry filed against him in this cause.

\$4.00  
Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

JOURNAL ENTRY

Oct. 25, 1961

This cause coming on for hearing on the petition of the plaintiff, the defendant being in default of answer or demurrer although duly served with summons according to law, the court finds from the evidence that plaintiff is and was for at least one year immediately prior to the commencement of this action a bona fide resident of the State of Ohio, and of Union County and the court therefore has jurisdiction of both the parties and the subjects matter.  
The court further finds from the evidence presented that the defendants and the plaintiff were married on the 14th day of December, 1938 and that the defendant has been guilty of gross neglect of duty and extreme cruelty toward plaintiff.  
The Court further finds that the defendant is the owner of a house and lot in Plain City, Ohio, which Plaintiff has helped to pay for, and that the parties are the owners of various items of household furniture.  
It is therefore ordered, adjudged and decreed that the plaintiff, by reason of gross neglect of duty and extreme cruelty of the defendant, be and she hereby is granted a decree of divorce from the defendant and the marriage contract is hereby dissolved and both parties hereto released from its obligations; that an undivided one half interest in the house and lot in Plain City, Ohio, be awarded to plaintiff as alimony and that the Clerk of Courts record so much of this journal entry as is necessary to transfer the undivided one half interest in said real estate, to the plaintiff, and plaintiff is further awarded as alimony the following of household furniture:

- |                   |                    |
|-------------------|--------------------|
| 2 Nogahide Chairs | 1 Davenport        |
| 1 Bed             | 1 Desk             |
| 1 Kitchen Table   | 4 Kitchen Chairs   |
| 1 Cedar Chest     | 3 Table Lamps      |
| 3 Stored Lamps    | 3 end tables       |
| 1 Rug and Pad     | 1 Occasional Chair |
| 1 Base cupboard   | 1 bookshelf        |



- 1 Television Set
- 1 Metalwardrobe
- kitchen utensils
- 1 Radion
- 1 towel rack
- curtains and blinds

It is further ordered that the linens and dishware owned by the parties be divided equally between them. Plaintiff is to pay the costs taxed herein. Record.

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff

Richard H. Finefrock  
Judge by assignment

PETITION

Romaine Keaton  
Plain City, Ohio  
Route #1,  
Plaintiff  
vs  
Lonnie Keaton  
Plain City, Ohio  
Route #1,  
Defendant

Case No. 18909

Filed August 19, 1961

Recorded November 1, 1961

Plaintiff says that she has been a resident of the State of Ohio for more than one year immediately prior to filing the petition and that she has been a bona fide resident of Union County for at least 90 days immediately preceeding the filing of the petition.

She further says that she was married to the defendant on the 5th day of October, 1942, at Paintsville, Kentucky; that three children were born as issue of said marriage; to-wit: Ruby Lee Keaton, age 18; Opal Mae Keaton, age 14; and Lonnie Edward Keaton, age 9.

Plaintiff further says that ever since her marriage to the defendant she has been a faithful and dutiful wife, but that the defendant has been guilty of gross neglect of duty and extreme cruelty toward the plaintiff.

Plaintiff further says that to the best of her knowledge the parties to this action have no outstanding debts, and that they own a house and three acres in Jerome Township worth approximately \$3,000, and a Ford truck worth apprxomately \$300. Plaintiff further says that she has no knowledge of the monthly earnings of the defendant.

WHEREFORE, plaintiff prays that she may be granted reasonable alimony and allowance for the support of their minor children during the pendency of this action; that she be granted an absolute divorce from the defendant; that she be awarded the sole care and custody of their minor children; that the court make a permanent allowance for the supportof said children and set off to her, as permanent alimony, the aforesaid house and lot in Jerome Township that the court enjoin the defendant from interfering with her exclusive use andoccupancy of the home during the pendency of this action; that the court make a reasonable allowance for attorney fees, and for such other and further relief to which she may in equity be entitled.

Grigsby & Parrott  
Attorneys for Plaintiff

VERIFICATION

STATE OF OHIO, COUNTY OF UNION, SS:

Romaine Keaton, being first duly sworn, says that she is plaintiff in the foregoing petition and that the facts stated and allegations contained therein are true.

Sworn to before me and subscribed in my presence this 12th day of August, 1961.

Romaine Keaton  
Richard E. Parrott  
Notary Public

MOTION

August 19, 1961

State of Ohio, Union County:

The Plaintiff being duly sworn says that the answers to the following questions are true to the best of her knowledge and belief.

When Married: 10/5/42 When separated 4/61 Wife's age 39 Husband's age 53 No. of children by this marriage three (3) Their ages eighteen, fourteen, and nine. With whom children live, mother, Address Route #1, Plain City, Ohio. No of dependent children by previous marriage: Husb -0- Wife -0- Husb: Where employed self-employed Ned earnings \$unknown Wife: Where employed unemployed Average monthly earnings for last six months: Husb \$ unknown Wife \$-0- Other income: Husb \$unknown Wife \$-0-Home: owned by defendant, free and clear. Income from other real estate -0- Mortgage on furniture and other mortgage \$ none Other indebtedness -0- Mortgage on furniture and other mortgage \$none Other indebtedness -0-

What amount do you cosnder necessary as temporary support for children \$30.00.

Sworn to and subscribed by the plaintiff before me this 12th day ofAugust, 1961.

Romaine Keaton  
Richard E. Parrott  
Notary Public

NOTICE OF HEARING

You will take notice that the foregoing motion will be for hearing on the affidavits of the parties on or before five days from date of service of summons.

Grigsby & Parrott  
Attorney for Plaintiff

PRECIPE

August 19, 1961

TO THE CLERK:

Please issue summons to the Sheriff of Union County, Ohio, for the defendant, Lonnie Keaton, Plain City, Route #1, Ohio Endorse summons, "Action for divorce, alimony and support of minor children, custody of minor children, and attorney fees." Make same returnable according to law.

Grigsby & Parrott  
Attorneys for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:

You are hereby commanded to notify Lonnie Keaton, Plain City, Ohio R#1, that Romaine Keaton has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, & Motion,(a copy of which accompanies this summons) charging him with gross neglect of duty and extreme cruelty and asking that she be divorced from him and alimony and support of minor children, custody of minor children and attorney fees and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ. Said Sheriff will make due return of this summons on the 28th day ofAug. 1961.

WITNESS my signature and the seal of said Court, this 19th day ofAug. 1961.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

August 21, 1961

The State of Ohio, Union County.

Received this writ on the 19th day of Aug. 1961, at 10:00 o'clock A.M. and on the 19th day of Aug. 1961, I served the same by personally handing to the within named Lonnie Keaton a true copy thereof, together with a certified copy of the petition and motion filed against him in this cause.

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

\$3.80

JOURNAL ENTRY

Sept 5, 1961

This matter coming on to be heard upon the motion of plaintiff for temporary alimony, custody and support of children, it is found and the Court orders that plaintiff be granted custody of the children, issue of this marriage, during the pendency of this suit and defendant is to pay, through the Clerk of Courts, the sum of Fifteen Dollars (\$15.00) per week as support for said children. It is further ordered that plaintiff be allowed to remain in the residence of the parties during this action, and the defendant is hereby restrained from molesting or interfering with plaintiff or the children in any way during the pendency of this action.

Gwynn Sanders  
Common Pleas Judge

ANSWER

Sept 16, 1961

Now comes the defendant and for his answer to the petition of the plaintiff admits that she has been a resident of the State of Ohio for more than one year and the County of Union for at least ninety days immediately preceeding the filing of the petition.

Defendant adm ts that the parties were married on the 5th day of October, 1942 at Paintsville, Kentucky and that three children were born as issue of saidmarriage, to-wit: Ruby Lee Keaton, age 18; Opal Mae Keaton, age 14; and Lonnie Edward Keaton, age 9.

Further answering, defendant denies each and every other allegation contained in the petition not herein specifically admitted to be true.

WHEREFORE, defendant prays that the petition of the plaintiff be dismissed.

Robert O. Hamilton  
Attorney for Defendant

State of Ohio, Union County, ss:

Lonnie Keaton, being first duly sworn, says that he is defendant in the above entitled action andthatthe facts stated and allegations in the foregoing answer are true.

Sworn to before me and subscribed in my presence this 16th day of September, 1961.

Lonnie Keaton  
Robert O. Hamilton  
Notary Public

JOURNAL ENTRY

Oct 25, 1961

This cause coming for hearing on the petition of the plaintiff and the answer of defendant, the court finds from the evidence that plaintiff is and was for at least one year immediately prior to the commencement of this action a bona fide resident of the State of Ohio, and of Union County; that defendant has been personally served with/summons and a copy of the petition for divorce as required by law and the Court therefore has jurisdiction of both the parties and the subject matter.

The court further finds the defendant and theplaintiff were married as alleged in the petition and there are three children issue of said marriage, namely Ruby Lee Keaton, age 18; Opal Mae Keaton, age 14 and Lonnie Edward Keaton, age 9, and that the two younger children are in the custody of the plaintiff who is a suitable person to retain custody of said minor children; that defendant owns a house and three acres in Jerome Township and a Ford truck. The court further finds that defendant has been guilty of gross neglect of duty and extreme cruelty toward the plaintiff.

It is therefore ordered, adjudged and decreed that the plaintiff, by reason of gross neglect of duty of the defendant, be and she hereby is granted a decree of divorce from the defendant and the marriage contract is hereby dissolved and both parties hereto released from its obligations; that the custody of the minor children of the parties be confided to the plaintiff, subject to reasonable rights of visitation by the defendant and that the defendant shall pay to the office of the lerk of Courts, the sum of \$20.00 each week, plus poundage, for the support of the minor children, said payments to continue at the rate of \$20.00 per week until such time as Lonnie Edward Keaton would reach the age of 18, this payment to be made without reduction and in lieu of any alimony to the plaintiff; the house and truck is to be exclusive property of the defendant. Costs to plaintiff. Record.

APPROVED BY:

Grigsby & Parrott  
Attorneys for Plaintiff  
Robert O/ Hamilton  
Attorneys for Defendant

Richard H. Finefrock  
Judge

COMPLAINT FOR SUPPORT UNDER  
THE UNIFORM RECIPROCAL  
ENDORCEMENT OF SUPPORT LAW  
(Section 1670, etc. of the Code of Civil Procedure.)

Kathryn V. Owen  
Plaintiff  
vs  
Mervyn Ralph Cole  
Defendant

Case No. 18951  
Filed Oct 17, 1961  
Recorded Nov. 3, 1961

COMES NOW KATHRYN V. OWEN, the above named plaintiff, and complans of MERVYN RALPH COLE, the above named defendant, and for cause of action alleges:

I

That plaintiff and defendant intermarried on or about the 18th day of September, 1954, in the City of Reno, County of Washoe, State of Nevada, and that plaintiff now resides at 216 North Culver Street, City of Willows, County of Glenn, State of California.

II

That plaintiff and defendant were divorced in the Superior Court of the State of California, in and for the County of Shasta, on the 13th day of June, 1955, an interlocutory decree of divorce having been made and entered on said 13th day of June, 1955, and a final decree of divorce having been made and entered on the 21st day of June, 1956; that under and pursuant to the terms of said divorce decrees, and each of them, the defendant was ordered to pay to the plaintiff the sum of FIFTY DOLLARS (\$50.00) per month for the care and maintenance of the minor child of plaintiff and defendant hereinafter named.

III

That the plaintiff is the mother and defendant is the father of the following named minor child:  
SARA COLE, aged six years, she having been born on the 13th day of July, 1955.

That said minor child resides with the plaintiff at 216 North Culver Street, City of Willows, County of Glenn, State of California.



IV

That the defendant on or about the date of said divorce decree, to wit, June 21st, 1956, and subsequent thereto, refused and neglected to provide fair and reasonable support for the above named dependent minor child according to his means and earning capacity, and according to said divorce decree, and the total amount which defendant has contributed since January 1st, 1960 for such support is less than the sum of TWO HUNDRED DOLLARS (\$200.00).

V

That plaintiff is in need of support for the aforesaid minor child in the sum of FIFTY DOLLARS (\$50.00) per month.

VI

That upon information and belief plaintiff alleges that the defendant is now employed and is within the jurisdiction of the State of Ohio, which State has enacted a law substantially similar to the Uniform Reciprocal Enforcement of Support Act of the State of California; that file herewith and by this reference made a part hereof, is a certified copy of the said Uniform Reciprocal Enforcement of Support Act.

WHEREFORE, Plaintiff prays for such order of support directed to said defendant as may be deemed fair and reasonable and for such other and further relief as is provided by the said Uniform Reciprocal Enforcement of Support Act.

Kathryn V. Owen

STATE OF CALIFORNIA, COUNTY OF GLENN, ss:

KATHRYN V. OWEN, Being sworn, says: that she is the plaintiff in the above entitled actipn; that she has read the foregoing Complaint for Support Under the Uniform Reciprocal Enforcement of Support Law, and knows the contents thereof; that the same is true of her own knowledge, except as to the matters which are therein stated on her information or belief and as to those matters that she believes it to be true.

Subscribed and sworn to before me  
this 13th day of October, 1961.  
(seal) Clyde H. Larimer  
Clyde H. Larimer, Notary Public  
In and for the County of Glenn  
State of California

Kathryn V. Owen

AFFIDAVIT BY PLAINTIFF REQUESTING WAIVER OF FEES

STATE OF CALIFORNIA, COUNTY OF GLENN, ss:

Kathryn V. Owen, being first duly sworn, deposes and says:

That she is the plaintiff in the above entitled action and that she is without funds to pay fees required by the above entitled Court nor any such fees as may be required by the Court in the State in which the defendant is found.

WHEREFORE, affiant prays that the Court under and by virtue of the provisions of Section 1677 of the Code of Civil Procedure of the State of California make an order allowing her to file the above entitled action without the payment of any fees whatsoever.

Kathryn V. Owen

Subscribed and sworn to before me  
this 13th day of October, 1961.  
(seal) Clyde H. Larimer  
Clyde H. Larimer, Notary Public  
in and for the County of Glenn  
State of California

COURT CERTIFICATE, ORDER FOR CLERK TO FILE WITHOUT PAYMENT OF FEES AND DIRECTION FOR REPRESENTATION.

The undersigned, Judge of the above entitled Court, hereby certifies as follows:

1. That he has examined the duly verified complaint of the above named plaintiff to compel the support of the minor child of said plaintiff and defendant under and pursuant to the Uniform Reciprocal Enforcement of Support Act, and does hereby find that the said complaint sets forth facts from which it may be determined that defendant owes a duty of support as set forth in said complaint.

2. that the above named defendant is believed to reside at RR#1, Milford Center, County of Union, State of Ohio, and that the Juvenile Court of the County of Union, State of Ohio, may obtain jurisdiction of the defendant and his property.

3. That in the opinion of the undersigned Judge, the defendant should be compelled to answer the complaint and be dealt with according to the Uniform Reciprocal Enforcement of Support Act.

NOW THEREFORE, GOOD CAUSE APPEARING, it is hereby ORDERED AS FOLLOWS:

1. That the District Attorney of the County of Glenn, State of California, represent the plaintiff in the above entitled action in all proceedings in the initiating State of California.

2. That the Clerk of the above entitled Court file the complaint in said action without the payment of any fees whatsoever.

3. That three (3) certified copies of complaint and of this certificate, together with certified copies of the Uniform Reciprocal Enforcement of Support Act, be transmitted to the above mentioned Court of the responding State wherein the defendant is believed to reside.

DATED: October 13th, 1961.

Wright L. CALLENDER  
Judge of the Superior Court

JOURNAL ENTRY

Oct 20, 1961

Certified copy of Complaint for Support in the Superior Court of The State of California in and for the County of Glenn having been filed in this Court.

It is therefore ordered that the Defendant appear and plead on October 27, 1961 at 3:00 p.m.

It is further ordered that a copy of this entry together with a certified copy of the Petition be served upon the Defendant by the Sheriff.

APPROVED BY:  
Robert O. Hamilton  
Prosecuting Attorney

Richard H. Finefrock  
Judge

NOTICE TO SERVE

To the Sheriff of Union County, Greeting:

You are hereby commanded to serve the attached copies of Complaint for Support & Entry heretofore filed in this case, upon the and of your service hereof, make due return to this office, on or before the 27th day of October, A.D. 1961.

WITNESS my hand and seal of said Court, this 20th day of October, 1961.

Helen L. Sullivan, Clerk of said Court

SHERIFF'S RETURN

Oct 24, 1961

The State of Ohio, Union County.

Received this writ October 20th, 1961 at 1:00 o'clock P.M. and on October 23rd, 1961, I served the within named Mervyn Ralph Cole by personally handing to him a true and certified copy thereof with all the endorsements thereon.

\$3.80

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

ENTRY

Nov. 3, 1961

The Defendant appeared in open Court on October 27, 1961 and also appeared Robert O. Hamilton, Prosecuting Attorney on behalf of the plaintiff.  
The Defendant was asked to show cause why order for support as prayed for by the plaintiff should not be made. After exaimationof the defendant, the Court finds that the defendant is liable for the support of his minor child, Sara Cole, age six.  
It is therefore the order of the Court that the defendant pay each month forsupport of his said child the sum of \$30.00 plus 30 cents poundage. Said payments are to be made to the Clerk of this Court.  
It is further ordered that the defendant pay the costs of this proceeding.  
The Clerk shall forward two certified copies of these proceedings to the County Clerk of Glenn County, California. Record.

APPROVED BY:  
Robert O. Hamilton  
Prosecuting Attorney

Richard H. Finefrock  
Judge

COMPLAINT FOR SUPPORT

Marcella Jean King,  
Plaintiff  
vs  
Richard Franklin King  
Defendant

Case No. 18953  
Filed Oct 21, 1961  
Recorded November 6, 1961

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF RIVERSIDE

Plaintiff complains and alleges:

I

That plaintiff was married to defendant on or about the 12th day of March, 1955, at Bellefontaine, Ohio, and thatplaintiff now resides at 10943 Arlington Ave., Arlington, County of Riverside, State of California.

II

That plaintiff is the wife of defendant.

III

That plaintiff is the mother and defendant is the father of the following named minor dependents, whose names, date of birth, and residence appear below:

NAME	DATE OF BIRTH	RESIDENCE
Darlene Marie King	August 7, 1955	10943 Arlington Avenue, Arlington, California
Richard Neil King	December 5, 1956	10943 Arlington Avenue, Arlington, California

IV

That said named dependents are entitled to support from the defendant under the provisions of theUniform Reciprocal Enforcement of Support Act of California (Chapter 1290, Title 10a, Statutes of 1953; Sections 1650-1690, Part 3 Code of Civil Procedure), a copy of which is attached hereto and made a part hereof.

V

That defendant on or about the 19th day of February, 1961, refused and neglected, and does still refuse and neglect to provide fair and reasonable support for the dependents, named herein according to his means and earning capacity; that the total amount which defendant has contributed to the dependents since said date is approximately nothing.

VI

That the necessary montly expenses incurred by the plaintiff for the support of the minor children is approximately \$100.00 per month.

VII

That plaintiff is informed and believes, and therefore alleges, that defendant is residing or domiciled at Route #3, Marysville, Ohio; that plaintiff does not know the exact amount ofdefendant's income, but said plaintiff is informed and believes, and therefore alleges, that said defendant is an able-bodied person, by occupation, a telephone trouble-shooter, and is within the jurisdiction of the State of Ohio, which state has enacted a law substantially similar to the Uniform Reciprocal Enforcement of Support Law of the State of California.

WHEREFORE, the plaintiff prays for the following orders:

1. For an Order of Support directed to said defendant as may be deemed to be fair and reasonable, ordering him to support the named dependents.
2. That the Probation Officer of Riverside County, California, is the proer person to hwom any and all payments made hereunder should be sent, and the address of said Probation Officer is :Court House, Riverside, California.
3. That the Clerk of this Court prepare certified copies of the complaint and certificate and an authenticated copy of the Reciprocal Enforcement of Support Act of the State of California, and that he transmit said documents to the Clerk of the Court of Common Pleas, Union County, located at Marysville, State of Ohio, forthwith.
4. For such other and further relief as the law provides.

Marcella Jean King

STATE OF CALIFORNIA, County of Riverside, ss;

Marcella Jean King, being sworn says; that she is plaintiff in the above entitledaction, that she has read the foregoing complaint, and knows the contents thereof; that the same is true of her own knowledge, except as to the matters which are theren stated on her information or belief and as to those matters that she believesit to be true.

Marcella Jean King

Subscribed and sworn tobefore me on Oct. 16, 1961.  
William O. Mackey, District Attorney of Riverside County, State of California, By R. D. Thompson, Deputy  
CERTIFICATE

The undersigned, A Judge of the above entitled court, hereby certifies:

1. That heretofore andon the day of ,1961, a duly verified complaint by the plaintiff above named, was duly filed in this court in a proceeding against the above named defendant commenced under the provisions of the Uniform Reciprocal Enforcement of Support Act (Stats, of Calif, 1953, Ch 1290) to compel the support of the dependents named in that complaint.
  2. That the above named defendant is believed to be residing or domiciled in Route #3, Marysville, State of Ohio and that the Clerk of the Court of Common Pleas, County of Union, may obtain juristiction of the defenant or his property.
  3. That the undersigned, a Judge of the above entitled court, has examined the complaint of the above named plaintiff and finds that the complaint sets forth facts from which it may be determined that the defendant owes a duty of support to the dependents named in the complaint, and that the minimum needs of the said dependents for the support of \$100.00 per month.
  4. That in the opinion of the undersigned, Judge,the defendant should be compelled to answer such complaint and be dealth with according to law.
- WHEREFORE, it is hereby ordered that duly certified copies of this certificate and of the complaint for support be transmitted to the Clerk of the Court of Common Pleas, Union County, at Marysville, Ohio.  
Dated 17 October, 1961.

J. Thomas Bucciarelli  
Judge of the Superior Court

TESTIMONY OF MARCELLA JEAN KING, Plaintiff.



STATE OF CALIFORNIA, County of Riverside, ss:  
Marcella Jean King, the Plaintiff herein, being duly sworn, on her oath testifies as follows:  
Q. What is your name?  
A. Marcella Jean King.  
Q. What is your present address?  
A. 10943 Arlington Avenue, Arlington, California  
Q. When and where were you married to the defendant?  
A. March 12, 1955: Bellefontaine, Ohio.  
Q. What were the circumstances leading to the separation from the defendant?  
A. I was supposed to come to California and find a job while he sold our house and then he would follow, but he changed his mind.  
Q. What are the names and birthdates of the defendant's minor children now living with you?  
A. Darlene Marie King, born August 7, 1955:  
Richard Neil King, born December 5, 1956.  
Q. When and where were you divorced from the defendant?  
A. Not applicable.  
Q. When and how much was the defendant's last contribution for support?  
A. February 19, 1961: he hasn't paid anything since we separated.  
Q. What type of work do you do and what are your earnings?  
A. I am a typist at Security Title Company; my take home pay is \$220.00 mo.  
Q. Have you any other source of income?  
A. No.  
Q. What unpaid debts have you incurred for the support of your children?  
A. Dr. Junkert, \$15.00;  
Dr. Reynolds, \$18.00.  
Q. List the current expenses of yourself and the minor children.  
A. Rent---\$60.00 per mo. Medical & Dental -----\$10.00 per mo.  
Food---\$75.00 per mo. Other (incidentals) -----\$20.00 per mo.  
Utilities \$25.00 per mo. describe  
Clothing \$25.00 per mo. Fixed Credit-----\$38.00 per mo.  
Transportation \$25.00 per mo. Montgomery Ward \$3.00 )  
Insurance \$15.00 per mo. Rouse's \$10.00 ) Obligations  
Car Payment - \$25.00 )  
Q. Are you and your children in good health?  
A. Yes.  
Q. What is the defendant's present address?  
A. Route #3, Marysville, Ohio.  
Q. Where is the defendant employed and what are his earnings?  
A. He is a trouble shooter at United Telephone Company in Marysville, and earns \$320.00 a month.  
Q. Describe the Defendant  
A. Height 5-9 Eyes Blue  
Weight 160 Mustache? no  
Age 28 Hair Brown  
Date of birth 3/6/33 Glasses? no  
Race White Tattoos on both arms

Marcella Jean King  
Plaintiff

Subscribed and sworn to before me on Oct 16, 1961  
William O. Mackey, District Attorney of Riverside County, State of California  
R. D. Thompson, Deputy  
EXEMPLIFICATION CERTIFICATE

Oct 21, 1961

The documents to which this certificate is attached are full, true and correct copies of the originals on file and of record in my office. All of which we have caused by these presents to be exemplified, and the seal of our Superior Court to be hereunto affixed.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the Seal of the said Court, this 18th day of October, 1961.

G. A. Pequegnat  
Clerk of the Superior Court

I, S. Thomas Bucciarelli, Presiding Judge of the Superior Court of the State of California, in and for the County of Riverside, do hereby certify that G. A. Pequegnat, whose name is subscribed to the preceding exemplification, is the Clerk of the said Superior Court of the State of California, in and for the County of Riverside, and that full faith and credit are due to his official acts. I further certify, that the seal affixed to the exemplification is the seal of our said Superior Court, and that the attestation thereof is in due form and according to the form of attestation used in this state.

Dated October 18, 1961

S. Thomas Bucciarelli  
Presiding Judge

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE, ss:

I, G. A. Pequegnat, Clerk of the Superior Court of the State of California, do hereby certify, that Honorable S. Thomas Bucciarelli, whose name is subscribed to the preceding certificate, is the Presiding Judge of the Superior Court of the State of California, duly elected sworn and qualified, and that the signature of said judge to said certificate is genuine.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of the said Court, this 18th day of October, 1961.

G. A. Pequegnat  
Clerk of the Superior Court

ACT ATTACHED

SUMMONS

Oct. 23, 1961

TO: Richard Franklin King

The above named plaintiff has filed a verified petition in the Superior Court in and for the State of California and County of Riverside alleging that you have refused and neglected to provide support for the plaintiff and your minor children, and an exemplified copy of said petition together with a certificate signed by S. Thomas Bucciarelli, Judge of the said Court has been filed in this County as provided by Chapter 3115 for the support of dependants. You are hereby summoned to appear before the Common Pleas Court at Marysville, Ohio on the 27th day of October, 1961 at 3:00 p.m. to show cause why the order for support prayed for by the petition shall not be ade.

If you fail to appear as herein directed, a warrant may be issued for your arrest.

WITNESS my hand and the seal of said Court this 23rd day of October, 1961.

Helen L. Sullivan  
Clerk of Courts, Union County, Ohio

PRECIPE

Oct 23, 1961

To the Clerk:

Issue summons and copy of complaint, certificate and testimony in the above entitled case for defendant Richard Franklin King directed to Sheriff returnable according to law.

Robert O. Hamilton  
Attorney for Plaintiff

Oct 23, 1961

NOTICE TO SERVE

To the Sheriff of Union County, Greeting:

You are hereby commanded to serve the attached copies of Summons, Complaint, Certificate and Testimony heretofore file in this case, upon the Defendant, Richard Franklin King Marysville, hio R#3, and of your service hereof, make due return to this office, on or before the 27th day of October, A.D. 1961.

WITNESS my hand and seal of said Court, this 23rd day of October, 1961.

Helen L. Sullivan  
Clerk of said Court

SHERIFF'S RETURN

Oct 30, 1961

The State of Ohio, Union County.

Received this writ October 23rd, 1961, at 10:50 o'clock A.M. and on Oct. 27th, 1961, I served the within named Richard Franklin King by personally handing to him a true and certified copy thereof with all the endorsements thereon.

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

\$1.60

JOURNAL ENTRY

Nov 3, 1961

The defendant appeared in open Court on October 27, 1961 and also appeared Robert O. Hamilton, Prosecuting Attorney on behalf of the plaintiff.

The defendant was asked to show cause why order for support as prayed for by te plaintiff should not be made.

After examination of the defendant, the Court finds that the defendant is liable for the support of his minor children, Darlene Marie King, age 6, and Richard Neil King, age 4.

It is therefore the order of the Court that the defendant pay the sum of \$50.00 plus 50 cents poundage twice each month on the 7th and 22nd days. Said payments are to be made to the Clerk of this Court.

It is further ordered that the defendant pay the costs of this proceeding.

The Clerk shall forward two certified copies of these proceedings to the County Clerk of Riverside County, California. Record.

APPROVED BY:

Robert O. Hamilton  
Prosecuting Attorney

Richard H. Finefrock  
Judge

PETITION

Betty Jane Barger  
39 West State Street  
Milford Center, Ohio  
Plaintiff

vs

Joie Bevis  
Route #3  
Richwood, Ohio, and

John rorland  
Route #2  
Richwood, Ohio  
Defendants

Case No. 18915

Filed August 25, 1961

Recorded November 20, 1961

Now comes the Plaintiff Betty Jane Barger and says that she has legal right to and is seized in fee simple as daughter and one of the heirs at law of Ruth Borland, deceased, of the undivided one-third part and interest in the real estate described as follows:

TRACT I: Situated in the County of Union in the State of Ohio, and in the townships of Claibourne and York ad bounded and described as follows:

Part of Surveys 12542 and 7865. Beginning at two beeches and a hickory in the original east line of Survey 12542; thence with said line N. 63 deg. E. 83 poles to two beeches and a lynn, original N. E. corner to said survey; thence with the original north line to said survey S. 80 deg. W. 178 poles to two beeches; thence S. 13 deg. W. 92 poles to a lynn and two beeches; thence N. 78 deg. E. 182 poles to the beginning, containing 93 acres, more or less.

SECOND TRACT: Beginning at two beeches and a hickory, S. E. corner to James Horner lot of 93 acres (now owned by Adam D. and Nancy E. Hoover above described and hereby conveyed) in the east line of Survey 12542; thence N. 80 deg. E. 24.4 poles to a stone and sugar tree in the west line of Russell Richman's land; thence with said line N. 2½ deg. E. 24.2 poles to a stone, N. W. corner to said land in the south line of Wm. Bethard's land; thence with said line S. 82 deg. (passing said Bethard's S. W. Corner at 20.92 poles) W. 22.4 poles to a stone in the east line of Survey 12542; thence with said line S. 7 deg. W. 25.6 poles to the beginning, containing 3 acres and 80 poles more or less.

EXCEPTING therefrom 40 acres sold to Charles Blain by deed recorded in Volume 70 page 382 Union County Records of Deeds, leaving the amount hereby conveyed 53 acres more or less.

ALSO Survey Nos. 12542, 7869 and 11346; Beginning at a stone, the south east corner of C. E. Blain's land; thence with the south line of Margaret Stickel's land N. 82 deg. 15' E. 109.9 poles to a stone in the west line of the Johanna Hayes', deceased's land; thence with said Hayes land, S. 4 deg. W. 27.4 poles to a stone in said line; thence with the north line of Evaline Miller's land S. 82 deg. 15' W. 105.67 poles to a stone in the south east corner of Nathan Martino's land as it stands by this conveyance; thence with east line of said Nathan Martino's land N. 6 deg. 55' W. 27.2 poles to the place of beginning containing 18.20 acres, more or less.

TRACTII: Situated in the County of Union in the State of Ohio, and in the Township of Claibourne, part of Survey No. 7869, and bounded and described as follows:

Beginning at an ash, the original northeast corner of said Survey No. 7869, and in the Greenville Treaty Line; thence with the Survey line S. ½ deg. W. 59.90 poles to a stake in the East line of said Survey and corner to lands formerly owned by David B. Cahill; thence with said Cahill's land S. 80 deg. 20' W. 45½ poles to a stake in the East line of lands formerly owned by Laban H. Warbs and another corner to said Cahill's land; thence N. ½ deg. E. with the line of said Warbs and land formerly owned by William Bethard 59.90 poles to a stake and stones, northeast corner to said Bethard's land in the Greenville Treaty line; thence N. 80 deg 20' E. with said Treatyline 45½ poles to the place of beginning.

Containing 17 acres, more or less.



ALSO the following premises, situated in said Township of Claibourne, and being part of Survey No. 220, bounded and described as follows:  
Beginning at a stake, witness an ash and two beeches, at thenorthwest corner of 120 acres of land conveyed by Tallman and wife to Cornelius E. fish; thence S. 12 deg. E. 130 poles to a stake, southwest corner of land of Cornelius E. fish above mentioned; thence N. 89 deg. W. 103 $\frac{1}{4}$  poles to a stake; thence N. 3/4 deg. E. 103.17 poles to a stake; thence N. 79 deg. E. 65.10 poles to the place of beginning.  
Containing 59 acres and 19.09 rods of land.  
Being the same premises conveyed by Charles B. Stickwell and Dorothy A. Stickwell, his wife, to Zell E. Borland and Ruth Borland, husband and Wife, by Warranty Deed, dated 10 January, 1947, and thereafter recorded in Union County Record of Deeds, Vol. 175 age Pages 335-336.  
TRACT III: Situated in the Village of Richwood County of Union in the State of Ohio, and described as follows: Being part of Survey No. 6307 and bounded and described as follows: being known as Lot Number one hundred and eighty-three (183) in Hogan's Addition to the Village of Richwood, Ohio.  
For a more specific description, reference is made to the recorded plat of said addition, duly recorded in the Recorder's Office of Marysville, Ohio.  
Being the same premises conveyed by Warranty Deed from Elizabeth Exton and William G. Exton to Nettie M. Curry, dated November 28, 1934 and thereafter duly recorded in Deed Book 147 at Page 586 Union County Record of Deeds.

This plaintiff further says that all the debts and claims against the estate of said Ruth Boland, deceased, have been fully paid.  
This Plaintiff further says that the Defendants Joie Bevis, and John Borland are tenants in common with the Plaintiff in the said premises in the following proportions:  
One third interest in said real estate belongs to Joie Bevis who is a daughter of Ruth Borland, deceased; One third interest in said real estate belongs to John Borland who is a sone of Ruth borland, deceased.  
The Plaintiff further says that she and the Defendants herein are all adults and are the only heirs of Ruth Borland, deceased, and that the estate of the said Ruth Boland, deceased, is pending in the Probate Court of Union County, Ohio, and that the real estate described in this petition has been transferred to the plaintiff and these defendants by order of the Probate Court of Union County, Ohio, and has been transfered to them as tenants in common on the tax duplicate of Union County.  
Wherefore Plaintiff prays that partition be made and that her interest in said real estate described in this petition, be set off to her inseveralty and for such other and further relief as she may be found entitled either in law or equity.

Lloyd George Kerns  
Attorney for Plaintiff

State of Ohio, County of Union, ss:  
Betty Jane Barger being first duly sworn says that she is the Plaintiff in the foregoing petition and that the facts stated and the allegations contained in this pleading are true as she verily believes.

Sworn to before me and subscribed in my presence this 31st day of July, A.D. 1961.  
Betty Jane Barger  
Lloyd George Kerns  
Notary Public

John W. Dailey, Attorney at Law, Marysville, Ohio, is hereby designated to prepare title certificate in this matter.  
Lloyd George Kerns  
Attorney-at-Law  
Attorney for Plaintiff

WAIVER  
August 25, 1961

Now comes John Borland, defendant in the foregoing action and hereby waives issuance and service of summons upon him and voluntarily enters his appearance in the above entitled action.  
Dated Aug. 12, 1961.

WAIVER  
John Borland  
August 25, 1961

Now comes Joie Bevis, defendant in the foregoing action and hereby waives issuance and service of summons upon her and voluntarily enters her appearance in the above entitled action.  
Joie Bevis  
DECREEE  
August 26, 1961

This cause coming on to be heard upon the pleading and the evidence, the Court finds that all parties are properly before the Court and the plaintiff is seized of and has the legal right to the undivided one-third part of said premises and is entitled to hold the same in severalty; as to each of the three tracts; that the defendants John Borland and Joie Bevis are tenants in common with her in the following proportions; John Borland Joie Bevis are each seized of and have a legalright to the undivided one-third part each in each of the tracts in the petition.  
It is therefore adjudged and decreed that partition of said property be made in the proportions above designated, and that an order issue to the sheriff of this County commanding him, that, by oath of Louis Michael, John Cheney and Charles Roberts three judicious, disinterested freeholders of the vicinity, who are hereby appointed commissioners for that purpose, be set off to the plaintiff and defendants their aforesaid proportions of said premises in severalty; and of his proceedings make due return.

Gwynn Sanders  
Judge

PRELIMINARY TITLE CERTIFICATE  
Sept 6, 1961

The undersigned, being the Attorney designated to check the title in this proceeding, hereby certifies that he has examined the proceedings and files in this action to date and finds:  
1. Title to the real estate as described in the petition hereby is vested in the names of Betty Jane Barger, Joie Bevis and John Borland by Certificate of Transfer from the Probate Court of Union County, Ohio, in the Estate of Ruth E. Borland, deceased, as Recorded in Volume 206, Page 583, Record of Deeds, Union County, Ohio.  
2. That all necessary parties are made parties to this action.  
3. That the title to the parties herein is a good merchantable title, free and clear from all encumbrances, excepting  
1. Inheritance Taxes due in the Estate of Ruth E. Borland, deceased, Union County, Probate Court, Case No. 18342, in the amount of \$474.58.  
2. Taxes due Union County Ohio for the year 1961, amount not determined  
3. Easements and zoning laws, in force and effect.

John W. Dailey  
Title Examiner

WRIT OF PARTITION  
To the Sheriff of said County:  
Pursuant to an order of our said Court of Common Pleas within and for said County, made at the May Term, A.D. 1961, in a certain Case No. 18915 now pending in said Court, Wherein Betty Jane Barger plaintiff, and Joie Bevis and John Borland, defendants, you are commanded that, by the oaths of Charles Davis, FrankL. Cramer, and John Pfarr, three disinterested and judicious freeholders of the vicinity who were appointed by the Court as Commissioners for such

purpose, you cause to be set off and divided the following described premises, situated in the Townships of Claibourne and York, County of Union and State of Ohio, to-wit:  
(same as in the petition)

To the persons named herein, and in the following proportions, to-wit:  
To Betty Barger, 1/3 part.  
To Joie Bevis, 1/3 part.  
To John Borland 1/3 part.

But if the said Commissioners are of opinion that said premises cannot be divided according to the demand of this writ without manifest injury to its value, you cause them to make a just valuation of the same in money and of this writ and your proceedings thereon and of the proceedings of said Commissioners under this writ, you make return to our said Court forthwith.

WITNESS my hand and the seal of said Court at Marysville, Ohio, this 26th day of August, 1961.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

I received this writ on the 26th day of August, 1961 at 10:45 o'clock A.M. and in obedience to its command, I have executed the same by the oaths of Charles Davis, Frank L. Cramer, and John Pfarr, the Commissioners therein named, causing to be set off and divided the premises in said Writ described.

The said Commissioners being of the opinion that the said premises cannot be divided without manifest injury to its value, I have caused the same to be appraised.

All of which will appear by the report of said Commissioner, herewith returned.

Given under my hand this 29th day of Aug. 1961.

Edward Amrine, Sheriff, Union County  
By Deputy:

Sheriff Fees \$9.90  
Commissioners' Fees \$15.00

COMMISSIONERS REPORT

Sept 12, 1961

According to the sommand of the Writ of Partition hereto annexed, and on the call of the Sheriff of said County, we, the undersigned Commissioners, after being first duly sworn, and upon actual view and examination of the premises in said Writ described, do make partition of said premises and set apart the same in Lots as follows:

We are of the option that the said estate cannot be divided according to the demand of the writ without manifest injury to its value, and we do estimate the just value of the same at \$30,453.00- Thirty thousand four hundred & fifty-three ---no/100/

Given under our hands this 29th day of August, 1961.

Charles Davis  
Frank L. Cramer  
John Pfarr  
Commissioners

LAND APPRAISEMENT

Sept 12, 1961

WHEREAS, the Sheriff of said County, having in his hands, Writ of Partition issued from the Court of Common Pleas of said County, on the 26th day of August A.D. 1961, in a decree in favor of Betty Jane Barger, and against Joie Bevis and John Borland commanding said Sheriff to cause to be appraised, the following described lands and tenements situate in Claibourne & York Townships County of Union and State of Ohio, to-wit:  
(same as in the petition)

did summon us Charles Davis, Frank L. Cramer and John Pfarr three disinterested freeholders, residing within said County of Union and administered to us an oath impartially to appraise said lands and tenements upon actual view thereof.

Now We, after actual view of said premises, and forthwith after such view, do find and estimate the real value in money of said premises to be as follows, viz:

In Testimony Whereof, We hereunto set our hands this 29th day of Aug. 1961

ATTEST:  
Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

Charles Davis  
Frank L. Cramer  
John Pfarr

The State of Ohio, Union County.

I hereby certify that I called an inquest of Charles Davis, Frank L. Cramer, and John Pfarr three disinterested freeholders, residents of Union County, Ohio, and administered to them an oath impartially to appraise the within described property upon actual view.

Dated this 29th day of Aug. 1961.

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

MOTION

Sept 11, 1961

Now comes the Plaintiff, Betty Barger by her attorney Lloyd George Kerns, and moves the court for an order appointing three new disinterested freeholders of the vicinity as commissioners to make partition of the real estate described in the petition, for reason that one of the defendants objected to the three commissioners heretofore appointed.

Lloyd George Kerns

ENTRY

Sept 11, 1961

The plaintiff by her attorney having moved for the appointment of three different commissioners to make partition of the real estate described in the petition on the ground that one of the defendants had objected to the three commissioners heretofore appointed and the court on consideration of said motion finds the same to be reasonable and hereby decrees that an order issue to the sheriff of this county commanding him that bythe oath of John Pfarr, Frank Cramer and Charles Davis, three judicious, disinterested freeholders of the vicinity, who are hereby appointed commissioners forthat purpose, be set off to the plaintiff and defendants their aforesaid proportions of said premises in severalty; and of his proceedings make due return.

Gwynn Sanders  
Judge

ELECTION TO TAKE TRACT I AT APPRAISED VZLUE

Sept 13, 1961

Now comes the plaintiff, Betty Jane Barger, and makes this, her election to take Tract I described in the petition at the appraised value as set forth in the return of the sheriff and report of the commissioners heretofore appointed.

Betty Jane Barger

ELECTION TO TAKE AT APPRAISED VALUE

Sept 13, 1961

Now comes the defendant, John Borland, and elects to take the 71 acre tract at its appraised value of \$12,453.00 and further elects to take the 76 acre tract at its appraised value at \$12,000.00.

John Borland



DECREE FOR SALE

Sept 13, 1961

This cause coming on to be heard on the return of the sheriff and the report of the commissioners, and on the motion to confirm the same, and it appearing to the Court that the premises can not be divided by metes and bounds without manifest injury to the value thereof, and that the commissioners have appraised said premises at

Tract I \$12,453.00  
Tract II \$12,000.00  
Tract III \$ 6,000.00

the Court finds said proceedings in all respects in conformity to law and the orders of the Court, and does therefore approve and confirm the same.

The Court further finds that the plaintiff and the defendant, John Borland have each elected to take Tract I at the appraised value; that the defendants John Borland and Defendant Joie Bevis have each elected to take Tract II at the appraised value and that no one of the parties has elected to take Tract III, it is on motion of the plaintiff ordered that said premises be sold at public auction at the door of courthouse for not less than two-thirds of the appraised value of each, in cash. And that the sheriff make due return of this proceedings to this Court.

Gwynn Sanders  
Judge

PRECIPE FOR ORDER OF SALE

Sept 13, 1961

TO THE CLERK:

Issue order of sale in the above entitled case directed to the Sheriff of Union County, Ohio, returnable according to law.

Lloyd George Kerns  
Attorney for Plaintiff

PROOF OF PUBLICATION

Oct 21, 1961

STATE OF OHIO, Union County

Personally appeared before me, George W. Keigley and made oath, that the notice, a copy of which is hereto attached, was published for four consecutive weeks on and after Sept 28, 1961 in the Richwood Gazette, a newspaper of general circulation in the county aforesaid.

Sworn to before me and signed in my presence this 19th day of October, A.D. 1961.

George W. Keigley  
Helen M. Fausnaugh  
Notary Public

Printer's Fee \$81.50

SHERIFF'S SALE

Betty Jane Barger, Plaintiff, vs. Joie Bevis, Rt. No.3, Richwood, Ohio and John Borland, Rt. No.2, Richwood, Ohio Defendants, No. 18915. On order of Sale in Parititon COURT OF COMMON PLEAS, UNION COUNTY, OHIO.

By virtue of the above stated writ to me directed from the Court of Common Pleas of Union County, Ohio, I will offer for sale at the north door of the Court House, in Marysville, Ohio, on the 21st day of October, 1961 at or about the hour of eleven o'clock A.M. on said day the following described real estate, to-wit:

(same as in the petition)

Appraised Tract I, \$12,453.00; Tract II, \$12,000.00; Tract III, \$6,000.00.

Terms of Sale: Ten percent (10%) on day of sale and the balance upon the confirmation of sale and delivery of deed. Edward Amrine, Sheriff of Union County, Ohio, Lloyd George Kerns, Attorney

PROOF OF PUBLICATION

STATE OF OHIO, Village of Marysville, Union County, ss.

Personally appeared before me, Marie M. Strauss and made solemn oath, that the Sheriff's Sale a copy of which is hereto attached, was published for 5 consecutive weeks on and next after September 20, 1961, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Sworn to before me and signed in my presence this 19 day of October A.D. 1961.

Marie M. Strauss  
W. E. Behrens  
Notary Public

My commission expires June 22, 1964.  
Printer's Fee \$92.40

SHERIFF'S SALE  
(same as above)

ORDER OF SALE IN PARTITION

To the Sheriff of Said County, Greeting:

In Pursuance of the order of our Court of Common Pleas, within and for the County of Union at the September Term, A.D. 1961, in a certain Petition for Partition, now pending in said Court, wherein Betty Jane Barger, 39 West State Street, Milford Center, Ohio plaintiff, and Joie Bevis, Route #3, Richwood, Ohio and John Borland, Route #2, Richwood, Ohio defendants, we command you that without delay, you proceed to sell at public auction, the lands and tenements in said petition described, to-wit:

(same as in the petition)

Appraised at Tract I \$12,453.00, Tract II, 12,000.00, Tract III \$6,000.00 subject to the Dower Estate of ; and that your proceedings in the premises you make known to our said Court of Common Pleas within sixty days from the date hereof, and have you then and there this Writ.

WITNESS my hand and the seal of said Court, at Marysville, this 13th day of September, A.D. 1961.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

SHERIFF'S RETURN

Oct. 23, 1961

I received this Order of Sale on the 13th day of Sept. 1961, and in obedience to the command of the same, I did, on the 15th day of Sept. 1961, cause to be advertised in the Journal-Tribune, (a newspaper printed and published and of general circulation in Union County, Ohio,) said lands and tenements to be sold at public sale, at the door of the Court House of said County, on the 21st day of October, A.D. 1961, at 11 o'clock A.M. of said day. And having advertised the said lands and tenements for more than thirty days previous to the day of sale, to-wit: five consecutive weeks; and in pursuance to said notice, I did, on said 21st day of October A.D. 1961, at the time and place above mentioned, proceed to offer said lands and tenements at public sale; and then and there came John Borland who bid for the same the sum of \$17,500 for Tract I and \$15,150.00 for Tract II, and said sum being over two-thirds of the appraised value thereof, and said John Borland being the highest and best bidder therefor, I then and there publicly sold and struck off said lands and tentments to him for the said sum of \$32,650.00 Dollars, at the same time and at the same place above mentioned, proceed to offer said lands and tenements at public sale, and then and there came L. A. Laymon who bid for the Tract III the sum of \$5200.00 Dollars and said sum being over two-thirds of the appraised value thereof, and said L. A. Laymon being the highest bidder therefore, I then and there publicly sold and struck off said

lands and tenements to him for the said sum of \$5200.00 Dollars.

\$177.76

Edward Amrine, Union County Sheriff  
By Deputy Martha Rogers

DECREE OF CONFIRMATION, AND ORDER FOR DEED AND DISTRIBUTION

Oct 30, 1961

This cause coming on to be heard on the report of the sheriff of his proceedings under the order of sale herein and the motion of the plaintiff to confirm the sale, the Court having examined the proceedings and being satisfied that the same are in all respects in conformity to law and the orders of the Court, hereby approves and confirms said proceedings and sale, and the sheriff is ordered to convey said TRACT I and TRACT II to John Borland, the purchaser, and TRACT III To. S. A. Laymon, the purchaser, by Sheriff Deed; and the purchasers is subrogated to the rights of all the parties for the protection of his title and a writ of possession is awarded to him.

And the Court coming now to distribute the fun od \$37850.00 in the hands of the sheriff do order that he pay:

1. To the treasurer of this county for taxes (which is ordered to be paid over to said purchaser, he assuming said taxes) the sum of \$361.06; as to John Borland \$309.26; as to S. A. Laymon \$51.80

2. To the Clerk of this Court the costs of this action (including a counsel fee of \$960.00 to attorney for plaintiff), taxed at \$1538.66.

3. To the auctioneer for his acution fee the sum of \$50.00 and for his extra advertising the sum of \$22.29.

4. And the balance of said proceeds; to the plaintiff, the sum of \$11959.33; to the defendant John Borland the sum of \$11959.33, to the defendant, Joie Bevis, the sum of \$11949.33.

Defendant John Borland is hereby granted the right to use his equity in the real estate sold as partial payment on the premises which he purchased.

Record to be made of these proceedings.

APPROVED BY:

John W. Dailey

Title Examiner

Lloyd George Kerns

Attorney for Plaintiff

Gwynn Sanders

Judge of the Court of Common Pleas

Union County, Ohio

FINAL CERTIFICATE OF TITLE

Nov 15, 1961

The undersigned hereby certifies that he has made a through examination of the records of Union County, Ohio, as disclosed by the public indexes, for a period of 60 years prior to the date hereof, relating to the real estate as described in the petition and designated therein as TRACT I; and TRACT II.

This certificate does not purport to cover matters not of record in Union County, Ohio, including rights of persons in possession, questions which a correct survey or inspection would disclosed, rights to file mechanic's liens, special taxes and assessments not shown by the County Treasurer's Records, zoning and other governmental regulations.

The undersigned further certifies, that based upon said records, the fee simple title to said premises is vested in the name of John Borland, by Sheriff's Deed, recorded in the office of the Uninn County Recorder, in Volume 207 page 239, Union County Deed Record.

That said title is marketable and free from encumbrancex, except:

Taxes for theyear 1961, amount not yet determined or payable.

Dated at Marysville, Ohio, this the 14th day of November, 1961.

John W. Dailey

Attorney at Law

Marysville, Ohio

PETITION

Mildred Prose Bona  
80 Cornelia  
Hillsborough, California  
Plaintiff

vs

Suzanne Trees  
Mary Lee Trees, age 18  
209 Amherst Avenue  
Berkeley 8, California

Case No. 18445

Filed June ,2, 1959

Recorded Nov. 21, 1961

Gladys Prose -aka Sister  
Mary Redempta  
39 N. E. Stanton St.  
Portland 12, Oregon

Thomas Kreamer  
Milford Center, Ohio

Morse Kreamer  
Milford Center, Ohio  
Defendants

Now comes Mildred Prose Bona, Plaintiff herein and says that she has a legal estate in fee simple of an undivided 1/3 interest as tenant in common of the following described premises:

Being 123 acres off West side of the following described premises:

Situated in the County ofUnion, State of Ohio, Townships of Allen and Union and part of Surveys No. 4610 and 4278.

Beginning at a stone in the center of the Milford and Allen Center Gravel Road and at the northeasterly corner of lands formerly owned by Cynthia A. Griswold; thence with the center of said Road S. 28 deg. E. 146.20 poles to a stone at the northwesterly corner of Joseph H. Davis' land; thence with six consecutive lines of said land S. 57 deg. 30' W. 81.20 poles to a stone and S. 30deg. E. 41.40 poles to a stone and S. 57 deg. 15' W. 40 poles to a stone and S. 56 deg. W. 35' W. 88 poles to a stone and N. 34 deg. W. 141.40 poles to a stone and S. 56 deg. W. 9.60 poles to a stone at the northeasterly corner to A. and O. H. Reed's land; thence with the northerly line of said land N. 56 deg. 15' W. 51.40 poles to a stone at the southeasterly corner of a 52.25 acre tract of said Joseph H. Davis; thence with the easterly line of said land N. 57 deg. 13' E. 98.30 poles to a stone at the northeasterly corner of said land and at the south easterly corner of said lands formerly owned by Cynthia A. Griswold; thence with the easterly line of said land N. 57 deg. 20' E. 159 poles to the beginning.

Containing two hundred and forty-three (243) acres more or less, 25 acres being in Survey No. 4610 Allen Township and 218 acres being in Survey No. 4278 in Union Township.

Plaintiff says that on the 22nd day of December, 1936 John Kreamer died and by his Last Will and Testament left the above described premises to Rosa Burrell Kreamer for life, then to Mary Prose for life, then to the "child or Children" of Mary Prose.

Plaintiff says that Ros<sup>e</sup> Burrell Kreamer died on April 12, 1957 and that Mary Prose Wilkinson died prior to the death of Rosa Burrell Kreamer



Plaintiff says that Mary Prose Wilkinson had three children, Mildred Prose Bona; Gladys Prose, aka Sister Mary Redempta; and Lucille Prose Trees who died in 1941, leaving her children Suzanne Trees and Mary Lee Trees, now a minor of the age of 18 years.

Plaintiff says that fee simple title to the premises is now vested in Mildred Prose Bona, undivided one-third int.; Gladys Prose, Aka Sister Mary Redempta, undivided one-third; Suzanne Trees, undivided one-Sixth int. and Mary Lee Trees, undivided one-sixth int.

Plaintiff says that Thomas Kreamer and Morse Kreamer have had possession of said premises since the death of Rosa Kreamer on April 12, 1957 and have enjoyed all the profits therefrom without any accounting to the Plaintiff and the other defendants herein for the use and occupancy of said premises.

Wherefore, Plaintiff prays that partition of said premises be made; or if said estate cannot be divided by metes and bounds without manifest injury to its value, then Plaintiff prays that the Court order the property to be appraised and sold and the proceeds of such sale distributed and paid to the plaintiff and defendants herein, in lieu of their respective parts and portions of the estate according to their rights therein; that the said Thomas Kreamer and Morse Kreamer be required to account for the profits derived from the operation of said premises from April 12, 1957 to date, and for such other and further orders and relief as may be warranted in the premises.

Robert O. Hamilton  
William L. Coleman  
Attorneys for Plaintiff

STATE OF OHIO, COUNTY OF UNION, SS:

Robert O. Hamilton, being duly sworn says that he is the Attorney for the Plaintiff in this Action, Mildred Prose Bona, a resident of the County of California; and that the facts stated and allegations contained in the foregoing Petition are true as he verily believes.

Sworn to before me and subscribed in my presence this 1st day of June, 1959.

Robert O. Hamilton  
Helen L. Sullivan  
Clerk of Courts, Union Co. Ohio

PRECIPE

June 2, 1959

TO THE CLERK

Issue summons in the above entitled action to the Sheriff of Union County, Ohio for the Defendants Thomas Kreamer and Morse Kreamer.

Endorse summons, "Action for Partition, accounting and other relief" and make same returnable according to law.

Robert O. Hamilton

SUMMONS IN ACTION FOR PARTITION

The State of Ohio, Union County.  
To the Sheriff of said County:

You are commanded to notify Thomas Kreamer and Morse Kreamer, Milford Center, Ohio that a petition was filed against them on the 2nd day of June A.D. 1959, in the Court of Common Pleas of said Union County, by Mildred Prose Bona and is now pending, wherein the said petition demands partition of the following described real estate, to-wit: (same as in the petition)

and that they must answer by the 4th day of July, 1959, or such petition will be taken as true and partition will be made of said premises according to law.

Said Sheriff will make due return of this summons on the 15th day of June, 1959.

WITNESS my hand and the seal of said Court, at Marysville, Ohio, this 2nd day of June, 1959.

Helen L. Sullivan  
Clerk of Courts

SHERIFF'S RETURN

June 4, 1959

Sheriff's Office, Union County, Ohio June 3rd, 1959.

Received this writ June 2nd, 1959 at 11:00 o'clock A.M. and served the within named Thomas Kreamer and Morse Kreamer, Milford Center, Ohio, Ohio, by personally handing to each of them a true and certified copy of the original writ with all endorsements thereon:

\$2.14

Edward Amrine, Sheriff, Union County  
Martha S. Rogers, Deputy

ANSWER

June 15, 1959.

Now comes the defendants Thomas Kreamer and Morse Kreamer and admits the plaintiff and the defendants Suzanne Trees and Gladys Prose, aka Sister Mary Redempta, are the owners in fee simple of approximately 123 acres of land as described in the petition.

Plaintiff and defendants Suzanne Trees and Gladys Prose, aka Sister Mary Redempta, are the owners of said real estate under the last will and testament of John Kreamer, deceased, which will provides in part as follows:

"Item Fourth-" I give devise and bequeath to my son Thomas during his natural life One Hundred and Twenty acres of the East side of the said described farm as shown under second item subject to the life estate of my beloved wife as aforesaid and at the death of my said son the One Hundred and Twenty Acres shall descend to his Child or Children as the case might be"

"Fifth Item. I give devise and bequeath to my daughter Mary Prose during her natural life One Hundred Twenty Three acres of West side of said described farm as shown under the second item subject to the life estate of my beloved wife and at the death of my said Daughter the said One Hundred Twenty Three acres shall descend to her Child or Children as the case might be"

Defendants Thomas Kreamer and Morse Kreamer says the real estate described in the petition has not been surveyed; that they are unable to determine the boundry line between the real estate owned by the plaintiff, Suzanne Trees and Gladys Prose, aka Sister Mary Redempta and real estate owned by Thomas Kreamer and his children. Answering defendants further denies said tract of land contains One Hundred Twenty Three acres.

Defendants Thomas Kreamer and Morse Kreamer says the 123 acres off of the West side of the tract described in the petition has approximately 40 acres of growing timber and all fences thereon are in bad condition and has been repaired by these defendants several times since April 12, 1957, and taxes have been paid by these defendants, weeds cut and other work performed by the defendants to maintain said premises.

Thomas Kreamer and Morse Kreamer says the repairs made on fences, payment of taxes, cutting weeds and other work performed on the real estate was in excess of benefits received by them in the use of the premises.

Wherefore, defendants, Thomas Kreamer and Morse Kreamer prays that said real estate be surveyed to determine the metes and bounds thereof; that the repairs, taxes and work performed be decreed the reasonable value of the use thereof; that partition be had after a survey of the same, and for such other and further relief as the defendants may justly entitled to.

John W. Dailey  
Attorney for Defendants

State of Ohio, Union County, SS:

Thomas Kreamer, being duly sworn, deposes and says the facts stated and allegations made in the foregoing answer are true, as he verily believes.

Sworn to before me and subscribed in my presence this the 13th day of June, 1959.

Thomas Kreamer  
John W. Dailey  
Notary Public, State of Ohio

JOURNAL ENTRY

August 21, 1959

Upon Motion of the Plaintiff and the Defendants, Thomas Kreamer and Morse Kreamer, who admit that the Plaintiff and the Defendants, Suzanne Trees, Mary Trees, and Gladys Trees, are the owners in fee simple of the land described in the petition, it is the order of the Court that Donald Hart survey said premises and fix the boundrey line of the property described in the 5th (Fifth) item of the Will of John Kreamer, deceased.

APPROVED BY:

William L.Coleman  
Attorney for Plaintiff  
John W. Dailey  
Attorney for Defendants

Richard H. Finefrock  
Judge

AFFIDAVIT

Nov 2, 1959

STATE OF OHIO, COUNTY OF UNION, SS:

The Defendant, Susan Trees and Mary Lee Trees, a minor, reside at 209 Amherst Avenue, Berkeley 8, California and Gladys Prose, aka Sister Mary Redempta, 39 N. E. Stanton St., Portland, Oregon all reside out of the jurisdiction of this Court, and that said minor, Mary Lee Trees resides with her father, George L. Trees, and that service of summons can not be made in this state upon any of the above; and that this case is for Partition of real estate, one of those mentioned in Section 2703.14 of the Revised Code of Ohio.

Robert O. Hamilton  
Attorney

Sworn to before me and subscribed in my presence this 31 day of October, 1959.

Mary Scheiderer  
Notary Public

PROOF OF PUBLICATION

Jan 6, 1960

STATEOF OHIO, Village of Marysville, Union County, ss.

Personally appeared before me Marie M. Strauss and made solemn oath, that the Legal Notice, a copy of which is hereto attached, was published for 6 consecutive weeks on and next after November 2, 1959, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Marie M. Strauss

Sworn to before me and signed in my presence this 8 day of December, A.D. 1959.

W. E. Behrens  
Notary Public

My Commission expires June 22, 1961.  
Printer's Fees, \$38.50

LEGAL NOTICE

Gladys Prose, aka Sister Mary Redempta, 39 N. E. Stanton St., Portland 12, Oregon, Suzanne Trees, Mary Lee Trees, a minor and George L. Trees, her father, who all reside at 209 Amherst Avenue, Berkeley 8, California will take notice that on the 2nd day of June, 1959, Mildred Prose Bona filed a Partition Action in the Court of Common Pleas, Union County, Ohio (Case No. 18445) against the above ~~mentioned~~ named parties praying for partitioning of the following described premises:  
(same as in the Petition)

Said petition prays that if the same can not be divided by metes and bounds without manifest injury to its value, that it be sold.

Said parties are required to answer on or before December 8, 1959.

Mildred Prose Bona;William L.Coleman, Robert O. Hamilton, Attorneys

PRELIMINARY CERTIFICATE

March 1, 1961

The undersigned, being the Attorney designated to certify the title in this cause, hereby certifies that he has examined the proceedings and files in this cause to date and finds as follows:

1. The title to the 123 acres described in the petition herein was vested in the child or children of Mary Wilkinson livingat the time of her death.
2. All necessary parties are properly before the Court.
3. The proceedings herein are regular and in conformity to law.
4. The title of the said child or children of Mary Wilkinson is a good and merchantable title, free and clear from all encumbrances excepting;
  - a. An easement to Rural Electric Co-op Inc. for erecting and maintaining electric lines along the West Side of Milford Center and Allen Center Road, recorded in Deed Vol. 152, page 250.
  - b. Taxes for the year 1960 are now due and payable, being \$323.94 for the 123 acres and the adjoining 120 acres not yet divided.
  - c. Taxes for the year 1960 are now a lien on the premises but are as yetundetermined.

Respectfully submitted  
Todd Hoopes  
Attorney at Law  
Marysville, Ohio

February 28, 1961.

APPLICATION FOR APPOINTMENT OF GUARDIAN AD LITEM

March 9, 1961

To the Hon. Gwynn Sanders, Judge of said Court:

Now comes Mildred Prose Bona, by her attorney, William L.Coleman, and makes application for the appointment of a Guardian Ad Litem for Mary Lee Trees minor 19 over 14 years of age, defendant herein, upon whom summons was duly served according to law and suggests that Joseph B. Grigsby who is a suitable person be appointed as such Guardian Ad Litem.

William L. Coleman  
Attorney for Plaintiff

APPOINTING GUARDIAN AD LITEM

March 9, 1961

On the application of Mildred Prose Bona, by her attorney, William L.Coleman it appearing to the Court that Mary Lee Trees, age 19, a minor of the defendants, herein, has been duly served with summons, and Mary Lee Trees is a minor of the age of 19 years, it is ordered that Joseph B. Grigsby be and he is hereby appointed Guardian Ad Litem for said minor defendant.

Gwynn Sanders  
Judge

ANSWER OF GUARDIAN AD LITEM

March 9, 1961

And now comes Joseph B. Grigsby duly appointed by the Court as Guardian Ad Litem for Mary Lee Trees the minor child of George L. Trees and defendant to the petition in said cause, and for answer to the petition of said plaintiff, says that he has not, by reason of the tender age of said defendant, become informed as tothe truth of the matters set forth in said petition; and therefore, on behalf of said minor defendant, denies the same, and submits the interest of said defendant to the care and protection of the Court, to order in the premises as justice and interests of said defendant shall require.

Joseph B. Grigsby, Guardian Ad Litem



JOURNAL ENTRY DECREETING PARTITION AND  
APPOINTING COMMISSIONERS

March 9, 1961

This day this cause came on to be heard upon the Petition of the Plaintiff, Answer and Cross-Petition of the Defendant, Answer of the Guardian Ad Litem for Mary Lee Trees, a minor, and the evidence, and the Court finds that it has jurisdiction of the subject matter and that all the parties are properly before the Court.

The Court also finds that the Plaintiff is the owner of an estate in fee simple of an undivided one-third (1/3) interest of the 123 acres off the West side of the premises described in the Petition; that Gladys Prose, aka Sister Mary Redempta is also the owner of an undivided one-third (1/3) in said tract; that Suzanne Trees is the owner of an undivided one-sixth (1/6) interest in said tract; that Mary Lee Trees, a minor of the age of 19 years, is the owner of an undivided onesixth (1/6) interest.

The Court further finds that a survey has been made dividing said premises pursuant to the terms of the Will, being a West tract of 120.6 acres and an East tract of 117.6 acres; that the Defendant, Thomas Kreamer owns a life estate in the 117.6 acre East tract and that Morse Kreamer has the remainder interest in said 117.6 acre East tract. The Court further finds that said survey as made by Bruce Keiser, a duly licensed engineer, should be placed of record pursuant to the former order of the Court, and that the costs of said survey be assessed against the real estate and that all parties contribute as their interest appear.

The Court further finds that Plaintiff is entitled to have partition made of said premises as prayed for in the Petition. the question of rents and profits is continued and held in abeyance and to be determined at a later date.

It is therefore, ordered, adjudged and decreed that Partition of said real estate be made and Robert MacIvor, Ralph Brust and Edwin F. Buck, three disinterested and judicial free holders of the vicinity are hereby appointed commissioners to make said appraisal.

It is further ordered that his Writ issued to the Sheriff of Union County, Ohio, commanding him that by the oaths of said Commissioners, he cause to be set forth and divided to each of the above named parties the part and property of said estate to which they are herein before severally found to be entitled (exceptthe questions of rents and profits which is continued as stated above) and of his proceeds held by said Sheriff is ordered to make due return' to the Court.

Gwynn Sanders  
Judge

APPROVED BY:  
William L. Coleman  
Attorney for Plaintiff  
John W. Dailey  
Attorney for Defendants, Thomas Kreamer and Morse Kreamer  
Joseph B. Grigsby  
Guardian Ad Litem

PRECIPE

TO THE CLERK:

Issue Writ of Partition to the Sheriff of Union County, Ohio, in this proceeding and make same returnable according to law.

William L. Coleman  
Attorney for Plaintiff

LAND APPRAISEMENT

March 17, 1961

WHEREAS, the Sheriff of said County, having in his hands an Order of Sale, issued from the Court of Common Pleas of said County, on the 9th day of March, A.D. 1961, in a decree in favor of Mildred Prose Bona and against Suzanne Trees; et al commanding said Sheriff to cause to be appraised, advertised and sold, the following described lands and tenements situate in Allen and Union Townships, County of Union and State of Ohio, to-wit:

(same as in the petition)  
did summon us, Robert MacIvor, Ralph Brust and Edwin F. Buck three disinterested freeholders, residing within said County of Union and administered to us an oath impartially to appraise said lands and tenements upon actual view thereof.

Now, We, after actual view of said premises, and forthiwith after such view, do find and estimate the real value in money of said premises to be as follows, Viz: \$27,000.00.

In Testimony Whereof, We hereunto set our hands this 16th day of March, 1961.

ATTEST  
Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

Ralph Brust  
R. MacIvor  
Edwin F. Buck

The State of Ohio, Union County.

I hereby certify that I called an inquest of Ralph Brust, Robert MacIvor, and Edwin F. Buck three disinterested freeholders, residents of Union County, Ohio, and administered to them an oath impartially to appraise the within described property upon actual view.

Dated this 16th day of March, 1961.

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

WRIT OF PARTITION

To the Sheriff of said County:

Pursuant to an order of our said Court of Common Pleas within and for said County, made at the January, Term, A.D. 1961, in a certain case No. 18445 now pending in said Court, Wherein Mildred Prose Bona plaintiff, and Suzanne Trees, et al, defendants, you are commanded that, by the oaths of Robert MacIvor, Ralph Brust, and Edwin F. Buck three disinterested and judicious freeholders of the vicinity who were appointed by the Court as Commissioners for such purpose, you cause to be set off and divided the following described premises, situate in the Townships of Allen and of Union County of Union and State of Ohio, to-wit:

(same as in the petition)  
To the persons named herein, and in the following proportions, to-wit:  
To Mildred Prose Bona 1/3 part.  
To Gladys Prose, aka Sister Mary Redempta, 1/3 part.  
To Suzanne Trees 1/6 part.  
To Mary Lee Trees, age 19, 1/6 part.

But if the said ommissioners are of opinion that said premises cannot be divided according to the demand of this writ without manifest injury to its value, you cause them to make a just valuation of the same in money and of this writ and your proceedings thereon and of the proceedings of said Commisssioners under this writ, you make return to our said Court forthwith.

WITNESS my hand and the seal of said Court, at Marysville, Ohio, this 9th day of March, 1961.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

March 17, 1961

I received this writ on the 9th day of March, 1961, at 4:15 o'clock P.M. and in obedience to its command, I have executed the same by the oaths of Ralph Brust, Robert Macivor, and Edwin F. Buck the Commissioners therein named, causing to be set off and divided the premises in said Writ described.

The said Commissioners being of the opinion that the said premises cannot be divided without manifest injury to its value, I have caused the same to be appraised.  
All of which will appear by the report of said Commission, herewith returned.  
Given under my hand this 16th day of March, 1961.

Edward Amrine, Sheriff

COMMISSIONERS' REPORT

We are of the opinion that the said estate cannot be divided according to the demand of the writ without manifest injury to its value, and we do estimate the just value of the same at Twenty-seven thousand no/100 (\$27,000.00).  
Given under our hands this 16th day of March, 1960.

Ralph Brust  
R. MacIvor  
Edwin F. Buck  
Commissioners

JOURNAL ENTRY

August 7, 1961

the  
Upon/motion of Plaintiff for re-appraisal in partitioning in accordance with the courts order herein of March 9, 1961 the court finds that the within described property was offered for sale at public sale by the Sheriff of Union County on the 6th day of May, 1961 at 11:00 o'clock AM. and that a Sheriff's return indicating there being no bidders  
It appearing to the court that a new appraisement should be, and is hereby ordered to be made on said real estate, the court hereby appoints Ralph Scheiderer, Harold Rausch and Fred Johnson, three judicious and disinterested persons of the vicinity, not next of kin of the Plaintiff, be and they hereby are appointed appraisers to appraise said real estate at its true value in money, after being first duly sworn according to law. It is further ordered that said appraisement be returned to the Court for confirmation.

Gwynn Sanders  
Judge

APPROVED BY:

William L. Coleman  
Attorney for Plaintiff  
John W. Dailey  
Attorney for Defendants, Thomas  
Kreamer and Morse Kreamer  
Joseph B. Grigsby  
Guardian Ad Litem

PRECIPE  
TO THE CLERK:

Please issue alias writ of partition to the Sheriff of Union County in this proceeding and make same returnable according to law.

William L. Coleman  
Attorney for Plaintiff

CONFIRMATION OF REPORT AND ORDER FOR SALE

March 28, 1961

This cause came on to be heard on the return of the Sheriff and the return of the Commissioners on the Writ of Partition herein issued, and upon consideration the Court finds that said proceedings are in all respects in conformity to law and the orders of the court, and the same is hereby approved and confirmed, and neither of the parties electing to take said premises, it is ordered that said premises be sold at public auction by the Sheriff upon the following terms.

10% down upon date of sale and the balance upon confirmation of sale and delivery of deed.  
This cause is continued.

APPROVED BY:

William L. Coleman  
Attorney for Plaintiff  
John W. Dailey  
Attorney for Defendant  
Joseph B. Grigsby  
Guardian Ad Litem of Mary Lee Trees  
odd Hoopes  
Title Examiner

Robert F. Allen  
Judge

PRECIPE

March 28, 1961

TO THE CLERK:

Issue order of sale to the Sheriff of Union County, Ohio and make same returnable according to law.

William L. Coleman  
Attorney for Plaintiff

ORDER OF SALE IN PARTITION

To the Sheriff of said County, Greeting:

In pursuance of the order of our Court of Common Pleas, within and for the County of Union at the January Term, A.D. 1961, in a certain petition for partition, now pending in said Court, wherein Mildred Prose Bona, plaintiff, and Suzanne Trees, et al defendant, we command you that without delay, you proceed to sell at public auction, the lands and tenements in said petition described, to-wit:

(Same as in the Petition)

Appraised at \$27,000.00; and that your proceedings in the premises you make known to our said Court of Common Pleas within sixty days from the date hereof, and have you then and there this Writ.

WITNESS my hand and the seal of said Court, at Marysville, Ohio, this 28th day of March, 1961.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

May 10, 1961

I received this Order of Sale on the 28th day of March, 1961, and in obedience to the command of the same, I did, on the 30th day of March, 1961, cause to be advertised in the Journal-Tribune, (a newspaper printed and published and of general circulation in Union County, Ohio), said lands and tenements to be sold at public sale, at the door of the Court House of said County, on the 6th day of May, A.D. 1961, at 11 o'clock AM. of said day. And having advertised the said lands and tenements for more than thirty days previous to the day of sale, to-wit: five consecutive weeks; and, in pursuance to said notice, I did, on said 6th day of May A.D. 1961, at the time and place above mentioned, proceed to offer said lands and tenements at public sale, and then and there no bidder, there being no bidders, I return this writ.

Edward Amrine, Union County Sheriff  
By Martha Rogers

Sheriff's Fees \$.10  
Deed \$.00



LAND APPRAISEMENT

August 18, 1961

WHEREAS, the Sheriff of said County, haveing in his hands Writ of Partition issued from the Court of Common Pleas of said County, on the January term A.D. 1961, in a decree in favor of Mildred Prose Bona and against Suzanne Trees, et al commanding said Sheriff to cause to be appraised, advertised and sold, the following described lands and tenements situate in Allen and Union Townships, County of Union and State of Ohio, to-wit:

(same as in the petition)

did summon us Fred Johnson, Ralph H. Scheiderer, and Harold A. Rausch, three disinterested freeholders, residing within said County of Union and administered to us an oath impartially to appraise said lands and tenements upon actual view thereof.

Now We, after actual view of said premises, and forthwith after such view, do find and estimate the real value in money of said premises to be as follows, viz: Sixteen Thousand no/100 (\$16,000.00)

In Testimony Whereof, We hereunto set our hands this 18th day of Aug. 1961.

ATTEST:

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

Fred Johnson  
Ralph H. Scheiderer  
Harold A. Rausch

The State of Ohio, Union County.

I hereby certify that I called an inquest of Fred Johnson, Ralph H. Scheiderer, and Harold A. Rausch, three disinterested freeholders, residents of Union County, Ohio, and administered to them an oath impartially to appraise the within described property upon actual view.

Dated this 18th day of August, 1961.

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

ALIAS WRIT OF PARTITION

To the Sheriff of said County:

Pursuant to an order of our said Court of Common Pleas within and for said County, made at the January Term, A.D. 1961, in a certain case No. 18445 now pending in said Court, wherein Mildred Prose Bona plaintiff, and Suzanne Trees, et al defendants, you are commanded that, by the oaths of Ralph Scheiderer, Harold Rausch and Fred Johnson, three disinterested and judicious freeholders of the vicinity who were appointed by the Court as Commissioners for such purpose, you cause to be set off and divided the following described premises, situate in the townships of Allen and Union, County of Union and State of Ohio, towit:

(same as in the petition)

To the persons named herein, and in the following proportions, to-wit:

To Mildred Prose Bona 1/3 part.

To Gladys Prose, aka Sister Mary Redempta 1/3 part.

To Suzanne Trees 1/6 part.

To Mary Lee Trees, age 19 1/6 part.

But if the said Commssioners are of opinion that said premises cannot be divided according to the demand of this writ without manifest injury to its value, you cause them to make a just valuation of the same in money and of this writ and your proceedings thereon and of the proceedings of said Commissioners under this writ, you make return to our said Court forthwith.

WITNESS my hand and the seal of said Court, at Marysville, Ohio, this 7th day of August, 1961.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

SHERIFF'S RETURN

August 18, 1961

I received this writ on the 7th day of August, 1961 at 2:00 o'clock P.M. and in obedience to its command, I have executed the same by the oaths of Fred Johnson, Ralph H. Scheiderer and Harold A. Rausch the commissioners therein named, causing to be set off and divided the premises in said Writ described.

The said Commissioners being of the opinion that the said premises cannot be divided without manifest injury to its value, I have caused the same to be appraised.

All of which will appear by the report of said Commissioner, herewith returned.

Given under my hand this 18th day of Aug. 1961.

Edward Amrine, Union County Sheriff  
By Deputy, Martha Rogers

COMMISSIONERS' REPORT

We are of the opinion that the said estate cannot be divided according to the demand of the writ without manifest injury to its value, and we do estimate the just value of the same at \$16,000.00 (sixteen thousand no/100)

Given under our hands this 18th day of August, 1961.

Fred Johnson  
Ralph H. Scheiderer  
Harold A. Rausch  
Commissioners

PROOF OF PUBLICATION

May 3, 1961

STATE OF OHIO, Village of Marysville, Union County, ss.

Personally appeared before me, Marie M. Strauss and made solemn oath, that the Sheriff's Sale a copy of which is hereto attached, was published for 5 consecutive weeks on and next after March 30, 1961, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in The Village of Marysville and Union County.

Marie M. Strauss

Sworn to before me and signed in my presence this 28 day of April, A.D. 1961.

W. E. Behrens  
Notary Public

My commission expires June 22, 1961

Printer's Fees, \$33.00

SHERIFF'S SALE, No. 18445, On Order on Sale on Partition, Mildred Prose Bona, Plaintiff, vs. Suzanne Trees, et al Defendant. COURT OF COMMON PLEAS, UNION COUNTY, OHIO.

By virtue of the above stated writ to me directed from the Court of Common Pleas of Union County, Ohio, I will offer for sale at the north door of the Court House, in Marysville, Ohio, on the 6th day of May, 1961, at or about the hour of eleven o'clock A.M. on said day the following described real estate, to-wit:

(same as in the petition)

Appraised at \$27,000.00 (Twenty seven thousand dollars )no/100, Terms of Sale: 10% Ten per cent on day of sale and the balance upon the confirmation of sale and delivery of deed.

EDWARD AMRINE, Sheriff of Union County, Ohio William L. Coleman, Attorney

CONFIRMATION OF REPORT AND ORDER FOR SALE

August 26, 1961

This case came on to be heard on the return of the Sheriff of Union County, and the return of the Commissioners on the Writ of Partition herein issued, and upon consideration, the Court finds that said proceedings are in all respects in conformity to law and the orders of the Court, and the same is hereby approved and confirmed, and none of the parties having elected to take said premises, it is ordered that said premises be sold at public auction by the Sheriff of Union County upon the following terms:

Ten Per Cent (10%) down upon date of sale and the balance upon confirmation of sale and delivery of Deed.  
This case is continued.

Gwynn Sanders  
Judge

APPROVED BY:  
William L. Coleman  
Attorney for Plaintiff  
John W. Dailey  
Attorney for Defendants, Thomas  
Kreamer and Morse Kreamer  
Joseph B. GrigsbyGuardian Ad Litem

PRECIPE

August 26, 1961

TO THE CLERK

Issue Order of Sale to the Sheriff of Union County, Ohio, and make same returnable according to law.

William L. Coleman  
Attorney for Plaintiff  
Mildred Prose Bona  
Oct 2, 1961  
Gwynn Sanders  
Judge

PRE TRIAL CONFERENCE

The above mentioned case has been set for Pre-Trial conference on Tuesday, October 10th, 1961 at 9:00 o'clock AM.

ORDER FOR TRIAL

The above mentioned cause has been set for trial on Saturday November 4th, 1961 at 9:00 o'clock AM.

Oct 13, 1961  
Gwynn Sanders  
Judge

ORDER OF SALE IN PARTITION

To the Sheriff of said County, Greeting:

In pursuance of the order of our Court of Common Pleas, within and for the County of Union at the January Term, A.D. 1961, in a certain petition for Parititon, now pending in said Court, wherein Mildred Prose Bona plaintiff, and Suzanne Trees, et al defendants, we command you that without delay, you proceed to sell at public aution, the lands and tenements in said petition described, to-wit:

(same as in the petition)  
Appraised at \$16,000.00 free of any dower interest; and that your proceedings in the premises you make known toour said Court of ommon Pleas within sixty days from the date hereof, and have you then and there this writ.

WITNESS my hand and the seal of said Court, at Marysville, this 26th day of August, A.D. 1961.

Helen L.Sullivan, Clerk

SHERIFF'S RETURN

Oct 17, 1961

I received this Order of Sale on the 26th day of Aug. 1961, and in obedience to the command of the same, I did, on the 25th day of Aug. 1961, cause to be advertised in the Journal-Tribune, (a newspaper printed and published and of general circulation in Union County, Ohio) said lands and tenements to be sold at public sale, at the door of the Court House of said County, on the 30th day of Sept. A.D. 1961, at 11 o'clock AM. of said day. And having advertised the said lands and tenements for more than thirty days previous to the day of sale, to-wit: five consecutive weeks; and in pursuance to said notice, I did, on said 30th day of Sept. A.D. 1961, at the time and place above mentioned, proceed to offer said lands and tenements at public sale; and then and there came Thomas Kreamer who bid for the same the sum of Eighteen ThousandDollars no/100 \$18,000.00 Dollars, and said sum being over two-thirds of the appraised value thereof, and said Thomas Kreamer being the highest and best bidder therefor, I then and therepublicly sold and struck off said lands and tentments to him for the said sum of Eighteen Thousand Dollars no/100 Dollars

\$187.00

Edward Amrine, Union County Sheriff  
By Deputy: Martha Rogers

PROOF OF PUBLICATION

Oct 21, 1961

STATE OF OHIO, VILLAGE OF MARYSVILLE, UNION COUNTY, SS.

Personally appeared before me, Marie M. Strauss and made solemn oath, that the Sheriff's sale a copy of which is hereto attached, was published for 6 consecutive weeks on and next after August 25, 1961, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Sworn to before me and signed in my presence this 29 day of September, A.D. 1961.

Marie M. Strauss  
W. E. Behrens

My commission expires June 22, 1964.

Printer's Fees, \$43.33

SHERIFF'S SALE, Case No. 18445, On Order of Sale on Partition, Mildred Prose Bona, Plaintiff, vs. Suzanne Trees, et al, defendants, COURT OF COMMON PLEAS, UNION COUNTY, OHIO.

By virtue of the above stated writ to me directed from the Courtof Common Pleas of Union County, Ohio, I will offer for sale at the north door of the Court House, in Marysville, Ohio on the 30th day of September, 1961 at or about the hour of eleven o'clock A.M. on said day the following described real estate to wit:

(same as in the Petition)  
Appraised at \$16,000.00 (sixteen Thousand Dollars ) no/100 Terms of Sale: 10% down on day of sale and the balance upon the confirmation ofsale and delivery of Deed.

EDWARD AMRINE, Sheriff Of Union County, Ohio William Coleman and Daniel T. Lehigh, Attorneys

JOURNAL ENTRY CONFIRMING SALE AND ORDERING DISTRIBUTION

Nov 13, 1961

This day this cause came on to be heard on the report of the Sheriff of Union County, Ohio of his proceedings under the former order of this court, and upon the Motion of Petitioner to confirmthe sale made in obedience to said order; the courthaving carefully examined said order, and finding theproceedings of said Sheriff in all respects correct and being satisfied that said sale was fairly and legally made it is ordered that the same be and hereby is approved and confirmed.

It is further ordered that said Sheriff of Union County execute a deed of all the right title and interest of the said Mildred Prose Bona, Gladys Prose, aka Sister Mary Redempta, Suzanne Trees and Mary Lee Trees in said real estate to the Purchaser, Thomas Kreamer,

Upon said purchaser paying into the court the sum of \$18000.00.

And now this cause coming on further to be heard upon the pleading herein for the distribution of the proceeds of the sale amounting to the sum of \$18,000.00. The Court finds that said amount should be distributed as follows:

1. To the Clerk of Courts of the County of Union, the sum of \$1777.62 being the costs taxed herein, enumerated and set forth as follows:

1. Clerk's Fees	\$ 44.95
2. Sheriff's fee (this amount includes 1% of the sale price as poundage in the sum of \$180.00	207.44
3. Surveyor's fee	330.00
4. Auctioneer's Fee 2 auctions	50.00
5. Revenue Stamps onDeed	19.80
6. Printers Fees	114.83
7. Appraisers Fees	30.00



8. Guardian Ad Litem	\$ 5.00
9. Notary Fees	.80
10. Notary Fee	.80
11. Court Counsel Fees	100.00
12. Title Examination	64.00
13. Counsel fees of \$560.00 to Coleman & Lehigh, a percentum of \$18,000.00 and \$250.00 as additional fees necessitated by two sale proceedings	810.00

In accordance with the order of the Court, the sum of \$165.00, being one-half of the survey, shall be paid by Thomas Kreamer and Morse Kreamer, to the Clerk of Courts and applied to the costs taxed herein leaving a balance of \$1612.62.

- |  |            |
|--|------------|
| 2. To the Plaintiff, Mildred Prose Bona, her undivided one-third interest in the balance of the purchase money amounting to                                      | \$5462.46  |
| 3. To the Defendant Gladys Prose, aka Sister Mary Redempta, her undivided one-third interest in the balance of the purchase money amounting to                   | \$5462.46  |
| 4. To the Defendant, Suzanne Trees, her undivided one-sixth interest in the balance of the purchase money amounting to   | \$2731.23  |
| 5. To the Defendant Mary Lee Trees, a minor, by her guardian George L. Trees, her undivided one-sixth interest in the balance of the purchase money amounting to | \$2731.23. |

APPROVED BY:  
Daniel T. Lehigh  
Attorney for Plaintiff  
John W. Dailey  
Attorney for Defendants  
todd Hoopes  
Title Examiner

Gwynn Sanders  
Judge

JOURNAL ENTRY

Nov 15, 1961

This day this cause came on for hearing on the rents and profits of the real estate from April, 1957, to date. The Court hearing the evidence finds that the Defendants have had the use and occupancy of the land during said period.

That during said time, the Defendants paid the taxes, made repairs on the fences and tiles, and performed other work and labor. Deducting said taxes and other expenses of the Defendants, the Court finds the reasonable value of the rents and profits amount to the sum of Two Thousand Two Hundred fifty Dollars (\$2,250.00).

Therefore, it is ordered, adjudged and decreed that the Defendants, Thomas Kreamer and Morse Kreamer, pay the sum of Two ThousandTwo Hunted fifty Dollars (\$2,250.00). Said payment to be made to Coleman & Lehigh, counsel for the Plaintiff.

APPROVED BY:  
Daniel T. Lehigh  
Attorney for Plaintiff  
John W. Dailey  
Attorney for Defendants  
November 14, 1961.

Gwynn Sanders  
Judge

Received this date from Thomas Kreamer and Morse Kreamer, the sum of Two Thousand Two Hundred Fifty (\$2,250.00) Dollars, in full satisfaction of this judgment.

Coleman & Lehigh, Counsel for Plaintiffs  
By William L. Coleman

FINAL CERTIFICATE OF TITLE

Nov. 15, 1961

The undersigned, being the Attorney designated to certify the title in this cause, hereby certifies that he has examined the proceedings and files in this cause and the title to the 123 acres described in the Petition, and resurveyed as 120.60 acres, to date and finds that:

1. All necessary parties are properly before the Court.
2. All the proceedings herein are regular and in conformity to law.
3. The Sheriff's Deed to Thomas Kreamer recorded in Deed Vol. 207, page 243, Records of Union County, Ohio, upon recording conveyed a good and merchantable title to said premises to the said Thomas Kreamer, free and clear from all encumbrances excepting:
  - A. An easement to Rural Electric Co-op Inc. for erecting and maintaining electric lines along the West Side of Milford Center and Allen Center Road, recorded in Deed Vol. 152, page 250.
  - B. Taxes for the year 1961 are now a lien on the premises but are as yet undetermined.

Respectfully submitted  
Todd Hoopes  
Attorney at Law  
Marysville, Ohio

PETITION

Owen Williams  
Middlefield, Ohio  
Plaintiff

vs

Dewey M. Hines and Mary C. Hines  
Defendants

Case No. 18901  
Filed August 7, 1961  
Recorded November 24, 1961

The Plaintiff says

The Defendants, on the 14th day of October, 1953, executed and delivered to this plaintiff their promissory note of that date, with warrant of attorney annexed, true copies of which warrant and note, with all the endorsements thereon, are hereto attached, marked "Exhibit A" and made a part of this petition.

Saidnote is unpaid;except as shown by said endorsements,and there is now due the plaintiff on said note the sum of Five Hundred Fifty (\$550.00) dollars, and no cents, with interest at the rate of 6 per cent. per annum, from the 1st day of January, 1960.

Wherefore, plaintiff prays judgment against said defendants for the sum of Five Hundred Fifty (\$550.00) dollars, and no cents with interest thereon from the 1st day of January, 1961, at the rate of 6 per cent.per annum till paid, and for costs of suit.

Luther L. Liggett  
Attorney for Plaintiff

The State of Ohio, Union County, ss.

Luther L. Liggett, being duly sworn says that he is the attorney of said plaintiff, that this action is brought upon an instrument in writing for the unconditional payment of money only, that said instrument in writing is in his possession, and that he verily believes the statements contained in the foregoing petition are true, in substance and in fact.

Luther L. Liggett  
in my presence, this 5th day of August, 1961.  
Helen L. Sullivan, Clerk of Courts, Union Co. Ohio

Sworn to by said Luther L. Liggett before me, and by me signed



\$600.00      October 14, 1953

On demand after date, for value received, we promise to pay to the order of Owen Williams Six Hundred Dollars with interest, at the rate of 6 % per centum per annum at until paid.

And we hereby authorize any Attorney at Law to appear in any Court of Record in the State of Ohio, after the above obligation becomes due, and waive the issuing and service of process and confess a judgment against us in favor of the holder hereof for the amount then appearing due, together with costs of suit, and thereupon to release all errors and waive all right of appeal.

Due Oct 14, 1954

/s/ Dewey M. Hines  
/s/ Mary C. Hines

## ANSWER OF DEFENDANT

By virtue of the warrant of attorney annexed to and mentioned in the foregoing petition, I, an attorney at law in the several courts of this state, do hereby enter an appearance for said defendants, in this suit and waive the issuing and service of process therein, and confess a judgment in favor of said plaintiff against defendants, on said note for the sum of Six Hundred Two dollars, and twenty-five cents, being the amount appearing due for principal and interest on said note, and also for costs of suit, taxed and to be taxed; and I hereby release and waive all exceptions, errors, and right of appeal of the premises.

Richard E. Parrott  
Attorney for Defendant

## JUDGMENT ENTRY

\$602.25  
August 7, 1961

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

It is therefore considered that said plaintiff recover from said defendants the sum of Six Hundred two dollars and twenty five cents, being the amount of said note and unpaid interest due thereon from the 1st day of January, 1960 to date of judgment and revoer his costs herein expended, taxed at \$ , and interest on said judgment at 6 per cent. per annum, from said date of judgment until paid.

Gwynn Sanders, Judge

## PRECIPE

August 15, 1961

To the Clerk:

Issue execution vs defendants in the above entitled case directed to the Sheriff of Union Co. Ohio returnable according to law.

Dated August 15, 1961

Luther L. Liggett  
Attorney for Plf.

## EXECUTION

The State of Ohio, Union County.  
To the Sheriff of said County:

You are Hereby Commanded, That of the goods and chattels in your County of Dewey Hines & Mary C. Hines you cause to be made the sum of Six Hundred Two & 25/100 Dollars debts, and Nineteen & 05/100 and Sheriff Costs on Execution costs of suit, which by the judgment of said Common Pleas Court at the May Term thereof, 1961, Owen Williams, Middlefield, Ohio recovered against the said Dewey M. Hines and Mary C. Hines with interest thereon at therate of 6 per cent. per annum, from the 7th day of August, 1961, until paid; and also the costs of increase on said judgment and the accruing costs hereon; and for want of goods and chattels that you cause the lands and tenements in your County, of the said Dewey M. Hines and Mary C. Hines to be sold for cash. And make due return of this writ in sixty days.

WITNESS my hand and the seal of said Court, this 15th day of August, 1961.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

August 18, 1961

Sheriff's Office, Union County, Ohio

Received this writ on the 15th day of August, 1961 at 11:15 o'clock and pursuant to its command no goods and chattels being found whereon to levy or make the money, I did, on the 17th day of August, 1961, levy upon real estate situated in the County of Union, State of Ohio, and Township of York and located in V. M. Survey No. 3235 and bounded and described as follows:

(1) Beginning at a stone in the east line of George N. Connor's land, and northwest corner to John Hoover's land; thence south 79 degrees; east 59.88 poles to a stone, wouthwest corner of Samuel Hoover;s land; thence north 7½ degrees, east 106 poles to a stone, southeast corner to Rachel A. Hines' land; thence north 79 degrees west 59.10 poles with said Rachel A. Hines' south line to a stone in the east line of E. Toby's land; thence south 7½ degrees, west 106 poles to the place of beginning, containing 39 acres; being the same premises conveyed by Adam Hoover to William Hoover by deed dated January 28th, 1878 recorded in book No. 46, Page 7, Union County deed records.

(2) Beginning at a stone in E. Toby's south line and northeast corner to the land owned by Joseph Hines; thence north 76 degrees, east 69.20 poles with said E. Toby's south land line to a stone northwest corner to land owned by Nathaniel Brooks; thence south 9 degrees, west 113.90 poles to a stone in the center of the road leading from East Liberty to Richwood; thence with the center of ~~the road leading from East Liberty to Richwood; thence~~ said road south 49 degrees, west 40 poles to a stone in John Hoover's north land line; thence north 78 degrees, west 41.80 poles with said Hoover's north land line to a stone; thence north  $8\frac{1}{2}$  degrees, east 148.70 poles, crossing Bokes Creek to the place of beginning containing 60.40 acres of land.

The two foregoing described tracts of land are the same lands formerly conveyed to Jennie Frank by Robert J. Myers, Administrator and C, by Deed dated September 10, 1896 recorded in Book 72 Page 484 Union County record of deeds containing 99.40 acres.

(3) Beginning at a stone northwest corner to Samuel Hoover's land and in J. E. Foley's land line; thence north  $78\frac{1}{2}$  degrees west 59.4 poles with said Foley's south line to a stake, northeast corner to his land; thence south  $8\frac{1}{2}$  degrees west 40.4 poles to a stake in the center of new county road; thence south  $78\frac{1}{2}$  degrees east 59.4 poles to a stone northeast corner to Adams Hoover's land; thence north  $8\frac{1}{4}$  degrees east 40.4 poles to the place of beginning, containing 15 acres. Situated in the township of York, Union County, State of Ohio.

(4) Beginning part of Survey No. 3235 beginning at a stone instead of a stake in N. line of said survey No. 3235 and in the center of county road being the northeast corner of said lot No. 3 thence with the north line of said survey N. 75  $\frac{3}{4}$  degrees, west 121 poles to a sugartree; thence with the west line of said survey or lot No. 3, south 10  $\frac{1}{2}$  degrees, west 66.12 poles to a stake in said line; thence south 75  $\frac{3}{4}$  degrees, east 121 poles to a stake in the east line of said lot no. 3; thence with said line N. 10 and  $\frac{1}{4}$  degrees E. 66.12 poles to the place of beginning, containing fifty acres more or less.

(5) Also the following premises part of survey 5290 and bounded and described as follows, beginning at a stone in the center of a dirt road and in the S. line of said survey No. 5290; thence with the S. line of said survey N.  $76\frac{1}{4}$  degrees W. 121 poles to a stone in the E. line of George Reeders land; thence N.  $10\frac{3}{4}$  degrees E. 34.70 poles to a stone and broken tile in the center of the dirt road; thence S.  $10\frac{3}{4}$  degrees, W. 34.70 poles to the place of beginning, containing 26.10 acres more or less.



(6) Also the following premises, part of Surveys Nos 3235 and 5290 and bounded and described as follows. Beginning at a line stone at the N. E. corner of A. P. Harvey's land, thence with the N. line of said land N. 79 degrees, W. 52.80 poles to a stone at the S. E. corner of Rebecca M. Dallys land; thence N. 10 degrees, 45' E. 194 poles to a stone at the S. W. corner of Hale I. Dally's land; thence with the S. line of said land S. 79 degrees E. 52.80 poles to a stone in the east line of said Isaac Dally's land; thence with said line S. 10 degrees 45' W. 194 poles to the beginning, containing Sixty-four (64) acres more or less and including an easement or right of way from the above described premises to the Byhalia and West Mansfield gravel road through the lands of Ivory E. Dally.

This execution returned on the property unsold because of prior recorded liens.

\$5.60

Edward Amrine, Sheriff Union County, Ohio  
By Deputy: Martha Rogers

PETITION

Joan Robertson  
Plaintiff  
vs  
Max Robertson  
Ohio State Penitentiary  
Defendant

Case No. 18957  
Filed Oct 31, 1961  
Recorded December 20th, 1961

Plaintiff has been a resident of Union County, Ohio for at least one year immediately preceding the filing of this petition.

Plaintiff and defendant were married at Angola, Indiana on the 23rd day of May, 1955 and there are two children, the issue of such marriage, who are now with the plaintiff and whose names and birth dates are Beverly Elaine Robertson born September 27, 1956 and Karen Gale Robertson, born September 18, 1957.

Plaintiff says that defendant is now imprisoned in a state penal institution, namely, the Ohio State Penitentiary at Columbus, under sentence thereto.

Plaintiff says that during such marriage she has been a dutiful wife.

Wherefore, plaintiff prays that she be granted a divorce from defendant, and awarded custody of their said minor children; that she be granted reasonable support for their minor children; that she be awarded her costs; and for such other relief in law and equity as shall be necessary.

Robert O. Hamilton  
Attorney for Plaintiff

STATE OF OHIO, UNION COUNTY, ss

Joan Robertson, being first duly sworn, says that she is the plaintiff in the foregoing petition and that the facts stated and allegations contained therein are true as she verily believes.

Sworn to and subscribed before me and in my presence this 28th day of October, 1961.

Joan Robertson  
Helen R. Heller  
Notary Public, Union Co. Ohio

PRECIPE

Oct. 31, 1961

TO THE CLERK

Please issue summons and certified copies of the Petition herein to the Sheriff of Franklin County, Ohio for service upon the Defendant, Max Robertson and upon the Warden of the Ohio State Penitentiary.

Endorse on summons "Action for divorce, custody of minor children, and equitable relief."

Robert O. Hamilton  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Franklin County:

You are hereby commanded to notify Max Robertson, Ohio State Penitentiary, & the Warden of the Ohio State Penitentiary that Joan Robertson has filed in the Office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with imprisonment in a State Penal Institution - Ohio State Penitentiary at Columbus and asking that she be divorced from him and awarded custody of their minor children; that she be granted reasonable support for their minor children; costs and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 13th day of November, 1961.

WITNESS my hand and seal of said Court, this 31st day of October, 1961.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

Nov 4, 1961.

The State of Ohio, Franklin County.

Received this writ on the 1st day of Nov. 1961, at 9:17 o'clock AM and on the 2nd day of Nov. 1961, I served the same by personally handing to Max Robertson & Warden Maxwell a true copy thereof, together with a certified copy of the petition filed against him in this cause.

Stacy R. Hall, Sheriff of Franklin County  
By T. Fagin, Deputy

\$ .379

DECREE OF DIVORCE

Dec. 16, 1961

And now comes the said Plaintiff, by her Attorney, and the Defendant having been duly served with summons and a copy of the petition herein the Court finds that the Defendant is in default for answer or demurrer to the petition, thereby confessing the allegations thereof to be true.

The Court also finds that the Plaintiff, at the time of filing her petition, had been a resident of the State of Ohio for one year next prior thereto and was, at the time of filing said petition and for at least ninety days immediately preceding the same, a bona fide resident of this County of Union and that the parties hereto were married on the 23rd day of May 1955, as in said petition set forth.

The Court further finds, upon the evidence adduced, that the Defendant was imprisoned in the Ohio State Penitentiary under sentence thereon on October 31, 1961 and by reason thereof the Plaintiff is entitled to a divorce as prayed for.

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

It is further ordered that the custody, care, education and control of the children, to-wit: Beverly Elaine Robertson and Karen Gale Robertson of the said parties hereto be, until further order, confided to the said Joan Robertson. And the said Max Robertson is hereby enjoined from interfering in any manner with either the said children, or with Joan Robertson in the custody, care, education and nurture thereof until further order of this Court.

It is further ordered that Defendant pay to the Plaintiff through the Clerk of this Court for support of said children the sum of \$20.20 per week commencing two (2) weeks after his release from imprisonment.

It is further considered by the Court that the said Joan Robertson recover from said Max Robertson costs herein expended, and it is ordered that the said Plaintiff pay the costs of this prosecution. Record.



APPROVED:  
Robert O. Hamilton  
Attorney For Plaintiff

Gwynn Sanders  
Judge

PETITION FOR DIVORCE

Roxie Welsh  
Route 2  
Richwood, Ohio  
Plaintiff  
vs  
Watt Lee Welsh  
Route 2  
Richwood, Ohio  
Defendant

18923  
Filed Sept 14, 1961  
Recorded Jan. 9, 1962

The Plaintiff, Roxie Welsh, says she has had a bona fide residence in the State of Ohio and in the County of Union for more than one year last proceeding the filing of this Petition for Divorce.  
The Plaintiff says that she and the Defendant, Watt Lee Welsh, were married in Radnor, Ohio, on or about the 12th day of February, 1918.  
The Plaintiff says the following children have been born as the issue of said marriage, namely, Harold B. Welsh, aged 32 years; Paden Eugene Welsh, aged 28 years; Mary A. Pershing, aged 26 years; and George Welsh, aged 23 years; Ross Lee Welsh, one of the children of said parties, being now deceased.  
The Plaintiff says the Defendant has been guilty of gross neglect of duty and extreme cruelty, the exact nature of which will be more fully set forth at the hearing of this cause.  
The Plaintiff says the Defendant owns an interest in the following property:

- 1. A 1961 Ford Truck
- 2. A 1949 Plymouth Sedan
- 3. An undivided one-half interest in 10.46 acres situated in Claibourne Township, Union County, Ohio
- 4. Joint Checking account in The Richwood Banking Company, Richwood, Ohio.

WHEREFORE, the Plaintiff prays that she may be divorced from the Defendant; that she may be awarded temporary alimony; that on the final determination of this cause she may be awarded permanent alimony, a division of the property of said parties, that attorney fees be awarded to the attorney for the Plaintiff to be paid by the Defendant; and that the Defendant be required to pay the costs herein; and for such other and further relief to which the Plaintiff is entitled in law and equity.

Robert E. Evans, Jr.  
Attorney for Plaintiff

State of Ohio, Union County, ss:

Roxie Welsh, being first duly sworn according to law, says that she is the Plaintiff in the foregoing Petition and that the facts stated and allegations contained herein are true as she verily believes.

Roxie Welsh  
Robert E. Evans, Jr.  
Notary Public, State of Ohio

Sworn to before me and subscribed in my presence this 13th day of September, 1961.

PRAECIPE

Sept 14, 1961

To the Clerk of the Court of Common Pleas:

Please issue summons and copy of petition to the sheriff of Union County, Ohio, for service upon the Defendant, Watt Lee Welsh, Route 2, Richwood, Ohio, making the same returnable according to law.

Please endorse summons "Action for Divorce, Temporary and Permanent Alimony, Division of Property, Attorney Fees, and Other Equitable Relief."

Robert E. Evans, Jr.  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:

You are hereby commanded to notify Watt Lee Welsh, R#2, Richwood, Ohio that Roxie Welsh, has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with gross neglect of duty and extreme cruelty and asking that she be divorced from him and temporary and permanent alimony, division of property, attorney fees, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 25th day of Sept. 1961.

WITNESS my signature and the seal of said Court, this 14 day of September, 1961.

Helen L. Sullivan, Clerk  
Eileen Daniels, Deputy

SHERIFF'S RETURN

Sept 18, 1961

The State of Ohio, Union County.

Received this writ on the 14th day of Sept. 1961, at 12:50 o'clock P.M. and on the 14th day of Sept. 1961, I served the same by personally handing to the within named Watt Lee Welsh a true copy thereof, together with a certified copy of the petition filed against him in this cause.

\$5.00

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

DIVORCE DECREE

Jan 4, 1962

This cause came on to be heard on the Petition, and the evidence, and upon consideration the Court finds that the Plaintiff was a resident of the State of Ohio for more than one year and was a bona fide resident of ~~THE STATE OF OHIO~~ Union County for more than ninety days, next before the filing of the Petition, and that the parties were married as in the Petition alleged, and that the facts set forth in the Petition are true, and that the Defendant is in default for answer or demurrer. The court further finds that the Defendant has been guilty of gross neglect of duty as alleged in the Petition and by reason thereof the Plaintiff is entitled to a divorce as prayed for in the Petition. It is, therefore, considered, adjudged, and decreed that the marriage contract hereinbefore existing between Roxie Welsh, the Plaintiff and Watt Lee Welsh, the Defendant, be and the same is dissolved and both parties are released and Discharged therefrom.

It further appears that the parties hereto have executed a separation agreement providing for a division of the property owned by said parties, a copy of which is attached hereto, marked "Exhibit A", and made a part hereof by reference as through fully rewritten herein. The court further finds that said separation agreement is fair, just, and equitable and it is the order of this court that the terms of said separation agreement be executed as if fully rewritten herein as an order of this Court.

It is further ordered and adjudged that this proceeding be recorded and that the Defendant pay the costs herein taxed at \$26.60.

APPROVED:  
Robert E. Evans, Jr., Attorney for Plaintiff  
Lloyd George Kerns, Attorney for Defendant

Gwynn Sanders  
Judge



EXHIBIT A  
SEPARATION AGREEMENT

This agreement made at Richwood, Ohio, this 25 day of November, 1961 by and between Watt Lee Welsh and Roxie Welsh, WITNESSETH:

Whereas the said Watt Lee Welsh has this day agreed to sell, assign and transfer and does hereby sell, assign and transfer to the said Roxie Welsh all household goods and furniture located in the dwelling house where they have resided, except his desk, filing cabinets and personal items; and has further agreed with the said Roxie Welsh that the truck and automobile owned by Watt Lee Welsh shall be appraised by disinterested appraisers and he will pay to her a sum equal to one-half of the valuation fixed on the truck and automobile;

It is further agreed between the parties that after the payment of one-half of the valuation of the truck and automobile, above mentioned, said truck shall become the absolute property of Watt Lee Welsh; that Watt Lee Welsh and Roxie Welsh shall be entitled to one-half of the proceeds of all interest and principal payments due from the sale of real estate in a land contract with Harold McElroy and Joan McElroy and that Lloyd George Kerns, escrow agent under the terms of said contract is hereby directed to disburse one-half of said payments hereafter to each of the parties to this contract; that the 10 46/100 acre tract where the parties have resided shall be sold at the best price obtainable and each party shall be entitled to one-half of the net proceeds from said sale; that Watt Lee Welsh shall be entitled to all of his tools and other chattel equipment about the barn; that the bank account has already been divided and each party shall retain their separate bank accounts; that in the sale of the 10 46/100 acre tract the heating stoves should be sold with and passes to the purchaser as a part of the premises; that each party hereafter retain as his or her individual property all accounts due and payable by contract, oral or written, or in whatever fashion found, together with all other property not herein mentioned, being the property of or due and owing to that person.

It is further agreed by and between the parties hereto that upon Watt Lee Welsh obtaining social security benefits, the said Roxie Welsh shall be entitled to, and Watt Lee Welsh shall deliver to her, an amount equal to one-half of said social security ~~benefits~~ payment, until the said Watt Lee Welsh commences to receive social security benefits the said Watt Lee Welsh shall not be obligated to the said Roxie Welsh other than as specified herein above.

Now therefore in consideration of the premises the said Roxie Welsh hereby releases the said Watt Lee Welsh from all obligations of future support for herself, and she does further release and relinquish unto the said Watt Lee Welsh his heirs, executors, administrators and assigns, all real property of the said Watt Lee Welsh, now owned or hereafter acquired, and any and all rights or claims to a distributive share of his personal estate, now owned or hereafter acquired and all claims for an allowance for twelve (12) months support and to reside in his mansion house, and all rights or claims as widow, heir distributee, survivor or next of kin, in or to the estate of the said Watt Lee Welsh whether real or personal, and whether now owned or hereafter acquired, and all other rights or claims of every kind and nature arising or growing out of said marriage relation; and the said Roxie Welsh further agrees that she will not contract any debts on the credit of the said Watt Lee Welsh or incur any liability on his behalf, nor ask further support from the said Watt Lee Welsh should divorce proceedings be instituted.

And the said Roxie Welsh for the consideration aforesaid agrees that the said Watt Lee Welsh shall be at full liberty to dispose of all his property, real and personal, by Last Will and Testament free from all claims, interest or right in favor of the said Roxie Welsh, and that upon his death all of his property which shall not have been so disposed of shall decent to vest in and be distributed to such persons as would be entitled thereto, by the statute of descent and distribution of the State of Ohio then in effect, had the said Roxie Welsh died during the life of the said Watt Lee Welsh

And the said Watt Lee Welsh for consideration aforesaid does hereby release and relinquish to the said Roxie Welsh, her heirs, executors, administrators and assigns, all rights or claims or dower, inheritance, descent, distribution, and all rights or claims as widower, heir, distributee, survivor or next of kin, and all other rights or claims in any manner arising between the parties, in or to the estate of the said Roxie Welsh, real, personal or mixed now owned or hereafter acquired, but by these presents the said Watt Lee Welsh shall be forever barred therefrom.

Witness our hands the day and year first above written.

IN THE PRESENCE OF:

Lloyd George Kerns  
Wilma Jean Linn

Watt Lee Welsh

Robert E. Evans Jr.  
Helen M. Fausnaugh

Roxie Welsh

STATE OF OHIO, UNION COUNTY, ss:  
Personally appeared before me the undersigned, a Notary Public in and for the State of Ohio, the above named Watt Lee Welsh, who does acknowledge that he did sign the foregoing instrument and that the same to be his free act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Richwood, Ohio, this 25th day of November, 1961.

Lloyd George Kerns  
Notary Public

STATE OF OHIO, UNION COUNTY, ss:  
Personally appeared before me the undersigned a Notary Public in and for the State of Ohio, the above named Roxie Welsh, who does acknowledge that she did sign the foregoing instrument and that the same to be her free act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Richwood, Ohio, this 1st day of December, 1961.

Robert E. Evans, Jr.  
Notary Public

CONTINUED FROM BOOK 76 PAGE 269

Catherine Louise Collins  
Plaintiff  
vs  
LeRoy Clayton Collins  
Defendant

17416  
Filed May 28, 1954  
Recorded March 13, 1962

Motion overruled; Defendant excepts.  
APPROVED:  
Todd Hoopes, Attorney for Plaintiff  
Clifton L. Caryl, Attorney for Defendant

F. LeRoy Allen  
Judge



MOTION

9-22-56

Defendant moves the Court for an order modifying the former decree of this Court rendered on the 26th day of May, 1954, for the following reasons, to-wit:

1. There has been a material change in the conditions and circumstances with respect to the custody of the two minor children in this cause.
2. The best interest and general welfare of the children are not being properly served at this time.
3. Plaintiff is about to move the two minor children outside the jurisdiction of this Court.

Defendant moves the Court that a change in the custody of said minor children be ordered.

Clifton L. Caryl  
Attorney for Defendant

NOTICE

The Above motion will be for hearing before the Hon. O. W. Whitney, Jr., sitting by assignment as the Common Pleas Judge of Union County, Ohio. Said hearing will be for hearing on Saturday, September 29th, 1956, at 10:00 A.M. or as soon thereafter as the same may be heard by the Court.

Clifton L. Caryl  
Attorney for Defendant

MOTION

9-26-56

Now comes plaintiff and respectfully moves the Court for an order modifying the former decree of this Court entered on the 26th day of May, 1954, as follows: to-wit:

1. That a definite time be established for the right of visitation of the father of said children, defendant herein, LeRoy Clayton Collins.
2. That the said LeRoy Clayton Collins be ordered to pay at least Thirty (\$30.00) Dollars per week for the support of said children, due to the fact that his income is now materially greater than at the time the order was entered herein on the 26th day of May, 1954.

Sanders & Grigsby  
Attorneys for Plaintiff

NOTICE

LeRoy Clayton Collins, is hereby notified that Catherine Louise Collins has filed the foregoing Motion in the Court of Common Pleas of Union County, Ohio, and that said Motion will be for hearing before said Court on Saturday, September 29th, 1956, at 10:00 o'clock A.M., or as soon thereafter as the Court may determine.

Sanders & Grigsby  
Attorneys for Plaintiff

MOTION

2-16-62

Now comes the Plaintiff, Catherine Collins, and states to the Court that the Defendant was ordered by this Court to pay to the Plaintiff for the support of the minor children of the parties, Colleen LaVon Collins and Bradley Craig Collins the sum of Thirty Dollars (\$30.00) semi-monthly; that the Defendant has made no payments since January 13, 1962; and that he is now delinquent Sixty Dollars (\$60.00) on the payments as ordered.

WHEREFORE, Plaintiff moves the Court for an order requiring the Defendant to appear before the Court to show cause why he should not be punished for contempt.

Catherine Collins

STATE OF OHIO, UNION COUNTY, ss:

Catherine Collins, being first duly sworn, says that she is the Plaintiff in the above action and that the facts stated in the above Motion are true.

Catherine Collins  
Robert O. Hamilton  
Notary Public

Sworn to before me and signed in my presence this 16th day of February, 1962.

JOURNAL ENTRY

Defendant is ordered to appear before this Court March 3, 1962 at 10:00 a.m. to show cause why he should not be punished for contempt. The Clerk is ordered to send a copy of the above Motion and Entry to the Defendant by certified mail with return receipt.

Gwynn Sanders  
Judge

JOURNAL ENTRY

3-5-62

The Defendant appeared before this Court on March 3, 1962 at 10:00 a.m. at which time the Court found the Defendant to be in contempt in that he did not pay his support payments as previously ordered.

It is therefore ordered that the Defendant be sentenced to three months in the Union County Jail.

The Court finds that the Defendant has now made payments through March 1, 1962. It is therefore ordered that said jail sentence be suspended conditioned upon the Defendant abiding by the order of the Court, and make support payments when due. Record.

APPROVED BY:  
Robert O. Hamilton  
Attorney for Plaintiff

Gwynn Sanders  
Judge

PETITION

Betty Brown  
RD#1  
Milford Center, Ohio  
Plaintiff  
vs  
Philip Brown, an inmate of  
the Marion Correctional  
Institution, Marion, Ohio  
Defendant

Case # 19000  
Filed Jan. 4, 1962  
Recorded March 13, 1962

Plaintiff says she has been a resident of the State of Ohio for more than one year last past, and has been a bona fide resident of the County of Union for more than six months immediately prior to the date of the filing of this petition.

Plaintiff says she and the defendant were united in marriage on December 31, 1954 at Mechanicsburg, Ohio, and thereafter divorced and remarried on December 27, 1957 at Linworth, Ohio, and that three children were born of said marriage, to-wit: Steven Brown, born August 5, 1953; Vivian Lee, born February 2, 1956 and Clayton Eugene, born March 9, 1957.

Plaintiff is the owner of a small amount of household furniture and the defendant is owner of no property.

Plaintiff says the defendant is now an inmate of the Marion Correctional Institution, having been committed thereto upon being convicted of a felony in the Court of Common Pleas of Union County, Ohio; that plaintiff has reason to believe the defendant will be released in the near future from confinement and she fears the defendant will commit bodily injury



upon the plaintiff, unless restrained by this Court. Plaintiff says that by reason of the confinement of the defendant in a penal institution of the State of Ohio, she is entitled to a divorce.  
Wherefore plaintiff prays for a divorce from the defendant and for an order enjoining the defendant from molesting the plaintiff, for the temporary and permanent custody of the minor children and for such other and further relief as she may be justly entitled to.

John W. Dailey  
Attorney for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:  
Betty Brown, being first duly sworn, deposes and says the facts stated and allegations made in the foregoing petition are true, as she verily believes.

Sworn to before me and subscribed in my presence this the 4th day of January, 1962.  
John W. Dailey  
Notary Public, State of Ohio

PRECIPE  
1-4-62  
To the Clerk:

Issue summons with certified copy of petition in the above entitled case to Sheriff of Marion County Ohio for service on superintendant Marion Correctional Institution, and Philip Brown an inmate. Endorse action for divorce, custody minor children and other relief and make returnable in accordance with law.  
John W. Dailey  
Attorney for Plaintiff

SUMMONS  
The State of Ohio, Union County.  
To the Sheriff of Marion County:  
You are hereby commanded to notify Superintendant Marion Correctional Institution and Philip Brown, an inmate that Betty Brown has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging him with confinement of the defendant in a penal institution of the State of Ohio and asking that she be divorced from him and that she be awarded temporary and permanent custody of the minor children and for such other and further relief as she may be justly entitled to, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.  
Said Sheriff will make due return of this summons on the 15th day of January, 1962.  
WITNESS my hand and seal of said Court, this 4th day of January, 1962.  
Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

SHERIFF'S RETURN  
1-9-62  
The State of Ohio, Marion County.  
Received this writ on the 5th day of January, 1962 at 11:30 o'clock A.M. and on the 6th day of January, 1962 I served the same by personally handing to the within named Philip Brown and Lamoyne Green, Superintendant Marion Correctional Institution, his custodian a true copy thereof, with a certified copy of the petition filed against said defendant in this cause.  
Glenn Obenour, Sheriff  
By Kenneth Rife, Deputy

\$2.39  
JOURNAL ENTRY  
3-12-62  
This day this cause came on to be heard on the petition and the evidence and on consideration the Court finds that the Defendant, Philip Brown, has been duly served as provided by law and that he is default for answer or demurrer and that the facts stated in the petition are true.  
The Court finds, upon the evidence adduced, that the plaintiff has been a resident of the State of Ohio for more than one year prior to the filing of her petition and a bona fide resident of the County of Union for more than one year immediately prior to the date of the filing of her petition. The Court further finds that the parties hereto were married as set forth in the petition and that three children were born of said marriage, to-wit: Steven Brown, born August 5, 1953; Vivian Lee Brown, born February 2, 1956, and Clayton Eugene Brown, born March 9, 1957.  
The Court further finds that at time of filing the petition the defendant was an inmate of the Marion Correctional Institution, as alleged in the petition, and that by reason thereof plaintiff is entitled to a divorce.  
The Court further finds the parties hereto owns no real estate and no personal property other than household furniture and appliances are now in possession of the plaintiff.  
It is, therefore, ordered, adjudged and decreed that the plaintiff be and she hereby is granted a divorce from the defendant and the marriage contract heretofore existing be and is hereby dissolved and set aside.  
It is further ordered, adjudged and decreed that the custody of the minor children, Steven Brown, Vivian Lee Brown and Clayton Eugene Brown, be and hereby are awarded to the plaintiff, Betty Brown, until further order of this Court, and the defendant, Philip Brown, pay to the plaintiff for the support of said minor children the sum of Forty and 40/100 (\$40.00) per week, beginning on March 17th, 1962, until further order of this Court, all such payments to be made to the Clerk of Courts of Union County, Ohio.  
It is further ordered defendant have the right of visitation with said children at the home of his parents in Linworth, Ohio, each First and Third Sunday of the month; said children to be taken to home of parents of the defendant by said parents and returned to the home of plaintiff by said parents.  
It is further ordered, adjudged and decreed plaintiff be awarded all household furniture and appliances now in her possession as and for alimony.  
It is further ordered adjudged and decreed that plaintiff have custody of said children without molestation on the part of the defendant, and the defendant is hereby enjoined from visiting the home of the plaintiff or molesting her in any manner, or molesting the children in her custody.  
It is further ordered the Clerk of this Court mail a certified copy of this decree to the defendant, Philip Brown, 6167 Hutchinson Street, Linworth, Ohio, by Certified Mail.  
It is further ordered plaintiff pay the costs of this proceeding and that the same be recorded.

APPROVED:  
John W. Dailey  
Attorney for Plaintiff  
Gwynn Sanders  
Judge

PETITION  
18994  
IN RE: Evangelical United Brethren Church  
Peoria, Ohio  
Filed Dec. 29, 1961  
Recorded March 23rd, 1962

Your petitioners, Ada Shirk, Jasper Yeoman, Carrie Shirk, Eugene Smallwood and Winifred Sarver are the duly elected and qualified trustees of the Evangelical United Brethren Church of Peoria, Ohio, an unincorporated religious society. Said society is the owner of the real estate hereinafter described, the title thereof being in the name of the above petitioners as Trustees for the use of the Evangelical United Brethren Church of Peoria, Ohio.  
Your petitioners and the members of the society desire to sell said real estate for the reason that it is no longer used for religious purposes. Said real estate is described as follows:  
Being all of Lots Numbers 31 and 32 in the Village of Peoria, Liberty Township, Union County, Ohio.  
Your petitioners therefore pray for an order authorizing such sale.  
Grigsby & Parrott  
Attorneys for Petitioners



STATE OF OHIO, UNION COUNTY: SS:  
Eugene Smallwood, being first duly sworn says that he is one of the petitioners in the above entitled cause and that the facts stated and allegations made in the foregoing petition are true as he verily believes.

Sworn to before me and subscribed in my presence this 20th day of December, 1961.  
Eugene Smallwood  
Richard E. Parrott  
Notary Public

PROOF OF PUBLICATION

2-10-62

STATE OF OHIO, Village of Marysville, Union County. ss.  
Personally appeared before me Marie M. Strauss and made solemn oath, that the Legal Notice, a copy of which is hereto attached, was published for 4 consecutive weeks on and next after January 4, 1962, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Sworn to before me and signed in my presence this 26 day of January A.D. 1962.  
Marie M. Strauss  
W. E. Behrens  
Notary Public

My Commission expires June 22, 1964.  
Printers' Fees \$7.50

IN THE COURT OF COMMON PLEAS OF UNION COUNTY, OHIO Case No. 18994.  
IN RE: EVANGELICAL UNITED BROTHERS CHURCH, PEORIA, OHIO.  
LEGAL NOTICE

Notice is hereby given that the Trustees of the Evangelical United Brethren Church, Peoria, Ohio, have filed their petition in the Common Pleas Court of Union County, Ohio Case No. 18994 praying for authority to sell its real estate in said county being real estate in said county, being Lots Numbers 31 and 32 in said Village, and that the same will be for hearing on or after February 3, 1962. GRIGSBY & PARROT, ATTORNEYS.

JOURNAL ENTRY

3-6-62

This cause coming on for hearing and the Court finding that notice of the prayer of said Petition has been given for four (4) consecutive weeks in the Evening Journal Tribune, a newspaper of general circulation printed in Union County, Ohio and the court being satisfied upon the proof that the members and officers of said Church desire to sell the real estate described in the Petition and that it is right and proper that authority be given to accomplish the same, it is therefore ordered, adjudged and decreed that the Trustees of said Church, and the same are hereby, authorized and directed to sell, upon such terms and conditions as they deem fit and proper, the real estate described in the Petition.

And it is further ordered that this decree authorize said Trustees in the name of said Church Society, specifically to sell the aforesaid premises to Charles and Edith Sarver, by Warranty Deed, for the sum of Four Thousand Dollars (\$4,000.00).

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Petitioners  
Gwynn Sanders  
Common Pleas Judge  
Union County, Ohio

REPORT

3-19-62

IN RE: United Brethren Evangelical Church, Peoria, Ohio

Now comes Ada Shirk, Jasper Yeomaen, Carrie Shirk, Eugene Smallwood, and Winifred Sarver, as trustees of the Evangelical United Brethren Church of Peoria, Ohio, and report to the court that as such trustees they have sold the real estate, subject of this action, to Charles and Edith Sarver, for the sum of \$4500.00.

That said petitioners have received the sum of \$4500.00 which amount has been duly transferred to the proper church authorities.

Winifred Sarver  
Carrie Shirk  
Ada Shirk  
Jasper A. Yeoman  
Eugene Smallwood  
Trustees

JOURNAL ENTRY

3-20-62

The trustees of said church having made due return of their proceedings as here and before ordered and directed, to with:

Said trustees have sold the real estate, subject of this action, to Charles and Edith Sarver for the sum of \$4500.00; the funds having been duly transferred to the proper church authorities, and the court having fully examined the transaction and finding it in all respects regular and in conformity to the previous order of the court, the same is hereby approved and confirmed, and it is further ordered by the court that the proceeds are to be used for church purposes.

APPROVED BY:  
Grigsby & Parrott  
Attorneys for the Petitioner  
Gwynn Sanders  
Common Pleas Judge

CERTIFICATE AND ORDER

Judy Ann Bartels  
Petitioner  
vs  
William Jackson Bartels  
Respondent

Case No. 19025  
2/24/62  
Recorded 4/10/62

REFERRAL TO STATE OF OHIO COUNTY OF UNION.

Now on the 13th day of February A.D. 1962, the same being one of the regular term days of the above entitled Court, this cause having come on for hearing, the petitioner appearing by District Attorney for Curry County, State of Oregon.

THEREUPON, the Court having examined the petition and all the files herein, finds and certifies that the facts set forth in said petition are true and that the respondent owes a legal duty of support to your petitioner.

The Court further finds and certifies from the facts alleged in the petition that the Common Pleas Court of Union County, State of Ohio has jurisdiction of the respondent and his property.

NOW THEREFORE, IT IS HEREBY ORDERED that 3 copies of the petition, certificate and order, and a copy of the Uniform Support Law of the State of Oregon attached to each copy, be transmitted to the Clerk of Common Pleas Court, County of Union, State of Ohio, wherein respondent resides for action thereon in accordance with the Uniform Reciprocal Support Laws of said State.

Dated this 13th day of February, A.D. 1962.  
Robert C. Belloni,  
Judge



State of Oregon, County of Curry, ss.  
I hereby certify thatthe within is a true copy of the original record on file inmy office and custody.  
Dated this 15th day of Feb. 1962.  
Bernard I. Mather, County Clerk  
By Pauline Anderson, Deputy

PETITION UNDER PROVISIONS OF RECIPROCAL ENFORCEMENT OF SUPPORT ACT. 2/25/62

REFFERRAL TO THE COUNTY OF UNION, STATE OF OHIO.  
TO THE JUDGE OF THE COURT OF DOMESTIC RELATIONS:  
Your petition respectfully alleges and petitions:  
1. That petitioner and respondent were married on or about July 9, 1957,at Liberty Indiana  
1l. That the following children were born of this marriage, to-wit: Russell Bartels, born March 14, 1958.  
III. That respondent under the provisions of the Oregon Law owes a duty of support to this petition and the above named children and this petitioner is entitled to such support; that since October 2, 1961 the respondent has failed to provide any support whatever.  
IV. That respondent is now residing at Richwood, State of Ohio which state has enacted a law similar to the Oregon Uniform Reciprocal Support Act; that a copy of the Oregon Law is attached hereto and made a part hereof.  
V. That your petitioner believes the respondent is capable of and is earning approximately \$300.00 per month and should be ordered by a court of comparable jurisdiction in the State of Ohio to pay to the Clerk of the Circuit Court of Curry County, Oregon \$50.00 per month for such support, at the Curry County Courthouse, P. O. Box 595, Gold Beach, Oregon.  
VI. That your petitioner is informed and believes, and therefore alleges that respondent is residing in Richwood, Ohio. His parent's address is 169 Beatty, Richwood, Ohio; that he was a former employee of the U. S. Forest Service in Curry County, Oregon; and that he also was formerly working in the farming ~~industry~~ in Ohio.  
Wherefore, your petitioner prays for a finding by this Court that the respondent owes a duty of support to your petitioner; that this Court order three certified copies of this petition, its certificate based thereon, together with a copy of the Oregon Law attached to each petition and certificate, to betransmitted to the Clerk of the Common Pleas Court, County of Union, State of Ohio for such action as is necessary to obtain a hearing upon this petition.

Judy Ann Bartels  
Petitioner

STATE OF OREGON, COUNTY OF  
I, Judy Ann Bartels, being first duly sworn, on oath deposes and say; That I am the petition herein; that I have read the foregoing petition, know the contents thereof, and that the same is true as I verily believe.  
Judy Ann Bartels  
Subscribed and sworn to before me this 7th day of February A.D. 1962.  
Robert L. Miller  
Notary Public for Oregon  
My commission expires 9/7/63

State of Oregon, County of Curry, ss.  
I hereby certify that the within is a true copy of the original record on file in my office and custody.  
Dated this 15th day of Feb., 1962.  
Bernard I. Mather, County Clerk  
By Pauline Anderson, Deputy

PAUPER'S AFFIDAVIT 2/25/62

STATE OF OREGON, COUNTY OF CURRY, ss.  
I, Judy Ann Bartels, being first duly sworn, on oath, depose and say:  
That I am the Petition in the within Petition under provisions of the Reciprocal Enforcement of Support Money Act and that I am without funds with which to pay a filing fee.  
Judy Ann Bartels  
Subscribed and sworn to before me this 7thday of February, 1962.  
Robert L. Miller  
Notary Public for Oregon  
My Commission Expires 9/7/63

State of Oregon, County ofCurry, ss:  
I hereby certifh that the within is a true copy of the original record on file in my office and custody.  
Dated this 15th day of Feb., 1962.  
Bernard I. Mather, County Clerk  
By Pauline Anderson, Deputy

COPY OF ACT ATTACHED:

NOTICE TO SERVICE.  
To the Sheriff of Union County, Greeting:  
You are hereby commanded to serve the attachedcopies of Entry & Copy of Petition heretofore filed in this case, upon the Defendant, William Jackson Bartels and of your service hereof, make due return to this office, on or before the 2nd day of March, A.D. 1962.  
WITNESS my hand and seal of said Court, this 23th day of February, 1962.  
Helen L. Sullivan  
Clerk of said Court

SHERIFF'S RETURN 2/27/62  
The State of Ohio, Union County.  
Received this writ Feb. 24th, 1962, at 11:30 o'clock A.M. And on 26th, 1962, I served the within named William Jackson Bartels, by personally handing to him a true and certified copy thereof with all the endorsements thereon.  
Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

JOURNAL ENTRY 2/24/62  
Certified copy of Petition and Order in the Circuit Court of the State of Oregon for the County of Curry having been filed in this Court,  
It is therefore ordered that the Defendant appear and plead on March 2, 1962 at 1:00 P.M.  
It is further ordered that a copy of this Entry, . together with a certified copy of the Petition be served upon the Defendant by the Sheriff.  
APPROVED BY: Gwynn Sanders  
Robert O. Hamilton Judge  
Prosecuting Attorney

JOURNAL ENTRY 3/5/62  
The Defendant, William Jackson Bartels, appeared in open Court on March 2, 1962 to show cause why an order for support as prayed for by the Plaintiff should not be made. Also appeared John W. Dailey, his attorney.  
The Court then inquired into the ability of the Defendant to provide support for his minor child.



It is the order of the Court that the Defendant pay \$20.00 plus .20 poundage forthwith for the support of his minor child, Russell Bartels to the Clerk of this Court, and that he pay the same amount on March 16th and every second Friday thereafter.

It is further ordered that the Defendant pay the costs in this proceeding on or before March 16, 1962.

The Clerk shall forward two certified copies of this Entry to the Circuit Court Clerk of Curry Court, gold, Beach Oregon.

APPROVED BY: Robert O. Hamilton  
Prosecuting Attorney  
John W. Dailey  
Attorney for Defendant

Gwynn Sanders  
Judge

PETITION

Union County Federal Savings & Loan Assn.  
of Marysville  
Marysville, Ohio  
Plaintiff

vs  
Glen C. Skaggs  
Magnetic Springs, Ohio  
and Helen Skaggs  
Magnetic Springs, Ohio  
Defendants

18820

Filed 3/24/61

Recorded 4/24/62

FIRST CAUSE OF ACTION

Plaintiff says it is a corporation organized and existing under the laws of the United States of America, with its principal place of business at Marysville, Ohio.

Plaintiff says that on May 31, 1960, the defendants, Glen C. Skaggs and Helen Skaggs, made, executed and delivered to plaintiff their certain promissory note in the principal sum of \$4,700.00, with interest thereon at the rate of 6 1/2% per annum, and thereby agreed to pay this plaintiff such amount, according to the terms and conditions set forth in this promissory note, a true copy of which is annexed to, marked exhibit A, and by reference incorporated herein and made a part hereof as though fully set forth herein.

Plaintiff says that the installments of interest and principle due and payable have not been paid, so that the conditions of said promissory note have been broken with the result that the entire amount of the obligation has become due and payable. Plaintiff says that it is still the owner and holder of said promissory note and there is due it thereon from the defendants, Glen C. Skaggs and Helen Skaggs, the sum of \$4,785.24, with interest thereon at the rate of 8% per annum from the 22nd day of March, 1961.

SECOND CAUSE OF ACTION

For its second cause of action, plaintiff re-avers the allegations and facts in the first cause of action as if fully re-written herein, and further says that at the time of the execution and delivery of said promissory note, and to secure the payment thereof, defendants, Glen C. Skaggs and Helen Skaggs, made, executed and delivered to this plaintiff their certain mortgage deed dated May 31, 1960, and thereby conveyed to this plaintiff the following described real estate:

Situated in the Village of Magnetic Springs, Union County, Ohio.  
Being lots numbered 195 and 196 part of premises in certificate for transfer from estate of David Franklin to Zula B. Galloway, recorded in Volume 146, page 103 of Union County Records.

Plaintiff further says that said mortgage deed was duly filed for recorded with the Recorder of Union County, Ohio on June 8, 1960, at 10:20 A.M., and was thereafter duly recorded in Mortgage Book, 171, page 239, and that said mortgage deed then and thereby became the first and paramount lien upon said real estate and is now the first and best lien thereon.

Plaintiff further says that said mortgage deed contains a condition of defeasance that provides that if the said Glen C. Skaggs and Helen Skaggs, should default in payment of interest on said note or any installment of principal, the principal and accrued interest should thereby become due and payable; and if said Glen C. Skaggs and Helen Skaggs should default in the payment of said interest or an installment of principal according to the tenor and affect thereof, then said mortgage shall become absolute; otherwise to remain in full force and affect.

Plaintiff further says that by reason of failure of the defendants, Glen C. Skaggs and Helen Skaggs, to pay installments of principal and interest when due, the condition of defeasance in said mortgage deed has become broken and said mortgage deed has become absolute, and the plaintiff is now entitled to have the equity of redemption of the defendants, Glen C. Skaggs and Helen Skaggs, therein foreclosed, and to have the real estate above described appraised, advertised and sold, and the proceeds arising therefrom applied to judgment of plaintiff.

WHEREFORE, plaintiff prays for judgment against the defendants, Glen C. Skaggs and Helen Skaggs, for \$4,785.24 with interest at 8% per annum from March 22, 1961; that the mortgage lien upon the above described real estate be foreclosed and said real estate sold according to the statutes and procedures in effect; and for such other relief as equity in the nature of the case may require.

Grigsby & Parrott  
Attorneys for Plaintiff

STATE OF OHIO, COUNTY OF UNION, SS:  
Joseph B. Grigsby, being first duly sworn, says that he is the attorney for the Union County Federal Savings and Loan Association, plaintiff herein, a corporation, and the facts stated and the allegations contained therein are true as he verily believes.

Joseph B. Grigsby

Sworn to before me and subscribed in my presence this 22nd day of March, 1961.

Richard E. Parrott  
Notary Public

Note # 3170 - EXHIBIT A attached.  
\$4700.00

PRECIPE

TO THE CLERK:

Please issue summons in the above entitled action directed to the Sheriff of Union County, Ohio, returnable according to law, for services upon the defendants, Glen C. Skaggs and Helen Skaggs, Magnetic Springs, Ohio.

Endorse summons "ACTION FOR MONEY UPON PROMISSORY NOTE AGAINST DEFENDANTS, GLEN C. SKAGGS AND HELEN SKAGGS: AMOUNT CLAIMED \$4,785.24, WITH INTEREST AT 8% PER ANNUM FROM THE 22ND DAY OF MARCH, 1961; FOR FORECLOSURE OF MORTGAGE UPON REAL ESTATE OF DEFENDANTS, GLEN C. SKAGGS AND HELEN SKAGGS, GIVEN TO SECURE THE PAYMENT OF SAID PROMISSORY NOTE: AND FOR OTHER LEGAL AND EQUITABLE RELIEF."

Grigsby & Parrott  
Attorneys for Plaintiff



SUMMONS

The State of Ohio, Union County.  
To the Sheriff of said County:  
You are commanded to notify, Glen C. Skaggs, Magnetic Springs, Ohio & Helen Skaggs, Magnetic Springs, Ohio, that they have been sued by Union County Federal Savings & Loan Assn. of Marysville in the Court of Common Pleas of said Union County, and must answer by the 22nd day of April, A.D. 1961, or the petition of said plaintiff will be taken as true and judgment rendered accordingly.  
Said Sheriff will make due return of this summons on the 3rd day of April, 1961.  
WITNESS my hand and seal of said Court, this 23 day of March, 1961.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

SHERIFF'S RETURN

3/29/61

The State of Ohio, Union County.  
Received this writ March 24th, 1961, at 12:30 o'clock P.M. And on March 27th 1961, I served the within named Glen C. Skaggs, Magnetic Springs, Ohio and Helen Skaggs, Magnetic Springs, Ohio by personally handing to each of them a true and certified copy thereof with all the endorsements thereon.  
\$4.25

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

JOURNAL ENTRY

5/12/61

This cause now coming on to be heard on the petition and the evidence, the court finds that the defendants, Glen C. Skaggs and Helen Skaggs, have been duly served with summons in this case and that they are in default for answer, demurrer or other pleading, and that the allegations of the petition are as thereby confessed by them to be true.  
The court further finds that there is due the plaintiff from the defendants on the promissory note set forth in the petition, the sum of \$4785.24 with interest at 8% per annum from March 22, 1961.  
The court further finds that in order to secure the payment of said note, the defendants, Glen C. Skaggs and Helen Skaggs, executed and delivered to the said Union County Federal Savings and Loan Assn., Plaintiff, their certain mortgage as in the petition described, and on the premises therein described; that said mortgage was duly recorded in Mortgage Book 171, page 239, of the Records of Mortgages of Union County, Ohio, and is a good and valid lien on the premises described in the petition, and that the conditions in said mortgage have been broken.  
It is therefore considered by the court that the plaintiff recover from the defendants the sum of \$4785.24 with interest at the rate of 8% per annum from March 22, 1961, and its costs herein extended.  
It is further adjudged and decreed that unless the defendants, Glen C. Skaggs and Helen Skaggs, shall, within three (3) days from the entry of this decree, pay or cause to be paid, to the Clerk of this Court, the costs of this case, and to the plaintiff herein, the sum so found to be due as aforesaid, the defendants equity of redemption be foreclosed, and said premises be sold, and that an order of sale issued therefore to the Sheriff of Union County, Ohio, directing him to appraise, advertise and sell said premises as upon execution and report his proceedings to this court for further order.  
APPROVED BY:  
Grigsby & Parrott  
Attorneys for Union Co. Fed. Sav. & Loan Assn.

Robert F. Allen  
Common Pleas Judge  
Probate and Juvenile Judge  
acting as common Pleas Judge

PROOF OF PUBLICATION

7/13/61

STATE OF OHIO, Village of Marysville, Union County. ss.  
Personally appeared before me, Marie M. Strauss and made solemn oath, that the Legal Notice, a copy of which is hereto attached, was published for 6 consecutive weeks on and next after May 18, 1961, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Sworn to before me and signed in my presence this 23 day of June, A.D. 1961.  
Marie M. Strauss  
W. E. Behrens  
Notary Public

My commission expires June 22, 1964  
Printer's Fees \$23.10

LEGAL NOTICE

IN THE COURT OF COMMON PLEAS OF UNION COUNTY, OHIO. Sheriff's Sale Case No. 18820 ON ORDER OF SALE.  
Union County Fed. Sav. & Loan Assn. of Marysville, Ohio, Marysville, Ohio, Plaintiff -vs- Glen C. Skaggs and Helen Skaggs, Magnetic Springs, Ohio, Defendants  
By virtue of the above stated writ to me directed from the Court of Common Pleas of Union County, Ohio, I will offer for sale at the North Door of the Court House, in Marysville, Ohio on the 24th day of June, 1961, at or about the hour of 11:00 o'clock A.M. on said day the following described real estate, to-wit:  
(same as in the petition)  
Appraised at \$4,785.24.  
Terms of Sale: 10% cash on day of sale and the balance upon the conformation of sale and delivery of deed.  
EDWARD AMRINE, Sheriff of Union County. Grigsby & Parrott, Attorneys

PRELIMINARY CERTIFICATE

7/31/61

The undersigned being the attorney designated to certify the title to the real estate subject to this action, to-wit:  
(same as in the petition)  
hereby certifies that title to said real estate is vested in the name of Glen C. Skaggs and Helen Skaggs and that said title is a good and merchantable title free and clear from all incumbrances, EXCEPT:  
1., Mortgage to Union County Federal Savings & Loan Association of Marysville, Ohio, in the principal amount of \$4700.00.  
2., Taxes and assessments up to and including June, 1961 installment \$52.52.  
3., Taxes for the year 1961 not yet determined but are a lien against said property.

William S. Hoopes

FINAL CERTIFICATE

7/31/61

To: Union County Federal Savings & Loan Association of Marysville:  
The undersigned, being the attorney designated to certify the title in this cause, hereby certifies that he has examined the proceedings and files in this cause and finds as follows:  
(1) That all the necessary parties are made parties herein and that all were either served by summons or waived service and are properly before the court in this cause.  
(2) That all the proceedings were regular and in conformity to law and the deed filed for record and recorded in Union County Deed Records, has been delivered and the purchaser, Union County Federal Savings & Loan Association of Marysville has a good and merchantable title free from all incumbrances EXCEPT all current taxes.  
William S. Hoopes



The State of Ohio, Union County.  
To the Sheriff of said County:

WHEREAS, at a term of the Common Pleas Court, held at the Court House in and for said County, on the 8th day of May A.D. 1961 Union County Federal Savings and Loan Association obtained a judgment and decree against Glen C. Skaggs and Helen Skaggs for the sum of Four Thousand Seven Hundred Eighty-Five and Twenty-Four Dollars, and \_\_\_\_\_ dollars costs of suit, in case no. 18820.

And Whereas, it was then and thereby said Court ordered, adjudged and decreed that the said Glen C. Skaggs and Helen Skaggs within three (3) days from the                    day of May, 1961, pay unto the said Union County Federal Savings and Loan Assn. the said sum of Four Thousand Seven Hundred Eighty-Five and Twenty-Four Dollars, with interest at 8% per cent. from the 22nd day of March 1961 and costs aforesaid; and upon default to pay the same, that an order of sale issue to the Sheriff of said County, commanding him to proceed according to the statutes regulating judgments and execution at law, to sell the real estate described in the Plaintiff's petition, etc.

And Whereas, the three (3) days aforesaid have fully expired, and thesaid judgments and costs aforesaid have not been paid, or any part thereof, as appears to us of record:

We Therefore Command You, that you proceed without delay to appraise, advertise and sell, according to the statutes regulating judgments and executions at law, the following described lands and tenements, situate in Union County, Ohio, to-wit:  
(same as in the petition)

to make the sum of \$4785.24 (Four Thousand Seven Hundred Eighty-Five and Twenty Four/100 Dollars) judgment with the said interest thereon, and costs aforesaid; and that you also pay the costs of this writ, and all increase and accruing costs; and the residue, if any there be, you bring into this Court to abide the further order of the Court, and that you make return of your proceedings to our said Court within sixty days from this date, and have you then and there this writ.

WITNESS my signatruue as Clerkof our said Court of Common Pleas, and the seal of said Court, at Marysville, Ohio  
this 16th day of May, 1961.

Helen L. Sullivan

## SHERIFF'S RETURN

10/30/61

The State of Ohio, Union County.

I received this order of Sale on the 16th day of May, 1961, at 3:30 o'clock P.M. and in obedience to its command I did, on the 25th day of May, 1961 summon three disinterested free-holders, residents of said County, who were by me duly sworn to impartially appraise the lands and tenements therein described, upon actual view; and afterward, on the        day of        19        , said appraisers returned to me, under their hands, that they did upon actual view of the premises, estimate and appraise the real value in money of the same at \$4,785.24 Dollars. A certified copy of said appraisal I forthwith, deposited in the office of the Clerk of the Court of Common Pleas of said County. And on the 25th day of May, 1961, I caused to be advertised in the Journal-Tribune (a newspaper printed and published and of general circulation in Union County,) said lands and tenements to be sold at public sale at the north door of the Court house of said County, on the 24 day of June, 1961, at 11 o'clock AM. of said day. And having advertised the said lands and tenements for more than thirty days previous to the day of sale, to-wit: five consecutive weeks, on the same day of the week in each week, and in pursuance of said notice I did on said 24th day of June, 1961, at the time and place above mentioned, proceed to offer said lands and tenements at public sale, at the north door of the Court House and then and there came Union County Federal Savings and Loan Assn. of Marysville, Ohio, Marysville, Ohio who bid for the same the sum of \$4,785.24 Dollars; and said sum being over two-thirds of the appraised value thereof, and said Union County Federal Savings and Loan Assn., Marysville, Ohio, Marysville Ohio being the highest and best bidder thereof, I then and there publicly sold and struck off said lands and tenements to them for said sum of \$4,785.24 Four Thousand Seven Hundred and eighty five /24/100 Dollars.

Edward Amrine, Union County Sheriff  
Martha Rogers, Deputy

\$1.60  
Auct \$10.00  
Printers \$23.10

JOURNAL ENTRY

11/30/61

This cause coming on further to be heard on the return of the Sheriff of the sale of the real estate ordered herein, and the court being satisfied that said sale, was in all respects, made in conformity to law and the order of the court, the same is hereby confirmed and approved and upon payment of the costs of this proceeding in the sum of \$94.05 by the plaintiff, the Sheriff is ordered to execute and deliver a deed to plaintiff, Union County Federal Savings & Loan Association, who as mortgagee bid in said real estate at the sum of \$4,785.24, which sum is less than the amount due on the first mortgage lien of plaintiff.

It is further ordered that the Clerk of this Court enter so much of this journal entry as is necessary to effect a cancellation of record of the mortgage lien of Union County Federal Savings & Loan Association, recorded in Union County Mortgage Records Vol. 171, page 239.

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff

Richard H. Finefrock  
Judge

JOURNAL ENTRY

12/9/61

It appearing to the court that the real estate involved in this action has been purchased by the Union County Federal Savings & Loan Assn., Marysville, Ohio, it is ordered that a Writ of Restitution be issued giving the purchaser, Union County Federal Savings & Loan Assn., quiet and peaceable possession of the premises.

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff

Gwynn Sanders  
Common Pleas Judge

WRIT OF POSSESS- For Purchaser

The State of Ohio, Union County.  
To the Sheriff of said County:

You are hereby commanded that without delay you cause Union County Federal Savings & Loan Association, Marysville, Ohio the purchaser of the real estate hereinafter described under the order of sale issued in the case of Union County Federal Savings & Loan Assn., Marysville, Ohio vs. Glen C. Skaggs and Helen Skaggs No. 18820, to have full and peaceable possession of said real estate described as follows: Situate in the Village of Magnetic Springs, County of Union, and State of Ohio, to-wit:  
(same as in the petition)  
as against the said Defendants in said action or those who may have come into possession of said real estate under said Defendants. You will make report of your proceedings herein to our said Court of Common Pleas within sixty days from the date hereof, and have you then and there this writ.

Helen L. Sullivan, Clerk

WITNESS my signature and the seal of said Court this 12th day of December, 1961.



SHERIFF'S RETURN

1/15/62

Sheriff's Office, Union County, Ohio Jan. 6th, 1962  
Received this writ Dec. 12th, 1961 at 10:44 o'clock AM. and pursuant to its command, I did on the 6th day of January, 1962, cause the said Union County Federal Savings & Loan Assn., Marysville, Ohio to have full and peaceable possession of the within described premises.

Edward Amrine, Union County Sheriff  
by Martha Rogers, Deputy

\$7.50

PETITION IN FORECLOSURE

Economy Savings and Loan Company  
5055 North High Street  
Columbus, Ohio  
Plaintiff

18841

vs  
Ray T. Church and Eskie Church  
445 South State Street  
Murray, Utah  
and  
Schmidt Trailer Park  
489 West Main Street  
Plain City, Ohio  
Defendants

Filed 4/26/61

Recorded May 3, 1962

Now comes the Plaintiff, Economy Savings and Loan Company, and says that it is a Corporation duly organized and existing under and by virtue of the Laws of the State of Ohio, with Home Offices at Columbus, Ohio; that it is authorized to engage and is engaged in the business of making loans upon chattel security and licensed as such under the supervision of the Department of Securities of the State of Ohio.

FIRST CAUSE OF ACTION

For its first cause of action, Economy Savings and Loan Company alleges and avers that upon the application of Ray T. Church and Eskie Church, Economy Savings and Loan Company loaned Ray T. Church and Eskie Church the sum of Nine Hundred five and 12/100 (\$905.12) Dollars evidenced by a note dated March 30, 1959, payable in Twentyfour (24) monthly installments of Forty Six and 00/100 (\$46.00) Dollars each and last monthly payment of the balance, which payments were to include interest at the rate of three percent per month on first \$150.00, 2% per month on next \$150.00, and 2/3 of 1% per month on amount in excess of \$300.00 but not to exceed \$1,000.00, a copy of which note is hereto attached marked Exhibit "A" and made a part hereof.

SECOND CAUSE OF ACTION

For its second cause of action against the defendants, Ray T. Church and Eskie Church, Economy Savings and Loan Company avers that at the time of delivery of said note for the unconditional payment of same, Ray T. Church and Eskie Church, executed and delivered a chattel mortgage on certain household goods and chattel property described as follows:

1 Liberty (1950) Couch House Trailer S/N 26 C 72

Plaintiff further alleges and avers that the mortgage was conditioned upon the payment by the defendants, Ray T. Church and Eskie Church, of the note mentioned in the first cause of action, that should any payment of principal become delinquent the entire balance to become immediately due and payable or upon default of any other of the terms and conditions of the mortgage, in which event plaintiff would have the right of possession and repossession or foreclosure, and such other rights as are set forth in the body of the mortgage.

Plaintiff further states that the conditions of said mortgage have been broken and that the payments required to be made under the terms of the contract for the repayment of money have not been made or paid, and that the defendants, Ray T. Church and Eskie Church, failed to make the payments as required by the terms of said note, and by virtue of said default, and demand for payment, the whole principal sum of said note and mortgage, together with interest thereon (interest being disregarded), has become due and payable.

Plaintiff further alleges and avers that the mortgage mentioned in the second cause of action was filed on April 30, 1959 with the Recorder of Franklin County, Ohio, at which time and in which the defendants, Ray T. Church and Eskie Church, then resided, and that by reason of said filing of said mortgage, the same became the first and best lien on the chattels therein described, a copy of which mortgage is hereto attached, marked "Exhibit B" and made a part of this petition.

Plaintiff further alleges and avers that there is due and unpaid on said note the sum of Five Hundred Thirty Six and 24/100 (\$536.24) Dollars for principal. Interest is being disregarded.

Plaintiff further says that the defendants, Ray T. Church and Eskie Church, placed said chattel in the hands of the Schmidt Trailer Park, and that said Schmidt Trailer Park claims some right or interest in said chattel.

WHEREFORE, plaintiff prays judgment against the defendants, Ray T. Church and Eskie Church, in the sum of Five Hundred Thirty Six and 24/100 (\$536.24) Dollars; the judgment to bear interest at six percent per annum from date of rendition; that the defendant, Schmidt Trailer Park, be ordered to appear and set forth its claim or be forever barred; that said mortgage described in plaintiff's second cause of action be declared to be the first and best lien in favor of Economy Savings and Loan Company on the security therein described; that said mortgage may be found in default and foreclosed; that said property may be ordered sold and that from the proceeds thereof, the amount of the costs herein and the lien of the chattel mortgage in the sum due be paid in full, principal (interest is being disregarded), and for such other and further relief as to the Court may seem just and equitable in the premises.

J. Craig R. Wright  
Wright, Gilbert & Lewis  
Attorneys for Plaintiff  
By - J. Craig R. Wright

STATE OF OHIO, FRANKLIN COUNTY, SS:

J. Craig R. Wright, being first duly sworn, deposes and says that he is the attorney for Economy Savings and Loan Company, and that he has knowledge of the allegations and averments in the foregoing petition, and that the same are true as he verily believes.

J. Craig R. Wright  
Roland Gilbert  
Notary Public

SWORN to before me and subscribed in my presence this 22nd day of April, 1961.

STATE OF OHIO, FRANKLIN COUNTY, SS:

J. Craig R. Wright, being first duly sworn, says that he is the Attorney for the plaintiff in this action; that service of summons cannot be made upon Ray T. Church, defendant, in the City of Marysville; that the resident of said defendant is unknown and cannot be ascertained with reasonable diligence.

This case is one of those mentioned in Revised Code Section 2703.14, namely an action which related to or the subject of which is real or personal property in this state, when the plaintiff has or claims a lien thereon, or an actual or contingent interest therein, or the relief demanded consists wholly or partly in excluding him from any interest therein, and such defendant is not resident of this State or is a foreign corporation or their place of resident cannot be ascertained.

J. Craig R. Wright  
Wright, Gilbert & Lewis  
by J. Craig R. Wright  
Roland Gilbert  
Notary Public

SWORN to before me and subscribed in my presence this 22nd day of April, 1961



STATE OF OHIO, FRANKLIN COUNTY: SS:  
J. Craig R. Wright, being first duly sworn, says that he is the Attorney for the plaintiff in this action; that service of summons cannot be made upon Eskie Church, Defendant, in the City of Marysville; that the resident of said defendant is unknown and cannot be ascertained with reasonable diligence.

This case is one of those mentioned in Revised Code Section 2703.14, namely an action which related to or the subject of which is real or personal property in this state, when the plaintiff has or claims a lien thereon, or an actual or contingent interest therein, or the relief demanded consists wholly or partly in excluding him from any interest therein, and such defendant is not resident of this State or is a foreign corporation or their place of resident cannot be ascertained.

J. Craig R. Wright  
Wright, Gilbert & Lewis  
Attorneys for Plaintiff  
By - J. Craig R. Wright  
of April, 1961.  
Roland Gilbert  
Notary Public

SWORN to before me and subscribed in my presence this 22nd day

PRECIPE

4/26/61

TO THE CLERK:

Please issue summons for the defendants, Ray T. Church and Eskie Church, in the above entitled action, to be served on them by publication, Marysville, Ohio, directed to the Sheriff of Union County, Ohio, and make same returnable according to law, and endorse same "Action for Foreclosure of Chattel Mortgage and for Money in the amount of \$536.24, and other Equitable Relief",

Also please issue Summons for the Defendant, Alfred L. Schmidt dba Schmidt Trailer Park, 489 West Main Street Plain City, Ohio, directed to the Sheriff of Union County, Ohio, and make same returnable according to law, and endorse same "Action for Foreclosure of Chattel Mortgage and for Money in the amount of \$536.24, and other Equitable Relief."

J. Craig R. Wright  
Wright, Gilbert & Lewis  
Attorneys for Plaintiff  
By - J. Craig R. Wright

SUMMONS

The State of Ohio, Union County  
To the Sheriff of said County:

You are commanded to notify Alfred L. Schmidt, dba Schmidt Trailer Park, 489 West Main St., Plain City, Ohio that he has been sued by Economy Savings & Loan Co. in the Court of Common Pleas of said Union County, and must answer by the 27th day of May, A.D. 1961, or the petition of said plaintiff will be taken as true and judgment rendered accordingly. Said Sheriff will make due return of this summons on the 8th day of May, 1961.  
WITNESS my hand and seal of said Court, this 26th day of April, 1961.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

5/3/61

The State of Ohio, Union County.

Received this writ April 26th 1961, at 3:30 o'clock P.M. And on May 3rd, 1961, After diligent search I failed to find the within named Alfred L. Schmidt within the confines of my Bailiwick.

\$4.00

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

STATE OF OHIO, FRANKLIN COUNTY:

9/22/61

J. Craig R. Wright, being first duly sworn, says that he is the attorney for the plaintiff in this action, that service of summons cannot be made upon Ray T. Church and Eskie Church, defendants, in the City of Marysville, Union County; and that the plaintiff does believe that defendants, Ray T. Church and Eskie Church, live at 4050 State Street, Murray, Utah.

This case is one of those mentioned in Revised Code Section 2703.14 namely an action which related to or the subject of which is real or personal property in this State, when the plaintiff has or claims a lien thereon, or an actual or contingent interest therein, or the relief demanded consists wholly or partly in excluding him from any interest therein, and such defendants are not resident of this State or are a foreign corporation or their place of residence cannot be ascertained.

J. Craig R. Wright  
Attorneys for Plaintiff  
By J. Craig R. Wright  
of September, 1961.  
Roland Gilbert  
Notary Public  
9/22/61

SWORN TO before me and subscribed in my presence this 21st day

STATE OF OHIO, FRANKLIN COUNTY, SS:

J. Craig R. Wright, being first duly sworn, says that he is the attorney for the plaintiff in this action, that service of summons cannot be made upon Alfred L. Schmidt dba Schmidt Trailer Park, defendant, in the City of Marysville, Union County; and that the plaintiff does believe that defendant, Alfred L. Schmidt dba Schmidt Trailer park, lives at 1117 Eighth Avenue, Kennewick, Washington.

This case is one of those mentioned in Revised Code Section 2703.14 namely an action which related to or the subject of which is real or personal property in this State, when the plaintiff has or claims a lien thereon, or an actual or contingent interest therein, or the relief demanded consists wholly or partly in excluding him from any interest therein, and such defendant is not resident of this State or is a foreign corporation or their place of residence cannot be ascertained.

J. Craig R. Wright  
Craig, Gilbert & Lewis  
Attorneys for Plaintiff  
By J. Craig R. Wright  
of September, 1961.  
Roland Gilbert  
Notary Public

SOWN to before me and subscribed in my presence this 21st day

PRECIPE

9/22/62

TO THE CLERK:

Please issue summons for the defendants, Ray T. Church, Eskie Church and Alfred L. Schmidt dba Schmidt Trailer Park, in the above entitled action to be served on them by publication, Marysville, Ohio, directed to the Sheriff of Union County, Ohio, and make same returnable according to law, and endorse same "Action for Foreclosure of Chattel Mortgage and for Money in the amount of \$536.24, and other equitable Relief".

Also, please mail a copy of the petition to the defendants Ray T. Church and Eskie Church by certified mail at their last known address in 4050 State Street, Murray, Utah. Also please mail a copy of the petition to the defendant Alfred L. Schmidt dba Schmidt Trailer Park by certified mail at his last known address at 1117 Eighth Avenue, Kennewick Washington.

J. Craig R. Wright  
Wright, Gilbert & Lewis, Attorneys for Plaintiff  
By - J. Craig R. Wright



PROOF OF PUBLICATION

11/28/61

STATEOF OHIO, Village of Marysville, Union County, ss.

Personally appeared before me Marie M. Strauss and made solemn oath, that the Public Notice a copy of which is hereto attached, was published for 6 consecutive weeks on and next after September 29, 1961, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Marie M. Strauss

Sworn to before me and signed in my presence this 6 day of November, A.D. 1961

W. E. Behrens  
Notary Public

My commission expires June 22, 1964  
Printer's Fees, \$16.30

PUBLIC NOTICE

Common Pleas Court, City of Marysville, Ohio

No. 18841- Economy Savings and Loan Company, Plaintiff, vs. Ray T. Church, Eskie Church, and Alfred L. Schmidt dba Schmidt Trailer Park, Defendants.

Ray T. Church and Eskie Church whose last known address is 4050 State Street, Murray, Utah, and Alfred L. Schmidt dba Schmidt Trailer Park whose last known address is 1117 Eighth Avenue, Kennewick, Washington will take notice that on April 26, 1961, Economy Savings and Loan Company filed a petition in the above entitled cause against them, praying for judgment for \$536.24 and costs against the defendants, Ray T. Church and Eskie Church, and for the foreclosure of the chattel mortgage given by the defendants, Ray T. Church and Eskie Church on personal property, as stated, and for the sale of said personal property. Said cause will be for hearing on or after November 13, 1961.

J. Craig R. Wright, Attorney

JOURNAL ENTRY IN FORECLOSURE

1/2/62

This day this cause came on to be heard upon the petition of the plaintiff, Economy Savings and Loan Company, and the Court, being fully advised, finds that the defendants, Ray T. Church, Eskie Church and Schmidt Trailer Park have been duly and legally served with notice of the pendency of this action, and that the defendant's are in default for answer or demurrer or other pleadings to plaintiff's petition, and that the allegations thereof are therefore confessed to be true.

The Court further finds that the plaintiff is an Ohio corporation, duly authorized and licensed under the Division of the Department of Securities of the State of Ohio.

The Court further finds that Ray T. Church and Eskie Church executed and delivered to Economy Savings and Loan Company a note in the amount of Nine Hundred Five and 12/100 (\$905.12) Dollars, dated March 30, 1959, payable in twenty-four (24) monthly installments of Forty-six (\$46.00) Dollars each, and last monthly payment of the balance with interest at the rate of 3% per month on first \$150.00, 2% per month on the next \$150.00, and 2/3 of 1% per month on the amount in excess of \$300.00, as set forth in said note, and that there was due and unpaid on the note as of the date the action was filed, the sum of Five Hundred Thirty-six and 24/100 (\$536.24) Dollars, for principal. Interest is being disregarded.

The Court further finds that Ray T. Church and Eskie Church, to secure the aforementioned note, executed and delivered to Economy Savings and Loan Company, a chattel mortgage of even date with said note, covering the chattel security described in the petition, which said mortgage was duly filed of record and is the first and best lien on said chattel.

The court further finds that said note and mortgage contracts are delinquent and in default.

WHEREFORE, the Court enters judgment in favor of Economy Savings and Loan Company against Ray T. Church, Eskie Church and Schmidt Trailer Park in the sum of Five Hundred Thirty-six and 24/100 (\$536.24) Dollars, being principal, the judgment to bear interest at 6% per annum from date of rendition; the Court further finds and does hereby order and decree that unless the defendants, within five days from date hereof, pay the full amount of principal, (interest is being disregarded) due on said note and mortgage to Economy Savings and Loan Company, and the cost of this action, that an order be issued to the Sheriff of Union County, Ohio, requiring him to take possession, advertise and sell the chattel property set forth and described in the mortgage set out in the petition, and out of the proceeds pay, first, the cost of this action, second, the claim of Economy Savings & Loan Company, and any surplus to the defendants, and if the proceeds are not sufficient to liquidate the costs and the judgment, the Court hereby enters judgment for any deficiency.

APPROVED:

Gwynn Sanders

J. Craig R. Wright  
Wright, Gilbert & Lewis  
Attorneys for Plaintiff  
By J. Craig R. Wright

PRECIPE

1/16/62

To the Clerk of Common Pleas Court, Union County:

Issue order of sale to Sheriff of Union County returnable according to law. Merchandise (1 liberty, 1950 coach house trailer x/n 26 C 72) located at 489 West Main Street, Plain City, Ohio

Attorney for Plaintiff  
Columbus, Ohio January 12, 1962

APPRAISAL OF GOODS AND CHATTELS

1/25/62

We, the undersigned disinterested freeholders and residents of Union County, and State of Ohio, having been duly summons and sworn by Edward Amrine, Sheriff of said County, by Deputy Sheriff of said County, impartially to appraise upon actual view, the following described goods and chattels, to-wit:

1 Liberty, 1950 Coach House Trailer x/n 26 C 72, located at 489 West Main Street, Plain City, Ohio to be sold on an Order of Sale issued from the Court of Common Pleas of said County, in the action of Economy Savings & Loan Company Plaintiff, against Ray T. Church, et al Defendant, do forthwith, after actual view of said goods and chattels, make return and says that the same are of the real value in money of \$445.00 Dollars.

Given under our hands this 23rd day of January, 1962.

J. W. Minshall  
Ivan Kaiser  
Forest J. Bowersmith

STATE OF OHIO, UNION COUNTY:

I hereby certify that the within appraisers J. W. Minshall, Ivan Kaiser, Forest J. Bowersmith are freeholders and residents of said County, and were duly summoned and sworn by me to appraise the within described goods and chattels, this 23rd day of January, 1962.

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

PROOF OF PUBLICATION

STATEOF OHIO, Village of Marysville, Union County, ss.



Personally appeared before me Marie M. Strauss and made solemn oath, that the Sheriff's Sale a copy of which is hereto attached, was published for 2 consecutive weeks on and next after January 30, 1962, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Sworn to before me and signed in my presence this 7 day of February A.D. 1962.  
Marie M. Strauss  
W. E. Behrens  
Notary Public

My commission expires June 22, 1964.  
Printer's Fees \$9.30

2/10/62

SHERIFF'S SALE

No. 18841 On order of sale  
Economy Savings & Loan Company, Plaintiff vs. Ray T. Church, Defendant COURT OF COMMON PLEAS, UNION COUNTY, OHIO  
By virtue of the above stated writ to me directed from the Court of Common Pleas of Union County, Ohio, I will offer for sale at the north door of the Court House in Marysville, Ohio, on the 10th day of February, 1962 at or about the hour of eleven o'clock A.M. on said day the following described real estate, to-wit:  
1 Liberty, 1950 Coach House Trailer x/n 26C72, located at 489 West Main Street, Plain City, Ohio.  
Appraised at \$445.00 - Four Hundred and forty-five no/100  
Terms of Sale: Cash  
Edward Amrine, Sheriff of Union County, Ohio  
Wright, Gilbert & Lewis  
85 E. Gay St., Columbus, Ohio Attorney

ORDER OF SALE

The State of Ohio, Union County.  
to the Sheriff of said County:

Whereas, at a term of the Common Pleas Court, held at the Court House in and for said County, on the 2nd day of January, A.D. 1962 Economy Savings and Loan Company, 505 North High St., Columbus, Ohio obtained a judgment and decree against Ray T. Church, Eskie Church and Schmidt Trailer Park for the sum of Five Hundred Thirty Six and 24/100 Dollars, and Dollars, costs of suit, in Case No. 18841.

And Whereas, it was then and there by said Court ordered, adjudged and decreed that the said Ray T. Church, et al within 5 days from the 2nd day of January, 1962, pay unto the said Economy Savings & Loan Co. the said sum of Five Hundred Thirty Six and 24/100 Dollars, with interest at 6 per cent. from the 2nd day of January, 1962 and costs aforesaid, and upon default to pay the same, that an order of sale issue to the Sheriff of said County, commanding him to proceed according to the statutes regulating judgments and executions at law, to sell the real estate described in the Plaintiff's petition, etc.

And Whereas, the five days aforesaid have fully expired, and the said judgments and costs aforesaid have not been paid, or any part thereof, as appears from records:

We Therefore Command You, that you proceed without delay to appraise, advertise and sell, according to the statutes regulating judgments and executions at law, the following described lands and tenements, situated in Union County, Ohio, to-wit:

1 Liberty, 1950 Coach House Trailer x/n 26 C 72, located at 489 West Main Street, Plain City, Ohio to make the sum of \$536.24 (Five Hundred Thirty Six and 24/100 Dollars) judgment with the said interest thereon, and costs aforesaid; and that you also pay the costs of this writ, and all increase and accruing costs; and the residue, if any there be, you bring into this Court to abide the further order of the Court, and that you make return of your proceedings to our said Court within sixty days from this date, and have you then and there this writ.

WITNESS my signature as Clerk of our said Court of Common Pleas, and the seal of said Court, at Marysville, Ohio, this 16th day of January, 1962.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

SHERIFF'S RETURN

Feb. 14, 1962

The State of Ohio, Union County.

I received this order of sale on the 17th day of Jan. 1962, at 11:00 o'clock A.M. and in obedience to its command I did, on the 23rd day of Jan. 1962, summon J. W. Minshall, Ivan Kaiser, and Forest J. Bowersmith, three disinterested free-holders, residents of said county, who were by me duly sworn to impartially appraise the lands and tenements therein described, upon actual view; and afterward, on the 23rd day of Jan. 1962, said appraisers returned to me, under their hands, that they did upon actual view of the premises, estimate and appraise the real value in money of the same at \$445.00 Dollars. A certified copy of said appraisal I forthwith deposited in the office of the Clerk of the Court of Common Pleas of said county. And on the 24th day of Jan. 1962, I caused to be advertised in the Journal-Tribune (a newspaper printed and published and of general circulation in Union County, ) said lands and tenements to be sold at public sale, at the north door of the Court House, of said County, on the 10th day of Feb. 1962, at 11 o'clock A.M. of said day. And having advertised the said lands and tenements for more than thirty days previous to the day of sale, to-wit: five consecutive weeks, on the same day of the week in each week, and in pursuance of said notice I did on said 10th day of Feb. 1962, at the time and place above mentioned, proceed to offer said lands and tenements at public sale, at the north door of the Court House and then and there came Thomas Mobile Homes, 5019 N. High St., Cols. Ohio who bid for the same the sum of \$330.00 Dollars; and said sum being two-thirds of the appraised value thereof, and said Thomas Mobile Homes being the highest and best bidder thereof, I then and there publicly sold and struck off said Liberty, 1950 Coach House Trailer to him for said sum of \$330.00 Three Hundred and Thirty Dollars////no/100 Dollars. Sheriff \$14.50

Appraiser Fee \$9.00  
Printer Fees \$9.30  
Auctioneer \$10.00

Edward Amrine, Union County Sheriff  
Martha Rogers, Deputy

CONFIRMATION OF SALE AND ORDER FOR TITLE AND DISTRIBUTION

3/17/62

On motion of the plaintiff and on its producing the return of the Sheriff on the sale made under the former order of this Court; and the Court, on careful examination of the proceedings of the said Sheriff, being satisfied that the same have been had in all respect in conformity to law and the orders of this Court, it is ordered that said proceedings and sale be, and they are hereby approved and confirmed.

It is further ordered and decreed that said Sheriff convey to the purchaser, Thomas Mobile homes, by confirmation of sale, according to law, the Liberty Coach House Trailer so sold and the purchaser is hereby subrogated to all the rights of the lien holders in said Liberty Coach House Trailer, so far as they may be paid herein, for the protection of this certificate of title; and a confirmation of sale is awarded to put said purchaser in possession of said Liberty Coach House Trailer.

It is further ordered that the Clerk cause satisfaction of the liens of the parties to be entered on the records in this Office of the Recorder of Franklin County, Ohio.

And the Court coming now to distribute the proceeds of said sale, amounting to Three Hundred Thirty and 00/100 (\$330.00) Dollars, it is ordered that the Sheriff out of the money in his hands, pay:

First: To the Clerk of Union County Common Pleas Court, the costs of this action, taxed at \$90.67  
Second: To the Plaintiff, Economy Savings and Loan Company, the sum of \$239.33

APPROVED: Gwynn Sanders, Judge  
Roland T. Gilbert, Wright, Gilbert & Lewis Attorneys for Plaintiff by Roland T. Gilbert



PETITION IN PARTITION

Edgar M. Prouty, Widower and unmarried  
Route #4  
Marysville, Ohio  
Plaintiff

vs

Jay Louis Lake, and Marian Lake, his wife  
8 lee Street  
Old Bridge, New Jersey

and

Nancy Lake, single and unmarried  
46 Clarke Avenue

Jersey City, New Jersey

and

Lyle Lake, single and unmarried  
46 Clarke Avenue

Jersey City, New Jersey

and

Shirley Lake Ertle and William J. Ertle, Srr., her husband  
653 Communipaw Ave.

Jersey City, New Jersey

Defendants

Case No. 18988

12/9/61

Recorded May 10, 1962

Plaintiff and the Defendants are tenants in common of the following described real estate with the plaintiff owning an undivided Seventeen-Eightheenths (17/18) interest, and the Defendants each having an undivided one-Seventy Second (1/72nd) interest in said premises, the combined total interest of said Defendants being an undivided one Eighteenth (1/18) interest herein:

Real Estate situated in the County of Union, in the State of Ohio, and in the Township of Paris, and bounded and described as follows:

Being part of Survey No. 4075.

Beginning in the center of the Blue and Jewell stone road and in the westerly margin of the right of way of the New York Central Railway; thence with the center line of said Blue and Jewell Road. S. 8° E. about 100 poles to the intersection of said raod with the Staley Road; thence with the center line of said Staley Road N. 82° E. about 46 poles to the Westerly margin of the right of way of said New York Central Railway; thence with the Westerly line of said right of way 112 poles to the beginning. CONTAINING 14 acres, more or less. Conveying all of the Harvey N. Wood farm lying West of the said Railway.

Also another tract of land, part of Survey No. 5728, and bounded and described as follows: Beginning at a stone at the northeast corner of said Survey No. 5728; thence with the East line of said Survey S. 8° 10' E. 70 poles to a stone; thence S. 80° 50' W. 45.32 poles to a stone. a corner to land conveyed by Andrew Parker to Martha E. Fry, January 6th, 1877; thence with two consecutive lines of said lands N. 8° W. 30.68 poles to a stone and thence S. 80° 50' W. 13 poles to a stone thence N. 8° W. 39.60 poles to a stone in the North Line of said Survey; thence with said Line N.80° 35' E. 58 poles to the beginning. CONTAINING 23 acres, more or less.

Also another tract of land, part of Survey No. 4075, and bounded and described as follows: Beginning at a stone at the southwest corner of Survey No. 4075; thence with the West line of said Survey N. 10° W. 40 poles to a stake at the southwest corner to M. B. Lefever's land; thence with the South line of said land N. 80° E. 150 poles to a stake at the southeast corner of said land and in the center of the Marysville and Peoria Gravel Road; thence with the center of said road S. 10° E. 40 poles to a stone in the South line of said Survey N. 4075; thence with said line S. 80° W. 150 poles to the place of beginning. CONTAINING 37.50 acres, more or less.

Also another tract of land, part of Survey No. 4074, and being a portion of the original tract of land beloning to Frank Nicol and more definitely bounded and described as follows: Beginning at an iron pin set on the center line of the Marysville-Peoria Gravel Road and at a distance of 17.5 poles from the line of intersection of the Marysville-Peoria Gravel Road and the Amerine-Wood Township Gravel Road, and on the North line of land owned by Frank Nicol; thence S. 43° 27' E. along the center line of said Marysville Peoria Gravel Road 14.9 poles to an iron pin set in the center line of said road; thence S. 50° 49' W. 18.5 poles to a wooden stake; thence N. 18° 55' W. 16.7 poles to a wooden stake set at the northwest corner of lands beloning to Frank Nicol; thence N. 61° 24' E. 9.3 poles to the place of beginning. CONTAING 1.3 acres, more or less, subject to all legal highways.

CONTAING IN ALL 75.80 acres, more or less.

The title to such estate came to the Plaintiff by purchase and by inheritance, this Plaintiff being the surviving spouse of Nancy O. Prouty, who died intestate on January 26, 1961. The estate of Nancy O. Prouty is being administered in the Probate Court of Union County, Ohio, under case number 18409.

Plaintiff says that Jay Louis Lake is a grandson of Nancy O. Prouty, deceased; that he resides at 8 Lee Street, Old Bridge, New Jersey, is married and the Defendant-Marian Lake is his wife; that Nancy Lake is a granddaughter of said decedent and resides at 46 Clarke Ave., Jersey City, New Jersey, and is single and unmarried; that Lyle Lake is a grandson and resides at 46 Clarke Avenue, Jersey City, New Jersey, and is single and unmarried; that Shirley Lake Ertle is a granddaughter, resides at 653 Communipaw Ave., Jersey City, New Jersey, is married and the Defendant, William J. Ertle Sr., is her husband

Plaintiff says that the personal property and personal advancements by this Plaintiff will be sufficient to pay the debts and claims against the state.

WHEREFORE, Plaintiff prays that said real estate be partitioned and if the same cannot be divided by metes and bounds without manifest injury to its value, that the entire tract be ordered appraised and sold and the proceeds be divided between the Plaintiff and the Defendants as their respective interests may appear and for such other and further relief as may be just, equitable and proper.

William L. Coleman  
Attorney for Plaintiff, Edgar L. Prouty

STATE OF OHIO, COUNTY OF UNION, SS:

Before me, a Notary Public, in and for the State of Ohio, personally came, Edgar M. Prouty, who being duly sworn, deposes and says that the facts stated and allegations contained in the foregoing Petition for Partition are true to the best of his knowledge and belief.

Sworn to before me and subscribed in my presence this 7th day of December, 1961.

Edgar M. Prouty  
William L. Coleman  
Notary Public

PROOF OF PUBLICATION

2/10/62



STATE OF OHIO, Village of Marysville, Union County, ss.  
Personally appeared before me Marie M. Strauss and made solemn oath, that the Legal Notice a copy of which is hereto attached, was published for 6 consecutive weeks on and next after December 13, 1961, in The Marysville Evening Journal Tribune, a newspaper of general circulation in the Village of Marysville and Union County.  
Sworn to be before me and signed in my presence this 18 day of January A.D. 1962.  
My commission expires June 22, 1964.  
Printer's Fees \$67.65

Marie M. Strauss  
W. E. Behrens  
Notary Public

LEGAL NOTICE  
Jay Louis Lake and Marian Lake, his wife, of 8 Lee Street, Old Bridge, New Jersey; Nancy Lake of 46 Clarke Avenue Jersey City, New Jersey, Lyle Lake of 46 Clarke Avenue Jersey City, New Jersey; and Shirley Lake Ertle and William J. Ertle Sr., of 653 Communipaw Ave., Jersey City, New Jersey, will take notice that on the 9th day of December, 1961, Edgar M. Prouty, filed a Partition action in the Court of Common Pleas, Union County, Ohio (Case No. 18988) against the above named parties praying for partition of the following described premises.  
(same as in the petition)  
Said Petition prays that if the same cannot be divided by metes and bounds without manifest injury to its value that it be sold.  
Said parties are required to answer on or before 27th day of January, 1962.  
Edgar M. Prouty, William L. Coleman, Daniel T. Lehigh, Attorneys

JOURNAL ENTRY  
3/14/62  
This cause came on for hearing on the Petition of Edgar M. Prouty, and the evidence and the Court finds that it has jurisdiction of the subject matter and all the parties.  
The Court also finds that all defendants were duly and lawfully served with summons and now answers have been filed herein.  
The Court also finds that Plaintiff is the owner of an estate in fee simple in an undivided 17/18th interest in the real estate described in the Petition; and that the Defendants, Jay Louis Lake, and Marian Lake, his wife; Nancy Lake; Lyle Lake; and Shirley Lake Ertle and William J. Ertle, Sr., Her husband, each is the owner in fee simple of an undivided 1/72nd interest in said premises; with the combined total interest of said Defendants being an undivided 1/18th interest in said premises.  
The Court further finds that Plaintiff is entitled to have partition made of said premises as prayed for in the Petition.  
It is therefore, ordered, adjudged and decreed that partition of said property be made, and Dwight Graham, Fred Johnson, and H. J. Coleman, three disinterested and judicious freeholders of the vicinity, are hereby appointed commissioners to make the same.  
If said commissioners find that said real estate cannot be divided without manifest injury to its value they shall find the just value of said premises.  
It is further ordered that a writ issue to the Sheriff of Union County, Ohio, commanding him that by the oaths of said Commissioners he cause to be set off and divided to each of the above named parties the part and proportion of said real estate to which they are hereinbefore severally found to be entitled, and of his proceedings herein the said Sheriff is ordered to make due return.  
APPROVED BY:  
William C Coleman  
Edgar M. Prouty  
Gwynn Sanders  
Judge

PRECIPE  
March 14, 1962  
TO THE CLERK:  
Issue Writ of Partition to the Sheriff of Union County, Ohio, and make same returnable according to law.  
William L. Coleman  
Attorney for Plaintiff

LAND APPRAISEMENT  
3/27/62  
WHEREAS, The Sheriff of said County, having in his hands Writ of Partition issued from the Court of Common Pleas of said County, on the 14th day of March A.D. 1962, in a decree in favor of Edgar M. Prouty, Widower and unmarried, R#4, Marysville, Ohio and against Jay Louis Lake, et al commanding said Sheriff to cause to be appraised, advertised and sold, the following described lands and tenements situate in Paris Township, County of Union, and State of Ohio, to-wit:  
(same as in the petition)  
did summons us Fred Johnson, Dwight L. Graham and H. J. Coleman three disinterested freeholders, residing within said County of Union and administered to us an oath impartially to appraise said lands and tenements upon actual view thereof.  
Now We, after actual view of said premises, and forthwith after such view, do find and estimate the real value, in money of said premises to be as follows, viz: \$14,000.00.  
In Testimony Whereof, We hereunto set our hands this 24th day of March, 1962.  
ATTEST:  
Edward Amrine, Union County Sheriff  
by Martha Rogers, Deputy  
Fred Johnson  
Dwight L. Graham  
H. J. Coleman  
The State of Ohio, Union County.  
I hereby certify that I called an inquest of Fred Johnson, Dwight L. Graham and H. J. Coleman three disinterested freeholders, residents of Union County, Ohio, and administered to them an oath impartially to appraise the within described property upon actual view.  
Dated this 24th day of March, 1962.  
Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

WRIT OF PARTITION  
To the Sheriff of Said County:  
Pursuant to an order of our said Court of Common Pleas within and for said County, made at the January Term, A.D. 1962, in a certain case No. 18988 now pending in said Court, Wherein Edgar M. Prouty, Widower and unmarried, R#4, Marysville, Ohio plaintiff, and Jay Louis Lake, et al defendants, you are commanded that, by the oaths of Dwight Graham, Fred Johnson, and H. J. Coleman three disinterested and judicious freeholders of the vicinity who were appointed by the Court as Commissioners for such purpose, you cause to be set off and divided the following described premises, situate in the Township of Paris, County of Union and State of Ohio, to-wit:  
(same as in the petition)  
To the persons named herein, and in the following proportions, to-wit:  
To Edgar M. Prouty 17/18th part.  
To Jay Louis Lake & Marian Lake, his wife, 1/72nd part.  
to Nancy Lake, 1/72nd part  
to Lyle Lake 1/72nd part  
to Shirley Lake Ertle & William J. Ertle Sr. her husband 1/72nd part.



But if the said Commissions are of the option that said premises cannot be divided according to the demand of this writ without manifest injury to its value, you cause them to make a just valuation of the same in money and of this writ and your proceedings thereon and of the proceedings of said Commissioners under this writ, you make return to our said Court forthwith.

WITNESS my hand and the seal of said Court at Marysville, Ohio, this 14th day of March, 1962.

Helen L.Sullivan, Clerk  
By Eileen Daniels, Deputy

SHERIFF'S RETURN

3/27/62

I received this writ on the 14th day of March 1962, at 11:45 o'clock A.M., and in obedience to its command, I have executed the same by the oaths of Fred Johnson, DwightL. Graham, H. Coleman the Commissioners therein named, causing, to be set off and divided the premises in said Writ described.

The said Commissioners being of the opinion that the said premises cannot be divided without manifest injury to its value, I have caused the same to be appraised.

All of which will appear by the report of said Commission, herewith returned.  
Given under my hand this 24th day of March, 1962.

Edward Amrine, Union County Sheriff  
By Deputy: Martha Rogers

COMMISSIONERS REPORT

We are of the opinion that the said estate cannot be divided according to the demand of the writ without manifest injury to its value, and we do estimate the just value of the same at \$14,000.00.  
Given under our hands this 24th day of March, 1962.

Fred Johnson  
DwightL. Graham  
H. J. Coleman  
Commissioners

ENTRY OF ELECTION

4/4/62

Now comes, Edgar M. Prouty, Plaintiff herein, and one of the tenants in common of the real estate described in the Petition in Partition, and hereby elects to take said property at the appraised value, to wit: Fourteen Thousand Dollars (\$14,000.00).

Edgar M. Prouty

JOURNAL ENTRY APPROVING  
RETURN OF COMMISSIONERS  
AND ELECTION TO TAKE  
PROPERTY AND ORDERING  
DEED AND DISTRIBUTION

5/8/62

This cause came on for hearing this day of April, 1962, on the return of the Sheriff and the Report of the commissioners appointed herein, and it appearing to the Court that said premises cannot be divided by metes and bounds without manifest injury to the value thereof and that the commissioners have appraised said estate at \$14,000.00 (Fourteen Thousand Dollars ). The Court finds said return and proceeds in all respects in conformity to law and the order of the Court and the same is hereby approved and confirmed.

It appearing to the Court that the Plaintiff, Edgar M. Prouty, has elected to take said estate at the appraised value thereof, such election is hereby approved and said property is hereby adjudged to said Edgar M. Prouty, upon his paying to the other parties to this action their proportion of the appraised value of said property minus their proportion of the costs and according to their respective rights as heretofore found by the Court. Such payments is to be cash and the cancelled checks or copies thereof to be filed with the Court in way of receipts.

Upon such payment and the payment of his portion of the costs herein, the Sheriff of Union County, Ohio, shall execute and deliver to said Edgar M. Prouty a Deed for said real property.

APPROVED BY:  
Coleman & Lehigh  
Attorney for Plaintiff

GWYNN SANDERS  
Judge

PETITION

Glenna E. Butler  
Richwood RD 1, Ohio  
Plaintiff  
vs  
Ernest C. Butler  
Richwood RD 1, Ohio  
Defendant

19043  
Filed March 16, 1962  
Recorded May 22, 1962

Plaintiff, Glenna E. Butler, says she has been a resident of the State of Ohio for more than one year last past, and has been a bona fide resident of the County of Union in the State of Ohio for more than 90 days immediately prior to the date of the filing of her petition.

Plaintiff says she was married to the defendant, Ernest C. Butler, on the 31st day of December, 1939, at Marysville, Ohio, and that no children have been born of said marriage.

Plaintiff says she is the owner of household furniture and appliances, a 1954 Buick Automobile, live stock, feed and 47 acres, more or less, of real estate situated in Washington Township, Union County, Ohio. The defendant is the owner of a Restaurant and dwelling house situated in Washington Township, Union County, Ohio, the personal property in said restaurant, a 1957 Plymouth Automobile and personal effects.

Plaintiff further says that on December 26, 1961, plaintiff and defendant made and entered into a separation agreement whereby they made settlement of all property owned by them.

Plaintiff further says the defendant is threatening to move and dispose of the household furniture, feeds, live stock and other personal property owned by the plaintiff, and will move and dispose of such furniture, feeds and live stock unless enjoined by this Court.

Plaintiff says the defendant has been guilty of gross neglect of duty toward the plaintiff and guilty of extreme cruelty toward the plaintiff, the particulars of such allegations will be furnished the defendant or his counsel upon request and will be fully proved at the trial of this cause.

Wherefore, plaintiff prays for a temporary injunction enjoining the defendant from taking any of the household furniture, live stock, feed and other personal property of the plaintiff, or/and from disposing of any such household furniture, live stock, feed and other personal property owned by the plaintiff, and from interfering with the plaintiff in the ownership of said property during the pending of this suit, for divorce, and that the court approve said separation agreement and property settlement made and entered into December 26, 1961 by and between said parties, and for such other and further relief as the plaintiff may be entitled to.

John W. Dailey  
Attorney for Plaintiff

STATE OF OHIO, UNION COUNTY, SS

Glenna E. Butler, being duly sworn, says the facts stated and allegations made in the foregoing petition are true.  
Glenna E. Butler



Sworn to before me and subscribed in my name this 16th day of March, 1962.

John W. Dailey  
Notary Public, State O

TO THE CLERK:

Issue summons with certified copy of this petition to the Sheriff of Union County, Ohio for service on the defendant, Ernest C. Butler, Endorse, "Action for Divorce, Injunction and other relief" and make same returnable in accordance with law.

John W. Dailey  
Attorney for Plaintiff

JOURNAL ENTRY

3/16/62

This cause came on for hearing on the petition of the plaintiff for a temporary injunction to restrain the defendant, Ernest C. Butler, from taking and disposing of any of the household furniture, live stock, feeds and other personal property owned by the plaintiff.

It appearing to the Court the petition herein is sworn to definitely, it is ordered a restraining order be issued forthwith, without bond given by the plaintiff, enjoining the defendant, Ernest C. Butler, from molesting the plaintiff, from taking and disposing of any and all personal property owned, or claimed to be owned, by the plaintiff including household furniture, live stock, feeds and personal effects of the plaintiff, until further order of this Court.

It is further ordered a copy of this order be served on the defendant, Ernest C. Butler, by the Sheriff of Union County, Ohio, and that said Sheriff make due return thereof.

APPROVED:

John W. Dailey  
Attorney for Plaintiff

Gwynn Sanders  
Judge

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:

You are hereby commanded to notify Ernest C. Butler, R#1, Richwood, Ohio that Glenna E. Butler, R#1, Richwood, Ohio has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition & Journal Entry (a copy of which accompanies this summons) charging him with gross neglect of duty and extreme cruelty and asking that she be divorced from him and injunction and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 26th day of March, 1962.

WITNESS my hand and seal of said Court, this 16th day of March, 1962.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

SHERIFF'S RETURN

3/17/62

The State of Ohio, Union County.

Received this writ on the 16th day of March, 1962, at 12:30 o'clock P.M. and on the 16th day of March, 1962, I served the same by personally handing to the within named Ernest C. Butler a true copy thereof & Journal Entry together with a certified copy of the petition filed against him in this cause.

\$5.00

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

JOURNAL ENTRY

5/4/62

This day this cause came on for hearing on the petition and the evidence and on consideration the Court finds that the defendant, Ernest C. Butler, has been duly served personally according to law and that he is in default for answer or demurrer and that the facts set forth in said petition are true.

The Court finds, from the evidence adduced, that plaintiff was a resident of the State of Ohio for more than one year, and a bona fide resident of the County of Union in the State of Ohio for more than ninety days prior to the date of the filing of her petition; and that the parties were married as set forth in the petition and that no children were born of said marriage.

The Court finds, from the evidence adduced, that the defendant has been guilty of gross neglect of duty toward the plaintiff and that by reason thereof ~~the~~ plaintiff is entitled to a divorce.

The Court finds that on December 26, 1961, plaintiff being represented by her counsel and the defendant being represented by his counsel, made and entered into a separation agreement and property settlement by the terms of which all property rights of the parties hereto were settled by and between them. The Court finds said property settlement to be fair, just and equitable and orders a copy thereof to be attached to this order, marked "Exhibit A" and made a part of this order and incorporated herein as if fully rewritten herein.

It is further ordered that the plaintiff be and she hereby is granted a divorce from the defendant and the marriage contract heretofore existing be and is hereby dissolved and set aside and the plaintiff be and she is hereby restored to her former name of Glenna E. Southwick.

It is ordered plaintiff pay the costs and this proceeding be recorded.

APPROVED: John W. Dailey

Gwynn Sanders  
Judge

SEPARATION AGREEMENT

These articles of separation made and concluded at Richwood, Ohio, this 26th day of December, 1961, by and between Ernest C. Butler and Glenna E. Butler, husband and wife, WITNESSETH:

That whereas, the parties hereto have agreed upon an immediate separation, and do hereby agree to live separate and apart during the remainder of their natural lives, and

Whereas, the said Ernest C. Butler this day has paid to the said Glenna E. Butler the sum of one dollars (\$1.00) the receipt of which is hereby acknowledged and has assigned, conveyed and transferred, and does hereby assign, convey and transfer to said Glenna E. Butler all of the household furniture in the residence lately occupied by said parties; except a brown valure living room suit and a maple bedroom suit, two piece, which said items are retained by the said Ernest C. Butler as his individual property and the said Ernest C. Butler does hereby release, relinquish and assign to the said Glenna E. Butler all right, title and interest which hemay have in and to certain farm real estate located in Washington Township, Union County, Ohio, and further described as being Forty Seven acres (47) more or less together with all chattel items used in said farming operation thereon and all livestock, feed, grain and machinery located thereon.

It is further mutually agreed between the parties hereto that the real estate upon which is situated the restaurant building and the residence property lately occupied by the parties standing in the name of Ernest C. Butler located in Washington Township, Union County, Ohio, and more particularly in the Village of Byhalia shall be operated by the said Ernest C. Butler for a period not exceeding Six months (6) during which said period of time an effort will be made by the parties hereto to sell said real estate for the best price obtainable. If unable to sell within six months from this date said premises to be advertised for sale in a newspaper of general circulation in said county and to be sold at public auction to the highest bidder. Upon sale of said premises either at private sale or at public auction after the costs and expenses of sale have been paid the sum of Four Thousand Five Hundred Dollars shall be paid first to the said Ernest C. Butler and the remainder thereof shall be divided equally between the said Ernest C. Butler and Glenna E. Butler.



It is further mutually agreed between the parties hereto that during the period of operation of said restaurant, by the said Ernest C. Butler, all bills and expenses of operation of said restaurant shall be paid by the said Ernest C. Butler, including all outstanding bills presently outstanding against said restaurant.

It is further mutually agreed that all money on deposit in banking institutions or otherwise is standing in the name of either of said parties hereto, shall remain as the individual property of the person whose name in which it stands.

It is further mutually agreed between the parties hereto that until such time as said premises are sold either at private or public sale, each of the said parties hereto shall have access to and the right to reside in the dwelling house located on said real estate, which also houses the restaurant building; all utility bills and coal for the operation of the dwelling, house on said lot shall be paid by the said Ernest C. Butler; the meals, and other living expenses of each of the parties hereto shall be the separate obligation of each; each party agrees that he or she will pay all of his or her own medical expenses, due now or hereafter to become due; that the said Ernest C. Butler hereby agrees to prepare all of his own meals outside of the residence property, and in the restaurant property, and that the said Glenna C. Butler shall have the right to use the kitchen in the dwelling house for the purpose of preparing her meals.

Said Ernest C. Butler hereby agrees that he will not during the period of time that he occupies the restaurant building and operates the same and until sale, remove any of the furnishings, fixtures, or equipment used in the operation of said restaurant building and that the same will remain there until sold either at private or public sale; it is further agreed that all of the personal items of each of the parties hereto, such as heirlooms, relics, jewelry, clothing, tools, but not confined to these items however which are the separate and individual property of the parties hereto may be removed as and for the individual property at anytime hereafter, and the said Glenna E. Butler hereby agrees that she will deliver unto the said Ernest C. Butler two guns upon the sale of said premises, said guns being the individual property of the said Ernest C. Butler.

It is further mutually agreed by the parties hereto that should divorce proceedings be instituted, and a decree of divorce obtained, this agreement shall be made a part of said decree, by reference as and for a part of said decree.

## II

Now therefore in consideration of the premises the said Glenna E. Butler hereby releases the said Ernest C. Butler from all obligations of future support for herself, and she does further release and relinquish unto the said Ernest C. Butler his heirs, executors, administrators and assigns, all real property of the said Ernest C. Butler, now owned or hereafter acquired, and any and all rights or claims to a distributive share of his personal estate, now owned or hereafter acquired and all claims for an allowance for twelve (12) months support and to reside in his mansion house, and all rights or claims as widow, heir distributee, survivor or next of kin, in or to the estate of the said Ernest C. Butler, whether real or personal, and whether now owned or hereafter acquired, and all other rights or claims of every kind and nature arising or growing out of said marriage relation; and the said Glenna E. Butler further agrees that she will not contract any debts on the credit of the said Ernest C. Butler or incur any liability on his behalf, nor ask further support or counsel fees from the said Ernest C. Butler should divorce proceedings be instituted.

And the said Glenna E. Butler for the consideration aforesaid agrees that the said Ernest C. Butler shall be at full liberty to dispose of all his property, real and personal, by Last Will and Testament free from all claims, interest or right in favor of the said Glenna E. Butler, and that upon his death all of his property which shall not have been so disposed of shall decent to vest in and be distributed to such persons as would be entitled thereto, by the statute of descent and distribution of the State of Ohio then in effect, had the said Glenna E. Butler died during the life of the said Ernest C. Butler.

And the said Ernest C. Butler for consideration aforesaid does hereby release and relinquish to the said Glenna E. Butler, her heirs, executors, administrators and assigns, all rights or claims or dower, inheritances, descent, distribution, and all rights or claims as widower, heir, distributee, survivor or next of kin, and all other rights or claims in any manner arising between the parties, in or to the estate of the said Glenna E. Butler, real, personal or mixed now owned or hereafter acquired, but by these presents the said Ernest C. Butler shall be forever barred therefrom.

WITNESS our hands the day and year first above written.

IN THE PRESENCE OF:  
Lloyd George Kerns  
John W. Dailey

Ernest C. Butler  
Glenna Butler

STATE OF OHIO, COUNTY OF UNION, SS:

Personally appeared before me the undersigned Notary Public in and for the State of Ohio, the above named Ernest C. Butler and Glenna E. Butler, who does acknowledge that they did sign the foregoing instrument and that the same was their free act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Richwood, Ohio, this 26th day of December, 1961.

Lloyd George Kerns  
Notary Public

## PETITION

Anna Columber, aka  
anna avery,  
Plaintiff  
vs  
Harold Brown  
Defendant

19050

3/29/62  
Recorded May 23, 1962

Plaintiff says that her name is now Anna Avery and that her maiden name was Anna Columber.

That she is in possession by tenant of the following described real property:

Situated in the Village of Marysville, County of Union,  
and State of Ohio, and more fully described as follows:  
Tract No. 1. Being the west one-half of Outlot No. 37.  
Tract No. 2. Being 48 feet off the west side of Outlot No. 38.

That Defendant, Harold Brown, claims some interest or estate in said property adverse to the Plaintiff, as a descendant of Joshua Brown.

That on the 25th day of January, 1922, Plaintiff, then known as Anna Columber, purchased the land above described from Joshua Brown, who executed and delivered to Plaintiff, for a valuable consideration, a Warranty Deed. Said deed was delivered to the Recorder of Union County on the 14th day of February, 1922 and recorded in Volume 125, page 446 of Deed Records of Union County, Ohio. Said deed by error of the scrivener did not contain description of Tract No. 2 as above described, although it was the intent of the parties of the deed to include it.

That Plaintiff has had continuous and exclusive possession of all of said premises by herself, or by tenant, from January 25, 1922 to date.

WHEREFORE, Plaintiff prays that she be held to have good title to said land free of any right, title, claim or interest of Defendant and that her title be quieted as against any adverse estate or interest of Defendant, and for her costs herein.

Robert O. Hamilton

STATE OF OHIO, UNION COUNTY, SS:

Anna Avery, being first duly sworn, says she is the Plaintiff in the foregoing Petition and that the facts stated and allegations contained are true as she verily believes.

Anna Avery



Sworn to before me and signed in my presence this 29th day of March, 1962.

Robert O. Hamilton  
Notary Public - State of Ohio

AFFIDAVIT

3/29/62

STATE OF OHIO, UNION COUNTY, SS:

Anna Avery, being duly sworn, says that she is the Plaintiff in this action; that this is an action mentioned in R. C. 2703.14; that the Defendant is serving in the United States Navy outside of the State of Ohio; and that service of summons cannot be made upon the Defendant within this state.

Sworn to before me and subscribed in my presence this 29th day of March, 1962.

Anna Avery  
Robert O. Hamilton  
Notary Public - State of Ohio

PRECIPE

4/3/62

To the Clerk:

Mail copy of 1st publication in the above entitled case directed to Harold Brown, defendant returnable according to law.

Dated 4/3/62

Mailed April 3, 1962

Robert O. Hamilton  
Attorney for Plaintiff

AFFIDAVIT

5/7/62

STATE OF OHIO, UNION COUNTY, SS:

Now comes Robert O. Hamilton and says that he is attorney for the Plaintiff in the above entitled action; that the defendant, Harold Brown, who is in default of appearance herein, is in the military service of the United States and stationed on USS Little Rock, CLG4, c/o FPO, New York, New York.

Affiant further says that said Harold Brown has been legally served by publication and that he had actual notice of the filing of this action.

Affiant further states that this affidavit is made in accordance with the requirements of Section 520. Title 50, of the Soldiers' and Sailors' Civil Relief Act as amended on October 17, 1940.

Further affiant saith naught.

Sworn to before me and signed in my presence this 7th day of May, 1962.

Robert O. Hamilton  
Helen R. Heller  
Notary Public- Union County, O.

APPLICATION TO APPOINT ATTORNEY TO REPRESENT DEFENDANT

5/7/62

Now comes Plaintiff and respectfully requests the Court to appoint an attorney to represent and protect the interest of the Defendant, Harold Brown, in the above entitled action, for the reason that said Defendant is in the military service of the United States, and is in default of appearance in said action.

Anna Avery  
By Robert O. Hamilton, her atty.

ORDER APPOINTING ATTORNEY

5/7/62

It appearing from an affidavit of the Plaintiff filed herein that the Defendant, Harold Brown, who is in default of appearance in this action, is in the military service of the United States, and an application having been filed by the Plaintiff for the appointment of an attorney to represent and protect the interest of said Defendant in accordance with the requirements of Section 520, Title 50, of the Soldiers' and Sailors' Civil Relief Act as amended on October 17, 1940;

It is hereby ordered, adjudged and decreed that an, attorney, who is a member of the bar of this Court, is hereby appointed as attorney to represent said Defendant and to protect his interest.

Gwynn Sanders  
Judge

ANSWER

5/7/62

Now comes Robert E. Evans, Jr., duly appointed attorney for the Defendant under 50 USC Sec 520, and says that he has examined the pleadings and proceedings herein and finds that the Defendant, Harold Brown has been legally served with summons by publication and is in default of answer.

The undersigned on behalf of said Defendant, denies the allegations of the Petition and submits the interest of the Defendant to the care and protection of the Court.

Robert E. Evans, Jr.  
Attorney for Defendant

JOURNAL ENTRY

5/7/62

This case came on for hearing before the Court on May 7, 1962.

The Court finds that the Defendant Harold Brown has been legally served with summons by publication and is in default for answer or other pleading to the petition.

The Court further finds that the Defendant is in the U. S. Navy and that Robert E. Evans, Jr. has been appointed by the Court as attorney for the Defendant under Title 50, U.S.C. Sec. 520.

The Court further finds that all of the allegations of the petition are true; that at the time of bringing this action the said Plaintiff was in possession of the real property described in the petition; that Plaintiff has had continuous and exclusive possession of said premises by herself or by her tenant from January 25, 1962 to date; and that the Plaintiff ought to have her title and possession quieted as against the Defendant, as prayed for in her petition.

It is therefore ordered, adjudged and decreed that the title and possession of the said Anna Columer, now known as Anna Avery, to all and singular the premises in the petition described to-wit:

Situated in the Village of Marysville, County of Union, and State of Ohio, and more fully described as follows:

Tract No.1. Being the west one-half of Outlot No. 37.

Tract No. 2. Being 48 feet off the west side of Outlot No. 38.

be quieted as against any adverse interest or estate of the Defendant, and all persons claiming under him, and that Plaintiff be held to have good title to said land free of any right, title, claim or interest of the Defendant; and the Defendant is hereby forever enjoined from setting up any claim to said premises, or any part thereof, adverse to the title and possession of the said Anna Columer thereto.

APPROVED BY:

Robert O. Hamilton  
Attorney for Plaintiff

Gwynn Sanders  
Judge

Attorney for Defendant



PROOF OF PUBLICATION

5/8/62

STATE OF OHIO, VILLAGE OF MARYSVILLE, UNION COUNTY. SS.

Personally appeared before me Marie M. Strauss and made solemn oath, that the legal Notice a copy of which is hereto attached, was published for 6 consecutive weeks on and next after March 30, 1962, in the Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Sworn to before me and signed in my presence this 5 day of May A.D. 1962.  
Marie M. Strauss  
W. E. Behrens  
Notary Public

My Commission expires June 22, 1964.  
Printer's Fees, \$24.36

LEGAL NOTICE, UNION COUNTY COMMON PLEAS COURT CATE NO. 19050

Harold Brown, whose address is S-2 Division, USS Little Rock. C.L. G. 4 F. P. O. New York, N.Y., will take notice that on the 29th day of March, 1962, the undersigned, Anna Avery, filed her petition in the Court of Common Pleas, Union County, Ohio praying that she be held to give good title to said land free of any right, title, claim or interest of Harold Brown, and that her title be quieted as against any adverse estate or interest of Harold Brown of the following described real property:

(same as in the petition)

You are required to answer said Petition by the 5th day of May, 1962, or judgement by default will be rendered against you.

Anna Avery, By Robert O. Hamilton, her attorney

PETITION

Betty Howard  
Plain City, Ohio  
Plaintiff

18978

vs

Pern Howard  
Plain City, Ohio  
and Farmer's National Bank  
Plain City, Ohio  
Defendant

Filed Nov. 25, 1961

Recorded August 16, 1962

Plaintiff and defendant, Pern Howard, Sr., were formerly husband and wife, and during such coverture defendant was the owner in fee simple estate in the following described realty:

Real estate situated in the State of Ohio, County of Union and Village of Plain City, Ohio and bounded and described as follows:

Being lot Numbers 3 and 4 in the Plain City Land Company's Addition to the Village of Plain City, Union County, Ohio, as the same is known, numbered and designated on the recorded plat of said Addition in the Recorder's Office of said County at Marysville, Ohio

Last deed reference Vol. 170, page 376 and Vol. 189, page 524.

That on the 19th day of October, 1961, this plaintiff was granted a divorce from the defendant by the Common Pleas Court of Union County, Ohio, in Case No. , and this plaintiff was decreed an undivided one-half interest in said real property, and defendant, Pern Howard, Sr., has not executed a deed therefor to plaintiff, but plaintiff is the equitable owner of such half-interest.

WHEREFORE, plaintiff prays for a partition of said real estate and for allowance of attorney fees herein, out of the same or the proceeds of the sale thereof, and for such other relief in law or in equity as she may be entitled.

Grigsby & Parrott  
Attorneys for Plaintiff

VERIFICATION

STATE OF OHIO, COUNTY OF UNION, SS:

Betty Howard, being first duly sworn, deposes and says that the facts and statements contained in the foregoing petition are true.

Sworn to before me and subscribed in my presence this 13th day of November, 1961.  
Betty Howard  
Richard E. Parrott  
Notary Public

PRECIPE

Nov. 25, 1961

TO THE CLERK

Please issue summons to the Sheriff of Union County, Ohio, for the defendant, Pern Howard, Sr., Plain City, Ohio. Endorse summons "action for partition of real estate, attorney fees and other relief". Make same returnable according to law.

Please issue summons to the Sheriff of Madison County, Ohio, for the defendant, Farmer's National Bank, Plain City, Ohio. Endorse summons "action for partition of real estate, attorney fees and other relief". Make same returnable according to law.

Grigsby & Parrott  
Attorneys for Plaintiff

SUMMONS IN ACTION FOR PARTITION

The State of Ohio, Union County.  
To the Sheriff of Madison County:

You are commanded to notify Farmers National Bank, Plain City, Ohio that a petition was filed against them on the 25th day of November A.D. 1961, in the Court of Common Pleas of said Union County, by Betty Howard and is now pending wherein the said petition demands partition of the following described real estate, to-wit:

(same as in the petition)

and that it must answer by the 23rd day of Dec. 1961, or such petition will be taken as true, and partition will be made of said premises according to law.

Said Sheriff will make due return of this summons on the 4th day of Dec. 1961.  
WITNESS my hand and the seal of said Court, at Marysville, Ohio, this 25th day of Nov. 1961.

Helen L. Sullivan  
Clerk of Courts

SHERIFF'S OFFICE, Madison County, Ohio

11/30/61

November 27th, 1961

Received this writ November 27th, 1961 at 10 o'clock A.M. and served the within named Farmers National Bank, Plain City, Ohio on the 28th day of November, 1961, by personally handing to Andrew Carey, President of the Farmers

National Bank, Plain City, Ohio, a true and certified copy of this writ.

\$5.54

SUMMONS IN ACTION FOR PARTITION

The State of Ohio, Union County.  
To the Sheriff of said County:

You are commanded to notify Pern Howard Sr., Plain City, Ohio that a petition was filed against him on the 25th day of November A.D. 1961, in the Court of Common Pleas of said Union County, by Betty Howard and is now pending, wherein the said petition demands partition of the following described real estate, to-wit:

Real Estate situated in the State of Ohio, County of Union, and Village of Plain City, and bounded and described as follows:

Being Lot Numbers 3 and 4 in the Plain City Land Company's Addition to the Village of Plain City, Union County, Ohio, as the same is known, numbered and designated on the recorded plat of said Addition in the Recorder's Office of said County at Marysville, Ohio.

Last deed reference Vol. 170, page 376 and Vol. 189 page 524.

and that he must answer by the 23rd day of Dec. 1961, or such petition will be taken as true, and partition will be made of said premises according to law.

Said Sheriff will make due return of this summons on the 4th day of Dec. 1961.

WITNESS my hand and the seal of said Court, at Marysville, Ohio, this 25th day of Nov. 1961.

Sheriff's Office, Union County, Ohio Nov. 30th, 1961.

Received this writ Nov. 25th 1961 at 11:15 o'clock A.M. and served the within named Pern Howard, on the 30th day of Nov. 1961 by personally handing to him a true and certified copy of the original writ with all endorsements thereon:

\$4.00

JOURNAL ENTRY

This cause came on for hearing on the 23rd May, 1962, on the Petition and the evidence, and the Court finds that it has jurisdiction of the subject matter and of all the parties and that Defendants Pern Howard and Farmer's National Bank are in default of Answer.

The Court also finds that Plaintiff is the owner of an estate in fee simple in an undivided one-half interest in real property described in the Petition; that Defendant Pern Howard is the owner in fee simple of an undivided one-half interest in said property and that Plaintiff is entitled to have partition made of said premises as prayed for in the Petition.

It is therefore ordered, adjudged and decreed that partition of said property be made, and Brian Wade, Harry, McMannis, and Marvin Williams, three disinterested and judicious fee holders of the vicinity, are hereby appointed Commissioners to make the same.

It is further ordered that a writ issued to the Sheriff of Union County, Ohio, commanding him that by the Oaths of said Commissioners he caused to be set off and divided to each of the above named parties a part proportion of said estate to which they are hereinbefore severally found to be entitled, and of his proceedings herein the said Sheriff is ordered to make due return.

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff

PRELIMINARY CERTIFICATE OF TITLE

The undersigned, being the Attorney designated to certify the title in this cause, hereby certifies that he has examined the proceedings and files in this cause to date and finds as follows:

1. The title to Lot No. 3 as described in said petition was vested in Betty Howard and Pern Howard at the time of filing said Petition. The title to Lot No. 4 was vested entirely in Betty Howard at the time of filing said Petition.
2. That all necessary steps are being taken for notice or for serving of process on all necessary parties to this proceeding.
3. That all the proceedings herein are regular and in conformity to law.
4. That the premises are subject to a mortgage in favor of the Plain City Home & Savings Company dated September 28, 1956 and recorded in Volume 158 at Page 111 of the Union County Record of Mortgages.
5. Said premises are subject to a lien for taxes in the amount of \$214.76 plus interest, redemption fees, and penalties accruing prior to the final disposition of this case.
6. The examiner finds that the Plain City Home & Savings Company should be substituted as a Party Defendant for the Farmer's National Bank and service of summons made accordingly. Examiner further finds that the divorce decree granting an undivided one-half interest in Lot No. 4 to Plaintiff resulted in vesting the entire fee simple title in said premises to Plaintiff, making such Lot subject to a partition proceeding, and the necessary steps to clarify this situation should be made prior to an order of sale.

WAIVER OF SUMMONS

The undersigned, a party defendant in the above entitled action, does hereby waive service of summons and enter their appearance in this action.

MOTION

Now comes Plaintiff, by her attorney, moved the court to enter the Plain City Home and Savings Company, as a party defendant in this cause for the reason that the mortgage on the premises, subject of this action, shows the Plain City Home and Savings Company as the mortgagee.

JOURNAL ENTRY

For good cause shown, the Plain City Home and Savings Company is hereby made a party defendant in the cause.

PRECIPUE

TO THE CLERK:

Please issue writ of partition to the Sheriff of Union County, Ohio in the above entitled case.

Herbert C. Marley, Sheriff  
By K. H. Johnson, Deputy

Helen L. Sullivan  
Clerk of Courts

12/4/61

Edward Amrine, Sheriff of Union County  
By Deputy: Martha Rogers

5/23/62

Gwynn Sanders  
Common Pleas Judge

6/4/62

Robert E. Evans, Jr.  
Attorney Designated to Certify Title

6/6/62

The Plain City Home and Savings Co.  
H. B. Walker, President

6/5/62

Grigsby & Parrott  
Attorneys for Plaintiff

6/5/62

Gwynn Sanders  
Common Pleas Judge

6/9/62

Grigsby & Parrott, Attorneys for Plaintiff



Howard:

WRIT OF PARTITION

To the Sheriff of said County:

Pursuant to an order of our said Court of Common Pleas within and for said County, made at the May Term, A.D. 1962, in a certain case No. \_\_\_\_\_ now pending in said Court, wherein Betty Howard plaintiff, and Pern Howard and Farmer's National Bank were defendants, you are commanded that, by the oaths of Brian Wade, Harry McMannis, and Marvin Williams, three disinterested and judicious freeholders of the vicinity who were appointed by the Court as commissioners for such purpose, you cause to be set off and divided the following described premises, situate in the Village of Plain City County of Union and State of Ohio, to-wit:  
(same as in the petition)

To the persons named herein, and in the following proportions, to-wit:

To Betty Howard one-half part  
To Pern Howard one-half part

But if the said Commissioners are of opinion that said premises cannot be divided according to the demand of this writ without manifest injury to its value, you cause them to make a just valuation of the same in money. and of this writ and your proceedings thereon and of the proceedings of said Commissioners under this writ, you make return to our said Court forthwith.

WITNESS my hand and the seal of said Court at Marysville, Ohio, this 9th day of June, 1962.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

6/12/62

I received this writ on the 9th day of June, 1962 at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and in obedience to its command, I have executed the same by the oaths of Marvin E. Williams, Harry K. McMannis and Brian Wade the Commissioners therein named, causing to be set off and divided the premises in said Writ described.

The said Commissioners being of the opinion that the said premises cannot be divided without manifest injury to its value, I have caused the same to be appraised.

All of which will appear by the report of said Commissioner, herewith returned.

Given under my hand this 11th day of June, 1962.

Edward Amrine, Sheriff  
Union County  
Deputy: Martha Rogers

Sheriff: \$.00  
Commissioners \$15.00

COMMISSIONERS REPORT

We are of the opinion that the said estate cannot be divided according to the demand of the writ without manifest injury to its value, and we do estimate the just value of the same at Five Thousand Dollars (\$5,000.00)  
Given under our hands this 11th day of June, 1962.

Marvin E. Williams  
Harry K. McMannis  
Brian A. Wade  
Commissioners

MOTION

6/18/62

Plaintiff moves the Court for leave to take the estate at the appraised value, and to fix the terms of payment therefore.

Betty Howard  
Plaintiff

JOURNAL ENTRY

7/18/62

This cause came on for hearing this 16th day of July, 1962 on the return of the Sheriff and the report of the Commissioners appointed herein, and it appearing to the Court that said premises cannot be divided by meets and bounds without manifest injury to the value thereof, and that the Commissioners have appraised said estate at Five Thousand Dollars (\$5,000.00). the Court finds said return and proceeding in all respects in conformity to law and the orders of the Court, and the same is hereby approved and confirmed.

It appearing to the Court, that Plaintiff has elected to take said estate at the appraised value thereof, such election is hereby approved, and said property is hereby adjudged to said Betty Howard upon her paying to Pern Howard his proportion of the appraised value of said property, after the mortgage of the Farmer's National Bank, Plain City, Ohio, taxes and the costs have been paid herein.

Upon such payment and the payment of her portion of costs herein, the Sheriff of Union County, Ohio shall execute and deliver to said Betty Howard a deed for said real property.

Gwynn Sanders  
Common Pleas Judge

ENTRY

7/18/62

And the Court coming now to distribute said sum of Five Thousand Dollars (\$5,000.00) in the hands of the Sheriff, orders that he pay the same:

- I. To the Treasurer of this County, taxes in the amount of \$218.02;
- II. To the Clerk of this Court, the costs of this action taxed at \$379.59 including a counsel fee of \$300.00 to Grigsby & Parrott, plaintiff's attorney;
- III. To the Farmers National Bank in Plain City payment on their mortgage on the premises come as of this action, \$251.22 on the principal;
- IV. And of the rest of said proceeds that they be divided equally between the plaintiff, Betty Howard and defendant, Pern Howard.

APPROVED BY:  
Grigsby & Parrott  
Attorneys for Plaintiff

Gwynn Sanders  
Common Pleas Judge

PETITION

Willard Clevenger  
Eugene Smallwood  
Frank White  
Members of the Board of  
Revision of Union County, Ohio  
Plaintiffs

19073

vs  
Earl E. Slemmons  
Barbara J. Potts  
Clara Monroe Stanley  
C. D. Webb  
Peter Beaver  
M. E. Church of Plain City, (Trustees), and  
Robert Driscoll, et al  
Defendants

5/28/62

The Plaintiffs respectfully represent that they are the duly qualified members of the Board of Revision of said County.

The Plaintiffs further represent that on the 28th day of May, 1962, said Board met to consider the list of delinquent lands subject to foreclosure submitted to it by the County Auditor of said County and the County Board of Revision, in its judgment and discretion, found that such list contained properties which would not bring upon a sale a sufficient amount of money to pay the total amount charged against them respectively on the tax duplicate, together with the costs of foreclosure, and said Board ordered the same to be omitted from the foreclosure proceedings provided by law.

The Plaintiffs further represent that the County Auditor, the Secretary of the Board of Revision, certified such list of omitted lands to the Prosecuting Attorney of said county, said list is as follows:

NAME	LOT OR SURVEY	DESCRIPTION	NO. FEET FRONT	ACRES	VALUATION
<u>RICHWOOD CORPORATION</u>					
Earl E. Slemmons	6293	All Ch		.33	40
Barbara I. Potts	745	All Cherry 55X135	55		110
Clara Monroe Stanley	678	South, Grove 60X564	60		240
<u>CLAIBOURNE TOWNSHIP</u>					
C. D. Webb	6293			.77	60
<u>NEW CALIFORNIA JEROME TWP.</u>					
Peter Beaver	9	Part Main 16.50 X 132	16.50		40
Peter Beaver	10	All Main 82.50 X 132	82.50		60
<u>PLAIN-City corporation</u>					
M. E. Church of Plain City Trustees	92	North Chillicothe			140
<u>LIBERTY TOWNSHIP</u>					
Robert Driscoll et al	12472 Raymond			.90	120

The Plaintiffs, therefore, pray that the Court make an order fixing a date for the hearing of objections to the action of said Board of Revision and, after such hearing, an order confirming the action of said Board and forfeiting such lands to the State of Ohio.

Willard Clevenger  
Treasurer of Union County, Ohio  
Eugene Smallwood  
President of the Board of County  
Commissioners, Union County, Ohio  
Frank White  
Auditor of Union County, Ohio and  
Clerk of the Board of Revision

JOURNAL ENTRY\_ ORDER FOR HEARING

This day this cause came on to be heard upon the Petition and the evidence and upon consideration thereof it is ordered by the Court that on the 15th day of June, 1962, at 10:00 o'clock A.M. at the Court House in Marysville, Ohio, be and hereby is fixed as the time and place for hearing of objections to the Board of Revision in making the list of omitted lands filed with said Petition, and it is further ordered that the Clerk of this Court cause notice of the time and place of said hearing, together with a list of such omitted lands, to be published once a week for two consecutive weeks in two newspapers as provided in Section 5721.16 of the Revised Code of Ohio.

Gwynn Sanders  
Judge

PROOF OF PUBLICATION FILED June 12, 1962 - Richwood Gazette  
PROOF OF PUBLICATION FILED June 16, 1962 - Marysville Evening Journal-Tribune

JOURNAL ENTRY

6/15/62

This matter coming on to be heard upon the application of Willard Clevenger, Treasurer of Union County, Eugene Smallwood, Chairman of the Board of Commissioners, and Frank White, Auditor of Union County, the members of the Board of Revision of Union County, Ohio, for forfeiture to the State of Ohio of certain lands listed in said application, omitted by said Board of Revision from foreclosure proceedings for delinquent taxes, and the Court having examined into the proceedings affecting such lands, both prior and subsequent to the filing of the application, find:

- 1) that there are no objections to the action of the Board of Revisions.
- 2) that such proceedings by the Board of Revision were in conformity to law.

Therefore the Court approves the actions of the Board of Revision in omitting such lands from the foreclosure list for delinquent taxes.

It is therefore the order of this Court that all lands listed in said application of the Board of Revision of Union County, Ohio, shall be, and the same hereby are, forfeited to the State of Ohio.

It is the further order of this Court that a list of the lands so forfeited to the State of Ohio shall be certified by the Clerk of this Court to the Auditor of Union County, Ohio.

It is the further order of this Court that all costs of this proceeding, including the costs of publication, shall be certified by the Clerk of this Court to the Board of County Commissioners of Union County, Ohio and shall be paid by it out of the General Fund. Record.

APPROVED:  
Robert O. Hamilton  
Prosecuting Attorney  
Union County, Ohio.

Robert F. Allen  
Judge, acting.



PETITION FOR DIVORCE

Charlotte A. Vititoe  
16 Cherry Street  
Richwood, Ohio  
Plaintiff

19088

vs

Charles A. Vititoe  
Lebanon Correctional Institute  
Lebanon, Ohio  
Defendant

Filed June 28, 1962  
Recorded September 17, 1962

Plaintiff, Charlotte A. Vititoe, is and has been for more than one year last past a bona fide resident of the State of Ohio, and for more than ninety days last past a bona fide resident of Union County, Ohio.

Plaintiff and Defendant, Charles A. Vititoe, were married on the 23rd day of December, 1958 at Marion, Ohio. There is one child of said marriage, Charles A. Vititoe, born January 23, 1961.

Plaintiff has at all times conducted herself as a dutiful wife.

The Defendant is now imprisoned in a state penal institution under sentence thereto.

Wherefore, Plaintiff prays that she be granted a divorce from the Defendant, that she be given custody of said minor child, that she be given temporary and permanent alimony and support for said child, and for such other and further relief to which the Plaintiff may be entitled in law or equity.

Robert O. Hamilton  
Attorney for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:

Charlotte A. Vititoe, being first duly sworn, says that she is the Plaintiff in the above action and that the facts stated and allegations contained therein are true.

Sworn to before me and subscribed in my presence this 28th day of June, 1962.

Charlotte A. Vititoe  
Robert O. Hamilton  
Notary Public - State of Ohio

PRECIPE

TO THE CLERK

6/28/62

Issue summons and certified copy of the Petition herein to the Sheriff of Warren County, Ohio for service upon the Derendant, Charles A. Vititoe and upon the Superintendent of Lebanon Correctional Institute.

Indorse on summons "Action for divorce, custody of minor child, and equitable relief."

Robert O. Hamilton  
Attorney for Plaintiff

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Warren County:

You are hereby commanded to notify Charles A. Vititoe, Lebanon Correctional Institution, Lebanon, O. & the Superintendent of Lebanon Correctional Institution that Charlotte A. Vititoe has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanites this summons) charging him with Imprisonment in a State Penal Institution., and asking that she be divorced from him and Custody of minor child, temporary and permanent alimony and support and for otherproper relief. The cause may be heard and decided at any time after the expirationof six weeks from the service of this writ.

Said Sheriff will make due return of this summons on the 9th day of July, 1962.

WITNESS my hand and seal of said Court, this 28thday of June, 1962.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

June 29, 1962

The State of Ohio, Warren County.

Received this writ on the 29th day of June, 1962, at 10:00 o'clock A.M. and on the 30th day of June, 1962, I served the same by personally handing to Charles A. Vititoe, and Ralph Alvis, Superintendent of Leb Correctional Insti. a true copy thereof, together with a certified copy of the petition filed against Charles A. Vititoe in this cause.

\$3.09

Byron C. Kennard, Sr. Sheriff  
By Walter O'Bryant, Deputy

JOURNAL ENTRY

Charlotte A. Vitote  
16 Cherry Street  
Richwood, Ohio  
Plaintiff

19088

vs

Charles A. Vitote  
Lebanon Correctional Institute  
Lebanon, Ohio  
Defendant

8/27/62

This day this cause came on to be heard upon the Petition and the evidence, the defendant having been duly served with summons and a cpy of the petition herein and having failed to appear, the Court finds the Defendant in default for answer or demurer to said Petition, and the Court further finds the allegationsof the Petition are confessed by the Defendant to be true.

The Court also finds that the Plaintiff, at the timeof the filing of her Petition, had been a bona fide resident of the State of Ohio for more than one (1) year, next immediately preceding the filing of the said Petition; and had been a bona fide resident of Union County for more than ninety (90) days, next immediately preceding the filing of the said Petition; that the parties hereto were married a the 23rd day of December, 1958 at Marion, Ohio; that one child, Charles A. Vititoe was born to the parties a January 23, 1961.

The Court further finds that the Defendant was imprisoned in a State penal institution, to-wit: Lebanon Correctional Institution, under sentence thereto at the time of filing the Petition.

It is therefore ordered, adjudged and decreed by the Court that the said marriage contract heretofore existing between Charlotte A. Vititoe and Charles A. Vititoe be, and the same is hereby dissolved and both parties are released from the obligations of the same.

It is further ordered, adjudged and decreed that the Plaintiff be, and she hereby is awarded the care, custody and control of the minor child of the parties hereto, subject to reasonable visitation rights on behalf of the defendant.

It is further ordered the Defendant pay to the Plaintiff the sum of Fifteen (\$15.00) Dollars plus poundage per week through the Clerk of this Court, beginning thirty (30) days after his release from custody for support of said minor child.

It is further ordered, adjudged and decreed that defendant shall pay to the Plaintiff the sum of Two Hundred (\$200.00) Dollars as expense money for the proseation of this action. Said sum is to be paid at the rate of Five (\$5.00) Dollars plus poundage per week through the Clerk of this Court commencing thirty (30) days after Defendant's release from custody.

Costs paid by Plaintiff. Record.

APPROVED BY:

Gwynn Sanders  
Judge

Attorney for Plaintiff



PETITION FOR FORECLOSURE,  
MARSHALLING OF LIENS AND  
EQUITABLE RELIEF

Capitol Swift Homes, Inc.  
837 S. Hamilton Road  
Columbus, Ohio  
Plaintiff

vs  
John J. King  
New Dover, Ohio  
Wilma King  
New Dover, Ohio  
Defendants

18702  
Filed August 27, 1960  
Recorded September 17, 1962

The plaintiff, Capitol Swift Homes, Inc., is a corporation organized and existing under and by virtue of the laws of the State of Ohio.  
FIRST CAUSE OF ACTION

Plaintiff, for its first cuase of action, alleges that there is due it from the defendants, John J. King and Wilma King the sum of Three Thousand Three Hundred Eighty One and 92/100 (\$3,381.92) Dollars, which it claims with interest at the rate of percent per annum from the 1st day of August, 1960 on a certain promissory note executed and delivered by the said defendants to the plaintiff.

The defendants have failed to pay the installments due plaintiff and installments due subsequent thereto; that said monthly installments æ in default for mœ than thirty (30) days; that plaintiff is the owner and holder of said note and has elected and does now declare the whole balance of principal and interest due and payable, as provided by said note.

SECOND CAUSE OF ACTION

The plaintiff, for its second cause of action, hereby refers to, incorporates and adopts eachand all of the allegations contained in its first cause of action as fully and completely as if the same were rewritten herein and further alleges as follows:

That the time of the execution and elivery of the above described note, and as a part of the same transaction and to secure the faithful performance of the terms and conditions thereof, the defendants John J. King and Wilma King duly executed and delivered to the plaintiff, Capitol Swift Homes, Inc., their mortgage deed conveying the following des-cribed real estate:

Situated in the village of new Dover, County of Union, State of Ohio and bounded and described as follows:

Being a part of Survey No. 5135 in V. M. S., Being part of Cora J. Herriott and Forothy Herriott original 1.19 acres, being situated in the Village of New Dover, Dover Township, Union County, Ohio.

And being further described as follows: Beginning at an iron pin in West side of School Street, said pin being North of North side of State Route No. 36, 168.7'; thence N. 6 deg. 30' E. parallel to center line of School Street 53.15' to an iron pin; thence N. 82 deg. 30' W. 167.60 to an iron pin; thence S. 6 deg. 30' W. 53.15' to an iron pin; thence S. 82 deg. 30' E. 167.60' to the point of beginning, containing .204 acres of land, more or less, subject to a ten (10) foot easement on the north side retained by Grantor for ingress and egress.

Plaintiff further says that on the 7th day of June, 1958 at ,said mortgage was filed with the Recorder of Union County, Ohio, and was thereafter recorded in Mortgage Volume 163, page 549 of the records of said county; that plaintiff is the owner and holder of said mortgage and by reasonthereof has a good and valid lien against said premises prior to all other liens against the same for the purpose of securing the balance due upon said promissory note.

Said mortgage was conditioned, among other things, that in the event of default in the payment of any installment of said note for a period of thirty (30) days, the plaintiff at its option might declare all of the remainder of said debt due and payable; that if the said defendantsshould pay or cause to be paid to the plaintiff the full sum of said note with interest, in accordance with the terms, provisions and conditions thereof, then said mortgage should be null and void; otherwise, the same should be and remain in full force and virtue in law.

That the conditions of said mortgage have been broken and that the said defendant s have failed,neglected and refused to pay the installments in said note provided; by reason whereof the plaintiff has and does now declare said note in default and all sums secured by said note to be due and payable; that the conveyance made by said mortgage has become absolute and plaintiff is entitled to foreclosure thereof.

Said mortgage was further conditioned that, upon default for a periodof thirty (30) days, it shall be lawful for the mortgagee at its option to enter into and upon the real estate therein and herein described, or any part thereof, and to receive all rents, issues and profits thereof and, in the event of the institution of proceedings to foreclosure said mortgage, the Court may, upon application at any times during the pendency of said proceedings, appoint a receiver to take possession, control and cœ of said real estate, collect the rents and profits thereof and, apply the same as the Court may direct.

WHEREFORE' plaintiff prays that it may recover judgment against the defendants, John J. King and Wilma King for the sum of Three Thousand Three Hundred Eighty One and 92/100(\$3,381.92) Dollars with interest at the rate of six (6) percent per annum from the 1st dayof August, 1960 and its costs herein expended; that the liens be marshalled, that all defendants be required to set up their claims, if any, or be forever barred; that plaintiff's mortgage be declared to be the first and best lien on said real estate; that the equity of redemption of the defendants be foreclosed and forever barred; that said real estate be sold as upon execution, free of all claims, liens and interests of all of the defendants, and that the proceeds of said sale be applied to the payment of the judgment of the plaintiff and for such other and further relief in law and equity as the Court deems proper.

Leonard J. Stern  
17 S. High St.  
Columbus, Ohio  
Attorneys for Plaintiff

State of Ohio, County of Franklin, ss

Leonard J. Stern, being first duly sworn, says that he is the Secretary of the Plaintiff; that said plaintiff is a corporation; that he has read the foregoing petition and that the facts stated therein are true as he verily believes.

Leonard J. Stern  
August, 1960.  
Beatrice Mulhern  
Notary Public

Sworn to before me and subscribed in my presence, this 26th day of August, 1960.

PRECIPE

8/27/60

To the Clerk:

Please issue service of summons and a copy of the petition to be served by the Sheriff of Union County on the defendants John J. King and Wilma King, New Dover, Ohio. Endorse thereon; Petition for foreclosure, marshallingof liens and equitable relief". Judgment claimed in the amount of Three Thousand Three Hundred Eighty One and 92/100 \$3,381.92 Dollars plus interest and costs. Instruct the Sheriff to make due return according to law.

Leonard J. Stern  
Attorney for Plaintiff

SUMMONS

The State of Ohio, Union County  
To the Sheriff of said County:



You are hereby commanded to notify John J. King and Wilma King, New Dover, Ohio that they have been sued by Capitol Swift Homes, Inc., in the Court of Common Pleas of said Union County, and must answer by the 24th day of Sept. A.D. 1960, or the petition of said plaintiff will be taken as true and judgment rendered accordingly.  
Said Sheriff will make due return of this summons on the 5th day of Sept. 1960.  
WITNESS my hand and seal of said Court, this 27th day of Aug. 1960.

Helen L. Sullivan, Clerk

SHERIFF'S RETURN

9/6/60

The State of Ohio, Union County.  
Received this writ Aug. 27th, 1960, at 9:30 o'clock A.M. And on Aug. 30th, 1960, I served the within named Wilma King by personally handing to her a true and certified copy thereof with all the endorsements thereon and after diligent search I failed to find the within named John J. King within the confines of my bailiwick.

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

\$1.85

AFFIDAVIT FOR CONSTRUCTIVE SERVICE

10/18/60

State of Ohio, Franklin County, ss.  
Leonard J. Stern being first duly sworn says that he is the attorney for plaintiff in this action, that the defendant John J. King is not a resident of the State of Ohio; that the place of residence of the defendant John J. King cannot by reasonable diligence be ascertained, although affiant has made diligent effort to obtain the residence of the said John J. King; that service of summons cannot be made on said defendant, John J. King, in the State of Ohio; that this action is for foreclosure and marshalling of liens and comes within the provisions of Revised Code Section 2703.14, of the laws of Ohio.  
Wherein service by publication may be made on said defendant, John J. King.

Leonard J. Stern  
Sworn to before me and subscribed in my presence this 17th day of October, 1960.  
Frances McCoy  
Notary Public

ENTRY

10/18/60

This cause came on to be heard upon the affidavit filed on behalf of the plaintiff corporation for authority to obtain constructive service on the defendant John J. King, for the reason that service of summons cannot be had on the defendant in the State of Ohio because the residence of the defendant John J. King is unknown to plaintiff and with reasonable diligence cannot be ascertained.  
It is therefore ordered that service by publication be had on the defendant John J. King in the manner prescribed by law.  
APPROVED:  
Leonad J. Stern  
Attorney for Plaintiff

O. W. Whitney, Jr.  
Judge

DECREE FORECLOSING MORTGAGE ON REAL ESTATE

12/8/60

This cause came on to be heard this 8 day of Dec. 1960 upon the petition and evidence of the plaintiff. The court finds that the defendants, John J. King and Wilma King have been duly served with summons herein as provided by law; the defendant John J. King has been served with summons by publication and the defendant Wilma King has been personally served with summons and said service is hereby approved by the court. Both defendants are in default of answer or demurrer and confess all allegations of said petition to be true, and the court finds said allegations are true.  
The court finds that there is due to the plaintiff from the defendants, John J. King and Wilma King, his wife, on the promissory note set forth in the petition the sum of Three Thousand Three Hundred Eighty One Dollars and Ninety Two cents (\$3,381.92) together with interest thereon at the rate of six (6%) percent per annum from the 1st day of August, 1960.  
The court finds further that in order to secure said promissory note set forth in the petition of plaintiff the said defendants John J. King and Wilma King, his wife, executed and delivered to the plaintiff their mortgage deed and thereby conveyed to the plaintiff the premises on the petition described to wit:  
(same as in the petition)  
That said mortgage deed was duly filed for record with the recorder of Union County, Ohio on the 7th day of June, 1958 and was thereafter recorded in Volume 163 page 549 of mortgage records of Union County, Ohio, and the said mortgage is a good and valid first lien on said premises; that said mortgage deed contained a condition that if said defendants John J. King and Wilma King, his wife, pay said note when it became due together with interest thereon then said mortgage shall become null and void otherwise to remain in full force and effect, and the court finds that said defendants John J. King and Wilma King, his wife, failed to pay said note when it became due and failed to pay said interest thereon when it became due and said mortgage has become absolute and plaintiff is entitled to have the same foreclosed; and that there is due and unpaid thereon said sum of \$3,381.92 with interest at 6% per cent from the 1st day of August, 1960.  
It is therefore ordered, adjudged and decreed that unless the defendants John J. King and Wilma King pay or cause to be paid the costs of this case including the costs for certificate of title and the taxes and assessments now payable thereon, and the amount aforesaid found due the plaintiff within three (3) days after the entry of this decree, that the equity of redemption of defendants in said premises be foreclosed and said premises sold and that an order of sale be issued to the Sheriff of Union County, Ohio, directing him to appraise and sell said premises according to law and the orders of the court and report his proceedings to this court.

APPROVED:  
Leonard J. Stern  
Attorney for Plaintiff

O. W. Whitney, Jr.  
Judge

CERTIFICATE OF TITLE

12/13/60

The undersigned hereby certify that they have made a thorough examination of the records of Union County, Ohio, as disclosed by the public indexes for a period of 32 years prior to the date hereof, relating to the following described real estate:  
(same as in the petition)  
q This certificate does not purport to cover matters not of record in Union County, Ohio, including rights of persons in possession, questions which a correct survey or inspection would disclose, rights to file Mechanic's Liens, special taxes and assessments not shown by the County Treasurer's Records and zoning and other governmental regulations.  
The undersigned further certify that bases upon said records, the fee simple title to the said premises is vested in John J. King and Wilma D. King, by a deed recorded in Volume 198 page 893, of the Deed Records of Union County, Ohio.  
Said title is marketable and free from encumbrances except the following:  
1. Taxes for the last half of 1959, in the amount of \$12.54 plus penalty are unpaid and a lien upon the premises, 1960 taxes are not yet determined or payable.  
2. Mortgage from John J. King and Wilma King to Capitol Swift Homes, Inc. for \$,747.47, dated June 6, 1958, filed for Record June 7, 1958 and recorded  $\frac{1}{2}$  June 17, 1958 in Volume 163 page 549, of the mortgage records of Union County, Ohio.  
3. Divorce action in the Court of Common Pleas of Union County, Ohio, under Case No. 8-18508, John J. King VS Wilma D. King, is still pending.



Dated at Marysville, Ohio, this 18th day of August, 1960.

PRECIPE  
ORDER OF SALE

Sanders & Grigsby  
Attorneys at Law  
Marysville, Ohio  
By: Gwynn Sanders

Dec. 13, 1960

TO THE CLERK:

Please issue an order of sale in the above entitled case and instruct the Sheriff of Union County, Ohio to sell the property in accordance with law.

Leonard J. Stern  
Attorney for Plaintiff

LAND APPRAISEMENT

12/21/60

WHEREAS, the Sheriff of said County, having in his hands an Order of Sale, issued from the Court of Common Pleas of said County, on the 13th day of December A.D. 1960, in a decree in favor of Capitol Swift Homes, Inc. and against John J. King and Wilma King commanding said Sheriff to cause to be appraised, advertised and sold, the following described lands and tenements situate in Dover Township, County of Union and State of Ohio, to-wit:  
(same as in the petition)

did summons us Lorin W. Cook, Edwin F. Buck and H. T. Stephens three disinterested freeholders, residing within said County of Union and administered to us an oath impartially to appraise said lands and tenements upon actual view thereof.

Now We, after actual view of said premises, and forthwith after such view, do find and estimate the real value in money of said premises to be as follows, viz \$3500.00 Thirty-Five hundred and no/100  
In Testimony Whereof, We hereunto set our hands this 16th day of Dec. 1960

ATTEST:  
Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

Lorin W. Cook  
Edwin F. Buck  
H. T. Stephens

THE STATE OF OHIO, UNION COUNTY.

I hereby certify that I called an inquest of Lorin W. Cook, Edwin F. Buck and H. T. Stevens three disinterested freeholder residents of Union County, Ohio, and administered to them an oath impartially to appraise the within described property upon actual view.

Dated this 16th day of Dec. 1960.

Edwin Amrine, Union County Sheriff  
By Martha S. Rogers, Deputy

PROOF OF PUBLICATION

12/20/60

STATE OF OHIO, Village of Marysville, Union County. ss.

Personally appeared before me Marie M. Strauss and made solemn oath, that the Legal Notice, a copy of which is hereto attached, was published for 6 consecutive weeks on and next after October 24, 1960, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Marie M. Strauss

Sworn to before me and signed in my presence this 29 day of November A.D. 1960.

W. E. Behrens  
Notary Public

My Commission expires June 22, 1961.  
Printers'f Ees, \$27.93

Legal Notice

John J. King whose place of residence is unknown and cannot be ascertained will take notice that on the 27th day of Aug. 1960 the plaintiff, Capitol Swift Homes, Inc. filed its petition against John J. King in the Court of Common Pleas of Union County, Ohio and docketed as cause number 18, 702 for the foreclosure and marshalling of liens of certain real estate in said petition described:  
(same as in the petition)

The prayer of said petition is for the Sheriff's sale of said real estate and for other equitable relief. Said defendant is required to answer said petition on the 29th day of Nov. 1960 or judgment will be taken against him.

Captiol Swift Homes, Inc.  
By: Leonard J. Stern  
its attorney, 17 S. High St., Columbus, Ohio

ORDER OF SALE

The State of Ohio, Union County  
To the Sheriff of said County:

Whereas, at a term of the Common Pleas Court, held at the Court House in and for said County, on the 13th day of September A.D. 1960 Captiol Swift Homes Inc. obtained a judgment and decree against John J. King and Wilma King for the sum of Three Thousand Three Hundred Eighty One and 92/100 Dollars, and Dollars, costs of suit, in Case No. 18702.

And Whereas, it was then and there by said Court ordered, adjudged and decreed that the said John J. King and Wilma King within three days from the 6thday of December, 1960, pay unto the said Capitol Swift Homes Inc. the said sum of Three Thousand Three Hundred eighty One and 92/100 Dollars, with interest at per cent. from the 1st day of August 1960 and costs aforesaid; and upon default to pay the same, that an order of sale issueto the Sheriff of said County, commanding him to proceed according to the statutes regulating judgments and executions at law, to sell the real estate described in the Plaintiff's petition, etc.

And Whereas, the three days aforesaid have fully expired, and the said judgments and ~~costs~~ aforesaid have not been paid, or any part thereof, as appears to us of record:

We Therefore Command You, that you proceed without delay to appraise, advertise and sell, according to the statutes regulating judgments and executions at law, the following described lands and tenements, situate in County, Ohio, towit:  
(same as in the petition)  
to make the sum of \$3381.92 (Three Thousand Three Hundred Eighty One and 92/100 Dollars) judgment with the said interest thereon, and costs aforesaid; and that you also pay the costs of this writ, and all increase and accruing costs; and the residue, if any there be, you bring into this Court to abide the further order of the Court, and that you make return of your proceedings to our said Court within sixty days from this date, and have you then and there this writ.

WITNESS my signature as Clerk of our said Court of Common Please, and the seal of said Court, at Marysville, Ohio, this 13th day of December, 1960.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

Jan. 24, 1961

The State of Ohio, Union County.

I received this orderof Sale on the 13th day of Dec. 1960, at 10:49 o'clock A.M. and in obedience to its command I did, on the 16th day of December, 1960, summon Lorin W. Cook and Edwin F. Buck and H. T. Stephens three disinterested free-holders, residents of said County, who were by me duly sworn to impartially appraise the lands and tenements therein described, upon actual view; and afterward, on the 16th day of Dec. 1960, said appraisers returned to me, under their hands, that they did upon actual view of the premises, estimate and appraise the real value in money of the same at Three



Thousand Five Hundred no/100 Dollars. A certified copy of said appraisal I forthwith deposited in the office of the Clerk of the Court of Common Pleas of said County. And on the Dec. 21st day of Dec. 1960, I caused to be advertised in the Journal-Tribune (a newspaper printed and published and of general circulation in Union County,) said lands and tenements to be sold at public sale, at the north door of the Court House of said County, on the 21st day of Jan. 1961 at 11 o'clock AM. of said day. And having advertised the said lands and tenements for more than thirty days previous to the day of sale, to-wit: five consecutive weeks, on the same day of the week in each week, and in pursuance of said notice I did on said 21st day of Jan. 1961, at the time and place above mentioned, proceed to offer said lands and tenements at public sale, at the north door of the Court House and then and there came John E. Fleck who bid for the same of Three Thousand and four hundred no dollars; and said sum being more than two-thirds of the appraised value thereof, and said John E. Fleck being the highest and best bidder therefor, I then and there publicly sold and struck off said lands and tenements to him for said sum of (\$3400.00) Three Thousand and Four Hundred no/100 Dollars.

\$43.40  
Newspaper \$25.56

Edward Amrine, Union County Sheriff  
By Deputy: Martha Rogers

PROOF OF PUBLICATION

Jan. 26, 1961

STATE OF OHIO, Village of Marysville, Union County. ss.

Personally appeared before me Marie M. Strauss and made solemn oath, that the Sheriff's Sale, a copy of which is hereto attached, was published for 5 consecutive weeks on and next after December 21., 1960, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Sworn to before me and signed in my presence this 19 day of January A.D. 1961.  
Marie M. Strauss

W. E. Behrens  
Notary Public

My commission expires June 22, 1961  
Printer's Fees \$25.56

SHERIFF'S SALE  
No. 18702

Capitol Swift Homes Inc. Plaintiff -vs- John J. King and Wilma King, Defendant  
COURT OF COMMON PLEAS, UNION COUNTY, OHIO

By virtue of the above stated writ to me directed from the Court of Common Pleas of Union County, Ohio, I will offer for sale at the north door of the Court House in Marysville, Ohio on the Jan. 21st, 1961 at or about the hour of eleven o'clock A.M. on said day of the following described real estate, to-wit:  
(same as in the petition)

Appraised at (\$3500.00) Thirty-five Hundred and no/100

Terms of Sale: 10% down on date of Sale and Balance on delivery of Deed

Edward Amrine, Sheriff of Union County, Ohio. Leonard J. Stern 306-3k0 Huntington Bank Building, Columbus, Ohio Attorney

FINAL CERTIFICATE OF TITLE

March 3, 1961

The undersigned hereby certify that they have made a thorough examination of the records of Union County, Ohio, as disclosed by the public indexes for a period of 33 years prior to the date hereof, relating to the following described real estate:

(same as in the petition)

This certificate does not purport to cover matters not of record in Union County, Ohio, including rights of persons in possession, questions which a correct survey or inspection would disclose, rights to file Mechanic's liens, special taxes and assessments not shown by the County Treasurer's Records and zoning and other governmental regulations.

The undersigned further certify that based upon said records, the fee simple title to the said premises is vested in John Fleck by Sheriff Deed recorded in Vol. 205, page 283, of the Deed Records of Union County, Ohio.

Said title is marketable and free from encumbrances except the following:

1. Taxes for the last half of 1959, in the amount of \$11.40 plus \$1.14 penalty are unpaid and a lien upon the premises. 1960 taxes are lien but not yet payable.
  2. Mortgage from John J. King and Wilma King to Capitol Swift homes, Inc. for \$4,747.47, dated June 7, 1958 in Vol. 163, page 549 of the Mortgage Records of Union County, Ohio.
  3. Action in the Court of Common Pleas of Union County, Ohio, under Case No. 8-18702 Capitol Swift Homes, Inc. vs. John J. King et al. Action to foreclose mortgage and marshal liens is still pending.
- Dated at Marysville, Ohio, this 27th day of February, 1961.

Grigsby & Parrott  
Attorneys at Law  
Marysville, Ohio

ORDER OF DISTRIBUTION, CONFIRMING SALE AND ORDERING DEED:

March 3, 1961

This day this cause came on further to be heard on the return of the Sheriff of the Sale of real estate ordered herein, and the court being satisfied that said sale, was, in all respects, made in conformity to law and the orders of the court, the said sale is hereby confirmed and approved. The Sheriff is ordered to execute and deliver a good and sufficient deed to John Fleck, the purchaser therefor, and a writ of possession is ordered to place the purchaser in possession thereof.

The Sheriff is ordered to distribute the proceeds of said sale in the following manner to wit:

1. The the Clerk of this Court the costs of this action including the fees of the appraisers, all of which amounts to \$157.29.
2. The the Treasurer of Union County, Ohio the taxes and assessments legally assessed against said premises.
3. To the plaintiff the sum of \$3,381.92, or so much thereof after payments of court costs and taxes from the proceeds of the sale.

It is further ordered that on the proceeds of said sale being distributed as aforesaid, that the Clerk of this Court shall issue his certificate to the Recorder of Union County, Ohio and enter some on the margin of the record of said mortgage releasing the same from said premises.

APPROVED:  
Leonard J. Stern  
Attorney for Plaintiff

Gwynn Sanders  
Judge

PETITION

Citizens Federal Savings & Loan Association  
Marysville, Ohio  
Plaintiff

vs  
Orville Morris and Alberta Morris  
Unionville Center, Ohio  
Defendants

19069  
Filed May 22, 1962  
Recorded September 18, 1962

Plaintiff is a corporation organized under the laws of the United States with its principal place of business at Marysville, Ohio.



FIRST CAUSE OF ACTION

On the 19th day of September, 1958 the defendants, Orville Morris and Alberta Morris executed and delivered to plaintiff their promissory note for the sum of Fifty Five Hundred Dollars (\$5500.00) with interest from date at the rate of six per cent (6%) per annum payable in monthly installments of \$55.00. Said note contained a provision that if any monthly ~~installment~~ payment be not paid when due or within sixty days thereafter the full amount of the principal of said note and interest should forthwith become due and payable at the plaintiff's option. The said defendants have failed to make said monthly payments for more than sixty days after said payment became due and it has exercised its option to declare the entire amount of principal and interest to be now due and payable. Therefore said note is past due and unpaid and there is due plaintiff thereon the sum of \$4745.01 with interest at six per cent from May 20, 1962.

SECOND CAUSE OF ACTION

On the 19th day of September, 1958, in order to secure the payment of said notesaid defendants, who werethen and are now, husband and wife, executed and delivered to plaintiff their mortgage deed thereby conveying the following described real estate, to-wit:

Situated in the County of Union, in the State of Ohio, and in the Township of Darby and bounded and described as follows:

BEGINNING at a point S. W. corner of Lot No. 1; thence passing a stake on north side of road N. 27° E. 337 feet to south line of Darby Creek; thence with south line of Darby Creek 65 feet; thence S. 27° 00' W. 315 feet passing a stake on north side of road to center line of road; thence S. 67° 00' E. 60 feet to the place of beginning, containin 0.57 acres, more or less.  
KNOWN as Lot No. 2 according to survey of C. G. Anderson, Registered surveyor.  
BEING the same premises conveyed by Warranty Deed and recorded in Vol. 189, Page 26, Union County Deed records.

Said mortgage deed was conditioned in substance upon the payment of the note above described and provided that upon default said mortgage should become absolute Said mortgage is recorded in Vol. 164, Page 637 of the Mortgage Records of Union County and is the first and best lien on said premises. Said noteis now past due and unpaid, whereby the condition in said mortgage has been broken.

WHEREFORE, Plaintiff asks judgment against said defendants in said sum of \$4745.01 with interest from May 20, 1962; that said mortgage be foreclosed and said premises sold and the proceeds appliedupon the payment of plaintiff's judgment.

Hoopes & Hoopes  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:

Fred Johnson, says that he is President of the plaintiff, a corporation and that the facts stated in the foregoing petition are within his personal knowledge and are true as he believes.

Fred Johnson

Sworn to before me and subscribed in my presence this 22nd day of May, 1962.

C. A. Hoopes  
Notary Public

PRECIPE

TO THE CLERK

May 22, 1962

Issue summons directed to the Sheriff of Union County, Ohio, for the defendants, Orville Morris and Alberta Morris, (address, Unionville Center, Ohio) and make same returnable according to law.

Endorse summons "ACTION FOR MONEY AND FORECLOSURE OF MORTGAGE, AMOUNT CLAIMED \$4745.01 with INTEREST."

Hoopes & Hoopes  
Attorneys for Plaintiff

SUMMONS

The State of Ohio, Union County.  
To the Sheriff of said County:

You are commanded to notify Orville Morris and Alberta Morris, Unionville Center, Ohio that they have been sued by Citizens Federal Savings & Loan Association, Marysville, Ohio in the Court of Common Pleas of said Union County, and must answer by the 23rd day of June A.D. 1962, or the petition of said plaintiff will be taken as true and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 4th day of June, 1962.

WITNESS my hand and seal of said Court, this 22nd day of May, 1962.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

The State of Ohio, Union County.

May 26, 1962

Received this writ May 22nd, 1962, at 2:00 o'clock P.M. And on May 24th, 1962, I served the within named Orville Morris and Alberta Morris by personally handing to each of them a true and certified copy thereof with all the endorsements thereon.

\$3.65

Edward Amrine, UnionCounty Sheriff  
By Martha Rogers, Deputy

ENTRY

6/23/62

This day this cause coming on for hearing, was submitted to the court on the pleadings and the evidence, and on consideration the court find for the plaintiff and that there is due plaintiff rom the defendants, Orville Morris and Alberta Morris, the sum of \$4745.01 with interest at six per cent from May 20, 1962.

The court further find that said defendants, who are husband and wife, executed and delivered to plaintiff their mortgage described in the petition on the premises therein described, which is recorded in Vol. 164, Page 637 Union County Mortgage Records and is a valid lien on said premises, and that the condition in said mortgage has been broken.

It is therefore considered by the court that plaintiff recover from defendants said sum of \$4745.01 and interest and its costs.

It is further ordered that unless defendants shall within three days from the entry of this decree pay to the Clerk of this Court the costs of this case and to the plaintiff the sum so found due and with interest, the equity of redemption of defendants be foreclosed and said premises sold and an order of sale issue to the Sheriff of Union County directing him to appraise, advertise and sell said premises as upon execution and report his proceedings to the court for further order.

APPROVED:  
Hoopes & Hoopes  
Attorneys for Plaintiff

Gwynn Sanders  
Judge

PRECIPE

6/26/62

To the Clerk:

Issue order of sale in the above entitled case directed to Sheriff of Unia County returnable according to law.

C. A. Hoopes  
Atty for Pl.



LAND APPRAISEMENT

7/5/62

WHEREAS, the Sheriff of said County, having in his hands and order of Sale, issued from the Court of Common Pleas of said County, on the 26th day of June, A.D. 1962, in a decree in favor of The Citizens Federal Savings & Loan Association, Marysville, Ohio and against Orville Morris & Alberta Morris, Unionville Center, Ohio commanding said Sheriff to cause to be appraised, advertised and sold, the following described lands and tenements situate in Darby Township, County of Union and State of Ohio, to-wit:  
Situating in the County of Union, in the State of Ohio, and in the Township of Darby and bounded and described as follows:  
(same as in the petition)

did summon us C. W. George, C. B. Stalnaker and Clyde Wampler three disinterested freeholders, residing within said County of Union and administered to us an oath impartially to appraise said lands and tenements upon actual view thereof.

Now We, after actual view of said premises, and forthwith after such view, do find and estimate the real value in money of said premises to be as follows, viz: \$5,000.00 Five Thousand Dollars no/100  
In Testimony Whereof, We hereunto set our hands this 29th day of June, 1962.

ATTEST:

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

C. W. George  
C. B. Stalnaker  
Clyde Wampler

The State of Ohio, Union County.

I hereby certify that I Called an inquest of G. W. George, C. B. Stalnaker and Clyde Wampler, three disinterested freeholders, residents of Union County, Ohio, and administered to them an oath impartially to appraise the within described property upon actual view.

Dated this 29th day of June 1962.

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

ORDER OF SALE

The State of Ohio, Union County.

To the Sheriff of said County:

Whereas, at a term of the Common Pleas Court, held at the Court House in and for said County, on the 23rd day of June A.D. 1962 The Citizens Federal Savings & Loan Association, Marysville, Ohio obtained a judgment and decree against Orville Morris & Alberta Morris, Unionville Center, Ohio for the sum of Four Thousand Seven Hundred Forty Five & 01/100 Dollars, and  
Dollars, costs of suit, in Case No. 19069.

And Whereas, it was then and thereby said Court ordered, adjudged and decreed that the said Orville Morris and Alberta Morris within 3 days from the 23rd day of June, 1962, pay unto the said Citizens Federal Savings & Loan Association Marysville, Ohio the said sum of Four Thousand Seven Hundred Forty Five & 01/100 Dollars, with interest at 6 per cent. from the 20th day of May, 1962, and costs aforesaid; and upon default to pay the same, that an order of sale issue to the Sheriff of said County, commanding him to proceed according to the statutes regulating judgments and executions at law, to sell the real estate described in the Plaintiff's petition, etc.

And Whereas, the 3 days aforesaid have fully expired, and the said judgments and costs aforesaid have not been paid, or any part thereof, as appears to us of record.

We, Therefore Command You, that you proceed without delay to appraise, advertise and sell, according to the statutes regulating judgments and executions at law, the following described lands and tenements, situate in County, Ohio, to-wit:

(same as in the petition)

to make the sum of \$4745.01 (Four Thousand Seven Hundred Forty Five & 01/100 Dollars) judgment with the said interest thereon, and costs aforesaid; and that you also pay the costs of this writ, and all increase and accruing costs; and the residue, if any there be, you bring into this Court to abide the further order of the Court, and that you make return of your proceedings to our said Court within sixty days from this date, and have you then and there this writ.

WITNESS my signature as Clerk of our said Court of Common Pleas, and the seal of said Court, at Marysville, Ohio, this 26th day of June, 1962.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

8/20/62

The State of Ohio, Union County.

I received this order of Sale on the 26th day of June, 1962, at 10:30 o'clock AM. and in obedience to its command I did, on the 29th day of June, 1962, summon C. W. George, C. B. Stalmaker and Clyde Wampler three disinterested free-holders, residents of said County, who were by me duly sworn to impartially appraise the lands and tenements therein described upon actual view; and afterward, on the 29th day of June 1962, said appraisers returned to me, under their hands that they did upon actual view of the premises, estimate and appraise the real value in money of the same at \$5,000.00 Dollars. A certified copy of said appraisal I forthwith deposited in the office of the Clerk of the Court of Common Pleas of said County. And on the 11th day of July, 1962, I caused to be advertised in the Journal-Tribune (a newspaper printed and published and of general circulation in Union County,) said lands and tenements to be sold at public sale at the north door of the Court House of said County, on the 18th day of August, 1962, at 11 o'clock AM. of said day. And having advertised the said lands and tenements, for more than thirty days previous to the date of sale, to-wit: five consecutive weeks, on the same day of the week in each week, and in pursuance of said notice I did on said 18th day of August, 1962, at the time and place above mentioned, proceed to offer said lands and tenements at public sale, at the north door of the Court House and then and there came The Citizens Federal Savings & Loan Association, Marysville, Ohio who bid for the same the sum of \$3900.00 Dollars; and said sum being over two-thirds of the appraised value thereof, and said Citizens Federal Savings & Loan Assn. being the highest and best bidder therefor, I then and there publicly sold and struck off said lands and tenements to them for said sum of \$3900.00 Thirty-nine hundred and no/100 Dollars.

\$44.80  
Auctioneer \$25.00

Edward Amrine, Union County Sheriff  
Deputy: Martha Rogers

PROOF OF PUBLICATION

8/31/62

STATE OF OHIO, Village of Marysville, Union County. ss:

Personally appeared before me Marie M. Strauss and made solemn oath, that the Sheriff's Sale, a copy of which is hereto attached, was published for 6 consecutive weeks on and next after July 11, 1962, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Sworn to before me and signed in my presence this 16 day of August, A.D. 1962.

Marie M. Strauss  
W. E. Behrens  
Notary Public

My commission expires June 22, 1964.  
Printer's Fees \$34.65

SHERIFF'S SALE

No. 19069

ON ORDER OF SALE

Citizens Federal Savings & Loan Association, Marysville, Ohio Plaintiff -vs- Orville Morris and Alberta Morris, Milford Center, Ohio Defendant. COURT OF COMMON PLEAS, UNION COUNTY, OHIO.



By virtue of the above stated writ to me directed from the Court of Common Pleas of Union County, Ohio, I will offer for sale at the north door of the Court House, in Marysville, Ohio, on the 18th day of Aug. 1962 at or about the hour of eleven o'clock AM on said day the following described real estate, towit:  
(same as in the petition)  
Appraised at \$5,000.00  
Terms of Sale: 10% down and balance on delivery of Deed  
Edward Amrine, Sheriff of Union County, Ohio Hoopes and Hoopes, Attorney

ENTRY

8/30/62

On motion of plaintiff and its producing the return of the Sheriff of the sale made under the former order of this court; and the court on careful examination of the proceedings of the said Sheriff being satisfied that the same have been had in all respects in conformity to law and the orders of this court, it is ordered that the said proceedings and sale be and they are hereby, approved and confirmed. It is further ordered that the said Sheriff convey to the purchaser, Citizens Federal Savings & Loan Association of Marysville, O,io, by deed, according to law, the property sold; and the saidpurchaser is hereby subrogated to all the rights of said lien holders in said premises, so far as they may be paid herein, for the protection of his title; and a writ of possession is awarded to said purchaser in possession of said premises.

It is further ordered that the Clerk cause satisfaction of the mortgage haein sued on to be entered on the record thereof, in the Office of the Recorder of Union County, Ohio.

And the court now coming on to distribute the proceeds of said sale amounting to \$3900.00, it is ordered that the Sheriff out of the money in his hands pay:

Firstly, To the Treasurer of Union County for Taxes, penalty and interest against said property, to-wit \$284.36  
Secondly, The costs of this action taxed at \$143.60  
Thirdly, To the Plaintiff, Citizens Federal Savings & Loan Association, the balance of the said money remaining in his hands, to--wit the sum of \$3472.04  
to apply as a credit on its judgment against the said defendants.

And there is still remaining due to the said Citizens Federal Savings & Loan Association of Marysville, O,io, the sum of \$1272.97. It is considered that it recover the same from the defendants, Orville Morris and Alberta Morris and execution is awarded therefore.

APPROVED:

Hoopes & Hoopes  
Attorneys for Plaintiff

Gwynn Sanders  
Judge

PETITION

Verlin Lynch  
R.F.D. #2  
Richwood, Ohio  
Plaintiff

19046

vs  
Mildred R. Lynch  
R.F.D # 8  
Lincoln, Nebraska  
Defendant

3/23/62

Recorded Sept 25, 1962

Plaintiff says that he as been a bona fide resident of the State of Ohio formore than oneyear last past, and of the County of Union formore than ninety (90) days next preceding the date of filing this petition.

The plaintiff and the defendant were married in September, 1944 at Palmyra, Missouri, and there were three children born as issue of this marriage; Alan Dale Lynch, age 12 years; Robert Charles Lynch, age 9 years; and Peggy Jo Lynch, age 7 years.

The defendant has been guilty of gross neglect of duty and extreme cruelty toward this plaintiff, in that she has not been a wife to this plaintiff for the past four years, and in September of 1961 she left the home of this plaintiff without just cause and began living with one Don Prosser, formerly of Mansfield, Ohio.

WHEREFORE, the plaintiff prays that he may be granted a divorce from the defendant, and for such other and further relief as the court may deem proper in regard to the custody and support of the minor children.

Reed M. Winegardner  
Attorney for the Plaintiff

STATE OF OHIO, SS:

Verlin Lynch, being first duly sworn, deposes and says that the facts stated and the allegations contained in the foregoing petition are true as he verily believes.

Verlin Lynch

Reed M. Winegardner  
Notary Public

3/23/62

PRECIPE

To the Clerk:

Please issue summons and copy of the petition in the above entitled action for the defendant, mail the same forthwith to the defendant at her residence, R.F.D. #8, Lincoln, Nebraska. Endorse on said summons, "Action for Divorce".

Reed M. Winegardner  
Attorney for the Plaintiff

AFFIDAVIT

3/23/62

STATE OF OHIO, SS:

Verlin Lynch personally appeared before me, a NotaryPublic in and for the State of Ohio, whobeing first duly sworn n oath says that he is the plaintiff in the above entitled action, which is an action for divorce; that the address of the defendant, Mildred R. Lynch, is unknown and the service of summons can not be had upon her in the State of Ohio.

Verlin Lynch

Reed M. Winegardner  
Notary Public

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To Mildred R. Lynch, R#8, Lincoln, Nebraska

You are herebynotified that Verlin Lynch, R#2, Richwood, Ohio has filed in the office of the Clerk of the Court o Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging you with gross neglect of duty and extreme cruelty and asking that he be divorced from you and that and for otherproper relief. The cause may be heard and decided at any time after the expiration of six weeks from the first publication of notice to non-resident defendant.

WITNESS my signature and the seal of saidCourt, 27th day of March, 1962.  
Elen L. Sullivan, Clerk  
By Eileen Daniels, Deputy



The State of Ohio, Union County.

On the 27th day of March, 1962, I mailed a certified copy of this summons together with a certified copy of the petition to Mildred R. Lynch, R#8, Lincoln, Nebraska

WITNESS my signature and the seal of said Court, this 27th day of March, 1962.

Helen L. Sullivan, Clerk  
Eileen Daniels, Deputy

PROOF OF PUBLICATION

5/2/62

State of Ohio, Village of Marysville, Union County.ss.

Personally appeared before me Marie M. Strauss and made solemn oath, that the Legal Notice, a copy of which is hereto attached, was published for 6 consecutive weeks on and next after March 26, 1962, in The Marysville Evening Journal-Tribune, a newspaper of general circulation in the Village of Marysville and Union County.

Marie M. Strauss

Sworn to before me and signed in my presence this 1 day of May, A.D. 1962.

W. E. Behrens  
Notary Public

My commission expires June 22, 1964.  
Printer's Fees, \$19.25

IN THE COURT OF COMMON PLEAS, UNION COUNTY, OHIO  
Case No. 19046  
Verlin Lynch, R.F.D. No. 2, Richwood, Ohio, Plaintiff -vs- Mildred R. Lynch, R.F.D. No. 8, Lincoln, Nebraska, Defendant.  
DIVORCE NOTICE

Mildred R. Lynch, who lives on R.F.D. No. 8, Lincoln, Nebraska, and whose mailing address is R.F.D. No. 8, Lincoln, Nebraska, will take notice that on the 23rd day of March, 1962, the plaintiff, Verlin Lynch, filed his petition against her in the Court of Common Pleas, Union County, Ohio, praying for a divorce on the grounds of gross neglect and extreme cruelty.

Said cause will be for hearing on and after six (6) weeks after the first publication of this notice.

Reed M. Winegardner, Attorney for the Plaintiff, Verlin Lynch

DECREE FOR DIVORCE

9/22/62

This cause came on to be heard on the petition and the evidence and on consideration the court finds that the defendant has been duly served by publication of notice of the pendency of this action as provided by law and that she is in default for answer or demurrer and that the facts set forth in said petition are true; that plaintiff was a bona fide resident of the State of Ohio for more than one year before filing his petition herein and was also a bona fide resident of this Union County for more than ninety days next before filing his petition herein; and that the parties were married as in said petition set forth.

The court further finds that the defendant has been guilty of gross neglect of duty and extreme cruelty, as set forth in said petition and that, by reason thereof, plaintiff is entitled to a divorce.

IT IS, THEREFORE, CONSIDERED, ADJUDGED AND DECREED that the marriage contract heretofore existing between the plaintiff, VERLIN LYNCH, and the defendant, MILDRED R. LYNCH, be and the same is hereby dissolved and both parties are released and discharged therefrom.

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

APPROVED:  
Reed M. Winegardner  
Washington C. H., Ohio

Enter: September 22, 1962.  
Gwynn Sanders  
Judge, Common Pleas Court  
Union County, Ohio

Attorney for Plaintiff

PETITION

Clyde Jolliff  
R#2,  
Richwood, Ohio  
Plaintiff

vs

Ruby Jolliff  
Defendant

19003  
Filed Jan 9, 1962  
Recorded Sept. 25, 1962

Plaintiff says that he has been a resident of the State of Ohio and Union County, for more than one year last past. That he was married to the defendant in September, 1940, at Delaware, Ohio, and that two children were born of said marriage, to-wit: Patsy Jolliff, aged twelve years and Eugene Jolliff, aged seventeen years.

Plaintiff says that the defendant has been guilty of gross neglect of duty and of extreme cruelty towards him and that by reason thereof he is entitled to be divorced from the defendant.

Plaintiff further says that he inherited a farm of 75 acres in Leesburg Township, Union County, which is now in defendant's name and that said farm is valued at about \$17,000.00 and is free and clear of all incumbrances. That plaintiff and defendant also own a farm of about 78 acres in Taylor Township which is valued at approximately \$18,000.00, which farm is mortgaged to the Union County Federal Savings & Loan Association in the approximate amount of \$6000.00 and also mortgaged to the Columbus Production Credit Association in the approximate amount of \$8700.00.

Plaintiff further says that he owns chattels consisting of farm machinery and livestock and an automobile, which chattels are also mortgaged to the Columbus Production Credit Association.

WHEREFORE, Plaintiff prays that he may be divorced from the defendant that the court make a fair and equitable division of the property owned by the parties and for such other and further relief as is proper.

Hoopes & Hoopes  
Attorneys for Plaintiff

STATE OF OHIO, UNION COUNTY, SS:

Clyde Jolliff, being first duly sworn, says that he is the plaintiff in the above entitled cause and that the facts stated and allegations made in the foregoing petition are true as he verily believes.

Sworn to before me and subscribed in my presence this 9th day of January, 1962.

Clyde Jolliff  
William S. Hoopes  
Notary Public

PRECIPE

TO THE CLERK:

Issue summons together with copy of the petition, directed to the Sheriff of Delaware County, Ohio, for the defendant, Ruby Jolliff, (she is staying with mother, Stella Wells, East Central Avenue, Delaware, Ohio ) and make same returnable according to law.

Endorse summons, "ACTION FOR DIVORCE, DIVISION OF PROPERTY AND EQUITABLE RELIEF."

Hoopes & Hoopes

SUMMONS IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Delaware County:

You are hereby commanded to nofity Ruby Jolliff, c/o Stella Wells, East Central Avenue, Delaware, Ohiothat Clyde Jolliff has filed in the office of the Clerk of the Court of Common Pleas of Union County, and State of Ohio, a Petition, (a copy of which accompanies this summons) charging her with gross neglect of duty and extreme cruelty and asking that he be divorced from her and division of property, and for other proper relief. The cause may be heard and decided at any time after the expiration of six weeks from the service of this writ.  
Said Sheriff will make due return of this summons on the 22 day of January, 1962.  
WITNESS my hand and seal of said Court, this 9th day of January, 1962.

Helen L. Sullivan, Clerk  
By Eileen Daniels, Deputy

SHERIFF'S RETURN

The State of Ohio, Delaware County.

Received this writ on the 10th day of January, 1962 at 11:00 o'clock AM. and on the 11th day of January, 1962, I served the same by personally handing to Ruby Jolliff a true copy thereof, together with a certified copy of the petition filed against her in this cause.

\$1.90

Harley Wornstaff, Sheriff  
By Eugene Jackson, Deputy

ANSWER

2/2/62

Now comes the defendant, Ruby Jolliff, and for answer to plaintiff's petition herein, says that she was married to the plaintiff on September 19, 1940, but that contrary to the allegations in the petition of the plaintiff, no children have been born of said marriage.  
Further answering, defendant says that she is the owner of a 75 acre farm in Leesburg Township, and that she and the plaintiff are joint owners of a 78 acre farm in Taylor Township.  
Further answering, defendant says that she and the plaintiff jointly own certain chattels consisting of farm machinery and livestock, and that she is the titled owner of a 1958 Dodge Four-door Sedan.  
Further answering, defendant denies each and every allegation contained in plaintiff's petition which is not hereinabove specifically admitted to be true.

Clyde E. Lewis  
Attorney for Defendant

CROSS PETITION

Defendant says that she has been a bona-fide resident of the State of Ohio for more than one year and a bona-fide resident of the County of Delaware for more than ninety days immediately preceding the filing of this cross-petition, and thatshe and the plaintiff were married on September 19, 1940, and that no children have been born of said marriage.  
Defendant says that although she has been a good and dutiful wife, the plaintiff on the contrary has been guilty of gross neglect of duty as will be shown by the evidence upon the hearing of this cause.  
Wherefore, defendant prays that she may be divorced from the plaintiff, granted temporary support and alimony during the pendency of this action, permanent alimony, counsel fees for the prosecution of this action, and for all other relief that shemay be found entitled.

Clyde E. Lewis  
Attorney for Defendant

STATE OF OHIO, DELAWARE COUNTY, SS:

Ruby Jolliff, being first duly sworn says that she is the defendant in the foregoing action and that the statements and allegations contained therein are true as she verily believes.

Sworn to and subscribed in my presence this 31st day of January, 1962.

Ruby Jolliff  
Loraine E. Armentrout  
Notary Public

PRECIPE

TOTHE CLERK:

Please issue summons and copy of Answer and cross-Petition to the plaintiff, Clyde Jolliff, R#2, Richwood, Ohio, directed to the Sheriff of Union County, Ohio, returnable according to law and endorsed: "Civil Action for Divorce and other relief."

Clyde E. Lewis  
Attorney for Plaintiff

AFFIDAVIT

2/2/62

The State of Ohio, Delaware, County, ss.  
Before me, a Notary Public in and for said county, personally came Ruby Jolliff, who being duly sworn according to law, deposes and says that she is the defendantin Cause No. 19003 filed in the Court of Common Pleas, Union County, Ohio, said case being a divorce action, and that she is without funds to prosecute her defense of this action, and therefore is unable to pre-pay her costs in the filing of her Answer and Cross-Petition in the above entitled cause, Further, affiant saith not. ~~and further deposes that she is not~~.

Sworn tobefore me and signed in my presence this 31st day of Jan. 1962.

OK  
Gwynn Sanders, Judge

Ruby Jolliff  
Loraine E. Armentrout  
NotaryPublic

SUMMONS ON ANSWER AND CROSS PETITION IN DIVORCE

The State of Ohio, Union County.  
To the Sheriff of Union County:

You Are Commanded to Notify Clyde Jolliff, Richwood, Ohio R#2, to appear before the Court of Common Pleas of Union County, at the Court House in Marysville Ohio, and answer an Answer and Cross Petition for Divorce filed in the Clerk's office of said County by Ruby Jolliff a copy of which accompanies this Summons.  
The cause may be heard and decided at any time after the expiration of six weeks fromthe service of this writ.  
Said Sheriff will make due return of this summons on the 12th dayof February A.D. 1962.  
WITNESS my signature and the seal of said Court, this 2nd day of February, 1962.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

2/3/62

The State of Ohio, Union County.  
Received this writ at 9:30 o'clock A.M. on the 2nd day of February 1962, and on the 2nd dayof February, 1962, I served the same by personally hading to the within named Clyde Jolliff a true and duly certified copy thereof with all the endorsements thereon, together with a certified copy of the answer and cross petition filed against him in this cause.

\$3.60

Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy



The above case will be on for hearing on Saturday March 3rd, 1962 at 10:30 o'clock A.M.  
Gwynn Sanders  
Judge

MOTION

2/16/62  
2/17/62  
Now comes the defendant, Ruby Jolliff, and moves the Court for an order requiring the plaintiff, Clyde Jolliff, to provide temporary support for the defendant during the pendency of this action to provide counsel fees for the defendant, and for an order permitting the defendant to remove furniture and clothing from the home of the parties now being occupied by the plaintiff.  
Defendant says that she is without funds for her support, care and maintenance.  
Ruby Jolliff

NOTICE

TO THE ABOVE NAMED PLAINTIFF:  
You will take notice that the foregoing motion will come on for oral hearing before the Honorable Gwynn V. Sanders, Judge of the Court of Common Pleas of Union County, Ohio, at the Court House in Marysville, Ohio, on March 3rd 1962, at 9:30 a.m. o'clock.  
Clyde E. Lewis  
Attorney for Defendant

PRECIPE

TO THE CLERK:  
Please issue summons and copy of the within motion and notice of hearing for the plaintiff, Clyde Jolliff, R#2, Richwood, Ohio, directed to the Sheriff of Union County, Ohio, returnable according to law and endorsed: "Motion for temporary support and other relief."  
Clyde E. Lewis  
Attorney for Defendant

NOTICE TO SERVE

To the Sheriff of Union County, Greeting:  
You are hereby commanded to serve the attached copies of Motion & Notice heretofore filed in this case, upon the Plaintiff, Clyde Jolliff, Richwood, Ohio R.F.D. # 2, and of your service hereof, make due return to this office, on or before the 26th day of February, A.D. 1962.  
WITNESS my hand and seal of said Court, this 17th day of February, 1962.  
Helen L. Sullivan  
Clerk of said Court

SHERIFF'S RETURN

The State of Ohio, Union County.  
Received this writ Feb. 17th, 1962, at 9:30 o'clock AM. And on Feb. 17th, 1962, I served the within named Clyde Jolliff by personally handing to him a true and certified copy thereof with all the endorsements thereon.  
\$3.40  
Edward Amrine, Union County Sheriff  
By Martha Rogers, Deputy

JOURNAL ENTRY

Clyde Jolliff  
Plaintiff  
vs  
Ruby Jolliff  
Defendant  
3/10/62

This cause came on to be heard on the motion of the defendant, Ruby Jolliff, and by agreement of the parties, the Court finds that the best interests of the plaintiff and defendant will be served by the sale of the farm located in Taylor Township, Union County, Ohio, and by sale of the farm chattels and furniture of the parties, excepting from said sale of the said personalty the personal effects of the parties and such other items as may be mutually agreed upon and which are not covered by mortgage indebtedness.  
It is ordered that the funds from the sale of said realty and personalty be applied by the attorneys of the parties towards the satisfaction of the outstanding debts of the parties. That the attorneys report to the Court concerning the disposition of funds that my remain in their hands after the payment of the debts for the purpose of providing for the support of the defendant during the pendency of this action and for counsel fees for the prosecution of this action.  
This cause is continued.

APPROVED:  
Hoopes & Hoopes  
Attorney for Plaintiff  
Clyde E. Lewis  
Attorney for Defendant  
Gwynn Sanders  
Judge

ENTRY

4/10/62  
This day this cause came on to be heard on motion of plaintiff for a trustee to handle the proceeds of the sale of the parties' chattels heretofore ordered by this court.  
The Court finds said motion well taken and hereby orders Don Foos, Clerk of said sale, or any person acting as clerk in his place to surrender the entire proceeds of said sale to Franklin R. Greeneisen as said trustee for distribution.  
APPROVED:  
Hoopes & Hoopes  
Attorneys for Plaintiff  
Gwynn Sanders  
Judge

ENTRY

4/17/62  
This day this cause came on to be heard upon the application of plaintiff for an order distributing the proceeds of the sale of chattels and the sale of 77.63 acres in Taylor Township, Union County, Ohio, which proceeds are now in the hands of Franklin R. Greeneisen, Trustee.  
The court being fully advised in the premises finds as follows:  
Sale of Chattels \$3626.34  
Sale of Real Estate 14200.00  
\$17826.34  
And the court now coming on to distribute said proceeds orders said Trustee to pay the following:  
Claiborne Grocery \$ 308.52  
Television repair 7.44  
Mary Salley-restaurant 5.50  
Creviston & Wingfield 43.12  
Cyrus B. Breece, Florist 18.69  
Sieg's Rexall Drugs 20.04  
Marble Cliff Quarries Co. 63.35  
Woods Marathon 25.41  
Guy Riley-hay 22.25

C. M. Shields - corn	25.00
C. F. Gill	62.07
Broadway Market	107.73
Harold Porschet	59.00
Scioto Soft Water Conditioner	40.53
Ohio Oil Company	336.97
Ohio Gas & Appliicance Company	44.63
James M. Goddard Insurance Agency	206.08
Elmira Greeting Card Company	4.75
Government Surplus Store	27.49
Allis-Chalmers - Larue	56.00
Omar Bakery	49.00
George Hunt	11.00
City Loan	200.00
Union County Fed Sav & Loan Assn	5100.00
Columbus Production Credit Assn	6000.00
Ruby Jolliff	1000.00
Clyde Jolliff	1000.00
Clyde Lewis-Attorney	500.00
Hoopes & Hoopes - Attorneys	500.00
Real Estate Commission	710.00
	<u>16,832.16</u>
Real Estate Taxes	265.58
	<u>17,097.74</u>

Said trustee is ordered to hold the balance of \$728.60 in his trust account pending further order of this court.

APPROVED:  
Hoopes & Hoopes  
Attorneys for Plaintiff  
Clyde E. Lewis  
Attorney for Defendant  
by WSH

Gwynn Sanders  
Judge

MOTION

The above mentioned case willbe on for hearing on Saturday June 2nd, 1962 at 9:30 o'clock AM.

5/24/62

Gwynn Sanders  
Judge  
9/5/62

Now comes the defendant, by her attorney, and respectfully moves the court for leave to withdraw her answer and cross petition heretofore filed in this action.

ENTRY

Clyde E. Lewis  
Attorney for Defendant  
9/8/62

On motion of Plaintiff, Frank Greeneisen, Trustee, is hereby ordered to pay the following claims:

Richwood Banking Co.	\$ 73.52
D. C. Laird	\$500.00

APPROVED:  
Hoopes & Hoopes  
Attorneys for Plaintiff

Gwynn Sanders  
Judge

ENTRY

On motion of defendant, Ruby Jolliff, it is ordered she be and is hereby authorized to withdraw her answer and cross petition heretofore filed in this action.

9/8/62

Gwynn Sanders  
Judge

APPROVED:  
William S. Hoopes  
Attorneys for Plaintiff  
Clyde E. Lewis  
Attorney for Defendant

DECREE OF DIVORCE

9/15/62

This day this cause came on to be heard on the petition and the evidence, and on consideration thereof, the court find that the plaintiff, at the time of filing his petition, had been a resident of the State of Ohio for one year next preceeding the same, and was at that time a bona fide resident of Union County, Ohio, andthat the parties were married as in the petition set forth, and that there are no children of said marriage.

The court further find, upon the evidence adduced, that the defendant has been guilty of gross neglect of duty toward plaintiff and that by reason thereof the plaintiff is entitled to a divorce as prayed for.

It is ordered and adjudged by the court that the marriage contract heretofore existing between the said Clyde Jolliff and Ruby Jolliff be, and the same hereby is, dissolved, and both parties are released from the obligations of the same.

The court further find that Frank Greeneisen, Trustee herein, has sold the real and personal property of the parties, and has paid all of the outstanding claims and obligations of the parties hereto, as per his report filed herein and that he has in this hands a balance of \$727.75.

It is hereby ordered that he pay to the Clerk of Court the court costs in this action in the amount of \$22.68; that he pay to himself the sum of \$200.00 as compensation; that he pay the balance of \$505.07 as follows:

to Clyde Jolliff	\$252.53
To Ruby Jolliff	\$252.54

APPROVED:  
Hoopes & Hoopes  
Attorneys for Plaintiff

Gwynn Sanders  
Judge



PETITION

Clementine Ann Mulvihill  
1509 Oak Street  
Evanston, Illinois

Case No. 19330  
Filed October 8, 1963  
Recorded Feb. 11, 1964

Marian Mulvihill Cunningham  
1509 Oak Street  
Evanston, Illinois

Matthew E. Mulvihill  
321 Kedzie Street  
Evanston, Illinois

Sister Philip Marie  
Little Flower Convent  
5555 Little Flower Avenue  
Cincinnati, Ohio

Plaintiffs

-vs-

Rose Mulvihill  
100 Lindsey Street  
Piqua, Ohio

Defendant

Plaintiffs say that one John F. Mulvihill died testate on December 1, 1932; that his estate was admitted in the Probate Court of Shelby County, Ohio, and his Last Will was admitted to probate and is of record in Will Records 13, page 39; that Item II of said Will reads as follows:

"I hereby give, devise and bequeath my home on the corner of Washington Street and Ohio Avenue in the City of Sidney, Shelby County, Ohio, to my wife, Rose M. Mulvihill, the same to be hers absolutely and in fee simple. I also give, devise and bequeath to my said wife, Rose M. Mulvihill, the income from the property owned by me in Marysville, Ohio; said income to be paid to her as long as she remains my widow; she to keep up all taxes, insurance and necessary repairs out of the income from the property. In case my said wife should remarry, or in case of her death, it is my desire and I hereby give, devise and bequeath the property in Marysville to my next of kin, meaning hereby any brother or brothers, sister, niece or nephew in the following proportions; share and share alike."

That the Marysville property referred to in said Item II is described as follows:

Situated in the Village of Marysville, Union County, Ohio.  
BEGINNING at a stake at the southwest corner of Lot No. 39 in the east line of Main Street; thence with said line N. 2° E. 43.5 feet to a stake at the southwest corner of a part of said Lot No. 39 conveyed to R. M. Henderson and N. M. Liggett to Frances T. Arthur Apr. 7, 1882; thence with the south line of said Arthur lot S. 88° E. 132 feet to a stake at the southeast corner of said Lot No. 39; thence with said line S. 2° W. 43.5 feet to a stake in the southeast corner of said Lot No. 39; thence with the south line of said lot N. 88° W. 132 feet to the beginning.

That the plaintiffs are a nephew and nieces of said decedent and are his next of kin.

Plaintiffs say that the defendant has for the past several years committed waste upon and in respect to said property in the following particulars:

That she has failed to pay the taxes and assessments levied upon said property when due and that there are now due taxes in the amount of \$476.06; that she has failed to keep the building located upon said real estate in a state of reasonable repair in that the roof thereon has leaked badly for several years thereby seriously damaging the interior of said building and that said building is now in a run-down and dilapidated state of repair.

That by reason of said waste the defendant, Rose Mulvihill has forfeited her life estate in said property and plaintiffs are now entitled to the same and pray for judgment of the possession thereon and that their title be quieted thereon.

Hoopes & Hoopes  
Attorneys for Plaintiffs

STATE OF OHIO, UNION COUNTY, SS:

C. A. Hoopes, being first duly sworn, says that he is attorney for plaintiffs, that plaintiffs are non-residents of Union County and that the facts stated and allegations made in the foregoing petition are true as he verily believes.

C. A. Hoopes  
C. A. Hoopes

Sworn to be fore me and subscribed in my presence this 8th day of October, 1963.

Eloise C. Smart  
Notary Public

PRECIPE

TO THE CLERK:

Issue summons in the above entitled cause to the Sheriff of Miami County, Ohio, for the defendant, Rose Mulvihill (Mary Rigglesman Nursing Home, 100 Lindsey Street, Piqua, Ohio) and make same returnable according to law.

Endorse summons, "ACTION FOR FORFEITURE OF TITLE TO REAL ESTATE".

Hoopes & Hoopes  
Attorneys for Plaintiffs

SUMMONS

The State of Ohio, Union County.  
To the Sheriff of Miami County:

You are hereby commanded to notify Rose Mulvihill (Mary Rigglesman Nursing Home, 100 Lindsey St., Piqua, Ohio) that she has been sued by Clementine Ann Mulvihill et al., in the Court of Common Pleas of said Union County, and must answer by the 9th. day of Nov. A. D. 1963, or the petition of said plaintiff will be taken as true, and judgment rendered accordingly.

Said Sheriff will make due return of this summons on the 21st. day of Oct. 1963.

Witness my hand and the seal of said Court, this 8th. day of Oct., 1963.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

The State of Ohio, Miami County.

Recived this writ October 9th, 1963, at 11:00 o'clock A. M. And on October 9th, 1963, I served the within named RoaseMulvihill by leaving for her at her usual place of residence, a true and certified copy therof with all the endorsements thereon.

Chester Paulus  
Miami County Sheriff

SHERIFF FEES

Service and Return	\$1.50
Miles traveled at	1.60
Total	\$3.10



ANSWER AND CROSS PETITION

Clementine Ann Mulvihill et al. -vs- Roase Mulvihill

Case No. 19330  
Filed Nov. 7, 1963  
Recorded Feb. 11, 1964

Now comes the defendant Rose Mulvihill and for her answer herein admits the death of John F. Mulvihill and the excerpt from his will as in plaintiffs' petition alleged; admits that the property referred to in the said will of John F. Mulvihill is that described in plaintiffs' petition and admits that the plaintiffs are a nephew and neices of the said John F. Mulvihill and are his next of kin.

Further answering defendant specifically denies that she has committed waste upon the property described in plaintiffs' petition and denies each and every allegation in plaintiffs' petition contained not herein specifically admitted to be true.

Wherefore, defendant prays that plaintiffs' petition be denied and that the same be dismissed at plaintiffs' costs.

CROSS PETITION

Now comes the defendant Rose Mulvihill and for her cross petition herein says that John F. Mulvihill died testate on December 1, 1932, a resident of Shelby County, Ohio, leaving this defendant as his widow and surviving spouse. The plaintiffs Clementine Ann Mulvihill, Marian Mulvihill Cunningham, Matthew E. Mulvihill and Sister Philip Marie are the decedent's only known next of kin. Defendant says that the said John F. Mulvihill died seized of the following described real estate:

Situated in the Village of Marysville, Union County, Ohio. BEGINNING at a stake at the southwest corner of Lot No. 39 in the east line of Main Street; thence with said line N. 2° E. 43.5 feet to a stake at the southwest corner of a part of said Lot No. 39 conveyed to R. M. Henderson and N. M. Liggett to Frances T. Arthur Apr. 7, 1882; thence with the south line of said Arthur lot S. 88° E. 132 feet to a stake at the southeast corner of said Arthur's lot in the west line of an alley and in the east line of said Lot No. 39; thence with said line S. 2° W. 43.5 feet to a stake in the southeast corner of said In Lot No. 39; thence with the south line of said Lot N. 88° W. 132 feet to the beginning.

and that the legal title to said real estate is still in the name of said decedent John F. Mulvihill.

Defendant says that the estate of the said John F. Mulvihill was administered in the Probate Court of Shelby County, Ohio, and that said Court on September 28, 1933, set off to this defendant under section 10509.54 of the General Code of Ohio the sum of two thousand five hundred dollars (\$2,500.00) as property exempt from administration and that on December 23, 1932, the appraisers fixed defendant's year's allowance under the provision of Sections 10509.74-75-76 of the General Code of Ohio in the amount of six hundred dollars (\$600.00).

Defendant says that there is due and owing her from the estate of the said John F. Mulvihill as property exempt from administration the sum of two thousand four hundred and five dollars (\$2,405.00), no part of which has been paid and that there is due and owing this defendant from the estate of John F. Mulvihill the sum of six hundred dollars (\$600.00) as her year's allowance as such widow, no part of which has been paid. Defendant further says that the amoutn due this defendant as property exempt from administration is a charge upon the real estate of said decedent John F. Mulvihill and that a certificate of court evidencing said indebtedness of said amounts due this defendant from the estate of John F. Mulvihill was filed by the Probate Court of Shelby County, Ohio, in the Probate Court of Union County, Ohio, being case no. 13017 on said docket of said Union County Probate Court.

WHEREFORE, defendant prays for judgement against the plaintiffs for the sum of two thousand four hundred and five dollars (\$2,405.00) and for the said sum of six hundred dollars (\$600.00) with interest from the 3rd day of September, 1935, and that the same be declared a lien upon said premises and that said plaintiffs pay to said defendant the sum of \$2,405.00 and said sum of \$600.00 or that said property may be sold and the proceeds applied to the payment of said lien and for such other and further equitable relief that is just and proper in the premises.

Luther L. Liggett  
Attorney for Defendant

STATE OF OHIO  
SS  
UNION COUNTY

Luther L. Liggett, being first duly sworn according to law, says that he is the attorney for defendant Rose Mulvihill, that defendant is not a resident of Union County and that the facts stated and allegations contained in the foregoing answer and cross petition are true as he verily believes.

Luther L. Liggett  
Luther L. Liggett  
Helen L. Sullivan  
Clerk of Courts  
Union Co., Ohio

Sworn to before me and subscribed in my presence this 7th day of November, 1963.

PRECIPE

Clementine Ann Mulvihill et al. -vs- Rose Mulvihill  
TO THE CLERK:

Case No. 19330  
Filed Nov. 7, 1963

Please issue summons in the above entitled cause directed to the Sheriff of Hamilton County, Ohio, for the plaintiff Sister Philip Marie, Little Flower Convent, 5555 Little Flower Avenue, Cincinnati, Ohio, endorse "action for money judgement in the amount of \$3,004.00 with interest, foreclosure of lien and sale of real property and equitable relief" and make returnable according to law.

Luther L. Liggett  
Attorney for defendant

JOURNAL ENTRY

Clementine Ann Mulvihill et al. -vs- Rose Mulvihill

Case No. 19330  
Filed Nov. 8, 1963

On motion of the defendant and for good cause shown the defendant is hereby granted leave to move or plead to plaintiffs' petition until the 23rd day of November, 1963.

Gwynn Sanders  
JUDGE

APPROVED BY  
Hoopes & Hoopes  
ATTORNEY FOR PLAINTIFFS  
Luther L. Liggett  
ATTORNEY FOR DEFENDANT  
SUMMONS

The State of Ohio, Union County.  
To the Sheriff of Hamilton County, Greeting:  
You are commanded to notify Sister Philip Marie, Little Flower Convent, 5555 Little Flower Ave., Cincinnati, Ohio that Rose Mulvihill has filed an answer and cross-petition in the case of Clementine Ann Mulvihill et al., vs. Rose Mulvihill in the Common Pleas Court of Union County, and that unless she answer by the 7th. day of Dec. A. D. 1963 the answer and cross-petition of the said Rose Mulvihill against her filed in the Clerk's office of said Court, such answer and cross-petition will be taken as true and judgment rendered accordingly.  
Said Sheriff will make due return of this summons on the 18th. day of Nov., 1963  
Witness my hand and seal of said Court, this 7th. day of Nov., 1963.

Helen L. Sullivan  
Clerk



SHERIFF'S RETURN

The State of Ohio, Hamilton County.

Received this writ November 8th, 1963, at- o'clock M. And on November 13th 1963, I served the within named Sister Philip Marie, Little Flower Convent. by personally handing to her a true and certified copy thereof with all the endorsements thereon by and through E. D. Ross my duly authorized and acting Deputy Sheriff.

Dan Tehan  
Hamilton County Sheriff

SHERIFF FEES

Service and Return,	\$ .75
Additional names	1.50
miles traveled	2.00
Total	\$3.50

JOURNAL ENTRY

Clementine Ann Mulvihill, et al, -vs- Rose Mulvihill

Case No. 19330  
Filed Nov. 21, 1963

On motion of the defendant and for good cause shown the defendant is hereby granted leave to move or plead to plaintiffs' petition until the 23rd day of December, 1963.

Gwynn Sanders  
Judge

APPROVED BY

Hoopes & Hoopes  
ATTORNEY FOR PLAINTIFFS  
Luther L. Liggett  
ATTORNEY FOR DEFENDANT

WAIVER OF SERVICE OF SUMMONS

Clementine Ann Mulvihill, et al., -vs- Rose Mulvihill

Case No. 19330  
Filed Dec. 7, 1963

We, the undersigned parties plaintiffs in the above entitled action, hereby voluntarily waive service of summons on defendant's cross petition filed herein and voluntarily enter our appearance.

Clementine Ann Mulvihill  
Clementine Ann Mulvihill

Marian M. Cunningham  
Marian Mulvihill Cunningham

Matthew E. Mulvihill  
Matthew E. Mulvihill

ENTRY

Clementine Ann Mulvihill, et al, vs Rose Mulvihill

Case No. 19330  
Filed Feb. 7, 1964

This day this cause cam on to be heard upon the petition of plaintiffs, the answer and cross petition of the defendant and the evidence and was submitted to the Court; and the Court being fully advised in the premises find the allegations of the petition to be true, that John F. Mulvihill died testate, the owner of the real estate hereinafter described, that under the terms of his Last Will and Testament said real estate was devised to the defendant, Rose Mulvihill for life and after her death to the plaintiffs herein, in equal shares.

The Court further find that the defendant has committed waste upon it in respect to said property as alleged in the petition and that by reason thereof said life estate of the defendant should be forfeited.

The Court further find that upon the settlement of the estate of the said John F. Mulvihill, the sum of \$2,500.00 was set off to the defendant, Rose Mulvihill, his widow, as property exempt from administration; that she has never received said sum or any part thereof and that the payment thereof is a charge upon said real estate.

It is therefore considered by the Court that the life estate of the defendant, Rose Mulvihill be, and the same hereby is, forfeited and the legal title thereof is vested in fee simple in the plaintiffs, Clementine Ann Mulvihill, Marian Mulvihill Cunningham, Matthew E. Mulvihill and Sister Philip Marie, in equal shares and the Auditor of Union County is authorized and directed to transfer the title to said real estate to said plaintiffs. Said real estate is described as follows:

Situated in the Village of Marysville, Union County, Ohio.  
BEGINNING at a stake at the southwest corner of Lot No. 39 in the east line of Main Street; thence with said line N. 2° E. 43.5 feet to a stake at the southwest corner of a part of said Lot No. 39 conveyed to R. M. Henderson and N. M. Liggett to Frances T. Arthur Apr. 7, 1882; thence with the south line of said Arthur lot S. 88° E. 132 feet to a statke at the southeast corner of said Arthur's lot in the west line of an alley and in the east line of said Lot No. 39; thence with said line S. 2° W. 43.5 feet to a stake in the southeast corner of said In Lot No. 39; thence with the south line of said lot N. 88° W. 132 feet to the beginning.

It further appearing to the Court that the plaintiffs have paid to Rose Mulvihill said sum of \$2500.00 the lien of said \$2500.00 payment upon said property is cancelled.

Gwynn Sanders  
JUDGE

APPROVED:

Hoopes & Hoopes  
Attorneys for Plaintiffs  
Luther L. Liggett  
Attorney for Defendant



RESOLUTION AND FINDING

IN THE MATTER OF THE APPROPRIATION BY THE STATE OF OHIO OF EASEMENTS FOR HIGHWAY PURPOSES OVER THE PROPERTY OF OWEN R. HOBBS, ET AL., ON STATE ROUTE NO. U.S. 33, SECTION 0.00, UNION COUNTY, OHIO, AND STATE ROUTE NO. U.S. 33 SECTION 31.67, LOGAN COUNTY, OHIO.

Case No. 18737  
Filed Oct. 27, 1960  
Reported Feb. 11, 1964

WHEREAS, I have been unable to purchase certain hereinafter described property, needed in the construction and improvement of State Route No. U.S. 33, Section 0.00, Union County, Ohio, and State Route No. U.S. 33, Section 31.67, Logan County, Ohio.

THEREFORE, I find it is necessary for the public convenience and welfare that action be taken under Section 5519.01 and related sections described, which I deem needed, in accordance with the plans and specifications on file in the Department of Highways, Columbus, Ohio, from the following named owners:

NAME	PLACE OF RESIDENCE
Owen R. Hobbs,	Seventh Street, Findlay, Ohio
Marie Hobbs,	Seventh Street, Findlay, Ohio
Treasurer of Union County,	
Ohio,	Court House, Marysville, Ohio

The aforementioned property to be appropriated is located in Virginia Military Survey No. 3748, Allen Township, Union County, Ohio, lying on the left and right sides of the centerline of a survey made by the Department of Highways, and recorded in the records of Union County, Ohio, and being more fully described as follows:

PARCEL NO. 52 (HIGHWAY)

PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning in the owners' westerly property line at a point 29.65 feet left of Station 254 plus 74.68 in the centerline of a survey made in 1957, by the Ohio Department of Highways of State Route No. U. S. 33, SECTION 0.00, in Union County, also known as the Marysville-Bellefontaine Road, said point being in the existing northerly right of way line of said highway; thence northeasterly along said property line to a point 60 feet left of Station 254 plus 69.89; thence southeasterly to a point 80 feet left of Station 260 plus 00; thence southeasterly to a point 55 feet left of Station 263 plus 10; thence southwesterly to a point 40 feet left of Station 263 plus 10; thence southeasterly to a point 40 feet left of Station 264 plus 35; thence easterly to a point 55 feet left of Station 265 plus 00; thence southeasterly to the owners' easterly property line at a point 55 feet left of Station 273 plus 86.28; thence southeasterly along said easterly property line to the existing northerly right of way line of said highway at a point 29.74 feet left of Station 274 plus 20.80; thence northwesterly along said northerly right of way line of said highway at a point 29.73 feet left of Station 272 plus 50.02; thence northwesterly along said northerly right of way line to a point 29.57 feet left of Station 266 plus 98.08; thence northwesterly along said northerly right of way line to a point 29.60 feet left of Station 261 plus 98.41; thence northwesterly along said northerly right of way line to a point 29.59 feet left of Station 256 plus 96.69; thence northwesterly along said northerly right of way line to the place of beginning, containing 1.34 acres, more or less.

PARCEL NO. 52-A (HIGHWAY)

PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning in the existing southerly right of way line at a point 30.23 feet right of Station 253 plus 87.20 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U.S. 33, Section 0.00 in Union County, also known as the Marysville-Bellefontaine Road, said point also being in the existing easterly right of way line of Township Road No. 151; thence southeasterly along the existing southerly right of way line of State Route No. U.S. 33, to a point 30.40 feet right of Station 256 plus 97.58; thence southeasterly along said southerly right of way line to a point 30.25 feet right of Station 261 plus 96.89; thence southeasterly along said southerly right of way line to a point 30.11 feet right of Station 266 plus 97.81; thence southeasterly to the owners' easterly property line at a point 30.10 feet right of Station 268 plus 87.94; thence southwesterly along said easterly property line to a point 55 feet right of Station 268 plus 86.27; thence northwesterly to a point 55 feet right of Station 263 plus 50; thence northwesterly to a point 90 feet right of Station 260 plus 00; thence northwesterly to a point 60 feet right of Station 255 plus 00; thence southwesterly to the existing easterly right of way line of Township Road No. 151 at a point 20 feet right of Station 7 plus 80 in the centerline of survey of said township Road; thence northwesterly along the existing easterly right of way line of said Township Road No. 151 to the place of beginning, containing 1.26 acres, more or less.

Said stations being the Station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Highways, Columbus, Ohio.

And I find the following amount to be the value of the property to be appropriated and damages to the residue:

VALUE OF THE PROPERTY	DAMAGES TO THE RESIDUE	TOTAL DEPOSIT
\$ 1,200.00	\$ 800.00	\$ 2,000.00

WITNESS my hand and seal this 30th day of September, 1960.

I hereby certify that the foregoing is a true and correct copy of an entry in the Right of Way Section of the Journal of the Director of Highways, made on September 30, 1960, in Volume 45, Page 1336.

E. S. Preston  
E. S. Preston - Director of Highways  
  
Esther E. Dearing  
Esther E. Dearing - Recorder

PRECIPE

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

Filed Oct. 27, 1960

Pursuant to the provisions of Section 5519.01 Revised Code kindly notify within three days, through the Sheriff, the following named persons;

Owen R. Hobbs,	Seventh Street,	Findlay, Ohio
Marie Hobbs,	Seventh Street,	Findlay, Ohio
Treasurer of Union County, Ohio,	Court House	Marysville, Ohio

owners of real estate described in the resolution this day filed in your Court, in the above proceedings. of the amount deposited with you on account of the property appropriated, and serve each of them with a copy of the resolution in which is contained a definite, detailed and accurate description of the property appropriated, also a plat showing the area appropriated, and direct the Sheriff to make a return of service upon said persons, as in civil action.

Mark McElroy  
Attorney General - State of Ohio

SUMMONS

The State of Ohio, Union County, ss.

To the Sheriff of said County, Greeting:

You are commanded to notify Treasurer of Union County, Court House, Marysville, Ohio that the, Director of Highways of the State of Ohio has instituted a proceeding to appropriate certain property of Owen R. Hobbs, et al., in the Common Pleas Court of Union County, and that unless he appeal within thirty (30) days from the date of service of this summons he will be deemed to have waived his right to appeal and Judgment will be rendered accordingly.

You (the Sheriff) will make due return of this summons, on or before the 7th day of November, A. D. 1960.

WITNESS my hand and seal of said Court this 28th day of October, A.D. 1960.

Helen L. Sullivan  
Clerk



SHERIFF'S RETURN

The State of Ohio, Union County:

Received this writ Oct. 28th, 1960, at 12:30 o'clock P. M., and pursuant to its command, on Oct. 28th, 1960, I served the within named Willard Clevenger, Treasurer of Union County, Ohio by personally handing to him a true and certified copy of this writ with all the endorsements thereon, together with a copy of the resolution of appropriation and a blue print of the property appropriated.

Edward Amrine  
Union County Sheriff

SHERIFF'S FEES

Service \$1.50  
Docket .10  
Total \$1.60

Summons

The State of Ohio, Hancock County, ss.

To the Sheriff of said County, Greeting:

You are commanded to notify

Owen R. Hobbs, Seventh Street, Findlay, Ohio, Marie Hobbs, Seventh Street, Findlay, Ohio, that the, Director of Highways of the State of Ohio has instituted a proceeding to appropriate certain property of Owen R. Hobbs, et al, in the ~~appeal~~ Common Pleas Court of Union County, and that unless they appeal within thirty (30) days from the date of service of this summons they will be deemed to have waived their right to appeal and Judgment will be rendered accordingly.

You (the Sheriff) will make due return of this summons, on or before the 7th day of November, A. D. 1960.

WITNESS my hand and seal of said Court this 28th day of October, A. D. 1960.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

The State of Ohio, Hancock County:

Received this writ October 30, 1960, at 9:00 o'clock A M, and pursuant to its command, on October 31, 1960, I served the within named Owen R. Hobbs by personally handing to him a true and certified copy of this writ with all the endorsements thereon, together with a copy of the resolution of appropriation and a blue print of the property appropriated.

I also, on October 31, 1960, served the within named Marie Hobbs by leaving for her at her usual place of residence a true and certified copy of this writ with all the endorsements thereon, together with a copy of the resolution of appropriation and a blue print of the property appropriated.

Carson C. Davis  
Hancock County Sheriff

SHERIFF'S FEES

Service \$1.50  
Add names .25  
Mileage 4 .40  
Docket .25  
Return postage .04  
Total \$2.44

PETITION IN APPEAL

Case No. 18737  
Filed Nov. 10, 1960

In the Matter of the Appropriation by the State of Ohio of Easement for Highway Purposes over the Property of Owen R. Hobbs, et al, on State Route No. U.S. 33, Section 0.00, Union County, Ohio, and State Route U.S. 33 Section 31.67, Logan County, Ohio.

The appellants, Owen R. Hobbs and Marie Hobbs, say they are the owners of the real estate hereinafter described and appropriated by the Director of Highways of the State of Ohio in the above entitled proceedings; that on the 28th day of October, 1960, they were served with a copy of Resolution and Finding of the Director of Highways and a copy of plat of the property appropriated filed in this action.

Appellants are not satisfied with the amount fixed by the Director of Highways and deposited with this Court, and it is their intention to appeal and they do hereby appeal from the finding of the Director of Highways as to the amount of compensation for the land taken and damages to the residue, for the following described property appropriated:

PARCEL NO. 52 (HIGHWAY)  
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning in the owners' westerly property line at a point 29.65 feet left of Station 254 plus 74.68 in the centerline of a survey made in 1957, by the Ohio Department of Highways of State Route No. U.S. 33, Section 0.00, in Union County, also known as the Marysville-Bellefontaine Road, said point being in the existing northerly right of way line of said highway; thence northeasterly along said property line to a point 60 feet left of Station 254 plus 69.89; thence southeasterly to a point 80 feet left of Station 260 plus 00; thence southeasterly to a point 55 feet left of Station 263 plus 10; thence southwesterly to a point 40 feet left of Station 263 plus 10; thence southeasterly to a point 40 feet left of Station 264 plus 35; thence easterly to a point 55 feet left of Station 265 plus 00; thence southeasterly to the owner's easterly property line at a point 55 feet left of Station 273 plus 86.28; thence southeasterly along said easterly property line to the existing northerly right of way line of said highway at a point 29.74 feet left of Station 274 plus 20.80; thence northwesterly along said northerly right of way line to a point 29.73 feet left of Station 272 plus 50.02; thence northerly right of way line to a point 29.57 feet left of Station 266 plus 98.08; thence northwesterly along said northerly right of way line to a point 29.60 feet left of Station 261 plus 98.41; thence northwesterly along said northerly right of way line to a point 29.59 feet left of Station 256 plus 96.69; thence northwesterly along said northerly right of way line to the place of beginning, containing 1.34 acres, more or less.

PARCEL NO. 52 (HIGHWAY)  
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning in the existing southerly right of way line at a point 30.23 feet right of Station 253 plus 87.20 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U.S. 33, Section 0.00 in Union County, also known as the Marysville-Bellefontaine Road, said point also being in the existing easterly right of way line of Township Road No. 151; thence southeasterly along the existing southerly right of way line of State Route No. U.S. 33, to a point 30.40 feet right of Station 256 plus 97.58; thence southeasterly along said southerly right of way line to a point 30.25 feet right of Station 261 plus 96.89; thence southeasterly along said southerly right of way line to a point 30.11 feet right of Station 266 plus 97.81; thence southeasterly to the owner's easterly property line at a point 30.10 feet right of Station 268 plus 87.94; thence southwesterly along said easterly property line to a point 55 feet right of Station 268 plus 86.27; thence northwesterly to a point 55 feet right of Station 263 plus 50; thence northwesterly to a point 90 feet right of Station 260 plus 00; thence northwesterly to a point 60 feet right of Station 255 plus 00; thence southwesterly to the existing easterly right of way line of Township Road No. 151 at a point 20 feet right of Station 7 plus 80 in the centerline of survey of said Township Road; thence northwesterly along the existing easterly right of way line of said Township Road No. 151 to the place of beginning, containing 1.26 acres, more or less.

Said stations being the Station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Highways, Columbus, Ohio.

Wherefore, appellants pray that the amount due these appellants be determined according to law and for all other and further relief to which they may be entitled.

GEORGE, GREEK, KING & McMAHON  
44 East Broad Street Columbus, Ohio  
John D. Herbert ATTORNEY FOR APPELLANTS



State of Ohio ss  
Union County

Owen R. Hobbs and Marie Hobbs, being first duly sworn, depose and say that they are the above named appellants and that the facts stated and allegations contained in the foregoing petition are true as they verily believe.

/s/Owen R. Hobbs  
Owne R. Hobbs

/s/ Marie Hobbs  
Marie Hobbs

Sworn to before me, a notary public, in my presence this 8 day of November, 1960.

/s/ R. E. Jones  
Notary Public

Jouranal Entry

No. 18737

This cause came on to be heard, on the date fixed by the Court, for the hearing of all preliminary questions and motions and for the examination of the papers and proceedings, and the Court finds that the appeal herein has been properly perfected, and that the proceedings are substantially regular and according to law.

It is, therfore, ordered, adjudged and decreed that the appeal of Owen R. Hobbs, et al., has been properly perfected.

The 5th day of December, 1960, is fixed by the Court for the trial of this case by ury. The trial of this cause will be, and hereby is, continued until a Motion is filed to set same for trial, made by any appellant herein or on behalf of the Director of Highways.

/s/O. W. Whitney, Jr.  
JUDGE By Assignment

Mark McElroy  
Mark McElroy  
Attorney General  
Harry R. Paulino  
Assistant Attorney General  
John D. Herbert  
George, Greek, King & McMahon  
by John D. Herbert  
Attorney for Appellant

ORDER FOR TRIAL

In the Matter of the appropriation  
by the State of Ohio of easements for  
Highway purposes over the property of  
Owen R. Hobbs, et al., on State Route  
No. U.S. 33

Case No. 18737  
Filed Sept. 20, 1961

The above mentioned cause is set for trial December 8th at 9:30 o'clock A. M.

Gwynn Sanders  
JUDGE

JOURNAL ENTRY SETTLEMENTS

IN THE MATTER OF THE PPROPRIATION BY THE  
STATE OF OHIO OF EASEMENTS FOR HIGHWAY  
PURPOSES OVER THE PROPERTY OF WOEN R. HOBBS,  
ET AL., ON STATE ROUTE NO. U.S. 33,  
SECTION 0.00, UNION COUNTY, OHIO, AND  
STATE ROUTE NO. U.S. 33, SECTION 31.67,  
LOGAN COUNTY, OHIO.

Case No. 18737  
Filed Nov. 10, 1961

It appears to the Court that the owners of the property, over whcih easements were appropriated in this action, have agreed with the Director of Highways of the State of Ohio, upon the amount of compensation and damages due said owners by reason of said appropriation and have agreed to accept and withdraw the amount of Two Thousand Seven Hundred and Fifty Dollars (\$2750.00), in full payment thereof, and do hereby release all claims for further compensation of damages, further releases all claim and future compensation for interest on the above amount resulting from the construction and improvement of State Route No. 33 Section 0.00, and U.S. Route 33, Section 31.67, or from the appropriation of said easements.

In conformity with said agreement, it is hereby ordered, adjudged and decreed that the said Director of Highways shall deposit with Clerk of this Court, a sum sufficient, to-wit: Seven Hundred and Fifty Dollars (\$750.00) which when added to the original deposit herein of Two Thousand Dollars (\$2,000.00) equals the total amount of the agreed settlement of Two Thousand Seven Hundred and Fifty Dollars (\$2,750.00) which shall be paid to the landowners hereinafter named, upon application to this Court as their interests may appear, in the following manner to wit: The original deposit in the amount of Two Thousand Dollars (\$2,000.00) shall be paid forthwith upon application as herein set forth and the additional deposit in the amount of Seven Hundred and Fifty Dollars (\$750.00 shall be paid accordingly.

It is further ordered, adjudged and decreed that easements for highway purposes in, over and upon the premises described in the Resolution and Finding filed herein as Parcel No. 52 and Parcel No. 52-A, the same being located in Virginia Military Survey No. 3748, Allen Township, Union County, Ohio, lying on the left and right sides of the centerline of a survey made by the Department of Highways, and recorded in the records of Union County, Ohio, and being more particularly described as follows:

PARCEL NO. 52 (HIGHWAY)  
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning in the owners' westerly property line at a point  
29.65 feet left of Station 254 plus 74.68 in the centerline of a survey  
made in 1957, by the Ohio Department of Highways of State Route No. U.S.  
33, Section 0.00, in Union County, also known as the Marysville-  
Bellefontaine Road, said point being in the existing northerly right of  
way line of said highway; thence northeasterly along said property line  
to a point 60 feet left of Station 254 plus 69.89; thence southeasterly  
to a point 80 feet left of Station 260 plus 00; thence southeasterly to  
a point 55 feet left of Station 263 plus 10; thence southwesterly to a  
point 40 feet left of Station 263 plus 10; thence southeasterly to a  
point 40 feet left of Station 264 plus 35; thence easterly to a point  
55 feet left of Station 265 plus 00; thence southeasterly to the owners'  
easterly property line at a point 55 feet left of Station 273 plus 86.28;  
thence southeasterly along said easterly property line to the existing northerly  
right of way line to a point 29.73 feet left of Station 272 plus 50.02;  
thence northwesterly along said northerly right of way line to a point  
29.57 feet left of Station 266 plus 98.08; thence northwesterly along  
said northerly right of way line to a point 29.60 feet left of Station  
261 plus 98.41; thence northwesterly along said northerly right of way  
line to a point 29.59 feet left of Station 256 plus 96.69; thence north-  
westerly along said northerly right of way line to the place of beginning,  
containing 1.34 acres, more or less,



PARCEL NO. 52-A (HIGHWAY)

PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning in the existing southerly right of way line at a point 30.23 feet right of Station 253 plus 87.20 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U.S. 33, Section 0.00 in Union County, also known as the Marysville Bellefontaine Road, said point also being in the existing easterly right of way line of Township Road No. 151; thence southeasterly along the existing southerly right of way line of State Route No. U.S. 33, to a point 30.40 feet right of Station 256 plus 97.58; thence southeasterly along said southerly right of way line to a point 30.25 feet right of Station 261 plus 96.89; thence southeasterly along said southerly right of way line to a point 30.11 feet right of Station 266 plus 97.81; thence southeasterly to the owners' easterly property line at a point 30.10 feet right of Station 268 plus 87.94; thence southwesterly along said easterly property line to a point 55 feet right of Station 268 plus 86.27; thence northwesterly to a point 55 feet right of Station 263 plus 50; thence northwesterly to a point 90 feet right of Station 260 plus 00; thence northwesterly to a point 60 feet right of Station 255 plus 00; thence southwesterly to the existing easterly right of way line of Township Road No. 151 at a point 20 feet right of Station 7 plus 80 in the centerline of survey of said Township Road; thence northwesterly along the existing easterly right of way line of said Township Road No. 151 to the place of beginning, containing 1.26 acres, more or less.

Said stations being the Station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Highways, Columbus, Ohio,

be and the same hereby are duly vested in the State of Ohio, free and clear of all claims of the owners of said land and any person or persons having an interest therein, to-wit: Owen R. Hobbs, Marie Hobbs, and Treasurer of Union County, Ohio.

It is further ordered that the Director of Highways of the State of Ohio, pay all Court costs herein accrued and that a record be made of these proceedings according to law.

Gwynn Sanders  
Judge  
November 10, 1961

Mark McElroy  
Mark McElroy - Attorney General  
Donald E. Strouse  
Donald Strouse  
Assistant Attorney General  
John D. Herbert  
John Herbert  
Attorney for Appellant

RESOLUTION AND FINDING

IN THE MATTER OF THE APPROPRIATION BY THE STATE OF OHIO OF AN EASEMENT FOR HIGHWAY PURPOSES OVER THE PROPERTY OF RALPH KRAMER, ET AL., ON STATE ROUTE NO. U.S. 33, SECTION 0.00, UNION COUNTY, OHIO, AND STATE ROUTE NO. U.S. 33, SECTION 31.67, LOGAN COUNTY, OHIO.

Case No. 18742  
Filed Nov. 3, 1960  
Reported Feb. 13, 1964

WHEREAS, I have been unable to purchase certain hereinafter described property, needed in the construction and improvement of State Route No. U.S. 33, Section 0.00, Union County, Ohio, and State Route No. U.S. 33, Section 31.67, Logan County, Ohio.

THEREFORE, I find it is necessary for the public convenience and welfare that action be taken under Section 5519.01 and related sections of the Revised Code of Ohio, to appropriate the property hereinafter described, which I deem needed, in accordance with the plans and specifications on file in the Department of Highways, Columbus, Ohio, from the following named owners:

NAME	PLACE OF RESIDENCE
Ralph Kramer	Route No. 3 Marysville, Ohio
Vera Kramer	Route No. 3 Marysville, Ohio
Stanley J. Bowers, Tax Commissioner	Ohio Departments Building 65 South Front Street Columbus, Ohio

Treasurer of Union County, Ohio

Marysville, Ohio

The aforementioned property to be appropriated is located in Virginia Military Survey No. 158, Allen Township, Union County, Ohio, lying on the left side of the centerline of a survey made by the Department of Highways, and recorded in the records of Union County, Ohio, and being more fully described as follows:

PARCEL NO. 27 (HIGHWAY)

PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning in the owners' westerly property line at a point 30.31 feet left of Station 74 plus 31.14 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U.S. 33, Section 0.00 in Union County, Ohio, also known as the Marysville-Bellefontaine Road, said point being in the existing northerly right of way line of said highway; thence northerly along said property line to a point 65 feet left of Station 74 plus 28.78; thence southeasterly to a point 45 feet left of and radially from Station 76 plus 05; thence southeasterly to the owners' easterly property line at a point 50 feet left of and radially from Station 78 plus 41.60; thence southerly along said easterly property line to the existing northerly right of way line of said highway at a point 34.56 feet left of radially from Station 78 plus 43.26; thence northwesterly along said existing northerly right of way line, curving to the left and having a radius of 2894.79 feet to a point 32.99 feet left of and radially from Station 76 plus 74.27; thence northwesterly along said existing right of way line to the place of beginning, containing 0.17 of an acre, more or less.

Said stations being the station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Highways, Columbus, Ohio.

And I find the following amount to be the value of the property to be appropriated and damages to the residue:

VALUE OF THE PROPERTY	DAMAGES TO THE RESIDUE	TOTAL DEPOSIT
\$ 230.00	\$ 220.00	\$ 450.00

WITNESS my hand and seal this 24th day of October, 1960.

E. S. Preston  
E. S. Preston- Director of Highways  
Esther E. Dearing -  
Esther E. Dearing - Recorder

I hereby certify that the foregoing is a true and correct copy of an entry in the Right of Way Section of the Journal of the Director of Highways, made on October 24, 1960, in Volume 45, Page 1476.



PRECIPE

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

Pursuant to the provisions of Section 5519.01 Revised Code kindly notify within three days, through the sheriff, the following named persons: Ralph Kramer, Route No. 3, Marysville, Ohio, Vera Kramer, Route No. 3, Marysville, Ohio, Stanley J. Bowers, Tax Commissioner, Ohio Department Building, 65 South Front Street, Columbus, Ohio, Treasurer of Union County, Ohio, Marysville, Ohio, owners of real estate described in the resolution this day filed in your Court, in the above proceedings, of the amount deposited with you on account of the property appropriated, and serve each of them with a copy of the resolution in which is contained a definite, detailed and accurate description of the property appropriated, also a plat showing the area appropriated, and direct the Sheriff to make a return of service upon said persons, as in civil action.

Case No. 18742  
Filed Nov. 3, 1960

Mark McElroy  
Attorney General - State of Ohio

Summons

The State of Ohio, Union County, ss.  
To the Sheriff of said County, Greeting:

You are commanded to notify Ralph Kramer, Route No. 3, Marysville, Ohio, Vera Kramer, Route No. 3, Marysville, Ohio, Treasurer of Union County, Ohio, that the, Director of Highways of the State of Ohio has instituted a proceeding to appropriate certain property of Ralph Kramer, et al., in the Common Pleas Court of Union County, and that unless they appeal within thirty (30) days from the date of service of this summons they will be deemed to have waived their right to appeal and Judgment will be rendered accordingly.

You (the Sheriff) will make due return of this summons, on or before the 14th day of November , A.D. 1960.

WITNESS my hand and seal of said Court this 3rd day of November , A.D. 1960.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

The State of Ohio, Union County;

Received this writ November 3rd, 1960, at 10:30 o'clock A M, and pursuant to its command, on Nov. 5th , 1960, I served the within named Ralph Kramer, Vera Kramer and Treasurer of Union County, Ohio by personally handing to each of them a true and certified copy of this writ with all the endorsements thereon, together with a copy of the resolution of appropriation and a blue print of the property appropriated.

Edward Amrine  
Sheriff of Union County

SHERIFF'S FEES

Service	\$1.50
Mileage 18	1.80
Docket	--.10
Total	\$3.40

SUMMONS

The State of Ohio, Franklin County, ss.  
To the Sheriff of said County, Greeting:

You are commanded to notify Stanley J. Bowers, Tax Commissioner, Ohio Departments Building, 65 South Front Street, Columbus, Ohio, that the, Director of Highways of the State of Ohio has instituted a proceeding to appropriate certain property of Ralph Kramer, et al., in the Common Pleas Court of Union County, and that unless he appeal within thirty (30) days from the date of service of this summons he will be deemed to have waived his right to appeal and Judgment will be rendered accordingly.

You (the Sheriff) will make due return of this summons, on or before the 14th day of November, A.D. 1960.

WITNESS my hand and seal of said Court this 3rd day of November, A.D. 1960.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

The State of Ohio, Franklin County:

Received this writ Nov. 5, 1960, at 9:31 o'clock AM, and pursuant to it command, on Nov. 7, 1960, I served the within named Stanley J. Bowers, Tax Commissioner by personally handing to him a true and certified copy of this writ with all the endorsements thereon, together with a copy of the resolution of appropriation and a blue print of the property appropriated.

Stacy R. Hall  
Franklin County Sheriff

SHERIFF'S FEES

Service	\$2.25
Mileage	.50
Postage	.04
Total	\$2.79

PETITION STATING INTENTION TO  
APPEAL TO COURT FORM AMOUNT  
FIXED BY DIRECTOR OF HIGHWAYS

Ralph Kramer and Vera Kramer, owners of the property herein described, intend to appeal to this court from the amount fixed by the director of highways fo Ohio as compensation for the following described real property and damage to the residue:

Case No. 18742  
Filed Dec. 3, 1960

The afromentioned property to be appropriated is located in Virginia Military Survey No. 158, Allen Township, Union County, Ohio, lying on the left side of the centerline of a survey made by the Department of Highways, and recorded in the records of Union County, Ohio, and being more fully described as follows:

PARCEL NO. 27(HIGHWAY)  
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Begininning in the woners' westerly property line at a point 30.31 feet left of Station 74 plus 31.14 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U.S. 33, Section 0.00 in Union County, Ohio, also known as the Marysville-Bellefontaine Road, said point being in the existing northerly right of way line of said highway; thence northerly along said property line to a point 65 feet left of Station 74 plus 28.78; thence southeasterly to a point 45 feet left of an radially from Station 76 plus 05; thence southeasterly to the owners' easterly property line at a point 50 feet left of and radially from Station 78 plus 41.60; thence southerly along saideasterly property line to the existing northerly right of way line of said highway at a point 34.56 feet left of and radially from Station 78 plus 43.26; thence northwesterly along said existing northerly right of way line, curving to the left and having a radius of 2894.79 feet to a point 32.99 feet left of and radially from Station 76 plus 74.27; thence northwesterly along said existing right of way line to the place of beginning, containing 0.17 of an acre, more or less.

Said stations being the station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Highways, Columbus, Ohio.

Wherefore, appellant prays that the amount of compensation for the property appropriated and damage to the residue be determined by a jury according to law.

Clifton L. Caryl  
Attorney for Appellant

STATE OF OHIO  
XSS  
UNION COUNTYX



STATE OF OHIO

ss

UNION COUNTY

Ralph Kramer, one of the petitioners in the above Intention to Appeal says the facts stated and allegations contained in the foregoing Petition to Appeal are true as he verily believes.

Ralph Kramer

Ralph Kramer

Sworn to before me and signed in my presence this 3rd day of December, 1960.

Clifton L. Caryl

Clifton L. Caryl - Notary Public

State of Ohio - Com. Ex. 2-13-62

JOURNAL ENTRY

Case No. 18742

This cause came on to be heard, on the date fixed by the Court, for the hearing of all preliminary questions and motions and for the examination of the papers and proceedings, and the Court finds that the appeal herein has been properly perfected, and that the proceedings are substantially regular and according to law.

It is, therefore, ordered, adjudged and decreed that the appeal of Ralph Kramer, et al., has been properly perfected.

The 16th day of January, 1961, is fixed by the Court for the trial of this case by jury. The trial of this cause will be, and hereby is, continued until a Motion is filed to set same for trial, made by any appellant herein or on behalf of the Director of Highways.

Gwynn Sanders

JUDGE

Mark McElroy

Mark McElroy

Attorney General

W. B. Fusnier--

Assistant Attorney General

Clifton L. Caryl

Clifton L. Caryl

Attorney for Appellant

ORDER FOR TRIAL

Case No. 18742

Filed Jan. 19, 1961

The above cause set for trial Monday, February 27th, 1961 at 9:30 o'clock A.M.

Notice of this order mailed to Donald E. Strouse, Attorney General, Thomas Clark & Bradley Hummel, State Highway Garage and Clifton L. Caryl, Attorney at Law.

Gwynn Sanders

JUDGE

ENTRY ORDERING

COMMISSIONERS OF

JURORS TO DRAW

SPECIAL PANEL

Case No. 18742

Filed Jan 26, 1961

It is ordered that the Commissioners of Jurors shall draw a special panel consisting of 25 members as jurors in the above styled cause on Tuesday January 31st at 9:00 o'clock A.M.; for trial February 27th at 9:30 o'clock A.M.

Gwynn Sanders

JUDGE

ORDER FOR TRIAL

Case No. 18742

Filed Sep. 20, 1961

The above cause is set for trial Wednesday, December 6th, 1961, at 9:30 o'clock A.M.

Gwynn Sanders

JUDGE

IN THE MATTER OF THE APPROPRIATION

BY THE STATE OF OHIO OF AN

EASEMENT FOR HIGHWAY PURPOSES

OVER THE PROPERTY OF RALPH DRAMER

ET AL, ON STATE ROUTE NO. U.S.

33 SECTION 0.00 UNION COUNTY

OHIO, AND STATE ROUTE NO. U.S.

33 SECTION 31.67 LOGAN COUNTY

OHIO

This cause continued indefinitely from Wednesday, December 6th, 1961.

Gwynn Sanders

JUDGE

MOTION TO ADVANCE

Case No. 18742

Filed Mar 21, 1963

Now comes William Saxbe, Attorney General for the State of Ohio, and moves that this case be taken out of its order on the docket and assigned for trial on the 15th day of April 1963.

William Saxbe

William Saxbe

Attorney General of Ohio

Will Hayes

Will Hayes

Assistant Attorney General

JOURNAL ENTRY

Case No. 18742

Filed Mar. 21, 1963

This cause came on to be heard upon the Motion of the Attorney General to take the case out of its order and assign the same for hearing on the 15th day of April, 1963, under the provisions of Section 109.20 of the Revised Code.

After consideration, the Court finds that said cause should be advanced as requested in said Motion. Accordingly, the Court hereby directs that the Assignment Commissioner take the cause out of its order and set the same for hearing on the 15th day of April, 1963, giving due Notice to counsel in this cause.

Gwynn Sanders

JUDGE

ORDER FOR TRIAL

(March 21, 1963)

Case No. 18742

Filed Mar. 21, 1963

The above mentioned case has been set for trial on Monday, April 15th, 1963 at 9:30 o'clock A.M.

Gwynn Sanders

JUDGE

JOURNAL ENTRY SETTLEMENT

IN THE MATTER OF THE APPROPRIATION BY THE STATE OF OHIO OF AN EASEMENT FOR HIGHWAY PURPOSES OVER THE PROPERTY OF RALPH KRAMER, ET AL., ON STATE ROUTE NO. U.S. 33, SECTION 0.00, UNION COUNTY, OHIO, AND STATE ROUTE NO. U.S. 33, SECTION 31.67, LOGAN COUNTY, OHIO.

Case No. 18742  
Filed Apr. 17, 1963

It appears to the Court that the owners of the property appropriated in this action, have agreed with the Director of Highways of the State of Ohio, upon the amount of compensation and damages due said owners by reason of said appropriation and have agreed to accept and withdraw the amount of Nine Hundred and no/100-----(\$900.00), in full payment thereof, and do hereby release all claims for further compensation or damages, further releases all claims and future compensation for interest on the above amount (and limitation of access), resulting from the construction and improvement of U.S. Route 33, Section 0.00, or from the appropriation of said property.

It also appears to the Court that the parties hereto have further agreed as follows: In conformity with said agreement, it is hereby ordered, adjudged and decreed that the said Director of Highways shall deposit with the Clerk of Court, a sum sufficient, to-wit: Four Hundred Fifty Dollars and no/100-----(\$450.00) which when added to the original deposit herein of Four Hundred Fifty Dollars and no/100-----(\$450.00) equals the total amount of the agreed settlement of Nine Hundred Dollars and no/100-----(\$900.00) which shall be paid to the landowners hereinafter named, upon application to this Court as their interests may appear.

It is further ordered, adjudged and decreed that the fee simple title for highway purposes in the premises described in the Resolution and Finding filed herein as Parcel No. 27, the same being located in Virginia Military Survey No. 158, Allen Township, Union County, Ohio, lying on the left side of the centerline of a survey made by the Department of Highways, and recorded in the records of Union County, Ohio, and being more fully described as follows:

PARCEL NO. 27 (HIGHWAY)

PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

"Beginning in the owner's westerly property line at a point 30.31 feet left of Station 74 plus 31.14 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U. S. 33, Section 0.00 in Union County, Ohio, also known as the Marysville-Bellefontaine Road, said point being in the existing northerly right of way line of said highway; thence northerly along said property line to a point 65 feet left of Station 74 plus 28.78; thence southeasterly to a point 45 feet left of and radially from Station 76 plus 05; thence southeasterly to the owner's easterly property line at a point 50 feet left of and radially from Station 78 plus 41.60; thence southerly along said easterly property line to the existing northerly right of way line of said highway at a point 34.56 feet left of and radially from Station 78 plus 43.26; thence northwesterly along said existing northerly right of way line, curving to the left and having a radius of 2894.79 feet to a point 32.99 feet left of and radially from Station 76 plus 74.27; thence northwesterly along said existing right of way line to the place of beginning, containing 0.17 of an acre, more or less,"

be and the same hereby is duly vested in the State of Ohio, free and clear of all claims of the owners of said land and any person or persons having an interest therein, to-wit: Ralph Kramer; Vera Kramer; Stanley J. Bowers, Tax Commissioner; and Treasurer of Union County, Ohio.

It is further ordered that the Director of Highways of the State of Ohio, pay all Court costs herein accrued and that a record be made of these proceedings according to law.

Gwynn Sanders  
JUDGE

William B. Saxbe  
William B. Saxbe  
Attorney General - State of Ohio  
Will Hayes  
Assistant Attorney General  
Clifton L. Caryl  
Attorney for Landowners

RESOLUTION AND FINDING

IN THE MATTER OF THE APPROPRIATION BY THE STATE OF OHIO OF EASEMENTS FOR HIGHWAY PURPOSES OVER THE PROPERTY OF LEE E. MULLINS, ET AL., ON STATE ROUTE NO. U.S. 33, SECTION 0.00, UNIO COUNTY, OHIO, AND STATE ROUTE NO. U.S. 33, SECTION 31.67, LOGAN COUNTY, OHIO.

Case No. 18765  
Filed Dec. 15, 1960  
Reported Feb. 14, 1964

WHEREAS, I have been unable to purchase certain hereinafter described property upon which certain structures are located, said property being needed in the construction and improvement of State Route No. U.S. 33, Section 31.67, Logan County, Ohio, in accordance with plans and specifications on file in the Department of Highways, Columbus, Ohio.

THEREFORE, I find that it is necessary for the public convenience and welfare that action be taken under Section 5519.01 and related sections of the Revised Code of Ohio, to appropriate the property hereinafter described, with the immediate right of possession thereto; and I further find that it is necessary that the owners or occupants of the structures thereon, shall vacate the same within sixty (60) days after the service of this notice, in accordance with Section 5519.03 of the Revised Code.

The names of the owners follow:

NAMES	PLACE OF RESIDENCE
Lee E. Mullins	Route No. 5 Marysville, Ohio
Babe R. Mullins	Route No. 5 Marysville, Ohio
Unio County Federal Saving and Loan Association	Marysville, Ohio
Sinclair Refining Company	
C. T. Corporation System	Union Commerce Building
Statutory Agent	Cleveland, Ohio
Treasurer of Unio County, Ohio	Court House Marysville, Ohio

The aforementioned property to be appropriated is located in Virginia Military Survey No. 3151, Allen Township, Union County, Ohio, lying on the left side of the centerline of a survey made by the Department of Highways, and recorded in the records of Union County, Ohio, and being more fully described as follows:

PARCEL NO. 35 (HIGHWAY)

PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning in the existing northerly right of way line at a point 29.89 feet left of Station 143 plus 45 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U.S. 33, Section 0.00 in Union County, Ohio, also known as the Marysville-Bellefontaine Road, thence easterly to a point 60 feet left of Station 144 plus 10; thence southeasterly to the owners' easterly property line at a point 60 feet left of Station 146 plus 83.85; thence southwesterly along said easterly property line to the existing northerly right of way line of said highway at a point 29.75 feet left of Station 146 plus 73.06; thence northwesterly along said northerly right of way line to the place of beginning, containing 0.21 of an acre, more or less.

Being a part of the same premises conveyed to the herein owners by Deed dated 8-2-47 and recorded in Volume 176, Page 577 in the records of Union County, Ohio.



PARCEL NO. 35A (HIGHWAY)  
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning in the owners' westerly property line at a point 29.95 feet left of Station 139 plus 81.53 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U. S. 33, Section 0.00 in Union County, Ohio, also known as the Marysville-Bellefontaine Road, said point being in the existing northerly right of way line of said highway; thence northeasterly along said property line to a point 60 feet left of Station 139 plus 92.25; thence southeasterly to a point 40 feet left of Station 141 plus 80; thence southwesterly to the existing northerly right of way line of said highway at a point 29.96 feet left of Station 141 plus 80; thence northwesterly along said northerly right of way line to a point 29.96 feet left of Station 141 plus 75.29; thence northwesterly along said northerly right of way line to the place of beginning, containing 0.09 of an acre, more or less.

Being a part of the same premises conveyed to the herein owners by Deed dated 8-2-47 and recorded in Volume 176 Page 577 in the records of Union County, Ohio.

PARCEL NO. 35X (CHANNEL)  
THE RIGHT TO CONSTRUCT AND MAINTIAN A CHANNEL

Beginning in the owners' westerly property line at a point 60 feet left of Station 139 plus 92.25 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U.S. 33, Section 0.00 in Union County, Ohio, also known as the Marysville-Bellefontaine Road, said point being in the proposed northrly right of way line of said highway; thence northeasterly along said property line to a point 110 feet left of Station 140 plus 10.09 thence southwesterly to the proposed northerly right of way line of said highway at a point 57.05 feet left of Station 140 plus 20; thence northwesterly along said proposed northerly right of way line to the place of beginning, containing 0.02 of an acre, more or less.

Said stations being the station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans for said improvement herein referred to.

And I find the following amount to be the value of the property to be appropriated and damages to the residue:

VALUE OF LAND	VALUE OF STRUCTURES	DAMAGES TO THE RESIDUE	TOTAL DEPOSIT
\$ 89.00	\$ 267.00	\$ 2,500.00	\$ 2,856.00

WITNESS my hand and seal this 26th day of October, 1960.

/s/ E. S. Preston  
E. S. Preston - Director of Highways

I hereby certify that the foregoing is a true and correct copy of an entry in the Right of Way Section of the Journal of the Director of Highways, made on October 26, 1960, in Volume 45, Page 1495.

Esther E. Dearing  
Esther E. Dearing - Recorder

PRECIPE

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

Case No. 18765  
Filed Dec. 15, 1960

Pursuant to the provisions of Section 5519.01 Revised Code kindly notify within three days, through the Sheriff, the following named persons:

Lee E. Mullins	Route No. 5	Marysville, Ohio
Babe R. Mullins	Route No. 5	Marysville, Ohio
Union County Federal Savings and Loan Association		Marysville, Ohio
Sinclair Refining Company, C. T. Corporation System, Statutory Agent	Union Commerce Building Cleveland, Ohio	

Treasurer of Union County, Ohio Marysville, Ohio

ALSO PLEASE HAVE SHERIFF SERVE COPY OF MOTION UPON THE FOLLOWING NAMED PERSONS:

Lee E. Mullins	Route No. 5	Marysville, Ohio
Babe R. Mullins	Route No. 5	Marysville, Ohio
Union County Federal Savings and Loan Association		Marysville, Ohio
Auditor of Unio County, Ohio		Marysville, Ohio

owners of real estate described in the resolution this day filed in your Court, in the above proceedings, of the amount deposited with you on account of the property appropriated, and serve each of them with a copy of the resolution in which is contained a definite, detailed and accurate description of the property appropriated, also a plat showing the area appropriated, and direct the Sheriff to make a return of service upon said persons, as in civil action.

Mark McElroy  
Attorney General - State of Ohio

MOTION

Case No. 18765  
Filed Dec. 19, 1960

Now comes E. S. Preston, Director of Highways, State Of Ohio, by Mark McElroy, Attorney General, State of Ohio, and moves for an order requiring the property owners, the County Auditor of this County, and the Director of Highways, State of Ohio, each to appoint a qualified person to appraise all buildings or structures on the property being appropriated by these proceedings, in accordance with the provisions of Section 5519.03 of the Revised Code, and to submit to the Court the names and addresses of such persons so appointed within a time fixed by this Court.

Mark McElroy - Attorney General  
Donald E. Strouse -  
Assistant Attorney General

You will take notice that E. S. Preston, Director of Highways, State of Ohio, has filed the foregoing motion in the Court of Common Pleas of this County, and the same will be heard by Court on the 18th day of January 1961, at 10:00 o'clock AM, or as soon thereafter as the same can be heard at the Court Room of the Court House, Marysville, Ohio.

Mark McElroy -  
Mark McElroy - Attorney General  
Donald E. Strouse  
Assistant Attorney General

SHERIFF'S RETURN

The State of Ohio, Union County:

Received a copy of this Motion on the 15th day of December, 1960, at 12:30 o'clock PM, and on the 15th day of December 1960, I served the within named Lee E. Mullins; Babe R. Mullins; union county Federal Savings and Loan Association and Auditor of Union County, Ohio, by personally handing to Frank White a copy of this Motion.

Edward Amrine  
Union County Sheriff

SHERIFF's FEES

Service \$1.50  
Docket .10  
  
Total \$1.60

SUMMONS

The State of Ohio, Union County,ss.  
To the Sheriff of said County, Greeting:  
You are commanded to notify Lee E. Mullins Route No. 5 Marysville, Ohio  
Babe R. Mullins Route No. 5 Marysville, Ohio  
Union County Federal Savings and Loan Association Marysville, Ohio  
Treasurer of Union County, Ohio Marysville, Ohio

that the, Director of Highways of the State of Ohio has instituted a proceeding to appropriate certain property of Lee E. Mullins, et al., in the Common Pleas Court of Union County, and that unless they appeal with in thirty(30) days from the date of service of this summons they will be deemed to have waived their right to appeal and Judgment will be rendered accordingly.  
You are further commanded to notify the aforesaid that under Sections 5519.01 and 5519.03 of the Revised Code of Ohio, the Director of Highways has the immediate right of possession to the property appropriated and that they must vacate the structures located on the property appropriated within sixty (60) days from the service of this notice..  
You (theSheriff) will make due return of this summons, on or before the 26th day of December, A.D.1960.  
WITNESS my hand and seal of said Court this 15th day of December, A.D. 1960.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

The State of Ohio, Union County:  
Received this writ December 15th, 1960, at 12:30 o'clock P.M., and pursuant to its comman, on Dece. 16th , 1960, I servied the within named Lee E. Mullins, Babe R. Mullins, Union County Federal Saving and Loan Assn., Treasurer by personally handing to each of them a true and certtified copy of this writ with all the endorsements thereon, together with a copy of the resolution of appropriation and a blue print of the property appropriated.  
Edward Amrine  
Union County Sheriff

SHERIFF'S FEES

Service \$1.50  
Mileage 15 1.50  
3 Add. names .75  
Docket .10  
Total \$3.85

SUMMONS

THE STATE OF OHIO, CUYAHOGA COUNTY, ss.  
To the Sheriff of said County, Greeting:  
You are commanded to notify Sinclair Refining Company, Union Commerce Building  
C. T. Corporation System, Cleveland, Ohio  
Statutory Agent

that the, Director of Highways of the State of Ohio has instituted a proceeding to appropriate certain property of Lee E. Mullins, et al., in the Common Pleas Court of Union County, and that unless it appeal within thirty (30) days from the date of service of this summons it will be deemed to have waived its right to appeal and judgment will be rendered accordingly.  
You are further commanded to notify the aforesid that under Sections 5519.01 and 5519.03 of the Revised Code of Ohio, the Director of Highways has the immediate right of possession to the property appropriated and that it must vacate the structures located on the property appropriated within sixty (60) days from the service of this notice.  
You (the Sheriff) will make due return of this summons, on or before the 26th day of December, A.D. 1960.  
WITNESS my hand and seal of said Court this 15th day of December, A.D. 1960.

Helen L. Sullivan  
Clerk

SHERIFF'S RETURN

The State of Ohio, Cuyahoga County:  
Received this writ December 19th, 1960, at 2:35 o'clock PM, and pursuant to its command, on December 20th, 1960, I served the within named Sinclair Refining Company by personally handing to Wm. J. Workman, Assistant Vice President, C. T. Corporation System-Statutory Agent a true and certified copy of this writ with all the endoreements thereon, together with a copy of the resolution of appropriation and a blue print of the property appropriated. In compliance with the revised Code of Ohio 1701.07.  
Joseph M. Sweeney  
Cuyahoga County Sheriff

SHERIFF'S FEES

Service \$1.50  
Mileage .20  
Postage .04  
Total \$1.74



APPEAL

Case No. 18765  
Filed Jan. 14, 1961

The appellants, Lee E. Mullins and Babe R. Mullins say that they are the owners of the real estate hereinafter described and appropriated by the Director of Highways of the State of Ohio in the above entitled proceeding; that on the 16th day of December 1960 they were served with a copy of the plat of the property appropriated filed in this action.

Appellants are not satisfied with the amount fixed by the Director of Highways and deposited with this Court, and it is their intention to appeal, and they do hereby appeal from the finding of the Director of Highways as to the amount of compensation for the land taken, structures taken and damages to the residue for the following described property appropriated.

DESCRIPTION OF LAND IS AS SAME ON 240 TO 241.

Wherefore, appellants pray the amount due these appellants may be determined according to law and for all other and further relief to which they are entitled.

Luther L. Liggett  
Attorney for Appellants

STATE OF OHIO

ss

UNION COUNTY

Lee E. Mullins and Babe R. Mullins being first duly sworn according to law say that the facts stated and allegations contained in the foregoing appeal are true as they verily believe.

Lee E. Mullins

Babe Ruth Mullins

Sworn to before me and subscribed in my presence this day of January 1961.

Luther L. Liggett  
Notary Public State Of Ohio  
Com ex 3/2/63

JOURNAL ENTRY

Case No. 18765  
Filed Jan. 27, 1961

This cause came on to be heard on the date fixed by the Court, for hearing of all preliminary questions and motions and for examination of the papers and pleading, and the Court finds that the appeal herein has been properly perfected and that the proceedings are substantially regular according to law.

It is therefore ordered, adjudged and decreed that the appeal of Lee E. Mullins, Et Al., has been properly perfected, and that the owners vacate the structure appropriated upon the property appropriated herein on or before the 18th day of February, 1961, in accordance with provision of Section 5519.03 of the Revised Code of Ohio.

It is further ordered that the Clerk of this Court retain the deposit herein made by the Director of Highways of the State of Ohio, until further order of the Court.

Furthermore, the Court finds that the parties Lee. E. Mullins and Babe R. Mullins and the Director of Highways of the State of Ohio have agreed and stipulated that the storage shed, concrete sign base, thirty (30) square feet of built-up drive, and fifty (50) feet of underground cable to light, situated in and upon the property to be appropriated, have a value of Two Hundred and Sixty-Seven Dollars (\$267.00), and the Court orders that this is the value of the property.

The 7 day of February, 1961, is fixed by the Court for trial of this case by jury. The trial of this cause will be and hereby is continued until a motion is filed to set the same for trial, made by the appellants herein or on behalf of the Director of Highways of the State of Ohio.

Gwynn Sanders  
JUDGE

Mark McElroy

Mark McElroy - State of Ohio  
Attorney General  
Donald E. Strouse  
Donald E. Strouse  
Assistant Attorney General  
Luther L. Liggett  
Luther L. Liggett  
Attorney for Appellants

MOTION

Case No. 18765  
Filed Feb. 16, 1961

Now come s Lee E. Mullins and Babe Mullins, Appellants herein and respectfully move the Court for an order substituting the name of Clyde E. Lewis Attorney at Law of Delaware, Ohio as attorney of record for the appellants, instead of Luther L. Liggett.

Lee E. Mullins  
Lee E. Mullins  
Babe Mullins  
Babe Mullins

JOURNAL ENTRY

Case No. 18765  
Filed Feb. 16, 1961

This day this cause came on to be heard upon the motion of appellants, Lee E. Mullins and Babe Mullins for an order substituting the name of Clyde E. Lewis, Attorney at Law of Delaware, Ohio as the attorney of record for the said appellants; and the Court being fully advised in the premises finds that the motion is well taken and it is hereby ordered that Clyde E. Lewis, Attorney at Law be made the attorney of record for the appellants Lee E. and Babe Mullins in this action.

Gwynn Sanders  
JUDGE

JOURNAL ENTRY

Case No. 18765  
Filed Mar. 9, 1961

It has come to the attention of this Court that the parties herein, by Journal Entry, dated January 27, 1961, have agreed upon the value of the structure appropriated in this case, and that the owners vacate said structure on or before February 18, 1961.

It is therefore ordered, adjudged and decreed that the right of possession for purposes of removing the structure appropriated herein be and hereby is vested in the State of Ohio.

Gwynn Sanders  
Gwynn Sanders, Judge

Mark McElroy

Mark McElroy  
Attorney General  
Donald E. Strouse  
Donald E. Strouse Assistant Attorney General  
Clyde E. Lewis  
Clyde E. Lewis - Attorney for Landowners



JOURNAL ENTRY SETTLEMENT

Case No. 18765  
Filed Dec. 1, 1962

IN THE MATTER OF THE APPROPRIATION BY THE STATE  
OF OHIO OF EASEMENTS FOR HIGHWAY  
PURPOSES OVER THE PROPERTY OF LEE E.  
MULLINS, ET AL., ON STATE ROUTE NO. U.S. 33,  
SECTION 0.00, UNION COUNTY, OHIO, AND STATE  
ROUTE NO. U.S. 33, SECTION 31.67, LOGAN COUNTY,  
OHIO.

It appears to the Court that the owners of the property, over which easements were appropriated in this action, have agreed with the Director of Highways of the State of Ohio, upon the amount of compensation and damages due said owners by reason of said appropriation and have agreed to accept and withdraw the amount of Four Thousand Dollars (\$4,000.00), in full payment thereof, and do hereby release all claims for further compensation or damages, further releases all claims and future compensation for interest on the above amount resulting from the construction and improvement of State Route No. U.S. 33, Section 0.00/31.67, or from the appropriation of said easement.

It also appears to the Court that the parties hereto have further agreed as follows: the agreed compensation and damages of \$4,000.00 represents the total amount of settlement, and those items whose value were stipulated to be \$267.00 by Journal Entry herein on January 27, 1961, are included in said \$4,000.00.

In conformity with said agreement, it is hereby ordered, adjudged and decreed that the said Director of Highways shall deposit with the Clerk of this Court, a sum sufficient, to-wit: One Thousand One Hundred and Forty-Four Dollars (\$1,144.00) which when added to the original deposit herein of Two Thousand Eight Hundred and Fifty-Six Dollars (\$2,856.00) equals the total amount of the agreed settlement of Four Thousand Dollars (\$4,000.00) which shall be paid to the landowners hereinafter named, upon application to this Court as their interests may appear; in the following manner to wit: The original deposit in the amount of Two Thousand Eight Hundred and Fifty-Six Dollars (\$2,856.00) shall be paid forthwith upon application as herein set forth and the additional deposit in the amount of One Thousand One Hundred and Forty-Four Dollars (\$1,144.00) shall be paid accordingly.

It is further ordered, adjudged and decreed that easements for highway purposes in, over and upon the premises described in the Resolution and Finding filed herein as Parcel No. 35 (HIGHWAY), Parcel No. 35A (HIGHWAY) and Parcel No. 35X (CHANNEL), the same being located in Virginia Military Survey No. 3151, Allen Township, Union County, Ohio, lying on the left side of the centerline of a survey made by the Department of Highways, and recorded in the records of Union County, Ohio, and being more fully described as follows:

PARCEL NO. 35-(HIGHWAY)  
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning in the existing northerly right of way line at a point 29.89 feet left of station 143 plus 45 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U.S. 33, Section 0.00 in Union County, Ohio, also known as the Marysville-Bellefontaine Road, thence easterly to a point 60 feet left of Station 144 plus 10; thence southeasterly to the owners' easterly property line at a point 60 feet left of Station 146 plus 83.85; thence southwesterly along said easterly property line to the existing northerly right of way line of said highway at a point 29.75 feet left of Station 146 plus 73.06; thence northwesterly along said northerly right of way line to the place of beginning, containing 0.21 of an acre, more or less.

Being a part of the same premises conveyed to the herein owners by Deed dated 8-2-47 and recorded in Volume 176, Page 577 in the records of Union County, Ohio.

PARCEL NO. 35A (HIGHWAY)  
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning in the owners' westerly property line at a point 29.95 feet left of Station 139 plus 81.53 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U.S. 33, Section 0.00 in Union County, Ohio, also known as the Marysville-Bellefontaine Road, said point being in the existing northerly right of way line of said highway; thence northeasterly along said property line to a point 60 feet left of Station 139 plus 92.25; thence southeasterly to a point 40 feet left of Station 141 plus 80; thence southwesterly to the existing northerly right of way line of said highway at a point 29.96 feet left of Station 141 plus 80; thence northwesterly along said northerly right of way line to a point 29.96 feet left of Station 141 plus 75.29; thence northwesterly along said northerly right of way line to the place of beginning, containing 0.09 of an acre, more or less.

Being a part of the same premises conveyed to the herein owners by Deed dated 8-2-47 and recorded in Volume 176 Page 577 in the record of Union County, Ohio

PARCEL NO. 35X (CHANNEL)  
THE RIGHT TO CONSTRUCT AND MAINTAIN A CHANNEL

Beginning in the owners' westerly property line at a point 60 feet left of Station 139 plus 92.25 in the centerline of a survey made in 1957 by the Ohio Department of Highways of State Route No. U.S. 33, Section 0.00 in Union County, Ohio, also known as the Marysville-Bellefontaine Road, said point being in the proposed northerly right of way line of said highway; thence northeasterly along said property line to a point 110 feet left of Station 140 plus 10.09; thence southwesterly to the proposed northerly right of way line of said highway at a point 57.05 feet left of Station 140 plus 20; thence northwesterly along said proposed northerly right of way line to the place of beginning, containing 0.02 of an acre, more or less.

Said stations being the station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans for said improvement herein referred to, be and the same hereby are duly vested in the State of Ohio, free and clear of all claims of the owners of said land and any person or persons having an interest therein, to-wit: Lee E. Mullins; Babe R. Mullins; Union County Federal Savings and Loan Association; Sinclair Refining Company, C. T. Corporation ~~Sax~~ System, Statutory Agent; and Treasurer of Union County, Ohio.

It is further ordered that the Director of Highways of the State of Ohio, pay all Court costs herein accrued and that a record be made of these proceedings according to law.

)Gwynn Sanders  
JUDGE

Mark McElroy  
Mark McElroy  
Attorney General - State of Ohio  
Donald E. Strouse (Strouse)  
Assistant Attorney General  
Luther L. Liggett  
Attorney for Appellants  
Clyde E. Lewis  
Attorney for Appellants



~~RECEIPT~~ RECEIPT

Case No. 18765  
Filed March 2, 1963

In the Matter of the Appropriation by the  
State of Ohio of Easements for Highway  
Purposes Over the Property of Lee E.  
Mullins, et al., on State Route No. U.S. 33  
Section 0.00, Union County, Ohio, and State  
Route No. U.S. 33, Section 31.67, Logan  
County, Ohio.

The undersigned property owners hereby certify that they have this day received ~~from~~ from Helen L. Sullivan,  
Clerk of Courts, Union County, Ohio, the sum of Three thousand seven hundred thirty three and no/100 dollars  
(\$3733.00), the balance of the amount deposited with said Clerk of Courts by the Department of Highways of the  
State of Ohio.

Lee Mullins  
Babe Mullins

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