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Union District Court Aug 18th 1853

District Court August 18th 1853
Present A G Thurman Benjamin Metcalf
& L H Hall Judges. William
C. Malin Sheriff and James Turner Clerk

The following Entry was certified back to this Court by the Clerk of the Supreme Court of the State of Ohio in Bank

Supreme Court of the State of Ohio in Bank. of the Term of December A.D. 1857. John Turner vs John Moore, Admrs. In Error
Reserved from Union County.
This Cause came on to be heard upon the original files and pleadings and the transcript of the Journal Entries of the Court of Common Pleas of Union County and was argued by Counsel. On consideration whereof it is ordered and adjudged by this Court that the Judgment of the said Court of Common Pleas be and the same is hereby affirmed with costs.
Ordered. that a Special Mandate be sent to the said Court of Common Pleas to carry this Judgment into Execution
Ordered That a copy of this entry be Certified to the Clerk of the Supreme Court of Union County for Entry &c
The State of Ohio. ss
I Lewis Heyl. Clerk of the Supreme Court of the State of Ohio in Bank certify the foregoing to be a true copy from the Journal of said Court of the term of December A.D. 1857

Witness
Seal

Thomas
Israel

Samuel

Witness my hand and the seal of said
Court at Columbus this 7th
day of February A.D. 1852
L Heyl Clerk

Seal

Thomas W Powell
Israel E Buck
vs
Samuel A Cheny & wife

In Chancery

This cause came
on to be heard on the bill of comp
-lainants Exhibits & the defendants
still failing to appear and plead
answer or demur to said bill. Wher
-upon the Court being fully advised
in the Premises, do find that there is
This day due to the Complainants on
the notes and Mortgage in the bill
mentioned the sum of Eight hundred
and five dollars and Eighteen
cents ($805.18) and that the complain
-ants are Entitled to five percent
damages by way of penalty on the
amount of the decree in the Court of
Common Pleas amounting to Thirty
Eight dollars and fifty five cents
($8.55) It is therefore ordered adjudged
and decreed by the Court as follows
to wit. 1st That said Bill be taken
for confessed against said defendant,
2d that the said Samuel A Cheny
within ten days from the rising
of this Court pay to the Complainants
the said sum of $805.18 The amount

August 18 1853

found due as aforesaid with interest and the sum of $38.55 the amount of the damages and penalty aforesaid with interest and also the costs of this suit taxed to $
and in default thereof that the equity of redemption of the defend=ants in the real estate in the Bill described be forever barred and foreclosed; and that the Sheriff of Union County proceed to sell the same as upon Judgments and Executions at law. And it is further Ordered that a special mandate be sent to the Court of Common Pleas of this County to carry this decree into Execution

Jonathan G Sackett
vs
Abner Chapman
In Chancery

It is ordered that the Complainant on the first day of the next Term of this Court Show cause why this cause should not be dismissed for want of Prosecution. and cause continued

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August 18 - 1853

John D Vandeman an applicant for admission to the bar Having produced the requisite certificate And Having been found upon Examination in all respects qualified - It is ordered that he be admitted and Licenced to Practice as an attorney and Counsellor at Law & Solicitor in Chancery in any of the Courts of Record of this State - Whereupon the said John D Vandeman appeared in Open Court and took the oath required by Law

John Doe & Jean
Henry P Galloway
vs
John Capil

Ejectment

This day came the Parties by their attorneys and thereupon came a Jury to wit, Elipheas Bromham A. D. Doolittle & A Cheny Daniel B Hays, Samuel Walley, F. G. Miller E L Newgent, William Megill, S. P Hill, James Burge, James Riddle & John Soger, who being empannuled and Sworn the Truth to Speak upon the issue Joined between the Parties, and the evidence being heard but the arguments of Counsel not being closed the further hearing of this Cause was adjourned until to morrow.

Whereupon Court adjourns until to morrow Morning 7 oclock A.M. A. J. Hicomegen P.J.

August 19 - 1853

Friday August 19 - 1853 Court Met
Pursuant to adjournment
Present the same Judges as on yesterday.

John Doe Ef Dem
Henry P Galloway
vs
John Cassil
Ejectment

This day came the parties and the Jury sworn herein on yeastardy, and the Jury upon their oaths do say. That the said John Cassil is not guilty of the Trespass or Ejectment laid to his charge in manner and form as the said John Doe hath complained against him ✝ Therefore it is considered that the said John Cassil go hence without day and Recover of the said Henry P Galloway his costs here in by him laid out & expended
And it is further ordered that a Special mandate be sent to the Court of Common Pleas of this County to carry this Judgment into Execution

Conwin & Conwin
vs
James McElroy
Assumpsit
Appeal

This day came the parties and the defendant moved to quash the appeal for the reason that

✝ Plaintiff appeared for a new trial. The Court discharged

✝ Plaintiff appeared for a new trial. The Court discharged

the Appeal bond was not Executed until after July 1st 1853 and the motion being argued it is with the consent of parties taken under advisement to be decided at the next term of the District Court in Seneca County. Ordered that a certified copy of this entry be sent to the Clerk of said Court

The State of Ohio
vs
J S Lee

Attachment

Defendant in this case was discharged.

John Doe ex demise of
William McCrawley &
Thomas McCrawley
vs In Ejectment -
J M. Mansfield

This day came the parties by their attorneys and thereupon came a jury, to wit: John Liggel, William Liggel, A. F. Wilkins, Abat Paris, A. Beck, T. M. Ewing, David Beard, J. S. Hill, G. A. Cranston, W. W. Woods, Jacob Rogers and G. A. Castil who were empanneled and sworn the truth to speak upon the issue joined between the parties, and said jury having heard the evidence and the arguments of Counsel upon their oath do say, that the defendant

is not guilty of the trespass and ejectment above laid to his charge in manner and form as the plaintiff hath declared against him - Therefore it is considered that the defendant go hence without day and recover of the said William McCawley and Thomas McCawley his costs herein expended taxed at Dollars and cents The defendants costs are taxed at Dollars & cents. Ordered - That a special mandate be sent to the Court of Common Pleas to carry this judgment into execution.

Cuttle & Davis
vs
Elizabeth Shunt
Assumpsit

This day came the parties by their attorneys & the plaintiffs do not further prosecute this suit but discontinue the same - Therefore it is considered that the defendant go hence without day and recover of the plaintiffs her costs herein expended and taxed at Dollars & cents The plaintiffs' costs are taxed at Dollars & cents -

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

Ordered - That all suits and matters pending in this Court and not thereon

disposed of, Rland Continued.

Ordered. That this cause Rland
Continued without day.

A. G. Thurman
P. J.

Distrect Court of Union County

District Court August 21th 1854
Present John A Conrin, Benjamin
Metcalf and L W Ball —
Judges, William C Malin Sheriff
and James Turner Clerk

Edward Appleyard a native
of England and an Emigrant
there from and subject of Queen
Victoria this day came in to
Court and made known that it
was Bonafide his intention to
become a Citizen of the United
States whereupon the oath
Required by law was duly ad
-ministered to the said Edward
Appleyard

Erwin G Dudley an applicant for
admission to the bar having produced
the requisite certificate and having
been found upon Examination, in
all respects qualified. It is ordered
that he be admitted and licensed to
practice as an Attorney & Counsellor at
Law and Solicitor in Chancery in
any of the Courts of Record of this
State. Whereupon the said Erwin
G Dudley appeared in open

Court and took the oath Required by Law

Martin Jones
vs
Joseph A Glasscock } Assumpsit

This day came the Parties by their attorneys and thereupon came a Jury to wit. James E Bird James M Welsh Samuel Reed William Inskeep Jesse Porter James Findley Adam Richy Thomas Downer John Reed Alexander McCollister Robert Downer & William H Dill who being impaneled and Sworn the truth to speak upon the issue Joined between the parties upon their oaths do say that the said Joseph A Glasscock did not assume and promise in manner and form as the said Martin Jones hath complained against him, Therefore it is considered that the said Joseph A Glasscock the Defendant go hence without day and recover of the said Martin Jones his costs herein Expended Taxed to $
and it is further ordered that a Special mandate be sent to the Court of Common Pleas to Carry this Judgment in to Execution

Whereupon Court adjourned until to Morrow Morning 8 o'clock.

John A Bourne CJ

Tuesday August 22d 1854 Court
met Pursuant to adjournment
Present the Same Judges as on Yesterday

Jonathan Y Sacket
vs
Abner Chapman
} In Chancery

It is ordered by the Court that this
cause be dismissed without
Prejudice at the costs of Plaintiff
It is therefore considered that the
said Abner Chapman Defendant
Recover of the said Jonathan Y
Sacket his costs herein Expended
taxed to $
It is further ordered that a Special
Mandate be sent to the Court of
Common pleas of this County to
Carry this Judgment into Execution

James Thompson
vs
William Perry &
Elizabeth Perry
} In Error

This day came
the Parties by their
Attornies and thereupon this Cause came
on to be heard as well upon the
Transcript of the Judgment and other
Proceedings between the said parties
in the Court of Common Pleas of
Union County, and the original

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files and pleadings brought here by Petition
in ~~writ of~~ error from this court to the
said Court of Common Pleas as
also upon the matters by the said
James Thompson herein assigned for
Error and the same being seen and by
the Court now here fully understood
and mature deliberation being
thereupon had it appears to the
Court here that there is no Error
either in the record and proceedings
aforesaid or in giving the Judgment
~~Therefore it is considered that the Judgment aforesaid~~
aforesaid ~~in form aforesaid~~ Given
be in all things affirmed and stand
in full force and effect. And
it is further considered that the
said William Perry & Elizabeth
Perry Recover against said James
Thompson the costs herein & herein
Paid to #
and it is ordered that a Special
Mandate be sent down to the
said Court of Common Pleas to
carry this Judgment into Execution

Andrew Bemphill
vs
James H Clark &
William Scott
} In the District Court of Union County Ohio
August Term A.D. 1854

Bill in Chancery Reserved by the
District Court of Logan County
Ohio at its August Term 1854
for Decision in this court at this Term

Tuesday August 22d A. D. 1854

This Cause came on to be heard upon the Bill Answers Exhibits Replication & Depositions and the Court being fully advised in the premises do find that that the Law and Equity of the case is with the respondents and that the defendants are the owners of the Mill privilege tenements and rights now and heretofore enjoined by them and set up & claimed by them in their answers and that the compl=ainant has no right to interfere therewith It is therefore ordered adjudged & decreed by the Court that the Bill be dismissed at the costs of the complainant to be taxed by the Clerk & to be paid in 30 days or in default thereof that Execution issue therefor against Complainant upon this decree as upon Judgments at Law nothing herein shall settle the equities between the Respondents. Ordered that a copy of this decree certified by the Clerk of this Court be recorded by the Clerk of the District Court of Logan County Ohio in the Minutes of said Court and have the force & effect of a decree of said Court

Tuesday

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Tuesday August 22d A.D. 1834 14

L L, & A. G. Hodice
vs
Cadwallader Wallace } Continued

Lathrop B Kinney
vs
W Evans } In Error

This day came the Parties by their Attorneys and thereupon this Cause came on to be heard as well upon the Transcript of the Judgments and proceedings between the said parties in the Court of Common Pleas of Union County brought here by Petition in Error, and the same being now fully understood. It appears to the Majority of the Court here (Chief Justice Corwin dissenting) that there is no Error, either in the record and proceedings aforesaid or in the giving the Judgment aforesaid It is therefore considered that the Judgment aforesaid in form aforesaid given be in all things affirmed and stand in all respects in full force and effect And it is further considered that the said W Evans do recover against the said Lathrop B Kenny his costs in this behalf Expended Taxed to $ and it

Tuesday August 22d 1854

ordered that a Special Mandate be sent down to the said Court of Common Pleas to carry this Judgment in to Execution. And thereupon came the Plaintiff in Error and Excepted to the ruling and decision of the court

John Doe on the demise of John Bishop
vs
Benjamin McMullen & others
} In the District Court of Union County Ohio August Term 1854 Ejectment

This cause having been reserved in Logan County at the August term 1854 of the District Court for decission in the district Court of Union County at this term & it appearing to the Court that the decision of the case involves difficult & intricate questions of law on Motion of Defendants it is ordered by the Court that this cause be reserved for decision in the Supreme Court of this State at its next term And it is ordered that a certified copy of this Journal Entry under the seal of this Court be certified to the Clerk of the district Court of Logan County Ohio and be entered by him on the Minutes of said Court at its Last Term

Conwin & Conwin
vs
James McElroy
} Appeal Continued

Tuesday August 22d 1854

John Copil
vs
H P Galloway } Chancery

This Case come on to be heard upon the pleadings, proofs and exhibits of the parties, and was argued by Counsel, and the Court being fully advised in the premises do find that the Defendant, Henry P Galloway after the commencement of this Case in the Court of Common Pleas of Union County claimed title to and Commenced an action of Ejectment in that Court against the Complainant for a portion of the lands in the petition in this Case mentioned, and that said Court ordered the parties in this Case to join issue in said ejectment to try the title and settle the boundaries of the land in Controversy between them, in tending said ejectment to stand in stead of an issue out of Chancery said parties proceed in said ejectment to a final hearing in said Court and the decision therein was in favor of John Copil the Complainant herein; said Galloway appealed said Case to this Court and the same was again tried and the decision below affirmed. This Cause afterwards Come on to be heard in said Court of

Common Pleas and a decision
was therein rendered affirming
and quieting the title of said Cassie
to said land in controversy; and
this Court do further now find
that the legal title to one undivided
three fourths of the land in said
Galloways answer herein described
is in said John Cassil and that
to said three fourths said Galloway
has no title; the Court also find
that as against all persons claiming
any portion of said Survey under
Silas G Strong said Cassil has the
legal title, It is therefore ordered
adjudged and decreed that said
Cassil be quieted and forever
confirmed in his title to said three
fourths portion of said land claimed
by said Galloway in his answer
as aforesaid, and said Galloway
and all persons claiming under
him are forever prohibited and
enjoined from in any way, interfer-
fering with or molesting said
Cassil in the enjoyment of his
title and possession thereof; and
It is further ordered and decreed
that said Cassil as to the residue
of said Survey 4065 be quieted and
confirmed in his title thereto
against Silas G Strong and all
persons claiming under him
they having made default and
failed to answer or in any

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way defend this case, and that they be prohibited and forever enjoined from molesting him in his title to and enjoyment thereof And as to any and all others ~~matters~~ claim
Def.ts in said petition the same is dismissed
~~in~~ them prejudice And it is further
ordered that the Defendant Pay three
fourths of the costs herein taxed
and that the Complainant Pay one
fourth of the costs taxed in this
cause, It is ordered that a Special
Mandate be sent to the Court of
Comm Pleas to carry this
Judgment in to Execution

In the Matter of Levin Gibson } On Habeas Corpus The Sheriff having now produced the body of the said Levin Gibson, in pursuance of our writ of Habeas Corpus This day issued in behalf of said Levin Gibson and the cause of his imprisonment found to be an alleged violation of the provisions of the act entitled an act to provide against the evils resulting from the traffic in intoxicating Liquors in the State of Ohio passed May 1st 1854 which alleged offence, it was shown to the Court had been attempted to be prosecuted by

and upon an information filed in the Probate Court of Union County Ohio. on the 25th July 1854 Charging said Gibson with Keeping a room where intoxicating liquors were sold in violation of Law between the 15th June & 3d July inclusive of the year 1854. and the Court being fully advised in the premises. and having carefully examined the causes of the Caption & detention of the said Levin Gibson. and are satisfied & do find & hold that said Levin Gibson is unlawfully imprisioned & detained by the Sheriff of said County in said proceeding in the Probate Court aforesaid It is therefore ordered that he be forthwith released & discharged of & from his said imprisonment & detention ~~Judge~~ Metcalf dissenting from this decision & opinion.

Ordered that all suits & matters pending in this Court & not otherwise disposed of Stand Continued. Whereupon Court apurned without day

John A Corwin
Chief Justice

District Court of Union County

District Court met August 20th A.D. 1836
Pursuant to law. Present Jacob Brinkhoof
L. W. Hall & Benjamin Metcalf Judges
William H. Robb Sheriff and Faben Randall
Clerk

X James Henderson
vs
Joseph Hathaway &
Sarah Hathaway

Continued with leave to both Plaintiff & Defendant to amend their pleadings, the plaintiff in Sixty days and the Defendant in One hundred and twenty days

V Violett Scott
vs
Samuel Wheeler &
Jesse Barnet

This cause came on for a hearing on demurer, the Demurer was Sustained and it is considered by the Court that the Defendants go hence without day and recover their costs herein taxed to dallars

August 20th A.D. 1856

This day Maecenas M. C. Lawrence an applicant for admission to the Bar appeared in open Court; and it being Shown to the satisfaction of the Court that the Said M. C. Lawrence is of good Moral Character and in all respects qualified according to the Statutes in Such case made & provided; and the Said M. C. Lawrence being thereupon sworn to Support the Constitution of the United States and of the State of Ohio and in all things demean himself faithfully and honestly as an Attorney & Counselor at Law & Solicitor in Chancery— It is ordered that the Said M. C. Lawrence be admitted to practice as an Attorney & Counseller at Law & Solicitor in Chancery in the Several Courts of the State of Ohio

Corwin & Corwin
vs
James McIlroy

This day came the parties and compromised this Suit on the following terms, each party is to pay his own costs the Jury fee to be included in the costs of the defendant— Judgment against each party as above for costs to be taxed by the Clerk Papers withdrawn and no record to be made— Judgment for costs accordingly.

August) 20th A. D. 1856

Columbus Piqua & Indiana Rail Road Co.
vs
John F. Sabine

Motion to dismiss the appeal on the ground that the appeal bonds has no seal to ~~them~~ it. Which motion was allowed and the appeal quashed and then the plaintiffs moved the Court for leave to file a new bond — and on this motion this cause stands continued

Columbus Piqua & Indiana Rail Road Co.
vs
Orson Smith

Motion to dismiss the appeal on the ground that the appeal bonds has no seal to ~~them~~ it; which motion was allowed and the appeal quashed, and then the plaintiffs moved the Court for leave to file a new bond — and on this motion, this cause stands Continued

August 20th A. D. 1836

John Stephen Schider
& George Schider
vs
Joseph Woodsen Et alz } In Error,

This day came the parties by their Attorneys and thereupon this Case came on to be heard as well upon the Transcript of the Judgement and proceedings between the said parties in the Court of Common Pleas of Union County brought here by petition in Error and the same being now fully understood. It appears to the Majority of the Court, that there is no error either in the record and proceedings aforesaid or in giving the Judgement aforesaid

It is therefore considered that the Judgement aforesaid in form aforesaid given be in all things affirmed & stand in all respects in full force and effect. And it is further considered that the said Joseph Woodsen Et alz, do recover against the said John Stephen Schider and George Schider their costs in this behalf expended taxed at $ and it is ordered that a Special mandate be sent down to the said Court of Commen Pleas to carry this Judgement into Execution

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August 20th 1856

Rees Miller &
Iehu Gray Plaintiffs } Civil action
against
David H. Silver &
Elisha Wright } The defendant Silver moved for a continuance which motion is overuled

In this cause the Court find that no sufficient appeal bond was executed or filed that the paper purporting to be an appeal bond is without Seal. that the cause was not appealed & is not pending in this Court and the Court quash the appeal and dismiss this cause & the same is Stricken from the docket & dismissed accordingly to which deft. objects

The plaintiff Iehu Gray is named John Gray in the petition originally filed but was amended as Shewn by the transcript of proceedings in the Common Pleas to Iehu Gray the proper name

Rees Miller &
Iehu Gray Plaintiffs
against
D. H. Silver &
James L. Wright } Civil action

The defendant Silver moved for a continuance, which motion is overuled. In this case the Court find that no sufficient appeal bond was executed or filed, that the paper purporting to be an appeal bond is without seal, that the cause was not appealed & is not pending in

August) 20th 1856

this Court & the Court quash the appeal and dismiss this cause & the same is stricken from the docket & dismissed accordingly. to which defendant objected The plaintiff Jehu Gray is named John Gray in the petition originally filed but was amended as shown by the transcipt of proceedings in the Common Pleas to Jehu Gray the proper name.

John Weaver
Harrison Shaw
Nicholas Belleville
Trustees of Paris Sp
Union County Ohio
vs
John W. Cherry
George Cherry
T. A. Cherry

Civil Actin

Appeal from Com Pleas

The Court find that difficult & important questions arise in this case & thereupon on motion of defendants it is ordered that this cause & said questions be and are reserved & sent to the Supreme Court of Ohio for its decision. Ordered that the papers on file & transcript of proceedings be filed in the Supreme Court

Maria B Strong
vs
Bill Welch

Pet for Dower

This case is settled at complainants costs - Therefor it is considered, ordered & decreed that the complainant pay the costs herein laid at $ within 60 days & that in default thereof. that execution issue therefor $ & sus with drawn and no record.

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Maria,
vs
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Rudolph
vs
Cad Wall
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August 20 1856

Maria B. Strong
vs
Joshua Judy

Petition in Dower

This case is this day settled by the parties and by consent it is hereby ordered and decreed that the defendant by the 1st day of January next pay to the compleainant in full discharge of her Dower interest in the premises in the petition described and also the land described in the Petition against Bill Welch herewith compromised, the sum of Three Hundred & Fifty dollars and also the costs of this suit taxed at dollars, and that in default thereof that execution issue therefor.
By like consent of parties & by Chandler Starr as Administrator of Henry Starr deceased, It is considered and agreed that the said Administrator is to pay of the above amount the sum of Three Hundred dollars in full discharge of the Warrantee to said Judy, & the said Judy agrees to pay the sum of fifty dollars, and It is further ordered that this decree be a lien on the premises described in the petition

Rudolph De Steiger
vs
Cad Wallace & Scioto Wesson

Motion to quash appeal on the ground of there being no valid bond put in & motion & cause continued

August 20th 1856

Fordice & Fordice
vs
Ead Wallace

In this Case on motion, W. W. Woods is appointed a receiver, who upon giving bond in the sum of $1500.00 is to take charge of the purchase money which has been paid in this case and that he put the same at interest until the next term of this Court to which time this cause is continued

Increase D. Avery & Ann Avery his wife
vs
D. N. Laughead
Ira Foy
John Latham
Moses Latham
John Clark &
David Freshwater

District Court

This cause having been appealed by the plaintiffs as to D. N. Laughead, Ira Foy, John Latham, Moses Latham, John Clark & David Freshwater, & not appealed as to John S. Watts this cause came on to be heard & on testimony & exhibits the Court do find that James G. G. Adams at the time he bought the Land in controversy had no knowledge actual or constructive that Watts was indebted to the Plaintiffs for any part of the purchase money of the Land in question, and the Court do find, the plaintiffs have no lien on said land for the sum of money or any part of the money found due them, from John S. Watts. in the Common Pleas Court. and for which said

August 20th 1836

was brought in this case and Judgment thereon rendered
Therefore it is considered and ordered
that the Plaintiffs petition so far as it seeks
to enforce said claim as a lien against
said Land be dismissed and the defendants
I. N. Saughead, Isa Lee, John Latham,
Moses Latham, John Clark, & David Freshwater
go hence without day and recover of the
plaintiffs their costs in this behalf expended
taxed to ___ dollars
And it is further ordered that a special
mandate issue to the Court of Common
Pleas of Union County, Ohio. to carry this
order & decree into execution.

It is ordered that a special mandate be
sent to the Court of Common Pleas to
carry into execution each & every final
order. Judgment and decree entered in
this Court at this term

Ordered that all motions, matters and
causes, not otherwise disposed of are
continued, Whereupon Court adjourned without
day

Jacob Brinkerhoff
Jud

District Court. August 20th 1857

This day the District Court for the County of Union & State of Ohio, met pursuant to Law, Present, Josiah Scott, M. C. Whiteley. A. D. Latty & Wm Lawrence Judges. Taber Randall Clerk. and Wm H. Robb. Sheriff.

Manchester & Titus
vs
Milton Colver

This day came the parties by counsel & plaintiffs moved to quash the appeal & thereupon it is considered and adjudged that the appeal be and the same is quashed & dismissed & the Plaintiffs agree that the securities are to be held in no ways responsible on the appeal Bond. No record in the District Court, Lawrence Judge did not sit in this case

This day George H Purdy, an applicant for admission to the bar, appeared in open Court, and being shown to the satisfaction of the Court, that the said George H Purdy is of good moral character, and in all other respects qualified, according to the Statute in such case made and provided; and the said George H Purdy, being thereupon sworn to support the Constitution of the United States, and of the State of Ohio, and in all things to demean himself faithfully and honestly as an Attorney and

Col. Pig
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vs
John F.

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Rees M
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District Court. August 20th 1857

Counsellor at Law, and Solicitor in Chancery; It is ordered, that the said George, H. Purdy be admitted to practice as an Attorney and Counsellor at Law, and Solicitor in Chancery, in the several Courts of the State of Ohio.

	Col. Pig & Ohio Rail Road. Co vs John F. Sabin	Leave given to appellant to file amended appeal bond, ~~Amount if appeal bond filed, if not appealed~~ Lawrence Judge did not sit in this case
	Col Pig & Ohio Rail Road. Co vs Orson Smith	Leave given to appellant to file amended appeal bond, ~~Amount if appeal bond filed, if not appealed~~ Lawrence Judge did not sit in this case
	David. H. Silver vs Rees Miller & John Gray	This cause was this day dismissed at Pltffs costs, It is therefore ordered, & decreed that the Defendants, Rees Miller & John Gray, recover of the Plaintiff David H. Silver, their costs herein expended taxed to $ Lawrence Judge did not sit in this case
	David. H. Silver vs Rees Miller & John Gray	This cause was this day dismissed at Pltffs costs, It is therefore, ordered & decreed that the defendants recover of the Plaintiff David H. Silver, their costs herein expended taxed to $ Lawrence did not sit in this case

District Court August 20th 1857

Geo Rule & James G. Ford
vs
Thomas Woodson. et als

} consolidated by agreement It being suggested that Elizabeth Little one of the defendants, is now dead and has left an only child as her heir, whose name & residence is unknown, it is ordered that notice be given to the unknown heir of Elizabeth Little by six weeks publication in the Marysville Tribune & this cause is continued

Sarah Owen, Etals,
vs
James G. Ford & Geo Rule

} This cause is continued & the death of Elizabeth Little suggested & permission given to make the heir a party

David B. Lockwood
vs
C. Wickler. Et als

} Continued

Whereupon this Court adjourned until tomorrow morning at 8. Oclock.

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District Court, August 21st 1857

The district Court for the County of Union & State of Ohio, met this morning, pursuant to adjournment, — Present same officers as on yesterday

Jonathan McCoary, Pltff
vs
Rebecca Shumway & James Valentine, Defts

} Civil Action to recover Real property

} Mr Cole counsel for Plaintiff now comes into Court and suggests the death of the Pltff since the last continuance, who left this land undisposed of by his will, and which land descends to the following named persons his children and Grand-children heirs at Law, to wit; William S. McCoary, James C. McCoary, Rebecca Jane Reeder, and her husband William Reeder, The children of Eliza Battees, decd to wit; Lucinda Battees of the age of 17 years.

William S Battees	of the age of	15	years
Elizabeth Battees	"	"	"	12 "
Viena Battees	"	"	"	4 "
John C. Battees	"	"	"	10 "
Araminta Battees	"	"	"	8 "

& The children of Rachel Lucinda Owens, decd to wit; Francis Marion Owens, of the age of 15 years

Sarah Ann Owens	"	"	"	12 "
Elizabeth Owens	"	"	"	10 "
William M. Owens	"	"	"	8 "

The said named Children of Eliza Battees, decd are minors, as are also the above named children of Rachel Lucinda Owens, and the said William S. McCoary, comes now into court and

District Court. August 21st 1857

says he will prosecute this suit for the said minor heirs, as their next friend

It is also suggested that the said William S. McCrary is the executor of the last will & testament of the said Jonathan McCrary, Decd., who now comes and represents the estate of the said Jonathan — And now on motion of said Counsel, it is ordered by the Court that this action do stand revived, to be prosecuted by and in the name of the said heirs, and the said executor, as to their respective interests in the said action; and that the said William S. McCrary be permitted to prosecute this action for and in behalf of the said minor heirs as their next friend; and as Executor of the said Jonathan McCrary as far as said estate may be interested in this action, & cause continued

John C. Mitchell & A. R. Mitchell vs Wm Orr

This cause is settled & costs paid, in this Court — So record and by consent of parties the defendant Orr is to pay all costs in this case except in the District Court. It is therefore ordered adjudged and decreed that plaintiffs recover of deft Orr the costs in the Com Pleas Court, and the costs before the Justice of the Peace taxed to $

Col. Rig & Suda Rail Road Co vs John F. Sabin

And now comes the said John F. Sabin, & the Plaintiff failing to file an amended appeal bond as heretofore ordered by the Court, It is ordered by the Court that the appeal be quashed, and it is considered that the defendant

recover his costs in this behalf expended taxed to $ Judge Lawrence not participating with the Court in this decision

1 Col Rip & Linda Rail Road Co vs Orsen Smith } And now comes the said Orsen Smith & the Pltff failing to file an amended appeal bond as heretofore ordered by the Court, It is ordered by the Court that the appeal be quashed, and it is considered that the defendant recover of the Pltff his costs in this behalf expended taxed to $.; Judge Lawrence not participating with the Court in this decision

4 James Henderson vs Joseph Hathaway & Sarah Hathaway } This cause came on to be heard on the issue joined in the premises & the papers & testimony, the parties waiving the right of trial by Jury, and thereupon the Court being fully advised in the premises, do find there is due to the Plaintiff as claimed in his petition the sum of One hundred & fifty dollars & seventy six cents, for money by him paid as therein alledged, that the defendant have recd assets from their father David Hathaway dec'd

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District Court. August 21st. 1857

more than sufficient to pay said claim. It is thereupon considered and adjudged that plaintiff recover of the defendants the sum of One hundred and fifty Dollars & seventy six cents & costs of suit taxed to $

And it is further found that Joshua Judy as garnishee in this case, has in his hands more than sufficient money to pay this Judgment, belonging to defendants, It is therefore considered, adjudged & decreed that said Judy pay the full amount of said one hundred & fifty dollars & seventy six cents debt & $ costs within ten days, and in default thereof that execution issue therefor

A. R. Bowen vs S. H. Said & } By consent of parties this case is referred to M. C. Lawrence, Esqr. to state a full account of the partnership transactions between the parties & Giving the facts proved & the items allowed on either, and both sides, and that he make report, with the testimony taken by him to the next term of this Court & this cause is continued,

Henson Merriman & wife vs Wm Jackson & wife } By agreement of parties this cause is settled as per written agreement on file, Therefore it is considered that the Pltffs recover of the Defendants the sum of four hundred and sixty dollars & the costs of suit taxed to $. and it is agreed that this Judgment is to apply on the Judgment of Mary Jackson, against Henson Merriman & wife in the Common Pleas Court in full satisfactin-

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District Court August 21st 1857

of said Judgment in said common Pleas court except seventy dollars thereof & the costs therein & as to which sum of seventy dollars said Judgt is still binding,

Rudolph De Steiger vs Deioto Weaser & others } This cause came on to be heard on the agreed case filed herein, and after argument of counsel was submitted to the court upon said agreed case, On consideration whereof the court does find that said Entry and Survey No 12557 in the pleadings and agreed case mentioned, made in the name of Cuthbert Harrison, being made in the name of a dead man, was absolutely null & void & passed no title to the land embraced thereby, but that on the contrary, the land remained vacant and unappropriated and belonged to the United States, until appropriated by the new entries, under which the defendants claim,

That said Entry No 12557 being no appropriation of said land but leaving the same vacant, it was not subject to taxation, and all levies of taxes thereon have been and are illegal and void and created no lien upon the land, wherefore the pltff has no lien upon said land, or cause of action against the defendants or either of them, but the only remedy of the Pltff is against the State of Ohio, to be refunded the taxes illegally charged as aforesaid, and paid by the Pltff & those under whom he claims as stated in said agreed case, And the Court further find that the taxes on the new entries under which the defendants claim have been regularly paid since those entries were made by the defts and those under whom they claim, and for the same period taxes have been paid on said void & withdrawn entry by the plaintiff, and those under whom he claims, thus making a double payment of taxes on said land since the making of said new entries, And the court do find that

District Court. August 21st 1857

the Law and Equity of the case are with the defts and that the Pltff is not entitled to any releif against them. Therefore it is considered by the court here that the petition of the Pltff stand dismissed and that the defendants go hence without day & recover of the Pltff their costs herein expended taxed at $. The Pltffs costs are taxed at $. Ordered that a special mandate be sent to the Court of Common Pleas to carry this Judgment into execution

D. L. Fordyce &
Asa. F. Fordice
vs
Cad Wallace

This cause came on to be heard upon the pleadings & testimony and was submitted to the court and argued by counsel-On consideration whereof the court do find that the law and equity of the case are with the defendants, that the plaintiffs are not entitled to specific execution of the contract in the petition mentioned, a copy whereof, dated Dec. 20. 1850 is exhibited with the petition but that on the contrary, the pltffs have wholly failed to comply with said contract on their part and have forfeited the same, and that the same had been abandoned by both Pltffs & Defts before the commencement of this suit. And the Court further find that the Pltffs have paid for taxes on the land mentioned in said agreement the sum of Seventy four dollars & eighteen cents, which with interest to this day amounts to Eighty nine dollars. It is therefore considered, and adjudged by the Court, that the said contract is & shall be null & void & shall be delivered up & cancelled, and that the said Pltffs shall in ten days from this date, by a good and sufficient deed of release & quit claim, release to the Defts all claim or title of them, or either of them, in or to said land & in default thereof this Judgt shall operate as such release. And the said Defts having brought here into court the said sum of $89. It is ordered that the same be paid to the plaintiffs, which is now here done accordingly — And it is further ordered and adjudged that the Defts recover of the plaintiffs his costs herein expended taxed to $. The plaintiffs costs are taxed at $. Ordered, That a special mandate be sent to the Court of Com Pleas. to carry this Judgment into execution

It is ordered that a special mandate issue to the Court of Common Pleas, to carry into effect all executions, final orders & decrees & Judgments entered at this term & that all motions, causes, & other matters not otherwise disposed of stand continued —

J. Scott
Pres. Judge

District

John Short
vs
Abraham M
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District Court. August 21st 1857

John Shortep
vs
Abraham M Blackburn
Wray Thomas &
Lyne Starling

This cause came on to be heard upon the issue joined between the parties, and neither party requiring a jury, was submitted to the court and the court being fully advised in the premises do find that the plaintiff is the true and lawful owner in fee simple of the premises in the petition described & that he is entitled to the possession of the same, which is wrongfully withheld from him by the defendants, That the true line between the lands of the plaintiff described in the petition, and the lands of the defendants, is the line from D to G represented on the plat and in the report returned to the Court below in this case by A. F. Wilkins. Surveyor. under the order of said Court & It is therefore considered and adjudged by the Court, that the Pltff recover of the said Defendants the lands and tenements in the plaintiffs petition mentioned, and to the line above mentioned which is the north line of said Survey No 6010. Patented unto Benjamin W Ladd, and that he also recover of the defendants his costs herein expended to be taxed by the clerk

And thereupon came the defendants and moved the Court for to allow him the benefit of the laws for the relief of occupying claimants of land. On consideration whereof. it is ordered &

District Court August 21st 1857

and considered by the Court that he be allowed the same, and that a writ issue to the Sheriff of Union County for the valuation of improvements, and assessment of damages in pursuance of the provisions of the Statute in such cases made and provided.

Whereupon this Court adjourned ~~without~~ day.

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Union District Court August 23 58
There being no Judges present the Sheriff
adjourned Court until tomorrow morning
nine Oclock. All

August 24. 1858 District Court met
pursuant to adjournment Present Thomas W. Bartley, William
Lawrence and George E Seeney Judges
William H Rodd Sheriff and Faber
Randall Clerk

District Court August 24th 1858

Administrators of B Gordon
vs
L Hall

By consent of parties this cause is remanded to the Court of Common Pleas for trial

1858

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District Court for Union County, Ohio Aug 23 1858
This being the day of the district court for the
County of Union & State of Ohio to meet pursuant
to law & there being no Judges present. Wm H Robb.
Sheriff & Faber Randall Clerk were present
Thereupon the Sheriff adjourned Court until
to morrow morning at Nine Oclock

District Court for Union County Ohio Aug 24" 1858
Court met pursuant to adjournment present
Thomas W Bartley Wm Lawrence & George E
Leney Judges. W H Robb Sheriff. & Faber
Randall Clerk

(no. 7)
Administrator of
B Gordon
vs
J Hall

By consent of parties
this cause is remanded to
the court of common pleas

No. 6.
Judah Dodge
vs
Isreal Slack

Dismissed without prejudice at
Plaintiff cost. thereupon it
is considered by the Court here
that the defendant go hence without day,
& recover of the plaintiff his costs in this
behalf expended taxed to dollars

Tuesday August

A. R. Bo
vs
J. H. Said

(no. 5)
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(no. 4)
David
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Tuesday August 24th A. D. 1858

A. R. Bowen
vs
J. H. Said

This day came the parties & filed their written agreement settling this case =

(No. 5,) The defendant is to pay the 1/2 of C. W. Allison's $10, fee & all of his $50 fee to pay his own witnesses & all other costs to relinquish to said plaintiff his entire interest in the note of the plaintiff & defendant given by E. W. Brown mentioned in the report of C. W. Allison Also pay to the plaintiff the sum of dollars

By consent of parties it is considered and adjudged that the said plaintiff recover of defendant the costs agreed to be paid him as aforesaid & that the defendant recover of the plaintiff his costs by plaintiff agreed to be paid as aforesaid & that the defendant relinquish his interest to plaintiff in the said E. W. Brown's note & that the plaintiff recover of the defendant the said sum of dollars agreed to be paid to plaintiff as aforesaid

(No. 4,) David B. Lockwood
vs
P. Manchester et als

Continued

And thereupon this Court adjourned until tomorrow morning at 8 o'clock

District Court August 25th 1858

The District Court met pursuant to adjournment Present the same Officers as on yesterday

Jas. G. Ford &
George Rule
vs
Thomas Woodson et als

District Court
Consolidated
This day came the parties & submitted this case on the papers, testimony and pleadings & the Court being fully advised in the premises do find that the plaintiffs are entitled to the legal title to the land in the petition described & the ~~defendants~~ plaintiffs ought in equity to be quieted in their title to the same And thereupon the Counsel for defendants move the Court for a new trial for reasons on file which motion was overruled & thereupon the defendants asked & obtained their bill of exceptions which is signed sealed & ordered to be made a part of the record. Therefore it is considered & adjudged & decreed that the defendants release to plaintiffs all their title & interest in & to said real estate within ten days & in default thereof that this decree operate as such conveyance & that the plaintiffs be quieted in their title to said real estate described as follows to wit, Beginning at the N. East corner of said Survey thence S 53° 40 W. 148 poles thence S 10° 36 E. 124 poles to a Stake thence N 54° 55' E, 202 poles to a Stake in the East line of the Survey thence with the Survey line to the beginning containing 120 acres & being the

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Same conveyed to Dft. Galloway by Jesse Woodson

It is further ordered & considered that the defendants within ten days from the rising ~~from~~ of ~~the rising of~~ this Court pay the Costs of this Suit & in default thereof that Execution issue as upon Judgements at law

William Y. M. Cray et al, heirs of Jonathan M. Cray decd
vs
Rebecca Shumway & James Valentine

And now came the parties by their Attorneys and thereupon came a Jury to wit, John Stamaks, Hugh Ross, R. I. Smith Jas. C. Mahaffy, Jas. A. Henderson, John Harris, Leroy F. Hagar, Jas. Roberts, William C. Moore, Hamilton Blue, D. S. Norvell & A. G. Miller who being duly empanneled & sworn the truth to speak ~~the truth~~ upon the issue Joined between the parties do upon their Oaths say that the plaintiff is seized in fee simple of the premises demanded in plaintiffs petition It is thereupon considered that the plaintiff recover against the said defendants the premises in his petition described also his costs in this behalf expended Taxed to $

Wm. Y. M. Cray et al, heirs of Jonathan M. Cray decd
vs
Rebecca Shumway & James Valentine

Real action

And now comes the said parties by their Attorneys & thereupon this cause came on to be heard upon the motion

District Court Wednesday August 25th 1858

of the said Rebecca Shumway & James Valentine for a new trial for the causes set forth in defendants motion & was argued by Counsel in consideration whereof It is Ordered that the verdict heretofore entered in this case be & the same is hereby set aside and a new trial granted in this action without costs

Thos. Woodson & others
vs
Jas. G. Lord & George Rude

Real Action

This day came the parties to this suit & submitted this case to the Court upon the papers & evidence And thereupon the Court being fully advised in the premises do find for the defendants upon the issue Joined between the parties & that at the commencement of this action the plaintiffs had no right ~~to the~~ of Court in the petition described ~~possession~~ to the ~~[redacted]~~ And thereupon the Counsel for plaintiffs moved the Court for a new trial for reasons on file which motion is continued,

John Long
vs
The Springfield Mt. Vernon & Pittsburg Rail Road Company W. W. Woods &

This day came the parties by their Attorneys & submitted this cause to the Court upon the petition of plaintiff the answer of the defendants Exhibits &c, whereupon the Court finds the equity of the case with the

District Court

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District Court Wednesday August 25th A.D. 1858

plaintiff the Court further finds that the said defendants is indebted to the plaintiff as alleged in the petition the Sum of Ninety four 65/100 dollars that Execution issued with return of no property as alleged in said petition.

The Court further finds that the defendants S.W. Dolbear had at the time of filing this petition money in his hands belonging to the defendant to the amount of $ 86.40

It is therefore ordered adjudged & decreed by the Court that the said defendant S.W. Dolbear pay over to the plaintiff the said Sum of Eighty Six 40/100 dollars so found in his hands. It is further ordered adjudged & decreed that the defendant the said Rail Road Company pay the Costs of this action to be taxed by the Clerk within ten days from the rising of this Court and in default thereof that execution issue therefor as well as the ballance of the plaintiffs Judgement, so found due as above

It is ordered by the Court that a Special Mandate Issue to the Court of Common Pleas to carry into Effect all executions final Orders, decrees and Judgements entered at this Term And that all Motions causes & other matters not otherwise disposed of Stand Continued.

And thereupon this Court Adjourned without day.

The Judges of the Court of Common Pleas in & for the third Judicial District in the State of Ohio now convened in the Court House in Bellefontaine in Logan County in said District do hereby fix the times for the terms of the Court of Common Pleas in each of the Counties in said District as hereinafter stated, and do hereby issue this our written order to the Clerk of the Court of Common Pleas of each and every County in said District specifying precisely the commencement of the term of the District Court and of the Several terms of the Court of Common Pleas in all the Counties of said District as follows, that is to say

The Several terms of the Court of Common Pleas in & for the Several Counties of said District for the year A.D. 1859 shall commence in the Several Counties, thereof as follows to wit,

First Subdivision,

In the County of Union February 15th May 9th September 19th
In the County of Marion February 28th May 16th October 3d
In Logan County March 14th May 30th October 17th
In Hardin County April 4th September 5th November 14th

Second Subdivision,

In Mercer County January 25th April 5th September 13th
In Van Wert County February 8th April 12th September 20th
In Allen County February 15th May 3d October 24th
In Auglaize County March 8th May 24th October 10th
In Shelby County March 15th May 10th September 27th

Third Subdivision.

In Paulding County	Febuary 1st		October 4th
In Defiance County	February 7th	May 10th	October 18th
In Henry County	Febuary 15th	May 17th	November 1st
In Fulton County	Febuary 22nd	May 24th	November 15th
In Williams County	March 8th	May 31st	November 29th

In all of said Counties, the said Several terms of said County will commence on the first day of each of said terms at 10 oclock A. M,

It is Ordered that this Order by the Clerk of the Court of Common Pleas of each County in said District be entered immediately upon the Journal of the Court of Common Pleas and also upon the Journal of the District Court in each of said Counties and be by each of said Clerks published for four consecutive weeks in one or more News papers of general circulation in each of said Counties according to laws Laws of 1858 page 83 January 5th 1859

Wm Lawrence
A. S. Latty
Judges

The several terms of the District Court in and for the Several Counties in said District as fixed by the Judges of the Supreme Court commence for the year A. D. 1859 as follows

In Shelby County Monday June 20th
In Auglaize County Thursday June 23d
In Mercer County Saturday June 25th
In Allen County Monday June 27th
In Van Wert County Wednesday June 29th
In Hardin County Friday July 1st
In Logan County Tuesday July 5th
In Marion County Friday July 8th
In Union County Tuesday July 12th
In Fulton County Friday July 15th
In Williams County Monday July 18th
In Defiance County Thursday July 21st
In Paulding County Saturday July 23d
In Henry County Monday July 25th

Bellefontaine Ohio

All of which is ordered by us ~~as~~
as said Judges 5th January 1859

Wm Lawson
A. J. Latty
Judges

A true copy from the Original Order
now on file in my office
Taber Randall Clk

July

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District Court July Term A.D. 1839

The District Court for the County of Union in the State of Ohio not pursuant to Law Present Milton Sutliff. William Lawrence & Benjamin Metcalf Judges Tabe Randall Clerk & Abraham Wiley Sheriff

Georg Reehlen an alien and native of Wirtemburg a free white person this day came into court and proved to the Satisfaction of the court that he made in this court two years ago the requisite declaration of his intention to become a citizen of the United States and he has resided in the United States for five years last past that he has resided one year last past in the State of Ohio and that during all that time he has behaved as a man of good moral character attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same. And thereupon the said George Reehlen in Open court here made Solemn oath that he will support the constitution of the United States and that he doth absolutely and entirely renounce and adjure all allegience and fidelity to every foreign Prince Potentate. State or Sovereignty and particularly all allegiance and fidelity to William King of Wortemburg whose subject he was Whereupon it is ordered by the court that a certificate of Naturalization be issued to him on payment of the cost of this application.

Jeremiah Rulen, native Wortemburger an alien and free white person this day came into court and proved to the Satisfaction of the court that he made in this court two years ago the requisition declaration of his intention to become a citizen of the United States and that he has

Tuesday July 12th A. D. 1859

resided in the United States for five years last past that he has resided one year last past in the State of Ohio and that during all that time he has behaved as a man of good moral character, attached to the principles of the constitution of the United States and well disposed to the good order and happiness of the Same. And thereupon the Said Jeremiah Rulen in open court here made Solemn oath that he will Support the constitution of the United States and that he doth absolutely and entirely renounce and adjure all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty and particularly all allegience and fidelity to William King of Wurtemburg whose Subject he was. Whereupon it is ordered by the court that a certificate of naturalization be issued to him on payment of the costs of this application

William Hamilton
vs.
Orlando Wells et als

District Court Union County Ohio.

This day come the plaintiff by Hamilton & Lincoln his attorneys and the defendant Orlando Wells appearing by his attorneys Robinson & Robinson and the Said defendant being in default and the answer of the defendant Wells being by agreement withdrawn. The court hear the cause on the petition and evidence and do find that the defendants do owe the plaintiff on the promisory note in the petition described the Sum of Four hundred & seventy Six 44/100 dollars with ten per cent interest thereon. It is therefore considered and adjudged by the court that the plaintiff do recover of the defendants the Sum of Four hundred and seventy Six 44/100 dollars with ten

Tuesday July 12th 1859.

per cent interest thereon and costs herein taxed to dollars. We court do find that the said Orlando Wells and Benah W. Miller are principal debtors and that P. G. Miller is Surety.

Sarah Owen et als
vs.
James G. Ford
George Pauls

This day came the parties to this action and Submitted this cause to the court and thereupon the court being fully advised in the premises do overule the motion on file for a new trial ~~trial~~ and it is thereupon considered ordered & adjudged that the defendants to go hence without day and recover of the plaintiffs their costs herein expended to $.

David B. Lockwood
vs.
P. Manchester

This day come the Parties and Submit this case to the Court and it appearing that this case was appealed by P. Manchester only & that the Judgment is Still in force in the Court of common pleas of said County of Union as to the parties not appealing thereupon, by agreement of Parties this case is dismissed at costs of said defendant Manchester. It is thereupon considered and adjudged that plaintiff recover of said defendant Manchester his costs taxed to $ in the District court - the costs in the Common Pleas being included in the judgment vs Winkler & wife.

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Tuesday July 12th A.D. 1859

Eliza McClary by her next friend P.B. Cole
vs
P. Snider & Co. et als
Injunction
District Court,

This day this cause came on to be heard on appeal from the Court of Common Pleas for this County & was argued by counsel and submitted to the Court on the petition of Plaintiff and evidence & was argued by counsel Whereupon the Court do find that the equity of the case is with the plaintiff & that the property in this case was not subject to the payment of the debts of Wm McClary & should not have been levied upon by the Constable to satisfy the Judgement in favor of P. Snider & Co.

It is therefore considered Ordered & adjudged & decreed by the Court that the Injunction heretofore granted in the Court of Common Pleas in this case be made perpetual & that the said P. Snider & Co. be forever restrained from the sale of the personal property of said Eliza McClary to satisfy their Judgement and that they be forever restrained from the sale of the proceeds of the farm of said Eliza McClary willed to her by her Father James C. Dynes (as set forth in the petition) in satisfaction of said Judgement in favor of P. Snider & Co. And it is further Ordered adjudged & decreed by the Court that the Plaintiff recover of the defendants her costs herein expended taxed to ~~the~~

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Tuesday July 12th A.D. 1859

Wm J. M Cray Exr & the heirs of Jonathan M Cray
vs
Rebecca Shumway & James Valentine

} District Court

This day came the parties by their Attorneys & Submitted this cause to the Court on an agreed Statement of facts.

And the Court do find that the Plaintiff has a Sufficient title as Shown under said agreed Statement of facts to Sustain his action & to recover an undivided three fourths of the land described in the petition to which ruling of the court the defendants take exception.

And the Court Order in pursuance of said agreed Statement this cause be certified to the Court of Common Pleas of this County, that the parties may in that Court further try the plaintiffs right to recover on the question of boundary involved in this case.

It is Ordered by the Court that a Special Mandate issue to the Court of Common Pleas to carry into effect all executions final Orders decrees & Judgements entered at this term of the Court

And thereupon this Court adjourned without day.

Milton Sutliff
Pres. Judge

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Times of holding Courts in the third Judicial District of the State of Ohio.

We the undersigned Judges of the Court of Common Pleas within & for the third Judicial District of the State of Ohio do hereby fix the times for holding the terms of the Court of Common Pleas & of the District Court in each and every County in said District as follows, to wit,

The several terms of the District Court in & for the several Counties of said District for the year 1860 Shall commence in the several Counties thereof as follows to wit

In Shelby County August 28th
In Auglaize County August 30th
In Mercer County September 1st
In Allen County September 3d
In Hardin County September 6th
In Logan County September 10th
In Marion County September 13th
In Union County September 17th
In VanWert County September 19th
In Paulding County September 21st
In Defiance County September 22d
In Henry County September 25th
In Fulton County September 27th
In Williams County September 29th

And the Several terms of the Court of Common Pleas in & for the Several Counties of said District in & for the year 1860 Shall commence in the several Counties thereof as follows to wit

First Sub-division.

In Union County January 30, April 16th October 1st
In Hardin County February 13th April 23d October 15th
In Marion County February 27th April 30th October 22d
In Logan County March 12th May 14th November 12th

Second Sub-division.

Mercer County January 16th April 2d October 2d
Van Wert County January 30th April 9th October 10th
Shelby County February 13th April 16th October 15th
Auglaize County February 27th April 30th October 29th
Allen County March 12th May 14th November 12th

Third Sub-division.

Paulding County January 31st October 2d
Defiance County February 6th May 1st October 16th
Henry County February 14th May 8th October 30th
Fulton County February 28th May 15th November 13th
Williams County March 13th May 22d November 27th

In all of said Counties the several terms of said Courts will commence on the first day of each of said terms at ten o'clock A. M.

William Lawrence
A. S. Latty
Ben. Metcalf
} Judges of the Court of Common Pleas aforesaid

Dated October 5th 1859
To the Clerk of the Court of Common Pleas of Union County Ohio.

A true copy of Original Order now on file in this office November 2d 1859

Taber Randall Clerk

Monday September 17th A.D. 1860

District Court for the County of Union in the State Ohio this day met in pursuance of law present Honorable W. Y. Gholson, Benj.n Metcalf and William Lawsen Judges, Abraham Wiley Sheriff & Taber Randall Clerk

Clippinger &c. vs Jane Rose } It appearing to the Court that in this cause the parties were entitled to a trial by Jury upon the issues Joined & therefore the same was not appealable - Therefore it is considered & Ordered that the same be dismissed for want of Jurisdiction

Hugh Bymes vs Uriah Painter } Pet. in Error. This cause came on and was heard by the Court whereupon It is considered by the Court that in the transcript proceedings & Judgment of the Court of Common Pleas there is no error as alledged in plaintiffs petition. Therefore the Judgement of the Court of Common Pleas is affirmed It is further considered & Adjudged that the said Uriah Painter recover of the said Hugh Bymes his costs herein taxed at dollars

1 Saml Tanner
vs
Jo. F. Place
} Pet. in Error.

Leave to Plaintiff in Error to amend Petition by assigning additional Errorz. & cause continued.

1 W. W. Covalt
vs
Thompson & Bronson
} Pet. in Error.

This cause came on & was heard by the Court upon the petition in Error. On consideration whereof the Court do find that there is no Error in the proceedings & Judgment of the Court of Common Pleaz. Wherefor it is considered & adjudged that the Judgment of said Court of Common Pleaz be & the same is hereby affirmed & that the said Thompson & Bronson recover of the said W. W. Covalt their costz herein taxed to dollarz.

John Weaver et alz
Trustees of Paris Tp.
Union County Ohio
vs
John W. Cherry
George W. Cherry &
I. A. Cherry
} Continued

District Court September 17. 1860

Thomas Jones Plaintiff }
vs
Lewis H. Lee & others Defts } Petition.

This day came the parties by their Attorneys & thereupon this cause came on to be heard upon the Demurrer of the plaintiff to the answer of Defendants S. A. Lee & George Cherry & wife and the Court being fully advised in the premises do adjudge that said Demurrer is well taken and do Sustain the Same to which Judgement & ruling of the Court the Defendants excepts, & except as well to the hearing of the demurrer, as to the

1st The Defendants except to the Court either entertaining Jurisdiction or rendering Judgement & Decree on the note Demured to because no Judgement was rendered on the Same in the Court of Common Pleas.

2d Because the case is pending in the Common Pleas and was not brought into this Court by the pretended Appeal

And said cause came on to be heard upon the petition (there being no other defence to the Same) Exhibits & testimony and was argued by Counsel On consideration whereof the Court do find the equity of the case with the plaintiff.
It is therefore Ordered adjudged & decreed that there is due the plaintiff from the Defendant Lewis H. Lee upon the Transcript & note in said petition mentioned on this 17th day of September A. D. 1860 the Sum of nine hundred & Seventeen which amount is also found to be due & a lien on the mortgage dollars And twenty five Cents. It is therefore premises, as against the other defendants
Ordered Adjudged & decreed that said Lewis H. Lee pay the said plaintiff said Sum of nine hundred & Seventeen $\frac{25}{100}$ dollars with Interest to be computed at 10 per cent. per annum

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from this date, And in default of the payment by the said Lewis H. Lee or either of the defendants thereof at the expiration of Six months from the date hereof the Sheriff of this County who is hereby appointed Special master for that purpose proceed to Sell the premises in said petition mentioned to Satisfy this Judgment, It is further Ordered that a Special Mandate be issued in this case to the Court of Common Pleas to carry this Judgement & decree into execution, It is further Ordered that Execution be issued as in cases at law against the goods & chattels lands & tenements of the said Lewis H. Lee to Satisfy said Judgement

It is Ordered that a Special Mandate issue to the Court of Common Pleas to carry into effect all executions final Orders, decrees & Judgements entered at this Term, And that all Motion causes & other matters not Otherwise disposed of Stand Continued,
Thereupon this Court adjourned without day,

W. G. Gholson

We the undersigned Judges of the Court of Common Pleas within & for the third Common Pleas Judicial district of the State of Ohio now convened in the Court House in the Town of Defiance in Defiance County Ohio, for that purpose do hereby fix the times for holding the terms of the Court of Common Pleas and of the District Court for the year 1861 in each & every County of said District as follows

The Several terms of the district Court in & for the year Eighteen hundred & Sixty One Shall commence in the Several Counties thereof as follows to wit;

In Union County	August	22d
In Marion County	"	23d
In Logan County	"	26th
In Hardin County	"	27th
In Fulton County	"	29th
In Williams County	"	30th
In Defiance County	September	2d
In Paulding County	"	3d
In Henry County	"	4th
In Van Wert County	"	6th
In Allen County	"	7th
In Auglaize County	"	9th
In Mercer County	"	10th
In Shelby County	"	12th

And that the Several terms of the Court of Common Pleas in & for the Several Counties of Said District in & for Said year Shall Commence in the Several Counties thereof as follows to wit

First Sub-division

In Union County	Febuary	25th	April	29th	October 21st
In Hardin County	"	11th	"	22d	" 14th
In Marion County	January	28th	"	15th	September 23d

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In Logan County March 11th May 13th October 28th

Second Sub-division

In Shelby County January 28th April 15th September 23d
In Auglaize " February 11th " 22d October 14th
In Mercer " " 25th " 29th " 21st
In Van Wert " March 11th May 6th " 28th
In Allen " " 25th " 13th November 4th

Third Sub-division

In Defiance County January 21st May 6th October 14th
In Henry County February 12th " 13th " 29th
In Paulding County " 5th " " 1st
In Fulton County " 26th May 21st November 12th
In Williams County March 11th " 28 " 26th

And we further Order and direct that the several terms of said Courts shall commence on the first day of each said Terms at eight Oclock A. M.

In testimony whereof We hereby issue this our Order for the purpose aforesaid at said Court House in said Town of Defiance this first day of October A. D. 1860

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

William Lawrence
B. Metcalf
A. S. Latty

Filed Oct. 1. 1860
Taber Randall Clerk

A true copy from the Original Order now on file in my office

Taber Randall Clerk

District Court for Union County Ohio

August 22d A. D. 1861
This day the District Court for the County of Union in the State of Ohio met in pursuance of Law present the Hon. William V. Peck A. S. Latty & William Lawrence Judges Philip Snider Sheriff & Taber Randall Clerk

George Randall admitted as Attorney at Law } On applications of C S Hamilton an attorney of this court on behalf of George Randall to be admitted to the bar as attorney at Law the court finding that the said Randall is over 21 years of age that he is a citizen of the United States and has been for the year last past a resident of the State of Ohio that he is considered of good character and has attentively Studied Law for two years Brunker & Blair Attorneys at Law of this State appointed a committee consisting of the following Attorneys of this court viz P B Cole M. G. Lawrence J H Robinson P B Robinson J L Porter J B Coats R. G. Clark & W H Ball to examine the said Randall and found him qualified as to his qualification as an Attorney at Law and thereupon C. S. Hamilton J H. Robinson & W. H. Ball proceded to examine said Randall & found him qualified to practice as an Attorney at Law And on their so reporting to the Court & the said Randall being called

August 22 1862

Appeared & was Sworn to Support the Constitution of the United States & of the State of Ohio and to discharge with fidelity and to the best of his ability his duties as an Attorney at Law in the Several Courts of Record of the State of Ohio, was declared admitted &c

A. G. Wood & Dyer Reed partners under the name of Wood & Reed
vs
Ira C. Johnson
} In Chancery

And now on motion of the plaintiffs & on showing by them that Since the Report of the Special Master C. K. Gatch was filed herein they have discovered further testimony which they claim is material therefore by consent this case is repaired to Aaron B Robinson as Special Master to take further testimony if desired by either party on proper notice to the parties said further testimony to be filed herein by said Master on or before the 1st day of April 1862

7 fee days

Samuel Turner
vs
Joseph T Place
} This cause came on to be heard by the court and was argued by Counsel and on consideration thereof, and the Court being fully advised in the premises do find there is no

August 22d A.D. 1862

error in the judgment of the court of Common pleas. complained of by the plaintiff and it is therefor considered and adjudged by the court that the said judgment of the Court of common pleas be and the same is affirmed; and that the plaintiff herein pay the costs taxed to dollars

Trustees of Paris Township
vs
Samuel A Cherry et alz } Continued.

Ben D. Evans et al
vs
Sammy Parret } Appeal. The plaintiff dismisses the case without prejudice. Therefor it is considered ordered and adjudged that the defendant go hence without day & recover of plff his costs herein

John C. Elliott
vs
Mapary Dole & co } Defendant taxed to $ Petition in Error
Ordered to be Struck from the Docket

All motions matters & causes not otherwise disposed of are continued
The Court adjourned until next day
W. Lawrence
Judge

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Times of holding Court in 3d Judicial District

We the Judges of the Court of Common Pleas within for the Third Common Pleas Judicial District of the State of Ohio now convened in the Court House in the Town of Lima Allen County Ohio. for that purpose do hereby fix the times for holding the terms of the Court of Common Pleas & of the District Court for the year 1862 in each & every County in said District as follows

District Court, The Several Terms of the District Court in & for the year 1862 Shall commence in the Several counties therein as follows to wit,

In Hardin County	August	14th	In Allen County	August	27th
In Logan "	"	15th	In VanWert "	"	29th
In Marion "	"	18th	In Paulding "	September	1st
In Union "	"	20th	In Defiance "	"	2d
In Shelby "	"	22d	In Henry "	"	4th
In Auglaize "	"	23d	In Fulton "	"	6th
In Mercer "	"	25th	In Williams "	"	8th

Com. Pleas,

And that the Several Terms of the Court of Common Pleas in & for the Several counties of said District in & for said year shall commence in the Several counties thereof as follows. First Sub-division

In Union County	January 6th	March 31st	September 8th
In Hardin County	January 13th	April 7th	September 15th
In Marion County	January 20th	April 14th	September 22d
In Logan County	January 27th	April 21st	September 29th

Second Sub-division.

In Shelby County	January 27th	April 14th	September 22d
In Auglaize County	Febuary 10th	April 21st	October 15th
In Mercer County	Febuary 24th	April 28th	October 27th
In VanWert County	March 10th	May 5th	November 3d
In Allen County	March 24th	May 12th	November 10th

Third Sub-division

In Paulding County Febuary 4th		October 7th
In Defiance County Febuary 11th	May 5th	October 21st
In Henry County Febuary 25th	May 12th	November 4th
In Fulton County March 11th	May 19th	November 18th
In Williams County March 25th	May 27th	December 2d

And we further Order & direct that the Several Terms of said Courts shall commence on the first day of each of said Terms at 10 o'clock A.M.

In testimony whereof we hereby ipsue this our Order for the purpose aforesaid at said Court House in said Town of Lima the first day of October A.D. 1861

A. J. Latty
Wm Lawrence
} Judges of said Court

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

A true copy from the Original Order now on file in my office

Taber Randall Clerk

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Michael Dar
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April 21.

April 21st A. D. 1863 This being the day for the District Court of Union within & for the County of Union pursuant to law Present Rufus P. Ranney & William Lawrence Judges - C. M. Robinson Sheriff & Taber Randall Clerk - And there being no quorum present the Sheriff thereupon adjourned Court without day

Michael Davis
vs
Isa C. Johnson
Lot. Johnson &
Everett Messenger

Consolidated with the case of Caleb Clark Admr ~~& Same Defts~~ vs Same Defendants

District Court Union County Ohio

The Defendant Messenger introduced witnesses to prove & did prove by such witnesses that the Court of Common Pleas of Union County did not meet & do business as a Court on the 9th of May 1859 until after 11 o'clock A.M. of that day to the introduction of which proof the Plaintiff Objected and asked that the Same be ruled out

We agree that the above point arising in said Case may be decided in Marion County at its next Term to be held on the 24th Inst - April 21. 1863

P. B. Cole
Atty for Plff
O. Bowen
Atty for Messenger

Times of holding Common Pleas & District Court

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

The Judges of the 3rd Judicial District in Ohio assembled at Perrysburg in said District do Order that the Several Terms of the Court of Common Pleas & of the District Court shall commence at 9 o'clock A.M. on the days & for the Counties herein after Specified for the year 1863 as follows

The Court of Common Pleas shall be held as follows

First Sub-division

In the County of Logan January 1st March 9 September 7th
In the County of Shelby January 12th March 23d September 21st
In Union County January 19th March 30th September 28th
In Marion County January 26th April 6th October 14th

Second Sub-division

In Auglaize County February 3d April 14th September 29th
In Van Wert County February 17th April 21st October 14th
In Allen County February 24th April 28th October 20th
In Putnam County March 10th May 5th November 3d
In Mercer County March 17th May 12th November 10th

Third Sub-division

In Paulding County March 26th October 14th
In Defiance County January 26th May 11th October 6th
In Williams County February 24th June 2d November 10th
In Fulton County February 10th May 26th October 27th
In Henry County February 3d May 19th October 20th
In Wood County March 10th June 9th November 24th

Fourth Sub-division

In Wyandot County February 23d July 6th October 5th
In Crawford County March 9th July 13th October 19th
In Seneca County March 23d July 20th November 2d
In Hancock County February 23d May 19th November 10th

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The Terms of the District Court shall be held as follows

In Union County April 21st
In Logan County April 22d
In Marion County April 24th
In Shelby County April 27th
In Mercer County April 29th
In Auglaize County April 30th
In Allen County May 1st
In Van Wert County May 2d
In Paulding County May 4th
In Defiance County May 5th
In Henry County May 6th
In Crawford County June 1st
In Wyandot County June 3d
In Hardin County June 4th
In Hancock County June 5th
In Seneca County June 8th
In Fulton County June 10th
In Williams County June 11th
In Wood County June 13th
In Putnam County June 14th

And we as said Judges do Order that said Courts be held as aforesaid

William Lawrence, Judges of the Court
M.G. Whiteley, of Common Pleas
A.S. Lally, of the 3d Judicial
Josiah S. Plants, District in Ohio

Court House Perrysburg Ohio October 28th 1862

A true Copy from the original Order now on file in my office this November 4th 1862

Taber Randall Clerk

April 21st 1863 This being the day for the District Court to meet within & for the County of Union pursuant to law- present Rufus P. Ranney & William Lawrence Judges C. M. Robinson Sheriff & Taber Randall Clerk- And there being no quorum present the Sheriff Thereupon adjourned Court without Day

Michael Davis vs Ira C. Johnson & Joseph Johnson & Everett Drepenger } Consolidated with the case of Caleb Clark Admr vs Same defendants

District Court Union County Ohio

The defendant Drepenger introduced witnesses to prove & did prove by such witnesses that the Court of Common Pleas of Union County did not meet & do business as a Court on the 9th of May 1859 until after 11 Oclock A. M of that day to the introduction of which proof the plaintiffs Objected & asked that the Same be ruled out

We agree that the above point arising in said case may be decided in Marion County at its next Term to be held on the 24th Inst—

April 21st 1863

P. B. Cole
Atty for Plff
O. Bowen
Atty for Drepenger

Orlando Wells
against
Solomon Cook

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Orlando Wells } Civil action, pending in the District Court
against } of Union County Ohio. Reserved for decision by
Solomon Cook } agreement of parties in Marion County Ohio

This cause came on to be heard, and the Court find that the District Court of Union County did fail to be held in Union County at the time prescribed by law & was not held at all: and that the parties did agree that this Court should take Cognizance of this action in this Court & in this County as is usual in such cases taken under advisement & certify the decision of this Court back to Union County for entry & record - and this Court being now fully advised do find that this case involves important & difficult questions of law and thereupon on motion of George Lincoln Attorney for plaintiff it is Ordered that this cause be & is ordered to be reserved & Sent to the Supreme Court of this State for decision

Ordered that the Clerk certify this entry Order & decision back to the Clerk of the District Court of Union County for Entry on the Journal of that Court and for record

5 U.S.R. Stamp

I Philip Dombaugh Clerk of the District Court of Marion County & State of Ohio do hereby certify that the foregoing entry Order and decision is truly taken & copied from the Journal of Said Court

Witness my hand and the Seal of Said Court this twenty fifth day of April A.D. 1863

Philip Dombaugh Clerk

A true copy from the Original now on file in this office April 25. 1863 Tabor Randall Clerk

Ransom C. Clark Plaintiff
vs
Sylvester Southard Deft. } Petition in Error.

Transfered from the District Court of Union County for hearing & decision of Hardin County

This cause came on to be heard and was argued by Counsel — And the Court being fully advised in the premises it is Considered & adjudged that the Judgement of the Court of Common Pleas within & for the County of Union herein be & the Same is hereby affirmed with costs & that the defendant the Administrator of Sylver Southard deceased recover of the plaintiff Ransom Clark the costs herein expended taxed at dollars & cents And it is Ordered that this Judgement be Certified to the Clerk of the District Court of Union County for entry & record according to the Statute in such cases made & provided

The State of Ohio Hardin County ss

I G. A. Stewart Clerk of the District Court in & for the County of Hardin and State of Ohio hereby certify the foregoing to be truly taken & copied from an entry made upon the Journal of said Court in this cause at the late June Term A.D. 1863

Witness my hand & the Seal of said Court at the Court House in Kenton in said County this 5th day of June A.D. 1863

G. A. Stewart Clerk D. C.
By Wm D Dean Deputy

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A true copy from the original now on file in this office
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Courts for 1864

Times fixed for holding Courts in the 3d Judicial District of the State of Ohio for the year 1864

Be it Remembered. That at a meeting of the Judges of the Court of Common Pleas of the Third Common Pleas Judicial District of the State of Ohio at the Court House in the Town of Kenton Hardin County Ohio on the day of the date hereof. for the purpose of fixing the times of holding the Terms of the Court of Common Pleas & of the District Courts in Said District for the year 1864. We the undersigned Judges of the Court of Common Pleas within & for Said District do hereby fix the times of holding said Courts for the year 1864. in each & every County in Said District as follows

District Court.

The Several Terms of the District Court in & for the year 1864 Shall commence in the Several Counties thereof as follows to wit.

In Logan	County	August 3
In Hardin	County	August 4
In Marion	County	August 6
In Union	County	August 2
In Crawford	County	August 8
In Wyandot	County	August 9
In Seneca	County	August 24
In Hancock	County	August 26
In Allen	County	August 10
In Auglaize	County	August 11
In Shelby	County	August 12
In Mercer	County	August 13
In Van Wert	County	August 15
In Paulding	County	August 16
In Defiance	County	August 17

In Henry County August 18
In Fulton County August 20
In Williams County August 22
In Wood County August 19
In Putnam County August 27

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

First Subdivision

In Union County February 8th April 11th September 26th
In Hardin County January 18th March 28th September 12th
In Marion County January 11th March 21st September 5th
In Logan County January 15th April 18th October 17th
In Shelby County January 25th April 4th September 19th

Second Subdivision

In Auglaize County February 2d April 12th September 27th
In Allen County February 23d April 26th October 18th
In Mercer County March 15th May 17 November 8th
In Van Wert County February 16 April 19th October 11th
In Putnam County March 8th May 10 Nov. 1st

Third Subdivision

In Paulding County April 5th October 18th
In Defiance County January 25th May 2d October 4th
In Henry County February 2d May 10th October 25th
In Fulton County February 9th May 17th November 1 25/11
In Williams County February 16th May 24th November 8th
In Wood County March 1st May 31st November 22d

Fourth Subdivision
In Seneca County March 1st July 19th November 22
In Hancock County Febuary 16th May 31st Nov. 7
In Wyandot County January 19th May 10th October 12th
In Crawford County Febuary 2d May 17th October 25th

And we do further Order & direct that the Several Terms of said Courts shall commence on the first day of each of said Terms at ten Oclock A. M.

In Testimony Whereof We ifsue this our order for the purpose aforesaid at said Court House on this the 5th day of October A.D. 1863

William Lawrence
M.C. Whitely
A. L. Latty
} Judges of Said Courts

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

A true copy from the Original now on file in this office October 23d 1863
Taber Randall Clerk

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August 2d 1864 this day the District Court for the County of Union in the State of Ohio met in pursuance of law Present Jacob Brinkerhoff William Lawrence & M. C. Whitney & Benj.a Metcalf Judges C. M. Robinson Sheriff & Jabez Randall Clerk

Ephraim Yarrington et al } This day came the plff & moved Court to dismiss the appeal in this cause on account of defect in the appeal Bond - Thereupon the Court gave leave to the plff to file a new appeal Bond all of which was accordingly done and approved

Ephraim Yarrington
&
David Davis 2d
Lewis W. Greene

This day came the parties hereto and Submitted this cause to the Court neither party demanding a Jury. And the Court being fully advised in the premises do find that the Mortgage refered to in said petition was duly filed for record with the Recorder of the County of Union & State of Ohio on the 7th day of August 1854 at 12 M. & On the Same day was duly recorded in Vol. 2 page 49 of the Record of Mortgages in said County & the said Mortgage was by said Recorder duly endorsed "Filed & Recorded August 7. A.D. 1854 at 12 oclock M Wm M. Robinson Recorder U. C." and delivered said Mortgage so endorsed to the plaintiff

That in fact said Mortgage was not indexed & the defendant Lewis W. Green without actual Knowledge of the said Mortgage afterwards bought said land from the defendant Davis & paid the entire purchase money therefor

That there is due to the plaintiff from,

Tuesday August 2d 1864

the defendant David Davis 2d on the notes in said petition described the Sum of Seven hundred & forty four 16/100 dollars which is a valid lien on said land by virtue of the Mortgage aforesaid

It is therefore considered Ordered & adjudged by the Court that the plaintiff recover of the said David Davis 2d the said Sum of Seven hundred & forty four 16/100 dollars due as aforesaid together with his costs herein expended taxed to $

And it is further considered Adjudged & decreed that if said defendants for thirty days from the rising of this Court fail to pay said judgement & costs that the Sheriff of Union County Ohio for the time being who is appointed Special Master Commissioner for that purpose proceed according to law to appraise advertise & Sell the land in the plaintiffs petition described or So much as may be necessary to satisfy said judgement & decree & report his proceedings thereon to the Court of Common Pleas of Union County Ohio to which Court this cause is remanded—

To which ruling Judgement & decree the defendant Lewis W. Green by his Counsel excepts & prays the Court to enter this his exception on the Journal all of which is accordingly done

Transcript made for dep'ts Atty P.O. Ohio Circuit Court Aug. 1864 of this Entry

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Tuesday August 2d 1864

Wood & Reed
vs
Isa C. Johnson & others

On Motion to the Court it is Ordered that each party pay the half the fees of the Master C. H. Gatch taxed at One hundred dollars in thirty days from this date or in default that Execution issue therefor

And on further Motion to the Court by the plaintiffs it is Ordered that this cause be continued at the costs of the plaintiffs under the same Order of reference herein before made On the Showing of newly discovered testimony to Aaron B. Robinson Substituting the name of James R. Smith as Master instead of said Robinson & on same terms of said former Order & for purpose of taking testimony as therein directed

Rec'd of Syer Reed & Co Plaintiffs half of fees of Master in this case Jan 31st 1865 $50.00 Rec'd July 4th 1865 of Reed & Williams-pr Dft. Rec'd of Williams-pr Dft. Gatch the balance of fees of C. H. Gatch Master in this case Jan 31st 1865 $50.00

David Watson Plff
vs
Allen Reed Deft.

Injunction.

This day came the parties by their Attys & thereupon this cause came on to be heard upon the petition of Plff & answer of Defendant & exhibits &c and was argued by Counsel On consideration whereof the Court do find that the equity of the case is with the defendant — And the Court do further find that the road described in the petition is not a public highway and that the plaintiff has no right

Tuesday August 2d A. D. 1864

to have it open for his use & the use of the public

It is therefore Ordered adjudged & decreed that the Injunction heretofore granted in this case be & the same is hereby dissolved and the petition of the plaintiff dismissed and it is further considered Ordered & adjudged that the said defendant Allen Reed recover of the plaintiff David Watson his costs in & about this suit in this behalf expended taxed to $

Thomas Watson
vs
Margaret Humphreys et. als

Petition to quit title & for Partition

This cause came on to be heard upon the petition Answer Reply & Amended petition & was argued by Counsel for the parties & thereupon the Court being fully advised in the premises do find that by the will of Mains Watson dec'd the heirs of Sloan Watson dec'd take nothing but that as to said Sloan Watson said Will was void and the one Seventh of said residue of said Estate descended to the heirs at law of said Mains Watson dec'd

The Court further find that John Watson Brother of Mains Watson died leaving James Watson Thomas Watson (Plff) Sloan Watson & James W. Walker his sole heirs each of whom are entitled to one twelfth of said one Seventh part of said estate — That Wm Watson Bro. Thos of Mains Watson died leaving Margaret

Tuesday August 2d A. D. 1864

Humphreys Jane Morris Sarah Holmes & Louisa N. Wason his Sole heirs at law entitled each to the one twelfth of Said Seventh of said estate & that Thomas Wasson Brother of Mains Wason left Sophia B. Wason his Sole heir at law entitled to one third of Said Seventh - That the heirs named of Sloan Wason dec'd are entitled in common to said one twelfth of Said Seventh or one eighty fourth part of Said estate of Mains Wason dec'd

It is therefore considered Ordered & adjudged that by the oaths of B. A. Fay John F. Sabin & Philip Snider partition be made of the lands in Said petition described ~~to wit~~ in the following proportions to wit.

To plaintiff the Amount expressed by the fraction $\frac{13}{84}$
To James Wason the Amount expressed by the fraction $\frac{1}{84}$
To the heirs of Sloan Wason dec'd to wit. Mary J. Wason Sarah J. Wason Martha Jane Wason & Robert M. L. Wason each the Amount expressed by the fraction $\frac{1}{336}$ or $\frac{1}{84}$ together
To James W. Walker the one eighty fourth thereof $\frac{1}{84}$
To Margaret Humphreys & her husband $\frac{13}{84}$
To Sarah Holmes & her husband $\frac{13}{84}$
To Louisa N. Wason $\frac{13}{84}$
To Jane Morris & her husband $\frac{13}{84}$
To Sophia B. Wason $\frac{16}{84}$

That if the Same can be done that the Said Shares of Thomas Wason Margaret Humpreys Sarah Holmes Louisa N. Wason Jane Morris & Sophia B. Wason be assigned to them in common if the Same can be done without injury to the other parties in interest & the Shares of the remaining parties (in interest) be assigned them Severally & if the Same cannot be done that the parts of Said real estate not assigned to Thomas Wason Margaret

Tuesday August 2d A.D. 1864

Humphreys. Sarah Holmes Jane Morris Louisa N. Watson & Sophia B. Watson be under the oaths aforesaid duly appraised - And it is further Ordered that a Writ of partition to the Sheriff of said County of Union commanding him to cause said partition to be made accordingly & this cause is remanded to the Court of Common Pleas for further execution of this decree

John C. Elliott } Pet. in Error
vs }
Masury Dole & co } This day came the Parties by their Attys & thereupon this cause came on to be heard as well upon the Transcript the Judgement & other proceedings of the Court of Common Pleas ~~Division~~ & of the Justice of the Peace & the original files & proceedings brought here by Writ of Error from to the said Court of Common Pleas as also upon the matter by the said J.C. Elliott herein assigned for Error and the same being by the Court now here fully & mature deliberation being thereupon had it appears to the Court here that there is no Error in the record & proceedings aforesaid Or in giving the judgement aforesaid.

It is therefore considered that the judgement aforesaid of the Court of Common Pleas aforesaid in form aforesaid given be in all things affirmed & stand in full force & effect.

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And it is further considered by the Court that the said Masury Dole & Co do recover against the said J.C. Elliott as well the original Judgement before the Justice of the Peace which amounts including interest to this date to the sum of eighty four 60/100 dollars as the costs in this behalf expended taxed to $ dollars Also five per cent penalty on the amount due to him on the Judgement according to the form of the Statute in such case made & provided which penalty & costs amount in the whole to dollars.

And this cause is remanded to the Court of Common Pleas for Execution:

To which decision & Judgment of the Court the plaintiff in Error excepts and prays the Court to enter this his exception on the Journal all of which is accordingly done

And thereupon the Court adjourned without day

August 3d 1864

State of Ohio } District Court of Logan County
Logan County } August Term A. D. 1864

Charles Rathbun
vs
Isaac S. Gardner
William Thomas &
Samuel Miller partners
as Gardner Thomas & Co } To wit August 3d 1864
Pet. in Injunction
Reserved in the District
Court of Union County

The above entitled case was by consent and agreement of parties reserved in the District Court of Union County for decision in the District Court of Logan County the said Court having heard the evidence & argument of Counsel find the equity of the case with the defendants Gardner Thomas & Co.

It is therefore Considered & decreed that the said Injunction be dissolved. that the plaintiffs action & petition be & is dismissed at his costs & that the defendants recover of plaintiff their costs to be taxed - It is further Ordered that this judgement & decree be duly entered on the Journals of this Court & that a Transcript thereof be duly certified by the Clerk to the District Court of Union County & the same be entered in the Journals thereof

I Oden Hayes Clerk of the District Court of Logan County Ohio do hereby certify that the foregoing entry is truly taken & correctly copied from the Journals of said Court. Witness my hand & the Seal of said Court this 10th day of August A. D. 1864

O. Hayes Clk. L. D. C.

A true copy from the Original now on file in my office this August 24th 1864 Tuber Randall Clerk D. C. L. C.

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Clerk D. C. Ts.

Times fixed for holding Courts in the 3d Judicial District of the State of Ohio for the year 1865

Be it remembred. that at a meeting of the Judges of the Court of Common Pleas of the 3d Common Pleas Judicial District of the State of Ohio at the Court-House in the City of Tiffin Seneca County Ohio on the day of the date hereof for the purpose of fixing the times of holding the Terms of the Courts of Common Pleas & of the District Courts in said District for the year 1865. We the undersigned Judges of the Court of Common Pleas within & for said District do hereby fix the times of holding said Courts for the year 1865 in each & every County in said District as follows

District Court. The Several Terms of the District Court in & for said year 1865 shall commence in the Several Counties thereof as follows to wit;

In Logan County September 5th
In Hardin County August 15th
In Marion County September 6th
In Union County September 8th
In Crawford County August 16th
In Wyandot County August 17th
In Seneca County August 21st
In Hancock County August 18th
In Allen County August 31st
In Auglaize County September 2d
In Shelby County September 4th
In Mercer County September 3d
In Van Wert County August 30th
In Paulding County August 29th
In Defiance County August 28th

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In Williams County August 23d
In Wood County August 24th
In Putnam County September 1st
In Henry County August 26th
In Fulton County August 22d

And that the Several Terms of the Court of Common Pleas in & for Said Counties for Said District in & for Said Year Shall commence in the Several Counties thereof as follows

	1st Sub division	2d Sub division	3d Sub division
In Union County	February 6th	April 10th	September 25th
" Hardin County	January 16th	March 27th	September 11th
" Marion County	January 9th	March 20th	September 4th
" Logan County	February 20th	April 24th	October 16th
" Shelby County	January 23d	April 3d	September 18th

Second Sub division.

In Auglaize County	February 7th	April 4th	September 25th
In Allen County	February 21st	April 25th	October 16th
In Mercer County	March 14th	May 16th	November 6
In Van Wert County	February 13	April 17th	October 9th
In Putnam County	March 7th	May 9th	November 13th

Third Sub division.

In Paulding County	February 7th	June 13th	October 10
" Defiance County	January 30th	May 1st	October 2d
" Henry County	February 14th	May 9	October 17
" Fulton County	February 21st	May 16th	October 24
" Williams County	February 28th	May 23d	October 31st
" Wood County	March 14th	May 30th	November 14

Fourth Sub division

In Seneca County	February 28th	May 15th	November 12th
" Hancock County	January 30th	May 1st	October 16th
" Wyandot County	February 14th	May 8th	October 30th
" Crawford County	March 7th	May 22d	November 27th

And We do further Order & direct that the Several Terms of Said Courts Shall commence on the first day ~~thereof~~ of each of Said Terms at ten oClock A. M.

In Testimony Whereof We have this our Order for the purpose aforesaid at the Court House On this the 24th day of August A.D. 1864

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

William Lawrence
M. C. Whiteley
A. S. Latty
} Judges of Said Court

A True Copy from the Original now on file in my office this September 10th 1864

Taber Randall Clerk

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Clerk

September 8th A.D. 1865 this day the District Court for the County of Union in the State of Ohio met pursuant to law present. Jacob Brinkerhoof. J. S. Conklin & ~~C~~ O. W. Rose Judges J. B. Whelpley Sheriff and Taber Randall Clerk

The Trustees of Paris Township
vs
S. A. Cherry

This day came the parties to this action and Submitted this cause to the Court on the Demurer to the defendants Answer & thereupon the Court being fully advised in the premises do Sustain said demurer & find the equity of the case for the plaintiff & it is therefore Considered Ordered & adjudged that the defendant deliver up for Concelation the two hundred & fifty dollars of Orders Stated by him in his Answer to be under his control —

It is further Considered Ordered & adjudged that the deed of Conveyance executed by plaintiff & here filed & Ordered to be made a part of the decree Shall Operate as a full reconveyance to the defendant the Real estate in Said petition described & the plaintiff as Such Trustees Shall not be liable to any extent upon the Contract & Conveyance Set up in Said petition Reserving all rights of innocent holders

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Friday September 8th A.D. 1865

of Orderz. And it is further considered Orderd & adjudged the defendant recover of plaintiff his costs herein taxed to $

6) Caleb Clark as Executor of Angus Clark vs Ira C. Johnson Joseph Johnson & others } Civil action

6) Michael Davis vs Ira C. Johnson Joseph Johnson & others } Civil Action

Two cases Consolidated In the Common Pleas & On Appeal In This Court

In the two above entitled cases Consolidated into one case and now on trial in this Court.

This day came the parties by their Attorneys and thereupon this cause came on to be heard upon the pleadings & evidence and during the progress of the evidence the Order of the Judges of the Court of Common Pleas of this Judicial District fixing the times of holding the Terms of Court in this District for the year 1859 and the Journal Entry of the Court of Common Pleas at the opening of its Session at the May term 1859 were given in evidence by the Plaintiff and are in the words following to wit,

Friday September 8. 1865

The Judges of the Court of Common Pleas in & for the third Judicial District in the State of Ohio now convened in the Court House in Bellefontaine in Logan County in said District do hereby fix the times for the Terms of the Court of Common Pleas of each of the Counties of said District as herein after Stated And do hereby ipsu this Our written Order to the Clerk of the Court of Common Pleas of each & every County in said District Specifying precisely the commencement of the term of the District Court & of the Several terms of the Court of Common Pleas in all of the Counties of said District as follows that is to say- The Several Terms of the Court of Common Pleas in & for the Several Counties of said District for the year A.D. 1859 Shall Commence in the Several Counties thereof as follows to wit

First Sub-division,

In Union County February 15th May 9th September 19th
In Marion County February 28th May 16th October 3d
In Logan County March 14th May 30th October 17th
In Hardin County April 4th September 5th November 14th

(Second & third Sub-divisions Omitted in this Copy)

In all of said Counties the said Several terms of said Courts will Commence on the first day of each said Terms at 10 o'clock A.M.- It is Ordered that this Order by the Clerk of the Court of Common Pleas of each County in said District be entered immediately upon the Journal of the Court of Common Pleas & also upon the Journal of the District Court in each

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Friday September 8. 1865

of Said Counties and by each of Said Clerks published for four consecutive weeks in one or more Newspapers of general circulation in each of Said Counties according to law

Wm Lawrence }
A. S. Latty } Judges

The State of Ohio Union County ss

I Taber Randall Clerk of the Court of Common Pleas within & for Said County of Union hereby Certify that the foregoing is correctly copied from the Original Order as appears of Record in the Journal of Said Court of Common Pleas now remaining in my office.

In Witness Whereof I hereunto Set my hand and affix the Seal of Said Court of Common Pleas at Marysville this 22d day of April A.D. 1863

L.S.

Taber Randall Clerk

Monday May 9th A.D. 1859

This day the Court of Common Pleas for the County of Union in the State of Ohio convened in pursuance to law. present William Lawrence Presiding Judge Abraham Wiley Sheriff John L. Porter Prosecuting Attorney & Taber Randall Clerk

The State of Ohio Union County ss

I Taber Randall Clerk of the Court of Common Pleas within & for Said County of Union hereby certify that the above is a full & true copy of the entry made at the Commencement of the May Term A.D. 1859 of the Court of Common Pleas for Said County of Union in the Journal of Said Court as appears from

Friday September 8th 1865

Said Journal now remaining in my office
In Witness Whereof I hereunto Set my
hand & affix the Seal of Said Court of
Common Pleas at Marysville this 22d day
of April A.D. 1863

L.S.

Taber Randall Clerk

And thereupon on behalf of Everett
Messenger Oral evidence was given to the
Court tending to prove that Said Court did
not open or commence it Sesion at Said
May term 1859 until 2 Oclock P.M. of
Said May 9. 1859. All of Said evidence
when received being objected by plaintiff &
being received Subject to exception and
it being proved that on the 10th day of May
1859 at Said May term of Said Court
Said Michael Davis recovered a judgement
as Set out in his petition and that on the
9th day of May 1859 at 11 Oclock in the
forenoon the Mortgage executed by Joseph
Johnson to Everett Mespenger as Set out
in Said Mespengers Answer was delivered
to & received & filed by the Recorder of Union
County Ohio for Record as a Mortgage
Thereupon the Court on the evidence aforesaid
do find that Said Court of Common Pleas
of Union County did not open & commence its
Sesion until after 12 Oclock M. on May 9th
1859 And that before Said Court opened its
Sesion and at 11 Oclock A.M. of the Said
9th of May 1859 Said Mortgage from Joseph
Johnson to Everett Mespenger was filed with
& received by Said Recorder of Union County
for record & Therefore the lien of Said
Mortgage is prior to & has preference of

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Said judgement rendered as aforesaid in favor of said Michael Davis

And thereupon the Court being fully advised in the premises

It is Ordered Considered & adjudged that the equity of this case is with the defendant Everett Mespenger as to all matters and that the allegations of fraud as against him are untrue & as to said Mespenger the petition of Caleb Clark as Executor is dismissed.

And the Court being fully advised find that there is due to said Everett Mespenger from Joseph Johnson on the note & Mortgage Executed by said Johnson to said Mespenger on the 27th April 1859 as Set out in the Answer of said Mespenger the Sum of ($3864 00/100) being a principal Sum of $2800 00/100 and interest $1064 00/100 after first deducting from the principle of said note & Mortgage for usurious interest $510 the actual Sum loaned on said note & Mortgage being $2800, principal Sum allowed as aforsaid.

And the Court ~~further~~ find that Philip Snyder as Sheriff of Union County Sold said Mortgaged premises covered by said Mortgage & that there was in his hands arising from said Sale the Sum of $1592 64/100 which should be applied on said note & Mortgage and which was on 22d October 1861 paid over by said Snyder to said Mespenger.

It is therefor considered adjudged and decreed that said Mespenger retain & hold said money as his own & that

Friday September 8th 1865

it apply as a Credit of that date on said Sum of $3864 00/100 So found due to said Mespenger from said Joseph Johnson leaving $1796.36 due from said Johnson to said Mespenger.

It is therefore Considered Ordered & adjudged & decreed that said Everett Mespenger Recover of said Joseph Johnson said Sum of $1796 36/100 and that Execution issue therefor as on judgments at Law

It is Also Ordered Adjudged & decreed that said Everett Mespenger is the Owner of the Notes against Daniel Harris Franklin Harris & Warren Harris mentioned in the petition & pleadings in this case & all parties herein are perpetually Enjoined from setting up any claim as against said Mespenger to said notes and from making any defence against the payment thereof or in any way denying his rights thereto and the proceeds thereof.

And it is Considered & adjudged that Caleb Clark as Executor of Angus Clark & that Michael Davis pay the Costs and that said Mespenger recover the costs of this proceedings against them to be taxed by the Clerk & that Execution issue therefor — And this cause is Remanded to the Court of Common Pleas of said Union County for Execution

And thereupon the Court adjourned until half past seven o'clock tomorrow Morning

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Saturday September 9th 1865 this morning the Court met pursuant to adjournment the same officers present as on yesterday

Ruth Ann Keller et. als.
vs
Wm H. Johnson et als. } District Court

This day came the parties by their Several Attorneys & Submitted this cause to the Court on the petition Amended Petition Answer & Evidence and after hearing the evidence & Arguments of Counsel the Court do find the equity of the case with the plaintiffs and that Wm H. Johnson Samuel Johnson & Jacob Keller ought in equity to release to Mary Ann Case wife of Velasco Case Jacob W. Keller & Isaac N. Keller the land in said petition described, bounded on the east by 100 acres conveyed to Elizabeth Johnson by Jacob Keller & on the west by land conveyed to Joseph Atherton & being the 100 acres conveyed by deed to said Wm H. Johnson & Samuel Johnson by Jacob Keller,

It is therefore considered Ordered & adjudged that within ten days from this date said defendants Wm H. Johnson Samuel Johnson & Jacob Keller release by deed of quit claim all the interest they had in said One hundred acres of land at the commencement of this Suit & in default of such conveyance this

Saturday September 8. 1865

decree shall operate as such conveyance

It is further considered & Adjudged that the right of Dower in said land which said Ruth Ann Keller has in said land be saved to her.

It is further considered & decreed that said John M. Johnson & Elizabeth Johnson may within six months remove from said ~~hundred~~ hundred acres the house & other buildings he has now built on the said David Keller lot

It is further considered & Adjudged that within ten days the plaintiffs pay to said Wm H. Johnson & Samuel Johnson the taxes they have paid on said land since said conveyance was made to them by Jacob Keller together with interest thereon from such payment until the same shall be paid & in default of such payment that execution issue therefor

It is further considered & decreed that any rights if any exist which Elizabeth & John M. Johnson may have on said land for improvements are saved to them.

And it is further considered adjudged & decreed that within ten days the defendants pay the costs of this suit. & in default of payment that execution issue therefor as upon Judgments at Law

2

A. G. Wood & Dyer Reed
partners as Wood & Reed
vs
Isa C. Johnson
Joseph Johnson
D. A. Williams &
George Bennett

Dismissed without prejudice as to Isa C. Johnson & Joseph Johnson and dismissed as to D. A. Williams & Geo. Bennett at their costs

It is therefore considered Ordered & Adjudged by the Court that the plaintiffs recover of the said defendants, D. A. Williams & George Bennett their costs herein expended taxed to $

And this cause is remanded to the Court of Common Pleas for Execution.

And thereupon this Court adjourned without day

Times fixed for holding Courts in the 3d Judicial District of the State of Ohio for the year 1866,

Be it Remembered That at a meeting of the Judges of the Court of Common Pleas of the Third Common Pleas Judicial District of the State of Ohio at the Court House at the Town of Defiance, Defiance County, Ohio, on the day & date hereof, for the purpose of fixing the times of holding the Terms of the Courts of Common Pleas & of the District Courts in said District for the year 1866, We the undersigned Judges of the Court of Common Pleas within & for said District do hereby fix the times of holding said Courts for the year 1866 in each & every County in said District as follows

District Court.

The Several terms of the District Court in & for the year 1866 shall commence in the Several thereof as follows to wit,

In Logan County	29th	August
In Hardin County	28th	August
In Marion County	31st	August
In Union County	3d	September
In Crawford County	23d,	August
In Wyandot County	24th	August
In Seneca County	25th	August
In Hancock County	22d	August
In Allen County	8th	September
In Auglaize County	6th	September
In Shelby County	4th	September
In Mercer County	7th	September
In Van Wert County	10th	September
In Paulding County	20th	August
In Defiance County	18th	August

In Henry County 17th August
In Fulton County 15th August
In Williams County 14th August
In Wood County 16th August
In Putnam County 11th September

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

First Subdivision.

In Union County Febuary 12th May 7th October 29th
In Hardin County January 15th April 9th October 1st
In Marion County January 2d March 26th September 17th
In Logan County Febuary 26th May 21st November 12th
In Shelby County January 29th April 23d October 15th

Second Subdivision.

In Auglaize County Febuary 6th April 3d September 25th
In Allen County Febuary 13th April 10th October 2d
In Mercer County Febuary 27th April 17th October 16th
In Van Wert County March 20th May 1st November 6th
In Putnam County March 6th April 24th October 23d

Third Subdivision

In Paulding County Febuary 6th June 19th October 10th
In Defiance County January 29th April 30th October 1st
In Henry County Febuary 13th May 8th October 16th
In Fulton County Febuary 20th May 15th October 23d
In Williams County March 6th May 29th October 30th
In Wood County March 20th June 5th November 13th

Fourth Subdivision.

In Seneca County March 20th June 19th November 20th
In Hancock County January 30th May 29th October 1st

In Wyandot County February 13th June 5th October 16th
In Crawford County February 27th June 12th October 30th

And we do further Order and direct that the Several Terms of said Courts Shall commence on the first day of each of said Terms at 9 o'clock A. M.

In Testimony Whereof We issue this Our Order for the purpose aforesaid at said Court House on this the 28th day of August A. D. 1865

M. C. Whiteley
L. A. Latty
J. S. Conklin
C. W. Rose
} Judges of said Courts

A true Copy of the Original Order now on file in my office this 18th day of September 1865

Faber Randall Clerk

The State of Ohio
City of Columbus
Orlando
vs
Solomon

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The State of Ohio } Supreme Court of the State of Ohio
City of Columbus } Of the Term of December A.D. 1865.

Orlando Wells
vs } In Error. Reserved in the District
Solomon Cook } Court of Union County.

This cause came on to be heard upon the Transcript of the Record of the Court of Common Pleas of Union County and was argued by Counsel. On consideration whereof it is Ordered & adjudged by this Court that the Judgement of the said Court of Common Pleas be & the same is hereby affirmed with Costs. Ordered that a Special Mandate be sent to the Court of Common Pleas of Union County to carry this judgment into execution.

Ordered That a Copy of this Entry be Certified to the Clerk of the District Court of Union County for entry &c. I Rodney Foos Clerk of the Supreme Court of Ohio do hereby Certify that the foregoing Judgement is truly taken & correctly copied from the Journal of said Court.

Witness my hand & the Seal of said Court this tenth day of April A.D. 1866. Rodney Foos Clerk

L.S.

The State of Ohio } Supreme Court of Ohio.
City of Columbus }

To the Honorable Court of Common Pleas within & for the County of Union Greeting

We do hereby command you, that you proceed without delay to carry the within foregoing Judgement of our Supreme Court of Ohio in the case of Orlando Wells vs Solomon Cook into execution the Writ of Error herein & heretofore granted to the contrary notwithstanding.

Witness Rodney Foos Clerk of said Supreme Court of Ohio at Columbus this tenth day of April A.D. 1866. Rodney Foos Clerk

L.S.

A true copy of Original Mandate in this case
Taber Randall Clerk D.C.

September 3d 1866 this day the District
Court for the County of Union in the State
of Ohio present J. S. Conklin & James
Mackenzie Judges J B Whelpley Sheriff
& Saber Randall Clerk And there being
no quoram present thereupon the Court
adjourned without day

Courts for the year 1867

Times fixed for holding Courts in the Third Judicial District of the State of Ohio for the year 1867

Be it Remembered That at a meting of the Judges of the Court of Common Pleas of the Third Common Pleas Judicial District of the State of Ohio at the Court House in the town of Bucyrus Crawford County Ohio on the day of the date hereof for the purpose of fixing the times of holding the Terms of the Courts of Common Pleas & of the District Courts in Said District for the year 1867– We the undersigned Judges of the Court of Common Pleas within & for Said District do hereby fix the times of holding Said Courts for the year 1867 in each & every in Said District as follows,

District Court,

The Several Terms of the District Court in & for the year 1867 Shall commence in the Several Counties thereof as follows to wit.

In Logan County	August	26th
In Hardin County	"	24th
In Marion County	"	28th
In Union County	"	30th
In Crawford County	"	19th
In Wyandot County	"	21st
In Seneca County	"	22d
In Hancock County	"	17th
In Allen County	September	7th
In Auglaize County	"	4th
In Shelby County	"	2d
In Mercer County	"	5th
In Van Wert County	"	9th
In Paulding County	August	15th
In Defiance County	"	14th
In Henry County	"	13th

Over

In Fulton County August 9th
In Williams County " 7th
In Wood County " 10th
In Putnam County September 10th
And the Several Terms of the Court of Common Pleas in & for the Several Counties of said District in & for said year shall commence in the Several Counties thereof as follows

First Subdivision.

In Union County Febuary 18th May 6th October 28th
In Hardin County Febuary 11th April 22d October 14th
In Marion County January 14th March 25th September 30th
In Logan County Febuary 25th May 20th November 11th
In Shelby County January 28th April 8th September 16

Second Subdivision

In Auglaize County January 22d May 21st October 8th
In Allen County Febuary 26th June 18th November 19th
In Mercer County January 15th May 14th Octr. 1st
In Van Wert County Febuary 12th June 11th Nov. 5th
In Putnam County Febuary 5th June 4th Octr 22d

Third Subdivision.

In Paulding County Febuary 5th June 18th Septr 24th
In Defiance County January 28th May 6th Septr 30th
In Henry County Febuary 12th May 14th Octr 15th
In Fulton County Febuary 19th May 21st Octr 22d
In Williams County March 5th May 28th Nov. 5th
In Wood County March 19th June 4th Nov. 19th

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Fourth Subdivision.

In Seneca County	Febuary 26th	May 28th	October 22d in
In Hancock County	March 12th	June 11th	Novembr 5th
In Wyandot County	Febuary 18th	May 20th	Octr 14th
In Crawford County	Febuary 5th	May 7th	Octr 7th

And we do further Order & direct that the Sevral Terms of Said Courts Shall commence on the first day of each of Said Terms at Eight Oclock A. M.

In Testimony Whereof We ipon this our Order for the purpose aforesaid at Said Court House on this the 24th day of August A.D. 1866

M. C. Whiteley
A. S. Latty
James MacKenzie
J. S. Conklin
} Judges of Said Court,

I direct that the foregoing Order be published for three consecutive weeks in Union County Ohio Oct. 29th 1866 J. S. Conklin
Judge C. C. P.

A true copy of the Original Order now on file in my office this Nov. 10th 1866
Taber Randall Clerk

August 30th A. D. 1867
This day the District Court for the County of Union in the State of Ohio met in pursuance of law.
Present. Josiah Scott. Jacob S. Conklin James MacKenzie & Chester B. Mott Judges
Robert Sharp Deputy Sheriff & Jabez Randall Clerk

J. W. Smith
vs
Madeline Anderson

This cause came on to be heard upon the motion filed herein August the 24th 1867 by the defendant to dismiss the appeal of this cause and was argued by Counsel and thereupon P. B. Cole Esq. Attorney for Plaintiff moved the Court to reserve the questions arising upon said Motion to the Supreme Court of Ohio for decision. And the Court here being of the opinion that the questions arising upon said Motion are important and difficult, Order that the same be reserved and sent to the Supreme Court for its decision

George W. Cushman &
John L. Scringer
vs
William P. Welsh

Petition in Error

This cause came on to to be heard upon the petition in

Friday August 30th 1867

Error filed herein on the 29th day of August A.D. 1867 by the said plaintiffs in Error to reverse the judgement ~~rendered~~ by the Court of Common Pleas herefore rendered in this cause wherein the said William R. Welsh was plaintiff and the said George W. Cushman & John T. Scringer were defendants & was argued by Counsel. And thereupon John B. Coats Attorney for said plaintiffs in Error moved the Court to reserve the questions arising upon said petition for decision to the Supreme Court of the State of Ohio. And the Court here being of the opinion that the Questions arising upon said petition are important and difficult Order that the Same be reserved and Sent to the Supreme Court for its decision

The Atlantic & Great Western
Rail Road Company
vs
Osmond Wells } Error

This day came on this cause to be heard by the Court, and the Court being fully advised in the premises do find for the defendant in Error

It is therefore Considered Ordered & adjudged that the said judgement of the Court of Common Pleas be & the Same is hereby affirmed and that the defendant in Error recover of the plaintiff his costs expended taxed to $

And it is Ordered that a Mandate issue to the Court of Common Pleas for the execution of the judgment herein rendered,

This day Jesse L. Cameron an applicant for Admission to the Bar appeared in open Court, and it being Shown to the Satisfaction of the Court that the Said Jesse L. Cameron is of good Moral character and in all other respects qualified according to the Statute in such case made & provided, and the Said Jesse L. Camron being thereupon Sworn to Support the Constitution of the United States & of the State of Ohio, and in all things to demean himself faithfully & honestly as an Attorney and Counsellor at Law & Solicita in Chancery.

It is Ordered that the Said Jesse L. Cameron be Admitted to practice as an Attorney & Counsellor at Law and Solicitor in Chancery in the Several Courts of the State of Ohio

And thereupon the Court adjourned without day

Josiah Scott
Judge of Supreme Court

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

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

District Court,

The Several Terms of the District Court in & for the year 1868 shall commence in the Several Counties thereof as follows to wit.

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

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

First Sub-Division

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

Second Sub-Division

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

Third-Sub-Division

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

Fourth Sub Division.

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

And We do further Order & direct that the Several Terms of said Courts shall commence on the first day of each of said Terms at Eight Oclock A. M.

In Testimony Whereof. We issue this our Order for the purpose aforesaid at said Court House On the tenth day of September A. D. 1867.

J. S. Conklin
A. S. Latty
Chester R. Mott
James MacKenzie
} Judges of said Courts

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

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

I hereby certify that the above foregoing is a full & true copy of the Original Order as received & remaining on file in my office October 22d 1867

Taber Randall Clerk

" Octuber 14th
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November 16th
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October 20th
November 4th
November 17th

May 26

8th April 14th

th May 4th

March 24th

Tuesday September 1st 1868 this day the District Court for the County of Union in the State of Ohio met pursuant to law present John Welsh Supreme Judge James Pillars & J. S. Conklin Common Pleas Judges. J. B. Whelpley Sheriff & Taber Randall Clerk

This day C. W. Bryant an applicant for admission to the Bar, appeared in open Court, and it being shown to the Satisfaction of the Court that the said C. W. Bryant* has resided in this State for one year last past that he is twenty one years of age & upon presentation of a certificate of examination by a Committe appointed by the District Court of Cuyahoga County in the State of Ohio, under the act of April 7th 1856, that said applicant was then a Member of the "Ohio State & Union Law College" and that in their opinion he is of Sufficient learning & ability and is in all respects qualified for admission to practice as an Attorney & Counsellor at Law in the Courts of this State: And the said C. W. Bryant being thereupon Sworn to Support the Constitution of the United States & of the State of Ohio & in all things to demean himself faithfully & honestly as an Attorney & Counsellor at Law and Solicitor in Chancery—

It is therefore Ordered that the said C. W. Bryant be admitted to practice as an Attorney & Counsellor at Law & Solicitor in Chancery in the Several Courts in the State of Ohio

* is a citizen of the United States &

September 1st 1868

This day Samuel F. Marsh an applicant for admission to the Bar, appeared in open Court and it being Shown to the Satisfaction of the Court that the Said Samuel F. Marsh is of Good Moral character and in all other respect qualified according to the Statute in Such case and Provided and the Said Samuel F. Marsh being thereupon Sworn to Support the Constitution of the United States & the State of Ohio and in all things to demean himself Faithfully and Honestly as an Attorney and Counsellor at Law, and Solicitor in Chancery It is Ordered that the Said Samuel F. Marsh be admitted to practice as an Attorney & Counsellor at Law and Solicitor in Chancery in the Several Courts of the State of Ohio

X 4 Wm M. Randall vs John C. Hanover, Contd,

X 3 Margaret Goant & husband
vs
Magdalene Moore et, als } Continued at defendants costs

It is therefor considered & ordered and adjudged by the Court that the plaintiffs recover of the defendants their costs of this Term of Court taxed to, $

And thereupon the Court adjourned until tomorrow Morning at 8 o'clock A

John Welch
Pres Judge

Wednesday September 2d 1868

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

2 ✓ John C. Cannon
v.s.
Joseph Culbertson
} Petition in Error

This day came the parties by their attorneys and thereupon this cause came on and was heard upon the petition in Error of the said John C. Cannon and the transcript of the record of the Court of Common Pleas of Union County Ohio thereto attached, and was argued by Counsel, On Consideration whereof it is considered Ordered & adjudged by this Court, that the judgment of the said Court of Common Pleas be and the same is hereby affirmed with costs to be taxed, and it is further Ordered that a special Mandate be sent to the said Court of Common Pleas to carry this judgment into Execution

1 ✓ The Atlantic & Great Western
Rail Way Company
vs
Joshua S. Gill
} Pet. in Error

This day came the said Parties with their attorneys and thereupon this Cause came on and was heard upon the petition of the said Plaintiff in Error together with the transcript of the record of the Court of Common Pleas of Union County Ohio thereto attached, and was argued by Counsel, Upon consideration whereof the Court are of the opinion that there is Error in the said Record & Proceedings of said Court of Common Pleas in said Action mentioned & specified in this behalf, that the said

✓ The Ordinal Entry made
5 Judge Bowers is with the parties

Court Erred in the Charge Given to the Jury upon the Trial of Said Action, It is therefore Ordered by the Court that for the said Error, the Said Judgment and Proceedings of Said Court of Common Pleas in Said Action aforesaid to be and the Same hereby is Reversed & Vacated and the Said Plaintiff in Error be & it hereby is restored to all it has lost thereby And it is further Ordered by the Court that the Said Plaintiff in Error recover of the Said Defendant in Error the Costs herein taxed &c And it is further Ordered by the Court that the Said Court of Common Pleas of Erie County Ohio proceed without delay to Final Judgment between the Said Parties according to Law, And it is further Ordered that a Special Mandate be Sent to the Said Court of Common Pleas, to Carry this Judgment & Order into Effect Accordingly, To which Said Order & Judgment of the Court, the Said Defendant in Error Excepts

The Original Entry made by Judge Bowen is with the papers

Michael Davis
Against
Ezra A Messenger & Others

Petition on Mandate from the Supreme Court

This day Came the Parties by their Attorneys and this Cause coming on further to be heard upon the Petition of Plaintiff the Answer of Ezra A Messenger, the Reply thereto (all Other Parties being in default) And also on the Proofs and Arguments of Counsel, The Court being advised in the premises doth find the Equity of the Cause to be with Plaintiff and Said Messenger to be with the Latter, That the Said Messenger Mortgage by him set up is Valid for the purposes therein mentioned, And is a lien on the Real Estate described therein prior to all Other Encumbrances to the Said Judgment of Plaintiff which it is Adjudged is a prior lien thereon to that of Said Messenger

The Court doth further find that the Statements in the Second ground of defence of Said

Sept. 2nd 1868

Wednesday

Messenger and true and that as between the said Messenger and the said Hemingways the Equity of the case is with Messenger, That all questions between them as to the Order of distribution of the proceeds of said Tyler Farm were as in said second ground of defence stated and not so fully determined by said Court of Common Pleas, and that after the payment from the proceeds of said sale of the Tyler Farm, the amount due to Plaintiff upon his Judgment, but the claim of said Messenger, not so determined by said judgment to wit the Sum of $1568 Shall be paid, and that the proceeds then remaining in the hands of said Sheriff Shall be paid to said Hemingways - The Court does find that said Hemingways are Estopped by said Judgments from setting up or claiming any interest in the distribution of said Money over the said Everitt Messenger. The Court does find that said Philip Snyder as Sheriff and Special Master Commissioner of the Court of Common Pleas, Sold on the 30th of August 1861 the said Tyler Farm for the Sum of $3162,30, The Court does further find that there is due to Plaintiff the Sum of $1527,67, That there is due to said Everitt Messenger the Sum of $2259,92 & to the said Hemingways the Sum of $243,60

It is therefore considered, adjudged & decreed that the said Philip Snyder the Sheriff and Special Master aforesaid first pay out of the proceeds of said sale the costs herein taxed Second that he next pay said Sum of $1527,67 to Plaintiff, Third that he next pay to said Everitt Messenger the said Sum of $2259,92, And that the balance if any remain in his hands of the proceeds arising from the Sale of said Land he pay to said Hemingways and it is further ordered and decreed that said Messenger and Hemingway Shall account to the said

The original Entry made up by Judge Bowen is with the original papers

Sept. 9, 1868 Entry by Judge Bowen

Wednesday September 2d 1868

Philip Sheridan Sheriff for Such Sum of Money or the Amount as Either of them have received from him for the purpose of Enabling him to carry Out this Order, And this Cause is remanded to the Court of Common Pleas of this County to carry the Said Judgment and Order of this Court into Execution. ~~The defendant~~

6/ Truman M. Kimball
vs
P. L. Coe Deft

This day came on this Cause to be heard on the Pleadings and Evidence and the Court being fully advised in the premises do find the allegations of the petition to be true and that there is no just claim of defendant for taxes advanced, and the Court do therefore Consider, Order and Adjudge that Said Million Contract be and the Same is hereby Cancelled aforesaid as prayed for in Plaintiffs Petition, And the Court do find that there is due the Plaintiff from said Defendant on Said Contract So aforesaid the Sum of Five Thousand Six Hundred and Ninety Eight Dollars and Ninety Cents ($5698.90/100) which is a lien on the land in the Petition described, It is therefore Considered Ordered Adjudged and decreed by the Court that the Plaintiff recover of Defendant Said Sum So found due with his Costs herein taxed to $ and if defendant Fail for ten days to pay Said Sum of Money and interest and Costs That an Order of Sale issue to the Sheriff of Said County who is appointed Special Master for that purpose Commanding him to Sell Said premises according to law to make

Said Sums of Money and it is Jun the Ordered
That the said Tenderings and Offer remain
On file till the said Judgment be Paid and
then delivered by the Clerk to the Defendant

Mandate (and that a special mandate be sent to the Court of Com. Pleas to carry this Order into effect

James Magahey }
vs. } Petition in Error
John Myer } This day came the Parties by
their Attorneys and thereupon came came
On to be heard and Argument upon the Petition in
Error of the said James Magahey and the Transcript
of the Record of the Court of Common Pleas of Lucas
County Ohio filed to attached, and was argued
by Counsel, On consideration Whereof It is Ordered
and adjudged by this Court, that the Judgment
of the said Court of Common Pleas be and the
same is hereby affirmed with Costs taxed
to Pl and it is Jun thr Ordered that a
Special Mandate be Sent to the said Court
of Common Pleas to carry this Judgment into
Execution

And thereupon the Court adjourned
until 7 oclock tomorrow morning

John Welch
Pres Judge

Thursday September 5th 1868

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

James McNeal & Henry Neal } Petition in Error
vs
Samuel B Harbert } This day came the parties by their Attorneys & thereupon came on this cause to be heard.

Whereupon the Court defined that there is Error in said proceedings & record in said action of the Common Pleas Court, It is therefore Ordered & adjudged by the Court that for the Error of record in the said Judgment & proceedings of said Court of Common Pleas in said action reversed to be & the same is hereby reversed & vacated & said Plaintiffs in Error be and they are restored to all that they have lost thereby & it is further Ordered that the Plaintiffs in Error recover of Defendant in Error the Costs herein expended &

And it is further Ordered that a Special Mandate be sent to the said Court of Common Pleas to carry this Judgment & Order into Effect to which Judgment of this Court the Defendant in Error Excepts.

Andrew F Fruman } Appeal
vs
Charles Fruman Exrs &c. } This day this cause came on to be heard on the Petition of the Plaintiff, the Answer of the Admr of D D Welsh & the reply thereto the Answers of Absalom F Cherry, James Moon, Mary E Bell & Maria Hall & the reply thereto & the Answer of the Guardian ad litem of infant defendants, the other defendants failing to answer or demur made default, and upon the following agreed Statement of facts (See page 129 of this Journal) and on the following Judgment of Announcement to Wit (See page 130 of this Journal) and the Record of the Order for deed and Mortgage (See page 131 of this Journal) and the Court then heard testimony tending to prove that the said Fruman had no knowledge of the said Announcement proceedings but the same were instituted and conducted without their knowledge or Consent as alleged in the Plaintiffs petition, and the Cause was

fully Argued whereupon the Court doth find the Equity of the Cause on the Plaintiffs Side and that Said Plaintiff doth hold a Valid and Subsisting lien on Said land for the Amount alleged in Said Petition to wit, the Whole Amount due on of Said Promissory as Set forth in Said Petition with Interest to this day is Thirty two Hundred and Sixty Six Dollars & of which One third belongs to the Plaintiff and the remaining two thirds to the Defendant Freemans, It is therefore Considered, Ordered and adjudged by the Court that Said Administrator of Said Welch and those claiming the land pendente lite as Set forth in Said pleadings pay to Plaintiff his third of Said Sum to wit One thousand and Eighty Eight & 78/100 Dollars on this Ten day and in default thereof that an Order of Sale issue to the Sheriff of Said County of Union who is appointed Special Master for that purpose, Commanding him to Sell Said lands according to law to Satisfy Said Sum and the Plaintiffs Costs herein and bring the proceeds thereof in Case of Sale into Court for distribution according to the rights of the Several Mortgagees, Claimed in Said Petition, And it is further Ordered that a Special Mandate be Sent to the Court of Common Pleas to Carry this Order and Judgment into Effect

10 W. C. Pangborn & Co vs B. W. Miller & Bro. & Contd.

On Now this Court adjourned without day

John Belch

Pres Judge

Statement of Facts Marked "A" referred to in Journal Entry Page 137, And filed with the Clerk of the Court of Com Pleas May 19th 1868

Andrew F Freeman —
vs.
Chas E Freeman Et Als

In Com Pleas
Agreed Statement of Facts

It is agreed between the Plaintiff and Defendants by their Counsel that the following facts are agreed upon and shall be taken as proven and established in this Cause for the purpose of this Trial in the Said Court to wit 1st That Said David Welsh in his lifetime and on or about the 24th day of February 1863 paid to Said Charles M Robinson as Sheriff of Said Union County the Sum of $3541.94 being the balance then due on the Said Mortgage Set up in this Cause And that the Same was received by Said Robinson as Such Sheriff and the Mortgage by him delivered to Said Welsh as Averred in the Answer of C S Hamilton now on file in this Cause, Second That Said Defendants Peter Mary E Hill & Morris M Hill Lorenzo McClary Nancy McClary, Mary McClary & Benjamin F McClary James Moore Absalom F Kenny who are the Owners of Said lands or portions thereof now purchased without actual Notice of the alleged claim of Said Plaintiff and having only constructive Notice Such as the law presumes from the lawful & proper records of the Court & Other Public Offices of the County, and that they acted in Honesty & Good faith in Said purchase & paid Value for Said lands — This agreement not to be binding beyond the Trial of this Cause in the Said Common Pleas, unless by further Agreement, Signed & agreed upon this 19th day of May 1868. P B Cole & M Robinson Attys for Plaintiff
Carper & Van Deman Attys for Mary E Welsh Adms & Boris Moore
And the Defendants —
We Consent that the within agreed Statement of

Jacob Mong be sworn in the Trial of this cause in the District Court

P. B. Cole Atty for Plaintiff

Carper & Van Deman Attys for Defendants

Judgment of Amercement of Sheriff referred to in Journal Entry Page 197

Entry Journal 7 Com Pleas P. 396

Andrew F. Freeman
Charles E. Freeman
Mary Ann Freeman
George I. Freeman
Edward B. Freeman
vs
Charles M. Robinson

Motion to Amerce

This day came the Parties and Submitted this Motion to the Court and the Court being fully advised in the premises do find as alleged in said Motion, that said Defendant as Sheriff of said County of Lenoir on the 2d day of March 1863 Received of D. D. Dodds the Sum of $3541.94 on land Sold on Order of Sale on Proceedings in Partition Wherein Plaintiffs & others are parties which money was to said Plaintiffs & the said Plaintiffs And that due demand of Payment hath been made of said Sheriff by said Parties Plaintiff and said Sheriff hath failed to pay any part of said Sum of Money

It is therefore Considered Ordered and Adjudged that Defendant be amerced in said Sum of Money together with ten per cent penalty thereon and the Costs of this proceeding, And it is therefore Considered Ordered and Adjudged that said Plaintiffs recover of said defendant said Sum of Twenty Five Hundred and Forty One Dollars and Ninety four cents, together with the Sum of two Hundred and fifty four dollars and Nineteen cents penalty aforesaid and their Costs herein by them laid out and expended to be

Entry in Journal 7 Com Pleas P. 59

Order for
on Page

Andrew
vs
Charles

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Order for Deed and Mortgage referred to in Journal Entry on Page 127

Andrew F. Freeman
U.S.
Charles E Freeman Et Als
} In Partition

Entry in Journal 7 Com Pleas P. 59

And now Comes the Said Andrew F. Freeman by Hamilton and Lincoln his Counsel and On his Motion and On producing the return of the Sheriff of this Sale Made under the former Order of this Court, And the Court being Satisfied On Examination that Said Sale has been Made According to law, it is Ordered & adjudged that Said proceedings and Sale be and the Same are hereby approved and confirmed, And Said Sheriff is Ordered by Deed duly Executed to Convey Said premises to D D Wells the purchaser thereof in fee simple, And it is further Ordered that the Said Sheriff Out of the Money in his hands pay first the Costs of this Suit including a Counsel fee of One Hundred Dollars to Hamilton and Lincoln - twenty to $ dollars And that the residue he pay over to Said Andrew F. Freeman One Equal third part - to Charles E Freeman One Equal third part, to Mary Ann Freeman One Equal Ninth part to George F Freeman One Equal Ninth part to Edward R Freeman One Equal One Ninth part, And that before delivering the Conveyance to Said purchaser, the Said Sheriff require Said purchaser to Execute and deliver to him a Mortgage On Said premises to Secure the two thirds of the purchase Money remaining unpaid with the interest thereon from this date And payable, One half in One year and the residue in two years from this date with Six Said Mortgage Shall become absolute in case Said purchaser fail to pay Any portion of the two thirds of the purchase Money when and as the Same become due

Wednesday September 1st 1869 this day the District Court for the County of Union in the State of Ohio met in pursuance of Law —
Present Honorable William White Supreme Judge — Chester R. Mott, James Pillars and J. S. Conklin Common Pleas Judges and Robert Sharp Sheriff & Taber Randall Clerk

Margaret Grant & Husband
vs
Magdaline Moore et. als

This day came the parties & filed their written agreement Settleing this cause by which the Plaintiffs withdraw their petition and said Magdalene Moore gave her notes with Security for Two Thousand dollars. One thousand in five years - $250 in four years $250 in three years ~~$250 in three~~ years $250 in two years - $250 in one year All of which appears by said writing — It is therefore by consent of parties ordered & adjudged by the Court that this cause is hereby dismissed on the said terms of agreement & Judgement is hereby rendered against the Complainants for the Costs in said agreement Stipulated to be paid by them & against the defendants for the remainder of said Costs taxed to $ and in default of payment for ten days Execution to issue therefor.

14

September

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September 1st A. D. 1869

Be it remember that at a regular term of the District Court begun & held within & for the County of Allen in the Third Judicial District of the State of Ohio on the fourteenth day of August in the year Eighteen hundred & Sixty nine the Judges of said district Made & Adopted and hereby adopt the following Order in the words & figures following to wit.

"Ordered that hereafter every Applicant for admission to practice as an Attorney at Law shall be publicly Examined in Open Court touching his qualifications for such admission. And it was also then & there further Ordered by said Judges that said Order so made as aforesaid be entered as a Rule of said Court in each & every County in said district by the Clerk thereof

In Witness whereof we the undersigned Judges of said district have hereunto signed our names on the day & year first aforesaid

Alexander L Talley
J. S. Conklin
James Pillars
James Mackenzie
E. M. Phelps
Judges of said District

14 | William M. Hamilton vs Elizabeth Sidle & others — Continued

Wednesday September 1st 1869

This day Thomas H. B. Park an applicant for admission to the Bar appeared in Open Court and it being Shown to the Satisfaction of the Court that the said Thomas H. B. Park is of good Moral Character & in all respects qualified according to the Statute in such case made & provided and the said Thomas H. B. Park being thereupon Sworn to Support the Constitution of the United & of the State of Ohio and in all things to demean himself faithfully & honestly as an Attorney and Counsellor at Law

It is Ordered that the said Thomas H. B. Park be Admitted to practice as an Attorney & Counsellor at Law in the Several Court of the State of Ohio

William M. Randall
vs
John C. Hanover

And now came the said parties by their Attornies and thereupon this action came came on for Trial upon the petition of said plaintiff & the Answer of said defendant & the evidence — And was argued by Counsel — And the Court do find the equity of the case with said plaintiff. And do further find that said plaintiff is entitled to have the deed made by himself to said defendant Hanover for said real estate in the Town of Marysville described in said Petition to be set aside & vacated in all respects and the Court further find that said plaintiff is also entitled to have the deed for same real estate aforesaid made by the defendant to

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Said David Mulford also vacated & Set aside in like manner and that the Said plaintiff is entitled to have his title & possession in Said real Estate fully quieted & confirmed in himself in fee Simple

Therefore it is considered here by the Court that the Said deed made & delivered by Said plaintiff to the defendant John C. Hanover on the 9th day of November AD 1865 for Said real estate mentioned in Said Petition in the Town of Marysville and the deed made by Said Hanover for Same real estate to Said David Mulford on the 13th day of February AD 1867 be & the Same are each hereby decreed & Ordered to be null & void in Law & Equity and the Same & each of them are hereby vacated & Set aside & Said defendant & all persons claiming under & through them be & are hereby forever enjoined from setting up any title or possession to Said real estate or any part thereof and the Said Hanover & Mulford within ten days after the rising of this Court execute & deliver to Said Plaintiff a deed releasing any & all title & interest they or either of them may have or claim to have in Said real estate and in case they neglect to do So this decree Shall Operate as Such and nothing in this decree to affect the rights of Said Hanover & Mulford as between themselves.

And by agreement of parties judgement is rendered against the plff for all costs of this action & by like agreement the plaintiff releases his claim to the fifty dollars Set up in his said petition

And thereupon the Court adjourned until Eight Oclock tomorrow morning

W. W. White

Judge of Sup. Court

Thursday September 2d 1869

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

W. C. Pangborn & Co
vs
B. W. Miller & Bro. } Pet. in Error

This day came the said parties by their Attorneys & thereupon this cause came on & was heard upon the Petition of the said Plaintiffs in Error W. C. Pangborn & Co together with the Transcript of the proceedings and judgement of the Court of Common Pleas of Union County Ohio Attached to & filed with said Petition in Error & was argued by Counsel—

Upon Consideration whereof the Court are of the Opinion that there is Error in the said Proceedings & Judgement of said Court of Common Pleas & that in Consequence thereof the said Verdict of the Jury & the Judgement of said Court of Common Pleas upon said Verdict is for four hundred & Sixty eight dollars too much.

And thereupon the said defendants in Error B. W Miller & Bro remitted from the said Judgement of said Court of Common Pleas mentioned & refered to the said Sum of four hundred & Sixty eight dollars leaving the said Judgement to Stand & be for the Sum of Six Hundred & eighty two dollars & for Costs of said Suit

Thursday Sept 2d 1869

Whereupon it is Ordered by the Court here that the said judgment of the Court of Common Pleas mentioned & referred to, So reduced by said Remittitur to said Sum of Six hundred & eighty two dollars (with interest from June 24th 1868) and costs as aforesaid be & the same hereby is affirmed

And it is further Ordered by the Court that the said defendants in Error pay the costs of this proceeding to be taxed — and in default thereof that an Execution issue therefor

And it is further Ordered that a Special Mandate be sent to the Court of Common Pleas to carry this judgment & Orders into effect

Trustees of M E Church at Dover
vs
Morgan Savage
} Petition in Error

This day came the parties by their Attorneys & thereupon this cause came on to be heard upon the Petition in Error & Transcript of the judgment & proceedings of the parties in the Court of Common Pleas of Union County Ohio thereto attached and was argued by Counsel Whereupon the Court do find that the Court of Common Pleas erred in sustaining the demurrer to the third defense as amended in the Answer of said Trustees & therefore it is considered & adjudged by the Court that said judgment of said Court of Common Pleas be reversed & set aside & the said Trustees be restored

Transcript filed in Com. Pleas Sept. 7th 1869

to all that which they have lost by reason of the said judgement and recovery against the said Morgan Savage their costs in this behalf expended taxed to $

And it is Ordered that a Special Mandat be Sent down to the said Court of Common Pleas to Carry this judgement into operation

Joseph E. Long & Sarah Jane Long
& Joseph E. Long as Administrator of
Mary Ann Morrison dec'd
vs
David Mulford &
Mary Mulford

In Error

This day Came the parties by their Attorneys and thereupon this Cause Came on to be tried as well upon the Transcript of the judgement & other proceedings between said parties in the Court of Common Pleas of Union County — brought here by proceedings in Error as also upon matters by the said David Mulford & Mary Mulford herein assigned for error & the same being seen by the Court here fully understood & mature deliberation being thereupon had it appears to the Court here that there is no Error either in the record & proceedings aforesaid

Therefore it is Considered that the judgement aforesaid in form aforesaid given be in all respects affirmed & stand in full force & effect — And it is Considered that the said Joseph E. Long & Sarah J. Long his wife & the said Joseph E. Long as

Administrator of Mary Ann Morrison dec'd do recover against the said David Mulford and Mary Mulford their costs in this behalf expended taxed dollars.

And it is Ordered that a Special Mandat be sent down to the Court of Common Pleas to carry this judgment into execution There being in the opinion of the Court probable ground of Error no penalty is allowed

Wm Brigham
vs
John Philips et als } No. 16

This day came the said parties by their Attys & Submitted this cause to the Court & thereupon by the agreement & Consent of both parties this cause is held by the Court under advisement to be decided at Tiffin Ohio during the term of the District Court to be held in the County of Seneca Ohio on the 13th of this Month and the Judgement of the Court by the like agreement is to be entered as of this Term

Sophia Heminway
vs
Ernest Mespenge & others } Petition for New Trial

This day came the parties by their Attornies and this Cause coming on to be heard on the Petition the Answer of Davis the proofs & exhibits & was argued by Counsel On Consideration whereof and

the Court being advised in the premises does Order that said petition be & the same hereby is dismissed

Therefore it is Considered that the Defendants recover of this Plaintiff their costs in this behalf expended and that plaintiff pay her own costs

Plaintiff Excepts to the foregoing ruling of the Court

Wm Brigham
vs
John Phillips et als
Pet in Error

This day came the said parties by their Attorneys & it appearing to the Court that there is not Sufficient Time to hear & determine this case at the present Term of this Court by & with the Consent of said parties it is ~~Considered~~ Ordered by the Court that this case be Sent to Seneca County Ohio for hearing & determination at the September Term 1869 of the District Court of Said County

And it is further Ordered by the Court that a Certified Copy of this Order together with the papers & record in this case be forthwith made Out & Sent by the Clerk of this Court to the Clerk of the District Court of Said Seneca County

Copy made & Certified Sept. 2, 1869 &
Copy of Order, Pet. in Error & Copy of Record
Copy of Order as Ordered from Sept 3rd 1869
all mailed to Tiffin Ohio

James Mulvane
vs
John Maskill et al } Pet. in Error

This day came the parties & submitted this cause to the Court on the petition in Error Whereupon the Court being fully advised in the premises do affirm the Judgement of the Court of Common Pleas with Costs it is therefore Ordered that said Judgement be affirmed & defendants in Error recover of Plff in Error their Costs herein expended taxed to $.
And this cause remanded to the Court of Common Pleas for execution
There being in the opinion of the Court probable ground of error no penalty is allowed.

And thereupon the Court adjourned without day

Wm H White
Judge of
Sup. Court.

Be it Remembered that at Regular Session of the District Court within & for the County of Seneca & State of Ohio, begun & held at the Court House in the City of Tiffin on the 17th day of September A.D. 1869 an Entry was made upon the Journal of Said Court which reads as follows to wit,

William Brigham
vs
Elhanan W. Devore &
Josiah Knight
} Petition in Error.

The Said parties appeared by their Attorneys & thereupon this cause came on and was heard upon the petition in Error of the Said plaintiff together with the Transcript of the Record & Judgement of the Court of Common Pleas of Union County Ohio in this case attached to & filed with Said petition & was argued by Counsel Upon Consideration whereof it is Ordered by the Court that the Said Judgement of the Said Court of Common Pleas in this case be & the Same hereby is affirmed.

And it is Considered & Ordered by the Court that the Said defendants Elhanan W. Devore & Josiah Knight Receiver of Said plaintiff thier Costs herein Layed to & And that the Said Plaintiff pay his own costs herein to be layed And that in default of Such payment an Execution issue therefor.

And it is further Ordered by the Court that a Special Mandate be sent to the Said Court of Common Pleas of Union County

Ohio. to Carry the foregoing Judgement & Order into execution.

And it is further Ordered by the Court that a certified Copy of this Order & Judgement together with the Record & files in this Case be sent by the Clerk of this Court, to the Clerk of the District Court of Union County Ohio.

The State of Ohio. Seneca County ss.

I William M. Dildine Clerk of the District Court within & for the County & State aforesaid hereby Certify the foregoing to be truly taken & correctly Copied from the Journal of said Court,

Witness my hand and the Seal of said Court this 25th day of September A.D. 1869

Wm M. Dildine Clerk

By Wm O. Dildine Deputy Clerk

Court Record

Times Fixed for Holding Courts in the Third Judicial District of the State of Ohio for the year 1870—

Be it remembered that at a meeting of Judges of the Court of Court of Common Pleas of the third Common Pleas Judicial District of the State of Ohio, at the Court House in the Town of Tiffin in County of Seneca Ohio on the day of the date hereof for the purpose of fixing the times for holding the terms of the Courts of Common Pleas & the District Courts in Said District for the year 1870 We the undersigned Judges of the Court of Common Pleas within & for Said District do hereby fix the times of holding Said Courts for the year 1870 in each & every County in Said District

Common Pleas Court.

The Several Terms of the Court of Common Pleas in & for the Several Counties of Said District in & for Said year Shall commence in the Several Counties thereof as follows.

In Union County	January 4.	April 25.	August 16.
In Hardin County	Febuary 14.	May 23.	September 5.
In Logan County	March 7.	June 6.	October 17.
In Shelby County	January 24.	May 9.	September 26.
In Auglaize County	Febuary 22.	May 17.	October 26.
In Allen County	Febuary 15.	May 3.	October 18.
In Mercer County	Febuary 8.	May 3.	October 18.
In VanWert County	January 18.	April 19.	September 20.
In Putnam County	Febuary 1.	May 17.	September 20.
In Paulding County	Febuary 1.	June 7.	September 20.
In Defiance County	January 24.	April 25	September 26.
In Henry County	Febuary 7.	May 2.	October 3.
In Fulton County	Febuary 22.	May 10.	October 18.

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Courts Continued

In Williams County March 8. May 17. November 1.
In Wood County January 4. April 25. September 20.
In Marion County Febuary 1. may 3 October 25.
In Seneca County March 1. June 1. Novmber 22.
In Hancock County Febuary 1. April 26. October 25.
In Wyandot County January 10. April 4. October 3.
In Crawford County March 1. May 17. November 15.

Distrct Court. The Several Terms of the District Court in & for the year 1870 Shal commence in the Several Counties thereof as follows.

In Williams County June 21.
In Fulton County June 22.
In Wood County June 23.
In Henry County June 27.
In Defiance County June 29.
In Paulding County July 1.
In VanWert County July 5.
In Allen County July 6.
In Putnam County July 9.
In Auglaize County July 12.
In Mercer County July 13.
In Shelby County July 15.
In Logan County July 18.
In Marion County July 21.
In Union County July 25
In Crawford County July 28.
In Wyandot County July 30.
In Hardin County August 2.
In Hancock County August 5.
In Seneca County August 8.

And we do further Order & direct that the Several terms of Said Courts Shall commence on the first day of each of Said Terms at 8 oclock A.M.

In Testimony Whereof We issue this Our Order for the purpose aforesaid at Said Court House on this the 15th day of September A.D. 1869

A.S. Lally
J.S. Conklin
Chester R. Mott
James MacKenzie
James Pillars
E.M. Phelps
} Judges

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

A True Copy from the Original Order now remaining on file
Taber Randall Clerk

July
~~August~~ Term 1870

Monday July 25th. 1870 This being the day for the District Court to meet within & for the County of Union. State of Ohio pursuant to Law. present Honorable's Jacob. S. Conklin & Chester. K. Mott. Judges. Robert Sharp Sheriff. & H. J. Arthur Clerk.
and there being no Quorum present the Sheriff thereupon adjourned Court until tomorrow Morning 8. oclock.

Tuesday July 26. 1870 This morning the Court met pursuant to adjournment the same officers present as on yesterday. and there being no Quorum yet present the Sheriff thereupon adjourned Court without day

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Court Record

Times fixed for holding Courts in the third Judicial District of the State of Ohio for the year 1871—

Be it remembered that at a meeting of the Judges of the Court of Common Pleas of the third Common Pleas Judicial District of the State of Ohio at the Court House in the Town of Tiffin Seneca County Ohio on the day of the date hereof for the purpose of fixing the times of holding the terms of the Courts of Common Pleas and of the District Courts in said District for the year 1871 we the undersigned Judges of the Court of Common Pleas within & for said District do hereby fix the times of holding said Courts for the year 1871 in each and every County in said District as follows

District Court:— The several terms of the District Court in & for the year 1871 shall commence in the several Counties thereof as follows to wit.

In Williams	County	March 21st	In Mercer	County	August 23
In Fulton	County	March 22	In Shelby	County	August 17
In Wood	County	March 23	In Logan	County	August 7
In Henry	County	March 28	In Marion	County	April 7
In Defiance	County	March 29	In Union	County	August 10
In Paulding	County	March 30	In Crawford	County	April 5
In Van Wert	County	August 28	In Wyandot	County	March 31
In Allen	County	August 30	In Hardin	County	August 14
In Putnam	County	August 25	In Hancock	County	April 11
In Auglaize	County	August 21	In Seneca	County	April 14

And that the several terms of the Court of Common Pleas in & for the several Counties of said District in & for said year shall commence in the several Counties thereof as follows—

First sub-division

In Union	County	February 14.	May 29.	October 24
In Hardin	County	January 23	May 15	October 2
In Marion	County	January 3	May 2	September 3

In Logan
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Courts Continued

In Logan	County	March 6.	June 12	November	13
In Shelby	County	January 2	May 1	September	11
In Auglaize	County	March 6	May 29	October	30
In Allen	County	February 13	June 5	October	23
In Mercer	County	February 20	May 1	October	16
In Van Wert	County	January 16	May 15	September	18
In Putnam	County	January 30	May 1	October	11
In Paulding	County	January 24	June 6	September	19
In Defiance	County	January 16	April 24	September	25
In Henry	County	January 30	May 1	October	2
In Fulton	County	February 14	May 9	October	17
In Williams	County	February 28	May 16	October	31
In Wood	County	January 17	May 23	October	3
In Seneca	County	February 13	June 19	November	1
In Hancock	County	February 7	May 16	October	17
In Wyandot	County	January 16	April 24	September	25
In Crawford	County	February 21	June 5	November	6

and we do further order and direct that the several terms of said Courts shall commence on the first day of each of said terms at eight oclock A. M.

In testimony whereof we issue this our order for the purpose aforesaid at said Court House on this the 10th day of August A. D. 1870

J. S. Conklin
James Pillars
Chester R. Mott
E. M. Phelps
A. S. Latty
James MacKenzie
} Judges of said Courts

To the Clerk of the Court of Common Pleas of Union County Ohio who is hereby directed to publish this order for three consecutive weeks in each of the several newspapers published in said County

A true copy from the original order now remaining on file
W. J. Arthur Clerk

The State of Ohio } Supreme Court of the State of Ohio
City of Columbus } of the Term of December A.D. 1870.

Jeremiah W. Smith }
vs } Appeal reserved in the District
Madeline Anderson } Court of Union County

This cause came on to be heard upon the motion filed in the District Court to dismiss the appeal, and which motion was reserved from said Court for hearing in this Court, and was argued by counsel, on consideration whereof it is ordered and adjudged that the motion be and the same is hereby sustained and the said appeal dismissed

ordered that a special mandate be sent to the District Court of Union County to carry this judgment into execution.

ordered that a copy of this entry be certified to the Clerk of the District Court of Union County for entry &c

I, Rodney Foos, Clerk of the Supreme Court of Ohio, do hereby certify that the foregoing judgment is truly taken and correctly copied from the Journal of said Court

(2) Witness my hand and the seal of said Court this Fourth day of May A.D. 1871.- Rodney Foos Clerk

State of Ohio } Supreme Court of Ohio
City of Columbus }

To the honorable Court of Common Pleas within and for the County of Union, Ohio greeting

We do hereby command you, that you proceed, without delay, to carry the within and foregoing judgment of our Supreme Court of Ohio, in the case of Jeremiah W. Smith vs Madeline Anderson into execution, the writ of error herein and heretofore granted to the contrary notwithstanding

Witness Rodney Foos, Clerk of our said Supreme Court of Ohio, at Columbus, this Fourth day of May 1871

Rodney Foos Clerk

Clerks cost, $2.50 pd by S. B. Cole atty for Plff.

A true copy of original mandate in this case
H.S. Potter Clerk

The State of Ohio
City of Columbus
Geo. W. [illegible]
John S.
vs
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The State of Ohio) Supreme Court of the State of Ohio
City of Columbus) of the Term of December A.D. 1869

Geo. W. Cushman)
John H. Zeringer) Error reserved in the District
vs) Court of Union County
William P. Welsh)

This cause came on to be heard upon the Transcript of the record of the Court of Common Pleas of Union County and was argued by Counsel. on consideration whereof, and the Court being fully advised in the premises, do find that said Court of Common Pleas erred in overruling the motion to set aside the Judgment. It is therefore ordered and adjudged that the order overruling said Motion be and the same is hereby reversed. and it is further ordered that said motion be sustained, and that said Judgment be set aside, and cause remanded to Court of Common Pleas for further proceedings. ordered that a writ of procedendo issue to said Court of Common Pleas, commanding it to proceed to final Judgment between the parties according to law. ordered that a special mandate be sent to the Court of Common Pleas of Union County, to carry this Judgment and order into execution - ordered that a copy of this entry be certified to the Clerk of the District Court of Union County for entry &c.

I Rodney Foos, Clerk of the Supreme Court of Ohio do hereby certify that the foregoing Judgment is truly taken and correctly copied from the Journal of said Court. Witness my hand and the seal of said Court this Fifteenth day of May A.D. 1871

Rodney Foos Clerk

State of Ohio) Supreme Court of Ohio
City of Columbus) To the honorable Court of Common Pleas within and for the County of Union Ohio greeting. We do hereby command you that you proceed without delay to carry the within and foregoing Judgment of our Supreme Court of Ohio in the case of Geo. W. Cushman & John H. Zeringer vs. Wm. P. Welsh into execution the petition in error herein and heretofore granted to the contrary notwithstanding

over

Witness Rodney Goss. Clerk of our said Supreme Court of Ohio
at Columbus this Fifteenth day of May 1871
Rodney Goss. Clerk
Clerks Cost $5.00 Doc fee Pd by J. R. Coats Pf's Atty
A true copy of original mandate in this case
F. D. Arthur Clerk

And for
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Thursday August 10th 1871.

Journal of the District Court within and for the County of Union and State of Ohio, begun and held in the Court house in the Town of Marysville in said County this tenth day of August in the year of our Lord one thousand eight hundred and seventy one, Present, Honorable George W. McIlvain, one of the Judges of the Supreme Court of the State of Ohio, Honorable James McKenzie, Hon. E. M. Phelps, and the Honorable J. S. Conklin, Judges of the Court of Common Pleas within and for the third judicial district in said State of Ohio, Robert Sharp Sheriff and W. D. Arthur Clerk.

And thereupon the Court adjourned until tomorrow Morning 7½ oclock

Geo W. McIlvain
Chief Justice

Friday August 11th 1871

This morning the Court met at 7½ o'clock pursuant to adjournment the same Officers present as on yesterday

This day Robert L. Woodburn an applicant for admission to the Bar appeared in open court, and it being shown to the satisfaction of the Court that the said Robert L. Woodburn is a citizen of the United States and has resided in this State for the space of one year last past & that he is twenty one years of age & upon presentation of a Certificate of Examination he a Committee appointed by this Court, That he was possessed of sufficient qualification to practice as an Attorney and Counsellor at Law & Solicitor in Chancery in the several Courts of this State and that he has a good moral character, thereupon he the said Robert L. Woodburn being thereupon sworn to support the Constitution of the United States and of the State of Ohio & to demean himself faithfully as an Attorney & Counsellor at Law and Solicitor in Chancery

It is therefore Ordered that said Robert L. Woodburn be admitted to practice as an Attorney and Counsellor at Law and Solicitor in Chancery in this Court

District Court. Union County Aug^st 11.th 1871

Courts in the State of Ohio.

This day Joseph. M. Kennedy an applicant for admission to the Bar appeared in open Court. and it being shown to the satisfaction of the Court that the said Joseph M. Kennedy is a citizen of the United States and has resided in this State for the space of one year last past. that he is twenty one years of age. and upon presentation of a certificate of examination by a committe appointed by this Court. that he was possessed of sufficient qualification to practice as an Attorney and Counsellor at law and solicitor in chancery in the several Courts of this State and that he has a good moral character. and the said Joseph. M. Kennedy being thereupon sworn to support the constitution of the United States and of the State of Ohio and in all things to demean himself faithfully and honestly as an Attorney and Counsellor at law and Solicitor in Chancery— It is therefore ordered that said Joseph M. Kennedy be admitted to practice as an Attorney and Counsellor at law and solicitor in Chancery in the several Courts in the State of Ohio

And thereupon the Court adjourned until tomorrow morning 7 oclock

Geo W McBurney
Pres

District Court Union County August 12. 1871

This morning the Court met at 7 o'clock pursuant to adjournment the same officers present as on yesterday

James Martin
vs
Associate & United Presb. Church } Continued by consent

Josiah McAdams
vs
V. T. Hill Sr. } Continued by consent

Sophia Hemingway
vs
Joseph Johnson & Everett Messenger } This case is continued by consent and for want of time to try it.

John McNear
vs
Allen Latham dec'd } This day death of Allen Latham one of the defendants has been suggested and it is ordered that in days from the rising of this Court his personal and legal representatives be made parties defendants to this action and by consent of parties this cause is continued

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District Court Union County August 12. 1871

William M. Hamilton
vs
Elizabeth Tidle Dec'd
} Appeal

This day came the Plaintiffs and defendants and thereupon came a Jury to wit: George Wilber. A. L. Smith. Luther Turner. John McAllister. William Smith. Robert Hill. N. H. Burnham. Baldwin Johnston. Hiram Watts Regular Juros Joseph Powers. J. F. Bennett and Phillips. Snider tales juros - who being duly empannelled and sworn the Truth to speak and a true verdict give upon the issue at law: made by the Pleadings of the Parties in pursuance of the order of the ~~Parties~~ Court of Common Pleas of this County - which issue was brought into this Court by appeal, do on their oaths aforesaid say they, they find the paper writings produced in Court. copies of which are attached to the original Petition of Wm M. Hamilton in this Case. and the true and valid last will and testament and codicils thereto. of the said Wm Hamilton late of Union County Ohio Deceased
it is therefore considered ordered and adjudged by the Court that the defendants go hence without day and recover of the Plaintiffs their costs herein expended taxed to $

Thomas Yearsley
vs
Lewis Potee Dec'd
} Appeal.

This day this cause came on to be heard upon the motion of Plaintiffs to dismiss the appeal of said defendants Lewis Potee, and was argued by Counsel, and the

Court being fully advised in the premises do dismiss said appeal at the costs of the appellant it is therefore considered that the Plaintiffs recover of said defendant Lewis Potee the costs of this proceeding taxed to $—

This day William T. Buckner an applicant for admission to the Bar appeared in open Court and it being shown to the satisfaction of the Court that the said William T. Buckner is a citizen of the United States, and has resided in this State for the space of one year last past, that he is twenty one years of age and upon presentation of a certificate of examination from the Law College at Cleveland that he was possessed of sufficient qualification to practice as an Attorney and Counsellor at law and Solicitor in chancery in the several Courts of this State, and that he has a good moral character, and the said William T. Buckner being thereupon sworn to support the constitution of the United States and of the State of Ohio and in all things to demean himself faithfully and honestly as an Attorney and Counsellor at law and Solicitor in Chancery.
It is therefore ordered that said William T. Buckner be admitted to practice as an Attorney and Counsellor at law and Solicitor in chancery, in the several Courts in the State of Ohio

Thomas W. Powell Dec'd
vs
Edwin L. Edmondson
} Appeal
District Court Union Co. O.

This day came the Parties to this cause, and was submitted to the Court on the Pleadings and evidence and there being sufficient time

District Court Union County August 12. 1871

to consider the cause at the present term of this Court, by and with the consent of all of said Parties that this cause be held by the Court under advisement to be decided at Lima in Allen County Ohio during the term of the District Court to be held in said County on the 30th day of August 1871 and the Judgment of the Court by the agreement and consent of all of said Parties is to be entered as of this term

X Edwin L. Edmondson
vs
Thomas W. Powell et al } Appeal District Court

This day came the Parties to this Cause and was submitted to the Court on the Pleadings and evidence and there not being sufficient time to consider the Cause at the Present term of this Court, by and with the consent of all of said Parties that this cause be held by the Court under advisement to be decided at Lima in Allen County Ohio. during the term of the District Court to be held in said County on the 30th day of August 1871 and the Judgment of the Court by the agreement and consent of all of said Parties is to be entered as of this term.

√ Osmond Wells
vs
Robert Sharp } In Error

This day came the Parties and submitted this Cause to the Court. whereupon the Court being fully advised in the premises do find error in said Record and proceedings in said action in the Court of Common Pleas

it is therefore considered and adjudged by the Court here that for said Error the said judgment and proceedings in said Court refered to be and they are hereby reversed and vacated and said plaintiff in error be and he is hereby restored to all that he has lost by reason of said judgment and proceedings and it is further adjudged that the Plaintiff in error recover of defendant his costs herein expended taxed to $— and it is further ordered that a special mandate be sent to the Court of Common Pleas aforesaid to carry the judgment and order into effect and that this cause be remanded to said Court of Common Pleas for further proceeding. To which judgment of this Court defendant in error excepts

Peter Bland
vs
John S. Gill
} Appeal

The death of the plaintiff is suggested and leave is granted to his representatives personal and legal to file supplemental Petition and cause continued

George A. Foster
vs
Isaac Staley et al
} The Appeal dismissed

Wm H. Wilson
vs
Joshua B. Haines et al
} Appeal

This cause came come on to be heard on motion to dismiss Appeal. whereupon on motion leave is given to defendants to file amended or new bond in

District Court

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This Case recorded in Common Pleas record Book U. No 12. Page 405

District Court Union County August 12. 1871

30 days and in default thereof this cause is to stand discontinued

Aaron B. Mitchell & George Mitchell
vs
David A. Williams, George F. Bennett & Truman M. Kimball

District Court August 12. 1871

This day this cause came on to be heard, and thereupon the said Truman M. Kimball abandoned his defense; and the said David A. Williams and George F. Bennett being still in default, this cause was submitted to the Court by the plaintiffs upon the pleadings, exhibits and testimony, and the Court being fully advised in the premises do find the equity of the case with the plaintiffs, and that there is due to them from the defendants D. A. Williams and George F. Bennett on the Notes in their petition mentioned and set forth the sum of Eleven hundred seventy seven & 66/100 dollars ($1177.66) And the Court do further find that said sum is a vendors lien upon the premises in the petition described, and that plaintiffs have waived all penalty, it is therefore considered ordered and adjudged by the Court that the plaintiffs recover of the defendants D. A. Williams and George F. Bennett said sum of $1177.66 together with the costs taxed in the Court of Common Pleas in the sum of $- and in default of payment of said sum of $1177.66, and the said costs within ten days from the rising of this Court, it is ordered that an order of sale issue to the Sheriff of this County commanding him to proceed to appraise advertise and sell the lands and tenements in the petition mentioned as upon Execution at Law— it is further ordered and adjudged that the plaintiffs

This case recorded in Comm on Pleas record Book U. No 12. P. 405

District Court Union County August 12. 1871

recover of Truman. M. Kimball their cost in this Appeal expended taxed to $- and that a special mandate issue to the Court of Common Pleas of this County, commanding it to carry this judgment and decree into execution

X Lewis W. Green vs Wm M. Robinson Et al } Continued

X J. J. Murdock vs Edward Thomas } Continued

X Mary. B. Haines vs Joshua, S. Gill Et al } Continued

X Thomas. N. Paulk vs Andrew Smelser } Continued

X John. M. Hall vs W. W. Woods Et al } Continued

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District Court Union County August 12, 1871

X Wm H. Conkright Admr &c
vs
Mary R. Haines
} Continued

X Stanley E. Bellus
vs
Smith Bailey & al.
} Continued

And thereupon the Court adjourned without day

Geo B. Woodhouse
Presd Judge.

August Term 1871

The State of Ohio } District Court Allen Co. Ohio
Allen County ss }

Be it remembered that heretofore to wit, on the 31st day of August at the August Term thereof A.D. 1871. among other proceedings had by and before said Court. as appears by its Journal of that day were the following viz.

Edwin L. Edmondson }
vs } Petition
Thomas W. Powell Def't }

This cause was reserved by the District Court in and for Union County Ohio for argument and decission at the District Court in and for Allen County Ohio. the Court having heard the testimony at its sesion in said County of Union Ohio. And thereupon the Court having heard the arguments of Counsel and being fully advised in the premises doth find the Equity of the case to be with the plaintiff. and that the plaintiff is entitled to the relief he prays for in his Petition and the Court doth further find that the said defendant Thomas W. Powell did execute and deliver to said plaintiff the Note and Mortgage set up and alleged in his Petition and that the defendant on the 9th day of November A.D. 1867. paid to Henry Stanberry on the order of said plaintiff as and for fees the sum of Two hundred and fifty dollars and on the 5th day of December A.D. 1867 the further sum of two hundred and fifty dollars to said Henry Stanberry. and that on the 13th day of March A.D. 1869. he paid on the order of said plaintiff the further sum of one hundred and seventy two dollars as and for costs in the Supreme Court of the United States in the case of Edmondson Def't vs Alvin Bloomfield and others which payments

August Term 1871

should be allowed and endorsed as and for payments on the Note in said Petition mentioned and the Court doth further find that after deducting said payments aforesaid there is due the said Plaintiff on said Note on the first day of the present term of this Court the sum of thirty five hundred and twenty eight dollars and fifty two cents as alleged in said Petition. To which ruling and finding of the Court the defendant excepts. It is therefore ordered adjudged and decreed by the Court (all the other defendants but said Thomas. W. Powell having failed to answer or demurrer to said Petition and being in default) that the said plaintiff recover of the said defendant Thomas. W. Powell the said sum of thirty five hundred and twenty eight dollars and fifty two cents the amount so as afore said found due and in default of payment thereof within twenty days from this date that an order of sale issue by the Clerk of the Court of Common Pleas in and for Union County Ohio in pursuance of the Statute in such case made and provided directed to the Sheriff of Union County Ohio who is for that purpose hereby appointed Special Master Commissioner in Chancery commanding him to cause the said Real Estate in the Petition mentioned to be appraised advertised and sold in pursuance to law. which said Real estate is described as follows to wit. situate in Union County Ohio to wit. a lot of land in the Virginia Military survey No 4072. containing six hundred acres more or less known as the Bondurant lot and also all right in or benefit to be derived by said Thomas. W. Powell from any sale or contracts of sale of said lands or any part thereof. heretofore made by or for said Thomas W. Powell and that out of the proceeds of said sale the said Sheriff do first the Cost in this case to

August Term 1871

second the amount found due the plaintiff by this decree with interest thereon from the 30th day of August A.D. 1871 third- that the residue of said proceeds of such sale be pay over to the order of said Thomas, W. Powell - And thereupon the said defendant moved the Court for a new trial for reasons on file which said motion was argued by counsel on consideration whereof the Court doth overrule said Motion- to which ruling of said motion for a new trial the said defendant did except and presented to the said Court his bill of exceptions which was duly signed and sealed and ordered to be made a part of the record in this cause. thereupon it is further ordered and adjudged by the Court here that this said action and decree of the Court herein be certified by the clerk of this Court to the District Court of Union County to be there recorded and proceeded with according to law-

The State of Ohio }
Allen County ss }

I. R. Mehaffey clerk of the District Court within and for the County of Allen and State aforesaid do hereby certify the foregoing to be truly taken and correctly copied from the Journal of this Court

Witness my hand and the seal of said Court at Lima this 7th day of September A.D. 1871

Seal

R. Mehaffey clerk

August Term 1871

The State of Ohio } District Court Allen County Ohio
Allen County ss }

Be it remembered that heretofore to wit on the 31st day of August at the August Term thereof A.D. 1871 among other proceedings had by and before said Court as appears by its Journal of that day were the following viz.

Thomas W. Powell. Lillien Waddell
James A. Waddell. Wm H. Waddell
Wm D. Cook and Lucy Cook his wife } Petition
vs
Edwin L. Edmondson

This Cause was reserved by the District Court of Union County for argument and decission at the District Court at and for Allen County Ohio. the Court having heard the evidence at its session in said County of Union. And thereupon the Court having heard the arguments of counsel and being fully advised in the premises do find the Equity of the case to be with the defendant and that the said plaintiffs are not entitled to the relief they have prayed for in their said Petition and that said Petition should be dismissed. To which ruling and finding of the Court plaintiffs except

It is therefore ordered adjudged and decreed by the Court that the said Petition of the said plaintiffs be dismissed and that the said defendant go hence without day and recover of the plaintiffs his costs in this behalf expended taxed to $—

And that the Plaintiffs pay their own costs and in default thereof that execution issue therefor

And thereupon the plaintiffs move the Court for a new trial for reasons on file which said motion was argued by counsel on consideration whereof the Court do overrule said motion to which

August Term 1871

ruling of said motion for a new trial the said plaintiff did except and present to the said Court their bill of exceptions which was duly signed and sealed and ordered to be made a part of the record in this case. thereupon it is further ordered and adjudged by the Court that that this said action and decission of the Court herein be certified by the Clerk of this Court to the District Court of Union County to be there recorded and proceeded with according to law

The State of Ohio)
Allen County ss)

I, R. Mehaffey, Clerk of the District Court within and for the County of Allen and State aforesaid do hereby certify the above and foregoing to be truly taken and correctly copied from the Journal of this Court

Witness my hand and the seal of said Court at Lima this 7th day of September A.D. 1871.

R. Mehaffey Clerk

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Court Record for 1872

Times fixed for holding Courts in the Third Judicial District of the State of Ohio for the year 1872.

Be it remembered. That at a meeting of Judges of the Court of Common Pleas of the Third Common Pleas Judicial District of the State of Ohio. at the Court House in the Town of Lima County of Allen. Ohio, on the day of the date hereof. for the purpose of fixing the times of holding the terms of the Courts of Common Pleas and the District Courts in said District for the year 1872. we the undersigned. Judges of the Court of Common Pleas, within and for said District. do hereby fix the times of holding said Courts for the year 1872. in each and every County in said District as follows.—

Common Pleas Court

The several Terms of the Court of Common Pleas. in and for the several Counties of said District in and for said year. shall commence in the several Counties thereof as follows.—

In Union	County	January 29.	May 6.	September 23
In Hardin	County	February 12.	May 20.	October 14
In Logan	County	March 11.	June 17.	November 25
In Shelby.	County	February 26.	June 3.	November 4
In Auglaize	County	March 4.	May 27.	October 14
In Allen	County	February 12.	May. 6.	November 11
In Mercer	County	February 19.	April 29.	November 11
In Vanwert	County	January 16.	May 14.	October 29
In Putnam	County	January 29.	April 22.	October 14
In Paulding	County	February 20.	May 7.	October 8
In Defiance	County	February 13.	April 30.	September 24
In Henry	County	February 27.	May 14.	October 22
In Fulton	County	March. 5.	May 21.	November 5
In Williams	County	March 19.	June 4.	November 19
In Wood	County	January 23.	May 21.	October 15
In Marion	County	January 3	May 1.	September 24
In Seneca	County	March 4	June 10.	November 11

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Courts Continued- 1872

In	Hancock County	February 12.	May 13.	October 16th
In	Wyandot County	January 22.	April 29.	September 9th
In	Crawford County	February 26.	June 3.	November 4

District Court

The several terms of the District Court in and for the year 1872 shall commence in the several Counties thereof as follows-

In	Williams County	April 2.	In	Mercer County	September 9
In	Fulton County	April 3	In	Shelby County	September 4
In	Wood County	April 4	In	Logan County	August 29
In	Henry County	April 9	In	Marion County	April 17
In	Defiance County	April 10	In	Union County	August 27
In	Paulding County	April 11	In	Crawford County	April 15
In	Van Wert County	September 13	In	Wyandot County	April 12
In	Allen County	September 16	In	Hardin County	September 2
In	Putnam County	September 11	In	Hancock County	April 19
In	Auglaize County	September 6	In	Seneca County	April 22

And we do further order and direct that the several terms of said Courts shall commence on the first day of each of said terms at eight o'clock, A. M.

In testimony whereof we have this our order for the purpose aforesaid at said Court House on this the 16th day of September A.D. 1871

J. V. Conklin)
Chester K. Noll) Judges of
E. M. Phelps) said Courts
James MacKenzie)
James Pillars)

To the clerk of the Court of Common Pleas of Union County Ohio- who is hereby directed to publish this order for consecutive weeks in each of the several news-papers published in said County

A true copy of the original order now remaining on file

[illegible] Their Clerk

The State of Ohio City of Columbus

see Page 127

Mary. E. Welsh. Admrx. de bonis non &c. Error to the
vs District Court of
Andrew. F. Freeman Union County

Supreme Court of the State of Ohio. of the term of December. A. D. 1871

This cause came on to be heard upon the Transcript of the Record of the District Court of Union County and was argued by Counsel. on consideration whereof. it is ordered and adjudged by this Court. that the Judgment of the said District Court be and the same is hereby affirmed with costs -

Ordered. That a special mandate be sent to the Court of Common Pleas of Union County to carry this Judgment into execution - ordered that a copy of this entry be certified to the clerk of the District Court of Union County for entry &c -

D. Rodney Foos clerk of the supreme Court of Ohio do hereby certify that the foregoing Judgment is truly taken and correctly copied from the Journal of said Court

LS witness my hand and the seal of said Court this 21st day of August. A. D. 1872. Rodney Foos clerk -

State of Ohio City of Columbus Supreme Court of Ohio

To the Honorable Court of Common Pleas within and for the County of Union. Ohio. Greeting.

We do hereby command you that you proceed without delay To carry the within and foregoing Judgment of our supreme Court of Ohio in the Case of Mary. E. Welsh Admrx. de bonis non &c Pl'ff. vs Andrew. F. Freeman into execution. the petition in error herein and heretofore granted to the contrary notwithstanding - witness Rodney Foos clerk of our said supreme Court of Ohio. at Columbus. this 21st day of August 1872. Rodney Foos. clerk

clerks costs $7.00 pd by attys for Pltff in error

Tuesday August. 27. 1872

Journal of the District Court within and for the County of Union and State of Ohio begun and held in the Court House in the Town of Marysville in said County. this twenty seventh day of August in the year of our Lord one thousand eight hundred and seventy two. Present. Honorable James MacKenzie. Honorable. Abner. M. Jackson and Honorable P. B. Cole Judges of the Court of Common Pleas within and for the third Judicial District in said State of Ohio. Robert Sharp Sheriff and H. S. Arthur clerk -

This day Walstine D. Pudney an applicant for admission to the Bar appeared in open Court and it being shown to the satisfaction of the Court that the said Walstine D. Pudney is a citizen of the United States and has resided in this State for the space of one year last past. that he is twenty one years of age. and upon presentation of a certificate of examination by a committe appointed by this court. that he was possessed of sufficient Qualification to practice as an Attorney and counseller at law and solicitor in chancery in the several Courts of this State. and that he has a good moral character; and the said Walstine D. Pudney being thereupon sworn to support the constitution of the United States and of the State of Ohio and in all things to demean himself faithfully and honestly as an attorney and Counseller at law and solicitor in chancery - It is therefore ordered that said Walstine D. Pudney be admitted to practice as an Attorney and Counseller at law and solicitor in chancery in the several Courts in the State of Ohio

And thereupon the Court adjourned until 8 oclock tomorrow Morning

Wednesday August 28th 1872

This Morning the Court met at 8 oclock pursuant to adjournment the same Officers present as on yesterday- also the Honorable James. Pillars- Present-

Hyglas Sabine
vs
Isaac Gray } Petition in error

The said Parties appeared by their attorneys and this cause was heard upon the Petition in error of the said Plaintiff in error, Isaac Gray, together with the Transcript of the Record of the Court of Common Pleas of Union County Ohio mentioned and referred to in and attached to said Petition in error- upon consideration whereof it is ordered that the said Judgment of said Court of Common Pleas mentioned and referred to in said Petition in error and said Transcript be and it hereby is affirmed: That the said Plaintiff in error pay the costs in this case to be taxed- and in default thereof that an execution issue therefor- And that a special mandate in this case be sent to said Court of Common Pleas to carry the above Judgment and order into execution
To all of which Plaintiff in error excepts

Emma. F. Knight
vs
James A. Wall } Petition in error

The said Parties appeared by their attorneys and this cause was heard upon the Petition in error of the said Plaintiff in error James A. Wall together with the Transcript of the Record of the Court of Common Pleas of Union County Ohio mentioned

Wednesday August 28. 1872

and referred to in and attached to said Petition in error-
upon consideration whereof it is ordered that the said
Judgment of said Court of Common Pleas mentioned and
refered to in said Petition in error and said Transcript
be and it hereby is affirmed- That the said Plaintiff in
error pay the costs in this case to be taxed - and in
default thereof that an execution issue therefor -
and that a special mandate in this case be sent to
said Court of Common Pleas to carry the above
Judgment and order into execution

John Bland Admr &c
vs
Wm Walk & B. F. Harris } Petition in error-

The said Parties appeared by
their Attorneys, and this cause was heard upon the
Petition in error of the said Plaintiff in error Wm
Walk and B. F. Harris together with the Transcript
of the Record of the Court of Common Pleas of Union
County Ohio, mentioned and referred to in and
attached to said Petition in error-
upon consideration whereof it is ordered that the said
Judgment of said Court of Common Pleas men
tioned and referred to in said Petition in error.
and said Transcript be and it hereby is affirmed
That the said Plaintiff in error pay the costs in
this case to be taxed- and in default thereof that
an execution issue therefor-
and that a special mandate in this case be
sent to said Court of Common Pleas to carry
the above Judgment and order into
execution

Wednesday August 28. 1872

This day Theodrick S. Cheney an applicant for admission to the Bar appeared in open Court. and it being shown to the satisfaction of the Court that the said Theodrick S. Cheney is a citizen of the United States and has resided in this State for the space of one year last past; that he is twenty one years of age. and upon presentation of a certificate of examination by a committe appointed by this Court that he was possessed of sufficient qualification to practice as an Attorney and counselor at law and solicitor in chancery in the several Courts in this State and that he has a good moral character. And the said Theodrick S. Cheney being thereupon sworn to support the Constitution of the United States and of the State of Ohio and in all things to demean himself faithfully and honestly as an Attorney and Counselor at law and solicitor in Chancery It is therefore ordered that said Theodrick S. cheney be admitted to practice as an Attorney and Counselor at law and solicitor in Chancery in the Several Courts in the State of Ohio

Thomas. N. Paulk
vs
Andrew Smelser } Petition in error

This day came the said Parties by their Attorneys and thereupon this action came on to be heard upon the Petition in error of said Thomas. N. Paulk Plaintiff in error together with the Transcript of the Record of the Court of Common Pleas of Union County Ohio mentioned and refered to in said Petition in error which Transcript together with the original pleadings and papers in this action are attached to said Petition in error

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Wednesday August 28. 1872

And was argued by counsel and submitted to the Court: on consideration whereof it is ordered and adjudged by this Court that the judgment of the said Court of Common Pleas be and the same is hereby reversed with costs- and that the said Plaintiff in error be restored in all things which he has lost by reason of the said judgment- and it is further ordered that the said Court of Common Pleas do proceed without delay to final judgment between the said Parties according to law-
And it is further ordered that a special mandate be sent to said Court of Common Pleas to carry this judgment into execution-
To all of which defendant in error by his counsel excepts-

Sophia Heminway
vs
Everett Messenger & others. } Petition in error-

Seal Dated 11th Oct. 1872

The said Parties appeared by their Attorneys. and this cause was heard upon the Petition in error of the said Plaintiff in error Sophia Heminway together with the Transcript of the Record of the Court of Common Pleas of Union County Ohio mentioned and referred to in and attached to said Petition in error. upon consideration whereof it is ordered that the said judgment of said Court of Common Pleas mentioned and referred to in said Petition in error and said Transcript be and it hereby is affirmed-
That the said Plaintiff in error pay the costs in this case to be taxed- and in default thereof that an execution issue therefor- and that a special mandate in this case be sent to said Court of Common Pleas to carry the above judgment and order into execution

Wednesday August 28. 1872

John McSpear vs Allen Latham Et al. } Appeal Civil action

The said Parties appeared by their Attorneys. and for good cause shown it is ordered that the said Plaintiff have leave to amend his Petition herein by making new and additional party defendants hereto by the 1st day of November 1872. and that on failure to so amend his Petition this cause be dismissed.
whereupon it is further ordered that this cause be and hereby is continued to the next Term of this Court—

In the matter of Allowance to Sheriff
On motion and being advised in the Premises it is ordered that the sum of Eighteen Dollars ($18.00) be and it hereby is allowed to Robert Sharp for charges and expenses incurred by him as Sheriff of Union County Ohio for the uses and purposes of the present August Term 1872 of the District Court of said County—
And that the Auditor of said County draw his warrant on the Treasurer of said County for said sum. and in favor of said Sheriff accordingly

This day B. A. Beard an applicant for admission to the Bar. appeared in open Court and it being shown to the satisfaction of the Court that the said B. A. Beard is a citizen of the United States and has resided in this State for the space of one year last past: that he is twenty one years of age and upon a presentation of a certificate of examination by a committee appointed by this Court

Wednesday August 28, 1872

that he was possessed of sufficient qualification to practice as an Attorney and counselor at law and solicitor in chancery in the several Courts in this State, and that he has a good moral character, and the said B. A. Beard being thereupon sworn to support the constitution of the United States and of the State of Ohio and in all things to demean himself faithfully and honestly as an Attorney and counselor at law and solicitor in chancery-

It is therefore ordered that said B. A. Beard be admitted to practice as an Attorney and counselor at law and solicitor in chancery in the several Courts in the State of Ohio

Stanley E. Bellus
vs
Smith Bailey Et al. } Petition in Error-

The said Parties appeared by their Attorneys, and this cause was heard upon the Petition in error of the said Plaintiff in error Stanley Bellus together with the original Papers and Pleadings and an authenticated Transcript of the orders and final Judgment of the Court of Common Pleas of Union County Ohio, mentioned and referred to in and filed with said Petition in error.
Upon consideration whereof it is ordered that the Judgment of said Court of Common Pleas be and it hereby is affirmed - that said Plaintiff in error pay the costs in this case to be taxed, and in default thereof that an execution issue therefor
and that a special mandate in this case be sent to said Court of Common Pleas to carry the foregoing order and Judgment into execution

Wednesday August 28, 1872

Sophia Hemmway
against
Joseph Johnson and Everett Messenger } Petition in error

This case involving difficult and important questions of law it is thereupon, upon the motion of Plaintiff, reserved to the Supreme Court by this Court. Judge Cole being of Counsel not Sit in the above case.

Alfred V. Morse
vs
George W. Parthemore } Appeal. Continued

John Adams
vs
Incorporated Village Richwood } Error Continued

John Adams
vs
Incorporated Village Richwood } Error Continued

Truman M. Kimball
vs
David A. Williams Et al. } Appeal Continued

John M. Hall
vs
W. W. Woods Et al. } Appeal Continued

Josiah McAdams
vs
V. T. Hill } Appeal Continued

Wednesday August 28th 1872

J. J. Moreloak
vs
Edward Thomas } Error Continued

Mary R. Haynes
vs
Joshua S. Gill Et al. } Appeal Continued

David Watson
vs
Charles Erb Et al. } Appeal Continued

Elizabeth Lane
vs
James D. Thomas & others } Motion for Mandamus Dismissed by Plaintiff-

Lewis W. Green
vs
William M. Robinson Et al. } Petition in error

The said Parties appeared by their Attorneys: and this cause was heard upon the Petition in error of the said Plaintiff in error Lewis W. Green together with the Transcript of the Record of the Court of Common Pleas of Union County Ohio. mentioned and referred to in. and attached to said Petition in error. upon consideration whereof it is ordered. that the said judgment of said Court of Common Pleas in said civil action mentioned in said Petition in error and said Transcript in favor of the said defendants in error. and against the said Plaintiff in error be

Wednesday August 28, 1872

and it hereby is, reversed set aside and vacated.
That the said verdict of the said Jury in said civil action
be and it hereby is, set aside, and a new trial granted
in said action: That said civil action be and it hereby
is remanded to said Court of Common Pleas to be
proceeded in according to law and the rights of the
said Parties: That the said defendants in error William
M. Robinson, Samuel Robinson and Charles Rathbun
pay the costs in this proceeding to be taxed and that in
default thereof an execution issue therefor.
and that a special mandate be sent to said Court of
Common Pleas, to carry the foregoing orders and judgment
into execution: Judge Cole being of counsel did not set in this case.

Peter Bland
vs
John D. Gill } settled

And thereupon the Court adjourned without day

P. B. Cole Pres. Judge

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Pat. Judge

Court Record for 1873

Times fixed for holding Courts in the Third Judicial District of the State of Ohio. for the year 1873.

Be it remembered. That at a meeting of Judges of the Court of Common Pleas, of the Third common Pleas Judicial District of the State of Ohio at the Court House in the Town of Lima County of Allen State of Ohio, on the day of the date hereof, for the purpose of fixing the times of holding the Terms of the Courts of Common Pleas and the District Courts in said District, for the year 1873. we the undersigned Judges of the Court of Common Pleas within and for said District, do hereby fix the times of holding said Courts for the year 1873 in each and every County in said District - as follows.

Common Pleas Court

The several terms of the Court of Common Pleas in and for the several Counties of said District, in and for said year shall commence in the several Counties thereof as follows -

In Union	County	February 3.	May 5:	October 19.
In Hardin	County	February 25:	May 20.	November 3.
In Logan	County	March 18.	June 3.	November 24
In Shelby.	County	January 14.	April 15:	September 29.
In Auglaize	County	March 3.	May 26.	October 15:
In Allen	County	February 24.	May 26.	October 20
In Mercer	County	February 17.	April 28.	November 10
In Vanwert	County	January 14.	May 13.	October 28
In Putnam	County	February 3.	May 12.	September 29
In Paulding	County	February 4	June 3.	September 23
In Defiance	County	January 20	April 28.	September 29
In Henry	County	February 10.	May 5:	October 6
In Fulton	County	February 25:	May 13.	October 21
In Williams	County	March 11	May 20.	November 4
In Wood	County	January 6.	May 5:	September 2
In Marion	County	January 27.	May 26.	September 22
In Seneca	County	March 3.	June 9.	November 3
In Hancock	County	February 3	May 26.	October 6
In Wyandot	County	January 6.	May 12.	September 1
In Crawford	County	February 17.	June 9.	October 27

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In Defiance [illegible]
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In Vanwert [illegible]
In Allen [illegible]
In Putnam [illegible]
In Auglaize [illegible]

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Courts Continued - 1873

District Court

The several Terms of the District Court, in and for the year 1873 shall commence in the several Counties thereof as follows:

In	Williams	County	April 14	In Mercer County	September 9
In	Fulton	County	April 12.	In Shelby County	September 3
In	Wood	County	April 5:	In Logan County	August 28
In	Henry	County	April 11.	In Marion County	March 25
In	Defiance	County	April 8.	In Union County	August 25
In	Paulding	County	April 10.	In Crawford County	March 27
In	Vanwert	County	September 15.	In Wyandot County	March 29
In	Allen	County	September 17.	In Hardin County	September 1
In	Putnam	County	September 11.	In Hancock County	April 1
In	Auglaize	County	September 5.	In Seneca County	April 3

And we do further order and direct that the several terms of said Courts shall commence on the first day of each of said terms at eight o'clock, A. M.

In testimony whereof, we issue this, our order, for the purpose aforesaid, at said Court House, on this the 16th day of September A. D. 1872

James Pillars
James Mackenzie
E. M. Phelps
Philander B. Cole
Abner M. Jackson
} Judges of said Courts

To the Clerk of the Court of Common Pleas of Union County Ohio- who is hereby directed to publish this order for four consecutive weeks in each of the several newspapers published in said County

A true copy from the original order now remaining on file

Francis L. Arthur clerk

Monday August 25: 1873

Journal of the District Court within and for the County of Union and State of Ohio met in the Court House in the town of Marysville in said County this twenty fifth day of August in the year of our Lord one thousand eight hundred and seventy three Present Hon.. James Mackenzie and Hon.. P. B. Cole Judges of the Court of Common Pleas within and for the third judicial district in said State of Ohio- John C. Nice Sheriff and R. J. Arthur Clerk-
There not being Judges enough to form a Quorum. the Sheriff thereupon adjourned Court until tomorrow 11 oclock- A.M.

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Tuesday August 26. 1873

This day the Court met at 11 oclock pursuant to adjournment. Present. Hon. William White one of the Judges of the Supreme Court of the State of Ohio. Hon. James MacKenzie and Hon. P. B. Cole Judges of the Court of Common Pleas. John C. Price Sheriff and F. T. Arthur clerk.

Wm H. Conkrigh Admr
vs
Mary R. Haynes
} Error. Continued

John Adams
vs
Incorporated Village Richwood
} Continued

Samuel Taylor Admr
vs
James T. Mehaffey Admr
} Continued.

Mary R. Haynes
vs
Joshua L. Gill Admr
} Continued, with leave to plaintiff to file amended reply in thirty days.

And thereupon the Court adjourned until 8 oclock tomorrow Morning

Wednesday August 27. 1873

This morning the Court met at 8 oclock pursuant to adjournment the same officers present as on Yesterday

Nancy Watson for herself and as next friend of David Watson aged 18 years. William Watson aged 16 Years Cornelia Watson aged 13 years and Margaret Watson. Isabel Watson and Samuel Watson
against
The Cleveland. Columbus. Cincinnati and Indianapolis Railway Company

This cause came on to be heard upon the petition in error and Transcript and original papers in the case And was argued by counsel. on consideration whereof the Court doth find that there is no error in the record. proceedings and judgment of the Court of Common Pleas in said case- and that said judgment ought to be affirmed Whereupon it is considered by the Court that the said judgment of the Court of Common Pleas be and the same is hereby affirmed. and that the defendant recover of the said Nancy Watson Margaret Watson. Isabel Watson and Samuel Watson the costs of this proceeding in error herein taxed to $-

Alfred V. Morse
vs
George W. Parthemore

This day came the parties and submitted this cause to the Court upon the pleadings and evidence. whereupon the Court being fully advised in the premises do find

Wednesday August 27- 1873

for the defendant- whereupon it is considered ordered and adjudged by the Court that this petition be and the same is dismiped and that the defendant recover of plaintiff his costs herein expended taxed to $ in ten days and in default thereof that execution ipue therefor as upon judgments at law-

James Martin ex-te
vs
The United Presbyterian Church and the Associated Presbyterian Church.

This day came on this cause to be heard on the pleadings and testimony submitted by the parties- whereupon the Court being fully advised in the premises do find for the United Presbyterian Church on the ipues joined between it and the Associated Presbyterian Church- It is therefore considered and adjudged by the Court that the legacy mentioned in said petition be confirmed to said United Presbyterian Church- and that the said Associated Presbyterian Church pay the costs herein taxed to $ in ten days and in default thereof that execution ipue therefor-
This entry is ordered to be made as of the last term at which time this cause was heard and decided as above and the entry omitted to be made

Levi E. Hager
vs
James Gump

and now come the said parties by their attorneys- and thereupon this action came on to be heard upon the petition of the said Levi E. Hager and the answer of the said

Wednesday August 27, 1873

James Plumb and was argued by counsel on consideration whereof it is ordered and adjudged by this Court that the Judgment of the said Court of Common Pleas be and the same is hereby affirmed with costs. And it is further ordered that a special mandate be sent to the said Court of Common Pleas to carry this Judgment into execution. To the ruling and Judgment of the Court in the above case plaintiff in error excepts

James Megahey
vs
Jacob C. Sidle Et. al. } Continued

Eliza M. Trowman by &c
vs
Mary R. Neal Et. al. } Continued.

John M. Hall
vs
W. W. Woods Et. al. } Continued

Mathew Lingrel and
Martha Lingrel
vs
Elisha Hardy and John C. Price } Pending in the District Court of Union County Ohio
Appeal

By request of parties this action is dismissed each party to pay one half of the costs. the papers in the case to be withdrawn from the files and no record to be made. and it is further agreed that the plaintiffs are to make their motion in the Court of Common Pleas of Medina County Ohio where the Judgment of Elisha Hardy vs M. Lingrel Et. al.,

Wednesday August 27. 1873.

was rendered, to open up said judgment before the first sepion of said Court in Medina County and all parties are to abide the ipue in said Medina Common Pleas. but no rights of second trials. petitions in error or any other legal remedy the parties by law are entitled to have are affected by this agreement. and no execution is to ipue in this case until its final hearing —

Josiah McAdams
vs
V. T. Hill

This day came the parties and submitted this cause to the Court upon the pleadings and evidence and was argued by Counsel. whereupon the Court being fully advised in the premises do find for the defendants. whereupon it is considered ordered and adjudged by the Court that the petition in this case be and the same is dismissed and the injunction dipolved, and that the defendant Randall recover of plaintiff his costs herein expended taxed to $ in ten days and in default thereof that execution ipue therefor as upon judgments at law, and that the said Randall be restored to all things he has lost by reason of the obtaining of said injunction and be permitted to proceed with his execution. the question not acted upon as to the chattle mortgage & contractual claims between McBennett & Wm Randall no decision rendered in these cases

J. J. Morelock
vs
Edward Thomas

This day came the parties and submitted this cause to the Court upon the original papers and petition in error and was argued by counsel for plaintiff and defendant, whereupon the

Wednesday August 27 1873

Court being fully advised in the premises do find for the plaintiff in error J. F. Morelock. whereupon it is considered ordered and adjudged by the Court that the Judgment of the Court of Common Pleas be reversed, and that Court proceeding to render the Judgment that said Common Pleas Court ought to have rendered - reverse the Judgment of the Justice of the Peace as to the Costs made before the filing of the amended bill of particulars - and affirm it in all other respects -

David Watson
vs
Charles Erb and A. F. Wilkins

On motion to the Court by the defendant Charles Erb and on good cause shown, it is ordered that the said David Watson execute to the said defendant an additional injunction undertaking with sufficient sureties in this cause, in the sum of one thousand dollars within twenty days from the rising of this Court and in default thereof the injunction heretofore granted in this case be and the same is ordered to stand dissolved, and thereupon this cause is continued to the next term of this Court -

John McNear
vs
Allen Latham Et. al. } Continued

Truman M. Kimball
vs
David A. Williams Et. al. } Continued

All Matters & Causes not
otherwise disposed of are hereby
continued

Whereupon the Court adjourned
without day

P B Cole pro Judge

Court record for 1874

Times fixed for holding Courts in the Third Judicial District of the State of Ohio, for the year 1873.

Be it remembered, That at a meeting of Judges of the Court of Common Pleas, of the Third Common Pleas Judicial District of the State of Ohio, at the Court House in the Town of County of Ohio, on the day of the date hereof, for the purpose of fixing the times of holding the terms of the Courts of Common Pleas and the District Courts in said District, for the year 1874, We the undersigned, Judges of the Court of Common Pleas, within and for said District do hereby fix the times of holding said Courts for the year 1874, in each and every County in said District as follows—

Common Pleas Court

The several terms of the Court of Common Pleas, in and for the several Counties of said District, in and for said year, shall commence in the several Counties thereof as follows—

In Union	County	February 2.	May 18.	October 15
In Hardin	County	February 24.	June 2.	November 3
In Logan	County	April 7	June 16	November 24.
In Shelby	County	January 13	May 5	September 23
In Auglaize	County	March 2.	May 23	October 13
In Allen	County	February 16	May 11.	October 19
In Mercer	County	February 16	April 27	November 9
In Van Wert	County	January 12	May 10	October 26
In Putnam	County	January 26,	April 20	September 6
In Paulding	County	February 3	June 2	September 22
In Defiance	County	January 19	April 27	September 28
In Henry	County	February 9.	May 4	October 5
In Fulton	County	February 24	May 12	October 20
In Williams	County	March 10	May 19	November 3
In Wood	County	January 6	May 5	September 1
In Marion	County	February 17	June 9	November 3
In Seneca	County	February 16	June 4	November 2
In Hancock	County	January 26	May 18	October 5
In Wyandot	County	February 2	May 26	October 5
In Crawford	County	January 5	May 4	September 1

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Courts Continued- 1874

District Court-

The several terms of the District Court in and for the year 1874 shall commence in the several Counties thereof as follows-

In Williams	County	March 24	In Mercer	County	March 27
In Fulton	County	March 25	In Shelby	County	March 25
In Wood	County	March 26	In Logan	County	March 19
In Henry	County	March 30	In Marion	County	April 7
In Defiance	County	March 31	In Union	County	March 17
In Paulding	County	April 1	In Crawford	County	April 4
In Van Wert	County	April 2	In Wyandot	County	April
In Allen	County	April 3	In Hardin	County	March 23
In Putnam	County	March 30	In Hancock	County	April 10
In Auglaize	County	March 26.	In Seneca	County	April 13

And we do further order and direct that the several terms of said Courts shall commence on the first day of each of said terms at eight o'clock A.M.

In testimony whereof, we ipsue this, our order, for the purpose aforesaid, at said Court House, on this the day of A.D. 1873

James Pillars
Abner M. Jackson
Philander B. Cole
James Mackenzie
Edward M. Phelps
} Judges of said Courts

To the Clerk of the Court of Common Pleas of Union County Ohio, who is hereby directed to publish this order for 4 consecutive weeks in each of the several newspapers published in said County

A true copy from the original order now remaining on file in my office

H. T. Arthur Clerk

The State of Ohio } Supreme Court of the State of
City of Columbus } Ohio of the term of December A.D. 1873.
Sophia Hemminway } Error to the District
vs } Court of Union County
Ira C. Johnson and others }

This cause came on to be heard upon the Transcript of the Record of the District Court of Union County and was argued by counsel on consideration whereof it is ordered and adjudged by this Court that the judgment of the said District Court be and the same is hereby reversed for error in adjudging said Hemminway to be estopped from claiming the priority to which the lien of her said judgment would otherwise entitled her and cause remanded for further proceedings -

Ordered that a writ of procedendo issue to said District Court commanding it to proceed to final judgment between said parties according to law.

Ordered, that a special mandate be sent to the District Court of Union County, to carry this judgment and order into execution -

I Rodney Foos clerk of the Supreme Court of Ohio, do hereby certify that the foregoing entry is truly taken and correctly copied from the journal of said Court.

Witness my hand and the seal of said Court, this 5th day of March A.D. 1874.

Rodney Foos clerk
By Orange S. Frazer Deputy

State of Ohio } Supreme Court of Ohio
City of Columbus }

To the Honorable District Court within and for the County of Union Ohio- greeting - We do hereby command you, that you proceed, without delay to carry the within and foregoing judgment of our Supreme Court of Ohio in the case of

Sophia Hemminway
vs
Wm S. Johnson and others -

into execution, the Petition in error herein and heretofore granted, to the contrary notwithstanding -

Witness Rodney Foos. clerk of our said Supreme Court of Ohio, at Columbus this 5th day of March 1874 -

Rodney Foos. clerk
By Orange D. Frazer. Deputy

Clerks cost $7.50 Doc. fees paid by Pltff's Attr
Printing Record 14.00 Pd by P. B. Cole
Total = $21.50

Tuesday March 17. 1874

Journal of the District Court within and for the County of Union and State of Ohio, begun and held in the Court House in the town of Marysville in said County, this seventeenth day of March in the year of our Lord one thousand eight hundred and seventy four. Present. Honorable Abner M. Jackson. Hon.. E. M. Phelps. Hon.. James MacKenzie and Hon.. P. B. Cole. Judges of the Court of Common Pleas, within and for the third Judicial District in said State of Ohio. John L. Price Sheriff and H. I. Arthur clerk

William Richter
vs
George A. Fox

This cause came on to be heard upon the motion of plaintiff to strike out a part of amended answer, and was argued by Counsel. on consideration whereof the Court sustains said motion at the costs of defendant. and cause continued

This day James T. ADonnell an applicant for admission to the bar appeared in open Court, and it being shown to the satisfaction of the Court that the said James T. ADonnell is a citizen of the United States and has resided in this State for the space of one year last past; that he is twenty one years of age. and upon presentation of a certificate of examination by a committee appointed

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by this Court, that he was possessed of sufficient Qualification to practice as an Attorney and Counsellor at law and Solicitor in Chancery in the several courts in this State, and that he has a good moral character, and the said James T. ODonnell being thereupon sworn to support the constitution of the United States and of the State of Ohio and in all things to demean himself faithfully and honestly as an Attorney and Counsellor at law, and Solicitor in Chancery. It is therefore ordered that said James T. ODonnell be admitted to practice as an Attorney and counsellor at law and Solicitor in chancery in the several Courts in the State of Ohio.

And thereupon the Court adjourned until 8 o clock tomorrow Morning

P Bebb pro Judge

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Wednesday March 18, 1874

This Morning the Court met at 8 oclock pursuant to adjournment- the same Officers present as on Yesterday -

James T. Megahey
vs
Jacob C. Sidle and others } Continued on motion and showing of plaintiff -

And thereupon the Court adjourned until 8 oclock tomorrow Morning

P B Cobb Jr. Pres.

Thursday March 19. 1874

This Morning the Court met at 8 oclock pursuant to adjournment the same officers present as on yesterday

John Adams
vs
The Incorporated Village of Richwood
} No 946 In error

This day came the parties by their attorneys, and thereupon this cause came on to be heard upon the petition of the said John Adams, The Transcript of the Court of Common Pleas, as well the Transcript of the Mayor of Richwood and was argued by counsel, and the Court being fully advised in the premises, it appears to the Court that there is no error either in the record and proceedings aforesaid before the said Mayor or in the Court of Common Pleas-
on consideration whereof it is ordered and adjudged by this Court that said judgment of the Court of Common Pleas, as well as the judgment of the Mayor of Richwood, be and the same is hereby affirmed with costs.
And it is further ordered that a special Mandate be sent to the said Court of Common Pleas to carry this judgment into execution
as if these proceedings in error had not been taken

Judge Cole being of Counsel did not sit in the case

John Adams
vs
The Incorporated Village of Richwood
} No 934 In error-

And now come the parties by their attorneys, and thereupon this action came on to be heard upon the petition

Thursday March 19, 1874

of John Adams, the Transcript as well of the Court of Common Pleas, as of the Mayor of the Village of Richwood, and was argued by Counsel, and the Court being fully advised in the premises, it appears to the Court here that there is no error either in the transcripts, judgments or proceedings aforesaid.
On consideration whereof it is ordered and adjudged by this Court that the said Judgment of the Court of Common Pleas be and the same is hereby affirmed with costs
and it is further ordered that a special mandate be sent to the said Court of Common Pleas to carry this Judgment into Execution

Judge Cole being of Counsel did not sit in this Case.

Robert Graham
vs
William Richter and
William Bancroft } Injunction

This day came on this cause to be heard on the motion of the defendants to dissolve the injunction hereinbefore granted,
Whereupon the Court being fully advised in the premises on argument of Counsel of the parties do overrule said motion
Thereupon the defendants not desiring to plead answer or demur to said petition this cause was submitted to the Court, whereupon the Court do order and adjudge that said injunction herein before granted, be and the same is hereby made perpetual, and that defendants pay the costs herein expended in ten days, and in default thereof that execution therefor issue as upon Judgments at Law. To which ruling of the

Thursday March 19. 1874.

Court in overruling said motion to dissolve said injunction as well as to said decree for perpetual injunction defendants excepts and ask the Court to allow of their exception, and make the same a part of the record of this case, which is done accordingly.

Mary R. Haynes
vs
Joshua S. Gill and others } Dower

This day on motion of plaintiff, leave is granted to refile her amended reply hereinbefore filed out of rule, to which ruling of the Court granting such leave, defendant excepts and thereupon plaintiff refiled her said amended reply this 17th of March, 1874.

Wm H Conkright
Administrator &c
vs
Mary R. Haynes } error

This day came on this cause to be heard, whereupon the Court being fully advised in the premises do find for defendant in error, and that there is no error in said record.

It is therefore considered ordered and adjudged by the Court, that said judgment of the Court of Common Pleas be and the same is hereby affirmed, and it is considered ordered and adjudged that the defendant in error recover of the plaintiff in error her costs herein expended taxed to $
and this cause is remanded to the Court of Common Pleas of this County to be carried into effect

Thursday March 19, 1874,

Mary R. Haynes
vs
Joshua S. Gill and others
} Dower

This day came the parties and submitted this cause to the Court upon the pleadings and evidence and the arguments of counsel, whereupon the Court being fully advised in the premises do find that on the 15th of May 1868, one Wm Fisher duly made and delivered to said J. B. W. Haynes now deceased, then the Husband of the plaintiff a deed for said premises Lots Nos 75 & 76, mentioned in the plaintiffs petition, which said deed was accepted by said Haynes, and that by virtue of said deed a legal estate was vested in said J. B. W. Haynes, and the Court do further find that said deed did not operate as a trust in the hands of said J. B. W. Haynes for the benefit of the defendant Joshua S. Gill at that time so far as to affect the plaintiffs right of dower therein. That the Court make no further findings upon any issues joined between the parties Therefore it is considered ordered and adjudged by the Court that the plaintiff be endowed of one full third part of all the premises in said petition described and that a writ of dower issue to the Sheriff of this County, commanding him by the oaths of Morris Hill, W. W. Pile and T. P. Beatty three disinterested freeholders of the vicinity of said premises not of kin to either party they set off to plaintiff the full third of said premises as her dower therein and if the same cannot be done by metes

Thursday March 19, 1874.

and bounds. that they make a valuation of the annual rents of said premises over and above the necessary annual repairs and the taxes- but said Morris Hill, W. W. Kile and T. P. Watty are in making said assignment of dower or valuation of said rent to exclude all improvements made on said premises since the death of said J. B. W. Haynes and this cause is remanded to the Court of Common Pleas of this County to be carried into effect.
To which findings and order and judgment the defendants excepts—

And thereupon the Court adjourned until 8 o'clock tomorrow Morning.

P. B. Cole pro. Judge

Friday March 20. 1874.

This Morning the Court met at 8 oclock pursuant to adjournment the same Officers present as on yesterday

Mary R. Haynes
vs
Joshua S. Gill and others } This day, March 17th 1874

this cause came on to be heard upon the motion of the defendant Joshua S. Gill to Quash the appeal herein and strike the same from the Docket, for the reason that by the issues herein, the same is a proper cause for second trial and not Appeal.
which motion is overruled, and the defendant Gill excepts to the overruling of said motion.

Elijah Witter
vs
Joseph K. Richey and others
Commissioners of Union County Ohio
and F. J. Dager engineer, } Civil action

This day came the parties and their attorneys, by consent and agreement of all parties and their attorneys in open Court. this cause is submitted to the Court to be heard upon the plaintiffs petition, and the record of the action of said commissioners, engineer and viewers, a copy of which is referred to in and attached to said petition, together with the answer of the defendants; no testimony other than said copy of said record being offered by either of said parties and the cause was thereupon argued by counsel, on consideration whereof the Court do find that no error has been committed by the said County Commissioners, or by the County Auditor or by the

Certified copy of this entry made for Defendants to March 25th 1874 Fee $1.00

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Friday March 20th 1874.

engineer or surveyor, or by any other person or persons in the proceedings to lay out and construct the road in the petition mentioned, affecting the rights of plaintiff and that there is no error, informality or defect appearing in the record of such proceedings, whereby the rights of plaintiff in this action are affected and thereupon it is ordered by the Court that the injunction heretofore granted in this case be and the same is hereby dissolved, and that the petition of the plaintiff, stand dismissed with costs, and that the plaintiff pay the costs of this cause to be taxed within 30 days, and in default thereof that execution issue for the same- Whereupon the plaintiff excepted to said respective findings, decisions, orders and decrees of the Court-

Truman M. Kimball

vs

David A. Williams, Lucy A. Williams his wife, George F. Bennett and Orpha A. Bennett his wife, P. B. Cole, Assignee in Bankruptcy of Williams and Bennett, Aaron and George Mitchell, and the Citizens National Bank of Urbana-

This day this cause came on to be heard upon the petition of the plaintiff, the answer of P. B. Cole, Assignee of the said Williams and Bennett the reply of the plaintiff together with the exhibits, testimony and argument between the said Cole as such Assignee and the plaintiff- on consideration whereof the Court do find the equity of the case with the plaintiff, and that there is now due to him on the Notes in the petition and

Friday March 29, 1874

Mortgage mentioned counting interest only to the 2d day of November 1870 the sum of Ten thousand six hundred and fifty dollars ($10650 00) after deducting all usury contained in the Notes in the petition and Mortgage mentioned and described - which sum of $ 10.650 00 the Court finds to be a valid lien upon the premises in the petition and Mortgage described -
It is therefore considered, ordered, adjudged and decreed by the Court, that the defendants David A. Williams and George F. Bennett or P. B. Cole as their Assignee in Bankruptcy, within ten days from this date pay to said plaintiff Truman M. Kimball the said sum of Ten thousand six hundred and fifty dollars ($10,650 00) with interest until paid, and in default of such payment that an order issue to the Sheriff of Union County, for the time being, commanding him to proceed to appraise, advertise and sell the lands and tenements in the petition described as upon Judgments at law and report his proceedings in the premises to this Court, and by virtue of the agreement between the plaintiff and the defendant P. B. Cole as such Assignee, it is ordered by the Court that in case the said P. B. Cole as such Assignee shall within thirty days from this date make and tender to the said Truman M. Kimball a deed of release for said lands and tenements, then and in that case the said Kimball shall release, all claims against the Estate of said Williams and Bennett, Bankrupts, in his favor, under and by virtue of this decree, and by virtue of the Judgment and decree in favor of Aaron and George Mitchell, against said

Friday March 20, 1874

Bankrupt's rendered in Union Common Pleas, and affirmed by the District Court in and for Union County Ohio, And he shall receive said deed in full satisfaction of said claims, and it is further ordered by the Court that said Truman M. Kimball, in case said deed be made and tendered pay all the costs of this action taxed to ff And in default of such payment that execution issue therefor-
It is further ordered by the Court that the order of sale hereinbefore granted, issue upon the demand of said Kimball in any event, he however to pay the costs accruing under such proceeding, if the deed of release be made and tendered by said Cole as such Assignee, whether the same be accepted by said Kimball or not,
And it is ordered that a special mandate issue to the Court of Common Pleas, to carry this Judgment, decree and order into effect

Judge Cole being a party did not sit in this case

X John McClear
Vs
Allen Latham et. al. } Continued

X John M. Hall
Vs
W. W. Woods et. al. } Continued

X Samuel Taylor et. al.
Vs
James T. McHaffey et. al. } Continued

✓ William Richter
Vs
George A. Fox

This day came the plaintiff

Friday March 20. 1874

and dismissed this action at his own costs—
It is therefore considered ordered and adjudged that the defendant recover of the plaintiff his costs herein expended taxed to $
and it is further agreed between the parties that no record shall be made in the case—
signed— Porter— Cameron

194 ✓

Sophia Hemingway
vs
Ira C. Johnson and others

On mandate from the Supreme Court—
This day this cause came on to be heard, the said Sophia Hemingway and Michael Davis being present by their attorneys, the other parties not appearing, and was submitted to the court upon the Mandate from the Supreme Court, the Petition of said Davis, the Answer of Everett Messenger and said Hemingway, and the reply of said Davis to the answer of said Messenger, exhibits and testimony, and the Court being fully advised in the premises, finds that the judgment of the said Hemingway and the said Michael Davis specified in the petition are coequal liens upon the money arising from the sale of the lands mentioned in said petition and are prior and superior liens upon said money to that owing upon the Mortgage of said Messenger upon said lands designated in said petition as the Tyler farm.
and the Court further finds that Philip Snider as Sheriff and special Master commissioner did on the 30th of August 1861 by virtue of an order of sale specified in said petition sell the

Friday March 20th 1874

said Syfer form for the sum of $3162.30 and the Court find that said Davis was not a party to the said judgment on which said sale was made, and that before he filed his petition in this case said sale was made, and the said Messenger had received of said Sheriff of the money arising from said sale the sum of $1592.64 to wit on the 22. of October 1861 and the Court finds that as between the said Hemingway and Davis and the said Messenger the equity of the case is with said Hemingway and Davis, and that said Messenger is bound to pay said money with interest thereon from the time he received it to said Sheriff, to enable him to perform the order of this Court and that he has not yet paid it. The Court further finds that of said money so arising from said sale the said Hemingway has received at different times the aggregate amount of $1650.00 which was sufficient to pay her said judgment with its interest in full, and that the said Michael Davis received of said money on the 14th day of April 1868 the sum of $175; leaving a balance due said Davis on his said judgment and its interest to this day the sum of $2095. The Court further finds that the said Davis by reason of his prior lien on said money should have been paid his judgment out of the money so received by the said Messenger, it being more than sufficient to have paid said judgment and interest due thereon to said Davis at the time said Messenger so received it. The Court also finds that said Money so paid to said Messenger was all the balance that remained subject to pay the said judgment liens which are prior to the lien of said Messengers Mortgage. It is therefore ordered, adjudged and decreed by the

Friday March 20th 1874

agreed with the plaintiffs to act for him and negotiate for the purchase of said 104¾ acres of land for him the plaintiffs as a friend. That said Erb was to be saved from all loss and trouble by the plaintiffs by reason of said purchase; That the plaintiffs at the same time offered to deliver to the defendant Erb a certain Horse then owned by the plaintiffs so soon as said Erb made a purchase of said land for the plaintiffs and as compensation for his (Erbs) services in making the same as plaintiffs agent; but that said Erb thereupon declared he would not accept compensation for such services to be by him performed on account of the favors which the plaintiffs had theretofore conferred upon him; That it was understood and agreed by and between the plaintiffs and said Erb that the contract of purchase so to be made by Erb for the plaintiffs was to be made in the name of Erb with said Jones and nothing was said in regard to making the deed to be executed by Jones and wife for said land directly to the plaintiffs-

3d That the said Erb in pursuance of said employment, negotiated for the purchase of said 104¾ acres of land with the Attorneys of said Jones and wife, and from time to time obtained propositions for the sale by them of said land and on the 16th day of December 1873, said Erb having reported to plaintiffs that he had a definite offer from said Jones and wife for the sale of said land upon the terms following to wit $1000- on the 15th day of January 1872, $2000- on the first day of March 1873, and $2000- on the first day of March 1874, with interest on the

Friday March 20th 1874

two last named installments from the 1st day of March 1872. The plaintiff expressly authorized and requested said Erb to conclude and make a contract for the purchase of said land for him (plaintiff) upon the terms above stated, and agreed to have the money ready to pay the first installment of said purchase money; That afterwards on the 16th day of December A.D. 1872, said Erb accordingly made and entered into a contract in writing with said Jones and wife for the purchase of said land upon the terms aforesaid; which contract was reduced into writing, and signed by said Erb and said Jones and wife, and is in the words and figures following to wit:

Article of agreement entered into this 16th day of December 1871, by and between George W. Jones and Jane A. M. Jones his wife of the first part, and Charles Erb of the second part, witnesseth that the party of the first part has this day sold and hereby agrees to convey by deed of general warranty to the party of the second, at the time hereinafter mentioned, the following real estate to wit: Situate in Union County and State of Ohio Being in survey No 5726, and being all of lot No 1 Assigned to said Jane A. M. Jones in a partition case of said Jane A. M. Jones and George W. Jones against Keturah M. Hodge and others in Union County Common Pleas, and being now in the occupation of David Watson. Containing 104 3/4 acres more or less, including the House and all the appurtenances belonging. In consideration therefor the said party of the second part agrees and binds himself to pay to the parties of the first part the sum of six thousand dollars $6000. as follows

$2000, on the 15th day of January next, and the balance $4000. is to be paid as follows, $2000. is to be paid in one year from the 1st day of March next and $2000, in two years from March 1st next= said deferred payments to draw interest at 6 per cent from said date March 1st 1872, until due and if not paid when due then said deferred payments are to draw at (8) eight per cent interest per annum. until paid, The deed is to be made on said March 1st next, at that time a Mortgage is to be executed on said premises back to the party of the first part to secure said deferred payments according to the tenor of this article- In witness we hereto set our hands the day and year first above written- Geo W. Jones (Seal)
Jane A. Jones (Seal) Charles Erb. (Seal)

4th That between the 25th day of December 1871, and the 1st day of January 1872, the plaintiff made a verbal arrangement with one James S. Minshall for a loan of the money with which to pay the consideration money for said land. said Minshall was then President of the Madison National Bank of London Ohio and a man of capital and means, according to said contract of purchase, and afterwards that is between said 8th of January and the 13th of the same Month the plaintiff made a verbal agreement with one Charles Phellis whereby it was agreed that upon a deed being executed to said Phellis for said land, he said Phellis verbally agreed with the plaintiff to advance the money to pay the two last installments of said consideration, said Phellis to execute to said plaintiff a bond binding him to reconvey said land to the plaintiff when he reimburst said

Friday March 20th 1874

Phellis for the money so advanced, and no other provision was by the plaintiff made to save said Erb from loss and harm by reason of said purchase. That said Phellis was then and still is worth upward of fifty thousand dollars, and that on the 8th day of January 1872, the plaintiff would have informed said Erb that he had made an arrangement with said Marshall but he was prevented from so doing by Erbs harshness of manner and his refusal to hear him. That the said Erb then declared to the plaintiff that he, said Erb, did not care whether he got the money or not; that the plaintiff should not have said land any how, and then and ever afterward, to recognize any right of the plaintiff under said contract or any interest in or to said land in him, but then and always afterward utterly renounced said contract and denied any obligation on his part under the same, and the said agreement between the plaintiff and said Phellis was not communicated to said Erb.

5th That on the 13th day of January 1872, the plaintiff duly tendered to said Erb the sum of Two thousand dollars, with which to pay to said Jones and his wife the first installment of the consideration money for said land, according to the tenor of said written contract, that said Erb refused to accept said sum of $2000. or any part thereof and declared he would pay for said land with his own money, and take and hold the title to the same, as his own exclusive and absolute property. 6th That on the 13th day of January 1872 after said tender had been made to him a deed executed by said Jones and wife in accordance with said contract, was delivered by their attorneys to said Erb, conveying to him, Erb, in fee simple

absolute, the said 104¾ acres of land, that, at the same time, said Erb paid, out of his own money to said attorneys of said Jones and wife the first installment of said consideration money, and made and delivered to said Jones and wife his (Erbs) promissory Notes and a Mortgage on said land to secure the payment of said second and third installments of said consideration money for said land, according to the terms of said written contract, that on the 15th day of January 1872, the plaintiff, again tendered to said Erb the said sum of Two thousand dollars, the first of said installments, but the said Erb refused to accept the same, or any part thereof. That at that time nor at any other, the plaintiff, did not tender actual indemnity to said Erb against his (Erbs) liability on said Notes. That prior to said employment of said Erb by the plaintiff. That prior to said employment of said Erb by the plaintiff, the latter had himself made a contract with said Jones for the purchase of said land which he (plaintiff) failed to perform on his part by not paying a part of the purchase price and thereupon the same was rescinded by a decree of the Court of Common Pleas of Union County, sometime prior to said employment and that said Jones would after that have refused to have contracted with the plaintiff or to have had any dealings with him. Thereupon the Court are of opinion that the said contract whereby the plaintiff employed the said Erb to purchase said land of said Jones and wife for him (plaintiff) was a

Friday March 20th 1874

valid and binding contract, although the said Erb was not to receive compensation for his services, and said contract, ~~the same~~ was not reduced to writing, and no note or memorandum thereof was made in writing but that the plaintiff is not entitled to any relief in this cause for the reason that the plaintiff did not tender to said Erb adequate indemnity against his liability upon said promissory notes and Mortgage, and because the ~~remuneration~~ renunciation by said Erb of said contract of agency and of all rights of the plaintiff under the same, and of any interest or right in him to said land, did not dispense with the necessity of an actual tender by the plaintiff of said indemnity. To which conclusion of the Court, that the plaintiff is not entitled to any relief in this cause the plaintiff excepts. It is therefore ordered and adjudged that the injunction herein before granted be and the same is hereby dissolved, and that the plaintiffs petition stand dismissed with costs, and that in default of the payment of the costs of this suit within 60 days, an execution issue for the same To which order and judgment the plaintiff excepts

We approve the foregoing entry —

James Mackenzie Judge
E. M. Phelps

Eliza M. Truman
vs
Mary R. Neal

This day came the parties by their attorneys, and this cause

Friday March 20, 1874

came on to be heard as well upon the transcript of the judgment and other proceedings between the said parties in the Court of Common Pleas of Union County, and the original files and pleadings brought here by writ of Appeal from this Court to the said Court of Common Pleas, as also upon the matters by said Eliza M. Thomas herein assigned for appeal and the same being seen and by the Court now here fully understood, and mature deliberation being thereupon had, the Court find that the Mortgage in the petition described was signed by the defendant Mary R. Neal with full understanding of its contents and the defect in the acknowledgement thereof was occasioned by mistake. It is therefore found that the said defendant doth owe on said Mortgage to the plaintiff the sum of $1273.33 It is therefore ordered and decreed that within ten days from the rising of this Court the said defendant pay said sum of $1273.33 with costs herein expended taxed to $ and in default of said payment that an order of sale issue to the Sheriff of this County, who is hereby appointed special master commissioner for that purpose, commanding him to appraise advertise and sell according to law the premises in said Mortgage described, and bring the proceeds of the same into the Court of Common Pleas to which Court this cause is remanded for further proceedings -

J. W. Robinson
Ayers & Woodburn

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Court record for 1875

Times fixed for holding Courts in the Third Judicial District of the State of Ohio for the year 1875;

Be it remembered, that at a meeting of Judges of the Court of Common Pleas, of the Third Common Pleas Judicial District of the State of Ohio at the Town of Forest County of Hardin Ohio, on the day of the date hereof, for the purpose of fixing the times of holding the terms of the Courts of Common Pleas and the District Courts in said District for the year 1875; We the undersigned Judges of the Court of Common Pleas, within and for said District, do hereby fix the times of holding said Courts for the year 1875, in each and every County in said District as follows,

Common Pleas Court

The several terms of the Court of Common Pleas, in and for the several Counties of said District, in and for said year, shall commence in the several counties thereof, as follows,

In Union County	January 4,	May 3	September 27
In Hardin County	January 26,	May 24,	October 19
In Logan County	February 23,	January 14,	November 15
In Shelby County	January 25,	April 26,	October 13
In Auglaize County	January 4,	April 5,	September 20
In Allen County	February 15,	May 10,	November 1
In Mercer County	February 8,	May 10,	November 8
In Van Wert County	January 18,	April 19,	October 13
In Putnam County	January 4,	April 12,	September 20
In Paulding County	January 26,	June 1,	September 21
In Defiance County	January 18,	April 26,	September 27
In Henry County	February 1	May 3,	October 4
In Fulton County	February 16,	May 11,	October 19
In Williams County	March 2,	May 18,	November 2
In Wood County	January 5,	May 4,	September 21
In Marion County	January 19,	May 11,	October 13
In Seneca County	February 8,	June 7	November 8
In Hancock County	January 25,	May 24,	October 13
In Wyandot County	January 4,	April 26,	September 21
In Crawford County	February 8,	June 1.	November 8

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Courts Continued 1875

District Court

The several terms of the District Court, in and for the year 1875, shall commence in the several Counties thereof, as follows,

In	Williams County	March 16	In	Mercer County	March 26
In	Fulton County	March 17	In	Shelby County	March 23
In	Wood County	March 18	In	Logan County	September 9
In	Henry County	March 22	In	Marion County	March 31
In	Defiance County	March 23	In	Union County	September 6
In	Paulding County	March 25	In	Crawford County	March 29
In	Van Wert County	March 31	In	Wyandot County	March 27
In	Allen County	April 2	In	Hardin County	September 14
In	Putnam County	March 27	In	Hancock County	April 3
In	Auglaize County	March 25	In	Seneca County	April 6
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And we do further order and direct that the several terms of said Courts shall commence on the first day of each of said terms at eight oclock A. M.

In testimony whereof, we issue this our order, for the purpose aforesaid, at Forest on this the 12th day of October A. D. 1874.

James Pillars
Thomas Beer
James Mackenzie
Philander B. Cole
} Judges

To the Clerk of the Court of Common Pleas of Union County Ohio, who is hereby directed to publish this order for three consecutive weeks in each of the several news papers published in said County

P. B. Cole Judge

A true copy from the original order now remaining on file in my office -

H. T. Arthur clerk

Monday September 6th 1875

Journal of the District Court within and for the County of Union and State of Ohio, begun and in the Court House in the Town of Marysville in said County this sixth day of September in the year of our Lord one thousand eight hundred and seventy five. Present= Hon. E. M. Phelps. Hon. Thomas Beer and Hon. P. B. Cole Judges of the Court of Common Pleas within and for the third Judicial District in said State of Ohio. John C. Price Sheriff and H. S. Arthur clerk

This day A. G. Carpenter an applicant for admission to the Bar, appeared in open court and it being shown to the satisfaction of the Court that the said A. G. Carpenter is a citizen of the United States and has resided in this State for the space of one year last past; that he is twenty one years of age; and upon a presentation of a certificate of examination by a committee appointed by this Court that he was possessed of sufficient qualification to practice as an attorney and counsellor at law and solicitor in chancery in the several courts in this State; and that he has a good moral character, and the said A. G. Carpenter being thereupon sworn to support the constitution of the United States, and of the State of Ohio and in all things to demean himself faithfully and honestly as an attorney

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Monday September 6. 1875

and counsellor at law and solicitor in chancery.
It is therefore ordered that said A. G. Carpenter
be admitted to practice as an attorney and
counselor at law and solicitor in chancery
in the several Courts in the State of Ohio

This day Jacob A. Jackson an applicant for
admission to the Bar, appeared in open Court,
and it being shown to the satisfaction of the Court
that the said Jacob A. Jackson is a citizen of the
United States, and has resided in this State
for the space of one year last past; that he is twenty
one years of age, and upon a presentation of a certificate
of examination by a committe appointed by this
Court, that he was found of sufficient qualification
to practice as an attorney and Counselor at law
and solicitor in chancery in the several Courts
in this State, and that he has a good moral
character, and the said Jacob A. Jackson
being thereupon sworn to support the constitution
of the United States and of the State of Ohio and
in all things to demean himself faithfully
and honestly as an attorney and counselor
at law and solicitor in chancery.
It is therefore ordered that said Jacob A. Jackson
be admitted to practice as an attorney
and counselor at law and solicitor in
chancery in the several Courts in the State
of Ohio

Monday September 6th 1875

This day Charles B. Newsom an applicant for admission to the Bar, appeared in open Court and it being shown to the satisfaction of the Court that the said Charles B. Newsom is a citizen of the United States and has resided in this State for the space of one year last past; that he is twenty one years of age; and upon a presentation of a certificate of examination by a committe appointed by this Court that he was possessed of sufficient qualification to practice as an Attorney and counselor at law and solicitor in chancery in the several Courts in this State; and that he has a good moral character, and the said Charles B. Newsom being thereupon sworn to support the Constitution of the United States and of the State of Ohio, and in all things to demean himself faithfully and honestly as an Attorney and Counselor at law and solicitor in Chancery,
It is therefore ordered that said Charles B. Newsom be admitted to practice as an Attorney and counselor at law and solicitor in chancery in the several Courts in the State of Ohio

This day John M. Broderick an applicant for admission to the Bar, appeared in open Court; and it being shown to the satisfaction of said Court, that the said John M. Broderick was of good moral character, and in all other respects qualified according to the Statute in such case made and provided; and the said John M. Broderick being thereupon sworn to support the constitution of the United States, and of the State of Ohio, and in all things to demean himself faithfully

Monday September 6th 1875;

and honestly as an attorney and counsellor at law, and solicitor in chancery.
It is therefore ordered, that said John M. Broderick be admitted to practice as an attorney and counsellor at law, and solicitor in chancery, in the several Courts of the State of Ohio

This day Thomas B. Benton an applicant for admission to the Bar, appeared in open court, and it being shown to the satisfaction of the Court that the said Thomas B. Benton is of good moral character, and in all other respects qualified, according to the statute in such case made and provided; and the said Thomas B. Benton being thereupon sworn to support the constitution of the United States, and of the state of Ohio, and in all things to demean himself faithfully and honestly as an attorney and counsellor at law; and solicitor in chancery;
It is therefore ordered that said Thomas B. Benton be admitted to practice as an attorney and counsellor at law; and solicitor in chancery, in the several Courts of the state of Ohio

And thereupon the Court adjourned until 8 1/2 oclock tomorrow Morning

A R Beale Pres. Judge

Tuesday September 7th 1875

This Morning the Court met at 8½ oclock pursuant to adjournment the same officers present as on yesterday

This day J. H. Kinkade an applicant for admission to the Bar, appeared in open court and it being shown to the satisfaction of said Court, that the said J. H. Kinkade was of good moral character, and in all other respects qualified according to the statute in such case made and provided, and the said J. H. Kinkade being thereupon sworn to support the constitution of the United States and of the State of Ohio, and in all things to demean himself faithfully and honestly as an attorney and counsellor at law and solicitor in chancery- It is therefore ordered that said J. H. Kinkade be admitted to practice as an attorney and counsellor at law and solicitor in chancery in the several Courts of the State of Ohio-

Thomas Martin
vs
Jacob Houser et. al.
Trustees Paris T. P.

Judgment below affirmed with costs- No record-

Catharine Langstaff
vs
William A. Langstaff

By agreement of parties

Tuesday September 7th 1875

Judgment of the Common Pleas Court affirmed
Case settled and costs paid

Susan Adams, Administratrix &c
vs
Incorporated Village of Richwood } Continued

John M. Hall
vs
W. W. Woods et. al. } Continued-

Susan Humphreis et. al.
vs
Jacob Huffman et. al. }

And now come the said parties by their Attorneys. and thereupon this action came on to be heard upon the petition of the said Susan Humphreis et. al. and was argued by Counsel, on consideration whereof it is ordered and adjudged by this Court that the Judgments of the said Court of Common Pleas be and the same is hereby affirmed with costs and it is further ordered that a special mandate be sent to the said Court of Common Pleas to carry this Judgment into execution- To which opinion of the Court in affirming said Judgment the plaintiffs except-

John D. Hunt
vs
William Rightlinger } ~~Continued~~ Settled

Samuel Taylor et. al.
vs
James T. McCaffrey et. al. }
Continued for want of
Court-

Tuesday September 7th 1875

Wm B. Moore
vs
The P. C. & St. L.
Ry company
} Petition in error

On motion of the plaintiff in error and it appearing to the court that important and difficult questions have arisen in this case, it is ordered by the Court here that this cause be reserved and sent to the Supreme Court for its decision.

Mary Haines et al.
vs
Henry Barth et al.
} Petition in error

This day came on this cause to be heard on the petition in error whereupon the Court being fully advised in the premises do find for the defendants in error Mary Haines et al. and therefore it is considered ordered and adjudged by the Court that said judgment of the Court of Common Pleas be and it is hereby affirmed with costs and it is further ordered that a mandate issue to said Court of Common Pleas to carry this order into execution. to which judgment of affirmation the plaintiffs in error except—

M. C. Lawrence and others
vs
Samuel L. Jewell County Treasurer of Union County and the Incorporated Village of Marysville
} civil action

This day came the parties by their Attorneys. whereupon this cause, by consent of parties, was finally heard by the Court

Tuesday September 7. 1875

upon the petition of the plaintiffs and the duly certified transcript of the record of the proceedings of the Council of said Incorporated Village thereto attached and made a part thereof and the answer of the defendants to said petition, and was argued by counsel, on consideration whereof the Court do find in favor of the plaintiffs, and that the assessments mentioned and described in the petition of the plaintiffs are void! Therefore the Court do hereby adjudge said assessments to be wholly void, and it is further ordered, adjudged and decreed by the Court that said Samuel L. Jewell, as County Treasurer of the County of Union be and he is hereby perpetually enjoined and restrained from collecting or attempting to collect in any way or manner or by any means the said assessments or any part thereof; and it is further ordered, adjudged and decreed that the said assessments and the proceedings of the Incorporated Village of Marysville mentioned in the pleadings and said transcript relating to the extention of what is known as Lincoln Avenue be wholly set aside and held for naught - so far as the plaintiffs are concerned. and it is further ordered and adjudged that the said ~~transcript~~ Incorporated Village of Marysville, within 30 days from this date, pay the costs of this action to be taxed; and in default thereof that execution issue for the same - and it is further ordered that a special mandate be sent to the Court of Common Pleas to carry this judgment and final order into execution by agreement of parties no record is to be made in this case -

Tuesday September 7th 1875,

Thomas Stillings, }
vs
James B. Whelpley }

This day came the parties by their attorneys, and this cause came on to be heard upon the petition, the answer, and the evidence, and the Court being fully advised in the premises find that the facts and allegations in the plaintiffs petition are not sustained by the evidence, and that the allegations of the defendants answer are true and that the equity of the case is with the defendant. It is considered by the Court that the petition of the plaintiff be dismissed with costs, and it is adjudged that the said petition be dismissed and that the defendant recover of the plaintiff his costs herein expended taxed to $\$$
And it is ordered that a special mandate be sent down to the Court of Common Pleas to carry this Judgment into execution
No record to be made by agreement.

E. D. Smith }
vs
The P. C. & St Louis }
Ry Company }

This day came on this cause to be heard on the petition in error. Whereupon the Court being fully advised in the premises, do find for the defendant in error E. D. Smith and therefore it is considered ordered and adjudged by the Court that said Judgment of the Court of Common Pleas be and it is hereby affirmed with costs. And it is further ordered that a

Tuesday September 7. 1875

mandate issue to said Court of Common Pleas
to carry this order into execution.
To all of which rulings and finding by the Court
the plaintiff in error then and there excepted.

B. W. Miller and Thomas
Miller late partners under the
firm name of B. W. Miller & Bro.,
and Jonathan G. Miller
vs
Daniel Longacre and John C. Price

This day this cause
came on to be heard upon the petition of plaintiff
the answer of defendants the reply of plaintiff
thereto. and upon the certified transcript of the
proceedings had before the Court of Common
Pleas of Union County Ohio, filed in this case
wherein Daniel Longacre was plaintiff and
the said B. W. Miller and Thomas Miller
as partners under the firm name of B. W.
Miller & Bro., and Jonathan G. Miller
were defendants. No other evidence being
offered in the case by either party, and was
argued by counsel, in consideration whereof
the Court finds the equities of the case to be
with the defendants. and it is therefore
ordered, adjudged, and decreed, that the
petition of the plaintiff be, and the same is
hereby dismissed, and it is further ordered
and adjudged that the plaintiff pay the costs
of this action within 30 days from this date
And it is further ordered that a special
mandate be sent to the Court of Common Pleas
of this County, to carry this judgment and
final order into execution. To all

Tuesday September 7. 1875

of which rulings decisions and orders of the court the plaintiff by their counsel then and there excepted—

William Gabriel
vs
James B. Wheatley Treasurer of Union County, State of Ohio } Civil action

This day came the parties by their Attorneys whereupon by their consent this cause was finally heard by the Court upon the petition of the plaintiff and the certified Transcript of the record of the proceedings of the County Commissioners of Union County thereto attached and made a part thereof (no other evidence being introduced by either party) and the answer of the defendant to said petition and was argued by counsel, on consideration whereof the court do find in favor of the defendant— It is therefore ordered, adjudged and decreed that the Injunction heretofore granted in this action be and the same is hereby dissolved, and it is further ordered adjudged and decreed that the petition of the plaintiff be and the same is hereby absolutely dismissed, and it is further ordered that the plaintiff within thirty days from this date pay the costs of this action to be taxed, and it is further ordered that a special mandate be sent to the County Common Pleas of this County to carry this judgment and final order into execution To all which rulings and decisions and orders of the court the plaintiff by his Counsel then and there excepted—

The State of Ohio } Supreme Court of the State of Ohio
City of Columbus } of the December term A.D. 1874

Sophia Hemmingway }
vs } Error Reserved in the District-
Joseph Johnson } Court of Union County.
and E. Messinger }

This cause came on to be heard upon the transcript of the record of the Court of Common Pleas of Union County, and was argued by Counsel. On consideration whereof, it is ordered and adjudged by this Court, that the judgement of the said Court of Common Pleas be and the same is hereby affirmed. It is further ordered and adjudged that the defendant in Error recover of the plaintiff in Error their costs herein taxed at $

Ordered, That a Special Mandate be sent to the Court of Common Pleas of Union County to carry this judgement into execution.

Ordered, That a copy of this Entry be certified to the Clerk of the District-Court of Union County for Entry

I Arnold Green Clerk of the Supreme Court of Ohio, do hereby certify that the foregoing Entry is truly taken and correctly Copied from the Journal of said Court. Witness my hand and the Seal of said Court this 17th day of January A.D. 1876.

Seal

Arnold Green, Clerk.
by Richard J. Fanning Deputy.

State of Ohio. City of Columbus. Supreme Court of Ohio,

To the Honorable Court of Common Pleas, Within and for the County Union Ohio Greeting:

We do Hereby Command You, that You proceed, Without delay to carry the within and foregoing judgement of our Supreme Court of Ohio, in the case of Sophia Hemmingway vs Joseph Johnson and E. Messinger into execution, the petition

The within is Duly Received and returned, to the Court of Common Pleas of Union County Ohio, this 17th day of January, 1876. Arnold Green Clerk of the Supreme Court of Ohio. By Richard J. Fanning Deputy

Court Record for 1876.

Times fixed for holding Courts in the Third Judicial District of the State of Ohio for the year 1876

Be it remembered. That at a meeting of the Judges of the Courts of Common Pleas of the Third Common Pleas Judicial District of the State of Ohio, at the Court House in the town of Bellefontaine, County of Logan, Ohio, on the day of the date hereof, for the purpose of fixing the times of holding the terms of the Courts of Common Pleas and the District Courts in said District for the year 1876, we the undersigned Judges of the Court of Common Pleas within and for said District, do hereby fix the times of holding said Courts for the year 1876, in each and every County in said District as follows-

Common Pleas Court

The several terms of the Courts of Common Pleas, in and for the several Counties of said District, in and for said year, shall commence in the several Counties thereof, as follows.

In Union	County	January 3,	April 17,	September 18
In Hardin	County	January 25,	May 9,	October 17
In Logan	County	February 15,	June 5,	November 7
In Shelby	County	January 24,	May 22,	October 16
In Auglaize	County	January 3,	May 1,	October 16
In Allen	County	February 7,	June 5,	November 6
In Mercer	County	February 7,	May 29,	December 4
In Hanwert	County	January 18,	May 15,	October 31
In Putnam	County	January 3,	May 1,	September 18
In Paulding	County	January 25,	June 6,	September 19
In Defiance	County	January 17,	April 24,	September 25
In Henry	County	January 31,	May 1,	October 16
In Fulton	County	February 15,	May 9,	October 31
In Williams	County	February 29,	May 16,	November 14
In Wood	County	January 4,	May 2,	September 12
In Marion	County	January 25,	May 16,	October 17
In Seneca	County	February 14,	June 5,	November 6
In Hancock	County	January 24,	May 22,	October 16
In Wyandot	County	January 3,	May 1,	September 11
In Crawford	County	February 14,	June 5,	November 6

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District Court

The several terms of the District Court in and for the year 1876. shall commence in the several counties thereof as follows;

In	Williams	County	March 21st	In Mercer	County March 31
In	Fulton	County	March 22.	In Shelby	County March 27
In	Wood	County	March 23.	In Logan	County March 16
In	Henry	County	March 27.	In Marion	County April 6.
In	Defiance	County	March 28.	In Union	County March 13
In	Paulding	County	March 30.	In Crawford	County April 4.
In	Seneca	County	April 8.	In Wyandot	County April 1
In	Allen	County	April 12.	In Hardin	County March 21
In	Putnam	County	April 4.	In Hancock	County April 10
In	Auglaize	County	March 29.	In Seneca	County April 12.

And we do further order and direct that the several terms of said Courts shall commence on the first day of each of said terms at eight o'clock A. M.

In testimony whereof, we issue this, our order, for the purpose aforesaid, at said Court House, on this the 11th day of September A. D. 1875.

E. M. Phelps
Philander B. Cole
Thomas Beer
James Pillars
} Judges

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

P. B. Cole Judge

A true copy from the original order now remaining on file in my office

F. T. Arthur Clerk

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Monday March 13th 1876

Journal of the District Court Within and for the County of Union and State of Ohio Met in the Court House in the Town of Marysville in said County this 13th day of March in the Year of Our Lord One thousand Eight hundred and Seventy-Six Present Hon P.B. Cole Presiding Judge of the Court of Common pleas Within and for the Third Judicial district in the said State of Ohio. John C. Price Sheriff and W.B. Winget Clerk.

There not being Judges Enough present to form a quorum. The Sheriff thereupon Adjourned Court Until Tommorrow at 9 o'clock. A.M.

Tuesday March 14th 1876. 9 o'clock A.M. District Met pursuant to adjournment Hon P.B. Cole presideing Judge And Hon James McKenzie. Hon E.M. Phelps and Hon Thomas Beer Judge and John C. Price Sheriff. W.B. Winget Clerk

John M. Hall Plaintiff
vs
William W. Woods
Thomas J. Buxton and
James W. Robinson admrs
of Cornelius D. Hamilton
Deceased, defendants

This day this Cause came on to be heard. The plaintiff failing to appear in person or by Counsel, and failing to offer testimony other than that on file this Cause was Submitted to the Court by

March 14th 1876

by the defendants upon the petitions answer, replies, exhibits and testimony, and the Court being fully advised in the premises find for the Defendants.
Whereupon it is Considered ordered adjudged and decreed by the Court that the defendants be allowed to go hence without day and recover of the plaintiff their Costs herein expended taxed to $
And it is ordered that a special Mandate be sent down to the Court of Common Pleas to Carry this Judgement into Execution. Judge.
Cole having been Counsel in the Case Did not Sit during the hearing.

This day Came Jno H. Miller an applicant for admission to the bar appeared in Open Court and it being Shown to the Satisfaction of Said Court that the Said Jno H. Miller was of good moral Character and in all other respects qualified according to the Statute in Such Made and provided and the Said Jno H. Miller being thereupon Sworn to Support the Constitution of the United States and of the State of Ohio and all things to demean himself faithfully and honestly as an attorney and Counsellor at Law and and Solicitor in Chancery.
It is therefore ordered that Said Jno H. Miller be admitted to practice as an attorney and Counselor at Law and Solicitor in Chancery in the Several Courts of the State of Ohio.

This day Ed. E. Cole an applicant for admission to the bar appeared in open Court and it being shown to the satisfaction of said Court that the said Ed. E. Cole was of good moral character and in all other respects qualified according to the Statute in such case made and provided and the said Ed E. Cole being thereupon sworn to support the Constitution of the United States and of the State of Ohio and in all things to demean himself faithfully and honestly as an attorney and Counselor at Law and Solicitor in Chancery.

It is therefore ordered that said Ed E. Cole be admitted to practice as an attorney and Counselor at Law and Solicitor in Chancery in the several Courts of the State of Ohio. Thereupon Court adjourned to meet tommorrow morning at half past Eight oclock A.M.

Wednesday March 15th 1876

This Morning Court met pursuant to adjournment - the Same officers present as on Yesterday with the exception of Hon Thomas Beer, he being absent.

William Moffit
vs
Coram Bird

And now comes the Said plaintiff and presented his petition for a Mandamus against the Said defendant Coram Bird one of the justices of the peace Washington township within and for the County of Huron Ohio and the Court being fully advised in the premises doe Considered and order that an alternative Writ of Mandamus issue Commanding Said defendant Coram Bird to Show Cause Why a Mandamus Should not be issued against him as prayed for in the petition of the plaintiff & it is further ordered and decreed that the plaintiff have Sixty days from this date to prepare and have issued Said alternative Writ of Mandamus also that the writ be made returnable in Sixty days from the date of the issuing of the Same. according to the above order May 10th 1876 I issued the Writ of alternative Mandamus, directed to Coram Bird.

Bank of Richwood
vs
O.D. Keeler Et al

This day Came the parties by their attorneys and thereupon this Cause Came on to be heard upon the petition in Error of Said plaintiff and was argued by Counsel and the Court

being fully advised in the premises do find that there is no Error in the said record and proceedings of said Court of Common pleas.

It is therefore considered, ordered and adjudged by the Court here that the said judgement and proceedings of the said Court of Common Pleas be and the same is hereby affirmed. To which Judgement and decision, the Plaintiff by his Att'y excepted

John Long
vs
William Brem

This day this Cause Came on to be heard upon appeal upon the petition of the said John Long the answer of the defendant and the Exhibits and Evidence and was argued by Counsel Whereupon the Court being fully advised in the premises do affirm the judgement of the Common Pleas in all respects Except as to the Costs they find that the plaintiff ought to pay half of the costs in the Common pleas. The defendant is to pay the costs in this Court, and one half of the costs in in the Court of Common pleas Expended in this behalf, and it is so ordered, decreed and adjudged. That the plaintiff recover of the defendant one half of the Cost in the Common Pleas Court and all of the Cost in this court in this behalf Expended taxed to $ — It is further ordered that a mandate be sent from this

Court to the Court of Common Pleas of said County to Carry into Effect this decree and Judgement.

Susan Adams. Administratrix of John Adams deceased
vs
The Incorporated Village of Richwood Ohio.

This day came on to be heard upon the petition in error of the Susan Adams as administratrix of John Adams deceased Exhibits & files and was argued by Counsel and Submitted to the Court. On consideration Whereof and the Court being fully advised in the premises do find in the premises do find that Since the judgement of the said Court of Common pleas the said John Adams has deceased and the said Susan Adams has been duly appointed and qualified as his administratrix, and the Court do further find that there is Manifest Error in the said record proceedings and Judgement of both the Mayor of said Village and the Court of Common Pleas. It is therefore considered ordered and adjudged by the Court here that the said record proceedings and Judgement both of the said Mayor and the said Court of Common pleas be and the same are hereby reversed with Costs Set aside and held for naught; and the said plaintiff as such administratrix be restored to all things she has lost by reason thereof and that She recover her Cost herein taxed ~~by~~ $
It is further ordered that a Special Mandate be sent down to the said Court of

Common Pleas to carry this Judgement into Execution,

James Nagaley }
vs
P. C. Dibble et al }

This Day this Cause ~~came~~ was dismissed by the Court at the Costs of the plaintiff.
It is therefore Considered, ordered, and adjudged by the Court that the defendant recover of the plaintiff their Costs herein expended taxed to $

P. B. Hale Pres. ad Judge

State of Ohio. } Supreme Court of Ohio
City of Columbus } of the term of December A.D. 1873.

B. W. Miller as partner &c.. & al
vs
Daniel Longacre

Motion for leave to file a Petition in Error to reverse the judgement of the District Court of Union County

On hearing, It is ordered by the Court that this motion be and the Same is hereby granted And it appearing to the Court that the ten days notice of the time and place of hearing said motion has been given to the attorneys of the defendant in error.

Thereupon this Cause came on for hearing as well upon the transcript of the record and proceedings of said District Court. and the orgidal files and pleadings between the parties, as also upon the Matters by said plaintiffs in Error therein apigned for error and the Same were argued by Counsel. And the Court being fully advised in the premises do find. that Errors for which the orders and Judment of said District Court Should be reversed do plainly appear upon said record (it is therefore ordered and adjudged. all the Judges Sitting at the hearing Concuring therein) that the Judgement of the said District-Court be and the Same is hereby reversed.

It is further ordered that this cause be remanded to the District Court of Union County for Such further proceedings as may allthorized by Law. Ordered. that the plaintiff in Error

recover of the defendants in Error their costs herein expended taxed at $

I Arnold Green. Clerk of the Supreme Court of Ohio. do hereby Certify that the foregoing Entry is truely taken and correctly Copied from the Journal of said Court.

Witness. my hand and the Seal of said Court. this 10th day of April A.D. 1876

Seal

Arnold Green Clerk
By Richard J Fanning
Deputy

State of Ohio, City of Columbus. } Supreme Court of Ohio

To the Honorable Court of Common Pleas, Within and for the County of Union Ohio Greeting;

We do hereby Command You. that You proceed Without delay. to carry the Within and foregoing Judgement of Our Supreme Court of Ohio. in the Case of B. W. Miller and Thomas Miller partners &c et al. Vs Daniel Longacre into execution, the Petition in Error Therein and heretofore granted. to the Contrary notwithstanding.

Witness Arnold Green Clerk of Our Said Supreme Court of Ohio, at Columbus this tenth day of April 1876.

Arnold Green Clerk
By Richard J. Fanning Deputy
Clerks Cost $2.00

337

State of Ohio } Supreme Court of the State of
City of Columbus } Ohio. Of the December term A.D. 1875

The Pittsburgh Cincinnati } Motion for leave to file a
and St. Louis Railway Co } Petition in error to reverse
vs } the judgement of the District
Edmund D. Smith } Court of Union County.

On hearing, it is ordered that this Motion be and the same is hereby granted. And it appearing to the Court that the ~~time~~ notice of the time and place of hearing said Motion has been given to the attorneys of the defendant in error. Thereupon this Cause came on for hearing as well upon the transcript of the record and proceedings of said Court, and the original files and pleadings of said district-Court, and the original files and pleadings between the parties, as also upon the Matters by said plaintiffs in Error herein assigned for Error and the same were argued by Counsel.

And the Court being fully advised in the premises do find that Errors for which the orders and Judgement of said District-Court should be reversed, do plainly appear upon said record. It is therefore ordered and adjudged (all the Judges sitting at the hearing Concurring therein) that the Judgement of the said District Court be, and the same is hereby reversed for Error in the Charge of the Court to the jury.

It is further ordered that this Cause be remanded to the Court of Common Pleas of Union County.

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for Such further proceedings as may be authorized by Law

Ordered that the plaintiff in Error recover of the defendant in Error its Costs herein Expended taxed at $

And also its Costs in Said District Court to be taxed

Ordered that a writ of procedendo issue to Said Court of Common Pleas Commanding it to proceed to trial and final judgement between the parties according to Law.

Ordered. That a Special Mandate be sent to the Judgement into of Union County to Carry this Execution.

Ordered. That a copy of this Entry be Certified to the Clerk of the District Court of Union County for Entry.

I Arnold Green Clerk of the Supreme Court of Ohio. do hereby Certify that the foregoing Entry is truely Taken and Correctly Copied from the Journal of Said Court This 8th day of April A.D. 1876

Seal

Arnold Green Clerk.
By Richard J Fanning Deputy

State of Ohio. City of Columbus. Supreme Court of Ohio. To the Honorable

Within and the Courts of Union Ohio Greeting; We do hereby Command you, that You proceed Without delay to Carry the within and foregoing Judgement of our Supreme Court of Ohio. in the Case of The Pittsburgh Cincinnati and St Louis Railway Co Vs Edward D. Smith into Execution. The Petition in Error herein and heretofore granted. To the Contrary Notwithstanding. Witness. Arnold Green

Clerk of our said Supreme Court of Ohio.
at Columbus this Eighth day of April
1876. Arnold Green Clerk
By Richard J Fanning Deputy
Clerks Cost $2.00

e Court of Chas.
th day of April
Clerk
Fanning Deputy
2.00

Court Record for the Year 1877.

It is Ordered, That a term of the Court of Common Pleas be commenced at 8 o'clock, A. M. —

In Allen County February 14th May 14 October 29th 1877
" Auglaize County January 2d April 30 October 15th 1877
" Crawford County February 12th June 11th October 29th 1877
" Defiance County February 20th May 1st October 10th 1877
" Fulton County March 5th May 28th November 5th 1877
" Hardin County March 6th May 22d October 16th 1877
" Hancock County January 29th May 28th October 1st 1877
" Henry County February 27th May 15 October 23d 1877
" Logan County April 3d June 12 November 6th 1877
" Marion County, January 23d May 22 October 2 1877
" Mercer County February 12 May 28 December 3d 1877
" Paulding County, February 13th April 17th September 25th 1877
" Putnam County January 9th April 16th September 10th 1877
" Seneca County February 19th June 11th October 22d 1877
" Shelby County January 29th April 30 October 1st 1877
" Union County, February 12th April 30 September 17th 1877
" Van Wert County January 15th. May 14th October 29th. 1877
" Williams County. March 12th January 11th November 19th 1877
" Wood County, January 9th May 8th September 11th 1877
and in Wyandotte Co January 8th May 7th September 10th 1877

And that a term of District Court be commenced at 8 o'clock, A. M. —

In Allen County on July 30th 1877
" Auglaize County on July 20th 1877
" Crawford County on April 2nd 1877
" Defiance County on March 28th 1877
" Fulton County on March 21st 1877
" Hardin County on July 16th 1877
" Hancock County on April 9th 1877
" Henry County on March 27th 1877
" Logan County on July 12th 1877
" Marion County on April 6th 1877
" Mercer County on July 23d 1877

In Paulding	County on	March	30th	1877
In Putnam	County on	July	28th	1877
" Seneca	County on	April	12th	1877
" Shelby	County on	July	18th	1877
" Union	County on	July	9th	1877
" Vanwert	County on	July	24th	1877
" Williams	County on	March	20th	1877
" Wood	County on	March	23d	1877
and in Wyandot	County on	April	2d	1877.

Thus ordered, at a Meeting of the Judges of the Court of Common Pleas of the 2d Judicial District of the State of Ohio, held for that purpose in the Town of Forest in the County of Hardin in said district, this 9th day of October. 1876-

James Mackenzie
James Pillers
Philander B. Cole
Thomas Beer
} Judges

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

And you are hereby directed to have the foregoing Order published, for 3 Consecutive Weeks, in the following News-papers published in said County, to-wit: The Tribune & Journal of Marysville, and the Gazette of Richwood

P. B. Cole. Judge. Com. Pleas.

A true copy of the original order now on file in My Office- Will Wing Jr Clerk

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The State of Ohio } Supreme Court of the State
City of Columbus } of Ohio of the term of December
A.D. 1876

Andrew Smelzer } Error to the District
vs } Court of Union County.
Hermas N. Paulk }

This cause coming on to be heard upon the Transcript of the Record of the District Court of Union County, and was argued by Counsel. On Consideration Whereof it is ordered and adjudged and adjudged by this Court, that the judgement of the said District Court be and the same is hereby reversed and this Court proceeding to rendered ~~thro~~ judgement that said District Court should have rendered, order and adjudge that the judgement of the Court of Common Pleas of Union County be and the same is hereby in all things affirmed and this cause is remanded to said Court of Common Pleas for such further proceedings as may be authorized by law, - It is further considered that the plaintiff in Error recover of the defendant in Error his costs herein and in the district Court expended to be taxed -

Ordered, That a Special Mandate be sent to the Court of Common Pleas of Union County to carry this judgement into Execution.

Ordered, That a copy of this Entry be certified to the Clerk of this District Court of Union County" for Entry" &c

I, Arnold Green Clerk of the Supreme Court of Ohio, do hereby certify that the foregoing Entry is truly taken and correctly copied from the Journal of said Court.

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27th day

(Seal)

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Witness my Hand and the Seal of Said Court, this 27th day of April A.D. 1877. Arnold Green, Clerk

(Seal)

State of Ohio City of Columbus.

To the Honorable Court of Common Pleas Within and for the County of Union Ohio Greeting-

We do Hereby Command you that you proceed, Without delay, to Carry the Within and foregoing Judgement of our Supreme Court of Ohio in the Cause of Andrew Smelzer vs Thomas N Paulk - into Execution. the petition in Error herein and heretofore granted, to the contrary, notwithstanding

Witness, Arnold Green Clerk of Our Said Supreme Court of Ohio, at Columbus, this 27th day of April 1877.

Arnold Green, Clerk

Clerk's Costs - $ 7.00 Printing Record $20.00
Docket Fees - $7.00 Total $34.00

July Term A. D. 1877.

Monday July 9th A.D. 1877. This being the day for the District Court to meet within and for the County of Union and State of Ohio Pursuant to Law. Present Hon John L. Porter Judge. J. J. Miller Sheriff. W. M. Winget Clerk. and there being no quoram present. Thereupon the Sheriff adjourned court to meet on tomorrow morning at 8 oclock

No 4 Levi Rosebury
vs
J. M. Sanders

This Day Came the partis and settled this cause and paid the cost; and by agreement there is to be no Record. Signed - Levi Rosebery
J. M. Sanders

Tuesday July 10th 1877

This morning Court met pursuant to adjournment - the same officers with the addition of Hon McKenzie and there being no quoram present the Sheriff Adjourned Court to meet on tommorrow morning at 8 oclock.

Wednesday July 11th 1877. This morning Court met the same officers being present as on yesterday with the exception Hon McKenzie Judge there being no quoram present The Sheriff adjourned the Court Sine Die.

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Court Record for the Year A.D. 1878

It is ordered, that a term of the Court of Common Pleas be commenced, at 9 o'clock A.M. in Allen County, on April 1st - June 10th - November 11th 1878

" Auglaize	"	Feb 4th -	April 22d -	October 14th 1878
" Crawford	"	Jan 2d	May 1st -	September 9 1878
" Defiance	"	Jan 14th	May 13th	Sep 30th 1878
" Fulton	"	Feb 11th	June 10th	Oct - 28th 1878
" Hardin	"	March 5th -	May 21st -	Oct 15th - 1878
" Hancock	"	Jan 21st -	May 21st -	Oct 1st - 1878
" Henry	"	Jan 28th -	May 27th	Oct 14th 1878
" Logan	"	April 2d	June 11th	Nov 12th 1878
" Marion	"	Jan 29th	May 28th	Oct 9th 1878
" Mercer	"	March 18th -	May 27th	Dec 2d 1878
" Paulding	"	Feb 4th -	April 29th -	Sep 9th - 1878
" Seneca	"	Feb 11th	June 11th	Oct 22d - 1878
" Shelby	"	March 4th -	May 20th	Oct 14th 1878
" Union	"	February 4th -	April 29th	Sep 9th 1878
" Van Wert -	"	Feb 25 -	May 6th -	Oct - 28th - 1878
" Williams	"	Feb 20th -	June 19th	Nov 6th 1878
" Wood	"	Jan 2d -	May 1st -	Sep 9th 1878
Main Wyandotte		Feb 18th -	June 17th -	Nov 4th 1878

And that a Term of the District Court be commenced at 9 o'clock A.M. in Allen County on January 31st 1878

" Auglaize	"	"	January 21st 1878
" Crawford	"	"	March 28th 1878
" Defiance	"	"	March 19th 1878
" Fulton	"	"	March 14th 1878
" Hardin	"	"	January 14th 1878
" Hancock	"	"	April 3d 1878
" Henry	"	"	March 16th 1878
" Logan	"	"	January 8th 1878
" Marion	"	"	April 1st - 1878
" Mercer	"	"	January 23d 1878

In Paulding	County on	March 21st	1878
" Putnam	"	"	January 28th	1878
" Seneca	"	"	April 5th	1878
" Shelby	"	"	January 17th	1878
" Union	"	"	January 2d	1878
" Van Wert	"	"	January 25	1878
" Williams	"	"	March 12th	1878
" Wood	"	"	March 23d	1878
" Wyandot	"	"	March 27th	1878

Thus Ordered at a Meeting of the Juroges of the Court of Common Pleas of the 3d Juricial District of the State of Ohio, held for that purpose in the town of Forest in the County of Hardin in Said district. this 8th Day of October 1877.

James McKenzie
James Pillars } Juroges
John L. Porter
Thomas Beer

To the Clerk of the Court of Common pleas of Union County. Ohio

You are hereby directed to have the foregoing Order Published, for 4 Consecutive Weeks in Said County according to Law.

John L. Porter - Juroge

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January Term A.D. 1878

The State of Ohio, County of Union S.S.
This January Term of the District-Court, in and for the Third Judicial District of the State of Ohio, Held at the Court House in the Town of Marysville County and State aforesaid. Was begun on the 2d day of January in the Year of Our Lord One Thousand Eight-Hundred and Seventy Eight- in accordance with the Constitution and Laws of the State of Ohio.

Present:- Hon. Thomas Beer
Hon. James McIlvaine
Hon E.M. Phelps-
Hon. Thomas Beer, Presiding-
D.J. Miller, Sheriff
W.M. Winget- Clerk

Harrison Dills. Et al
Against-
Stewart-Robinson Ball
No 18

This day this Cause Coming on to be heard on the Motion of the defendants William McElroy- John H. Sterling- Joseph Tempee James L. Fish- Leonard Dawn- Cornelius E. Fish and J.L. Fish et. al for Leave to file an Amended Answer- And the Court being advised in the premises to Sustain the Motion- And Leave is granted to defendants to file their Separate Amended Answer instanter Subject to all Rights and Exceptions of the plaintiffs- When Filed-

Wednesday January 2d A.D-1878

B.W. Miller & Bro et al
vs
Daniel Longacre et al

This day came the Parties by their attorneys and thereupon this cause came on to be heard upon the record and Mandate from the Supreme Court and was argued by Counsel on consideration Whereof the Court being fully advised in the premises it is ordered that the Injunction in this Case be and the same is made perpetual as to the Excess of Said $1014-41 so recovered by the said Longacre against the said B.W. Miller & Bro et al over and above the Sum of $397.00 as recovered by said Longacre on the Second Trial in said action - And that as to the residue of said Judgment the said Longacre - have Execution on said Judgment - with his interest thereon at 8 per cent per annum - And it is ordered and adjudged that as to the costs of the proceedings herein the said Plaintiffs pay one third and said Longacre pay Two Thirds thereof to be taxed and apportioned by the Clerk. And it is by agreement of parties ordered that no final Record be made in this case -

Samuel Little
vs
Ruben Freshwater
} No 16 —

This day this cause came on for hearing upon the petition in Error. the Transcript - and the original

Wednesday January A.D. 1878.

Papers Papers and pleadings from the Court of Common Pleas of Union County and was argued by Counsel- On Consideration Whereof the Court find there is no Error Apparent on the record in Said proceeding and judgment-

It is therefore considered by the Court that the judgment aforesaid be and the same hereby is affirmed and that the defendant in Error recover from the plaintiff in Error his costs herein expended taxed at $ ——

It is further ordered that a Special Mandate be sent to the Common pleas Court of Union County for Execution upon Said judgment-

Samuel Taylor & others
vs
James T. Makaffey et al

On Motion to the Court by plaintiffs, it is ordered by the Court that Thomas Jones be made a party defendant herein- and thereupon came the said Thomas Jones by Robinson and Piper his Counsel and without waiving any of his rights herein and protesting that he reserves all his rights herein Enters his appearance to said action and files his answer herein-

Thereupon Court adjourned to meet on Thursday January 3d 1877 at 8½ oclock A.M.

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Thursday January A. D. 1878

This Morning Court met at 8½ o'clock pursuant to adjournment the same officers being present as on yesterday-

S.A. Court — This day Stephen A. Court an applicant for admission to the Bar, appeared in open Court and it being shown to the satisfaction of the Court, That the said Stephen A. Court is a citizen of the United States and has resided in this State for the space of one year last past that he is twenty one years of age, and upon ex presentation of a certificate of Examination by a committee appointed by this Court that he was possessed of sufficient qualifications to practice as an attorney and Counsellor at Law and Solicitor in Chancery in the several Courts in this State, and the said Stephen A. Court being thereupon sworn to support the constitution of the United States and of the State of Ohio, And in all things to demean himself faithfully and honestly as an attorney and Counsellor at Law and Solicitor in Chancery-

It is therefore ordered that said Stephen A. Court be admitted to practice as an Attorney and Counsellor at Law and Solicitor in Chancery in the several Courts in the State of Ohio-

W. S. Bailey — This day Wilson S. Bailey an applicant for admission to the Bar, appeared in open Court and it being shown to the satisfaction of the Court, that the said Wilson S. Bailey is citizen of the United States and has resided

Thursday January 3d A. D. 1878.

in this State for the Space of one year last-past that he is Twenty One years of age, and upon the presentation of a certificate of Examination by a committe appointed by this Court, that he was possessed of sufficient qualification to practice as an Attorney and Counsellor at Law and Solicitor in Chancery in the Several Courts in this State. and the said Wilson S. Bailey being thereupon Sworn to Support the constitution of the United States and of the State of Ohio. and in all things to demean himself faithfully and honestly as an attorney and Counsellor at Law and Solicitor in Chancery.

It is therefore ordered that said Wilson S. Bailey be admitted to practice as an attorney and Counsellor at Law and Solicitor in Chancery in the Several Courts in the State of Ohio.

S. Taylor, Plaintiff in Error }
against }
John McDonald, Defendant in Error }

This day this Cause came on to be heard on the Motion of the defendant in Error to dismiss this Suit, and the Court being fully advised in the premises does overrule Said Motion.

Thereupon the Court adjourned to meet tommorow morning at oclock

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Friday, January 4th A. D. 1878

This Morning Court met at o'clock pursuant to adjournment - the Same officers being present as on yesterday -

No 14 — Phebe Baker. Et. al } vs Eli G. Piper. Adms Et. al }

Cause Continued, and Struck Jury dismissed -

John McNear } vs Daniel Gregg Executor of Allen Leatham. Et. al }

This day came the parties and by agreement this cause is Settled, and thereupon the plaintiff dismissed this Suit. at the Costs of the defendant Daniel Gregg Executor of Allen Leatham Decd, No Record to be Made, Papers to be withdrawn. Thereupon it is Considered that the said Gregg as Such Executor pay the Costs of this Suit. and that a Special Mandate be Sent to the court of Common pleas to Carry this judgment into Execution -

No 13 — Richard Brewster Et. al } vs Nathan Bell Et. al }

This day came the plaintiff & Submitted their Motion to the Court Requiring an Additional Appeal bond to be Made in this Case & thereupon the Court being fully advised in the premises

Friday. January 4th A.D. 1878

do find that the appeal bond Made in this Case is insufficient in amount. it is therefore ordered. Considered, adjudged and decreed that the said Defendants Make & File according to law a new appeal Bond in this Case for the Sum of One thousand dollars by Saturday Morning Fifth day of January 1878

No 11

Michael J. Brake
vs
Michael Brake-Benjamine,
Sarah Smeltzer & Sarah Smeltzer -

This Cause being this day before the Court upon the Motion of the defendant, Michael Brake, to quash the appeal herein, and Which Motion being argued by Counsel and Considered by the Court, and the Court being fully advised, do sustain said Motion and the said attempted appeal to this Court is dismissed at the Cost of the plaintiff -

It is Considered that said defendants recover from said Michael J. Brake the plaintiff their Costs herein taxed by the Clerk at $ - And it is ordered that a special Mandate issue to the Court of Common pleas to Carry said judgment and said judgment herein, into execution.

To all of Which Rulings, order and judgment of the Court the Plaintiff then and there excepted -

Thereupon Court adjourned until tomorrow Morning at 9 oclock

This Morning Court met at Gaelock pursuant to adjournment- the Same of Yesterday being present- upon Yesterday-

A. C. Wert
vs
Susan Adams

This Cause Came on for hearing upon the petition in Error the Transcript- and the Original Papers and pleadings from the Court of Comm Pleas of Union County and was argued by Counsel On Consideration Whereof the Court find there is no Error apparent on the face of the record in Said proceedings and Judgment-

It is therefore Considered by the Court that the Judgment aforesaid be and the Same hereby Affirmed and that the defendant in Error recover from the plaintiff in Error his costs herein expended taxed at $

It is further ordered that a Special Mandate be sent to the Common Pleas Court of Union County for execution upon Said Judgment-

John Blair
vs
Samuel Little

This Cause Came on for hearing upon the petition in Error the transcript- and the Original papers and pleadings from the Court of Common pleas of Union County

Saturday January 5th 1878

and was argued by Counsel- On consideration Whereof the Court find there is no Error apparent- on the record in Said proceedings and Judgment=

It is therefore Considered by the Court that the Judgment aforesaid be and the Same hereby is affirmed and that the defendant in Error recover from the plaintiff in Error his costs herein expended taxed at $ - To which ruling finding and Judgment of the Court the plaintiff in Error Excepted-

It is further ordered that a Special Mandate be Sent to the Common Pleas Court of Union County for Execution upon Said Judgment=

The Village of Richwood

vs

The Atlantic and Great Western Rail Road company et al

This day Came the Parties and Submitted this Cause to the Court, Whereupon the Court being fully advised in the premises find no Error in the Said record and therefore it is ordered and adjudged by the court that Said Judgment of this Court of Common pleas be and the Same is hereby affirmed at the costs of the Atlantic and Great Western Rail Road Company the Plaintiff in Error - It is further ordered and decreed that this Cause be remanded to the Court of Common Pleas to Carry this Judgment into Effect according to Law-

To which ruling finding and Judgment

Saturday - January 6th 1876

of the Court - plaintiff in error excepts -

No 13

Richard Brewster et. al
vs
Nathan Bell et. al

On Motion by the Court - and it appearing that the appellant has failed to comply with the order herein for a new undertaking on the appeal and they ask leave for further time to file such undertaking -

It is therefore Considered by the Court that said appeal be and the same hereby is dismissed upon the motion of plaintiffs - And the Judgment of the Common Pleas Court of Erie County Ohio is hereby Affirmed. And it being made to appear that a receiver was appointed in this case by the said Court of Common Pleas this cause is remanded by this Court to said Common Pleas Court for the purpose of final settlement with said Receiver -

The Pittsburgh, Cincinnati & St Louis Railway Company Plaintiff in error
vs
Frank Reid by his next Friend Thomas Reid Defendant in Error

This Cause Came on for Hearing upon the Petition in Error, the transcript and the original papers and pleadings from the Court of Common Pleas of Erie County and was argued by Counsel; On Consideration Whereof the Court find there is Error therein as pleased upon the record

Saturday January 6th 1878

to the prejudice of the plaintiff in error in this. To-Wit That the refusal of the Judge of the Court of Common Pleas to give the 12th Special required-asked by said plaintiff in error. to be given the jury on the trial of Cause in the Court of Common Pleas aforesaid-

It is therefore considered by the Court that the Judgment-aforesaid be reversed and held for naught-and that said Plaintiff in Error recover from the defendant-in error his Cost-herein Expended taxed at $ —

It is further ordered that-this Cause be remanded to the said Court-of Common Pleas of Union County. for a New Trial and that-a Special Mandate be sent to the said Court-of Common Pleas to carry his Judgment-into Execution-

To which action Judgment-and decision of said District-Court-the Defendant in Error at the time there takes his Exceptions-

No 7

William Moffitt
vs
Coram Bird

This Cause Coming on to be heard upon the alternative writ-of Mandamus heretofore issued herein and the answer thereto-the Court find upon the issue joined for the defendant and that the plaintiff is not-entitled to a peremptory writ-against-him-

It is therefore considered that this proceeding be dismissed at the cost-of the relator- and that-Execution do awarded therefor if not-paid within thirty days

Saturday January 6th A.D. 1878

To all of which rulings and orders and judgment of the Court the relator then and there excepted.

W20 Orlando Wells
vs
Osmond W. Wells

This day came the parties and submitted this cause to the Court. Whereupon the Court being fully advised in the premises do find No Error in said judgment, and record and therefore do confirm said judgment and proceedings at Plaintiffs cost. No penalty assessed. And the Court order that a Mandate issue to the Court of Common Pleas to carry this judgment into Effect.

Whereupon plaintiff in Error excepts to said judgment and order of this Court.

John Hawley
vs
W. H. Ferguson

This day came the parties and submitted this cause to the Court. Whereupon the Court being fully advised in the premises do find no error in said record and judgment and therefore affirm said judgment and record with costs.

It is therefore considered and adjudged by the Court that said judgment be affirmed and the defendant recover of the plaintiff his costs herein expended taxed to $ And plaintiff excepts to said finding & judgment.

Saturday, January 5th A.D. 1878.

Lafayette Whetsel Plaintiff in Error -
Against -
William Roberts and John Cartmell
Defendants in Error -

This day this Cause Came on to be heard upon the petition in Error, the transcript And the original papers and pleadings from the Court of Common Pleas of Union County and Was argued by Counsel; On Consideration, Whereof the Court find there is no Error in the record and proceedings of the Common Pleas Court =

It is therefore Considered by the Court - that the Judgment aforesaid be And the Same is hereby affirmed And the said defendants in Error, is to recover of the said plaintiff in Error their Costs herein expended taxed to $

It is further ordered that this Cause be remanded to the said Court of Common Pleas of Union County to Carry into Execution the orders and Judgment of this Court =

To which Rulings, orders and Judgment of the district Court the plaintiff in Error then and there excepted.

Beverly W. Keeyes
vs
Alford Amerine Et. als

The defendant Henry Amerine having bought of the plaintiff his said Judgment and decree and paid them in full except the Costs made in the Several courts wherein the Same was pending - by their consent the appeal is

Saturday, Jan 3rd A.D. 1878

is dismissed at defendants costs and the judgment and decree of the court of Common Pleas is affirmed as to the costs. No record in the district Court & cause remanded to the Common pleas court for the recovery of the costs.

✓
No 23

Clay Kozzarter
vs
Harmony Cartmell

This day came on this cause to be heard by the court. Whereupon the court being fully advised in the premises do find no error in the said judgment and record and therefore do affirm said judgment with costs.

It is therefore considered, ordered and adjudged by the court that the judgment and order of the court of common pleas referred to in the said petition in error be and the same is hereby affirmed and that Defendant in Error recover of the plaintiff in Error her costs herein expended taxed to $ -

And the court order a special mandate to the court of common pleas for the purpose of carrying the said judgment and order into Effect.

To all of which ruling and judgment of this court the plaintiff in Error Excepts.

Saturday. January 3rd 1877

Harrison Dills. Charles S. Lacy
William M. Lacy, Alexander Lacy
Edward Stubblefield John Stubblefield
Albertine and Jacob Scott. Margaretta and
George Solomon, James and William C. Fair
Samuel L. Stubblefield - Jennie and
Robert Hall. Joseph Kring. Richard Kring
George R. Kring - Rebecca & John D. Stone
Jane & Thomas W. Benson. David Mulford
Mary M. Taliaferro - Thomas B. Taliaferro
John Sinclair ys Robert Sinclair
and Margaretta W. Booth. Plaintiffs

vs

Stuart Robinson, Joseph Temple,
William McElroy, John A. Sterling
James L. Fish, Cornelius E. Fish
Leonard Dunn & Others Defendants
"On. Appeal"

This day came the parties and submitted this cause to the Court upon the pleadings, Evidence, Statement and arguments of Counsel.

Whereupon the Court being fully advised in the premises do find the allegations of the original Petition to be true and that since the filing of said petition Margaretta W. Booth had died leaving Thomas B. Booth, Ellen D. Booth, Ellie M. Booth, John S. Booth, Nannie W. Booth and Robert M. Booth her Heirs at Law.

And that the plaintiff aforesaid represent and own in fee Simple the undivided $\frac{4716}{10,000}$ part of the Middle Lot of 441 acres, described in plaintiffs

Saturday. January 5th 1878

petition and that the defendants own in fee simple the remainder thereof-

And that the said Harrison Dills. David Mulford. Mary M. Taliaferro. Thomas B. Taliaferro John Sinclair jr. Robert Sinclair and said heirs of Margaret W. Booth represent and own in fee simple the undivided five twelfths of the said Middle Lot and are entitled to have partition thereof as prayed for in their petition.

It is therefore considered, ordered and decreed by the Court that the said last above named plaintiffs have set off to them together the five twelfths of the several Lots or tracts of land claimed and occupied by the said William McElroy- John D. Sterling James Le. Fish. Cornelius E. Fish. J. Le. Fish and Leonard Dann within said Middle Lot: and that a writ of partition issue directed to the Sheriff of this County Commanding him by the oaths of Jasper F. Jager- Thomas Fenton and Lemuel W. Smith That the metes partition as aforesaid and set off to said plaintiffs owning and representing the 5/12 of said Middle Lot: the 5/12 of Each Lot claimed by said Defendants in said 141 acre tract known as the Middle Lot and balance to defendants and report this proceedings thereon to the next term of the Court of Common Pleas of this County to which this case is remanded for further proceedings. And as to the 342/1000 parts of said Middle Lot: represented and owned as aforesaid by the heirs of Mary Lightfoot-

Saturday. January 5th A.D. 1878.

Stubblefield. Who are plaintiffs in this cause is dismissed without prejudice to their said claim. for them to bring their action at Law for the recovery of possession of their $\frac{5\frac{1}{2}}{14000}$ part. and as to the western lot of 441 acres David Mulford having settled with defendants interested therein this cause is dismissed as to said western 441 acres at said Mulfords cost. as per agreement as to the costs in this court, and at the costs of Stuart Robinson made in the Common pleas court.

It is therefore ordered by the Court that said David Mulford & Stuart-Robinson pay the costs made herein respecting said Western Lot within twenty days each in default thereof. that Execution issue therefor.

And the Court further find that the said defendants occupying said Middle Lot in addition to being the owners in fee Simple of an undivided interest therein. also hold a tax title as alleged in their amended answer which the court finds is insufficient by reason of its irregularities to give a legal title thereto but is sufficient to protect them for compensation for improvements & taxes under the occupying Claimants Laws.

And as to all rights for such Compensation this cause is remanded to the court of Common Pleas aforesaid for adjudication in this cause.

no 21

Saturday January 3rd A.D. 1878

no 21

George Davis et. al
vs
W. W. Woods

Continued

D. 1878.

...ffs in this
...Prejudice to
... to bring their
...y of possession
... the western Col-
...d having settled
...herein this Cause
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Saturday, January 3rd A.D. 1878

No 4 Samuel Taylor et al
vs
James T. Mahaffey et als

This day came the parties plaintiffs and defendants and submitted this cause to the court upon the pleadings and evidence and arguments of Counsel. Whereupon the court find for the defendants upon the issues joined between the parties in the pleadings in the Case and thereupon this cause came on to be heard upon the Motion of the said Samuel and Rosanna Taylor Plaintiffs for a new trial and was argued by counsel; On consideration Whereof it is hereby ordered that the same be overruled and is hereby - And thereupon it is considered and decreed by the Court that the plaintiffs petition be and the same is hereby dismissed at plaintiffs cost.

It is therefore considered ordered and decreed that the plaintiffs pay the costs of the defendants herein incurred taxed to $ - within twenty days and in default thereof that Execution issue therefor as upon judgments at Law, and thereupon the plaintiffs excepted to said judgment and order and asked the Court to sign and seal their bill of Exceptions which is accordingly done and the said bill of Exceptions to be made a part of the record in this case, And for the purposes

Saturday January 5th 1878

of having said Bill of Exceptions prepared and signed and sealed by agreement of parties the Journal is kept open for three days as provided by Statute - And now prepared, Signed and Sealed that the Same be filed as of this term -

Thereupon Court adjourned to Mon- Monday January 7th 1878 at 9 Oclock A. M

Monday January 7th A.D. 1878.

This Morning Court Met at 9 Oclock Pursuant to Adjournment The Same Officers being present as on Saturday, with this Exception. Honorable John Ls. Porter Judge being present in place of Hon Thomas Beer as Presiding Judge—

Andrew McLaughlin et al
D. F. Parsons. Plaintiffs in Error
vs
Belle Stanley Defendant in Error

No. 28

This Cause came on for hearing upon the petition in Error, The transcript and the Original Papers and pleadings from the Court of Common pleas of Union County and was argued by Counsel. On consideration whereof the Court find there is no Error apparent on the record and proceedings and judgment is therefore considered by the Court that the judgment aforesaid be and the same hereby is affirmed and that the defendant in error recover from the plaintiffs in error her costs herein Expended taxed to $ And the Court being of opinion that there was reasonable ground for proceedings in Error, Allow no penalty.

It is further ordered that a Special Mandate be Sent to the Common Pleas Court of Union County for execution upon said Judgment.

...D. 1878.

...d at 9 O'clock
...the Same officers
...y. with this
...L. Porter Judge
...Thomas Beer.

...upon the petition in
...ginal Papers and
...mmon pleas of
...Counsel. On
...fired there is
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Monday January 7th A.D. 1878

24 Veloras F. Wills. Plff in error
vs
John Mc. McIntire & Co Defts in error

This cause came on for hearing upon the petition in error, the transcript and the original papers and pleadings from the Court of Common Pleas of Union County and was argued by Counsel, on consideration whereof the Court find there is no error apparent on the record in said proceedings and judgment.

It is therefore considered by the Court that the judgment aforesaid be and the same is hereby affirmed and that the defendant in Error recover from the plaintiff in Error his costs herein Expended taxed to $.

It is further ordered that a Special Mandate be sent to the Common Pleas Court of Union County for Execution and for further proceeding upon said judgment- to all of which rulings decisions and judgments and orders of the Court the plaintiff in Error by his attorney then and there Excepted.

No 29 S. Taylor. Plff in error
vs
John McDonald Deft in error

This cause came on for hearing upon the petition in Error, the Transcript and the original papers and pleadings from the Court of Common Pleas of Union County and was argued by Counsel, on consideration whereof the Court find there

Monday. January 7th 1878

no error apparent on the record in said proceedings and judgment.

It is therefore considered by the Court that the judgment aforesaid be and the same is affirmed. and that the defendant in error recover from the plaintiff in error his costs herein expended taxed to $.-

It is further ordered that a special mandate be sent to the Common Pleas Court of Union County for execution upon said judgment. To all of which findings. rulings and orders the plaintiff in error by his Counsel excepts.

A. G. Wilcox
vs
Albert B. Witter and
Susan Witter his Wife

This cause coming on to be heard upon the Motion of Defendant A. B. Witter to dismiss the appeal was argued by counsel. Whereupon the Court being fully advised in the premises do sustain said Motion upon the ground that the said case is not one in which the remedy by appeal is provided.

It is therefore considered ordered and adjudged that said appeal stand dismissed and that said plaintiff pay the cost on said appeal

Monday January 7th 1878

James A. McAllister

vs

Mary E. Bliss & Chas Bliss her husband
and Jacob Leonard.

This Cause Coming on for hearing upon the pleadings. Exhibits & Evidence was argued by Counsel and submitted; Whereupon the Court being fully advised in the premises do find that the Equity of the Case is with the plaintiff, and that there is due to plaintiff from the defendants Mary E. Bliss and Charles Bliss upon the Mortgage described in the petition the sum of $1822.50

There is due as taxes on the premises covered by said Mortgage the sum of $67.68 at the time that Sale was Confirmed.

That the said Jacob Leonard Defendant purchased said premises at the Sheriffs Sale thereof heretofore had in this Case and retained the sum of $1900 in full of all his claims in the premises. Except taxes And that the balance of the proceeds of said Sale, to-wit- the sum of $ has been paid in to Clerk of said Court by the said Sheriff.

It is therefore ordered, adjudged and decreed that the said Clerk pay out of the proceeds of said Sale-

1st To Jacob Leonard the said sum of $67.68 accrued taxes

2d The costs of this suit- taxed to $

3d The sum of $1822.50 to the plaintiff

4th The balance of said proceeds to Mary E. and Charles A. Bliss defts or their attorneys-

Monday January 7th A.D. 1878

Samuel Little
vs
H. C. Hoofstine

This day this Cause came on to be heard upon the petition in Error the transcript and the original papers and pleadings from the Court of Common pleas of Irwin County and Organized by Counsel, On Consideration whereof the Court find that there is Error therein apparent upon the record to the prejudice of the plaintiff in Error.

It is therefore considered by the Court that the Judgment aforesaid be reversed and held for Nought and that the plaintiff in Error recover from the defendant in error his costs herein Expended taxed at $

It is further ordered that this Cause be Remanded to the Said Common Pleas of Irwin County for a New Trial. and that a Special Mandate be Sent to the Said Court to Carry this Judgment into Execution.

Supreme Court of the State of Ohio.

The State of Ohio }
City of Columbus } December Term, A.D. 1877.

David Watson } Error to the District
vs } Court of Union County.
Anna E. Erb et al }

This cause came on to be heard upon the Transcript of the Record of the District Court of Union County and was argued by Counsel. On consideration whereof, it is ordered and adjudged by this Court, that the Judgment of the said District Court be and the same is hereby affirmed.

It is further considered that the defendants in Error recover of the plaintiff in Error their Costs herein expended to be taxed.

Ordered, That a Special mandate be sent to the Court of Common Pleas of Union County to this Judgment into Execution.

Ordered, That a copy of this Entry be certified to the Clerk of the District Court of Union County "for Entry."

I, Richard J. Fanning Clerk of the Supreme Court of Ohio, do hereby Certify that the foregoing Entry is truly taken and correctly Copied Copied from the Journal of said Court.

Seal

Witness, My hand and the Seal of said Court this 3d day of July A.D. 1878.

Richard J. Fanning, Clerk

State of Ohio
City of Columbus } Supreme Court of Ohio

(over)

To the Honorable Court of Common Pleas. Within and for the County Union Ohio. Greeting;

We do Hereby command you, that you proceed, without delay, to carry the within and foregoing judgment of Our Supreme Court of Ohio, in the cause of David Watson vs Anna E Erb et. al into Execution, the petition in Error Herein and heretofore granted, to the contrary. Notwithstanding.

Witness Richard J. Fanning Clerk of Our said Supreme Court of Ohio at Columbus, this 3d day of June 1878

Richard J. Fanning. Clerk

Clerks Cost- $2.50 pd by Plff in error
" " $6.00 pd by Flemming Clerk
Printing Record $17.25 pd by Plff in error

Supreme Court of the State of Ohio
The State of Ohio } December Term 1878
City of Columbus }
Susan Humphries et al } Error to the District
vs } Court of Union County
Joab Huffman et al }

This cause came on to be heard upon the transcript of the record of the District Court of Union County and was argued by Counsel. On consideration Whereof, it is ordered and adjudged by this Court that the judgment of the said District Court be, and the same is hereby reversed, and this Court proceeding to render the judgment that said District Court should have rendered, order and adjudge that the judgment of the Court of Common pleas of Union County be and the same is hereby reversed, and this cause is remanded to

Said Court of Common Pleas for such further proceedings as may be authorized by law

It is further considered that the plaintiffs in error recover of the defendants in error their costs herein and in the District Court expended to be taxed

Ordered that a Special Mandate be sent to the Court of Common Pleas of Union County to carry this judgment into execution.

Ordered, that a copy of this Entry be certified to the Clerk of the District Court of Union County, "for" Entry"

I Richard J. Fanning Clerk of the Supreme Court of Ohio, do hereby certify that the foregoing Entry is truely taken and correctly copied from the Journal of said Court.

Witness, My hand and the Seal of said Court, this 4th day of January A.D 1879.

Richard J. Fanning Clerk

State of Ohio City of Columbus. Supreme Court of Ohio,
To the Honorable Court of Common Pleas, within and for the County of Union Ohio. Greeting:
We do Hereby Command you, that you proceed without delay to carry the within and foregoing Judgment of Our Supreme Court of Ohio. in the cause of Susan Humphries et al vs Joab Huffman et-al into Execution, the petitioner in error therein and heretofore granted to the contrary notwithstanding

Witness. Richard J. Fanning Clerk of our Said Supreme Court of Ohio at Columbus this Fourth day of January 1879

Richard J. Fanning Clerk

Clerks Cost $7.00 Paid by Plff in error
Printing Record $40.00 " " "

Court Record for 1879

It is ordered That a term of the Court of Commn Pleas be commenced, at 8 O'clock A. M.

In Allen County on January 6 - March 31st September 29th 1879
In Auglaize County on January 13th April 7th September 8th 1879
In Crawford County on January 7th April 21st September 9th 1879
In Defiance County on January 18th May 12th September 29th 1879
In Fulton County on February 10th June 9th October 27th 1879
In Hardin County on January 7 April 1st October 7th 1879
In Hancock County on January 7th April 21st September 9th 1879
In Henry County on January 27th May 26th October 18th 1879
In Logan County on February 25th May 13th November 4th 1879
In Marion County on February 18th June 9th October 28th 1879
In Mercer County on March 17th May 6th December 1st 1879
In Paulding County on January 7th May 6th September 23 1879
In Portman County on February 10th April 28th September 8th 1879
In Seneca County on February 3d May 12th October 8th 1879
In Shelby County on March 3d May 19th October 6th 1879
In Union County on February 8 April 21st September 8th 1879
In Van Wert County on February 17th April 21st November 3d 1879
In Williams County on February 24 June 18th November 10th 1879
In Wood County on February 24 - June 24 November 4th 1879
In Wyandot County on January 28 - May 19 - October 8th 1879

District Court

And that a Term of District be
Commenced, at 8. oclock. A. M.,

In Allen	County on	April 10th	1879
" Auglaize	County on	March 31st	1879
In Crawford	County on	July 10th	1879
In Defiance	County on	June 18th	1879
In Fulton	County on	June 24th	1879
In Hardin	County on	March 25th	1879
In Hancock	County on	March 18th	1879
In Henry	County on	June 21st	1879
In Logan	County on	March 18th	1879
In Marion	County on	July 15th	1879
In Mercer	County on	April 1st	1879
In Paulding	County on	June 14th	1879
In Putnam	County on	April 3d	1879
In Seneca	County on	June 10th	1879
In Shelby	County on	March 28th	1879
In Union	County on	March 11th	1879
In Vanwert	County on	April 7th	1879
In Williams	County on	June 26th	1879
In Wood	County on	June 28	1879
And In Wyandot	County on	July 8th	1879

It is ordered, at a Meeting of the Judges of the Court of Common Pleas of the 3d Judicial District of the State of Ohio, held for that purpose, at the Court house, in the town of Lima in the County of Allen in Said District, this 28th day of October 1878

James McKenzie
Thurman Beer
John L. Porter
E. M. Phelps
Henry W. Dodge
Selwyn N. Owen

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

And you are hereby directed to have the foregoing order published according to law. John L. Porter Judge

December 31st A.D. 1878

Supreme Court of the State of Ohio.
The State of Ohio } December Term A.D. 1877
City of Columbus }
Pittsburgh Cincinnati and
St Louis Railway Company } Error received in the
vs } District Court of
William B. Moore } Union County

This cause came on to be heard upon the transcript of the record of the Court of Common Pleas of Union County and was argued by Counsel, On consideration Whereof, it is ordered and adjudged by this Court that the judgment of the said Court of Common Pleas be and the same is hereby affirmed. It is further considered that the defendant in Error recover of the plaintiffs in error his costs herein Expended to be taxed. Ordered, That a Special Mandate be sent to the Court of Common Pleas of Union County, to carry this Judgment into Execution. Ordered, That a copy of this Entry be certified to the Clerk of the District Court of Union County "Entry".

I, Richard J. Fanning Clerk of the Supreme Court of Ohio, do hereby certify that the foregoing Entry is truly taken and correctly copied from the Journal of said Court. Witness, My hand and the Seal of said Court, this 28th day of December A.D. 1878.

Richard J. Fanning Clerk.

State of Ohio, City of Columbus, Supreme Court of Ohio.
To the Honorable Court of Common Pleas, Within and and for the County of Union Ohio Greeting;
We do hereby command you, that you proceed, without delay, to carry the within and foregoing Judgment of our Supreme Court of Ohio, in the cause of Pittsburgh Cincinnati and St Louis Railway Company vs William B. Moore into Execution the Petition in Error therein and heretofore granted to

the contrary, Notwithstanding.

Witness Richard J. Fanning Clerk of our said Supreme Court, at Columbus, this 30th day of December 1878. Richard J. Fanning, Clerk

Order in Vacation of District Court of Union County, Ohio.

Finding it necessary and for good cause Shown, it is ordered that the Clerk of said Court be, and he is hereby required to draw from the box again other cases the Names of Seven (7) persons to serve as jurors in said Court at the March Term thereof A.D. 1879 and to cause a Venire to issue therefor Summoning them to appear forthwith Marysville, Ohio, March 11th 1879.

Henry H. Dodge
one of the Judges of said Court.

Tuesday. March 11th 1879.

The District Court within and for the County of Union and State of Ohio met in the Court House in the town of Marysville in said County this 11th day of March 1879 and there being no quorum present. The Sheriff adjourned the court until tommorrow morning at 8½ Oclock.

Admission of Members to the Bar

Wednesday March 12th A.D. 1879.

The State of Ohio } ss
County of Union }

This Morning Court met at 8½ Oclock pursuant to adjournment Present, Hon Thomas Beer, Hon Selwyn N. Owen and Hon Henry N. Dodge, Judges Hon Thomas Beer presiding

Justus J. Miller, Sheriff of Union County
Thomas Martin Coroner of Union County

Attest.
W. M. Weiget.
Clerk of the District Court of Union Co

Admission of Members to the Bar

This day Richard M. McCloud, Robert B. Montgomery, Anthony J. McCaffery, Eugene D. Hamilton and Arthur D. Varys applicants for admission to the Bar appeared in Open Court and it being shown to the satisfaction of the Court that the said Richard M. McCloud Robert Montgomery, Anthony J. McCaffery, Eugene D. Hamilton and Arthur D. Varys were of good moral character, and in all other respects qualified according to the Statute in such case made and provided, and the said Richard M. McCloud, Robert B. Montgomery, Anthony J. McCaffery Eugene D. Hamilton and Arthur D. Varys being thereupon sworn to support the constitution of the United States and of the State of Ohio and in all things to demean themselves faithfully and honestly as attorneys and counsellors at law and Solicitors in Chancery.

It is therefore ordered that the said Richard M. McCloud, Robert B. Montgomery, Anthony J. McCaffery, Eugene D. Hamilton

and Arthur D. Dorp. be admitted to practice as attorneys and Counsellors at Law and Solicitors in Chancery in the Several Courts of the State of Ohio.

And Thereupon the Court adjourned to Meet at Eight & a half Oclock tommorrow morning.

Thursday, March 13th A. D. 1879.

This Morning Court met at 8½ Oclock pursuant to adjournment.

In the District Court of Union County, Ohio

Phebe Baker et al
against
Eli C. Piper adm et al

This day came the parties and their attorneys whereupon, the Motion herein filed by the defendants on yesterday, asking the Court to change the place of the trial of this Cause to some County adjoining this County for the reason that a fair and impartial trial of the case cannot be had in this County where the same is now pending came on and was heard. Thereupon the parties Making said Motion, read in support thereof, the affidavits herein filed of many citizens of said County, and the parties resisting the said Motion read the affidavits herein filed of many citizens of said County to maintain their objection to the granting of said Motion, the said Motion was thereupon argued by Counsel of the respective parties.

Whereupon the Court being fully advised in the premises are of the opinion that the said Motion ought to be sustained on the ground therein stated.

It is therefore, ordered and adjudged that the said Motion be and the same is hereby sustained and that the place of the trial of this cause be and the same

March 13th A.D. 1879

is hereby changed from this county to the adjoining county of Marion and that this cause be and the same is hereby removed and transfered from the District Court of this county to the District Court of said County of Marion for trial and final determination, and that the Clerk of this Court forthwith send all the pleadings, processes, and papers on file in this case including depositions taken therein, together with a duly certified transcript of all the proceedings, docket and journal entries in this case including this entry to the Clerk of said District Court of said county of Marion to be duly filed and docketed by him in the said District Court of Marion County.

No 44 — A. S. Chapman & C. S. Chapman vs Justinus D. Rublen & Others } District Court

This day came the defendants and by Consent of plaintiffs dismissed their appeal in this case and asked the court to render the same decree that was entered in this case in the court of Common pleas as per written agreement on file. Whereupon the Court ordered and decreed that the defendants accept the title tendered to them for the land sold to defendants and that they the defendants pay the costs this proceedings and specifically perform the written agreement Entered in

March 13th A.D. 1879.

in the plaintiffs petition by executing a warranty deed to plaintiffs with covenants of general warranty within ten days. the lands in said petition described as follows viz The John Flack farm described as follows.

Situate in the Township of Jerome in the County of Union and State of Ohio in Survey No 5166 and bounded and described as follows to-wit; beginning at a Stake marked in the survey line and in the center of the Columbus and Marysville State Road; Thence with the center of said road N 52° W. 178.50 poles to a stake corner to lot owned by Fredrick Flecks; thence with one of said Flecks lines S. 62° W 16.96 poles to a white Oak tree another corner to said Flecks Thence with another of said Flecks lines N. 52° W. 36 poles to an ash tree in the line of a lot owned by John Ko. Dodge - Thence with said line S. 34° W. 120 80 poles to a stake; thence S 36° E. 105 poles to a stake; thence S. 34° W. 42. 50 poles to a walnut and Dunwood tree; Thence S. 36° E 105 poles to a stake in the line of said Survey; thence with said Survey line N. 34° E 247 poles to the place of beginning containing 247 acres and 115 poles. Excepting the Dower right in fifteen acres of Elizabeth McKinn bounded and described as follows part of Survey No 5166 in Union County & State of Ohio beginning at a stake in a line of John Flecks corner to lot bought by James Oliver from Andrew H. Beard. Thence N 36° W. 18½ poles & 3 links to a stake; thence N 34° E. 129 poles to a stake. Thence S 36° E 18½ poles & 3 links to a hickory corner to J. Flecks and in A. Beards line. Thence with

March 18th A.D. 1879.

with John Flecks line S. 54° W. 129 poles to the beginning containing 13 acres and excepting 20 acres conveyed by Geo Buhlen & Wife to Sarah A. Clevinger July 7th 1876. and recorded in Book HH Page 232 of the records of Union County State of Ohio.

If the defendants fail to execute said deed within 10 days then this decree Shall operate as such conveyance and if they fail to pay said costs in same time that an execution issue for same & it is ordered that an order remanding this Cause to the Common pleas court be issued to carry this decree into effect.

Thereupon Court adjourned to meet tommorow Morning at half past eight o'clock.

No 33

No 37

Friday March 14th A.D. 1873.

This Morning Court Met at half past Eight Oclock pursuant to adjournment.

No 37 Nancy Dillon et al vs M. W. Piney Et al } Appeal

This day came Charles Carter the bail on the Appellants appeal bond and asked to be released from his said bond- Whereupon the Court order the appellants to execute further bond with another security but the plaintiffs not applying for further time to give said bond and not complying with said order, this appeal is dismissed at the plaintiffs costs. And the decree and order of the Court of Common pleas in this cause Remain in full force as if the appeal had not been made. And a Mandate to carry this decree into force is hereby made.

No 33 Hannah F. Piper vs James Gabriel, Josiah Gabriel, Richard Gabriel, Joden Gabriel, Ruth Gabriel } Appeal

This cause coming on for hearing was Submitted to the Court upon the petition & plaintiffs the answer and cross petition

March 14th A.D. 1879.

of James Gabriel. The other defendants Still failing to answer or demur. And by consent and agreement of the parties and upon compromise between them, the Court find the Equity of the case to be with the defendant James Gabriel as set upin his answer.

The Court further find that at the time of filing the petition in this case, the said James Gabriel was in possession of the real property described in the petition and that he has the legal estate, and is entitled to the possession thereof and the court do find that upon the death of the said testator Richard Gabriel deceased the said lands and tenements did not pass and descend to his heirs at Law as alleged in the petition herein but on the contrary the court do find that the said James Gabriel under the contract set forth in his answer and cross petition with his father Richard Gabriel and under his said last will and testament and upon construction thereof is entitled to hold the same against the plaintiffs and all the other defendants herein and it is therefore considered by the court here that the said James Gabriel do hold and Stand Seized in fee of the whole of the said premises herein described against the plaintiffs and all other defendants herein. And the court find that the term of the compromise herein the defendant James Gabriel is to pay all costs herein and it is therefore considered that the said James Gabriel

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March 14th 1879.

pay the costs herein taxed at $
and if that same is not paid Execution
issue therefor.

It is further ordered that a special
Mandate be sent to the Common Pleas
Court of said Union County for Execution
upon said judgment.

Henry J. King }
vs } Error
The State of Ohio }

No 41

This day this cause
came on to be heard upon the petition in
Error and was argued by Counsel and submitted
to the Court. Whereupon the Court do find
that there is no Error in the above case as
alleged in the petition of the plaintiff.

It is therefore Considered ordered and
adjudged that the proceeding, judgment
and orders of the Court of Common Pleas
heretofore made be and the same are hereby
affirmed and this cause remanded
for Execution. To which ruling of the
Court in that behalf the plaintiff H. J. King
then and there except and pray the Court
to allow of his Exceptions and make them
a part of the Record in this case. Which
is done accordingly

March 14th 1879

No 35 James Fullington & others
vs
Reese Miller Dec'd

This day came the defendants and dismissed this appeal and agreed that the decree rendered in the Court of common pleas remain in full force as if said appeal had not been taken.

It is therefore considered and adjudged by the Court that the defendants within ten days pay the costs in this Court in this Cause & in default thereof that Execution issue therefor & that a Special Mandate issue to the common pleas court.

No Record in this court—

32 Mary K. Robertson
vs
John W. Grindell et al } Appeal

This day came the parties by their attorneys and thereupon came this Cause on to be heard upon the motion of the plaintiff to require a new undertaking in appeal for reasons in said Motion stated and was argued by counsel and submitted.

On consideration whereof the court sustain said Motion, It is ordered that said defendants give a new undertaking with Sureties to be approved by the Clerk in the Sum of five hundred dollars. It is further ordered that said undertaking be given within thirty days from the rising of the Court and in default that said appeal stand dismissed—

No 43

March 14th. 1872.

No 43 James McGahey vs Richard Davis et als

This day this cause came on to be heard upon the pleadings and testimony, and thereupon came the said parties by their attorneys and submitted this cause to the court and the same was heard upon the testimony and argued by counsel and submitted to the Court and the court being fully advised in the premises do find and say that the allegations of the petition and reply of said plaintiffs are true and that the allegations of said defendants answer are not true and it is considered by the court that there is due and unpaid from the said defendants to the plaintiff on the contract set forth in his petition herein the sum of $662.50 and a penalty of $30.00 in all $692.50.

It is therefore considered by the Court here that the said plaintiff recover of the said defendants the said sum of $692.50 and costs herein taxed at & and that if the same is not paid Execution issue therefor, and it is further ordered that out of said sum of $662.50 there be paid to J. W. Tracey the sum of $140.00 as a credit of said plaintiff, and it is further ordered ordered that a Special Mandate be sent to the Court of Common Pleas to carry this decree and Judgment into Execution.

383

Friday March 14th A. D. 1879

21

George Davis &
Isabella Davis } District Court Min Co. O
vs
W. W. Woods }

This day came the parties to this cause and submitted this cause to the court upon the pleadings and Evidence.

Whereupon the court find for the defendant upon the issues joined between the parties except that the court find that defendant agreed to pay to plaintiffs One Hundred dollars as alleged in said defendants answer and that the Evidence does not show that more than Eighty five dollars of the said hundred dollars have been paid to the persons entitled thereto, that fifteen dollars and interest amounting altogether to $18.60 Still remains unpaid and due the Plaintiffs on said hundred dollars so agreed to be paid.

It is therefore considered ordered and decreed by the court that the plaintiffs recover of the defendant said sum of Eighteen dollars and Sixty Cents found due them as aforesaid.

It is therefore further ordered that Each party pay his own costs in this cause within ten days & in default thereof that Execution issue therefor. To all of which Plaintiff excepts

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A. D. 1879

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Friday March 14th A D 1879

46

Samuel Buffington
vs
C. Fr. Clark
} Error

This day came the parties by their attorneys and thereupon came this cause on to be heard upon the petition in Error filed in this Case and the transcript and original papers and was argued by Counsel. On Consideration Whereof the Court being fully advised in the premises do find that there is no Error in the said record or proceedings It is therefore Considered ordered and decreed by the court that the said Judgment and proceedings be and the same is hereby affirmed and that the defendant in error recover from the plaintiff in error his costs herein Expended taxed at $

It is further ordered that a Special Mandate be sent to the court of Common Pleas of Miami County for Execution upon said Judgment.

Friday March 14th A.D. 1879

No 47

Samuel Tittle
vs
Ruben Freshwater
et al
} In Error

This cause came on for hearing upon the petition in error the transcript and the original papers and pleadings from the Court of Common Pleas of Union County and was argued by Counsel on consideration whereof the Court finds there is no error apparent on the record of said proceedings and judgment.

It is therefore considered by the court that the judgment aforesaid be and the same is affirmed and that the defendant in error recover from the plaintiff in error his costs herein expended taxed to $ —

It is further ordered that a Special Mandate issue to the said court of Common Pleas to carry the said decree heretofore rendered into Execution —

A. D. 1879

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Friday March 14th 1879.

Weed & Co
vs
Dolbeart Woods } Error

This Cause Came on for hearing upon the petition in error, the transcript the bill of exceptions original papers and pleadings from the Court of Common pleas of Union County and was argued by Counsel, On consideration whereof the Court find that there is no error apparant on the record in said proceedings and Judgment.

It is therefore considered by the Court that the Judgment aforesaid be and the Same hereby is affirmed and that the defendant in Error recover of the Plaintiff his costs herein Expended taxed at

It is further ordered that Special Mandate be sent to the Common Pleas Court of Union County for Execution and for further proceedings.

Friday March 14th A. D. 1879.

A. Hamilton
vs
The Continental Life Insurance Company
Error

21

This day this cause is dismissed by the court for want of prosecution at plaintiffs costs.

It is therefore considered ordered and adjudged by the court that defendants recover of the plaintiff its costs herein expended taxed to $

It is further ordered that a Special Mandate be sent to the Common Pleas Court of Union County for Execution.

No Record.

Allowance for Sheriff

On Motion and on good cause shown it is ordered that the Sheriff of this County be and he hereby is allowed the sum of thirty five dollars for his necessary expenses in preparing the court Room & for attendance upon the district Court during the present term and that the same be paid out of the county treasury.

A. D. 1879.

Error

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Friday March 14th A. D. 1879

No 36

Susan Adams
vs
James Adams et al

This day this cause come on to be heard upon the motion of plaintiff asking for a continuance of this cause to the next term of this court. Whereupon the court being fully advised in the premises do sustain said motion and this cause is ordered to be, and the same is hereby continued to the next term of this court at the cost of the plaintiff, and it is ordered that said plaintiff pay the costs of this term and in default thereof within ten days that Execution issue therefor.

And further the death of A. C. West one of the defendants in this case being suggested it is ordered by the court that George W. Drum administrator of the said A. C. West be made party defendant in his stead.

48

A. V. Kennaye et al
vs
Alef Rhodgrass et al

Continued

Friday March 14th A.D. 1879

No 40 Scott Rodgers vs William Baldwin } Error

This day Came the parties by their attorneys and thereupon Came this Cause on to be heard upon the Bill of Exceptions. Transcript and original papers (the filing of a petition in Error having been waived by the parties) and was argued by the Court. Whereupon the Court being fully advised in the premises do find that there is no Error in the said record and proceedings.

It is therefore considered ordered & adjudged by the Court that the said Judgment and proceedings be and the same are hereby affirmed. and that the defendant in Error recover from the plaintiff in Error his costs herein expended taxed to $

It is further ordered that a special Mandate be sent to the Court of Common Pleas of Union County for Execution upon said Judgment. to which ruling the plaintiff in error then and there Excepts.

34 Philip P. Macklin vs T. W. Forgarte et als } Continued

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Friday March 14th A.D. 1879. 390

This March term of this District Court was begun on the 11th day of March A.D. 1879 and continued from day to day by regular adjournments, until this 14th day of March A.D. 1879, and is now adjourned without day.

Thomas Bee
Presiding Judge

Times of holding Courts in 10th Judicial Dist. for 1880

Be it remembered that at a Meeting of the Judges of the Court of Common Pleas of the tenth Judicial District of the State of Ohio, at the Court House, in the Town of Upper Sandusky in the County of Wyandot and State of Ohio, on the 13th day of October 1879 for the purpose of fixing the times of holding the terms of the court of Common pleas, and the District Courts for the year A.D. 1880.

It is ordered, that a Term of Court of Common Pleas be commenced at 8 o'clock A. M.

In Crawford	County, on	January 5th	April 26th	September	6th
In Hardin	County on	February 23d	May 3d	October	4th
In Hancock	County on	January 5th	June 8th	September	6th
In Logan	County on	February 17th	May 25th	October	19th
In Marion	County on	February 17th	June 8th	November	2d
In Seneca	County on	February 2d	May 31st	September	6th
In Union	County on	January 5th	May 3d	September	13th
In Wood	County on	February 16th	May 3d	October	4th
In Wyandot	County on	February 2d	May 18th	October	13th

And that a Term of the District Court, be commenced at 8 o'clock. A. M.

In Crawford county on July 9th. In Hardin County on March 30th
In Hancock County on April 7th. In Logan, county on March 19th
In Marion County on June 29th. In Union County on March 15th
In Seneca County on April 13th In Wood County on April 20th
And in Wyandot County on April 2d.

John L. Porter
Henry W Dodge
Thomas Beer. Judges

To the Clerk of the Court of Common Pleas, of Union county, Ohio.

You are hereby directed to have the foregoing order published for 4 consecutive weeks in two newspapers, one of each political party published in said County according to Law.

John L. Porter. Judge

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Tuesday, March 16th A.D. 1880.

The State of Ohio. Union County S.S.
This March Term of District Court in and for the Tenth Judicial District of the State of Ohio held at the Court house in the Town of Marysville, County and State aforesaid was Begun on the 16th day of March A.D. 1880 in accordance with the Constitution and Laws of the State of Ohio. Present

Honorable John L. Porter
Honorable Henry H. Dodge
and Honorable Jabin M Caney. Commencing
Asso Judges. John L. Porter Presiding
J. J. Miller Sheriff and
W. M. Winget Clerk

No 67

Mary J. Turner
vs
Anthony Keiger et, al

This Case is dismissed by plaintiff on a Settlement of the Judgment rendered in the Court below as follows the defendants are to convey to plaintiff the Land which they obtained Judgment for in the Court below on Payment of Four hundred dollars to said defendants in thirty days. Plaintiff to pay all costs except the costs awarded in the Court below against these defendants No Record in this Court.

No 56 Jonas Figley
vs
Margaret McElory

This day came the parties and Settled this case as follows, The defendant hereby remits all of the Judgment refered to in the petition in Error except One hundred and fifty dollars and costs which Sum of $150. & costs plaintiff is to pay to defendant as follows, viz, One hundred dollars April 1st next and the other fifty dollar June first, and the Cost at once and the Judgment below to Stand as so Modified - No record in this Court -

58 John R Carbeson Adms
vs
Mathew Bingrel Et-al

This day this Cause came on to be heard on the Motion of the defendant to Continue the Case, and the Court being fully advised in the premises do sustain said Motion at the cost of the defendant - Mathew Bingrel it is therefore Considered ordered and adjuged by the Court that the defendant Mathew Bingrel pay the Costs of this term and Execution is awarded therefor -

49 Daniel Anderson
vs
Henry Baylor

This day this Cause came on to be heard upon the Motion of the defendant Henry Baylor to dismiss the appeal in the above case heretofore had; and was argued by Counsel

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Tuesday. March 16th. 1880.

and Submitted to the Court, upon Consideration Whereof the Court do Sustain Said motion and order the Said appeal from the Court of Common pleas of Union County Ohio to the District Court of Said County to be and the Same is hereby dismissed at the Costs of Said plaintiff. It is therefore Considered ordered and adjudged that the defendant herein recover of the plaintiffs his Costs Taxed to $ -

Thereupon Court adjourned until tomorrow Morning at half past Eight O'clock

A. V. Vermeer and George F. Morse Executors of the Last Will and Testament of A. V. Morse deceased
against
Alex Snodgrass. Elijah Mitchel and David Mitchel
} March

No 48

This day this Cause came on to be heard upon the petition in error the bill of exceptions and the original papers and pleadings from the Court of Common Pleas of Union County Ohio to reverse the Judgment of the Said Court which was rendered in favor of the defendants Elijah Mitchel and David Mitchel on the issues joined between the plaintiffs and the Said two defendants on trial in Said Court and was argued by Counsel on Consideration whereof the Court find there is no error apparent on the record in Said proceedings and judgment. It is therefore Considered by the Court that the Judgment aforesaid be, and the Same hereby is affirmed. And that the Said defendants in error Elijah

Wednesday March 17th A.D. 1880

This Morning Court met at half past Eight Oclock pursuant to adjournment. The same officers being present as on Yesterday

38 M. C. Lawrence, Trustee }
vs }
Henry Barth et al }

This day this Cause came on to be heard upon the demurer to the petition as Supplemental and was argued by Counsel on Consideration Whereof the Court does overrule said demurer. To which ruling of the Court the defendants Excepted and does Still Except=

And therefore this Cause Came on further to be heard upon the demurer to the Second and third grounds of the Reply as Set forth in the Reply of the Plaintiff and Was argued by Counsel.

On Consideration Whereof and the Court being duly advised in the premises does overule said demurer, To which ruling of the Court the defendants Excepted, and does Still Except.

No 38 M. C. Lawrence, Trustee }
vs }
Henry Barth et. al }

This day Came the parties by their attorneys and this Cause Came on to be heard upon Motion of the defendants to Continue this Cause until the next term of this Court and was argued by Counsel and upon Consideration and proper Showing being made, It is ordered that this Cause Stand Continued until the next term of this Court at the Costs of the said defendants with Leave to

Wednesday, March 17th 1880.

Plaintiff to reply to Supplemental answer in 30 days from the rising of this Court= It is thereupon Considered and ~~adjudged~~ decreed that defendants pay the Costs of this term within ten days and in default that Execution issue therefor-

No 48.

A. V. Kennedy and George F. Morse Executors of the Last Will & Testament of A. V. Morse Deceased Plaintiffs
Against
Alex Snodgrass - Elijah Mitchel and David Mitchel Defendants

This day this Cause came on to be heard upon the petition in Error the Bill of Exceptions and the original papers and pleadings from the Court of Common Pleas of Union County Ohio. To reverse the Judgment of the said Court which was rendered in favor of the defendants Elijah Mitchel and David Mitchel on the issues joined between the plaintiffs and the said two defendants on trial in said Court and was argued by Counsel; on Consideration whereof the Court find there is no Error apparent on the record in said proceedings and Judgment.

It is therefore Considered by the Court that the Judgment aforesaid be and the same hereby is affirmed and that the said defendants in Error. Elijah Mitchel and David Mitchel recover from the plaintiffs in Error all of their Costs Expended in this case taxed at $ - And the Court being of opinion that there was ~~reasonable~~ able ground for proceedings in Error allow no penalty - It is further

Wednesday March 17th 1880.

ordered that a special mandate be sent to the Common Pleas Court of Union County Ohio for execution upon said judgment.

No 59

Francis Baldwin et al
vs
Michigan Mutual Life
Insurance Company

This cause come on for hearing upon the petition in Error the Transcript and the original papers and pleadings from the Court of Common Pleas of Union County and was argued by Counsel. On Consideration Whereof the Court find there is no Error apparent on the record in said pleadings and judgment.

It is therefore considered by the Court that the judgment aforesaid be and the same hereby is affirmed; and that the defendant in error recover from the plaintiff in error his costs herein expended taxed $ - It is further ordered that a Special mandate be sent to the Common Pleas Court of Union County for execution upon said judgment.

No 60

Charles Randall
vs
P. E. Barnes

This day came on this cause to be heard and was argued by Counsel. Whereupon the Court do affirm the judgment of the Court of Common Pleas at Plaintiffs costs - It is therefore adjudged that defendant recover of plaintiff his costs herein expended, and it is ordered that this cause be remanded to the Court of Common pleas of Union County for execution

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Wednesday - March 17th 1880

J. M. Southard
vs
The Incorporated Village
of Marysville et al others

This day came the parties and on motion of plaintiff leave is granted plaintiff to file amended petition this Evening & the same is so filed March 17th 1880.

No 63

Orlando Wells
vs
Robert Gibson

On motion of the defendant and it appearing that this Court has no jurisdiction herein the petition is hereby Stricken from the docket for the reason that it does not appear from the record that ~~it does not appear~~ any injunction was ever allowed in this case.

Thereupon Court adjourned to meet tommorrow Morning at half past Eight o'clock

Thursday. March 18th A.D. 1880

This Morning Court Met at half past Eight O'clock officers present Honorable John L. Porter. Hon John McCauley, Hon H. H. Dodge and Hon Thomas Beer Judges. and J. J. Miller Sheriff of Union County and Wm M. Kinget Clerk of Union County.

Honorable Thomas Beer Presiding

No 57

J. W. Cummings admr
vs
William A. Epps et al

This Cause Coming on to be heard on the Motion of the plaintiff to dismiss the appeal and Was argued by Counsel. And the Court being fully advised in the premises do overrule the Same. To Which ruling of the Court the plaintiff Excepts.

No 60

P. H. Bonner & others
vs
H. H. Pringle et al

This day came the parties and Submitted this Cause & Came on to be heard by the Court. Whereupon the Court being fully advised in the premises do affirm Said Judgment and order of the Court of Common pleas.

It is therefore Considered and adjudged by the Court that Said Judgment and order ~~be~~ Stand affirmed and that defendants, Recover of the plaintiffs their Costs in this behalf Expended Taxed to & To which Judgment of this Court affirming Said Judgment below the plaintiffs in Error do Except.

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Thursday, March 18th A.D. 1880.

No 4812

W. H. Baxter
vs
T. W. Cheney et al

This day came the parties to this cause and submitted the cause to the court upon the petition, answer, Repley and Supplemental petition and the evidence whereupon the court being advised in the premises do find for defendants that they are entitled to have the Sum of One hundred and Twenty Eight dollars abated from said Mortgage on account of the matters avered in defendants answer and the court further find that with the exception of said $128.00 the plaintiff are entitled to the amount called for in the two notes mentioned in the petition and the supplemental petition, and that the same is a lien on said premises in the petition described and the court find that the sum so due after such deduction is ($ 35 63 46) Thirty five hundred and Sixty three 46/100 dollars with Eight per cent interest. It is therefore ordered and decreed that the defendants pay to said plaintiff so said Sum of Thirty five hundred & Sixty three 46/100 dollars. With Eight per cent interest as aforesaid and his costs herein expended taxed to $ And if the defendants fail for three days to pay said Sum of money and costs that an order of Sale issue to the Sheriff of this County who is appointed Special master for that purpose commanding him to appraise advertise and sell said premises according to law and bring the proceeds into the Court of Common pleas of this County for distribution and this cause is remanded to the said Court of Common Pleas to be carried into effect.

401

Thursday March 18th A.D. 1880

Susan Adams Plaintiff
vs
No 36 James Adams. Defendant

This day came the parties by their attorneys and this cause came on to be heard upon the pleadings including the answer of McLawrence guardian ad litem for the following minors to-wit; William Adams, Emma Adams. John D. Adams as well as the answer and cross petition of the said A.G. Deihl and George W. Drum as Administrator of A.G. Wirt together with the Exhibits and Evidence and was argued by Counsel and submitted, On consideration Whereof finds upon the issues joined for the plaintiff and that the facts stated and allegations made in her petition are true,

The Court further find that at the Commencement of this action the plaintiff was in possession of the real property described in the petition and that the She has the Legal estate in and is entitled to the possession of the Same, and that neither of the defendant nor any one of them have any estate in or lien upon the said premises either Legal or Equitable.

The Court further find that said John Adams in his lifetime deeded said land to said J.W. Haynes and that said deed has been lost after delivering and without record and that for a full and valuable Consideration said premises were deeded to said plaintiff by the Administrator of said Haynes in the lifetime of said John Adams, and that said plaintiff ought to have her title and possession quieted as against each and every one of said defendants as prayed for in her petition.

No 61

It is therefore ordered adjudged and decreed that the title and possession of the

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Thursday March A.D. 1880.

Said Susan Adams to all and singular the premises in the petition described, To-wit; Situate in the County of Miami and State of Ohio, and Village of Richwood and being In Lot No 61 as shown and designated on the recorded plat of said Village be and the same hereby are quieted as against the said defendants and Each and everyone of them and all persons claiming under them or any of them and said defendants Each and every one of them and all persons claiming through or under them are hereby forever enjoined from interfering with the plaintiff in her possession and enjoyment of said premises.

It is further ordered and adjudged that the costs of this proceeding in the Common Pleas Court be paid by the party or parties making the same and that the cost of this Cause on appeal and after the same came into this Court be paid by said A.G. Diehl and the administrators of A.G. Wirt in equal parts and in default that Execution issue therefor To all of which the Defendants Except=

No 61

Amos H. Mokee et al
vs
The State of Ohio
} Error

This cause left off of the docket by order of Court.

Thursday. March A.D. 1880.

No 32

Mary E. Robertson
vs
John. W. Grindell et al

This day this cause came on to be heard and was submitted to the Court on the pleadings and evidence and was argued by Counsel Upon Consideration whereof and being fully advised in the premises the Court do find the Equity of this Cause in favor of the plaintiff Mary E. Robertson and that the ~~Deed~~ Deed of Conveyance from Said Mary E. Robertson and Elias Robertson her husband to John. W. Grindell in the petition described for the premises therein described was obtained from the plaintiff by fraud. deceit and Misrepresentation of Defendant John W. Grindell and Elias Robertson to the plaintiff as in her Said petition alleged. It is thereupon ordered adjudged and decreed by the Court that the Said deed of conveyance in the petition described from the Said Mary E. Robertson and Elias Robertson her husband to John W. Grindle be and the Same is hereby Set aside vacated and declared to be ~~vacated~~ of No force or effect in Law or Equity to effect or convey the title of the premises described in Said deed and in the petition herein to the Said defendant John W. Grindell. It is further considered by the Court that the plaintiff recover of the Said defendants John W. Grindell and Elias Robertson her Costs herein Expended Taxed to $ - To which judgment order and ruling the defendants Excepted. and thereupon Came the Said defendants and filed their Motion herein to Set aside the findings and Judgment of the Court aforesaid and to grant them a new trial of this Case. Upon consideration

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pon Consideration

Thursday. March 18th. 1880.

whereof the Court overruled said Motion and the defendants excepted thereto and tendered a true Bill of their Exceptions in this behalf which is allowed by the Court. Signed Sealed, and upon Motion of defendants ordered to be made a part of the record of this Cause-

No 31

Philip P. Mackling
vs
T. W. Forgarte et al

This day this Cause came on to be heard, and was submitted to the court on the petition of the plaintiff the answer Thomas W. Forgarte and James A Mcallister the reply of Plaintiff to Forgarte's answer and the Evidence and Exhibits the defendants, the heirs of Daniel Caufman being in default, and no one appearing for the defendants. The plaintiff by his Counsel Consented that the same Judgment entered in the Court below might be entered in this Court with costs, On consideration whereof the court finds that by virtue of the Mortgage Set-forth in plaintiffs Petition he has a lien on thirty acres of land owned by Thomas W Forgarte included in said Mortgage to the Extent of the value of the improvements on said Lands on the 27th day of October 1866 but to no other or further Extent. And the Court further finds that said improvements were then of the value of Sixty dollars.

The court further finds that the conditions contained in said Mortgage deed has been broken and that there is due the plaintiff on said Mortgage said

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Thursday March. 18th A.D. 1880.

Sum of $60.00 with interest from March 1st 1878.
and that plaintiff has the right to have the defen.
dants Equity of redemption foreclosed.

It is therefore considered ordered adjudged
and decreed by the Court that if the defendant
Thomas W. Keyser shall pay for ten days from
the close of this term of Court to pay the plain-
tiff said sum of Sixty dollars and costs with interest from
March 1st 1878 then that an order of Sale issue to
the Sheriff of Union County Ohio for the time
being commanding him to proceed to appraise
advertise and sell the Lands and tenements herein-
after described as upon judgments at Law and
bring the proceeds arising from such Sale into
Court Subject to its further order.

"Description of Lands"

Situate in the County of Union and State of Ohio and
in Taylor township: Being part of U. M. Survey
No H H 06; Beginning at a Stone and three
Beeches in the East line of said Survey and S.E.
Corner to Lot No 6 of the partition of said Survey
in the case of the Trustees of the Theological
Seminary vs George W Grymes et al, thence
with the East line of said Survey N 8° 35' W. 33½ poles to a
Small hickory and Stake and Stone S. E. Corner of David
Hemmerans Land. Thence with the South line of
his Land S 81° 25' W 144 poles to a Stake S.W. Corner to
said Hemmerans Land. Thence S 8° 35" E 33½ poles
to a stone white Ash and four Beeches S.W. Corner to
said Lot No 6. Thence with the South line of said
Lot N 81° 25' E 144 poles to the beginning containing
30 acres ~~More~~ Land more or less.

It is further ordered that a Special
Mandate be Sent to the Common Pleas Court
of Union County this to carry the foregoing

Thursday March 18th 1880

order this Effect=

Thereupon Court adjourned to Wednesday morning at half past Eight o'clock.

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March 1st 1878-
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Friday March 19th A.D. 1880

This Morning Court met at half Past Eight o'clock The Same officers being present as on yesterday -

No 67

A. H. McFarland et al
vs
William Robertson et al

This day this Cause came on to be heard upon the petition in Error in the above Case and was argued by Counsel and Submitted to the Court; on consideration whereof the Court do find that no final order has heretofore been had or made in the court of Common pleas of Union County Ohio in the above case as alleged in the said petition in Error aforesaid.

It is therefore ordered that the said petition in Error be and the Same is hereby dismissed at the cost of said plaintiff.

It is ~~further~~ therefor considered ordered and adjudged that the said defendants recover of the plaintiffs herein the costs aforesaid and that in default of payment of the Same within ten days from the ~~entry~~ rising of this court - that Execution issue therefor -

It is further ordered that a Special Mandate be sent to the Common pleas of Union County Ohio to carry this judgment into effect -

No 36

No 65

Friday March 19th A.D. 1880

John Fryman
vs
Jacob Hoskins

This Cause came on for hearing upon the petition in error the transcript and the Original papers and pleadings from the Court of Common pleas of Union County and was argued by Counsel On consideration whereof the Court find there is no error apparant on the record in Said proceedings and Judgment.

It is therefore considered by the court that the Judgment aforesaid be and the same hereby is affirmed and that the defendant in error recover from the plaintiff in error his costs herein expended taxed at $. The court being of opinion that there was reasonable ground for processing in Error allow no penalty. It is further ordered that a Special Mandate be sent to the Common pleas court of Union County for execution upon Said Judgment.

No 36 Susan Adams
vs
James Adams et al

This cause came on to be heard on the motion of the defendants A.G. Deibel and the administrator of A C. Wat- (George W. Drum) for a new trial, on consideration Whereof the court overruled Said Motion and the defendant excepts.

No 65 James Mulvaine
vs
Richard W. McCamey

Continued

Friday. March 19th 1880

No 66 James Baxter vs The Bank of Northlewisburgh } Continued

No 68 Peter S. Wynegar vs George Bishop

This cause coming on for hearing upon the petition in error and it appearing to the Court that the order complained of was not a final order the action is hereby dismissed at plaintiffs cost. It is therefore considered ordered and adjudged that the plaintiff pay the costs herein taxed to $. It is further ordered that a Special Mandate be sent to the Court of Common pleas of Union County for execution -

No 69 W. H. Baxter vs Eva L. Chesney

And now comes the plaintiff and dismisses this action at his own cost without prejudice. No Record -

No 70 J. M. Southard vs The Incorporated Village of Marysville et al

This day on application to me by the plaintiff and there being no Judge of the Court of Common Pleas or Supreme Court here in the County and being Satisfied from the amended petition and evidence and affidavits of Village ordinances

Friday March 19th 1880.

that a temporary injunction as prayed for in said amended petition until further order in the case on the plaintiffs given an undertaking according to law in the sum of two hundred dollars acceptable to the Clerk of said Court.
March 22d 1880. John B. Coats. Probate Judge
Seal

No 1038

M C. Lawrence Trustee
vs
Henry Barth et al

This day this cause came on to be heard upon the application of the plaintiff in this case for the appointment of a Receiver to take Charge of the premises for the purpose of renting the same collecting rent payment of Taxes and Keeping the property insured and prevent Waste of said property. and by agreement of the parties plaintiff and defendants Hyles Sabine of Richwood Union County Ohio is appointed a Receiver herein for the purposes aforesaid and it is ordered that said Hyles Sabine be and he is hereby authorized and Empowered to rent said premises for a period of One Year from the first day of April A.D. 1880 and he Execute a bond thereof as provided by Law and to collect the rents thereof when due and institute all such proceedings as may become necessary to enforce the collection thereof as is or may be authorized by Law, and it is further ordered that said Receiver out of the rents of said place pay the Taxes due and to become due on said premises and keep the buildings on said property insured and the residue of the rents and profits be held in trust for the use and benefit of the person who may

Friday March 19th A.D. 1880

be entitled to the same upon the final hearing of this cause.

It is further ordered that the said Hoylas Sabine as a condition precedent to entering upon the said trust execute a good and sufficient bond conditioned according to law payable to the State of Ohio for the use and benefit of the parties who may be entitled to the funds which may come into his hands as such Receiver in the sum of One Thousand dollars to be approved by the Clerk of the court of Common Pleas of Union County Ohio.

The said Receiver shall have no power to sell said premises. and it is further ordered that the appointment of Hoylas Sabine receiver shall in no wise interfere with the administrator of the estate of said Henry Barth dec'd if the same shall be administered by an Administrator or Executor duly qualified by Court.

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Friday March 19th A.D. 1880

Angeline Lockwood
vs
Oliver Lockwood. Amanda Lockwood
Wesley Lockwood. George Lockwood
Malvina M. Lockwood. Israel Lockwood.
Erastus Lockwood French Lockwood
Warren Lockwood Harrison Lockwood
Evaline Martin Elwood Lockwood
and Ella Ford — Defendants.

This cause being heard upon the demurrer to the petition the court on consideration thereof overrule the said demurrer; and thereupon the defendants not desiring and failing to plead further the court find upon the petition and evidence that the defendants are indebted to the plaintiff in the sum of Three hundred & 53/100 dollars. and that the said indebtedness is a charge upon the lands described in the petition, and said plaintiff has a lien upon said lands for the payment thereof; that the said sum includes the sum of $285.00 which was paid by plaintiff on assessments for gravel Road improvements made upon the estate of said defendants in said Lands together with interest on said sum from the 21st day of April A.D. 1879 when the decree therefor was obtained in the Court below. It is therefore considered and adjudged that unless the defendants shall within 150 days from the entry of this decree pay or cause to be paid to the Clerk of this court the costs in this case and to the said plaintiff the said sum of Three hundred & 34/100 Dollars so found due as aforesaid with interest thereon from the 16th day of March A.D. 1880 (the 1st day of this term) the said premises shall be sold and an order of Sale therefor

H 1413

Friday March 19th A.D. 1880

Shall issue to the Sheriff of Said Union County directing him to Sell Subject to the life estate of the Plaintiff therein Said premises or Sufficient thereof to pay Said decree as upon Execution and bring the proceeds into Court for further order. And it is further ordered that this Cause be remanded to the Common Pleas Court of Said Union County to carry this decree into Execution and for all further proceedings and that a Special Mandate therefor be Sent to Said Court. To which ruling of the Court in overruling Said demurrer the defendant Excepts.

J. W. Cummings Admr
vs
William A. Epps et al
Sarah Epps

This day came the parties and this Cause came on to be heard upon the petition Answer and reply together with the evidence and arguments of Counsel and the Court being fully advised in the premises do find the equities of the case in favor of the plaintiffs and it appearing to the Court that the note in the petition set forth has fallen due and that there was due on Said note when Suit was commenced on same was entered in Common pleas the Sum of $293.33 It is considered by the Court here that the plaintiff ought to have an account of Said Money in the Said Sum of (Money) $293.33 And the Court further find that Said Sale is Secured by Said Mortgage and a lien on Said Land

This Cause coming on to be further heard upon the motion of the plaintiff to confirm the Sale heretofore made in this case and

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Friday March 19th A. D. 1880

plaintiff producing the return of the Sheriff of the Sale Made Under former order of this Court and the Court on careful Examination of the proceedings of said Sheriff being Satisfied that the same have been in all respects in Conformity to Law and the orders of the Court and the Court being fully advised in the premises, ordered that said proceedings and Sale be and the same are hereby approved and confirmed. And it is further ordered that the Sheriff Convey to the purchaser J. W. Cummings by deed in fee Simple the lands and tenements so Sold and a writ of possession is awarded to put the purchaser in possession of said premises.

And the Court Coming now distribute the proceeds of said Sale Amounting to $625.00. It is ordered that the Sheriff out of Money in his hands pay the costs in this action in the Court of Common Pleas taxed $38.33. Second. To the plaintiff herein the Taxes on said premises for which he holds a lien. Amounting to $17.07. Third to the Plaintiff the Sum of $558.76 the amount due on said Mortgage and notes at date of decree in Court of Common Pleas. And it is further ordered and adjudged plaintiff herein recover from the defendants herein all costs of this appeal and in default thereof within ten days from this date that Execution issue therefor as upon Judgment at Law. And the Court further find that there is a balance due to the plaintiff on the notes and Mortgage in the petition described after exhausting the amount for which said premises Sold the Sum of Ninety three 47/100 Dollars and for the said Sum Execution is awarded

Friday March 17th 1882

as upon Judgments at Law against said William & pps.

It is further ordered that this cause be remanded to the Common Pleas Court of Miami County to carry ~~into Effect~~ this decree into execution and for all further proceedings. And that a Special Mandate therefore be sent to the said Court.

Elizabeth Parthemore
vs
William R. Stage

This cause being heard upon the pleadings and evidence. The petition of the plaintiff to set aside the deed of conveyance heretofore made by her to defendant of Lot No ten in the Village of Milford Center in said County. The answer of the defendant. The Reply thereto and the evidence

On consideration whereof the court find for the plaintiff. And that the said deed of Conveyance ought to be set aside. and that the sum of $100. ought to be allowed to defendant payable without interest after the decease of the plaintiff and the same to be a charge upon said premises.

It is therefore considered ordered and decreed that the said deed of conveyance be and the same is hereby set aside, vacated and declared to be of no force or effect in law to affect or convey the title of the said described premises to the said defendant, and it is further adjudged and decreed that the said defendant have a lien upon said land for the said sum of one Hundred dollars and that the same be and that the same be and the same is hereby described to be a charge thereon to be paid at the decease of

Friday March 19th A.D. 1880

Said defendant without interest and the costs of this case be paid by Each party paying one half thereof in ten days and in default thereof that execution issue therefor

And it is further ordered that this cause be remanded to the Common Pleas Court of said Union County to carry this decree into Execution and for all further proceedings and that a Special Mandate therefor be sent to the said Court.

No 5-5- Hosea Finch et al vs Matilda Wirt et al

This cause continued for want of time to hear it with leave to defendant to file amended answer in 60 days from the rising of this Court Saving all rights to the plaintiffs as to terms.

No 62 The Bank of North Lewisburgh vs Orlando Wells, Elizabeth Wells & others

This day came the parties and submitted this cause to the Court Whereupon the Court find for the plaintiff, that there is due plaintiff on said mortgage in petition described the two notes first to become due with interest as therein alleged and the one years interest on the 3d note was due April 1st 1879 and that the principal of the 3d note is not yet due and on accounting the interest the Court find there was on the 16th of March 1880 due as principal and interest to plaintiff on said mortgage which is a valid lien on said land in petition described the sum of

Friday March 19th A.D. 1880

$3369. as per Estimate filed and that the 3d Note with 8 per cent interest-on $1400- from April 1st 1879 will become due Jany 1st 1881. No penalty assessed.

Therefore it is ~~further~~ ordered and decreed that unless Elizabeth Wells Shall pay or cause to be paid the Said Sum of $3369- with 8 per Cent-interest-on $2800- from March 16th 1880 and at 6. per cent- on $569- from Same date and costs of Suit- within four months then that-an order of Sale Shall issue to the Sheriff of the County who is appointed Special Master ~~Commissioner~~ for that-purpose Commanding him to proceed to appraise advertise and Sell Said premises according to Law to pay Said Sums due and to become due- And as to the 3d Note of $1400. with interest-from April 1st 1879 at 8 per cent this Cause is Continued to be paid out of the proceeds of Sale and as to all Claims of the other defendants Except Benjamine Grant this Cause is Continued- And as to the cross petition of Benjamine Grant the Court find there is due to him as alleged in Said Cross petition the Sum of $2000. with 8 p% interest- payable annually from April 26th 1878 which is the first lien on Said Land by the Mortgage given by Orlando & Elizabeth Wells. No penalty assessed.

It is therefore considered ordered and decreed by the Court that-unless Said defendants pay or Cause to be paid Said $3000. with 8 per Cent interest payable annually from April 26th 1878 within thirty days that an order of Sale issue to the Said Sheriff as Special Master Commanding him to appraise advertise and

A.D. 1880

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sell said premises according to law to satisfy said claim.

And the Court further order that a Special Mandate issue to the Court of Common Pleas of this County to carry this decree into Execution.

No 52 John D Southard et al
vs
David Mulford et al

This day came on this cause to be heard on the pleadings and Evidence and arguments of Counsel. Whereupon the court find for the plaintiffs. It is therefore considered ordered and decred by the Court that the plaintiffs be and they are hereby quieted in their title and possession in the lands in said petition described against the claim of the said defendants thereto. and the defendants are enjoined from making any efforts to disturb the quiet and peaceable possession of the Several plaintiffs thereto.

It is further ordered that the defendants pay the costs of these proceedings within thirty days and in default thereof that Execution issue therefor as upon judgments at Law.

To all of which rulings and decisions of the Court the Defendants then and there excepted and asked that the Court would then and there order that their exceptions should be signed by the Court and made a part of the record in this case. Which was accordingly ordered and done. And thereupon the defendants filed their written Motion for a new trial stating their reasons therefor Whereupon the Court overruled said Motion To which rulings and decisions of the Court the defendants then and there, their attorneys excepted and again asked the Court to sign their bill of exceptions which was accordingly done

No. 70

J. M. Southard
vs
The Incorporated Village
of Maysville

Civil Action

This day this cause was heard upon the pleadings herein and proofs, upon consideration whereof the Court find. That the Council of said Village of Maysville has not provided as required by law for a change of the grade upon South Main Street in said village, and in front of the property of the plaintiff. It is therefore considered and adjudged that the defendant be and it is enjoined from filling up or raising the sidewalk in front of the premises of the plaintiff upon said Main Street in said village, until it shall provide by ordinance of said village duly passed by the Council of said village for a proper and legal change of the established grade of said South Main Street. And it is ordered that the defendant pay the cost herein to be taxed.

Clerk:

Enter this on Journal of District Court.

H. H. Dodge
John McCauley
Judges.

State of Ohio
City of Columbus } ss

Supreme Court of the State of Ohio.

Of the Term of January A. D. 1880.

95 Daniel Anderson vs. Henry Taylor } Motion to dismiss Cause No. 801 on The General Docket for non-pliance with the statute in regard to printing the record.

Ordered, that the motion be and the same is hereby granted.

I R. J. Fanning Clerk of the Supreme Court of the State of Ohio, do hereby certify that the foregoing entry of dismissal is truly taken and correctly copied from the Records of said Court, to-wit: from Journal No. 7 Page 241.

Supreme Court seal

In witness whereof, I have hereunto subscribed my name and affixed the seal of said Supreme Court, this 1st day of July A. D. 1880.

R. J. Fanning Clerk